



FACTSHEET

## Brexit and UK REACH

With the withdrawal of the United Kingdom from the EU and the end of the transition period on December 31, 2020, the applicability of EU Regulation No. 1907/2006 (REACH) ends in the UK. The following day, a corresponding British law comes into force (UK REACH). Companies involved in the trade of chemicals across borders must quickly adapt to the new rules.

### UK Companies

The British government will be bringing in UK REACH, under the European Union (Withdrawal) Act 2018, which should come into force on January 1st, 2021. It is largely the same as **EU REACH** but limited to the UK. EU REACH registrations will no longer be valid. Companies holding an EU REACH registration can receive a new UK REACH registration via a 'grandfathering' process. This requires them to set up an account with the new UK REACH-IT system by April 30, 2021 and submit a basic dossier. Registration in this case is free of charge. Registrants then have to complete the information requirements within the maximum 6-year\* transition period.

Companies that previously purchased substances and mixtures from EU registrants as downstream users, or whose imports from the EU are covered by Only Representatives (OR) according to REACH Art. 8, can make a „Downstream User Import Notification“ (DUIN). To do this, they set up an account with the new UK REACH-IT system by October 27, 2021 and make a simple report regarding existing shipments. They then have a transition period, of up to 6 years\*, during which they have to submit a completed registration. Alternatively, the EU supplier can appoint a UK-based OR to carry out the registration for the substance. A registration fee is required for these registrations.

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\*Intention to postpone the deadlines by 3 years

## Transition Deadlines

Deadline	Tonnage	Hazard Properties
2 years* from October 28, 2021	≥ 1000 t/a	<ul style="list-style-type: none"> <li>&gt; CMR: 1 t/a</li> <li>&gt; Very toxic for aquatic organisms: 100 t/a</li> <li>&gt; Candidate List Substances (as of 31.12.2020)</li> </ul>
4 years* from October 28, 2021	≥ 100 t/a	Candidate List Substances (as of 27.10.2023)
6 years* from October 28, 2021	≥ 1 t/a	

Table 1: Registration deadlines for British companies, depending on annual volumes and hazard properties

## Companies Outside the UK

Companies in the EU that purchase substances and mixtures from a British registrant will be considered importers according to EU REACH starting on January 1, 2021 and need a new registration. It may be possible for the UK company to transfer its EU registration to the customer or an EU only representative before December 31, 2020. The EU company can also look for another supplier who has its own registration for the substance. Otherwise, the importer itself must immediately register the substance.

Companies in the EU that supply substances and mixtures to the UK no longer have their own access to this market. Their British customers can do a DUIN (see above) and thus continue to import from their EU supplier for a transitional period. Alternatively, EU manufacturers / formulators can appoint a UK-based OR who covers the existing imports and makes a DUIN declaration for this purpose. This means that the product composition can remain confidential. However, until the substance has been fully registered, it is not possible to acquire new customers in the UK.

\*Intention to postpone the deadlines by 3 years

## Companies in Northern Ireland

According to the Northern Ireland Protocol negotiated between the EU and UK, the EU rules, including EU REACH, continue to apply to Northern Ireland. UK REACH, however, does not apply to companies in Northern Ireland. Substances manufactured in Northern Ireland or imported into Northern Ireland must be registered with the European Chemicals Agency (ECHA), including substances imported into Northern Ireland from the UK. Substances that are shipped from Northern Ireland to the EU / EEA are not considered „imports” from the point of view of registration.

## How DEKRA Helps

For more than 30 years, DEKRA has been supporting companies with the numerous obligations of chemical law, from **safety data sheets** to REACH registration to **hazardous substance management** in industrial settings. DEKRA has been the sole agent for companies in many parts of the world for over 10 years and is a member of the **ORO Association of Only Representatives**. With immediate effect and with the expertise of its UK Division, DEKRA also supports affected companies as a sole representative under UK REACH.

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