

The responsibilities of an OR

US Clients
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Key responsibilities 1

- Acts in locum to take REACH responsibilities as importer
- Does not act as importer in other aspects
 - ❖ Does not handle goods
 - ❖ Takes no part in importation finances or payment of duty etc.
 - ❖ No part in finances with customers

Key responsibilities 2

- Pre- registers substances on behalf of principal
- Represents principal in SIEF
- Can represent principal in consortia
- Responsible for SDSs if required
 - ❖ Content
 - ❖ Ensuring DUs have current SDS
 - Need to know who the DUs are!
 - ❖ Communicating required changes to principal

Key responsibilities 3

- Maintains records
- Needs to know where substances are sold
 - ❖ Tracks import volumes
 - ❖ Acts on changes to volumes where a tonnage band is breached
 - Notifies ECHA
 - Advises ECHA of timetable for dossier upgrade

Key responsibilities 4

- Registers substances on behalf of principal
- Negotiates for letter of access in SIEF
 - ❖ In practice can be done through consortium
- Compiles IUCLID dossier
 - ❖ In practice can be done by principal
- Registers (uploads dossier)
- Collects downstream uses
- Compiles CSA/CSR where required (>10 tonnes)

Principal's duties

- Track EU import volumes
 - ❖ Advise OR
- Provide SDSs to OR for review
 - ❖ Update SDSs if necessary
- Can be subcontracted to OR
- Provide downstream use information to OR

What about enforcement?

- EU Member States are cranking up activity levels
- Registrants are being audited
 - ❖ Very short notice!
- REACH correction notices are being issued
- Focus is on:
 - ❖ Having a valid pre-registration (need to have the number)
 - ❖ Valid SDSs
 - ❖ Tonnage data
- They can stop your business

Summary

- An OR is not just a subcontractor
- OR and principal have clearly defined responsibilities
- This is a business partnership
 - ❖ A failure by the principal hurts the OR
 - ❖ A failure by the OR hurts the principal!
 - ❖ If anything goes wrong, it's a lose-lose situation
 - ❖ If it is done right, its win-win