

II

(Non-legislative acts)

REGULATIONS

COMMISSION IMPLEMENTING REGULATION (EU) 2015/864

of 4 June 2015

amending 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)

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EC) No 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH), establishing a European Chemicals Agency, amending Directive 1999/45/EC and repealing Council Regulation (EEC) No 793/93 and Commission Regulation (EC) No 1488/94 as well as Council Directive 76/769/EEC and Commission Directives 91/155/EEC, 93/67/EEC, 93/105/EC and 2000/21/EC ⁽¹⁾, and in particular Article 74(1) and Article 132 thereof,

Whereas:

- (1) According to Article 22(1) of Commission Regulation (EC) No 340/2008 ⁽²⁾, the fees and charges provided for in that Regulation shall be reviewed annually by reference to the inflation rate as measured by means of the European Index of Consumer Prices as published by Eurostat pursuant to Council Regulation (EC) No 2494/95 ⁽³⁾.
- (2) In consequence of this annual review, conducted in 2014, those fees should be adjusted in accordance with the applicable average annual inflation rate, as published by Eurostat, of 1,5 % for the year 2013.
- (3) The adjustment of fees and charges is fixed at such a level that the revenue derived from those fees and charges, when combined with other sources of the Agency's revenue pursuant to Article 96(1) of Regulation (EC) No 1907/2006, is sufficient to cover the cost of the services delivered.
- (4) The Management Board of the Agency should, within the powers conferred to it by Regulation (EC) No 1907/2006, continue monitoring the efforts pursued by the Agency for efficiency gains to achieve the best relationship between resources employed and results achieved. The Commission should have regard to the opinion of the Management Board when next reviewing the Agency's fees and charges according to Article 22(1) of Commission Regulation (EC) No 340/2008.
- (5) Regulation (EC) No 340/2008 should therefore be amended accordingly.

⁽¹⁾ OJ L 396, 30.12.2006, p. 1.

⁽²⁾ Commission Regulation (EC) No 340/2008 of 16 April 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) (OJ L 107, 17.4.2008, p. 6).

⁽³⁾ Council Regulation (EC) No 2494/95 of 23 October 1995 concerning harmonized indices of consumer prices (OJ L 257, 27.10.1995, p. 1).

- (6) For reasons of legal certainty, this Regulation should not apply to valid submissions that are pending on the date of entry into force of this Regulation.
- (7) The measures provided for in this Regulation are in accordance with the opinion of the Committee established under Article 133 of Regulation (EC) No 1907/2006,

HAS ADOPTED THIS REGULATION:

Article 1

Annexes I to VIII to Regulation (EC) No 340/2008 are replaced by the text set out in the Annex to this Regulation.

Article 2

This Regulation shall not apply to valid submissions pending on the date of entry into force of this Regulation.

Article 3

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 4 June 2015.

For the Commission
The President
Jean-Claude JUNCKER

ANNEX

ANNEX I

Fees for registrations submitted under Article 6, 7 or 11 of Regulation (EC) No 1907/2006

Table 1

Standard fees

	Individual submission	Joint submission
Fee for substances in the range of 1 to 10 tonnes	EUR 1 739	EUR 1 304
Fee for substances in the range 10 to 100 tonnes	EUR 4 674	EUR 3 506
Fee for substances in the range 100 to 1 000 tonnes	EUR 12 501	EUR 9 376
Fee for substances above 1 000 tonnes	EUR 33 699	EUR 25 274

Table 2

Reduced fees for SMEs

	Medium enterprise (Individual submission)	Medium enterprise (Joint submission)	Small enterprise (Individual submission)	Small enterprise (Joint submission)	Micro enterprise (Individual submission)	Micro enterprise (Joint submission)
Fee for substances in the range of 1 to 10 tonnes	EUR 1 131	EUR 848	EUR 609	EUR 457	EUR 87	EUR 65
Fee for substances in the range 10 to 100 tonnes	EUR 3 038	EUR 2 279	EUR 1 636	EUR 1 227	EUR 234	EUR 175
Fee for substances in the range 100 to 1 000 tonnes	EUR 8 126	EUR 6 094	EUR 4 375	EUR 3 282	EUR 625	EUR 469
Fee for substances above 1 000 tonnes	EUR 21 904	EUR 16 428	EUR 11 795	EUR 8 846	EUR 1 685	EUR 1 264

