

TABLE Ia - Registration

Member State	Administrative offences	Criminal offences
Austria	<p><i>Major offences</i></p> <ul style="list-style-type: none"> - Manufacture or marketing of substances without registration - Supply of incomplete/incorrect information related to registration obligations - Serious failure to keep information which has to be included in the registration available <p><i>Minor offences</i></p> <p>Infringements of all other obligations linked to registration (catchall-element)</p>	N/A
Belgium		
Federal level	<p><i>Major offences:</i></p> <ul style="list-style-type: none"> - Failure to register before the placing on the market of substances, in preparation, articles. (Article 5) - Failure of the producer or importer to supply appropriate instructions to the recipient of the article (Article 7(3)) - Failure to designate OR (Article 8(2)) - Failure to comply with conditions imposed by ECHA regarding the PPORD process. (Article 9(4)and (6)) - Failure to comply with the principle of good laboratory practice when carrying ecotoxicological and toxicological tests (Article 13(4)) - Failure to complete a CSA and a CSR (Article 14(1)) - Failure to apply the appropriate measures to adequately control the risks identified in the CSA (Article 14(6)) - Failure to keep available and up to date the CSR(Article 14(7)) <p><i>Minor offences:</i></p> <ul style="list-style-type: none"> - Failure to submit a registration to the Agency (Article 6(3)), Article 7(1), 7(5), 17(1), 18(1), 19(1) - Failure to submit information (Article 7(2), 11(2), 12(2), 13(1), 13(3)) - Failure to update its registration and notify when the quantity of a notified substance reaches the next tonnage threshold (Article 22(1), 22(2)) 	<p><i>Major offences:</i></p> <ul style="list-style-type: none"> - Failure to register before the placing on the market of substances, in preparation, articles. (Article 5) - Failure of the producer or importer to supply appropriate instructions to the recipient of the article (Article 7(3)) -Failure to designate OR (Article 8(1) and (2)) -Failure to comply with conditions imposed by ECHA regarding the PPORD process. (Article 9(4)and (6)) -Failure to comply with the principle of good laboratory practice when carrying ecotoxicological and toxicological tests (Article 13(4)) - failure to complete a CSA and a CSR (Article 14(1)) -failure to apply the appropriate measures to adequately control the risks identified in the CSA (Article 14(6)) - failure to keep available and up to date the CSR(Article 14(7)) <p><i>Minor offences:</i></p> <ul style="list-style-type: none"> Failure to submit a registration to the Agency (Article 6(3)), Article 7(1), 7(5), 17(1), 18(1), 19(1) Failure to submit information (Article 7(2), 11(2), 12(2), 13(1), 13(3)) Failure to update its registration and notify when the quantity of a notified substance reaches the next tonnage threshold (Article 22(1), 22(2))
Flanders	<ul style="list-style-type: none"> - Failure by a registrant to submit information required after compliance check of registrations by ECHA to the Agency (Article 41(4)) - Also possible in the other cases for which the Region is competent if the judicial authorities decide not to prosecute 	Infringements of all REACH obligations for which the Region is competent, except for these considered only as administrative offences
Brussels Region	Infringement of registration requirements related to manufacturing for which the Region is competent (Articles 5, 6(1), 6(3), 7(1), 7(2))	Infringement of registration requirements related to manufacturing for which the Region is competent (Articles 5, 6(1), 6(3), 7(1), 7(2))

<p>Bulgaria</p>	<p><i>Major offences:</i></p> <ul style="list-style-type: none"> - Failure to register before placing on the market of substances, in preparations or in articles (Article 5); - Failure to comply with obligations for registration of substances, in preparations or in articles of articles 7(3), 8(2), 9(6), 14(1), 14(6) and 14(7); - Failure to comply with the obligations related to testing of article 40(3) and provision of information for evaluation of article 50(4). <p><i>Minor offences:</i></p> <ul style="list-style-type: none"> - Failure to comply with obligations for registration of substances, in preparations or in articles of articles 6(1), 6(3), 7(1), 7(2), 7(5), 8(3), 9(2), 11(1), 13(1), 13(2), 13(3), 17(1), 18(1), 19(1), 22(1), 22(2), 22(4), 24(2); - Failure to comply with the obligations for data sharing and testing on vertebrate animals (Articles 25(1), 25(2), 26(1), 26(3), 30 (1), 30(2) and 30(6)); - Failure to comply with the obligations related to evaluation of dossiers, substances and intermediate products (Articles 40(4), 41(4), 46 (2), 49, 50 (2) and 50(3)). 	<p>N/A</p>
<p>Cyprus</p>	<p><i>Major offences:</i></p> <ul style="list-style-type: none"> - Failure to register before the placing on the market of substances, in preparation, articles. (Art 5) - Failure to apply the CSR and recommend the risk reduction measures (Art 14) <p><i>Minor offences:</i></p> <ul style="list-style-type: none"> - Failure to respect the objectives and general rules of Art 25. - Failure to comply with the general requirements for generation of information on intrinsic properties of substances of Art 13. - Failure to submit a registration to the Agency (Art 6, 7) - Failure to submit a pre-registration for phase-in substances in quantities of one tonne or more per year until December 2008.(Art 28) - Failure to notify toward the European Chemical Agency and to provide them information and data (Art 7, 6, 24, 30) - Failure to keep up-to-date the information on quantities imported and customers sold to, as well as information on the supply of the latest update of the SDS (Art 8) - Failure to notify toward the European Chemical Agency and to provide them information and data (Art 9, 22) - Failure to provide the relevant information and in a correct way for registration. (Art 11, 12, 17, 18, 19) - Failure the downstream user and the registrant to submit information to ECHA 	<p>Failure to comply with all identified requirements of REACH related to registration and evaluation.</p>
<p>Czech Rep.</p>	<p>Infringements of all REACH obligations</p>	<p>N/A</p>

Report on the penalties applicable for infringement of the provisions of the REACH Regulation

Denmark	Violation of the European community regulations regarding chemical substances, products and articles: -minor offences -first breach	Any violation of the European community regulations regarding chemical substances, products and articles
Estonia	Violation of the requirements of the REACH-regulation	N/A
Finland	- In case of breach of the legislation, on a case-by-case basis, by the superior [supervisory authorities] to which the case of breach is usually referred by the inspectorate; It is important to note that the inspectorate is not authorized to pass any administrative offences such as coercive fine or the prohibition to keep on carrying out or repeat an infringing procedure. - First breach	- <i>Chemical violation</i> : To, intentionally or through gross negligence, violate the obligation to register, as prescribed in articles 5–7, 9, 11 or 17–19. And - to, intentionally or through gross negligence, violate the duties related to the CSA under article 14 And – to, intentionally or through gross negligence, violate the duty to communicate information of articles 22, 24,40,41,46 to ECHA and the information of Article 49 to the CA. - <i>Health Offence</i> : To, intentionally or through gross negligence, violates REACH - <i>Impairment of the environment</i> : To, intentionally or through gross negligence, produces, delivers, transports, uses or stores a substance, a preparation, a product or an object, or operates a device, in defiance of a provision of REACH. - <i>Aggravated impairment of the environment</i> : if danger or damage is especially serious or the offence is committed in defiance of an order/prohibition of an authority/ <i>Negligent impairment if the environment</i> : if the negligence is not gross.
France	Infringements of all REACH obligations, except for these considered as criminal offences (next column)	-to provide knowingly and intentionally inexact information or to conceal information so that the relevant substances or preparations or manufactured products or equipments containing that substance have less stringent prescriptions that the one they would have had. (Article 7(2) Article 7(4), Article 10, Article 12(1) Article 17, Article 18) -for the producer or importer to produce or import without pre-registration a substance or a substance contained in a preparation or in an article with failure to observe title II of EC Regulation 1907/2006 . (mainly Article 5) - to obtain or endeavour to obtain the issuance of a registration number by false statement, or by any other fraudulent act. (Article 20)
Germany	“ <i>Ordnungswidrigkeiten</i> ” - Intentional/ negligent non-compliance with enforceable administrative acts targeting the elimination of infringements of registration obligations - Negligent manufacture or marketing of a substances without registration or negligent provision of incorrect/ incomplete information in a registration	- Intentional/ negligent non-compliance with enforceable administrative acts targeting the elimination of infringements of registration obligations and placement of somebody else in danger of injury or death or objects not belonging to his property in danger of damage or destruction (aggravating circumstances) - Intentional manufacture or marketing of substances without registration or provision of incorrect/incomplete information in a registration - Intentional violation of registration obligations and fulfilment of aggravating circumstances
Greece	<i>Major offences</i> : - Failure to register before the placing on the market of substances, in	N/A

