

Frequently Asked Questions

Based on typical Air Products' Customer Questionnaires such as the standard Cefic Part I & Part II

Does Air Products understand REACH legislation and do you have adequate plans and resources in place to ensure timely compliance?

Yes. We have identified the substances in our products that are subject to REACH and have developed adequate plans.

Can Air Products provide contact details for the person in your company responsible for REACH issues?

The burden of managing REACH compliance is shared across several individuals. The person managing the products of relevance to you can be provided by your normal Air Products contacts.

Alternatively, you can contact the [REACH Team](#)

Has Air Products pre-registered all the products that it currently supplies to me?

We can confirm that Air Products has pre-registered all substances that are in all the products we sell in the EU today, or have ensured that these substances are pre-registered further up the supply chain.

A full list of products that are covered by pre-registration is available to view at [our website](#).

If our company is located outside the EU will Air Products ensure that I do not need to act as importer under REACH e.g. will Air Products act as an Only Representative for me?

These requests will be reviewed on a case-by-case basis. Please call your normal Air Products' contact. Alternatively, you can contact the [REACH Team](#).

Can you provide the pre-registration number for each product that you supply?

Air Products can confirm that it has duly obtained pre-registration numbers for all pre-registered substances and that all products listed above are covered by pre-registration under the REACH regulation for each necessary supply chain.

The pre-registration number is randomly generated and does not have the structure or meaning of a registration number; it is not substance or company specific. Therefore the recommendation of both the EU Commission and CEFIC is that this number does not have

to be published. Accordingly, Air Products' policy is not to provide pre-registration numbers.

The pre-registration number will not be included on the safety data sheet (SDS). Furthermore, the pre-registration number does not allow anyone other than the original registrant to view the pre-registration details. Finally, many of our products are complex preparations or polymers for which several pre-registration numbers are needed.

We understand that our customers who are not necessarily members of the relevant SIEFs may wish to have the pre-registration numbers in order to get additional assurance. However, we trust that our clear, unequivocal statement of confirmation of pre-registration contained herein is adequate assurance.

Now that Air Products has completed pre-registration of these substances, can you now give a firm commitment that you will also complete the full registration?

At this stage we plan to complete the registration of all our products from the lists above in accordance with the schedule provided by the legislation. There is a possibility that despite our efforts, supply conditions could change between now and the long-term registration deadlines of 2013 and 2018, resulting in some products not being registered as currently planned. Please be assured that, in such event, Air Products will make every effort to give as early warning as possible to manage such a transition.

When will Air Products complete full registration of its products?

Following the completion of phase 2 of REACH registrations in May 2013 all eSDS's should be updated with registration information such as registration numbers to confirm registration if it has been completed. All other registrations will be completed sometime before the 2018 deadline and are likely to be scheduled for completion at different times during this period.

Air Products will comply with the deadlines set by the legislation. The deadlines for specific substances can change when the volume changes or if the classification of the substance is changed. Different components (substances) of the same product may be registered at different times. The overall product is not completely covered until all components are registered. At all times, it's best to check the eSDS for the latest REACH status.

Are there any of Air Products' substances likely to be Substances of Very High Concern (SVHC) within the meaning of REACH?

The list of substances which are candidates for inclusion into the Annex XIV of the REACH legislation (Substances Subject to Authorisation) is maintained by ECHA and is available at [ECHA website](#). The Annex XIV publication and updates are also managed by ECHA.

Be assured that Air Products will continue to track updates to the Annex XIV candidate list and proactively communicate to its customers in line with its obligations under REACH regarding the inclusion of such substances in any of Air Products' products.

The term SVHC is rather general, but it includes CMR's (Carcinogen, Mutagen, and Reproductive Toxins), PBT's (Persistent, Bioaccumulative and Toxic), vPvB's (very Persistent and very Bioaccumulative) or substances representing equivalent concern (e.g. endocrine disruptors and respiratory sensitisers). These substances may potentially be included in future Annex XIV candidate lists - please check our current SDS's to identify if the products you are currently purchasing contain any substances meeting these general SVHC criteria.

Should you wish to discuss alternative replacement products please call your normal Air Products contact.

Do you foresee any problems in maintaining the supply of these SVHC's or Annex XIV products/substances following the full implementation of REACH?

We cannot give a general answer, but Annex XIV substances will require Authorisation under REACH and, as a result, there may be restrictions or prohibitions applied to some downstream uses. Furthermore, Authorisation will place an additional financial burden on REACH registration for these substances which Air Products or our suppliers may not be able to justify. In line with our EH&S policy we try to replace substances in our products with safer alternatives whenever possible and have already phased out some products containing substances with high hazard. This process will be ongoing, but we will always try to inform customers early enough to allow for a controlled transition.