ANNEX II

Fees for registrations submitted under Article 17(2), Article 18(2) and (3) or Article 19 of Regulation (EC) No 1907/2006

Table 1

Standard fees

	Individual submission	Joint submission
Fee	EUR 1 739	EUR 1 304

Table 2

Reduced fees for SMEs

	Medium enterprise (Individual submission)	Medium enterprise (Joint submission)	Small enterprise (Individual submission)	Small enterprise (Joint submission)	Micro enterprise (Individual submission)	Micro enterprise (Joint submission)
Fee	EUR 1 131	EUR 848	EUR 609	EUR 457	EUR 87	EUR 65

ANNEX III

Fees for the update of registrations under Article 22 of Regulation (EC) No 1907/2006

Table 1

Standard fees for the update of the tonnage range

	Individual submission	Joint submission
From 1-10 tonnes range to 10-100 tonnes range	EUR 2 935	EUR 2 201
From 1-10 tonnes range to 100-1 000 tonnes range	EUR 10 762	EUR 8 071
From 1-10 tonnes range to over 1 000 tonnes range	EUR 31 960	EUR 23 970
From 10-100 tonnes range to 100-1 000 tonnes range	EUR 7 827	EUR 5 870
From 10-100 tonnes range to over 1 000 tonnes range	EUR 29 025	EUR 21 768
From 100-1 000 tonnes range to over 1 000 tonnes range	EUR 21 198	EUR 15 898

Table 2

Reduced fees for SMEs for the update of the tonnage range

	Medium enterprise (Individual submission)	Medium enterprise (Joint submission)	Small enterprise (Individual submission)	Small enterprise (Joint submission)	Micro enterprise (Individual submission)	Micro enterprise (Joint submission)
From 1-10 tonnes range to 10-100 tonnes range	EUR 1 908	EUR 1 431	EUR 1 027	EUR 770	EUR 147	EUR 110
From 1-10 tonnes range to 100-1 000 tonnes range	EUR 6 995	EUR 5 246	EUR 3 767	EUR 2 825	EUR 538	EUR 404
From 1-10 tonnes range to over 1 000 tonnes range	EUR 20 774	EUR 15 580	EUR 11 186	EUR 8 389	EUR 1 598	EUR 1 198

	Medium enterprise (Individual submission)	Medium enterprise (Joint submission)	Small enterprise (Individual submission)	Small enterprise (Joint submission)	Micro enterprise (Individual submission)	Micro enterprise (Joint submission)
From 10-100 tonnes range to 100-1 000 tonnes range	EUR 5 087	EUR 3 816	EUR 2 739	EUR 2 055	EUR 391	EUR 294
From 10-100 tonnes range to over 1 000 tonnes range	EUR 18 866	EUR 14 150	EUR 10 159	EUR 7 619	EUR 1 451	EUR 1 088
From 100-1 000 tonnes range to over 1 000 tonnes range	EUR 13 779	EUR 10 334	EUR 7 419	EUR 5 564	EUR 1 060	EUR 795

Table 3

Fees for other updates

Type of update			
Change in identity of the registrant involving a change in legal personality	EUR 1 631		
Type of update	Individual submission	Joint submission	
Change in the access granted to information in the submission:	Degree of purity and/or identity of impurities or additives	EUR 4 892	EUR 3 669
	Relevant tonnage band	EUR 1 631	EUR 1 223
	A study summary or a robust study summary	EUR 4 892	EUR 3 669
	Information in the safety data sheet	EUR 3 261	EUR 2 446
	Trade name of the substance	EUR 1 631	EUR 1 223
	IUPAC name for non-phase-in substances referred to in Article 119(1)(a) of Regulation (EC) No 1907/2006	EUR 1 631	EUR 1 223
	IUPAC name for substances referred to in Article 119(1)(a) of Regulation (EC) No 1907/2006 used as intermediates, in scientific research and development or in product and process orientated research and development	EUR 1 631	EUR 1 223

