

ECHA/PR/12/30

ECHA protects SME privileges

ECHA has started revoking decisions assigning registration numbers to registrations that later emerged to be incomplete. These decisions have been replaced with rejections. This concerns registrants, who have incorrectly claimed to be entitled to a fee reduction for micro, small or medium-sized enterprises and did not pay the appropriate registration fee despite repeated reminders. The companies concerned have been informed.

Helsinki, 16 November 2012 – ECHA has revoked a number of previous decisions, in which it confirmed the completeness of registrations and assigned registration numbers, and replaced the revoked decision with rejections of the registrations. For the registrations in question, it only emerged after the assignment of the registration number that the registrant had not paid the full registration fee, thereby failing the completeness check under REACH. ECHA rejects these registrations, like it rejects all registrations, for which the full fee has not been paid. Thereby, ECHA ensures equal and fair treatment of registrants.

When submitting a registration dossier, the registrant self declares its size. If it falls under one of the categories of micro, small or medium sized enterprises (SMEs), it benefits from reduced registration fees. The reduced registration fee is automatically invoiced, thus ensuring a swift registration process. ECHA subsequently undertakes a verification of the self declared size to verify whether these registrants were entitled to the fee reduction they had claimed.

Where the registrant cannot demonstrate its entitlement to the fee reduction it had claimed, ECHA requires payment of the balance of the fees applicable to the correct size.

Where the registrant does not pay it by the due date, the registration decision, which had confirmed the completeness of the registration on the basis of the self declaration of the registrant, is revoked and replaced by a rejection of the registration. ECHA thereby protects the privileges granted to SMEs and ensures equal treatment of all registrants of a similar size.

The companies in question have been informed that their registration number is no longer valid and that they can no longer rely on the registration to manufacture or import the substance concerned in quantities above one tonne per annum. They can submit a new registration at any time or appeal against ECHA's decision to the Board of Appeal within three months of being notified of the rejection.

The enforcement authorities have also been informed.

Further information

ECHA's SME website:

<http://echa.europa.eu/support/small-and-medium-sized-enterprises-smes>

REACH Regulation:

<http://echa.europa.eu/regulations/reach/>

Board of appeal:

<http://echa.europa.eu/about-us/who-we-are/board-of-appeal>