

TABLE II a - Registration

Member State	Administrative penalties	Criminal penalties
<b>Austria</b>	<p>Infringement of specified registration obligations: Fine from 360 EUR to 19 000 EUR (repeated infringements: up to 38 000 EUR)</p> <ul style="list-style-type: none"> <li>• Infringement of other registration obligations: fine up to 9 000 EUR (repeated infringements: up to 18 000 EUR)</li> <li>• Confiscation and deprivation of objects</li> </ul>	N/A
<b>Belgium</b> <i>Federal level</i>	<p><i>Major offences:</i></p> <ul style="list-style-type: none"> <li>• An administrative fine from 440 to 1100 000 EUR</li> </ul> <p><i>Minor offences</i></p> <ul style="list-style-type: none"> <li>• An administrative fine of 143 to 33 000 EUR</li> </ul> <p><b>Complementary sanction:</b></p> <ul style="list-style-type: none"> <li>• Temporary seizure of the products if not in conformity with the REACH Regulation</li> <li>• Destruction for health and environment imperative reasons</li> </ul>	<p><i>Major offences:</i></p> <ul style="list-style-type: none"> <li>• Imprisonment not exceeding three years</li> <li>• Fine from 880 to 22 000 000 EUR</li> </ul> <p><i>In case the person commits a major offence and is conscious of the impact of this infringement on public health and on the environment:</i></p> <ul style="list-style-type: none"> <li>• Imprisonment not exceeding eight years</li> <li>• A fine not exceeding 55 000 000 EUR</li> </ul> <p><i>Minor offences</i></p> <ul style="list-style-type: none"> <li>• Imprisonment not exceeding one year</li> <li>• A fine from 286 to 660 000 EUR</li> </ul> <p><b>Complementary criminal sanctions</b></p> <ul style="list-style-type: none"> <li>• the publication of the judgement at the cost of the condemned person</li> <li>• the closing of the establishment 4 weeks to one year in case of repeat of an offence</li> <li>• temporary prohibition to practice specific professional tasks for one to ten years in case of repeat of an offence</li> <li>• in order to protect health care and the environment the judge can <ul style="list-style-type: none"> <li>• Prohibit the import/export of the product, substance, article object of that infringement</li> <li>• The withdrawal from the market</li> <li>• The destruction of the substance product</li> <li>• The withdrawal of illegal material benefits</li> </ul> </li> </ul> <p>In case of repeat of an offence the judge can take the following direct measures:</p> <ul style="list-style-type: none"> <li>• the designation a special legal administrator</li> </ul>

		<ul style="list-style-type: none"> <li>• the declaration of incapacity to exercise specific professional activities</li> <li>• the cessation of the production</li> <li>• the prohibition to use the premises where the infringement was committed</li> </ul>
<b>Flanders</b>	<ul style="list-style-type: none"> <li>- A fine up to 50 000 Euros for the articles exclusively sanctioned by the administration (Article 41(4) ) or</li> <li>- A fine up to 250 000 Euros in case the administrative sanction is used as an alternative to the criminal sanction.</li> <li>- Closure of the establishment</li> <li>- Interruption of activities</li> <li>- Withdrawal or modification of permits</li> </ul>	<ul style="list-style-type: none"> <li>- Imprisonment of 1 month to 2 years,</li> <li>- A fine of 100 to 250 000 Euros, or one of those sanctions (to be multiplied with 5,5 to obtain the sums that are due in reality).</li> </ul>
<b>Brussels Region</b>	An administrative fine from 625 Euros to 62 500 Euros – applicable only if the case was not prosecuted or in absence of decision from the prosecutor within 6 months of notification of the infraction.	<ul style="list-style-type: none"> <li>- Imprisonment from 8 months to 12 months</li> </ul> And/or <ul style="list-style-type: none"> <li>- A fine of 2.5 Euros to 25 000 Euros</li> </ul> This fine is from 25 Euros to 25 000 Euros when it concerns installations classified as I. A (installations which might have an important impact on health and the environment). The fines are doubled when the offense was committed knowingly or for pecuniary reward.
<b>Bulgaria</b>	<ul style="list-style-type: none"> <li>• Fine for natural persons (respectively a pecuniary sanction for legal persons) of 10 000 up to 100 000 BGN (5 113 to 51 129 EUR) for breach of articles 5, 7(3), 8(2), 9(6), 14(1), 14(6), 14(7), 40(3) and 50(4);</li> <li>and</li> <li>• Fine for natural persons (respectively a pecuniary sanction for legal persons) of 5 000 up to 50 000 BGN (2 557 to 25 565 EUR) for breach 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), 25(1), 25(2), 26(1), 26(3), 30(1), 30(2), 30(6), 40(4), 41(4), 46(2), 49, 50(2) and 50(3);</li> </ul> The penalty is doubled in case of recidivism.	In general, submission of any false information to competent authorities is subject to imprisonment of up to 3 years or a fine of 100 to 300 BGN (51 – 153 EUR)
<b>Cyprus</b>	<ul style="list-style-type: none"> <li>• A penalty up to 100 EUR per day of infringement for articles 11, 12, 40, 46 or</li> <li>• A penalty up to 5 000 EUR (Articles 6, 7, 8, 9, 13, 17, 18, 19, 22, 24, 25, 28, 30)</li> <li>or</li> <li>• A penalty up to 20 000 EUR (Articles 5, 14)</li> </ul> In case of continuation of the infringement, a penalty of 100 to 1 000 EUR per day of infringement.	On conviction on indictment, a fine up to 80 000 EUR or imprisonment not exceeding 2 years, or both.  On second/ subsequent conviction, a fine up to 80 000 EUR or imprisonment not exceeding 4 years, or both.
<b>Czech Rep</b>	<ul style="list-style-type: none"> <li>• A financial penalty (fine) of up to 5 000 000 CZK<sup>1</sup> (195 695 EUR)</li> </ul>	N/A

	<p>or</p> <ul style="list-style-type: none"> <li>An obligation to withdraw the substance from the market</li> </ul> <p>or</p> <ul style="list-style-type: none"> <li>some of the following measures can also be imposed for a violation of REACH provisions: <ul style="list-style-type: none"> <li>obligation to achieve compliance with the REACH regulation, conditions and deadlines</li> <li>liquidation of the substance or the preparation at the expense of the owner (or the holder if the owner is not known)</li> <li>suspension of a business licence</li> <li>suspension or ban on use of the substance or preparation</li> <li>sanitation</li> <li>suspension of placing on the market, placing into circulation or distribution and selling of preparations that are suspected to be dangerous</li> <li>obligation to eliminate distribution and selling of preparations.</li> </ul> </li> </ul>	
<b>Denmark</b>	<ul style="list-style-type: none"> <li>Ban of sale</li> <li>Withdrawal from the market</li> <li>Destruction</li> </ul>	<ul style="list-style-type: none"> <li>Fine (proportional to the perpetrator's daily income) Ch. 6 Criminal Code.</li> <li>2 years imprisonment, if intentional or by gross negligence, and if there is: <ol style="list-style-type: none"> <li>1) a damage caused to human or animal life or health or risk thereof,</li> <li>2) a damage caused to the environment or risk, thereof, or</li> <li>3) actual or intended economic advantages, including savings, for the offender or others.</li> </ol> </li> <li>Confiscation of any economic gain from the violations of REACH. If the confiscation is not possible this is taken into account when the amount for the fines is decided.</li> <li>For legal person, fine in accordance with Ch. 5 Criminal Code.</li> </ul>
<b>Estonia</b>	<ul style="list-style-type: none"> <li>Violation of the requirements of the REACH-regulation is punishable with a fine up to 300 fine units (21 000 EEK- 1 342.14 EUR);</li> <li>The same act, if committed by a legal person, is punishable by a fine of up to 350 000 EEK (22 369.02 EUR)</li> </ul>	<p><i>Violation of requirements for handling dangerous chemicals or waste</i></p> <p><i>(1) if such violation causes a danger to human life or health or to the environment, is punishable by a pecuniary punishment or up to 3 years prison.</i></p> <p><i>(2) if a danger to human life or health or to the environment is thereby caused through negligence, is punishable by a pecuniary punishment or up to 1 year prison.</i></p> <p><i>(3) An act provided for in subsection (1) or (2) of this section, if committed by a legal person, is punishable by a pecuniary punishment.</i></p>
<b>Finland</b>	<p><i>Coercive measures</i> ( Prohibition to keep on carrying out or repeat a procedure infringing REACH. The prohibition could also be combined with a coercive fine or the prohibition to keep on carrying out or repeat an infringing procedure.)</p>	<ul style="list-style-type: none"> <li><i>Chemical violation:</i> fine</li> <li><i>Health offence:</i> fine or up to six months prison</li> <li><i>Impairment of the environment:</i> fine or up to 2 years prison</li> </ul> <p><i>Aggravated impairment of the environment:</i> from 4 months to up to six years prison/ <i>Environmental infraction:</i> fine or up to 6 months prison/<i>Negligent impairment:</i> fine and up to 1 year prison</p>

<p><b>France</b></p>	<ul style="list-style-type: none"> <li>• A maximum fine of 15000 EUR and daily periodic penalty payments of 1500 EUR.</li> <li>• The producer or importer shall deposit to a public accounting officer an amount of money for the establishment of data, tests and studies to be realised in order to register a substance.</li> <li>• The administration can direct producers that manufactured substances, preparations, or article with disregard to Title II, VII and VIII of (EC) Regulation 1907/2006 to ensure their disposal according to the French legislation</li> </ul>	<ul style="list-style-type: none"> <li>• Two years of imprisonment and a fine of 75000 EUR</li> <li>• <b>Complementary fines for natural persons</b> <ul style="list-style-type: none"> <li>-confiscation of the substance, preparation, or article</li> <li>- prohibition to practice the profession through which the offence was committed.</li> <li>- the temporary or final closure of the activity.</li> <li>-the publication of the decision of the Criminal Court.</li> <li>-when the substances are confiscated, the Criminal Court can order the destruction of it or preparations at the cost of the condemned person.</li> </ul> </li> <li>• <b>Legal persons penalty fines</b> <ul style="list-style-type: none"> <li>-A maximum fine of 375 000 EUR for legal persons infringing REACH obligations dealing on registration.</li> <li>-Prohibition to exercise directly or indirectly one or more professional or social activities through which the offence was committed.</li> <li>- The placing under judicial supervision during five years.</li> <li>- the definitive closure or a five year closure of the department of the company where the offences were committed.</li> <li>- exclusion of public procurement contract definitively or for five years.</li> <li>-prohibition to offer financial title to the public or to sell financial titles in regulated market</li> <li>- the confiscation of the substance, preparation, or article.</li> <li>- the publication of the decision of the Criminal Court.</li> </ul> </li> </ul>
<p><b>Germany</b></p>	<ul style="list-style-type: none"> <li>• Intentional or negligent non-compliance with enforceable administrative acts targeting the elimination of infringements of registration obligations: Fine up to 50 000/ 25 000 EUR, identical fines for legal persons</li> <li>• Confiscation and deprivation of objects</li> <li>• Negligent violation of registration obligations: Fine up to 100 000 EUR, identical fine for legal persons</li> </ul>	<ul style="list-style-type: none"> <li>• Intentional/ negligent non-compliance with enforceable administrative acts targeting the elimination of infringements of registration obligations and fulfilment of aggravating circumstances: Up to 5 years prison or up to 360 daily units fine/ Up to 2 years prison or up to 360 daily units fine, Legal persons: Fine up to 1 000 000/ 500 000 EUR.</li> <li>• Intentional violation of registration obligations: Up to 2 years prison or up to 360 daily units fine, Legal persons: Fine up to 1 000 000 EUR (with aggravating circumstances: Up to 5 years prison or maximum fine of 360 daily units, Legal persons: Fine up to 1 000 000 EUR)</li> <li>• Confiscation and deprivation of objects</li> </ul>
<p><b>Greece</b></p>	<ul style="list-style-type: none"> <li>• Prohibition of manufacture/distribution/ using a substance and penalty of 3 500 to 35 000 EUR (breach of articles 5, 6, 7, 8, 23), or</li> </ul>	<p>N/A</p>

