



18 December 2017

(17-7042)

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Committee on Technical Barriers to Trade

Original: English

NOTIFICATION

The following notification is being circulated in accordance with Article 10.6

1. Notifying Member: <u>EUROPEAN UNION</u> 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 Website: http://ec.europa.eu/growth/tools-databases/tbt/en/
3. Notified under Article 2.9.2 [], 2.10.1 [], 5.6.2 [X], 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): Chemicals
5. Title, number of pages and language(s) of the notified document: Draft Commission Implementing Regulation amending Regulation (EC) No 340/2008 on the fees and charges payable to the European Chemicals Agency (and its accompanying annex) (4 pages + Annex 4 pages, in English)
6. Description of content: This draft Commission Implementing Regulation revises the fees and charges payable to ECHA for the submission of authorisation applications and review reports of authorisations.
7. Objective and rationale, including the nature of urgent problems where applicable: Article 74(3) of Regulation (EU) No 1907/2006 (REACH) provides that the structure and amount of the fees shall take account of the work required by that Regulation to be carried out by ECHA. In line with the Article 22(2) of Regulation (EC) No 340/2008, a review was carried out. The experience gained so far by the Agency and its Committees for Risk Assessment and for Socio-economic Analysis in assessing applications for authorisation has shown that the amount of work involved in such an assessment is driven by the number of uses applied for in one application, rather than the number of applicants having jointly submitted the application. Consequently, the fee applicable to a given application should be the same, regardless of the number of applicants; no additional fee should be levied for each additional applicant. The same reasoning applies also to the charges for submission of any review report. In addition, modifying the fees and charges accordingly could ease the financial burden for smaller operators, such as small and medium-sized enterprises, when applying for authorisation jointly. Furthermore, the additional fees and charges applicable per additional use should be only slightly lower than the amount of the basic fee or charge. Those additional fees or charges per additional use should therefore be increased.

<p>8. Relevant documents:</p> <ul style="list-style-type: none">• 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) http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CONSLEG:2006R1907:20120605:EN:PDF• Commission Regulation (EC) No 340/2008 on the fees and charges payable to the European Chemicals Agency pursuant to Regulation (EC) No 1907/2006 of the European Parliament and of the Council on the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH) http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2008:107:0006:0025:EN:PDF
<p>9. Proposed date of adoption: March - April 2018 Proposed date of entry into force: March - April 2018</p>
<p>10. Final date for comments: 60 days from notification</p>
<p>11. Texts available from: National enquiry point [] or address, telephone and fax numbers and email and website addresses, if available, of other body:</p> <p>European Commission, EU-TBT Enquiry Point, Fax: + (32) 2 299 80 43, E-mail: grow-eu-tbt@ec.europa.eu</p> <p>The text is available on the EU-TBT Website: http://ec.europa.eu/growth/tools-databases/tbt/en/</p> <p>https://members.wto.org/crnattachments/2017/TBT/EEC/17_5592_00_e.pdf</p> <p>https://members.wto.org/crnattachments/2017/TBT/EEC/17_5592_01_e.pdf</p>