

VETCHBERRY STEELS

REACH REGULATIONS

REACH

Vetchberry are a processor of steel coil and strip, material is sheared to width, cut to length, rolled to gauge and additionally can be brush finished and polycoated. Chemicals are not manufactured at Vetchberry and are not imported from outside of the European Union. Our processed material does not release or expel chemicals. We are therefore classifying our business, according to the REACH Regulations as a ``Downstream User`` and classifying produced material as `` Articles``.

We accept our responsibility in the context of REACH to communicate with our customers and suppliers in order to clarify their classification within the regulations. A procedure is in place to contact customers and suppliers and all information will be stored in the Quality System.

Please advise

- 1) Your REACH representative
- 2) Confirm you are in contact with your suppliers on REACH
- 3) Confirm you have a system where all chemicals used are/will be registered
- 4) Advise us of any supply problems because of chemicals used and REACH compliance
- 5) Advise us of any Risk Management Measures that may apply to substances you supply to us

A company of
ThyssenKrupp
Stainless

ThyssenKrupp Nirosta

Product Service (VV-PS)



ThyssenKrupp

CUSTOMER INFORMATION

European Regulation (EC) No. 1907/2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH)

As a stainless steel producer ThyssenKrupp Nirosta is predominantly in terms of REACH a so-called downstream user of substances, preparations and articles. Regarding the registration of producers and importers of substances, our suppliers or sub-suppliers, we will punctually attend to our duty. We will put all efforts into the registration of our applications and therewith secure the availability of the products we require for processing.

You also as our downstream user are involved in the life cycle of the metals contained in our stainless steels. The use of substances in our stainless steel production process and the further use of stainless steel in your products must be considered as applications when registering. As soon as we or producers or importers require further information on your applications we will give you notice.

Please contact us anytime if further information on REACH is needed.

Krefeld, December 10, 2007
Gert Weiss

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Chairman of supervisory board: Jürgen H. Eckler
Company board: Dr.-Ing. Jörg Barendt, Head
Glaus Peter Henning, Dr.-Ing. Alfred Ott, Dipl.-Ing. Volker Stant
Commercial registry: Amtsgericht Krefeld, HRB Nr. 13365
Registered Office: Krefeld, USt-ID Nr.: DE 811 155 605

REACH

IS HERE

The logo for the REACH UK Competent Authority, featuring the word "REACH" in a bold, sans-serif font above the text "UK Competent Authority" in a smaller font, all contained within a rectangular border.

REACH and Articles

If you are producing or importing articles then you may have responsibilities under REACH. This leaflet will help you understand the key issues you will need to consider.

This leaflet aims to summarise the key issues associated with articles under REACH. The European Chemicals Agency (ECHA) has published comprehensive guidance on the requirements for substances in articles. This is available on the ECHA website (http://reach.jrc.it/docs/guidance_document/articles_en.pdf) and readers are advised to consult this if they require more detailed guidance.

What is an article under REACH?

An article is defined in REACH as 'an object which during production is given a special shape, surface or design which determines its function to a greater degree than does its chemical composition'.

In a general sense, an article can usually be considered to be a finished product. Some examples of articles are clear cut, for example a telephone, a chair and a car (a car is an article made up of several other articles, wheels, seats etc). However, sometimes it is not as easy to tell if something meets this definition. For example, a metal bar can be an article if it has already been produced with a certain shape or size so that it can be engineered into another object (which will itself be an article) but not be if it hasn't been produced in this way and is simply to be melted to make another metallic object.

It is the duty of the manufacturer/importer to decide if they are dealing with an article (where the shape, surface or design is most important) or a substance/preparation (where chemical composition is most important). The ECHA guidance explains this further and gives examples of how to make this decision.

Packaging of any description is also considered as an article under REACH. If you receive goods to your premises from outside the EU or supply goods which are packaged, you need to consider the issues below for the packaging.

Note - you are not required to submit a registration to the ECHA for an article, rather, it is the substance(s) in the article that may in specific circumstances be subject to (registration) requirements under REACH (see below).

When during a manufacturing process does a substance become an article?

Articles are usually manufactured from raw materials that are substances or preparations. During the manufacturing process the substance/preparation are used to give the object a shape, surface or design which determines its main function and at this point it becomes an article. Some materials, for example plastics, metals or fabrics undergo several stages of processing before becoming the final object (e.g. a bottle, a knife or a shirt respectively). Deciding

when the material has stopped being a substance/preparation and becomes an object can be difficult. The following example is based on the ECHA guidance and illustrates the case for objects made from aluminium.

Bauxite, a mineral ore is extracted and refined and thus enters the REACH system as aluminium oxide, which is a substance. It is mixed with other substances and becomes part of alloy casts, which are preparations under REACH. The alloy casts don't have an end use function and can therefore not yet be an article. For more convenient handling they are cast into small ingots, which can be transported and re-melted. The main function of ingots is to be melted and further processed, which is also not an end use function. From the ingots, for example sheets could be formed. These sheets could be either directly used or further processed into another product. As the direct use is possible, e.g. for roofing of houses, the sheets have an end use function, which is determined by the shape of the sheet. Thus, the transition point to the article is the sheet.