	<p>preparation, articles. (Art 5)</p> <ul style="list-style-type: none"> - Failure to submit a registration to the Agency (Art 6, 7) - Failure to notify toward the European Chemical Agency and to provide them information and data (Art 7, 6, 24, 30) - Failure to keep up-to-date the information on quantities imported and customers sold to, as well as information on the supply of the latest update of the SDS (Art 8) - Failure to apply art 23 until 1 December 2008. - Failure to apply the CSR and recommend the risk reduction measures (Art 14) <p><i>Minor offences:</i></p> <ul style="list-style-type: none"> - Failure to notify toward the European Chemical Agency and to provide them information and data (Art 9, 22) - Failure to provide the relevant information and in a correct way for registration. (Art 10, 11, 12, 17, 18, 19) - Failure to stop the manufacture or import of a substance as indicated by the Agency (Art 21) - Failure the downstream user and the registrant to submit information to ECHA and the Agency (Art 40, 41, 46, 49) - Failure the registrants to inform the Agency if manufacture or import or use has ceased (Art 50). 	
Hungary	<p><i>Major offences:</i></p> <ul style="list-style-type: none"> - Failure to register before the placing on the market of substances, in preparation, articles. (Article 5) - Failure to submit a registration to the Agency (Article 6 Article 7(1)) - Failure to provide the relevant information and in a correct way for registration. (Article 10, Article 11, Article 12, Article 17, Article 18, Article 19) - Failure to submit a pre-registration for phase-in substances in quantities of one tonne or more per year until December 2008.(Article 28 (1)) - Failure to stop the manufacture or import of a substance as indicated by the Agency (Article 21) - Failure to notify toward the European Chemical Agency and to provide them information and data (Art 7(2), 9(2) and 6, 22, 24, 26(2), 27(1), 29(3), 30(3)) <p><i>Minor offences:</i></p> <ul style="list-style-type: none"> - Infringement of all other provisions under Title II 	N/A
Iceland	Infringements of all REACH obligations (by legal persons)	Infringements of all REACH obligations (by legal persons)
Ireland	N/A	Infringements of all REACH obligations
Italy	- Failure to submit a registration to the Agency (Article 6(1), 6(3); Article 7(1), 7(2)).	For all infringements, an administrative fine must be imposed unless the violation constitutes a criminal offence.

	<ul style="list-style-type: none"> - Failure to provide the relevant information or to present information. (Article 12(1)). - Failure to submit of inadequate submitted registration to the Agency. (Article 17, Article 18). - Fulfilling the obligation on importers without designation as only representative.(Article 8(1)). - Failure of notification and compliance with Agency’s conditions (Article 9(2), 9(5), 9(6)). - Failure of compliance or inadequate compliance without informing the Agency (Article 12(2)). - Failure to comply of untimely/inadequate compliance with obligation. (Article 22(1), (2)). - Failure to submit or submit inadequately required information (Article 24(2)). - Non compliance (Article 14(1), (2), (6), (7)). - Breach of Article 21 (prohibition to start, manufacture or import of a substance) - Carrying out tests on vertebrate animals if unnecessary (Article 25(1)) - Failure to comply with the obligation to inquire (Article 26(1)). -Failure to comply with obligation set in Article 30(3), 30 (4) 	
Latvia	- Failure to comply with all obligations of REACH	N/A
Liechtenstein	-Intentional/ negligent infringement of administrative measures targeting the elimination of <i>all</i> REACH provisions	Intentional/ negligent violation of <i>all</i> REACH provisions
Lithuania	<ul style="list-style-type: none"> - Failure to register substances on their own, in preparations or in articles(Article 6-7); - Failure to register substances on their own, in preparations or in articles in accordance with the procedure set forth in REACH (Articles 6, 7, 10, 12, 14, 17, 18, 21(1-3)); - Failure to update registration of substances on their own, in preparations or in articles (Articles 12(2), 22(1)); - Failure to submit data, obtained as a result of testing for registration, to other registrants (Article 27, 30(6)); - Failure to submit documents on test cost to other registrants (Article 27, 30(6)); - Failure to keep information, obtained for registration of substances (Article 36); - Failure to open access for information, obtained for registration of substances (Article 36); - Failure to provide information about substances, which may enjoy registration exception (Article 9; 24(2)); - Failure to follow registration exception conditions (Article 9). - Manufacturing or placing on the market substances on their own, in preparations or in articles, which are not duly registered (Article 5). 	N/A

Luxembourg	-Failure to comply with main requirements of REACH related to registration (article 5 to 7, article 9 to 12, Article 14, article 17 to 19, article 21, article 22)	- Failure to comply with main requirements of REACH related to registration (article 5 to 7, article 9 to 12, Article 14, article 17 to 19, article 21, article 22)
Malta	N/A	-Any infringement of the provisions of REACH is considered as a criminal offence.
Netherlands	Infringements of all REACH obligations that are also considered as criminal offences	<p><i>Major offences:</i></p> <p>-Failure to comply with the requirements of REACH related to <i>registration</i> of Articles 5, 7(3), 8(2), 9(4&6), 14(1,6-7), 40(4), 50(4).</p> <p><i>Minor offences:</i></p> <p>- Failure to comply with the requirements of REACH related to <i>registration</i> of Articles 6 (1&3), 7(1,2 and 5), 11(1), 13(1&3), 17(1), 18(1), 19(1), 22(1&2), 24(2), 25(1), 26(1), 30(1&2), 41(4), 46(2), 49, 50(2-3).</p> <p>NB: The law also provides for the possibility to identify by Orders in Council (AMvB) other potential offences</p>
Norway	Infringements of all REACH obligations	Infringements of all REACH obligations, wilfully/intentionally or negligently
Poland	<p>- Manufacture or placing on the market of a chemical substance on its own, in a preparation or in an article without its registration, where this is required, in accordance with the relevant provisions of Title II of REACH, and in breach of the dates set out in Article 21 of this Regulation;</p> <p>- Failure to submit to ECHA information on changes in the annual or total quantities manufactured or imported which result in a change in the tonnage band referred to in Article 22(1) and in Article 12(2) of REACH.</p>	<p><i>Criminal offences</i> include:</p> <p>-Failure, in breach of the provision of Article 9(6), to comply with the conditions imposed by the Agency in accordance with Article 9(4) of this Regulation.</p> <p>- Failure to comply with the administrative decision regarding manufacture, placing on the market (in case of lack of registration or the required update) or failure to withdraw such substance, preparation or product from the market.</p> <p><i>Petty offence</i> include:</p> <p>- Failure, in breach of the provisions of Article 22 (1), (2)and (4), to put the required new information into the registration documents or</p> <p>- Failure to submit the additional registration documents to the Agency, or</p> <p>- Failure to update the registration documents as required (art. 46 (1))</p> <p>- Failure to submit the required by the Agency information – art. 40(3).</p>
Portugal	<p><i>Very serious offences</i> (Art. 11 (1) DL 293/2009):</p> <p>- Failure to register before the placing on the market of substances, in preparation, articles (Art. 5);</p> <p>- Failure to submit a registration to ECHA (Art. 6 (1) and (3), Art. 7(1) and (2) and Art. 8 (1));</p> <p>- Failure to notify ECHA with additional information where it reaches the next tonnage threshold (Art. 12(2));</p> <p>- Failure to keep CSR available and uptodate (Art. 14 (7));</p> <p>- Failure to update registration and to submit updated registrations to ECHA (Art. 22 (1) and (2));</p>	N/A