	<ul style="list-style-type: none"> <li>Prohibition of manufacture/ distribution/ application and penalty of 1 500 to 15 000 EUR (breach of articles 9, 12, 17, 18, 40, 41, 46), or</li> <li>Penalty of 2 000 to 20 000 EUR (breach of articles 14, 24, 30), or</li> <li>Penalty of 500 to 5 000 EUR (breach of articles 10, 11, 21, 49), or</li> <li>Penalty of 100 to 1 000 EUR (breach of articles 19, 22, 50)</li> <li>Non compliance with the Decision for prohibition of manufacture/ distribution/ using a substance issued from the Head of the Division of Environment imposes a penalty of 50.000 to 350.000 EUR from the General Director of the General Chemical State Laboratory. In case of multiple infringements, the fines are added up. In case of repetition of infringements the fine is increased by 50%.</li> </ul>	
<b>Hungary</b>	<ul style="list-style-type: none"> <li>A penalty of 2 000 000 to 20 000 000 HUF<sup>2</sup> (7042 to 70427 EUR)</li> <li>or</li> <li>A penalty of 10000 to 10 000 000 HUF ( 352-35213 EUR)</li> <li>or</li> <li>A penalty of 50 000 to 5000 000 HUF(176 to 17606 EUR) for infringements of the provisions not subject to the penalties mentioned above</li> </ul>	N/A
<b>Iceland</b>	<p><i>Coercive measures</i></p> <p>A coercive fine: a periodical fine that can be imposed on a daily, weekly or monthly basis until the REACH provisions are complied with.</p>	<ul style="list-style-type: none"> <li>A fine proportional which would likely be based on the scale of the violation and the size of the company.</li> <li>If the violation is severe the penalty up to 2 years of imprisonment.</li> <li>Confiscation on a court order of the chemicals, preparations or articles which are produced, imported or placed on the market in violation of REACH, as well as of any profits gained from such operations.</li> </ul>
<b>Ireland</b>	<ul style="list-style-type: none"> <li><i>Notices</i></li> <li>Summary prosecution: a fixed payment notice issued by an inspector of no more than 2000 EUR.</li> </ul>	<ul style="list-style-type: none"> <li>Summary conviction : a fine not exceeding €5,000 or imprisonment up to 6 months or both or, on conviction on indictment, to a fine not exceeding €3, 000,000 or imprisonment for up to 2 years or both.</li> </ul>
<b>Italy</b>	<ul style="list-style-type: none"> <li>From 15 000 EUR to 90 000 EUR fine (breach of articles Article 6 par.1, 3, Article 7 par.1, 2, Article 12. par 2, Article 24 par 2)</li> <li>From 10 000 EUR to 60 000 EUR fine (breach of articles 8 par.1, 12.1, 17, 18, Article 22 par.1, 2)</li> <li>From 3 000 EUR to 18 000 EUR (breach of article 9 par. 2,5,6 - request for exemption)</li> </ul>	On a case-by-case basis, depending on the qualification of the criminal offence and the severity of the offence
<b>Latvia</b>	<ul style="list-style-type: none"> <li>A fine of 20 to 300 LVL (28 – 427 EUR)<sup>3</sup> for natural persons;</li> </ul>	N/A

	<ul style="list-style-type: none"> <li>• A fine of 250 to 1000 LVL (356 – 1423 EUR) for legal persons</li> <li>• A fine of 300 to 700 LVL (427 – 996 EUR ) for legal persons for infringements of the provisions concerning the updating of the registration and information provided to the Agency (Article 22)</li> </ul>	
<b>Liechtenstein</b>	<ul style="list-style-type: none"> <li>• Up to 20 000 CHF (13 186 EUR) for intentional violation</li> <li>• Up to 10 000 CHF (6 593 EUR) for negligent violation</li> </ul>	<ul style="list-style-type: none"> <li>• Intentional /negligent violation of <i>all</i> REACH provisions: Fine of 200 000 CHF (131 863 EUR)/ 100 000 CHF (65 931 EUR) and, if the fine is not recoverable: up to 6/ 3 months</li> <li>• Confiscation and deprivation of goods</li> <li>• Removal of illicit assets</li> </ul>
<b>Lithuania</b>	<ul style="list-style-type: none"> <li>• A fine of <b>1 000 LTL to 6 000 LTL</b> (approx. 290 EUR to 1 740 EUR) (breach of articles 8, 10 - 14, 19, 21, 22, 24, 26 (1), 28, , or</li> <li>• A fine of <b>1 000 LTL to 5 000 LTL</b> (approx. 290 EUR to 1450 EUR) (breach of articles 27(1-3), 27 ( 4 -6), 28 and 30), or</li> <li>• A fine of <b>1 000 LTL to 4 000 LTL</b> (approx. 290 EUR to 1 160 EUR) (breach of article 36), or</li> <li>• A fine of <b>1 000 LTL to 3 000 LTL</b> (approx. 290 EUR to 870 EUR) (breach of articles 41 (4), 46(2) and 49(a)), or</li> <li>• A fine of <b>2 000 LTL to 8 000 LTL</b> (approx. 580 EUR to 2 320 EUR) (breach of articles 5, 6, 7, 17-18, 21).</li> </ul>	N/A
<b>Luxembourg</b>	<p>In case of infringement of the Registration requirements the relevant Ministry can provide a time limit of two years where the manufacturers or importers have to comply with their obligations.</p> <p>If after this time limit manufacturers and importers still infringe the registration requirements, the relevant ministry can after issuing a letter of formal notice</p> <ul style="list-style-type: none"> <li>▪ Suspend in part or totally the activity as an interim measure, or</li> <li>▪ Close the premises partly or totally</li> </ul>	<ul style="list-style-type: none"> <li>▪ imprisonment from one to three years and/or</li> <li>▪ a fine from 251 EUR to 50 000 EUR</li> </ul> <p>These criminal sanctions also apply if manufacturers and importers do not respect the administrative penalties mentioned sideline</p>
<b>Malta</b>	N/A	<ul style="list-style-type: none"> <li>• On conviction for wilfully obstructing, resisting, threatening or otherwise giving misleading or false information to the competent authority, a fine (multa) from 465.87 EUR to 2 329.37 EUR, or up to six months prison, or to both.</li> <li>• On conviction for any other offence, a fine (multa) from 1 164.69 EUR to 11 646.87 EUR or up to 3 years prison, or to both.</li> <li>• In case of conviction for a second or subsequent offence, a fine (multa) from 1 747.03 EUR up to 23 293.73 EUR or to imprisonment not exceeding four years or to both such fine and imprisonment.</li> <li>• The court may (with the exception of offences related to obstructing or giving false information) additionally order the suspension or cancellation of any licence/s issued in favour of the person charged or in respect of the</li> </ul>

		premises involved in the proceedings. (Product Safety Act, Article 32(1) to (4))
Netherlands	<ul style="list-style-type: none"> <li>• <b>Enforcement action</b> (<i>Bestuursdwang</i>): physical action whereby, after a period wherein the wrongdoer can correct the situation himself, the authorities correct the illegal situation at the cost of the wrongdoer .</li> <li>• <b>Conditional Fine</b> (<i>Dwangsom</i>): after a period wherein the offender can correct the situation, the wrongdoer has to pay a fine for every time an offence is observed or for every period an illegal situation continues. When possible, it is common to set the maximum <i>dwangsom</i> at twice the amount of the financial advantage obtained from the illegal behaviour when not, standard amounts are imposed. It should be proportionate to the violation and the aimed effect of the penalty imposed.</li> <li>• <b>Withdrawal of a permit</b>: can be permanent or temporary</li> </ul>	<ul style="list-style-type: none"> <li>• <b>Major offences</b> are punished with : When committed <i>intentionnally</i> (crime): -6 years prison or -a fine up to 74 000EUR for physical persons/ 740 000 EUR for legal persons, When <i>not</i> committed intentionnally(offence): -1 year prison or - a fine up to 18 500 EUR.</li> <li>• <b>Minor offences</b> are punished with: When committed <i>intentionnally</i>: -2 years prison or - a fine up to 18 500 EUR When <i>not</i> committed intentionnally: - six months prison or - a fine up to 18 500 EUR.</li> </ul>
Norway	<p><i>Coercive measures</i></p> <p>A coercive fine: a periodical fine that can be imposed on a daily, weekly or monthly basis until the REACH provisions are complied with.</p>	<ul style="list-style-type: none"> <li>• A fine proportional to the perpetrators' daily income and/or</li> <li>• Imprisonment for a term not exceeding three months. .</li> </ul>
Poland	<p>An order by way of an administrative decision to:</p> <ul style="list-style-type: none"> <li>• stop the manufacture or placing on the market of this substance, preparation or article, or, where necessary,</li> <li>• to withdraw this substance, preparation or article from the market.</li> </ul>	<p>Where the administrative decision sideline is violated:</p> <ul style="list-style-type: none"> <li>• Fine (from 100 PLN to PLN 720 000 PLN (from 24 EUR to 171 428 EUR),</li> <li>• Restricted freedom or</li> <li>• Imprisonment for up to 2 years.</li> </ul> <p>For a criminal offence of a legal person:</p> <ul style="list-style-type: none"> <li>• Fine from 1 000 to 20 000 000 PLN (from 239 EUR to 4 761 904, 50 EUR); however, not higher than 10% of the revenue gained in the financial year in which the forbidden act was committed to create the basis for the liability of the collective entity.</li> <li>• Forfeiture of : 1) the objects which originate at least indirectly from a forbidden act or which served or were intended to serve to commit the forbidden act; 2) the property benefit which originates at least indirectly from a forbidden act; 3) the value equivalent to that of the objects or property benefit which originate at least indirectly from a forbidden act.</li> </ul> <p>The following may also be ruled:</p> <ol style="list-style-type: none"> <li>1) the prohibition of the promotion or publicity of the activities carried out, the</li> </ol>

