

To: European Plastics Converting Companies

Subject: Identification of uses of substances intended to be bound in a thermoplastics matrix whether on their own (direct additive use) or in mixtures (in compounds, masterbatches or polymers)

N.B.: A similar communication letter will also be released for thermoset plastics

Brussels, 9 November 2009

Dear EuPC members,
Reach Downstream Users,

The Reach process started in 2001 with a White Paper and the Regulation entered into force on 1 June 2007. For many of you the first real action started in 2008 with the 30 November Pre-registration deadline.

We are nearly one year later now, and a new deadline is coming up soon: **before 30 November 2009 you should inform your suppliers of your Uses.**

By reporting your uses, you maximise the chances that your company uses will be covered in the Registration dossiers.

By requesting a confirmation from your suppliers you are at least sure that your uses will be "assessed" even if no 100% certainty can be given that they will be ultimately "covered".

As a protection for Downstream Users, a supplier who does not include an identified use must provide his customer and the European Chemical Agency with the reasons (of protection of Human Health and Environment); he will have to do so in writing and without delay.

Use Identification according to Article 37 of the Reach Regulation is an individual business-to-business action, but the plastics supply chain has been working together for more than a year now to have this operation running as smoothly as possible for all parties concerned.

The PEST ("Plastics Exposure Scenario Team") project in which EuPC takes part worked on "Association Level" and cannot legally do the Use Identification for you. But PEST has managed to provide you with the tools to minimise the effort and maximise the result.

First, the table annexed to this letter is a summary of the process uses identified so far and that will be covered when a hazardous additive is present in reportable concentration in the product supplied. If your process use is not included in the table, you need to inform your supplier and let him know your particular use (Art 37 (2) of REACH).

The information contained in this one pager document is complemented by a website developed by PEST that provides a very detailed mapping of the single downstream process operations and applications of thermoplastics resins, compounds, masterbatches and additives intended to be bound into a plastics matrix in an understandable language to converters. This web tool translates the more detailed mapping in common language into the Use Descriptors language mentioned above. This **webtool will be available on 13 November 2009**.

For other products used in your plant such as inks or lubricants or for suppliers not involved in the PEST initiative you should ask similar information. You can also invite them to participate in PEST.

All you have to do is to go to the web site www.plasticsconverters.eu, under the section **PEST / PEST mapping search engine (thermoplastics additives)©** follow the instructions and download the *.pdf file when your exercise is completed.

What should you do with this *.pdf file?

Case 1

- 1.1 You find the name of your supplier listed on the PEST website as supporting the PEST mapping.
or
- 1.2 Your supplier confirmed on its website or in a letter to you that he is supporting the PEST mapping
or
- 1.3 Your supplier has confirmed in a more generic communication that he covers your use and those of your customers (general type statement) and therefore endorses the full liability for the assessment of your use

You should then keep the *.pdf file as a proof that your application and manufacturing process (including the ones of your customers until the end application is put on the market) was considered in the PEST mapping

Those applications and processes will be considered by chemical substances manufacturers and importers that support the PEST initiative into their chemical safety assessment when the application is relevant for the uses of their substance.

Plastics Producers, Compounders or Masterbatchers supplying to you and supporting the PEST initiative should in addition inform their suppliers not currently participating in PEST of these uses.

As Plastics Producers, Compounders and Masterbatchers are essentially putting on the market non-hazardous products, they may have chosen to communicate to their users in a more simple and generic way, via their internet site or direct mailing. Thus, prior to any action on the PEST website, always visit the internet site of your suppliers to know their position and obtain the confirmation that your use(s) will be well covered by them, using the PEST draft Generic Exposure Scenarios to which they may make reference. Note that they may also use a more generic use descriptor in case of non-hazardous products.

Case2

- 2.1 By 23 November, you didn't receive any communication or confirmation by your supplier in line with case 1
- 2.2 You cannot find your use or a similar use in the PEST mapping and your supplier didn't provide you with a general guarantee as foreseen in 1.3.

You should then send the pdf to your supplier in order to make your use is known to him.

Website updates:

Please note that we will try to take into account comments received and **update the website before the 23 November. Please therefore have one last check before sending a pdf back.**

The mapping on the website is the best knowledge of the applications and processes made by the industry. If you manufacture a very similar application to the one listed on the website or if you give it a local more specific name, you will be considered in the PEST exercise and therefore you only need to feedback to your supplier and to PEST in case your application or process significantly differs from the ones listed by PEST.

An application or use would be significantly different if the particular exposure from this application or process cannot be described with the REACH Use Descriptors used by PEST.

Please refer to the document “Use descriptors coding methodology for the plastics supply chain (thermoplastics additives).doc”, its appendix and the Echa REACH Guidance on information requirements and chemical safety assessment chapter R.12¹.

An important part of the organizations comprising EuPC are participating as sponsors or data provider of PEST (see appendix). By becoming involved, these organizations assure that the manufacturers within the group will be made aware of and assess the actual operational conditions and normal risk management measures that are practiced within their sector. By doing so, they assure that the manufacturers will not be forced to use more conservative general assumptions that may not take into account the actual protective measures which are in place. This will provide the best assurance that their uses will eventually be covered and that additional equipment modifications or operational changes would not be required in order to remain compliant.

Please note that PEST is a voluntary organization. Our member organizations contribute their time and financial resources in order to meet the REACH obligations for their substances, polymers, or industry or national sectors. We have a mandate to address the requests made by member companies of the associations that contribute to the PEST project. Our intention is to cover a high percentage of uses with our Generic Exposure Scenarios through a process of running risk assessments and refining. For EuPC, the PEST members are the National and Sectoral associations that take part in the REACH support Project (see annex, last updated list available on website). In case your association is not contributing to PEST we cannot guarantee your application will be fully evaluated.

We remind plastics converters that the fact that a use is made known to a Manufacturer and Importer of a substance as part of the REACH identification of uses procedure won't make this use supported if it was previously not allowed by other legislation or restriction (e.g. Food contact materials regulation, Pharmacopea, workers protection legislation, environmental legislation or voluntary commitments.....)

Please don't hesitate to contact us through the website and the e-mail: info@pest.plastics.net if you need guidance on the above issue.

Best regards,



Alexandre Dangis
EuPC managing director

P.S.: full information on PEST and the Art. 37 obligations can be found in previous EuPC correspondence (letters 27.4.09, 15.6.09, 11.09.09) .

Appendix 1: PEST member associations

Appendix 2: List of EuPC member organisations contributing to PEST

Appendix 3: PEST one pager

¹ Those documents will be made available on the PEST website