	<p><i>Serious offences</i> (Art. 11 (2) DL 293/2009):</p> <ul style="list-style-type: none"> - Failure to keep information available and up to date (Art. 8 (2)); - Failure to comply with ECHA's conditions regarding PPORD products (Art. 9 (6)); - Failure to register on-site isolated intermediates (Art. 17); - Failure to register transported isolated intermediates (Art.18); - Failure to comply with the publications on manufacturing and importing of substances under Art. 21; - Failure to notify where the quantity reaches the next tonnage threshold (Art. 24 (1) and (2)); - Failure to share data involving tests (Art. 30). - Failure to register on-site isolated intermediates (Art. 17); - Failure to register transported isolated intermediates (Art.18); - Failure to comply with the publications on manufacturing and importing of substances under Art. 21; - Failure to notify where the quantity reaches the next tonnage threshold (Art. 24 (1) and (2)); - Failure to share data involving tests (Art. 30). 	
Romania	<p><i>Minor offences:</i></p> <ul style="list-style-type: none"> - Failure to submit a registration to the Agency (Article 6) - Failure to submit a registration to the Agency for substances in articles (Article 7 (1)) - Failure to notify the Agency (Article 7(2)) - Failure to notify the Agency and provide it with the information requested (Article 9(4) and (6), Article 22) - Failure to notify the Agency with additional information where the next tonnage threshold has been reached (Article 12(2)) - Failure to provide the relevant information in a correct way for registration (Article 17(1) and 17(2), Article 18)) <p><i>Major offences:</i></p> <ul style="list-style-type: none"> - Failure to keep CSR available and up to date (Article 14(7)) - Failure to perform a CSA and to complete a CSR (Article 14(1)) and to control the risks identified in the CSA (Article 14(6)) - Failure to share data on animal testing (Article 30) 	N/A
Slovakia	<ul style="list-style-type: none"> - failure to register before manufacturing or placing on the market of substances, substances contained in articles or substances contained in preparations (Article 5), - failure to submit a registration of substance or of substance contained in preparation (Article 6), 	N/A

	<ul style="list-style-type: none"> - failure to submit a registration to the Agency concerning substances contained in articles (Article 7), - failure to provide the information to the Agency on substances contained in articles (Article 7), - failure to notify the Agency on higher threshold of manufacturing or importing registered substance Articles 12(2), 24), - failure to assess chemical safety of substance and to prepare chemical safety report (Article 14), - failure to submit a registration of isolated intermediates (Article 17, 19), - failure to submit a registration of transported isolated intermediates (Article 18, 19), - starting of manufacturing or importing substances or articles within the time period which is shorter than three weeks since submitting registration (Article 21), - failure to update registry data (Article 22), - failure to seek information at the Agency concerning the registration of phase-in substance or concerning the registration of the substance which was not pre-registered, whether there was not submitted registration for the identical substance (Article 26(1)), - failure to notify the Agency on relevant data or failure to update these data (Articles 7(2), 9(2), 22, 26, 46(2)). - failure to provide Agency with information in given time period (Art. 40(4), 41(4)) - failure to notify the Agency about the cessation of manufacturing or import of the substance or the article, or about the cessation of using of substance or article by downstream user (Article 50(2)) - failure to provide proof of the cost or the study itself (Article 30(6)) 	
Slovenia	Infringement of the following provisions of the Regulation: Articles 6(1) 6(3), 7(1-3), 7(5), 8(1-2), 9(2), 9(4-6), 14(1), 14(6-7), 17(1-2), 18(1-2), 19(1), 22(1-2), 22(4), 24(2), 25(2), 26(1), 26(3), 27(1), 30(1), 30(3), 30(4), 40(4), and 50(2-4).	N/A
Sweden	<i>All provisions of REACH are subject to administrative measures</i>	<p>To, with the intention or by negligence:</p> <ul style="list-style-type: none"> • Manufacture or import a substance, as such or in a preparation, without submitting a registration (article 5 and 6) • Produce or import an article without submitting a registration (article 5 and 7.1, 7.5)) • Breache an obligation to leave or update information according to article 12.2 or 22 in the regulation • Leave incorrect information in a registration or a document supplementing a registration, if this regards a registration or supplement to a registration as

		<p>referred to in article 6, 7.1, 7.5, 20.2 third paragraph, 22.1 and 22.2, 40.4 or 41.4 in the Regulation</p> <p>Subject to corporate fine: a) the crime has entailed a gross disregard for the special obligations associated with the business activities or is otherwise of a serious kind, and b) the legal person has not done what could reasonably be required of him for prevention of the crime.</p> <ul style="list-style-type: none">• Failure to, with the intention or by gross negligence, to apply the appropriate risk reduction measures (article 14(6)).
UK	N/A	- Failure to comply with all identified requirements of REACH related to registration and evaluation (all offences are considered as criminal).

TABLE I b - Authorisation and restrictions

Member State	Administrative offences	Criminal offences
<p>Austria</p>	<p><i>Major offences</i></p> <ul style="list-style-type: none"> - Manufacture, marketing or use of substances, without authorisation or in non-compliance with authorisation requirements - Supply of incomplete/incorrect information related to authorisation obligations, - Manufacture, marketing or use of substances, mixtures (preparations) or articles in non-compliance with restrictions laid down in Annex XVII of REACH <p><i>Minor offences</i></p> <p>Infringements of all other obligations linked to authorisation and restrictions (catch- all element)</p>	<p>N/A</p>
<p>Belgium <i>Federal level</i></p>	<p><i>Major offence</i></p> <ul style="list-style-type: none"> -failure to analyse the availability of alternatives and consider their risks, and the technical and economic feasibility of substitution when applying for an authorisation. (Article 55) - placing on the market of a substance included in Annex XIV (Article 56(1)) -failure by downstream users to use a substance in accordance with the conditions of an authorisation granted to an actor up his supply chain for that use (Article 56(2)) - failure to ensure that the exposure is reduced to as low a level as is technically and practically possible. (Article 60(10)) -failure to include the authorisation number on the label before the substance or preparation is placed on the market for an authorised use -failure to comply with the conditions of the restrictions in an authorisation. (Article 65) -failure to comply with the obligations related to restrictions on the manufacture, placing on the market and use of chemical substances on their own, in preparations or in articles under Article 67(1) <p><i>Minor offence</i></p> <ul style="list-style-type: none"> - failure to update the information of the original application as necessary (Article 63(2)) -failure to notify ECHA within three months of the first supply (Article 66(1)) 	<p><i>Major offence</i></p> <ul style="list-style-type: none"> -failure to analyse the availability of alternatives and consider their risks, and the technical and economic feasibility of substitution when applying for an authorisation. (Article 55) - placing on the market of a substance included in Annex XIV (Article 56(1)) -failure by downstream users to use a substance in accordance with the conditions of an authorisation granted to an actor up his supply chain for that use (Article 56(2)) - failure to ensure that the exposure is reduced to as low a level as is technically and practically possible. (Article 60(10)) -failure to include the authorisation number on the label before the substance or preparation is placed on the market for an authorised use -failure to comply with the conditions of the restrictions in an authorisation. (Article 65) -failure to comply with the obligations for restriction of manufacture, placing on the market and use of chemical substances on their own, in preparations or in articles under Article 67(1) <p><i>Minor offence</i></p> <ul style="list-style-type: none"> - failure to update the information of the original application as necessary (Article 63(2)) -failure to notify ECHA within three months of the first supply (Article 66(1))

