

REACH UNIFE STATEMENT

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A. General Information about the REACH regulation:

REACH - European regulation (EC 1907/2006) - that entered into force on 1st June 2007 has reinforced legal provisions for manufacturers, downstream users and importers of substances, substances contained in preparations and substances contained in articles. The time frame for the implementation of these new requirements is 2009-2018.

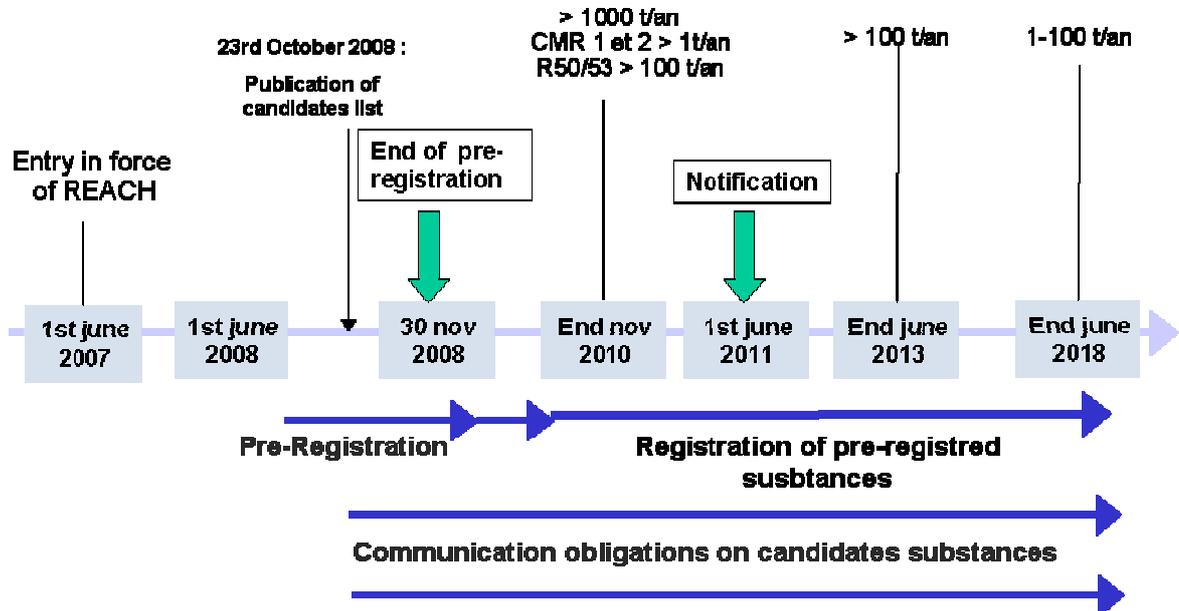
Manufacturers and importers of substances must register them with the European Chemicals Agency (ECHA) in Helsinki if they manufacture or import one metric ton or more of a substance per year per registrant. If the substances are in preparations, each individual substance which is contained in the preparation and for which the specified quantity threshold has been exceeded must be registered.

Substances that are of special concern can be subjected to an authorization process through inclusion in REACH Appendix XIV after a transition period indicated in the appendix. After expiry of the transition period, it is no longer permissible to put the substance into circulation, or the substance can be put into circulation but only within the limits set by the authorization. As of June 1, 2009, restrictions on the manufacture, circulation and use of hazardous substances as such in preparations and articles that were previously covered by Directive 76/769/EEC will be regulated in Appendix XVII of the directive and Directive 76/769/EEC will be repealed. New restrictions will then be imposed in accordance with the regulations of Title VIII of the directives.

Substances foreseen for authorization are assessed by the ECHA and published in the so-called Candidates List in accordance with Article 59, Para. 1 and 10. The ECHA has published the 1st version of the Candidate List and the first obligations have already come into force.

For articles that contain a substance that is on the Candidate List whereby this substance accounts for more than 0.1 per cent of the total mass of the article, there are obligations to provide information to the users of the products according to Article 33 of the regulations. From 1st June 2011 obligations to Notify the ECHA in accordance with Article 7.2 will also come into force.

