



ECHA

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How to Make Valid Confidentiality Claims

A New Manual – How to Make Confidentiality Claims and Write Confidentiality Claim Justifications under REACH is now available.

The new manual explains how to make confidentiality claims in REACH Registration dossiers and how to write justifications for these claims. This new manual gives step-by-step instructions on how to make confidentiality claims for information in a REACH Registration Dossier for requesting non-publication of information under Article 119(2) of the REACH Regulation.

The manual also outlines the procedure that will be followed by ECHA to assess the confidentiality claims and to potentially reject them by formal decisions, as well as the means by which registrants can submit a request for review of decisions rejecting confidentiality claim requests.

To further assist registrants, a confidentiality claim justification template is included in the manual. This template, which can now be found on ECHA's website, will help registrants to ensure their confidentiality claim justifications contain all the required elements.

In certain circumstances the IUPAC chemical name can be claimed as confidential (see REACH Article 119 (2f and 2g)). Registrants who claim confidentiality of the IUPAC name are requested to provide a 'public name' for the substance in the registration dossier for the use by ECHA when disseminating information on the substance according to REACH Article 119. The public name should disclose a maximum amount of information on the chemical structure of the substance, whilst protecting those features of the chemical structure that are considered confidential and the disclosure of which would potentially harm the registrant. ECHA is currently analysing various naming systems and intends to issue, in due course, a practical guide on how to derive a 'public name'.

Further Information:

Manual on How to Make Confidentiality Claims and Write Confidentiality Claim Justifications under REACH:

http://echa.europa.eu/doc/reachit/dsm_16_confidentiality_claims.pdf

Confidentiality Claim Template and instructions:

http://echa.europa.eu/doc/reachit/dsm_16_annex-confidentiality_template_instructions.pdf

http://echa.europa.eu/doc/reachit/ECHA_confidentiality_claim_template.rtf