Flanders	<ul style="list-style-type: none"> - <i>Authorisation</i>: Failure to update the information of the original application as necessary (Article 63(3)) - Also possible in the other cases for which the Region is competent if the judicial authorities decide not to prosecute 	Infringements of all REACH obligations for which the Region is competent, except for these considered only as administrative offences
Brussels	Infringement of all authorisation and restriction requirements under REACH for which the Region is competent. This does not cover Articles 55, 60(8),62(4)(5), 65	Infringement of all authorisation and restriction requirements under REACH for which the Region is competent. This does not cover Articles 55, 60(8),62(4)(5), 65
Bulgaria	<p><i>Major offences:</i></p> <ul style="list-style-type: none"> - Failure to comply with the obligations for authorisation of chemical substances on their own, in preparations or in articles under articles 56(1), 56 (2), 60(10) and 65; - Failure to comply with the obligations for restriction of manufacture, placing on the market and use of chemical substances on their own, in preparations or in articles under Article 67(1) <p><i>Minor offences:</i></p> <ul style="list-style-type: none"> - Failure to comply with the obligations for authorisation of chemical substances on their own, in preparations or in articles under articles breach of articles 61(1) and 66(1) 	N/A
Cyprus	<p><i>Major offences:</i></p> <ul style="list-style-type: none"> - Failure to ask for an authorisation before the placing on the market of substances subject to authorisation (Art 56) <p><i>Minor offences:</i></p> <ul style="list-style-type: none"> - Failure to include the authorization number on the label before the holder and downstream users place the substance or preparation on the market (Art 65) - - Failure by downstream users to notify ECHA within three months of the first supply (Art 66) - Failure to comply with the conditions of the restrictions on the manufacturing, placing on the market and use of certain dangerous substances, preparations and articles (Art 67) - Failure in identification of substances who referred to in Art 57 (Art 59) 	Failure to comply with all identified requirements of REACH related to authorisation.
Czech Rep	Infringements of all REACH obligations	N/A
Denmark	<p>Violation of the European community regulations regarding chemical substances, products and articles:</p> <ul style="list-style-type: none"> -minor offences -first breach 	Any violation of the European community regulations regarding chemical substances, products and articles
Estonia	- Violation of the requirements of the REACH-regulation	N/A

<p>Finland</p>	<ul style="list-style-type: none"> - In case of breach of the legislation, on a case-by-case basis, by the superior [supervisory authorities] to which the case of breach is usually referred by the inspectorate - First breach 	<ul style="list-style-type: none"> -<i>Chemical violation</i>: To, intentionally or through gross negligence, violate the prohibition against introduction on the market or use without an express permit from ECHA (Article 56) or - To, intentionally or through gross negligence, violate Article 67 regarding considering a limitation according to annex XVII on a substance as such or a preparation or in an article, or or - To, intentionally or through gross negligence, violate the duty of communication of Art.66. - <i>Health Offence</i>: To, intentionally or through gross negligence, violates REACH - <i>Impairment of the environment</i>: To, intentionally or through gross negligence, produces, delivers, transports, uses or stores a substance, a preparation, a product or an object, or operates a device, in defiance of a provision of REACH. - <i>Aggravated impairment of the environment</i>: if danger or damage is especially serious or the offence is committed in defiance of an order/prohibition of an authority/ <i>Negligent impairment if the environment</i>: if the negligence is not gross.
<p>France</p>	<p>Infringements of all REACH obligations, except for these considered as criminal offences (next column)</p>	<ul style="list-style-type: none"> -to produce, import or use without the corresponding authorisation a substance or a preparation or an article with failure to observe title VIII of EC Regulation 1907/2006. - Not to respect the restrictions measures enacted in Title VIII of EC Regulation 1907/2006. <p>Thus failure to comply with article 67(1) of Regulation 1907/2006/EC</p>
<p>Germany</p>	<p><i>“Ordnungswidrigkeiten”</i></p> <ul style="list-style-type: none"> - Intentional/ negligent non-compliance with enforceable administrative acts targeting the elimination of infringements of authorisation obligations - Negligent provision of incorrect/ incomplete information in an application for authorisation 	<ul style="list-style-type: none"> - Intentional/ negligent non-compliance with enforceable administrative acts targeting the elimination of infringements of authorisation obligations and fulfilment of aggravating circumstances - Intentional marketing without authorisation or provision of incorrect/ incomplete information in an application for authorisation - Intentional marketing without authorisation or provision of incorrect/ incomplete information in an application for authorisation and fulfilment of aggravating circumstances - Negligent marketing without authorisation

Greece	<p><i>Minor offences:</i></p> <ul style="list-style-type: none"> - Failure to ask for an authorisation before the placing on the market of substances subject to authorisation (Art 56) - Failure the holder of authorization to present a substitution plan to the Commission (Art 61) - Failure to update the information of the original application (Art 63) - Failure to include the authorization number on the label before the holder and downstream users place the substance or preparation on the market (Art 65) - Failure by downstream users to notify ECHA within three months of the first supply (Art 66) - Failure to comply with the conditions of the restrictions on the manufacturing, placing on the market and use of certain dangerous substances, preparations and articles (Art 67) 	N/A
Hungary	<p><i>Major offences:</i></p> <ul style="list-style-type: none"> - Failure to ask for an authorisation before the placing on the market of substances subject to authorisation (Article 56 (1) and (2)) - Failure to comply with the conditions of the restrictions on the manufacturing, placing on the market and use of certain dangerous substances, preparations and articles (Article 67 (1)) - Failure by downstream users to notify ECHA within three months of the first supply (Article 66(1)) - Failure to ensure that the exposure is reduced to as low as the level technically and practically possible (Article 60) <p><i>Minor offences:</i></p> <ul style="list-style-type: none"> - Infringement of all other provisions under Title VII 	N/A
Iceland	Infringements of all REACH obligations (by legal persons)	Infringements of all REACH obligations (by legal persons)
Ireland	N/A	Infringements of all REACH obligations
Italy	<ul style="list-style-type: none"> - Placing on the market substance included in Annex XIV except for cases referred in Article 56. - Failure to comply with obligation set in Article 60(10). - Failure to comply with obligation set in Article 65. - Failure to comply with obligation set in Article 66. - Non compliance with restriction set in Annex XVII except for the cases set in Article 67. 	Failure to comply with the obligation set under article 67, article 56(1-2) of REACH
Latvia	- Failure to comply with all obligations of REACH	N/A
Liechtenstein	Intentional/ negligent infringement of administrative measures targeting the elimination of <i>all</i> REACH provisions	Intentional/ negligent violation of <i>all</i> REACH provisions

