

## India-REACH: The Indian Chemicals (Management & Safety) Rules

The "Indian Chemicals (Management & Safety) Rules, 20XX" (CMSR), commonly known as 'India-REACH', has been in progress for years. After circulating the fourth (final) draft amongst 12 industry bodies earlier this year, it is expected that the Rules will be notified to the WTO soon, and shall come into force on the date of their publication in the Official Gazette afterwards.

CMSR controls the "Placing in Indian Territory" of any substance, mixture, or article unless they comply with these Rules. A foreign company wishing to place such materials in Indian Territory shall appoint an authorised representative who, being an Indian national or an entity registered in India, shall be responsible to act on behalf of the foreign company to ensure compliance with these rules, and liable for the discharge of all obligations under these rules.

### Key Points:

- The CMSR applies to all substances, substances in mixtures, and intermediates that are manufactured, imported, placed, or intended to be placed in the Indian territory.
- The *Initial Notification* will start a year after the Rules take effect and terminate 180 days from the commencement. All existing substances in quantities above *1 tonne per annum* require notification during the initial notification period.
- *After the expiry of the Initial Notification Period*, new substances shall be notified 90 days prior to being placed on the Indian market.
- The rules particularly specify about 750 substances in Schedule II, designated as "Priority Substances" (includes persistent, bioaccumulative and toxic (PBT) or very persistent or very bioaccumulative (vPvB) substances). Registration of the "Priority Substances" (and 37 substances listed in Schedule VI) has to be done by an Indian manufacturer or importer (or authorised representative in case of a foreign manufacturer) for quantity greater than 1 tonne per annum that are placing in the Indian territory.
- Schedule V specifies the information required for notification, and Schedule VII specifies the registration dossier.

### Effective Date:

The Rules are expected to come into force by early 2021. Initial Notification is expected to start in the following twelve months, that would last for six months. After the Initial Notification Period, all new substances have to be in compliance with the Rules.

### References:

[2020/4806/ce112576d028d705b9b5e1850e3be7b4.html](https://www.rlgindia.in/sites/default/files/191213_draft_chemical_safety_rules_final_1.pdf)  
[https://www.rlgindia.in/sites/default/files/191213\\_draft\\_chemical\\_safety\\_rules\\_final\\_1.pdf](https://www.rlgindia.in/sites/default/files/191213_draft_chemical_safety_rules_final_1.pdf)

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