

- c. the substance is a „phase-in substance“. If it is not a „phase-in“ substance, you are only allowed to import the substance once it has been registered (provided that you import > 1 t/year).

So, when importing chemicals, please request your supplier abroad to confirm in writing his appointment of an “OR” who conducts the pre-registration. You need to have the OR’s full address and a confirmation that the volume to be imported by you will be taken into account.

Why do you get compliance as an add-on to lubricants when buying from Klüber?

More than ten years ago, Klüber set up a specific **Material Compliance Management** department. That was at a time before the listing and registration of chemicals worldwide was a focal topic. Top-class experts ensure our conformity with REACH to your and our advantage.

Do you have more questions on REACH?

You will find a lot of information under: www.klueber.com

For direct contact:

Please get in touch with your local Klüber office or REACH@klueber.com

Always up-to-date thanks to our membership in:

- RIP 3.2_2:** Technical guide manual for the generation of a substance safety report
- ATIEL/ATC work group:** Determining categories of use for lubricants
- GADSL and VDA work groups:** Specific questions on constituents by the automotive industry
- VCI work groups:** Latest information on REACH and other chemicals laws
- Work groups of VSI, UNITI, UEIL:** Specific questions on lubricants
- ELGI consortium:** Joint action of the lubricants industry regarding EINECS thickeners

Glossary

ATC	=	Technical Committee of Petroleum Additive Manufacturers in Europe
ATIEL	=	Association Technique de L'Industrie Européenne Des Lubrifiants
EINECS	=	European Inventory of Existing Commercial Chemical Substances
ELGI	=	European Lubricating Grease Institute
ELINCS	=	European List of Notified Chemical Substances
GADSL	=	Global Automotive Declarable Substance List
OR	=	Only Representative
RIP	=	REACH Implementation Projects
UEIL	=	Union Indépendante de l'Industrie Européenne des Lubrifiants
UNITI	=	Bundesverband mittelständischer Mineralölunternehmen e.V.
VDA	=	Verband der Automobilindustrie
VSI	=	Verband der Schmierstoffindustrie

Date: September 2008

Publisher and copyright:

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REACH for Klüber’s customers
PRE-REGISTRATION
Your questions – our answers:

Lubrication is our world

www.klueber.com

What is the purpose of REACH pre-registration?

Advantage due to actual registration of chemical substances being postponed to a later date: So-called "phase-in" substances do not have to be registered right now provided they have been pre-registered.

Pre-registration ensures that a substance can be registered at a later date. The following deadlines apply: 2010 for substances > 1000 t/year; 2013 for substances > 100 – 1000 t/year; 2018 for substances > 1 – 100 t/year.

What are phase-in substances?

Most of them are so-called **old substances**, which were already on the European market before 1981. Among them are, for example, all substances listed in the EINECS inventory: <http://ecb.jrc.it/esis/index.php?PGM=ein>. This inventory contains approx. 100,000 substances.

Substances which are not listed in this inventory are either subject to exemptions under REACH or they are so-called **new substances**. They may only be introduced to the EU market once registration has been completed.

When is pre-registration possible?

From 1 June to 1 December 2008

Who has to pre-register substances?

Every importer and every manufacturer of chemical substances importing or producing > 1 t/year in the EU.

The user of a chemical or a chemical mixture buying in Europe does not need to pre-register them. Legal responsibility lies solely with the manufacturer and/or importer of a chemical.

Where does pre-registration take place?

At the ECHA (European Chemicals Agency) in Helsinki

Will our lubricants be pre-registered?

Our lubricants are mixtures of individual chemical substances. Only these individual substances can be pre-registered, but not mixtures. It would therefore be incorrect to speak of pre-registration of lubricants.

Will Klüber conduct pre-registration in time?

Yes. We will pre-register all EINECS thickeners which are manufactured by Klüber. We will also pre-register all individual substances which we import ourselves and for which the manufacturer abroad has not named an "only representative" (OR).

How do we make sure that all our substances currently on the EU market will be pre-registered?

Already in 2007 we began a survey among all our raw material suppliers. By now, 90 % of them have confirmed that either they pre-register their products themselves, or an "OR" will do it for them. The remaining suppliers have either promised to reply on time, or we will pre-register ourselves.

What happens if the user of a substance finds out that the EU manufacturer has failed to have the substance pre-registered?

In January 2009, ECHA will publish a list of all pre-registered substances. If a user finds out that "his" substance is not on the list, he can have it pre-registered at ECHA himself: "late pre-registration".

What advantages can we offer because we registered many thickeners as new substances at an early stage?

Our urea thickeners as well as our calcium and barium complex soap thickeners have been approved under ELINCS for a long time. This investment is now paying off as these substances are considered as registered according to REACH.

The benefit for our customers is that there will be no unpleasant surprises with these substances because we already know their toxicity and as a result we have gained substantial expertise to be optimally prepared for REACH.

What do you have to do if you buy our lubricants from a European Klüber company?

In this case, you are a so-called downstream user. You do not have to bother about REACH, no matter if you introduce the lubricants under the Klüber brand name or your own. Klüber performs all necessary steps.

What do you have to do if you are based in the EU but buy Klüber lubricants from outside the EU?

As you are an importer, you will have to pre-register, and later register, the individual substances contained. You might therefore consider buying directly from a Klüber company in the EU so you don't have to worry about REACH.

What do you have to do if you are based in the EU but buy an article from outside the EU which contains Klüber lubricants?

Such "articles" are exempt from REACH regulations. Articles are defined by their shapes, e.g. a rolling bearing. If no release of the chemical from articles is intended – as is the case with rolling bearings – these chemicals are exempt from REACH. You can import them and you are not affected by REACH.

What do you have to do if you buy other lubricants or chemicals from outside the EU?

You are an importer and have to conduct pre-registration and registration under REACH if:

a. > 1t/year of the individual substances are imported by you.

Note: Every independent branch is considered an independent importer; i.e. each branch has to pre-register.

b. the substances are not exempt from REACH, as are natural substances or polymers

Note: Please check if the rules of exemption apply to your case. Polymers, for example, are only exempt if they come under the REACH polymer clause and are not considered NLPs (no longer polymers). Also, all monomers have to be pre-registered and registered.