Lithuania	<ul style="list-style-type: none"> - Failure to keep information, obtained for authorisation of substances (Article 36); - Failure to open access for information, obtained for authorisation of substances (Article 36); - Placing on the market or usage of substances on their own, in preparations or in articles, which are not duly authorised (Article 56 (1) and (2)); - Use of substances in the way contrary to the conditions of the granted authorisation (Article 60(8,9)); - Use of substances in the way contrary to the restrictions requirements (Article 67 (1), Annex XVII). 	N/A
Luxembourg	- Failure to comply with main requirements of REACH related to authorisations and restrictions (Article 56, Articles 60 to 62, Articles 65 to 67)	- Failure to comply with main requirements of REACH related to authorisations and restrictions (Article 56, Articles 60 to 62, Articles 65 to 67)
Malta	N/A	Any infringement of the provisions of REACH is considered as a criminal offence.
Netherlands	Infringements of all REACH obligations that are also considered as criminal offences	<p><i>Major offences</i></p> <p>-Failure to comply with the requirements of REACH related to <i>authorisation</i> and <i>restrictions</i> of Articles 55, 56(1-2), 60(10), 65 and 67 (1)</p> <p><i>Minor offences</i></p> <p>-Failure to comply with the requirements of REACH related to <i>authorisation</i> and <i>restrictions</i> of Articles 61(1-3), 63(3) and 66(1&3), 63(3) and 66(1).</p> <p>NB: The law also provides for the possibility to identify by Orders in Council (AMvB) other potential offences</p>
Norway	Infringements of all REACH obligations	Infringements of all REACH obligations, wilfully/intentionally or negligently

<p>Poland</p>	<p>- Placing on the market of chemical substances, chemical preparations or articles in breach of the prohibition or restriction set out in the provisions of Annex XVII to Regulation No 1907/2006 or in breach of the conditions set out in these provisions</p>	<p><i>Criminal offences</i> include:</p> <ul style="list-style-type: none"> - the manufacture, placing on the market or use of a substance for which Annex XVII to this Regulation sets out a restriction, or doing this in breach of the conditions set out in this Annex, on its own, in a preparation or in an article (Article 67); - in breach of Article 56(1)–(6) of Regulation No 1907/2006 or in breach of the conditions of the authorisation, the placing on the market or use of a substance listed in Annex XIV to this Regulation, on its own, in a preparation or in an article. <p><i>Petty offences</i> include:</p> <ul style="list-style-type: none"> - Failure to place the required registration number on the label of a substance or preparation before they are placed on the market (Article 65); - in breach of the provision of Article 66(1) of Regulation No 1907/2006 and at a date set out therein, failure to notify the Agency of the use of the substance referred to in Article 56(2) of this Regulation.
<p>Portugal</p>	<p><i>Very serious offences</i> (Art. 11 (1) DL 293/2009):</p> <ul style="list-style-type: none"> - Failure to ask for an authorisation before the placing on the market of substances subject to authorisation (Art. 56 (1) and (2)); <p><i>Serious offences</i> (Art. 11 (2) DL 293/2009):</p> <ul style="list-style-type: none"> - Failure by holder of an authorisation and downstream users to include the authorisation number on the label before placing on the market (Art. 65); - Failure by downstream users to notify ECHA within three months of the first supply (Art. 66(1)); - Failure to comply with the conditions of the restrictions on the manufacturing, placing on the market and use of certain dangerous substances, preparations and articles (Art. 67 (1)). 	
<p>Romania</p>	<p><i>Major offences:</i></p> <ul style="list-style-type: none"> - Failure to ask for an authorization before the placing on the market of substances subject to authorisation (Article 56) - Failure to include the authorisation number on the label (Article 65) - Failure to comply with the conditions of the restrictions on the manufacturing, placing on the market and use of certain dangerous substances, preparations and articles (Article 67 (1)) 	<p>N/A</p>

<p>Slovakia</p>	<p>- failure to safeguard that the exposure of the substance, which was authorised, is reduced (Art. 60(10)), - failure to review valid authorisation for placing on the market or using substance within required time limit (Art. 61(1)), - failure to provide number of authorisation on the sticker or label or tag before phasing-in of the substances or preparations containing substances (Art. 65), - failure to complete duties within given time limits, - manufacturing, placing on the market or using substances, preparations or articles without complying with the stipulated conditions (Art. 56(1), 60) - failure to comply with the Regulation in manufacturing, placing on the market or using of the substance (Art. 67).</p>	<p>N/A</p>
<p>Slovenia</p>	<p>-Infringement of obligations related to authorisation of Articles 56 (1) and (2)), 60(10), 65 and 67(1).</p>	<p>N/A</p>
<p>Sweden</p>	<p><i>All provisions of REACH are subject to administrative measures</i></p>	<p><i>Unpermitted environmental activity</i> is when someone with the intention or by negligence</p> <ul style="list-style-type: none"> • Starts or pursues a business/activity without obtaining a permission in accordance with article 56 REACH, or, Breaks a condition attached to a permit taken pursuant to the Regulation. <p><i>Obstruction of environmental control</i> is when someone with the intention or by negligence</p> <ul style="list-style-type: none"> • Provides the authorities incorrect information that from a environmental or health protection aspect has significance for the enforcement or investigation by the authorities, if the information is given in an application, registration or other paper that should be submitted to a authority according to article 62 or 46 the Regulation or <p>Subject to corporate fine: a) the crime has entailed a gross disregard for the special obligations associated with the business activities or is otherwise of a serious kind, and b) the legal person has not done what could reasonably be required of him for prevention of the crime.</p>
<p>UK</p>	<p>N/A</p>	<p>Failure to comply with all identified requirements of REACH related to authorisation and restrictions (all offences are considered as criminal).</p>

TABLE I c - Supply Chain

Member State	Administrative offences	Criminal offences
Austria	<i>Major offences</i> Infringements of all obligations in the supply chain (title IV REACH)	N/A
Belgium		
<i>Federal level</i>	<i>Major offences</i> Failure to provide SDS and relevant information in the SDS (Article 31(1)to(3)) Failure to update SDS or information (Article 31(9), 32(3), 34) Failure to provide relevant information for downstream users that do not have to provide SDS (Article 32(1)) <i>Minor offences</i> Failure to provide SDS in the language of the Member State concerned.(Article 31(5)) Failure to provide SDS and information free of charge either electronically or on paper (Article 31(8), 32(2)) Failure to provide available information (Article 36(1))	<i>Major offences</i> Failure to provide SDS and relevant information in the SDS (Article 31(1)to(3)) Failure to up-date SDS or information (Article 31(9), 32(3), 34) Failure to provide relevant information for downstream users that do not have to provide SDS (Article 32(1)) <i>Minor offences</i> Failure to provide SDS in the language of the Member State concerned.(Article 31(5)) Failure to provide SDS and information free of charge either electronically or on paper (Article 31(8), 32(2)) Failure to provide available information (Article 36(1))
<i>Flanders</i>	- Failure to provide available information (Article 36(1), 36(2)) - also possible in the other cases for which the Region is competent if the judicial authorities decide not to prosecute	Infringements of all REACH obligations for which the Region is competent, except for these considered only as administrative offences
<i>Brussels Region</i>	Failure to keep available information under Article 36 of REACH	Failure to keep available information under Article 36 of REACH
Bulgaria	<i>Major offences:</i> - Failure to comply with the obligations for provision of documents and information within the supply chain under Articles 31(1-3), 31(7 and 9), 32 (1), 32(3), 33(1), 34, 35, <i>Minor offences:</i> - Failure to comply with the obligations for provision of documents and information within the supply chain under Articles 31(5), 31(8), 32(2), 36 (1) and 36(2);	N/A
Cyprus	<i>Major offences:</i> - Failure of the supplier to provide safety data sheet and indicate true information on it (Art 31) - Failure to respect the provisions relating to the obligation of the members of the supply chain to communicate information (Art 31, 32, 33, 34, 35, 36) <i>Minor offences:</i> N/A	Failure to comply with all identified requirements of REACH related to supply chain

