

## **Key points for Industry Press Conference on REACH**

### **1. Authorisation and scope: Lack of balance between competitiveness and environmental objectives**

- Status of key raw materials for the metals industry (primary and secondary) poses a major threat to security of supply for EU industry and will be detrimental to competitiveness and sustainable development (recycling)
- Ores and concentrates still liable for authorisation: materials produced outside EU and imported; situation of worldwide market leads to huge demand in developing economies; REACH provides producers with an incentive to sell to non-EU producers
- Secondary raw materials: lack of clarity as to whether they are out of REACH as wastes are. This is not consistent with well established recycling support objectives
- No environmental benefits, since these materials are covered by other legislation (IPPC and Waste)

### **2. Positive and constructive attitude towards supporting effective REACH implementation and workability**

- Participation in RIPs work (on scope review of annexes, guidance on alloys, GHS, waste definition, "adequate control", etc)
- Specificity of metals, metal compounds and preparations (alloys)
- In order to regulate for a very wide spread of complex materials, REACH makes some basic

simplifications. The REACH concepts of “intermediate”, “substance”, “preparation” and “waste” do not easily fit the practical reality of our industries. For naturally-derived inorganic substances in general, and for metals in particular, these can be misleading over-simplifications.

- Metals are elements, not conventional man-made substances.
  - Alloys do not behave in practice as simple preparations.
  - Our recycled feedstocks are secondary raw materials not simply waste.
  - Our primary raw materials are naturally occurring ores and concentrates.
- If REACH is to result in successful sustainable outcomes and be more than just a political “feel-good” exercise, it is essential for these subtleties to be recognised and accommodated throughout the process. We are pleased that both the Council and the EP have accommodated some of these subtleties in the current text of REACH.
  - But not all. Some ambiguities and potentially misleading over-simplifications remain. It is essential that further efforts now be made to recognise and accommodate the special nature of these materials in the RIPs, in the Commission’s specific clarification assignments and in the future decision-making processes of the Agency.

Guy Thiran  
Eurometaux  
6 December 2006