Do you have sufficient information from me, your customer, to complete full registration?

At this stage, we do not require any additional information from our customers.

Dialogue concerning downstream uses is done in a controlled way to allow us sufficient time for use evaluation and we will actively start this dialogue in line with the process outlined below.

Will Air Products include my downstream uses of the product in the registration so that there will be no further obligations for my company?

Cefic, together with the Downstream Users of Chemicals Co-ordination Group (DUCC) and the European Association of Chemical Distributors (FECC), has prepared a statement on use and exposure communication. This statement informs suppliers/customers about the industry's approach to communication on use and exposure information as well as to spread the word that premature and unstructured communication on uses should be avoided.

Before the Chemical Safety Assessment can be started, all uses should be known. The 'alignment on use' process has been designed to communicate the uses of any given

substance in an efficient way. In this approach, manufacturers and importers start developing information on uses in cooperation with selected customers and with Downstream Users associations. This should result in a list that includes most of the uses. The list is then made available by each supplier to all his downstream users. In case a downstream user does not find his use on the list, he has the possibility to inform his supplier via a standard form. Subsequently, the manufacturers and importers will inform the Downstream Users which uses will be supported.

The 'alignment' process should happen in the early stages of the registration process. Please note there is no need to inform us about your uses unless we make a specific request. We will actively start communication on the uses in line with the CEFIC process.

If your downstream use is not covered by Air Products it will be your responsibility to communicate this to Air Products so that we can work together to determine a way forward.

How do I know if I can use your product for my specific use?

Please refer to the attachment (Exposure Scenario Annex) of the SDS describing particular uses and the relevant conditions of use determined as a result of completing a formal Chemical Safety Assessment as prescribed by REACH. If the SDS has such an attachment you are limited to these identified uses and the conditions described. If there is no attachment with the identified uses this may be because the substances in the product are all exempted from REACH or are all non hazardous or their volumes are each below the threshold for a formal safety assessment to be completed (i.e. 10 tonnes pa) or their volumes do not require them to be registered before 2018 – in these cases, you are not limited in your use but you still must follow the guidance on safe use in the main body of the SDS and relevant local regulation requirement for safe handling. Some products (e.g. acetylene) exhibit only physico-chemical hazards and no environmental or human health hazards. For such materials is not required extended SDS with exposure scenarios, products can be used applying only safety instructions in the main body of SDS.

Does Air Products comply with the new requirements of the SDS as set out in Annex II of REACH?

The format of Air Products current SDS's meets the requirements of REACH and we are continually working to keep them compliant. Information required in some sections of the SDS will be available at different times for different substances which may mean that you will not always see all information you expect.

I do not see the registration number on the SDS, does this mean that the product is not compliant with REACH?

No, many products or substances in products will be registered later or can be exempted from the obligation to be registered. The absence of a registration number on the SDS should not be seen as indicative of non compliance of a product. Please refer to the lists

of products covered by our REACH project on the Air Products REACH webpage to find out if your products are REACH compliant.

Can I still use substances I have in stock even if my supplier did not register the relevant Substances by the registration deadline?

Pre-registered substances that are manufactured or imported before the relevant registration deadline can still be placed on the market after this registration deadline by the manufacturers or importers or by any downstream user, distributor or supplier in the same supply chain even if the manufacturer or importer did not submit a registration.

If the manufacturing/importing activities have not ceased before the relevant registration deadline, the manufacturer/importer must stop its activity and submit a registration dossier before he can resume manufacture/import. However, any actor down the supply chain who is not subject to the registration obligation may continue to use and/or supply quantities of the substance that were supplied to them before the registration deadline.

What are my downstream user obligations in CLP notification?

The CLP Regulation is explicit that the responsibility for notifying substances to the C&L inventory is confined to EU manufacturers and importers. In this respect downstream users of substances or mixtures (such as EU-based formulators who are not themselves the manufacturer or importer) have no responsibility to notify substances to this inventory.

The suppliers do not have the obligation to inform the downstream users of the fact that they have submitted a CLP notification. Furthermore there is no need for downstream users to receive confirmation from upstream suppliers that substances have been notified to the C&L inventory in order to continue to use the substances in their own products. Similar to the pre-registration number, the C&L Notification number is for internal use of the importer/manufacturer only or in case of audit from the authorities.

For more details about the REACH process you can find the list of frequently questions, guidance documents and other information published [by the European Chemical Agency](#).

Also, the [European Chemical Industry Council](#) is helping industry comply with REACH compliance by publishing guidance and informative documents.