Table 4

Reduced fees for SMEs for other updates

Type of update		Medium enterprise		Small enterprise		Micro enterprise	
Change in identity of the registrant involving a change in legal personality		EUR 1 060		EUR 571		EUR 82	
Type of update		Medium enterprise (Individual submission)	Medium enterprise (Joint submission)	Small enterprise (Individual submission)	Small enterprise (Joint submission)	Micro enterprise (Individual submission)	Micro enterprise (Joint submission)
Change in the access granted to information in the submission:	Degree of purity and/or identity of impurities or additives	EUR 3 180	EUR 2 385	EUR 1 712	EUR 1 284	EUR 245	EUR 183
	Relevant tonnage band	EUR 1 060	EUR 795	EUR 571	EUR 428	EUR 82	EUR 61
	A study summary or a robust study summary	EUR 3 180	EUR 2 385	EUR 1 712	EUR 1 284	EUR 245	EUR 183
	Information in the safety data sheet	EUR 2 120	EUR 1 590	EUR 1 141	EUR 856	EUR 163	EUR 122
	Trade name of the substance	EUR 1 060	EUR 795	EUR 571	EUR 428	EUR 82	EUR 61
	IUPAC name for non-phase-in substances referred to in Article 119(1)(a) of Regulation (EC) No 1907/2006	EUR 1 060	EUR 795	EUR 571	EUR 428	EUR 82	EUR 61
	IUPAC name for substances referred to in Article 119(1)(a) of Regulation (EC) No 1907/2006 used as intermediates, in scientific research and development or in product and process orientated research and development	EUR 1 060	EUR 795	EUR 571	EUR 428	EUR 82	EUR 61

ANNEX IV

Fees for requests under point (xi) of Article 10(a) of Regulation (EC) No 1907/2006

Table 1

Standard fees

Item for which confidentiality is requested	Individual submission	Joint submission
Degree of purity and/or identity of impurities or additives	EUR 4 892	EUR 3 669
Relevant tonnage band	EUR 1 631	EUR 1 223

Item for which confidentiality is requested	Individual submission	Joint submission
A study summary or a robust study summary	EUR 4 892	EUR 3 669
Information in the safety data sheet	EUR 3 261	EUR 2 446
Trade name of the substance	EUR 1 631	EUR 1 223
IUPAC name for non-phase-in substances referred to in Article 119(1)(a) of Regulation (EC) No 1907/2006	EUR 1 631	EUR 1 223
IUPAC name for substances referred to in Article 119(1)(a) of Regulation (EC) No 1907/2006 used as intermediates, in scientific research and development or in product and process orientated research and development	EUR 1 631	EUR 1 223

Table 2

Reduced fees for SMEs

Item for which confidentiality is requested	Medium enterprise (Individual submission)	Medium enterprise (Joint submission)	Small enterprise (Individual submission)	Small enterprise (Joint submission)	Micro enterprise (Individual submission)	Micro enterprise (Joint submission)
Degree of purity and/or identity of impurities or additives	EUR 3 180	EUR 2 385	EUR 1 712	EUR 1 284	EUR 245	EUR 183
Relevant tonnage band	EUR 1 060	EUR 795	EUR 571	EUR 428	EUR 82	EUR 61
A study summary or a robust study summary	EUR 3 180	EUR 2 385	EUR 1 712	EUR 1 284	EUR 245	EUR 183
Information in the safety data sheet	EUR 2 120	EUR 1 590	EUR 1 141	EUR 856	EUR 163	EUR 122
Trade name of the substance	EUR 1 060	EUR 795	EUR 571	EUR 428	EUR 82	EUR 61
IUPAC name for non-phase-in substances referred to in Article 119(1)(a) of Regulation (EC) No 1907/2006	EUR 1 060	EUR 795	EUR 571	EUR 428	EUR 82	EUR 61
IUPAC name for substances referred to in Article 119(1)(a) of Regulation (EC) No 1907/2006 used as intermediates, in scientific research and development or in product and process orientated research and development	EUR 1 060	EUR 795	EUR 571	EUR 428	EUR 82	EUR 61