		<p>articles manufactured or sold, the services rendered or contributions provided;</p> <p>2) the prohibition of the use of grants, subsidies or other forms of financial support with public resources;</p> <p>3) the prohibition of the use of assistance from international organisations to which the Republic of Poland is a Party;</p> <p>4) the prohibition of the seeking of public orders;</p> <p>5) the prohibition of the conduct of a specific primary or secondary activity;</p> <p>6) the public announcement of the ruling.</p> <p>In turn, the penalty for a petty offence is a fine (up to 5 000 PLN – up to 1 190 EUR).</p>
<p><b>Portugal</b></p>	<p><i>Very serious offences:</i></p> <ul style="list-style-type: none"> <li>• Natural Persons – Fine from 20 000 EUR to 30 000 EUR (negligence) and from 30 000 EUR to 37 500 (fault)</li> <li>• Legal Persons – Fine from 38 500 EUR to 70 000 EUR (negligence) and from 200 000 EUR to 2 500 000 (fault)</li> </ul> <p><i>Serious offences:</i></p> <ul style="list-style-type: none"> <li>• Natural Persons – Fine from 2 000 EUR to 10 000 EUR (negligence) and from 6 000 EUR to 20 000 (fault)</li> <li>• Legal Persons – Fine from 15 000 EUR to 30 000 EUR (negligence) and from 30 000 EUR to 48 000 (fault)</li> </ul> <p>For serious and very serious offences the following administrative sanctions may be applicable together with the fine:</p> <ul style="list-style-type: none"> <li>• Confiscation of the assets (objects used or that were meant to be used to commit the offence) belonging to the agent;</li> <li>• Suspension of the right to undertake the activity or profession which are subject to public title or public authorisation;</li> <li>• Suspension of the right to obtain subsidies or other benefits issued by public authorities (at national or EC level);</li> <li>• Suspension of the right to participate in exhibitions or events at national or international level aimed at selling or marketing the products or activities of the agent;</li> <li>• Suspension of the right to participate in public tenders for providing public services or the right to be issued permits;</li> <li>• Closure of the establishment subject to permit from the administrative authority;</li> <li>• Revocation of authorisation and permits related with the activity;</li> <li>• Sealing up the equipment;</li> </ul>	

	<ul style="list-style-type: none"> <li>• Loss of fiscal and credits benefits;</li> <li>• Application of measures aimed at preventing environmental damage;</li> <li>• Publicity of the administrative conviction/decision</li> <li>• Animal's confiscation.</li> </ul>	
<b>Romania</b>	<p>Depending on the severity of the offence:</p> <ul style="list-style-type: none"> <li>• A penalty of 6 500 to 15 000 RON<sup>4</sup> (1 544 to 3 564 EUR), or</li> <li>• A penalty of 15 000 to 30 000 RON (3 564 to 7 128 EUR), or</li> <li>• A penalty of 30 000 to 50 000 RON (7 128 to 11 889 EUR)</li> </ul>	N/A
<b>Slovakia</b>	<p>Depending on the infringement the law provides range of the administrative fines:</p> <ul style="list-style-type: none"> <li>• A penalty of 16 596,99 to 29 874,527 EUR (breach of Articles 14,50(2))</li> <li>• A penalty of 29 874,560 to 43 152,094 EUR (breach of Articles 7(2), 12(2), 22(1), 24, 30(6))</li> <li>• A penalty of 43 152,128 to 99 581,757 EUR (breach of Articles 5, 6, 7, 9(2) and (6), 17(1), 18(1), 19, 21(3), 46(2))</li> </ul> <p>Besides administrative fines, the relevant Inspection Authority may decide that the substances, preparations or articles shall be removed from the market if a person responsible does not fulfil duties imposed by the Authority within given time. These duties refer to rectifying consequences of illegal conduct of a responsible subject such as:</p> <ul style="list-style-type: none"> <li>• failure to fulfil the obligations concerning classification, packing or labeling,</li> <li>• failure to follow prohibitions or restrictions concerning placing on the market or using of dangerous substance or preparation</li> </ul>	N/A
<b>Slovenia</b>	<ul style="list-style-type: none"> <li>• Legal person: a fine from 1000 to 60 000 EUR</li> <li>• Natural persons, engaging in activity: a fine from 500 to 32 000 EUR</li> <li>• The manager of the company: fine from 200 to 2 000 EUR.</li> </ul> <p>Confiscation of the substances and materials with which the offence has been committed or which result from the offence</p>	N/A
<b>Sweden</b>	<i>Administrative measure ( injunctions with or without a fine)</i>	<p>- Up to 2 years imprisonment or</p> <p>- a fine based on the perpetrator daily income</p> <p>- a corporate fine from 5 000 SEK (480 EUR) to 10 000 000 SEK (960 157 EUR)-</p> <p>From six months to 6 years prison in case of gross negligence leading to an offence against the obligation to register or to provide accurate information in a registration).</p>
<b>UK</b>	N/A	<ul style="list-style-type: none"> <li>• On summary conviction, a fine up to a £5000 ( 5606 EUR) or to imprisonment not exceeding three months, or both.</li> </ul>

		<ul style="list-style-type: none"><li>• On conviction on indictment, to a fine (unlimited) or to imprisonment not exceeding two years, or both.</li></ul>
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TABLE II b – Authorisation and restrictions

Member State	Administrative penalties	Criminal penalties
<p><b>Austria</b></p>	<p><i>Authorisation:</i></p> <ul style="list-style-type: none"> <li>• Infringement of specified authorisation obligations: Fine from 360 EUR to 19 000 EUR ( repeated infringements: up to 38 000 EUR)</li> <li>• Infringement of other authorisation obligations: fine up to 9 000 EUR (repeated infringements: up to 18 000 EUR)</li> <li>• Confiscation and deprivation of objects</li> </ul> <p><i>Restrictions:</i></p> <ul style="list-style-type: none"> <li>• Infringement of obligation to comply with the restrictions included in the authorisation: Fines of a minimum of 360 EUR and a maximum of 19.000 EUR, repeated infringements: Maximum fine of 38.000 EUR</li> <li>• Confiscation and deprivation of objects</li> </ul>	<p>N/A</p>
<p><b>Belgium</b> <i>Federal level</i></p>	<p><i>Major offences:</i></p> <ul style="list-style-type: none"> <li>• An administrative fine from 440 to 1100 000 EUR</li> </ul> <p><i>Minor offences</i></p> <ul style="list-style-type: none"> <li>• An administrative fine of 143 to 33 000 EUR</li> </ul> <p><b>Complementary sanction:</b></p> <ul style="list-style-type: none"> <li>• Temporary seizure of the products if not in conformity with the REACH Regulation</li> <li>• Destruction for health and environment imperative reasons</li> </ul>	<p><i>Major offences:</i></p> <ul style="list-style-type: none"> <li>• Imprisonment not exceeding three years</li> <li>• Fine from 880 to 22 000 000 EUR</li> </ul> <p><i>In case the person commits a major offence and is conscious of the impact of this infringement on public health and on the environment:</i></p> <ul style="list-style-type: none"> <li>• Imprisonment not exceeding eight years</li> <li>• A fine not exceeding 55 000 000 EUR</li> </ul> <p><i>Minor offences</i></p> <ul style="list-style-type: none"> <li>• Imprisonment not exceeding one year</li> <li>• A fine from 286 to 660 000 EUR</li> </ul> <p><b>Complementary criminal sanctions</b></p> <ul style="list-style-type: none"> <li>• the publication of the judgement at the cost of the condemned person</li> <li>• the closing of the establishment 4 weeks to one year in case of repeat of an offence</li> </ul>

		<ul style="list-style-type: none"> <li>temporary prohibition to practice specific professional tasks for one to ten years in case of repeat of an offence</li> <li>in order to protect health care and the environment the judge can             <ul style="list-style-type: none"> <li>Prohibit the import/export of the product, substance, article object of that infringement</li> <li>The withdrawal from the market</li> <li>The destruction of the substance product</li> <li>The withdrawal of illegal material benefits</li> </ul> </li> </ul> <p>In case of repeat of an offence the judge can take the following direct measures:</p> <ul style="list-style-type: none"> <li>the designation a special legal administrator</li> <li>the declaration of incapacity to exercise specific professional activities</li> <li>the cessation of the production</li> </ul> <p>the prohibition to use the premises where the infringement was committed</p>
<b>Flanders</b>	<ul style="list-style-type: none"> <li>A fine up to 50 000 Euros for the articles exclusively sanctioned by the administration (Article 63(3) ) or</li> <li>A fine up to 250 000 Euros in case the administrative sanction is used as an alternative to the criminal sanction.</li> <li>Closure of the establishment</li> <li>Interruption of activities</li> <li>Withdrawal or modification of permits</li> </ul>	<ul style="list-style-type: none"> <li>Imprisonment of 1 month to 2 years,</li> <li>A fine of 100 to 250 000 Euros, or one of those sanctions (to be multiplied with 5,5 to obtain the sums that are due in reality).</li> </ul>
<b>Brussels Region</b>	An administrative fine from 625 Euros to 62 500 Euros – applicable only if the case was not prosecuted or in absence of decision from the prosecutor within 6 months of notification of the infraction.	<ul style="list-style-type: none"> <li>Imprisonment from 8 months to 12 months</li> </ul> <p>And/or</p> <ul style="list-style-type: none"> <li>A fine of 2.5 Euros to 25 000 Euros</li> </ul> <p>This fine is from 25 Euros to 25 000 Euros when it concerns installations classified as I. A (installations which might have an important impact on health and the environment).</p> <p>The fines are doubled when the offense was committed knowingly or for pecuniary reward.</p>
<b>Bulgaria</b>	<ul style="list-style-type: none"> <li>Fine for natural persons (respectively a pecuniary sanction for legal persons) from 10 000 up to 100 000 BGN (5 113 to 51 129 EUR) for breach of Articles 56(1), 56(2), 60(10), 65 and 67(1);</li> <li>and</li> <li>Fine for natural persons, respectively a pecuniary sanction for legal persons, to the amount from 5 000 up to 50 000 BGN (2 557 to 25 565 EUR) for breach of articles 61(1) and 66(1)</li> </ul> <p>The penalty is doubled in case of recidivism..</p>	N/A
<b>Cyprus</b>	<ul style="list-style-type: none"> <li>A penalty up to 100 EUR per day of infringement (Articles 65 and 66)</li> </ul> <p>or</p>	<ul style="list-style-type: none"> <li>On conviction on indictment, a fine up to 80 000 EUR or imprisonment not exceeding 2 years, or both.</li> </ul>

	<ul style="list-style-type: none"> <li>• A penalty up to 500 EUR per day of infringement (Articles 59 and 67) or</li> <li>• A penalty up to 20 000 EUR (Article 56)</li> </ul> <p>In case of continuation of the infringement, a penalty of 100 to 1 000 EUR per day of infringement.</p>	<ul style="list-style-type: none"> <li>• On second/ subsequent conviction, a fine up to 80 000 EUR or imprisonment not exceeding 4 years, or both.</li> </ul>
<b>Czech Rep</b>	<ul style="list-style-type: none"> <li>• A financial penalty (fine) of up to 5 000 000 CZK (195 695 EUR) or</li> <li>• An obligation to withdraw the substance from the market or</li> <li>• some of the following measures can be imposed for a violation of REACH provisions: <ul style="list-style-type: none"> <li>- obligation to achieve compliance with the REACH regulation, conditions and deadlines</li> <li>- liquidation of the substance or the preparation at the expense of the owner (or the holder if the owner is not known)</li> <li>- suspension of a business licence</li> <li>- suspension or ban on use of the substance or preparation</li> <li>- sanitation</li> <li>- suspension of placing on the market, placing into circulation or distribution and selling of preparations that are suspected to be dangerous</li> </ul> </li> </ul>	N/A
<b>Denmark</b>	<ul style="list-style-type: none"> <li>• Ban of sale</li> <li>• Withdrawal from the market</li> <li>• Destruction</li> </ul>	<ul style="list-style-type: none"> <li>• Fine (proportional to the perpetrator's daily income) Ch. 6 Criminal Code.</li> <li>• 2 years imprisonment, if intentional or by gross negligence ,and if there is: <ol style="list-style-type: none"> <li>1) a damage caused to human or animal life or health or risk thereof,</li> <li>2) a damage caused to the environment or risk, thereof, or</li> <li>3) actual or intended economic advantages, including savings, for the offender or others.</li> </ol> </li> <li>• Confiscation of any economic gain from the violations of REACH. If the confiscation is not possible this is taken into account when the amount for the fines is decided.</li> <li>• For legal person, fine in accordance with Ch. 5 Criminal Code.</li> </ul>
<b>Estonia</b>	<ul style="list-style-type: none"> <li>• Violation of the requirements of the REACH-regulation is punishable with a fine up to 300 fine units (21 000 EEK- 1 342.14 EUR);</li> <li>• The same act, if committed by a legal person, is punishable by a fine of up to 350 000 EEK (22 369.02 EUR)</li> </ul>	<p><i>Violation of requirements for handling dangerous chemicals or waste</i></p> <p><i>(1) if such violation causes a danger to human life or health or to the environment, is punishable by a pecuniary punishment or up to 3 years prison.</i></p> <p><i>(2) if a danger to human life or health or to the environment is thereby caused through negligence, is punishable by a pecuniary punishment or up to 1 year prison.</i></p> <p><i>(3)An act provided for in subsection (1) or (2) of this section, if committed by a legal person, is punishable by a pecuniary punishment.</i></p>

