



THIS WEEK IN HELPDESK

EU importers/UK suppliers

December 2020

Poison centre notifications: From 1 January 2021, EU companies purchasing directly from UK suppliers will qualify as ‘importers’ and will be required to make a poison centre notification. Take a look at our most commonly asked questions on the new roles of the EU importer and UK supplier.



Will UK companies be able to use the ECHA IT tools?

From 1 January 2021, UK companies can access **ECHA Accounts** but will not be allowed to submit notifications (including any updates to previously made submissions) through the **ECHA Submission portal**. Information regarding any previously made submissions will be visible from the submission report. Data preparation in **IUCLID Cloud** is still possible and can be exported if required, for example, to share with third parties based in EU to submit their notification.

What about UK-based notifications made before 2021?

ECHA Submission portal notifications made by UK companies will remain in the database and will not be deleted. While these will be available for the relevant Appointed Bodies of the EU/EEA Member States, EU importers cannot rely on these notifications and must make their own submission. More in [Brexit Q&A on CLP](#).

Can EU importers refer to UK-based notifications?

No, an EU importer cannot make a reference to a notification made by a UK company e.g. by means of the UFI, in their own notification. This is in line with other non-EU suppliers, as reflected in ECHA’s [Guidance on Annex VIII](#) section 4.2.5 as they have no obligations under Article 45. The EU importer will remain responsible for the mixtures that they will place on the EU market and as such, they will need to answer to nationally Appointed Bodies and enforcement authorities.

How can EU importers and UK suppliers work together?

There are two options for EU importers to continue to legally place hazardous mixtures on the market. Either **Full disclosure**: The UK supplier can provide the full compositional information to the EU importer. The EU importer will then be able to submit a poison centre notification on their own. **Non-disclosure**: The UK supplier can agree with an EU-based legal entity to submit a voluntary submission. Then the EU importer can refer to that EU-based notification in order to complete theirs. More in UK withdrawal page under [UK-based mixture supplier](#).

What about companies based in Northern Ireland?

Companies based in UK(NI) who need to notify to the UK authorities, must do so under national legislation and through national submission systems. The ECHA Submission portal will remain available for notifications to EU/EEA Appointed Bodies, provided a new UK(NI) legal entity is established in ECHA Accounts first.