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News Alert:

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ECHA CLARIFIES ITS POSITION ON ACTIVITIES OF PROVIDERS FOR REACH RELATED SERVICES

Over the past few weeks, enquirers have frequently alerted ECHA to market behaviour of companies advertising REACH related services and/or actively hampering SIEF formation. ECHA was asked to clarify whether this behaviour may possibly constitute a violation of the terms and conditions of REACH-IT or a breach of obligations imposed by the REACH Regulation.

While taking such information seriously, ECHA would like to inform enquirers that it is not its policy to actively contact companies in order to verify whether their business practices are in compliance with REACH. Enforcement of REACH lies with the Member States. ECHA has and will only act in exceptional cases which directly fall into its remit, such as incorrect and misleading statements concerning ECHA's activities, breaches of the terms and conditions of REACH-IT or infringements of ECHA's intellectual property rights.

In this context a message was brought to ECHA's attention indicating that one of its staff members had, without disclosing his real identity, contacted a service provider by phone to enquire about its business practises. ECHA is investigating the incident, which could have only happened on the staff member's own initiative, and will take internal measures as appropriate.

In general, ECHA reminds companies to carefully ensure that their market behaviour is in line with the legal requirements of the REACH Regulation. Failure to do so may lead to enforcement actions or even legal proceedings brought by other companies that were misled by these actions. We also invite companies to regularly consult ECHA's guidelines and recommendations available on our website:

http://echa.europa.eu/home_en.asp

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