<p><b>Finland</b></p>	<p><i>Coercive measures</i> A coercive fine: a periodical fine that can be imposed on a daily, weekly or monthly basis until the REACH provisions are complied with.</p>	<ul style="list-style-type: none"> <li>- <i>Chemical violation</i>: fine</li> <li>- <i>Health offence</i>: fine or up to six months prison</li> <li>- <i>Impairment of the environment</i>: fine or up to 2 years prison</li> <li>- <i>Aggravated impairment of the environment</i>: from 4 months to up to six years prison/ <i>Environmental infraction</i>: fine or up to 6 months prison/<i>Negligent impairment</i>: fine and up to 1 year prison</li> </ul>
<p><b>France</b></p>	<ul style="list-style-type: none"> <li>• A maximum fine of 15000 EUR and daily periodic penalty payments of 1500 EUR.</li> <li>• The administration can order producers to dispose (by means provided by the French legislation) substances, preparations, or article manufactured with disregard to Title II, <b>VII</b> and VIII of (EC) Regulation 1907/2006</li> </ul>	<ul style="list-style-type: none"> <li>• Two years of imprisonment and a fine of 75000 EUR</li> <li>• <b>Complementary fines for natural persons</b> <ul style="list-style-type: none"> <li>-confiscation of the substance, preparation, or article</li> <li>- prohibition to practice the profession through which the offence was committed.</li> <li>- the temporary or final closure of the activity.</li> <li>-the publication of the decision of the Criminal Court.</li> <li>-when the substances are confiscated, the Criminal Court can order the destruction of it or preparations at the cost of the condemned person.</li> </ul> </li> <li>• <b>Legal persons penalty fines</b> <ul style="list-style-type: none"> <li>-A maximum fine of 375 000 EUR for legal persons infringing REACH obligations dealing with authorisation.</li> <li>-Prohibition to exercise directly or indirectly one or more professional or social activities through which the offence was committed.</li> <li>- The placing under judicial supervision during five years.</li> <li>- the definitive closure or a five year closure of the department of the company where the offences were committed.</li> <li>- exclusion of public procurement contract definitively or for five years.</li> <li>-prohibition to offer financial title to the public or to sell financial titles in regulated market</li> <li>- the confiscation of the substance, preparation, or article.</li> <li>- the publication of the decision of the Criminal Court.</li> </ul> </li> </ul>
<p><b>Germany</b></p>	<p><i>Authorisation:</i></p> <ul style="list-style-type: none"> <li>• Intentional or negligent non-compliance with enforceable administrative acts targeting the elimination of infringements of authorisation obligations: Fine up to 50 000/ 25 000 EUR, identical fines for legal persons</li> <li>• Confiscation and deprivation of objects</li> <li>• Negligent violation of authorisation obligations: Fine up to 100 000 EUR, identical fine for legal persons</li> </ul> <p><i>Restrictions:</i></p> <ul style="list-style-type: none"> <li>• Intentional/ negligent non-compliance with administrative acts targeting</li> </ul>	<p><i>Authorisation:</i></p> <ul style="list-style-type: none"> <li>• Intentional/ negligent non-compliance with enforceable administrative acts targeting the elimination of infringements of authorisation obligations and fulfilment of aggravating circumstances: Up to 5 years prison or up to 360 daily units fine/ Up to 2 years prison or up to 360 daily units fine, Legal persons: Fine up to 1 000 000/ 500 000 EUR.</li> <li>• Intentional marketing without authorisation or provision of incorrect/ incomplete information in an application: up to 2 years prison or fine up to 360 daily units, Legal persons: Maximum fine of 1 000 000 EUR</li> </ul>

	<p>compliance with the restrictions included in an authorisation: Maximum fine of 50.000/ 25.000 EUR, identical fines for legal persons</p>	<p>(with aggravating circumstances: Maximum imprisonment of 5 years or maximum fine of 360 daily units, legal persons: Maximum fine of 1 000 000 EUR)</p> <ul style="list-style-type: none"> <li>• Negligent marketing without authorisation: Up to 1 year prison or fine up to 360 daily units, Legal persons: Maximum fine of 500 000 EUR</li> <li>• Confiscation and deprivation of objects</li> </ul> <p><i>Restrictions:</i></p> <ul style="list-style-type: none"> <li>• Intentional/ negligent non-compliance with administrative acts targeting compliance with the restrictions included in an authorisation plus fulfilment of aggravating circumstances: Maximum imprisonment of 5 years or maximum fine of 360 daily units/ maximum imprisonment of 2 years or maximum fine of 360 daily units, Legal persons: Maximum fine of 1.000.000/ 500.000 EUR</li> <li>• Confiscation and deprivation of objects</li> </ul>
<b>Greece</b>	<ul style="list-style-type: none"> <li>• Prohibition of manufacture/ distribution/ using a substance and penalty of 1 500 to 15 000 EUR (breach of articles 56, 61, 67) , or</li> <li>• Penalty of 500 to 5 000 EUR (breach of article 61), or</li> <li>• Penalty of 100 to 1 000 EUR (breach of articles 63, 65, 66)</li> <li>• Non compliance with the Decision for prohibition of manufacture/ distribution/ using a substance issued from the Head of the Division of Environment imposes a penalty of 50.000 to 350.000 EUR from the General Director of the General Chemical State Laboratory. In case of multiple infringements, the fines are added up. In case of repetition of infringements the fine is increased by 50%.</li> </ul>	N/A
<b>Hungary</b>	<ul style="list-style-type: none"> <li>• A penalty from 2 000 000 to 20 000 000 HUF<sup>5</sup> may be issued.(7042 to 70427 EUR)</li> </ul> <p>or</p> <ul style="list-style-type: none"> <li>• A penalty from 10000 to 10 000 000 HUF ( 352-35213 EUR)</li> </ul> <p>or</p> <ul style="list-style-type: none"> <li>• A penalty from 50 000 to 5000 000 HUF(176 to 17606 EUR) for infringements of the provisions not subject to the penalties mentioned above</li> </ul>	N/A
<b>Iceland</b>	<i>Coercive measures</i>	<ul style="list-style-type: none"> <li>• A fine proportional which would likely be based on the scale of the violation and the size of the company.</li> </ul>

	A coercive fine: a periodical fine that can be imposed on a daily, weekly or monthly basis until the REACH provisions are complied with.	<ul style="list-style-type: none"> <li>If the violation is severe the penalty up to 2 years of imprisonment.</li> <li>Confiscation on a court order of the chemicals, preparations or articles which are produced, imported or placed on the market in violation of REACH, as well as of any profits gained from such operations.</li> </ul>
<b>Ireland</b>	<ul style="list-style-type: none"> <li><i>Notices</i></li> <li>Summary prosecution: a fixed payment notice issued by an inspector of no more than 2000 EUR.</li> </ul>	<ul style="list-style-type: none"> <li>Summary conviction : a fine not exceeding €5,000 or imprisonment up to 6 months or both or, on conviction on indictment, to a fine not exceeding €3,000,000 or imprisonment for up to 2 years or both.</li> </ul>
<b>Italy</b>	<ul style="list-style-type: none"> <li>From 10 000 EUR to 60 000 EUR. Violation of Articles 60, 65:</li> <li>From 5 000 EUR to 30 000 EUR (breach of Article 66 par.1)</li> </ul>	<ul style="list-style-type: none"> <li>Up to 3 months prison or a penalty from 40 000 EUR to 150 000 EUR (breach of article 67)</li> <li>Up to 3 months prison or a penalty from 40 000 EUR to 150 000 EUR (breach of Articles 56(1-2))</li> </ul>
<b>Latvia</b>	<ul style="list-style-type: none"> <li>A fine of 20 to 300 LVL (28 – 427 EUR)<sup>6</sup> for natural persons;</li> <li>A fine of 250 to 1000 LVL (356 – 1423 EUR) for legal persons;</li> <li>A fine of 1000 to 3000 LVL (1423 - 4269 EUR) for legal persons for failure to ask for an authorisation before the placing on the market of substances subject to authorisation (Article 56 (1) and (2))</li> </ul>	N/A
<b>Liechtenstein</b>	<ul style="list-style-type: none"> <li>Up to 20 000 CHF (13 186 EUR) for intentional violation</li> <li>Up to 10 000 CHF (6 593 EUR) for negligent violation</li> </ul>	<ul style="list-style-type: none"> <li>Intentional /negligent violation of <i>all</i> REACH provisions: Fine of 200 000 CHF (131 863 EUR)/ 100 000 CHF (65 931 EUR) and, if the fine is not recoverable: up to 6/ 3 months prison</li> <li>Confiscation and deprivation of goods</li> <li>Removal of illicit assets</li> </ul>
<b>Lithuania</b>	<ul style="list-style-type: none"> <li>A fine of <b>1 000 LTL to 4 000 LTL</b> (approx. 290 EUR to 1160 EUR) (breach of articles 36 and 66 (1)), or</li> <li>A fine of <b>5 000 LTL to 15 000 LTL</b> (approx. 1 450 EUR to 4 350 EUR) (breach of articles <u>56 (1) and 67 (1)</u>* [*Art. 67(1): <i>placing on the market or use of totally banned substance</i>]), or</li> <li>A fine of <b>4 000 LTL to 10 000 LTL</b> (approx. 1160 EUR to 2900 EUR) (breach of article 67 (1)** [**Art. 67(1): <i>placing on the market or use of substances in the way contrary to the restrictions requirements/conditions</i>], or</li> <li>A fine of <b>2 000 LTL to 10 000 LTL</b> (approx. 580 EUR to 2 900 EUR) (breach of article 60(8-9)).</li> </ul>	N/A
<b>Luxembourg</b>	<p>In case of infringement to the authorisation and restriction requirements the relevant Ministry can provide a time limit of two years where the manufacturers or importers have to comply with their obligations.</p> <p>If after this time limit manufacturers and importers still infringe the authorisation and restriction requirements, the relevant ministry can after issuing a letter of formal notice</p>	<ul style="list-style-type: none"> <li>imprisonment from one to three years and/or</li> <li>a fine from 251 EUR to 50 000 EUR</li> </ul> <p>These criminal sanctions also apply if manufacturers and importers do not respect the administrative penalties mentioned sideline.</p>

