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Main elements for an improved REACH from the perspective of key downstream user industries

ACEA, ASD, and ORGALIME represent the European automotive, engineering, aerospace and defence industries, accounting for an annual turnover of 1752 billion euros and employing some 9.6 million people. We speak for more than 130 000 companies, from very small to very large, that are downstream users of chemicals, accounting for more than 15% of the consumption of chemicals in the EU.

Our members appreciate the considerable efforts made by MEPs to ensure a workable REACH and give their full support to those amendments that provide for:

- the introduction of use and exposure categories;
- the full exemption of R&D throughout the supply-chain;
- the protection of confidential business information;
- the full exemption of wastes for recycling and basic raw materials for the metal industry;
- keeping the regulatory burden on metals and alloys in massive form in proportion to potential risks;
- limiting economic withdrawal, particularly of low-volume substances which often are of special application to our sectors;
- improvements to the hitherto unworkable aspects of art. 6 without compromising EU competitiveness.

We would like to encourage you to support such amendments in your further proceedings.

At the same time, however, the debate in the European Parliament is reaching a level of complexity that should not result in compromises being found at the further expense of downstream users. Our sectors are particularly concerned that while a risk-based approach, which we support, seems to gain acceptance for registration, some amendments aim at moving away from this principle when it comes to the use of substances. Our practical experience with restrictions on the use of only a limited number of substances (e.g. under the ELV or RoHS directives) underlines the difficulties and costs of re-engineering products and processes in highly complex supply-chains. "Substitution" is often not possible without compromising other important characteristics of a product, such as its safety. Multi-annual re-development and long-term re-testing may be required. Moreover, "substitution" does not necessarily present the most advantageous option in terms of environmental and health benefits from a life-cycle perspective.

Therefore, our sectors strongly oppose proposals to establish a mandatory "substitution principle" and we reject the proposed inflexible time limits. Instead, sound scientific and socio-economic considerations must be the prime factor for individual authorisation/restriction decisions. The diversity of applications means that any time limits have to take into account application-specific lead-times and product cycles. Our sectors encourage you to reject those amendments that go against these principles.

We thank you for your attention and remain at your disposal for any additional information you may require.

Yours sincerely,

(signed)

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