



**COUNCIL OF  
THE EUROPEAN UNION**

**Brussels, 20 March 2013**

**7694/13**

<b>ENV</b>	<b>234</b>
<b>COMPET</b>	<b>165</b>
<b>IND</b>	<b>81</b>
<b>RECH</b>	<b>81</b>
<b>ECOFIN</b>	<b>206</b>
<b>ECO</b>	<b>49</b>
<b>SOC</b>	<b>190</b>
<b>SAN</b>	<b>106</b>
<b>CONSOM</b>	<b>50</b>
<b>MI</b>	<b>220</b>
<b>CHIMIE</b>	<b>34</b>
<b>ENT</b>	<b>85</b>

**NOTE**

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from: General Secretariat  
to: Council

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Subject: REACH  
(a) Report on the Review of the REACH Regulation  
(b) Communication from the Commission on "Second Regulatory Review on Nanomaterials"  
- Presentation by the Commission  
- Exchange of views  
= Contributions from Member States

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Delegations will find in Annex contributions from CY and NL for the exchange of views on the above subject (REACH) at the Environment Council of 21 March 2013.

CYPRUS

Nanomaterials as a new form of matter may pose significant risks to human health and the environment. As a result of their properties they should be studied in depth before being placed on the market, used and released to the environment. We agree that the necessary analysis can be done through an evaluation procedure according to the provisions of REACH and by treating them as new chemical substances. Due to the special characteristics of nanomaterials and the variation of their properties with small variations of their physical properties we believe that the resulting gaps in information can be filled by proceeding with the necessary changes to the Annexes of REACH.

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## THE NETHERLANDS

*The Netherlands welcomes the opportunity offered by the Irish Presidency to send in written comments on the report on the review of REACH, the Second Regulatory Review on Nanomaterials and the Roadmap on substances of very high concerns, ahead of the exchange of views at the Environment Council of the 21<sup>st</sup> of March. Please find below our comments.*

The Netherlands welcomes the results of the REACH evaluation and shares the conclusions of the Commission: in general REACH works according to expectations and it has led to improved safety, environmental quality and coherence of legislation and reduced the need for animal testing. On the basis of these results, we support the Commission's conclusion that there is no pressing need for revising the Regulation at this time. We share the concerns of the Commission regarding the extent to which industry meets its obligations with respect to the quality of registration dossiers and are pleased to see the steps the Commission are undertaking, together with ECHA and the Member States, to improve this, and to reduce the costs associated with the submission of dossiers by small and medium enterprises.

With regard to nanomaterials, we agree that REACH provides baseline protection for managing potential risks associated with the use of these materials. We support the amendments to the Annexes that the Commission have proposed to clarify the information requirements for nanomaterials. However, not only the information requirements should be clear, but also the scope to which they apply, and for this it is necessary to formalise the recently agreed upon definition for nanomaterials in the legislation. We should also assess whether additional information requirements may be necessary. In closing, at the moment a European registration system for nanomaterials is lacking, leading some member states to fill this gap with national systems. This can interfere with the single common market, and as such the Netherlands would like to see the development of an European registration system for products with nanomaterials.

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