The following implementation dates apply:



Definitions:

CMR Cat 1 & 2 : R45 or R49; R46; R60 and/or R61 : substances or preparations which, if they are inhaled or ingested or if they penetrate the skin, may induce cancer or increase its incidence; substances and preparations which, if they are inhaled or ingested or if they penetrate the skin, may induce heritable genetic defects or increase their incidence; substances and preparations which, if they are inhaled or ingested or if they penetrate the skin, may produce, or increase the incidence of, non-heritable adverse effects in the progeny and/or an impairment of male or female reproductive functions or capacity.

R50/53: very toxic to aquatic organisms may cause long-term adverse effects in the aquatic environment.

Phase-in Substances: substances which were already on the market in the EU before September 19th, 1981 and are contained in the so-called EINECS-list.

EINECS: European salvage register (European Inventory of Existing Commercial Chemical Substances).

B- RELEVANCE FOR UNIFE MEMBER COMPAGNIES: PROVISIONS and STATEMENTS

Based on REACH definitions and provisions, UNIFE members could act as:

- Producer of an article: anyone who makes or assembles an article within the EC
- Manufacturer: anyone who manufactures a substance within the EC
- Importer: anyone who is responsible for import to the EC
- Downstream User (DU): anyone (other than the manufacturer or importer) who uses a substance in an industrial or professional activities
- Distributor: anyone who only stores and places on the market a substance for third parties

UNIFE members have actively managed chemical risks for many years and are adapting their systems to accommodate the REACH provisions.

- As Importers and downstream users of substances: UNIFE companies have requested their substances suppliers to pre-register and register their substances including their uses.
- As Producer of Articles, UNIFE companies have investigated their obligation related to pre-registration phase and registration phase.

UNIFE members have taken all reasonable effort to manage the pre-registration phase ended on 1st Dec 2008 by verification with chemical & preparation suppliers and by identifying articles which intentionally release substances.

Rail products such as vehicles themselves as well as components for rail vehicles are articles. In accordance with article 7 , substances that are contained in articles in a quantity of one metric ton per calendar year per producer / importer and which are to be released under normal or reasonably foreseeable conditions of use, these substances contained in articles the same obligations to pre-register & register apply as for substances on its own. Typical articles in rail vehicles include the: motor, battery, door drive, or air conditioning system. However, for these examples, no release of substances is intended.

Articles which intentionally release substances are:

- Equipment to lubricate wheel flanges (Wheel flange lubricating grease)
- Equipment to clean windscreens (Cleaning & Antifreeze agents)
- Fire extinguishing equipment when installed on trains

Natural substances (such as Braking sand) are, in accordance with article 3 paragraph 39 (REACH), excluded from the requirement to register. Therefore the emission of these substances is excluded from registration.

Substances intended to be released exclude substances released by:

- Ageing articles (eg Formaldehyde from Melamine foam)
- Wear and tear (eg Dust from Brake pads)
- Accidents (eg Oil from Transformers and fire extinguishing agent from fire protection systems)

As Importers and Downstream Users, Distributors of substances and Producer of Articles, UNIFE companies have already launched communication processes within the supply chain to fulfill REACH obligations.

About UNIFE

UNIFE, the Association of the European Rail Industry, represents 60 of Europe's leading large and medium-sized rail supply companies active in the design, manufacture, maintenance and refurbishment of rail transport systems, subsystems and related equipment. A further one thousand suppliers of railway equipment partake in UNIFE activities through 15 national rail industry associations. UNIFE members have an 80% market share in Europe and supply more than 50% of the worldwide production of rail equipment and services.

UNIFE represents its members' interests at the level of both European and international institutions. On the technical side, the association works on the setting of interoperability standards and coordinates EU-funded research projects that aim at the technical harmonisation of railway systems.

UNIFE's mission is to pro-actively develop an environment in which UNIFE members can provide competitive railway systems for increased rail traffic.

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