

Duferco

Clabecq

A company of Steel Invest & Finance (SIF)
NLMK-Duferco joint venture

Thursday the 13th of November 2008

SIF/Duferco cares about Reach

To the Reach manager

Dear Sir/Madame,

Regulation (EC) No 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH) entered into force on 1st June 2007.

REACH concerns the manufacture, placing on the market and use in the European Union of all chemicals, either on their own or in “preparations” or “articles” (as defined in the REACH Regulation), with a view to identifying the possible hazards for human health and the environment and recommending risk management measures throughout the supply chain.

Consequently, any manufacturer or importer in the European Union of a chemical in quantities of one tonne or more per year, either on its own or in “preparations” or “articles”, but in the latter case only if the substance is intended to be released, must, on pain of no longer being permitted to manufacture or import this substance, submit a registration dossier to the European Chemicals Agency (ECHA), unless exempted.

This registration stage will follow a pre-registration stage which began on 1st June 2008 and will run until the end of November 2008. If this pre-registration has not been completed within this period, the manufacturer or importer must register immediately or suspend manufacture or importation. Registration is a cumbersome procedure which can only be envisaged after thorough preparation of the dossier, so that in practice pre-registration is essential. It provides the necessary time whilst being able legally to continue one’s activity.

We are writing to you in this respect with reference to the transmission of information concerning the products which we purchase from you in order to ensure total compliance with the obligations arising from REACH and the continuity of our supplies.

We would ask you kindly to confirm that you have indeed decided to pre-register the substances contained in the products you deliver to our company with a view to their subsequent registration.

If not, could you:

- i) advise us of the reasons for this decision;
- ii) indicate which other player in the supply chain has communicated to you his intention to take care of this matter;
- iii) or, failing this, let us know which substitute products you propose to us (provided that they too are composed of substances which are to be pre-registered and then registered)?

Could you please let us have this information by 26 of November 2008 at the latest?

We should also like to receive from you by 15 December 2008 at the latest the pre-registration numbers (pre-registered by your company or your suppliers) provided by the European Chemicals Agency for the substances concerned, together with, if possible, the exact nature and the EINECS numbers of these substances and, if appropriate, the identity of your supplier.

If your company is an exporter to the EU, within the meaning of Reach, are you going to appoint an only representative and have him pre-register the substances concerned?

Furthermore, are you able to guarantee that the products which you supply to us do not contain substances of very high concern which are likely to be included in Annexe XIV to the Reach Regulation? If not, what are the products and substances concerned and what are the possible substitution measures that can be taken without affecting quality? This question requires an urgent reply, by the 26th of November at the latest.

Please do not hesitate to contact us at the following e-mail address: reach-sif@duferco.be if we can help you in any way whatsoever.

Thanking you for your assistance, we remain at your service for any help or information which you may require relating to REACH.

Yours faithfully,

Francis Moreau
Reach Manager