



Should a foundry which may, at some time in the future, wish to procure a certain substance from another supplier who is not established in the EU pre-register these substances immediately as a precautionary measure?

Proactively pre-registering substances that might be imported at some time in the future is not necessary as REACH offers an option called 'late pre-registration'.

If, after the end of the pre-registration phase on December 1, 2008, a substance is imported or manufactured for the first time in a quantity exceeding 1 tonne per year, Art. 28.6 of the REACH regulation permits what is called 'late pre-registration' which, however, must be completed no later than 6 months after the first import and no less than 12 months before the expiry of the relevant registration deadline.

Examples:

· A foundry imports pig iron in a quantity range of 90 t/a for the first time in June 2016. According to the REACH deadline schedule, the substance must have been registered before June 2018. As the registration term extends more than 12 months beyond that deadline, the foundry may pre-register the pig iron retroactively. However, this must be completed no more than 6 months after the first importation, i.e. by December 2016 at the latest.

· In March 2010, the foundry imports for the first time pig iron from South Africa in a quantity range more than 100t/a. According to the deadline schedule, the term for registration expires in June 2013, so that the foundry has more than 12 clear months to pre-register it retroactively, keeping in mind that it must be pre-registered no later than 6 months after the first importation, i.e. by September 2010 at the latest.

· In August 2009, the foundry imports for the first time pig iron in a quantity of more than 1,000t/a. According to the deadline schedule, it should be registered by December 2010, so that the substance can be pre-registered retroactively. In this case, however, the foundry will not have 6 months after the importation because pre-registration must be completed no more than 12 months before the registration deadline, i.e. by November 2009 at the latest. Consequently, pre-registration must be completed 3 months after importation in this case.

· In January 2013, pig iron is to be imported for the first time in a quantity range exceeding 100t/a. The deadline for registration being December 2013, less than 12 months are left in this case, so that late pre-registration is no longer an option. Consequently, the foundry will have to register the substance before importing it, meaning that all necessary information must have been forwarded to the EChA before the substance is imported.

To avoid being prevented by time-related circumstances from keeping the deadline for retroactive pre-registration, it is of course possible in cases of doubt to pre-register a substance during the current pre-registration phase. Pre-registration is free, and there is no obligation to submit a registration dossier eventually.