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Czech Rep	Infringements of all REACH obligations	N/A
Denmark	Violation of the European community regulations regarding chemical substances, products and articles: -minor offences -first breach	Any violation of the European community regulations regarding chemical substances, products and articles
Estonia	- Violation of the requirements of the REACH-regulation	N/A
Finland	- In case of breach of the legislation, on a case-by-case basis, by the superior [supervisory authorities] to which the case of breach is usually referred by the inspectorate - First breach	<i>Chemical violation:</i> To with the intention or through gross negligence violate what is prescribed in: - the duty of article 31 regarding the information in the safety data sheet that shall be supplied to the receiver, - the obligation of article 32 regarding the responsibility to forward information regarding substances and preparations, - the duty of articles 33, 34, 35 regarding the obligation to forward and to give access to information - the duty under article 36 to keep information and communicate it to the competent authority & ECHA <i>- Health Offence:</i> To, intentionally or through gross negligence, violates REACH <i>- Impairment of the environment:</i> To, intentionally or through gross negligence, produces, delivers, transports, uses or stores a substance, a preparation, a product or an object, or operates a device, in defiance of a provision of REACH. <i>- Aggravated impairment of the environment:</i> if danger or damage is especially serious or the offence is committed in defiance of an order/prohibition of an authority/ <i>Negligent impairment if the environment:</i> if the negligence is not gross
France	Infringements of all REACH obligations, except for these considered as criminal offences (next column)	- not to provide to the recipient of a substance or preparation a safety data sheet and its annexes established and updated pursuant to the requirement under article 31 of EC Regulation 1907/2006.
Germany	<i>“Ordnungswidrigkeiten”</i> - Intentional/ negligent non-compliance with enforceable administrative acts targeting the elimination of infringements of requirements laid down for safety data sheets - Intentional/ negligent non-provision of safety data sheets, required information, updates or related infringements	- Intentional/ negligent non-compliance with enforceable administrative acts targeting the elimination of infringements of requirements laid down for safety data sheets and fulfilment of aggravating facts - Intentional/ negligent failure to provide safety data sheets, required information, updates or related infringements and fulfilment of aggravating circumstances
Greece	<i>Minor offences:</i> - Failure by the supplier to provide safety data sheet and indicate true information on it (Art 31) - Failure to respect the provisions relating to the obligation of the members of the supply chain to communicate information (Art 31, 32, 33, 34, 35, 36)	N/A
Hungary	<i>Major offences</i> - Failure by the supplier to provide safety data sheet (article 31)	N/A

Annex I Types of offences

	<ul style="list-style-type: none"> - Failure to indicate true information on the safety data sheet (article 31) - Failure to respect the provisions relating to the obligation of the members of the supply chain to communicate information, (Articles 7 (3), 8 (2), 14 (7), 31, 32, 33, 34, 35, 36) <p><i>Minor offences</i> Infringement of all other provisions under Title IV</p>	
Iceland	Infringements of all REACH obligations (by legal persons)	Infringements of all REACH obligations (by legal persons)
Ireland	N/A	Infringements of all REACH obligations
Italy	<ul style="list-style-type: none"> - Non compliance with obligation (Article 31(1), (2), (3), (8), (9)). - Failure to supply data in Italian/Incomplete or inaccurate data, (Art. 31(5))/(31(6)). - Failure to comply with obligation set in Article 31(7). - Failure to comply with obligations set in Article 32, 33, 34, 35, 36. 	For all infringements, an administrative fine must be imposed unless the violation constitutes a criminal offence.
Latvia	Failure to comply with all obligations of REACH	N/A
Liechtenstein	Intentional/ negligent infringement of administrative measures targeting the elimination of <i>all</i> REACH provisions	Intentional/ negligent violation of <i>all</i> REACH provisions
Lithuania	<ul style="list-style-type: none"> - Failure to provide information about substances in articles throughout the supply chain (Article 31-35)¹; - Failure to compile and/or provide a safety data sheet and exposure scenario (if required) (Article 31); - Keeping in secret, distortion or failure to provide information about manufactured, imported, exported and used substances, features and impact thereof. 	N/A
Luxembourg	-Failure to comply with all supplier obligations	-Failure to comply with all supplier obligations
Malta	N/A	Any infringement of the provisions of REACH is considered as a criminal offence.
Netherlands	Infringements of all REACH obligations that are also considered as criminal offences	<p>Major offences</p> <ul style="list-style-type: none"> - Failure to comply with the obligations related to the <i>supply chain</i> of Article 31(1-3, 7, 9), 32(1&3), 33, 34 and 35. <p><i>Minor offences:</i></p> <ul style="list-style-type: none"> - Failure to comply with the obligations related to the <i>supply chain</i> of Article 31(5&8), 32(2) and 36.

¹ In the current legislation in force the penalties for these activities are already set. However, the new Draft Law on the Amendment of the Article 84¹ of the Administrative Code to be adopted soon foresee more detailed provisions specifying particular responsibilities like to provide the recipient with certain information in case safety data sheet is not required (Art. 32(1)), to communicate information on substances in articles to recipients and, on demand, also to consumers (Art. 33(1) & 33(2)), to pass new information on hazardous properties up the supply chain (Art. 34).

		NB: The law also provides for the possibility to identify by Orders in Council (AMvB) other potential offences
Norway	Infringements of all REACH obligations	Infringements of all REACH obligations, wilfully/intentionally or negligently
Poland	N/A	<p><i>Petty offences</i> include:</p> <ul style="list-style-type: none"> - Failure to prepare, provide or supply the required safety data sheet (Article 31(1) and (3)–(8)); - the preparation, provision or supply of an outdated safety data sheet (Article 31(9)); - Failure to communicate the required information or failure to update the information as required (Article 32); - Failure to provide the recipient of the article with the required information (Article 33(1)); - Failure to provide the consumer with the required information on his request (Article 33(2)); - Failure to communicate the required information to a downstream user or distributor (Article 34); - Failure to keep or make available the information required from him to carry out his duties under the provisions of this Regulation (Article 36).
Portugal	<p><i>Very serious offences</i> (Art. 11 (1) DL 293/2009):</p> <ul style="list-style-type: none"> - Failure by the supplier to provide SDS in accordance with Annex III (Art. 31 (1)); - Failure to provide consistent information in the CDS (Art. 31 (2)); - Failure by the supplier to provide sufficient information to allow safe use (Art. 33 (1)); - Failure by supplier on request of consumer to provide information free of charge and within 45 days of the request (Art. 33 (2)). <p><i>Serious offences</i> (Art. 11 (2) DL 293/2009):</p> <ul style="list-style-type: none"> - Failure by the supplier to provide SDS when requested in accordance with Annex II (Art. 31 (3)); - Failure by the supplier to provide SDS which is offered or sold to the general public (Art. 31 (4)); - Failure by the supplier to provide SDS in the language of the MS concerned (Art. 31 (5)) and with the information listed under paragraph 6 (Art. 31 (6)); - Failure by actors in the supply chain to expose scenarios in an annex to SDS (Art. 31 (7)); - Failure to provide the SDS free of charge (Art. 31 (8) and to update it (Art. 31 (9)); - Failure by the supplier who is not requested to provide SDS to provide 	N/A

