NOTIFICATION

The following notification is being circulated in accordance with Article 10.6

|  |  |
| --- | --- |
| **1.** | **Notifying Member:** European Union  **If applicable, name of local government involved (Article 3.2 and 7.2):** |
| **2.** | **Agency responsible:** European Commission  **Name and address (including telephone and fax numbers, email and website addresses, if available) of agency or authority designated to handle comments regarding the notification shall be indicated if different from above:**  European Commission EU-TBT Enquiry Point Fax: +(32) 2 299 80 43 E-mail: [grow-eu-tbt@ec.europa.eu](mailto:grow-eu-tbt@ec.europa.eu) Website: <http://ec.europa.eu/growth/tools-databases/tbt/en/> |
| **3.** | **Notified under Article 2.9.2 [****X],** **2.10.1 [****],** **5.6.2 [****],** **5.7.1 [****],** **other****:** |
| **4.** | **Products covered (HS or CCCN where applicable, otherwise national tariff heading. ICS numbers may be provided in addition, where applicable):** Chemical substances |
| **5.** | **Title, number of pages and language(s) of the notified document:** Draft Commission Implementing Regulation laying down rules for the application of Regulation (EC) No 1907/2006 as regards applications for authorisation and review reports for the uses of substances in the production of legacy spare parts and in the repair of articles and complex products no longer produced and amending Regulation (EC) No 340/2008 (13 page(s), in English) |
| **6.** | **Description of content:** This draft Commission Implementing Regulation simplifies the applications for authorisation (under Title VII of Regulation (EC) No 1907/2006 - REACH) for uses of a substance in:  - the production of spare parts for the repair of articles or complex products, the production of which ceased or will have ceased before the sunset date specified in Annex XIV to REACH for that substance, where that substance was used in the production of those articles or complex products and these cannot function as intended without that spare part and the spare part cannot be produced without that substance ('production of legacy spare parts');  - the repair of articles or complex products the production of which ceased or will have ceased before the sunset date specified in Annex XIV for that substance, where that substance, on its own or in a mixture was used in the production of those articles or complex products and they cannot be repaired otherwise than by using that substance ('repair of no-longer-produced articles or complex products').  Furthermore, the draft Implementing Regulation proposes to reduce the fees and charges payable to the European Chemicals Agency for applications for authorisation and review reports for the uses covered by this draft regulation. |
| **7.** | **Objective and rationale, including the nature of urgent problems where applicable:** In order to avoid the premature obsolescence of certain articles or complex products that are no longer produced after the sunset dates referred to in Annex XIV to Regulation (EC) No 1907/2006, spare parts as well as substances and mixtures that are necessary for the repair of such articles or complex products need to continue being available on the market. The objective of this draft implementing regulation is to clarify and simplify the content of applications for authorisation and of review reports for uses of substances needed for the production of spare parts for those articles or complex products and for the use of those substances in the repair of such articles or complex products; Other |
| **8.** | **Relevant documents:**  Regulation (EC) No 1907/2006 of the European Parliament and of the Council on the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH) (OJ L 396, 30.12.2006, p. 1)\*.  Regulation as last amended by Commission Regulation (EU) 2020/171 of 6 February 2020 amending Annex XIV to Regulation (EC) No 1907/2006 (OJ L 35, 7.2.2020, p. 1)\*\*.  \*<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A02006R1907-20140410>  \*\*<https://eur-lex.europa.eu/legal-content/GA/TXT/?uri=CELEX:32020R0171> |
| **9.** | **Proposed date of adoption:** 1st quarter of 2021  **Proposed date of entry into force:** 20 days after publication in the Official Journal of the European Union |
| **10.** | **Final date for comments:** 60 days from notification |
| **11.** | **Texts available from: National enquiry point [** **]** **or address, telephone and fax numbers and email and website addresses, if available, of other body:**  European Commission EU-TBT Enquiry Point Fax: + (32) 2 299 80 43 E-mail: [grow-eu-tbt@ec.europa.eu](mailto:grow-eu-tbt@ec.europa.eu) The text is available on the EU-TBT Website: <http://ec.europa.eu/growth/tools-databases/tbt/en/>  <https://members.wto.org/crnattachments/2020/TBT/EEC/20_7093_00_e.pdf>  <https://members.wto.org/crnattachments/2020/TBT/EEC/20_7093_01_e.pdf> |