

LANXESS Deutschland GmbH / 51368 Leverkusen

Compliance with REACH; Preregistration and SVHC

Dear Sir

On 01. 06. 2007 the European directive 1907/2006/EC for registration, evaluation and authorisation of chemical substances (REACH) has come into force and put a number of new obligations on the producers, importers and users of chemical substances in Europe.

Products based on chemical substances may only be produced within Europe, or imported into Europe, if the registration requirements according to REACH have been fulfilled. For formulators, distributors and downstream users no registration obligations arise.

In case of substances listed in the European Inventory of Existing Commercial Chemical Substances (EINECS), the requirement is to have a preregistration filed with the European Chemicals Agency (ECHA) before 01.12.2008.

Doing so, every preregistrant is awarded an individual preregistration number for every substance. This numbers are not systematic and meant for internal use only, to simplify communications between ECHA and registrant. REACH does not intend the preregistration numbers to be published. There is no tool to backtrace numbers or identify substances based on a given number e. g. to verify the preregistration status externally.

For customers buying products based on chemical substances within Europe from a european supplier, compliance to REACH registration requirements is inherent in the fact, that the supplier delivers.

LANXESS Leather confirms, that we fully comply with all requirements regarding registration as outlined in the REACH directive.

December 01, 2008

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All substances we are currently producing, importing or marketing in Europe, we have either preregistered or made sure with our suppliers, that a preregistration has been done according to the directive, enabling us to continue marketing.

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Leather intermediates (wet blue), leather and leather goods are considered "articles" under the definition of REACH and therefore not subject to registration. However, there are certain requirements for producers and importers of articles.

Chemical substances, which are meant to be released from an article during its normal use have to be notified / registered independent from their nature. A fragrance added to the leather in production would be such an example, but undesired emissions ("fogging", "extractable mineral tanning agents") are not.

Chemical substances, which are classified Substances of Very High Concern (SVHC) according to § 57 of the directive have to be communicated through the complete production chain down to the end-user if they are contained in an article in a concentration of 1000 ppm or higher. If the total amount is higher than 1 t/year, notification / registration by the producer / importer becomes necessary.

Substances can be classified SVHC if they are

- Cancerogenic, Mutagenic, Reprotoxic (CMR);
- Persistent, Bioaccumulative, Toxic (PBT) or very Persistent and very Bioaccumulative (vPvB);
- Cause a level of similar concern based on scientific evidence;

The current list of relevant substances can be obtained at:
http://echa.europa.eu/chem_data/candidate_list_table_en.asp

LANXESS Leather confirms, that we fully comply with all requirements regarding SVHC as outlined in the REACH directive.

We would like to point out, that REACH is not the only european directive regulating the use and distribution of such substances.

Directives 45/1999/EC and 67/548/EC relating to the classification, packaging and labelling of dangerous substances and preparations requires all substances classified as CMR to be listed on the respective MSDS at a concentration of 1000 ppm or higher.

Directive 76/769/EC relating to the restriction of use of certain hazardous substances limits or bans the use of a number of substances being known PBT or vPvB for their relevant applications often at concentrations lower than 1000 ppm.

The food, feedstock and consumer goods act based on directive 178/2002/EC requires consumer goods to be free from toxic impurities that might put the health of the consumer at risk.

LANXESS Leather confirms, that we fully comply with all legal requirements regarding chemicals and chemical preparations for the production of leather and fur.

Due to the origin of leather from an uncontrolled natural source and the long and complex production process, contamination with problematic substances - either from environmental toxins, imperfect process conditions or faulty products - can never be ruled out. Therefore a control of the final article is indispensable to ensure the absence of any such substance.

Yours sincerely,
LANXESS Deutschland GmbH


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