



Re: REACH Regulation (EC) No. 1907/ 2006  
concerning the Registration, Evaluation and Authorization  
of Chemicals

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Thank you for your inquiry regarding the status of ExxonMobil's plans for compliance with the REACH regulation ("REACH").

A key step for REACH is Pre-Registration of substances\* that are produced or imported into the EU in quantities of more than 1 metric ton per year. Full registration will then be required for these substances by certain dates depending upon tonnage and certain health and environmental classifications.

As you may be aware, the obligations of companies based outside of the EU are still, even at this late stage in the process, subject to change.

For companies based outside of the European Union who intend to export **substances**, which they manufacture, to an EU country, the position is clear. The non-EU manufacturer must appoint an Only Representative\* or all importers of said substance must pre-register and register the substance.

For companies based outside of the European Union who intend to export **preparations**\* containing ExxonMobil substances, it is our understanding that the European Chemicals Agency has recently announced that it intends to revise its previously issued guidance in this area. This revised guidance is expected to be documented and published through an update to the Reach guidance on Registration (RIP 3.1). ExxonMobil is currently awaiting the official release from the Agency of the updated guidance to be able to assess and understand in detail the exact changes which are being made. We accordingly anticipate being able to share the conclusions of our assessment with you in the near future following release of the updated guidance.

Importers of **articles**\* will not have to pre-register the ExxonMobil substances the articles contain **unless** said substance (total quantity over 1 tonne/year) is intended to be released from the article during normal or reasonably foreseeable conditions of use. Moreover, in the event that the article contains a Substance of Very High Concern\*, the importer of the article or the appointed Only Representative would have to notify the European Chemicals Agency as indicated in the REACH regulation.

Given the evolving nature of REACH guidance ExxonMobil is recommending that customers assess their specific legal responsibilities under REACH when exporting substances and preparations to Europe.

Please contact your ExxonMobil Chemical Sales Representative if you have any further questions

Yours sincerely,



Paul J. Galasso  
Intermediates Commercial Manager, Americas

\*As defined by the REACH legislation EC no 1907/2006

### **Article 3 (1-3)**

**Substance:** means a chemical element and its compounds in the natural state or obtained by any manufacturing process, including any additive necessary to preserve its stability and any impurity deriving from the process used, but excluding any solvent which may be separated without affecting the stability of the substance or changing its composition

**Preparation:** means a mixture or solution composed of two or more substances

**Article:** Means an object which during production is given a special shape, surface or design which determines its function to a greater degree than does its chemical composition

**Substances of very high concern (SVHC) - Article 57 (a) – (f) means:**

- (a) Substances meeting the criteria for classification as carcinogenic category 1 or 2 in accordance with Directive 67/548/EEC
- (b) Substances meeting the criteria for classification as mutagenic category 1 or 2 in accordance with Directive 67/548/EEC
- (c) Substances meeting the criteria for classification as toxic for reproduction category 1 or 2 in accordance with Directive 67/548/EEC
- (d) Substances which are persistent, bioaccumulative and toxic in accordance with the criteria set out in Annex III of EC no 1907/2006
- (e) Substances which are very persistent and very bioaccumulative in accordance with the criteria set out in Annex III of EC no 1907/2006
- (f) Substances – such as those having endocrine disrupting properties or those having persistent, bioaccumulative and toxic properties or very persistent and very bioaccumulative properties, which do not fulfill the criteria of points (d) or (e) – for which there is scientific evidence of probable serious effects to human health or the environment which gives rise to an equivalent level of concern to those of other substances listed in points (a) to (e) and which are identified on a case by case basis in accordance with the procedure set out in Article 59 of EC 1907/2006