	<p>information under paragraph 1 (Art. 32 (1)), free of charge (Art. 32 (2) and updated (Art. 32 (3));</p> <ul style="list-style-type: none"> - Failure by any actor of the supply chain to communicate information on substances and preparations up the supply chain (Art. 34); - Failure by manufacturer, importer, downstream user, distributor and the party responsible for liquidating the registrant to keep information available for at least 10 years and submit it to CA or ECHA when requested (Art. 36). 	
Romania	<p><i>Major offences:</i></p> <ul style="list-style-type: none"> - Failure by the supplier to provide safety data sheet (Article 31) - Failure to indicate true information on the safety data sheet (Article 31) - Failure to respect the provisions relating to the obligation of the members of the supply chain to communicate information (Article 31) - Failure to respect the provisions relating to the obligation of the members of the supply chain to communicate information (Articles 33 (1) and (2), 34) - Failure to provide information to the Agency and to the national competent authority (Article 36) <p><i>Minor offences:</i></p> <ul style="list-style-type: none"> - Failure to supply and keep available information (Articles 32) - Failure to provide access to information (Article 35) 	N/A
Slovakia	<ul style="list-style-type: none"> - failure to provide safety data sheet (Article 31), - failure to provide safety data sheet upon request of receiver regarding to the preparation which is not classified as dangerous (Art. 31(3)), - failure to update safety data sheet (Art. 31(9)), - failure to provide receiver of substances contained in preparation, for which there is no duty to provide safety data sheet, relevant information, or failure to update this information (Art. 32), - failure to inform receiver of the article containing substances, which meet criteria for safe using of the article (Art. 33), - failure to inform consumer (upon request) on safe using of the article (Art. 33(2)), - failure to gather and store data on testing, registration, other relevant findings on substances and preparations and on on-site isolated intermediates (Art. 36) 	N/A
Slovenia	<p>-Infringements of obligations in the supply chain of Articles 31(1-3) 31(5), 31(7), 31(8), 31(9), 32(1-3), 33(1-2), 34, 35, and 36(1-2).</p>	N/A
Sweden	<p>Failure of supplying a safety data sheet in Swedish. <i>All provisions of REACH are subject to administrative measures</i></p>	<p><i>Insufficient environmental information</i> occurs when someone with the intention or by negligence regarding chemical products breaches a provision in the Regulation by</p>

		<ul style="list-style-type: none"> not providing the receiver of a substance or a preparation with the safety data sheet (article 31). Leave incorrect or insufficient information in the safety data sheet, or Not providing a receiver or consumer information regarding names of substances included in an article (article 33) <p>-Failure to, with the intention or by negligence comply with a provision on information or documentation according to article 32, 34 or 36 in the Regulation.</p> <p>Subject to corporate fine: a) the crime has entailed a gross disregard for the special obligations associated with the business activities or is otherwise of a serious kind, and b) the legal person has not done what could reasonably be required of him for prevention of the crime.</p>
UK	N/A	<ul style="list-style-type: none"> - Failure to comply with the supplier obligation to supply safety data sheet (Article 31). - Failure to respect the provisions relating to the obligation of the members of the supply chain to communicate and update information (Article 32, Article 32(2),(3), Article 33(1), Article 33(2), Article 34, Article 35, Article 36, Article 37(3)).

TABLE I d - Downstream Users

Member State	Administrative offences	Criminal offences
Austria	<p><i>Major offences</i></p> <p>- Infringement of all downstream user obligations laid down in § 3 (1) REACH-Durchführungsgesetz</p> <p><i>Minor offences</i></p> <p>Infringements of all other obligations of the downstream user, which are not specifically sanctioned (catch- all element) in the law</p>	N/A
Belgium <i>Federal level</i>	<p><i>Major offences</i></p> <p>Failure to prepare a CSR in accordance with Annex XII for any use outside either the conditions described in an exposure scenario or a use and exposure category in a SDS (Article 37(4))</p> <p>Failure to identify and apply appropriate measures to adequately control risks (Article 37(5), Article 37(6),</p> <p>Failure to keep chemical safety report up to date and available. Article 37(7)</p> <p>Failure to report or to update information to ECHA</p>	<p><i>Major offences</i></p> <p>Failure to prepare a CSR in accordance with Annex XII for any use outside either the conditions described in an exposure scenario or a use and exposure category in a SDS (Article 37(4))</p> <p>Failure to identify and apply appropriate measures to adequately control risks (Article 37(5), Article 37(6),</p> <p>Failure to keep chemical safety report up to date and available. Article 37(7)</p> <p>Failure to report or to update information to ECHA</p>

	(Article 38(1)(3)(4)) Failure to comply with the requirements of Article 37 at the latest 12 months after receiving a registration number (Article 39(1)) Failure to comply with the requirements of Article 38 at the latest six months after receiving a registration number (Article 39(2)) <i>No minor offences</i>	(Article 38(1)(3)(4)) Failure to comply with the requirements of Article 37 at the latest 12 months after receiving a registration number (Article 39(1)) Failure to comply with the requirements of Article 38 at the latest six months after receiving a registration number (Article 39(2)) <i>No minor offences</i>
Flanders	- Possible in the cases for which the Region is competent if the judicial authorities decide not to prosecute	Infringements of all REACH obligations for which the Region is competent
Brussels Region	Infringement to all downstream users requirements for which the Region is competent. This does not cover Articles 38(2), 37(2) of REACH.	Infringement to all downstream users requirements for which the Region is competent. This does not cover Articles 38(2), 37(2) of REACH.
Bulgaria	<i>Major offences:</i> - Failure to comply with the obligations of the downstream users under Articles 37(4-7), 38(1), 38(3), 38(4), 39(1) and 39(2). <i>Minor offences:</i> - Failure to comply with the obligations of the downstream users under Articles 37(2 and 3).	N/A
Cyprus	<i>Major Offences:</i> N/A <i>Minor offences:</i> - Failure to comply with the provisions relating to the obligation of the members of the supply chain to communicate information (Art 37, 38) - Failure the downstream users to comply with the requirements of Art 37 and 38 at the latest 12 months (for Art 37) and 6 months (for Art 38) after receiving a registration number (Art 39)	Failure to comply with all identified requirements of REACH related to downstream users.
Czech Rep	Infringements of all REACH obligations	N/A
Denmark	Violation of the European community regulations regarding chemical substances, products and articles: -minor offences -first breach	Any violation of the European community regulations regarding chemical substances, products and articles
Estonia	- Violation of the requirements of the REACH-regulation	N/A
Finland	- In case of breach of the legislation, on a case-by-case basis, by the superior [supervisory authorities] to which the case of breach is usually referred by the inspectorate - First breach	<i>Chemical violation:</i> To, intentionally or through gross negligence, violate the duties related to the CSA, information reporting, application or submission of information under articles 14 and 37–39. <i>- Health Offence:</i> To, intentionally or through gross negligence, violates REACH <i>- Impairment of the environment:</i> To, intentionally or through gross negligence, produces, delivers, transports, uses or stores a substance, a preparation, a product