	<ul style="list-style-type: none"> <li>Suspend in part or totally the activity as an interim measure, or</li> <li>Close the premises partly or totally</li> </ul>	
<b>Malta</b>	N/A	<ul style="list-style-type: none"> <li>On conviction for wilfully obstructing, resisting, threatening or otherwise giving misleading or false information to the competent authority, a fine (multa) from 465.87 EUR to 2 329.37 EUR, or up to six months prison, or to both.</li> <li>On conviction for any other offence, a fine (multa) from 1 164.69 EUR to 11 646.87 EUR or up to 3 years prison, or to both.</li> <li>In case of conviction for a second or subsequent offence, a fine (multa) from 1 747.03 EUR up to 23 293.73 EUR or to imprisonment not exceeding four years or to both such fine and imprisonment.</li> <li>The court may (with the exception of offences related to obstructing or giving false information) additionally order the suspension or cancellation of any licence/s issued in favour of the person charged or in respect of the premises involved in the proceedings.(Product Safety Act, Article 32(1) to (4))</li> </ul>
<b>Netherlands</b>	<ul style="list-style-type: none"> <li><b>Enforcement action</b> (<i>Bestuursdwang</i>): physical action whereby, after a period wherein the wrongdoer can correct the situation himself, the authorities correct the illegal situation at the cost of the wrongdoer .</li> <li><b>Conditional Fine</b> (<i>Dwangsom</i>): after a period wherein the offender can correct the situation, the wrongdoer has to pay a fine for every time an offence is observed or for every period an illegal situation continues. When possible, it is common to set the maximum <i>dwangsom</i> at twice the amount of the financial advantage obtained from the illegal behaviour when not, standard amounts are imposed. It should be proportionate to the violation and the aimed effect of the penalty imposed.</li> <li><b>Withdrawal of a permit</b>: can be permanent or temporary</li> </ul>	<ul style="list-style-type: none"> <li><b>Major offences</b> are punished with : When committed <i>intentionnally</i> (crime): -6 years prison or -a fine up to 74 000EUR for physical persons/ 740 000 EUR for legal persons, When <i>not</i> committed intentionnally(offence): -1 year prison or - a fine up to 18 500 EUR.</li> <li><b>Minor offences</b> are punished with: When committed <i>intentionnally</i>: -2 years prison or - a fine up to 18 500 EUR When <i>not</i> committed intentionnally: - six months prison or - a fine up to 18 500 EUR.</li> </ul>
<b>Norway</b>	<p><i>Coercive measures</i></p> <p>A coercive fine: a periodical fine that can be imposed on a daily, weekly or monthly basis until the REACH provisions are complied with.</p>	<ul style="list-style-type: none"> <li>A fine proportional to the perpetrators' daily income and/or</li> <li>Imprisonment for a term not exceeding three months.</li> </ul>
<b>Poland</b>	<p>An order by way of an administrative decision to:</p> <ul style="list-style-type: none"> <li>stop the manufacture or placing on the market of this substance, preparation or article, or, where necessary,</li> <li>withdraw this substance, preparation or article from the market.</li> </ul>	<p>Where the administrative decision sideline is violated:</p> <ul style="list-style-type: none"> <li>Fine (from 100 PLN to PLN 720 000 PLN (from 24 EUR to 171 428 EUR),</li> <li>Restricted freedom or</li> <li>Imprisonment for up to 2 years.</li> </ul>

		<p>For a criminal offence of a legal person:</p> <ul style="list-style-type: none"> <li>the penalty of a fine from 1 000 to 20 000 000 PLN (from 239 EUR to 4 761 904, 50 EUR); however, not higher than 10% of the revenue gained in the financial year in which the forbidden act was committed to create the basis for the liability of the collective entity.</li> <li>Forfeiture of :             <ol style="list-style-type: none"> <li>the objects which originate at least indirectly from a forbidden act or which served or were intended to serve to commit the forbidden act;</li> <li>the property benefit which originates at least indirectly from a forbidden act;</li> <li>the value equivalent to that of the objects or property benefit which originate at least indirectly from a forbidden act.</li> </ol> </li> </ul> <p>The following may also be ruled:</p> <ol style="list-style-type: none"> <li>the prohibition of the promotion or publicity of the activities carried out, the articles manufactured or sold, the services rendered or contributions provided;</li> <li>the prohibition of the use of grants, subsidies or other forms of financial support with public resources;</li> <li>the prohibition of the use of assistance from international organisations to which the Republic of Poland is a Party;</li> <li>the prohibition of the seeking of public orders;</li> <li>the prohibition of the conduct of a specific primary or secondary activity;</li> <li>the public announcement of the ruling.</li> </ol> <p>In turn, the penalty for a petty offence is a fine (up to 5 000 PLN – up to 1 190 EUR).</p>
<p><b>Portugal</b></p>	<p><i>Very serious offences:</i></p> <ul style="list-style-type: none"> <li>Natural Persons – Fine from 20 000 EUR to 30 000 EUR (negligence) and from 30 000 EUR to 37 500 (fault)</li> <li>Legal Persons – Fine from 38 500 EUR to 70 000 EUR (negligence) and from 200 000 EUR to 2 500 000 (fault)</li> </ul> <p><i>Serious offences:</i></p> <ul style="list-style-type: none"> <li>Natural Persons – Fine from 2 000 EUR to 10 000 EUR (negligence) and from 6 000 EUR to 20 000 (fault)</li> <li>Legal Persons – Fine from 15 000 EUR to 30 000 EUR (negligence) and from 30 000 EUR to 48 000 (fault)</li> </ul> <p>For serious and very serious offences the following administrative sanctions may be applicable together with the fine:</p> <ul style="list-style-type: none"> <li>Confiscation of the assets (objects used or that were meant to be used to</li> </ul>	<p>N/A</p>

	<p>commit the offence) belonging to the agent;</p> <ul style="list-style-type: none"> <li>• Suspension of the right to undertake the activity or profession which are subject to public title or public authorisation;</li> <li>• Suspension of the right to obtain subsidies or other benefits issued by public authorities (at national or EC level);</li> <li>• Suspension of the right to participate in exhibitions or events at national or international level aimed at selling or marketing the products or activities of the agent;</li> <li>• Suspension of the right to participate in public tenders for providing public services or the right to be issued permits;</li> <li>• Closure of the establishment subject to permit from the administrative authority;</li> <li>• Revocation of authorisation and permits related with the activity;</li> <li>• Sealing up the equipment;</li> <li>• Loss of fiscal and credits benefits;</li> <li>• Application of measures aimed at preventing environmental damage;</li> <li>• Publicity of the administrative conviction/decision</li> <li>• Animal's confiscation.</li> </ul>	
<b>Romania</b>	<p>Depending on the severity of the offence:</p> <ul style="list-style-type: none"> <li>• A penalty of 15 000 to 30 000 RON<sup>7</sup> (3 564 to 7 128 EUR), or</li> <li>• A penalty of 30 000 to 50 000 RON (7 128 to 11 889 EUR)</li> </ul>	
<b>Slovakia</b>	<p>Depending on the infringement the law provides range of the administrative fines:</p> <ul style="list-style-type: none"> <li>• A penalty of 29 874,560 to 43 152,094 EUR, breach of Articles 61(1), 65(1)</li> <li>• A penalty of 43 152,128 to 99 581,757 EUR breach of Articles 56(1), 60(10), 67.</li> </ul>	N/A
<b>Slovenia</b>	<ul style="list-style-type: none"> <li>• Legal person: a fine from 1000 to 60 000 EUR</li> <li>• Natural persons, engaging in activity: a fine from 500 to 32 000 EUR</li> <li>• The manager of the company: fine from 200 to 2 000 EUR.</li> </ul> <p>Confiscation of the substances and materials with which the offence has been committed or which result from the offence</p>	N/A
<b>Sweden</b>	<i>Administrative measure ( injunctions with or without a fine)</i>	<ul style="list-style-type: none"> <li>- Up to 2 years imprisonment, or</li> <li>- a fine based on the perpetrator daily income</li> <li>- a corporate fine from 5 000 SEK (480 EUR) to 10 000 000 SEK (960 157 EUR)</li> </ul>
<b>UK</b>	N/A	<ul style="list-style-type: none"> <li>• On summary conviction, a fine up to a £5000 (5606 EUR) or to imprisonment not exceeding three months, or both.</li> <li>• On conviction on indictment, to a fine (unlimited) or to imprisonment not exceeding two years, or both.</li> </ul>



TABLE II c - Supply Chain

Member State	Administrative penalties	Criminal penalties
<b>Austria</b>	<ul style="list-style-type: none"> <li>Infringements of all obligations within the supply chain: Fine from 360 EUR to 19 000 EUR ( repeated infringements: up to 38 000 EUR)</li> <li>Confiscation and deprivation of objects</li> </ul>	N/A
<b>Belgium</b> <i>Federal level</i>	<p><i>Major offences:</i></p> <ul style="list-style-type: none"> <li>An administrative fine from 440 to 1100 000 EUR</li> </ul> <p><i>Minor offences</i></p> <ul style="list-style-type: none"> <li>An administrative fine of 143 to 33 000 EUR</li> </ul> <p><b>Complementary sanction:</b></p> <ul style="list-style-type: none"> <li>Temporary seizure of the products if not in conformity with the REACH Regulation</li> <li>Destruction for health and environment imperative reasons</li> </ul>	<p><i>Major offences:</i></p> <ul style="list-style-type: none"> <li>Imprisonment not exceeding three years</li> <li>Fine from 880 to 22 000 000 EUR</li> </ul> <p><i>In case the person commits a major offence and is conscious of the impact of this infringement on public health and on the environment:</i></p> <ul style="list-style-type: none"> <li>Imprisonment not exceeding eight years</li> <li>A fine not exceeding 55 000 000 EUR</li> </ul> <p><i>Minor offences</i></p> <ul style="list-style-type: none"> <li>Imprisonment not exceeding one year</li> <li>A fine from 286 to 660 000 EUR</li> </ul> <p><b>Complementary criminal sanctions</b></p> <ul style="list-style-type: none"> <li>the publication of the judgement at the cost of the condemned person</li> <li>the closing of the establishment 4 weeks to one year in case of repeat of an offence</li> <li>temporary prohibition to practice specific professional tasks for one to ten years in case of repeat of an offence</li> <li>in order to protect health care and the environment the judge can <ul style="list-style-type: none"> <li>Prohibit the import/export of the product, substance, article object of that infringement</li> <li>The withdrawal from the market</li> <li>The destruction of the substance product</li> <li>The withdrawal of illegal material benefits</li> </ul> </li> </ul> <p><i>In case of repeat of an offence the judge can take the following direct measures:</i></p> <ul style="list-style-type: none"> <li>the designation a special legal administrator</li> <li>the declaration of incapacity to exercise specific professional activities</li> </ul>

