

Helsinki, **07 -05- 2008**
JN/je D(2008)/ 719

Alain Heilbrunn
Secretary-General
CONCAWE
Boulevard du Souverain 165
B-1160 Brussels
Belgium

Dear Mr. Heilbrunn,

Pursuant to our letter of 22 February 2008 titled "REACH-Regulation and blending of gasoline" (Our reference: FB/je D(2007)/06) and the subsequent meeting of 2 April 2008 between CONCAWE and ECHA, I am writing to clarify the status of gasoline under the REACH Regulation.

As stated in our earlier letter, gasoline is described in the European Inventory of Existing Commercial chemical Substances (EINECS) under number 289-220-8; CAS number 86290-81-5 as "a complex combination of hydrocarbons consisting primarily of paraffins, cycloparaffins, aromatic and olefinic hydrocarbons having carbon numbers predominantly greater than C3 and boiling in the range of 30°C to 260°C (86°F to 500°F)" and thus may be regarded as a (phase-in) substance under the REACH Regulation under certain circumstances.

It is the responsibility of potential registrants to decide whether their different gasoline qualities are covered by this entry description. However, whether gasoline is a substance or preparation under the REACH regulation will depend on the nature of the manufacturing or processing by which it is produced.

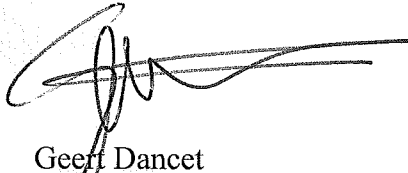
In this respect, gasoline manufactured within an integrated refinery complex through various refinery processes would be viewed as a substance under the REACH Regulation. The manufacturing steps which occur within an integrated refinery complex are a matter for manufacturers who are best placed to understand their processes. Similar principles also apply to the manufacture of other petroleum hydrocarbon substances. However, any further mixing of performance additives or oxygenates would lead to formulation of a preparation.

Companies that mix gasoline hydrocarbons (and of other petroleum hydrocarbons) that are located outside of the refinery fence-line are formulators of a preparation and under REACH would be viewed as downstream users. It may well be that the gasoline preparation reflects the same hazard profile and exposure scenario as the substance gasoline.

Given this dual nature of gasoline (and other petroleum hydrocarbons) under REACH, it is in the responsibility of the importer to decide whether the import can be treated as a substance or as a preparation.

I trust this clarifies your questions.

Yours sincerely,



Geert Dancet
Executive Director