It is important, particularly when a company is importing, that they are clear what they are importing and in what form.

Does the article intentionally release a substance during use?

If you produce or import an article and both the following conditions are met:

- a substance is present in those articles in quantities totalling over 1 tonne per producer or importer per year; and
- the same substance is intended to be released under normal or reasonably foreseeable conditions of use.

then you will be required to submit a registration to the ECHA for that substance contained in those articles unless the substance has already been registered for that use. This registration can be made by anyone and does not need to be from within the same supply chain.

There are very few examples of intended release of a substance from an article. One might be the release of fragrance from a scented bin liner or eraser. Many objects that at first sight might be considered as articles as a whole are better described as a preparation within a container; examples are a pen, a toner cartridge or an aerosol. With all of these items the substances/preparations within the container (the ink, toner or air freshener respectively) are the most important part and the container (pen body, cartridge or can) is a means of controlling release of the contents. The majority of articles that release substances fall into this latter category and in such cases the substances would need to be considered for registration. Note, the containers (e.g. pen barrel, cartridge or can) are articles within their own right and so all the other provisions relating to articles still apply to these components.

The ECHA guidance document highlights a number of criteria that should be applied to an object to identify whether it is an article with intentional release or a substance or preparation in a container. Generally, if the release of substances or preparations from an object is the main function of the object, then the object is regarded a substance/preparation in a special container or on a special carrier material and not an article with an intended release of substances. Therefore, the intended release of substances from an article normally applies to a secondary function or a specific added quality of the article.

The guidance is clear that it is only substances that are intentionally released from articles that should be considered for registration.

Release is not considered to be intended if:

- it occurs during removal of 'impurities' from a semi-finished or finished article during its production process (before marketing as a finished article).

- it occurs during use or maintenance of the article and is meant to improve the product quality in a wide sense or the safety as a side effect but the released substances do not contribute to the function of the article.
- it is an unavoidable side-effect of the functioning of the article – i.e. without the release, the article would not work but release is not intended per se (e.g. wearing down of a car tyre or brake pad)
- the substance is formed during chemical reactions of any kind
- it is incidental, for example could be forced by improper use or in an accident.

Does the article contain a “Substance of Very High Concern” (SVHC)?

SVHCs are substances that have hazards with serious consequences, e.g. they cause cancer, or they have other harmful properties and/or remain in the environment for a long time with their amounts in animals gradually building up. The ECHA will publish (probably in early 2009) an important list, the so called ‘candidate list’ of SVHCs. It is called this because it lists substances that are candidates for a process under REACH called authorisation. However, this ‘candidate list’ will also serve as the key definitive list of all SVHCs covered by REACH. It should not be confused with the probably smaller list of substances requiring authorisation that will be drawn from the ‘candidate list’ and be published eventually as Annex XIV of the REACH Regulation.

Communicating Information on substances in articles

Any supplier of an article containing a SVHC on the ‘candidate list’ in a concentration above 0.1 % (w/w) shall provide the recipient of the article with sufficient information, available to the supplier, to allow safe use of the article including, as a minimum, the name of that substance. This also applies should a consumer request this information and should be provided, free of charge, within 45 days of receipt of the request.

Notifying the ECHA of SVHCs in articles

If you produce or import an article you will be required from June 2011 to ‘notify’ the ECHA if the article contains an SVHC (i.e. a substance on the ‘candidate list’) if both the following conditions are met:

- (a) the substance is present in those articles in quantities totalling over 1 tonne per producer or importer per year;
- and
- (b) the substance is present in those articles above a concentration of 0.1 % weight by weight (w/w).

The 0.1% (w/w) relates to the article as imported in the case of a multi-constituent article, for example a car which is made up of smaller articles. If you import a ready-assembled car then the 0.1% (w/w) calculation needs to be made based on the overall weight of the car. However, if individual components of the car are imported separately and assembled in the EU, then it is the weight of each individual component that must be considered.

If you import several articles containing the same SVHC within them you need to consider the %w/w of the substance in each article and the total tonnage. For each article that contains the substance at 0.1% (w/w) or more then the tonnage of the substance must be summed to identify any potential notification duty.

The requirement to notify does not apply where the producer or importer can exclude exposure to humans or the environment during normal or reasonably foreseeable conditions of use including disposal (this is unlikely to be straightforward). In such cases, the producer or importer shall supply appropriate instructions to the recipient of the article.

However, notification is also not required if the substance has already been registered for that use. This registration can be made by anyone and does not need to be from within the same supply chain. It will be important to check the situation with suppliers in 2011 before going ahead and producing a notification.

Further information?

If you need to find which of these tasks apply to you and the details of what you need to do to fulfil these tasks, there is plenty of information available to help. The UK REACH Competent Authority website gives you more information on the areas covered in this leaflet, and on REACH in general. It can be found at:

www.hse.gov.uk/reach

Visit the European Chemicals Agency website for more detailed information, and to access a useful tool called Navigator which will help you work out where your chemicals fall within REACH. This can be found at:

http://reach.eca.europa.eu/navigator_en.htm



WHATEVER YOUR BUSINESS IS, FIND OUT MORE TODAY- don't leave it until it is too late.