<b>Flanders</b>	<ul style="list-style-type: none"> <li>- A fine up to 50 000 Euros for the articles exclusively sanctioned by the administration (36(1), 36(2)) or</li> <li>- A fine up to 250 000 Euros in case the administrative sanction is used as an alternative to the criminal sanction.</li> <li>- Closure of the establishment</li> <li>- Interruption of activities</li> <li>- Withdrawal or modification of permits</li> </ul>	<ul style="list-style-type: none"> <li>• the cessation of the production</li> <li>the prohibition to use the premises where the infringement was committed</li> <li>- Imprisonment of 1 month to 2 years,</li> <li>- A fine of 100 to 250 000 Euros, or one of those sanctions (to be multiplied with 5,5 to obtain the sums that are due in reality).</li> </ul>
<b>Brussels Region</b>	<p>An administrative fine from 625 Euros to 62 500 Euros – applicable only if the case was not prosecuted or in absence of decision from the prosecutor within 6 months of notification of the infraction.</p>	<ul style="list-style-type: none"> <li>- Imprisonment from 8 months to 12 months</li> </ul> <p>And/or</p> <ul style="list-style-type: none"> <li>- A fine of 2.5 Euros to 25 000 Euros</li> </ul> <p>This fine is from 25 Euros to 25 000 Euros when it concerns installations classified as I. A (installations which might have an important impact on health and the environment).</p> <p>The fines are doubled when the offense was committed knowingly or for pecuniary reward.</p>
<b>Bulgaria</b>	<ul style="list-style-type: none"> <li>• Fine for natural persons, respectively a pecuniary sanction for legal persons, to the amount of 10 000 up to 100 000 BGN (5 113 to 51 129 EUR) for breach of articles 31(1), 31(2), 31(3), 31(7), 31(9), 32 (1), 32(3), 33(1), 34 and 35;</li> </ul> <p>and</p> <ul style="list-style-type: none"> <li>• Fine for natural persons, respectively a pecuniary sanction for legal persons, to the amount of 5 000 up to 50 000 BGN (2 557 to 25 565 EUR) for breach of articles 31(5), 31(8), 32(2), 36(1) and 36(2);</li> </ul> <p>The penalty is doubled in case of recidivism</p>	<p>N/A</p>
<b>Cyprus</b>	<ul style="list-style-type: none"> <li>• A penalty up to 100 EUR per day of infringement (Article 36)</li> </ul> <p>or</p> <ul style="list-style-type: none"> <li>• A penalty up to 20 000 EUR (Articles 31-35)</li> </ul> <p>In case of continuation of the infringement, a penalty of 100 to 1 000 EUR per day of infringement.</p>	<ul style="list-style-type: none"> <li>• On conviction on indictment, a fine up to 80 000 EUR or imprisonment not exceeding 2 years, or both.</li> <li>• On second/ subsequent conviction, a fine up to 80 000 EUR or imprisonment not exceeding 4 years, or both.</li> </ul>
<b>Czech Rep</b>	<ul style="list-style-type: none"> <li>• A financial penalty (fine) of up to 5 000 000 CZK (195 695 EUR)</li> </ul> <p>or</p> <ul style="list-style-type: none"> <li>• An obligation to withdraw the substance from the market</li> </ul> <p>or</p> <ul style="list-style-type: none"> <li>• some of the following measures can be imposed for a violation of REACH provisions:</li> <li>- obligation to achieve compliance with the REACH regulation, conditions and</li> </ul>	<p>N/A</p>

	<p>deadlines</p> <ul style="list-style-type: none"> <li>- liquidation of the substance or the preparation at the expense of the owner (or the holder if the owner is not known)</li> <li>- suspension of a business licence</li> <li>- suspension or ban on use of the substance or preparation</li> <li>- sanitation</li> <li>- suspension of placing on the market, placing into circulation or distribution and selling of preparations that are suspected to be dangerous</li> </ul>	
<b>Denmark</b>	<ul style="list-style-type: none"> <li>• Ban of sale</li> <li>• Withdrawal from the market</li> <li>• Destruction</li> </ul>	<ul style="list-style-type: none"> <li>• Fine (proportional to the perpetrator's daily income) Ch. 6 Criminal Code.</li> <li>• 2 years imprisonment, if intentional or by gross negligence ,and if there is:             <ol style="list-style-type: none"> <li>1) a damage caused to human or animal life or health or risk thereof,</li> <li>2) a damage caused to the environment or risk, thereof, or</li> <li>3) actual or intended economic advantages, including savings, for the offender or others.</li> </ol> </li> <li>• Confiscation of any economic gain from the violations of REACH. If the confiscation is not possible this is taken into account when the amount for the fines is decided.</li> <li>• For legal person, fine in accordance with Ch. 5 Criminal Code.</li> </ul>
<b>Estonia</b>	<ul style="list-style-type: none"> <li>• Violation of the requirements of the REACH-regulation is punishable with a fine up to 300 fine units (21 000 EEK- 1 342.14 EUR);</li> <li>• The same act, if committed by a legal person, is punishable by a fine of up to 350 000 EEK(22 369.02 EUR)</li> </ul>	<p><i>Violation of requirements for handling dangerous chemicals or waste</i></p> <p><i>(1) if such violation causes a danger to human life or health or to the environment, is punishable by a pecuniary punishment or up to 3 years' imprisonment.</i></p> <p><i>(2) if a danger to human life or health or to the environment is thereby caused through negligence, is punishable by a pecuniary punishment or up to 1 year of imprisonment.</i></p> <p><i>(3)An act provided for in subsection (1) or (2) of this section, if committed by a legal person, is punishable by a pecuniary punishment.</i></p>
<b>Finland</b>	<p>Prohibition to keep on carrying out or repeat a procedure infringing REACH.</p> <p>The prohibition could also be combined with a coercive fine which is a periodical fine that can be imposed on a daily, weekly or monthly basis until the REACH provisions are complied with.</p>	<ul style="list-style-type: none"> <li>- <i>Chemical violation: fine</i></li> <li>- <i>Health offence: fine or up to six months prison</i></li> <li>- <i>Impairment of the environment: fine or up to 2 years prison</i></li> <li>- <i>Aggravated impairment of the environment: from 4 months to up to six years prison/ Environmental infraction: fine or up to 6 months prison/Negligent impairment: fine and up to 1 year prison</i></li> </ul>
<b>France</b>	<ul style="list-style-type: none"> <li>• A maximum fine of 15000 EUR and daily periodic penalty payments of 1500 EUR.</li> </ul>	<ul style="list-style-type: none"> <li>• Three months of imprisonment and <b>a fine of 20 000 EUR</b></li> <li>• <b>Complementary fines for natural persons</b></li> <li>-confiscation of the substance, preparation, or article</li> <li>- prohibition to practice the profession through which the offence was committed.</li> <li>- the temporary or final closure of the activity.</li> <li>-the publication of the decision of the Criminal Court.</li> </ul>

		<p>-when the substances are confiscated, the Criminal Court can order the destruction of it or preparations at the cost of the condemned person.</p> <ul style="list-style-type: none"> <li>• <b>Legal persons penalty fines</b></li> </ul> <p>-100 000 EUR for legal persons infringing REACH provisions on supply chain.          -prohibition to exercise directly or indirectly one or more professional or social activities through which the offence was committed.          -the placing under judicial supervision during five years.          - the definitive closure or a five year closure of the department of the company where the offences were committed.          - exclusion of public procurement contract definitively or for five years.          -prohibition to offer financial title to the public or to sell financial titles in regulated market          - the confiscation of the substance, preparation, or article.          - the publication of the decision of the Criminal Court.</p>
<b>Germany</b>	<ul style="list-style-type: none"> <li>• Intentional or negligent non-compliance with enforceable administrative acts targeting the elimination of infringements of requirements laid down for safety data sheets: Fine up to 50 000/ 25 000 EUR, identical fines for legal persons</li> <li>• Confiscation and deprivation of objects</li> </ul>	<ul style="list-style-type: none"> <li>• 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 circumstances: Up to 5 years prison or up to 360 daily units fine/ Up to 2 years prison or up to 360 daily units fine,                  Legal persons: Fine up to 1 000 000/ 500 000 EUR.</li> <li>• Confiscation and deprivation of objects</li> </ul>
<b>Greece</b>	<ul style="list-style-type: none"> <li>• Penalty of 2 000 to 20 000 EUR (breach of article 36) , or</li> <li>• Penalty of 500 to 5 000 EUR (breach of articles 31 to 34), or</li> <li>• Penalty of 100 to 1 000 EUR (breach of article 35)</li> <li>• Non compliance with the Decision for prohibition of manufacture/ distribution/ using a substance issued from the Head of the Division of Environment imposes a penalty of 50.000 to 350.000 EUR from the General Director of the General Chemical State Laboratory. In case of multiple infringements, the fines are added up. In case of repetition of infringements the fine is increased by 50%.</li> </ul>	N/A
<b>Hungary</b>	<ul style="list-style-type: none"> <li>• A penalty of 100 000 to 10 000 000 HUF (352 to 35213 EUR) for major offences listed above in table 4.1.</li> <li>• A penalty of 50 000 to 5000 000 HUF(176 to 17606 EUR) for infringement of the other provisions</li> </ul>	N/A
<b>Iceland</b>	<ul style="list-style-type: none"> <li>•</li> </ul>	<ul style="list-style-type: none"> <li>•</li> </ul>
<b>Ireland</b>	N/A	<ul style="list-style-type: none"> <li>• Summary prosecution: a fixed payment notice issued by an inspector of no more than 2000 EUR</li> <li>• Summary conviction : a fine not exceeding €5,000 or imprisonment up to 6</li> </ul>

		<p>months or both or,</p> <ul style="list-style-type: none"> <li>on conviction on indictment, to a fine not exceeding €3, 000,000 or imprisonment for up to 2 years or both.</li> </ul>
<b>Italy</b>	<ul style="list-style-type: none"> <li>From 10 000 EUR to 60 000 EUR (breach of Article 7 par.3, Article 31 par. 1, 2, 3, 7, 8, 9 and Article 32)</li> <li>From 3 000 EUR to 18 000 EUR (breach of Articles 31 par. 5 and 34 and 36 par.1, 2)</li> <li>From 5 000 EUR to 30 000 EUR (breach of Article 33)</li> <li>From 15 000 EUR to 90 000 EUR (breach of Article 35)</li> </ul>	On a case-by-case basis, depending on the qualification of the criminal offence and the severity of the offence
<b>Latvia</b>	<ul style="list-style-type: none"> <li>A fine of 20 to 300 LVL (28 – 427 EUR)<sup>8</sup> for natural persons;</li> <li>A fine of 250 to 1000 LVL (356 – 1423 EUR) for legal persons;</li> <li>A fine of 500 to 1000 LVL (711 - 1423 EUR) for legal persons for failure to indicate information or to indicate true information on the safety data sheet (Article 31)</li> <li>A fine of 500 to 1000 LVL (711 - 1423 EUR) for legal persons for 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 36(1))</li> </ul>	N/A
<b>Liechtenstein</b>	<ul style="list-style-type: none"> <li>Up to 20 000 CHF (13 186 EUR) for intentional violation</li> <li>Up to 10 000 CHF (6 593 EUR) for negligent violation</li> </ul>	<ul style="list-style-type: none"> <li>Intentional /negligent violation of <i>all</i> REACH provisions: Fine of 200 000 CHF (131 863 EUR)/ 100 000 CHF (65 931 EUR) and, if the fine is not recoverable: up to 6/ 3 months</li> <li>Confiscation and deprivation of goods</li> <li>Removal of illicit assets</li> </ul>
<b>Lithuania</b>	<ul style="list-style-type: none"> <li>A fine of 1 000 LTL to 5 000 LTL (approx. 290 EUR to 1 450 EUR) (breach of articles 31-35), or</li> <li>A fine of 500 LTL to 3 000 LTL (approx. 145 EUR to 869 EUR).</li> </ul>	N/A
<b>Luxembourg</b>	<p>In case of infringement to the supply chain requirements the relevant Ministry can provide a time limit of two years where the suppliers have to comply with their obligations.</p> <p>If after this time limit manufacturers and importers still infringe the registration requirements, the relevant ministry can after issuing a letter of formal notice</p> <ul style="list-style-type: none"> <li>Suspend in part or totally the activity as an interim measure, or</li> <li>Close the premises partly or totally</li> </ul>	<ul style="list-style-type: none"> <li>imprisonment from one to three years and/or</li> <li>a fine from 251 EUR to 50 000 EUR</li> </ul> <p>these criminal sanctions also apply if suppliers do not respect the administrative penalties mentioned sideline</p>
<b>Malta</b>	N/A	<ul style="list-style-type: none"> <li>On conviction for wilfully obstructing, resisting, threatening or otherwise giving misleading or false information to the competent authority, a fine (multa) from 465.87 EUR to 2 329.37 EUR, or up to six months prison, or to both.</li> <li>On conviction for any other offence, a fine (multa) from 1 164.69 EUR to 11</li> </ul>

