



Dear Sir / Madam

Re: REACH Compliance

REACH is legislation that Indestructible Paints and its industry body, BCF has been aware of and lobbying against since its inception by the EU prior to 2000. Our company is sufficiently concerned to lobby EU MEP's in 2002 and attend the final discussions in Brussels during 2005.

REACH is onerous legislation that will affect businesses and could cause the closure of many. We do not and never have supported the REACH legislation, but it is now law and we are forced to deal with the consequences.

Under REACH Indestructible Paints is a downstream user of chemicals. We are fully aware of our obligations under the legislation and how they apply to our business. Our organisation is currently engaged in communication with all of our suppliers to ensure that the chemicals (substances) used in our products will be registered and wherever possible will continue to be available.

As a downstream user, Indestructible Paints will not be responsible for the registration of the majority of our raw materials. The majority of coatings manufactured by Indestructible are classed as preparations under REACH and do not qualify for registration. Where an exception to this rule exists we will be registering the chemicals concerned and their use.

REACH will require consistent lines of communication between our organisations and periodic information updates as the legislative time line progresses. To this end please store the following contact information and answers to common questions:

REACH contact: Richard Banks – Project Chemist
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tel: +44 (0)121 702 1517
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Please use electronic contact wherever possible.

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- **Please confirm the pre-registration of substances** – The coatings manufactured by Indestructible are mixtures, so are not subject to pre-registration. Only substances are subject to pre-registration and this is the responsibility of the manufacturer or importer.

We have notified all of our immediate suppliers of the uses of the raw materials that we purchase. We have asked that each of the substances that are present in or make up our raw materials is firstly pre-registered and subsequently registered for our use. We are working to ensure that we have notification from our suppliers that all of the chemicals that we use will be pre-registered by the end of November 2008.

- **Please supply copies of pre-registration documents** - Indestructible Paints will not have a part to play in the pre-registration of substances supplied to us. The pre-registration information provided to the European chemicals Agency will be held as confidential at this stage of the REACH process. We are however working with our suppliers to ensure that we are confident that they will be undertaking pre-registration of the substances supplied to us before 30 November 2008.
- **Do Indestructible source chemicals from within or outside the EU** – We are working to ensure that where possible all of our chemical sources remain viable. If any areas of concern arise we will liaise with the relevant customers on a case by case basis.
- **Are any of the chemicals use by Indestructible substances of very high concern and/or likely to be affected by REACH** – Certain raw materials used for the manufacture of some of our products are classified as category 1 or 2 CMRs (carcinogenic, mutagenic and toxic for reproduction) or they are PBT (persistent, bioaccumulative and toxic) or vPvB (very persistent and very bioaccumulative). These materials are of high concern under REACH. Please note that details of these substances is contained in section 3 of our safety data sheets along with the specific information required for COSHH assessment and appropriate risk management.

For many years there has been a push to remove chemicals that are recognised hazards from our coatings. We expect that REACH will speed up this discussion. We have an ongoing collection of projects designed to remove these chemicals by finding/developing alternative materials/processes. Where REACH will accelerate this work we will be contacting customers on a case by case basis. We are working to ensure that safety critical coatings are not compromised and to provide updates of current developments throughout the REACH implementation process.

- **Please provide a listing of chemical substances in your products along with manufacturers and/or suppliers details** – There is no requirement under REACH for us to supply this commercially sensitive information. If there are specific

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requirements for this data we will be please to discuss how we can support your request.

- **Do Indestructible and/or our suppliers have sufficient information to complete full registration** – At the time of writing, the RIP to cover full chemical registration was not completed. Until the European Chemicals Agency (ECHA) publishes the requirements for full registration we feel that data collection could readily lead to unproductive work. We are fully aware that at the time of registration we will require details of the end use for our preparations (coatings) so that we can pass this upstream to our suppliers for chemical registration. We will be working to ensure that all of our chemical uses will be covered during registration.

Under REACH there is provision for chemical users who do not wish to divest sensitive usage information to register their uses independently. Where this situation exists for a material that we supply we will provide assistance as required.

To summarise, we would like to assure you that Indestructible paints are progressing work within the REACH process to ensure the continued supply of our product range. We are active participants within our industry groups and are committed to ensuring the continuity of our business.

If you have any further questions or require additional information please contact our REACH coordinator. In order to help us to process your queries quickly, please use electronic communication wherever possible.

Yours faithfully
For and on behalf of Indestructible Paints

Richard Banks
Project Chemist

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