ANNEX V

Fees and charges for PPORD notifications under Article 9 of Regulation (EC) No 1907/2006

Table 1

Fees for PPORD Notifications

Standard fee	EUR 544
Reduced fee for medium enterprise	EUR 353
Reduced fee for small enterprise	EUR 190
Reduced fee for micro enterprise	EUR 27

Table 2

Charges for the extension of a PPORD exemption

Standard charge	EUR 1 087
Reduced charge for medium enterprise	EUR 707
Reduced charge for small enterprise	EUR 380
Reduced charge for micro enterprise	EUR 54

ANNEX VI

Fees for applications for an authorisation under Article 62 of Regulation (EC) No 1907/2006

Table 1

Standard fees

Base fee	EUR 54 100
Additional fee per substance	EUR 10 820
Additional fee per use	EUR 10 820
Additional fee per applicant	Additional applicant is not an SME: EUR 40 575
	Additional applicant is a medium enterprise: EUR 30 431
	Additional applicant is a small enterprise: EUR 18 259
	Additional applicant is a micro enterprise: EUR 4 058

Table 2

Reduced fees for medium enterprises

Base fee	EUR 40 575
Additional fee per substance	EUR 8 115
Additional fee per use	EUR 8 115
Additional fee per applicant	Additional applicant is a medium enterprise: EUR 30 431
	Additional applicant is a small enterprise: EUR 18 259
	Additional applicant is a micro enterprise: EUR 4 058

Table 3

Reduced fees for small enterprises

Base fee	EUR 24 345
Additional fee per substance	EUR 4 869
Additional fee per use	EUR 4 869
Additional fee per applicant	Additional applicant is a small enterprise: EUR 18 259
	Additional applicant is a micro enterprise: EUR 4 058

Table 4

Reduced fees for micro enterprises

Base fee	EUR 5 410
Additional fee per substance	EUR 1 082
Additional fee per use	EUR 1 082
Additional fee per applicant	Additional applicant: EUR 4 057

ANNEX VII

Charges for the review of an authorisation under Article 61 of Regulation (EC) No 1907/2006

Table 1

Standard charges

Base charge	EUR 54 100
Additional charge per use	EUR 10 820

Additional charge per substance	EUR 10 820
Additional charge per applicant	Additional applicant is not an SME: EUR 40 575
	Additional applicant is a medium enterprise: EUR 30 431
	Additional applicant is a small enterprise: EUR 18 259
	Additional applicant is a micro enterprise: EUR 4 058

Table 2

Reduced charges for medium enterprises

Base charge	EUR 40 575
Additional charge per use	EUR 8 115
Additional charge per substance	EUR 8 115
Additional charge per applicant	Additional applicant is a medium enterprise: EUR 30 431
	Additional applicant is a small enterprise: EUR 18 259
	Additional applicant is a micro enterprise: EUR 4 058

Table 3

Reduced charges for small enterprises

Base charge	EUR 24 345
Additional charge per use	EUR 4 869
Additional charge per substance	EUR 4 869
Additional charge per applicant	Additional applicant is a small enterprise: EUR 18 259
	Additional applicant is a micro enterprise: EUR 4 058

Table 4

Reduced charges for micro enterprises

Base charge	EUR 5 410
Additional charge per use	EUR 1 082
Additional charge per substance	EUR 1 082
Additional charge per applicant	Additional applicant is a micro enterprise: EUR 4 058

ANNEX VIII

Fees for appeals under Article 92 of Regulation (EC) NO 1907/2006

Table 1

Standard fees

Appeal against decision taken under:	Fee
Article 9 or 20 of Regulation (EC) No 1907/2006	EUR 2 392
Article 27 or 30 of Regulation (EC) No 1907/2006	EUR 4 783
Article 51 of Regulation (EC) No 1907/2006	EUR 7 175

Table 2

Reduced fees for SMEs

Appeal against decision taken under:	Fee
Article 9 or 20 of Regulation (EC) No 1907/2006	EUR 1 794
Article 27 or 30 of Regulation (EC) No 1907/2006	EUR 3 587
Article 51 of Regulation (EC) No 1907/2006	EUR 5 381"