		<p>646.87 EUR or up to 3 years prison, or to both.</p> <ul style="list-style-type: none"> <li>In case of conviction for a second or subsequent offence, a fine (multa) from 1 747.03 EUR up to 23 293.73 EUR or to imprisonment not exceeding four years or to both such fine and imprisonment.</li> <li>The court may (with the exception of offences related to obstructing or giving false information) additionally order the suspension or cancellation of any licence/s issued in favour of the person charged or in respect of the premises involved in the proceedings. (Product Safety Act, Article 32(1) to (4))</li> </ul>
Netherlands	<ul style="list-style-type: none"> <li><b>Enforcement action</b> (<i>Bestuursdwang</i>): physical action whereby, after a period wherein the wrongdoer can correct the situation himself, the authorities correct the illegal situation at the cost of the wrongdoer.</li> <li><b>Conditional Fine</b> (<i>Dwangsom</i>): after a period wherein the offender can correct the situation, the wrongdoer has to pay a fine for every time an offence is observed or for every period an illegal situation continues. When possible, it is common to set the maximum <i>dwangsom</i> at twice the amount of the financial advantage obtained from the illegal behaviour when not, standard amounts are imposed. It should be proportionate to the violation and the aimed effect of the penalty imposed.</li> <li><b>Withdrawal of a permit</b>: can be permanent or temporary</li> </ul>	<ul style="list-style-type: none"> <li><b>Major offences</b> are punished with : When committed <i>intentionnally</i> (crime): -6 years prison or -a fine up to 74 000EUR for physical persons/ 740 000 EUR for legal persons, When <i>not</i> committed intentionnally(offence): -1 year prison or - a fine up to 18 500 EUR.</li> <li><b>Minor offences</b> are punished with: When committed <i>intentionnally</i>: -2 years prison or - a fine up to 18 500 EUR When <i>not</i> committed intentionnally: - six months prison or - a fine up to 18 500 EUR.</li> </ul>
Norway	<p><i>Coercive measures</i> A coercive fine: a periodical fine that can be imposed on a daily, weekly or monthly basis until the REACH provisions are complied with.</p>	<ul style="list-style-type: none"> <li>A fine proportional to the perpetrators' daily income and/or</li> <li>Imprisonment for a term not exceeding three months.</li> </ul>
Poland	N/A	Fine (up to 5,000 PLN – up to 1,190 EUR).
Portugal	<p>Very serious offences:</p> <ul style="list-style-type: none"> <li>Natural Persons – Fine from 20 000 EUR to 30 000 EUR (negligence) and from 30 000 EUR to 37 500 (fault)</li> <li>Legal Persons – Fine from 38 500 EUR to 70 000 EUR (negligence) and from 200 000 EUR to 2 500 000 (fault)</li> </ul> <p>Serious offences:</p> <ul style="list-style-type: none"> <li>Natural Persons – Fine from 2 000 EUR to 10 000 EUR (negligence) and</li> </ul>	

	<p>from 6 000 EUR to 20 000 (fault)</p> <ul style="list-style-type: none"> <li>• Legal Persons – Fine from 15 000 EUR to 30 000 EUR (negligence) and from 30 000 EUR to 48 000 (fault)</li> </ul> <p>For serious and very serious offences the following administrative sanctions may be applicable together with the fine:</p> <ul style="list-style-type: none"> <li>• Confiscation of the assets (objects used or that were meant to be used to commit the offence) belonging to the agent;</li> <li>• Suspension of the right to undertake the activity or profession which are subject to public title or public authorisation;</li> <li>• Suspension of the right to obtain subsidies or other benefits issued by public authorities (at national or EC level);</li> <li>• Suspension of the right to participate in exhibitions or events at national or international level aimed at selling or marketing the products or activities of the agent;</li> <li>• Suspension of the right to participate in public tenders for providing public services or the right to be issued permits;</li> <li>• Closure of the establishment subject to permit from the administrative authority;</li> <li>• Revocation of authorisation and permits related with the activity;</li> <li>• Sealing up the equipment;</li> <li>• Loss of fiscal and credits benefits;</li> <li>• Application of measures aimed at preventing environmental damage;</li> <li>• Publicity of the administrative conviction/decision</li> <li>• Animal's confiscation.</li> </ul>	
<b>Romania</b>	<p>Depending on the severity of the offence:</p> <ul style="list-style-type: none"> <li>• A penalty of 6 500 to 15 000 RON<sup>9</sup> (1 544 to 3 564 EUR), or</li> <li>• A penalty of 15 000 to 30 000 RON (3 564 to 7 128 EUR), or</li> <li>• A penalty of 30 000 to 50 000 RON (7 128 to 11 889 EUR)</li> </ul>	N/A
<b>Slovakia</b>	<p>Depending on the infringement the law provides range of the administrative fines:</p> <ul style="list-style-type: none"> <li>• A penalty of 16 596,99 to 29 874,527 EUR, breach of Articles: 31(3), (9), 32, 36</li> <li>• A penalty of 29 874,560 to 43 152,094 EUR, breach of Articles 31(1), 33,</li> </ul> <p>Besides administrative fines the relevant Inspection Authority may decide that the substances, preparations or articles shall be removed from the market if a person responsible does not fulfil duties imposed by the Authority within given time. These duties refer to rectifying consequences of illegal conduct of a</p>	N/A

	responsible subject such as: • failure to provide data safety sheet	
<b>Slovenia</b>	<ul style="list-style-type: none"> <li>• Legal person: a fine from 1000 to 60 000 EUR</li> <li>• Natural persons, engaging in activity: a fine from 500 to 32 000 EUR</li> <li>• The manager of the company: fine from 200 to 2 000 EUR.</li> </ul> Confiscation of the substances and materials with which the offence has been committed or which result from the offence	N/A
<b>Sweden</b>	- Environmental sanction fees of 5 000 SEK (480 EUR) for not providing safety data sheet in Swedish. <i>Administrative measure ( injunctions with or without a fine)</i>	- Up to 2 years imprisonment (except for breach of articles 32, 34 and 36) or - a fine based on the perpetrator daily income - a corporate fine from 5 000 SEK (480 EUR) to 10 000 000 SEK (960 157 EUR)
<b>UK</b>	N/A	On summary conviction, a fine up to a £5000 (5606 EUR) or to imprisonment not exceeding three months, or both. On conviction on indictment, to a fine (unlimited) or to imprisonment not exceeding two years, or both.

Table 3.2.4 Downstream Users

Member State	Administrative penalties	Criminal penalties
<b>Austria</b>	<ul style="list-style-type: none"> <li>• Serious infringement of the information keeping obligations: Fine from 360 EUR to 19 000 EUR ( repeated infringements: up to 38 000 EUR)</li> <li>• Infringement of other obligations of downstream users: fine up to 9 000 EUR (repeated infringements: up to 18 000 EUR)</li> <li>• Confiscation and deprivation of objects</li> </ul>	N/A
<b>Belgium</b> <i>Federal level</i>	<p><i>Major offences:</i></p> <ul style="list-style-type: none"> <li>• An administrative fine from 440 to 1100 000 EUR</li> </ul> <p><i>Minor offences</i></p> <ul style="list-style-type: none"> <li>• An administrative fine of 143 to 33 000 EUR</li> </ul> <p><b>Complementary sanction:</b></p> <ul style="list-style-type: none"> <li>• Temporary seizure of the products if not in conformity with the REACH Regulation</li> <li>• Destruction for health and environment imperative reasons</li> </ul>	<p><i>Major offences:</i></p> <ul style="list-style-type: none"> <li>• Imprisonment not exceeding three years</li> <li>• Fine from 880 to 22 000 000 EUR</li> </ul> <p><i>In case the person commits a major offence and is conscious of the impact of this infringement on public health and on the environment:</i></p> <ul style="list-style-type: none"> <li>• Imprisonment not exceeding eight years</li> <li>• A fine not exceeding 55 000 000 EUR</li> </ul> <p><i>Minor offences</i></p> <ul style="list-style-type: none"> <li>• Imprisonment not exceeding one year</li> <li>• A fine from 286 to 660 000 EUR</li> </ul> <p><b>Complementary criminal sanctions</b></p> <ul style="list-style-type: none"> <li>• the publication of the judgement at the cost of the condemned person</li> <li>• the closing of the establishment 4 weeks to one year in case of repeat of an offence</li> <li>• temporary prohibition to practice specific professional tasks for one to ten years in case of repeat of an offence</li> <li>• in order to protect health care and the environment the judge can             <ul style="list-style-type: none"> <li>• Prohibit the import/export of the product, substance, article object of that infringement</li> <li>• The withdrawal from the market</li> <li>• The destruction of the substance product</li> <li>• The withdrawal of illegal material benefits</li> </ul> </li> </ul> <p>In case of repeat of an offence the judge can take the following direct measures:</p> <ul style="list-style-type: none"> <li>• the designation a special legal administrator</li> </ul>

		<ul style="list-style-type: none"> <li>the declaration of incapacity to exercise specific professional activities</li> <li>the cessation of the production</li> </ul> <p>the prohibition to use the premises where the infringement was committed</p>
<b>Flanders</b>	<ul style="list-style-type: none"> <li>- A fine up to 250 000 Euros in case the administrative sanction is used as an alternative to the criminal sanction.</li> <li>- Closure of the establishment</li> <li>- Interruption of activities</li> <li>- Withdrawal or modification of permits</li> </ul>	<ul style="list-style-type: none"> <li>- Imprisonment of 1 month to 2 years,</li> <li>- A fine of 100 to 250 000 Euros, or one of those sanctions (to be multiplied with 5,5 to obtain the sums that are due in reality).</li> </ul>
<b>Brussels Region</b>	An administrative fine from 625 Euros to 62 500 Euros – applicable only if the case was not prosecuted or in absence of decision from the prosecutor within 6 months of notification of the infraction.	<ul style="list-style-type: none"> <li>- Imprisonment from 8 months to 12 months</li> </ul> <p>And/or</p> <ul style="list-style-type: none"> <li>- A fine of 2.5 Euros to 25 000 Euros</li> </ul> <p>This fine is from 25 Euros to 25 000 Euros when it concerns installations classified as I. A (installations which might have an important impact on health and the environment).</p> <p>The fines are doubled when the offense was committed knowingly or for pecuniary reward.</p>
<b>Bulgaria</b>	<ul style="list-style-type: none"> <li>• Fine for natural persons, respectively a pecuniary sanction for legal persons, to the amount of 10 000 up to 100 000 BGN (5,113 to 51 129 EUR) for breach of articles 37(4), 37(5), 37(6), 37(7), 38 (1), 38(3), 38(4), 39(1) and 39(2);</li> <li>and</li> <li>• Fine for natural persons, respectively a pecuniary sanction for legal persons, to the amount of 5,000 up to 50 000 BGN (2 557 to 25 565 EUR) for breach of articles 37(2) and 37(3)</li> </ul> <p>The penalty is doubled in case of recidivism..</p>	N/A
<b>Cyprus</b>	<ul style="list-style-type: none"> <li>• A penalty up to 500 EUR per day of infringement (Articles 37-39)</li> </ul> <p>In case of continuation of the infringement, a penalty of 100 to 1 000 EUR per day of infringement</p>	<ul style="list-style-type: none"> <li>• On conviction on indictment, a fine up to 80 000 EUR or imprisonment not exceeding 2 years, or both.</li> <li>• On second/ subsequent conviction, a fine up to 80 000 EUR or imprisonment not exceeding 4 years, or both.</li> </ul>
<b>Czech Rep</b>	<ul style="list-style-type: none"> <li>• A financial penalty (fine) of up to 5 000 000 CZK (195 695 EUR)</li> <li>or</li> <li>• An obligation to withdraw the substance from the market</li> <li>or</li> <li>• some of the following measures can be imposed for a violation of REACH provisions: <ul style="list-style-type: none"> <li>- obligation to achieve compliance with the REACH regulation, conditions and deadlines</li> <li>- liquidation of the substance or the preparation at the expense of the owner (or</li> </ul> </li> </ul>	N/A