		or an object, or operates a device, in defiance of a provision of REACH. - <i>Aggravated impairment of the environment</i> : if danger or damage is especially serious or the offence is committed in defiance of an order/prohibition of an authority/ <i>Negligent impairment of the environment</i> : if the negligence is not gross
France	Infringements of all REACH obligations, except for these considered as criminal offences (next column).	Failure to comply with the following obligation: - for a down stream user not to communicate to the European Agency information on chemical products provided by Article 38 of EC Regulation 1907/2006.
Germany	<i>“Ordnungswidrigkeiten”</i> - Intentional/ negligent non-compliance with enforceable administrative acts targeting the elimination of infringements of requirements laid down for chemical safety reports - Negligent failure to prepare chemical safety reports or provision of incorrect/ incomplete information	- Intentional/ negligent non-compliance with enforceable administrative acts targeting the elimination of infringements of requirements laid down for chemical safety reports and fulfilment of aggravating circumstances - Intentional failure to prepare chemical safety reports or provision of incorrect/ incomplete information - Intentional failure to prepare chemical safety reports or provision of incorrect/ incomplete information and fulfilment of aggravating circumstances
Greece	<i>Minor offences</i> : - Failure to comply with the provisions relating to the obligation of the members of the supply chain to communicate information (Art 37, 38) - Failure for the downstream users to comply with the requirements of Art 37 and 38 at the latest 12 months (for Art 37) and 6 months (for Art 38) after receiving a registration number (Art 39)	N/A
Hungary	<i>Major Offences</i> - Failure to comply with the provisions relating to the obligation of the members of the supply chain to communicate information, (Articles 37 (7), 38 (1), (3), and (4)) - Failure to comply with the provisions relating to the duty to perform a chemical safety assessment and complete a chemical safety report as well as to identify, apply and recommend risk reduction and risk assessment measures (Article 14, 37,60(10)) <i>Minor offences</i> Infringement of all other provisions under Title VI	N/A
Iceland	Infringements of all REACH obligations (by legal persons)	Infringements of all REACH obligations (by legal persons)
Ireland	N/A	Infringements of all REACH obligations
Italy	- Failure to comply with obligations set in Article 37 (3), (4), (5), (6) and (7). - Failure or inaccuracy in reports (Article 38(1), (2)). - Failure to comply with obligations (Article 38(3), 38(4)). - Non compliance with deadlines set in Article 39.	For all infringements, an administrative fine must be imposed unless the violation constitutes a criminal offence.
Latvia	Failure to comply with all obligations of REACH	N/A

Liechtenstein	Intentional/ negligent infringement of administrative measures targeting the elimination of <i>all</i> REACH provisions	Intentional/ negligent violation of <i>all</i> REACH provisions
Lithuania	<ul style="list-style-type: none"> - Failure to perform obligation relating to chemical safety assessment, as well as identification and application of risk reduction measures (Article 14, 37, 39, 60(10)); - Failure to submit information to ECHA (Articles 38, 66); - Failure to keep information that is needed for downstream user to carry out his duties under REACH Regulation (Article 36); - Keeping in secret, distortion or failure to provide information about manufactured, imported, exported and used substances, features and impact thereof. 	N/A
Luxembourg	Failure to comply with all downstream user obligations	Failure to comply with all downstream user obligations
Malta	N/A	Any infringement of the provisions of REACH is considered as a criminal offence.
Netherlands	Infringements of all REACH obligations that are also considered as criminal offences	<p><i>Major offences</i></p> <ul style="list-style-type: none"> - Failure to comply with the obligations of REACH related to the <i>downstream users</i> of Article 37(4-7), 38(1,3&4), and 39 (1&2). <p><i>Minor offences</i></p> <ul style="list-style-type: none"> - Failure to comply with the obligations of REACH related to the <i>downstream users</i> of Article 37(2&3). <p>NB: The law also provides for the possibility to identify by Orders in Council (AMvB) other potential offences.</p>
Norway	Infringements of all REACH obligations	Infringements of all REACH obligations, wilfully/intentionally or negligently
Poland	N/A	<p>It is a <i>criminal offence</i> to fail to identify, apply and where suitable recommend appropriate measures to adequately control risks (Article 37(5)).</p> <p><i>Petty offences</i> include:</p> <ul style="list-style-type: none"> - Failure to prepare or update the required chemical safety report (Article 37(4) and (7)); - Failure to report the required information to the Agency or to update this information (Article 38); - Failure to report the required information to a downstream user or distributor (Article 37 (2)).
Portugal	<p><i>Very serious offences:</i> No major offences are foreseen under DL 293/2009 for downstream users</p> <p><i>Serious offences</i> (Art. 11 (2) DL 293/2009)::</p>	

	<ul style="list-style-type: none"> - Non compliance by manufacturer, importer or downstream user with Art. 14 and failure to provide the ECHA and downstream users with reasons for not including a use in the CSR (Art. 37 (3)); - Failure by downstream user to comply with the obligations foreseen under Arts 37 (4-7)); - Failure by downstream user to report information (Art. 38). 	
Romania	<p><i>Major offences:</i></p> <ul style="list-style-type: none"> - Failure to comply with the provisions relating to the duty to perform a chemical safety assessment and complete a chemical safety report as well as to identify, apply and recommend risk reduction and risk assessment measures (Article 37) - Failure to comply with the provisions relating to the obligation of downstream users to communicate information (Article 38) <p><i>Minor offences:</i></p> <p>Failure to comply in due time with the provisions of Article 37 and article 38 (Article 39)</p>	N/A
Slovakia	<ul style="list-style-type: none"> - failure to comply with duties within given time limits (40(4), 41(4), 46(2)), - failure to prepare chemical safety report (Art. 37), - failure to notify the Agency about information which shall be provided by the downstream user (Art. 38), - failure to notify the Agency within given time-limit (Art. 40(4)), - failure to reduce exposure of the substance (Art. 60(10)), - failure to safeguard review of the valid authorisation for using the substance within given time-limit (Art. 61), - failure to provide number of authorisation on the sticker or label or tag before phasing-in of the substances or preparations containing substances (Art. 65), - failure to inform the Agency about using the substance (Art. 38), - Failure to comply with the stipulated conditions before the substance, preparation or article is placed on the market or is used (Art. 67). 	N/A
Slovenia	- Infringements of REACH obligations of Articles 37(2-7), 38(1-4) and 39(1-2).	N/A
Sweden	<i>All provisions of REACH are subject to administrative measures</i>	<ul style="list-style-type: none"> - Failure to, with the intention or by negligence, comply with the provisions relating to the duty to perform a chemical safety assessment (article 37.4 and 39.1) and provide ECHA with the required information (article 38,39.2 and 66.1) <p>Subject to corporate fine: a) the crime has entailed a gross disregard for the special obligations associated with the business activities or is otherwise of a serious kind, and b) the legal person has not done what could reasonably be required of him for prevention of the crime.</p>
UK	N/A	Failure to comply with the obligation to provide or report information on the

		substance, preparation, article (chemical safety report, duty to apply and recommend risk reduction measures.) (Art 37(3) Art 37(4) Art 37(5) Art 37(6) Art 37(7) Art 38(3) Art 38(4)).
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