

Mr Geert DANCET
Executive Director
ECHA
European Chemical Agency
Annankatu 18
P.O. Box 400
SF – 00121 Helsinki (Finland)

21 January 2009

Dear Mr Dancet, *Dear Geert,*

The pre-registration period has been completed, although with quite some difficulties. A Cefic recommendation to its members to do preferentially pre-registrations during the week-end and at night is unique in the history of Cefic and proves that the situation was not easy; some companies even decided to transfer their pre-registration files to their US offices so that it could be loaded to REACH-IT from the US outside the so-called "peak hours". After the end of the pre-registration and the flood of unforeseen pre-registrations, companies were eager to start the work in the SIEFs immediately, but we learned that additional protection of the system was necessary and hence understood that REACH-IT was unavailable from 15 December until 5 January.

Unfortunately our companies experience that the REACH-IT system is as slow in January as it was in November, which is confirmed by your note to the Management Board dated 16 January 2009.

While it could be understood at the end of the pre-registration phase that ECHA was faced with a totally unexpected situation with a huge number of pre-registrants justifying emergency and temporary measures, this high number is now a known fact that ECHA must live with; the Agency has the duty to organise its systems accordingly, in particular REACH-IT, to be able to deal with a high number of concurrent users permanently and during the normal business hours. The difference now is that the situation is no longer "exceptional" and that we are in a final countdown for the first vague of registrations.

Industry has to respect different internal deadlines in the SIEF working, to get the concerned substances registered before 1 December 2010. This goes from the check of substance sameness, sharing of data, identifying gaps, initiating tests or making test proposals over the chemical safety assessment, and resulting in the submission and payment of registration fee by the lead registrant and ultimately by the individual SIEF members.

To do this in time, Industry must start working immediately and needs to have real access to the IT system to find out who is in the SIEF.

The companies are very worried that they cannot start working as needed and the frustration is even bigger due to the lack of communication from the side of ECHA until 19 January 2009. It is of utmost importance for the companies to have an IT tool that works.

I would appreciate receiving any information on ECHA's plans to address the situation in order to inform companies on when they can expect a functioning system as the time for preparing the registration dossier is short.

We know that you and your team are doing your best and appreciate your efforts, but I am worried by your statement in the note of 19 January that "*As was the case with pre-registration, the improvement of performance will require different steps to be taken over the coming months*". As said above we are no longer in the unexpected conditions of the pre-registration phase and I believe that such a timeline is not acceptable; in order to respect the deadlines of the Regulation, industry needs an IT system that works as it should, and it needs it now.

Best regards,

A handwritten signature in blue ink, consisting of a large, stylized 'A' and 'P' followed by a long horizontal line extending to the right.

Alain Perroy