	<p>the holder if the owner is not known)</p> <ul style="list-style-type: none"> <li>- suspension of a business licence</li> <li>- suspension or ban on use of the substance or preparation</li> <li>- sanitation</li> <li>- suspension of placing on the market, placing into circulation or distribution and selling of preparations that are suspected to be dangerous</li> </ul>	
<b>Denmark</b>	<ul style="list-style-type: none"> <li>• Ban of sale</li> <li>• Withdrawal from the market</li> <li>• Destruction</li> </ul>	<ul style="list-style-type: none"> <li>• Fine (proportional to the perpetrator's daily income) Ch. 6 Criminal Code.</li> <li>• 2 years imprisonment, if intentional or by gross negligence ,and if there is:             <ol style="list-style-type: none"> <li>1) a damage caused to human or animal life or health or risk thereof,</li> <li>2) a damage caused to the environment or risk, thereof, or</li> <li>3) actual or intended economic advantages, including savings, for the offender or others.</li> </ol> </li> <li>• Confiscation of any economic gain from the violations of REACH. If the confiscation is not possible this is taken into account when the amount for the fines is decided.</li> <li>• For legal person, fine in accordance with Ch. 5 Criminal Code.</li> </ul>
<b>Estonia</b>	<ul style="list-style-type: none"> <li>• Violation of the requirements of the REACH-regulation is punishable with a fine up to 300 fine units (21 000 EEK- 1 342.14 EUR);</li> <li>• The same act, if committed by a legal person, is punishable by a fine of up to 350 000 EEK(22 369.02 EUR)</li> </ul>	<p><i>Violation of requirements for handling dangerous chemicals or waste</i></p> <p><i>(1) if such violation causes a danger to human life or health or to the environment, is punishable by a pecuniary punishment or up to 3 years' imprisonment.</i></p> <p><i>(2) if a danger to human life or health or to the environment is thereby caused through negligence, is punishable by a pecuniary punishment or up to 1 year of imprisonment.</i></p> <p><i>(3)An act provided for in subsection (1) or (2) of this section, if committed by a legal person, is punishable by a pecuniary punishment.</i></p>
<b>Finland</b>	<p><i>Coercive measures</i></p> <p>A periodical fine that can be imposed on a daily, weekly or monthly basis until the REACH provisions are complied with.</p>	<ul style="list-style-type: none"> <li>- <i>Chemical violation: fine</i></li> <li>- <i>Health offence: fine or up to six months prison</i></li> <li>- <i>Impairment of the environment: fine or up to 2 years prison</i></li> <li>- <i>Aggravated impairment of the environment: from 4 months to up to six years prison/ Environmental infraction: fine or up to 6 months prison/Negligent impairment: fine and up to 1 year prison</i></li> </ul>
<b>France</b>	<ul style="list-style-type: none"> <li>• A maximum fine of 15000 EUR and daily periodic penalty payments of 1500 EUR.</li> <li>• The downstream user to deposit to a public accounting for the establishment of data, tests and studies a corresponding sum of money in order to apply for an authorisation or to elaborate a report on the chemical safety as provided under Article 37(4) of (EC)Regulation 1907/2006. This sum of money is</li> </ul>	<ul style="list-style-type: none"> <li>• Two years of imprisonment and <b>a fine of 75000EUR</b></li> <li>• <b>Complementary fines for natural persons</b> <ul style="list-style-type: none"> <li>-confiscation of the substance, preparation, or article</li> <li>- prohibition to practice the profession through which the offence was committed.</li> <li>- the temporary or final closure of the activity.</li> <li>-the publication of the decision of the Criminal Court.</li> </ul> </li> </ul>

	<p>given back through the execution of tests and studies or the establishment of data required.</p>	<p>-when the substances are confiscated, the Criminal Court can order the destruction of it or preparations at the cost of the condemned person.</p> <ul style="list-style-type: none"> <li>• <b>Legal persons penalty fines</b> <ul style="list-style-type: none"> <li>-A maximum fine of 375 000 EUR for legal persons.</li> <li>-Prohibition to exercise directly or indirectly one or more professional or social activities through which the offence was committed.</li> <li>- The placing under judicial supervision during five years.</li> <li>- the definitive closure or a five year closure of the department of the company where the offences were committed.</li> <li>- exclusion of public procurement contract definitively or for five years.</li> <li>-prohibition to offer financial title to the public or to sell financial titles in regulated market</li> <li>- the confiscation of the substance, preparation, or article.</li> <li>- the publication of the decision of the Criminal Court.</li> </ul> </li> </ul>
<b>Germany</b>	<ul style="list-style-type: none"> <li>• Intentional or negligent non-compliance with enforceable administrative acts targeting the elimination of infringements of requirements laid down for chemical safety reports: Fine up to 50 000/ 25 000 EUR, identical fines for legal persons</li> <li>• Confiscation and deprivation of objects</li> <li>• Negligent failure to prepare chemical safety reports or provision of incorrect/ incomplete information: Maximum fine of 100.000 EUR</li> </ul>	<ul style="list-style-type: none"> <li>• 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: Up to 5 years prison or up to 360 daily units fine/ Up to 2 years prison or up to 360 daily units fine, Legal persons: Fine up to 1 000 000/ 500 000 EUR.</li> <li>• Intentional failure to prepare chemical safety reports or provision of incorrect/ incomplete information: up to 2 years prison/ fine up to 360 daily units (with aggravating circumstances: up to 5 years prison / fine up to 360 daily units)</li> <li>• Confiscation and deprivation of objects</li> </ul>
<b>Greece</b>	<ul style="list-style-type: none"> <li>• Penalty of 500 to 5 000 EUR (breach of article 37), or</li> <li>• Penalty of 100 to 1 000 EUR (breach of articles 38-39)</li> <li>• Non compliance with the Decision for prohibition of manufacture/ distribution/ using a substance issued from the Head of the Division of Environment imposes a penalty of 50.000 to 350.000 EUR from the General Director of the General Chemical State Laboratory. In case of multiple infringements, the fines are added up. In case of repetition of infringements the fine is increased by 50%.</li> </ul>	N/A
<b>Hungary</b>	<ul style="list-style-type: none"> <li>• A penalty of 100 000 to 10 000 000 HUF (352 to 35213 EUR) for major offences listed above in table 4.1.</li> <li>• A penalty of 50 000 to 5000 000 HUF(176 to 17606 EUR) for infringement of the other provisions</li> </ul>	N/A

<b>Iceland</b>	<p><i>Coercive measures</i></p> <p>A periodical fine that can be imposed on a daily, weekly or monthly basis until the REACH provisions are complied with.</p>	<ul style="list-style-type: none"> <li>• A fine proportional which would likely be based on the scale of the violation and the size of the company.</li> <li>• If the violation is severe the penalty up to 2 years of imprisonment.</li> <li>• Confiscation on a court order of the chemicals, preparations or articles which are produced, imported or placed on the market in violation of REACH, as well as of any profits gained from such operations.</li> </ul>
<b>Ireland</b>	<ul style="list-style-type: none"> <li>• <i>Notices</i></li> <li>• Summary prosecution: a fixed payment notice issued by an inspector of no more than 2000 EUR.</li> </ul>	<ul style="list-style-type: none"> <li>• Summary conviction : a fine not exceeding €5,000 or imprisonment up to 6 months or both or, on conviction on indictment, to a fine not exceeding €3,000,000 or imprisonment for up to 2 years or both.</li> </ul>
<b>Italy</b>	<ul style="list-style-type: none"> <li>• From 10 000 EUR to 60 000 EUR (breach of Articles 37 par. 3, 4, 5, 6)</li> <li>• From 5 000 EUR to 30 000 EUR (breach of articles 37 par. 7, Article 38 par 2, 3, 4, Article 39)</li> <li>• From 3 000 EUR to 18 000 EUR (breach of article 38.3)</li> </ul>	<p>On a case-by-case basis, depending on the qualification of the criminal offence and the severity of the offence</p>
<b>Latvia</b>	<ul style="list-style-type: none"> <li>• A fine of 20 to 300 LVL (28 – 427 EUR)<sup>10</sup> for natural persons;</li> <li>• A fine of 250 to 1000 LVL (356 – 1423 EUR) for legal persons;</li> </ul>	<p>N/A</p>
<b>Liechtenstein</b>	<ul style="list-style-type: none"> <li>• Up to 20 000 CHF (13 186 EUR) for intentional violation</li> <li>• Up to 10 000 CHF (6 593 EUR) for negligent violation</li> </ul>	<ul style="list-style-type: none"> <li>• Intentional /negligent violation of <i>all</i> REACH provisions: Fine of 200 000 CHF (131 863 EUR)/ 100 000 CHF (65 931 EUR) and, if the fine is not recoverable: up to 6/ 3 months</li> <li>• Confiscation and deprivation of goods</li> <li>• Removal of illicit assets</li> </ul>
<b>Lithuania</b>	<ul style="list-style-type: none"> <li>• A fine of 2 000 LTL to 4 000 LTL (approx. 580 EUR to 1 160 EUR) (breach of articles 37 and 38, and , 66(1)), or</li> <li>• A fine of 500 LTL to 3 000 LTL (approx. 145 EUR to 870 EUR).</li> </ul>	<p>N/A</p>
<b>Luxembourg</b>	<p>In case of infringement of the downstream users obligations the relevant Ministry can provide a time limit of two years where downstream users have to comply with their obligations.</p> <p>If after this time limit manufacturers and importers still infringe the registration requirements, the relevant ministry can after issuing a letter of formal notice</p> <ul style="list-style-type: none"> <li>• Suspend in part or totally the activity as an interim measure, or</li> <li>• Close the premises partly or totally</li> </ul>	<ul style="list-style-type: none"> <li>• imprisonment from one to three years</li> <li>• a fine from 251 EUR to 50 000 EUR</li> </ul> <p>These criminal sanctions also apply if downstream users do not respect the administrative penalties mentioned sideline.</p>
<b>Malta</b>	<p>N/A</p>	<ul style="list-style-type: none"> <li>• On conviction for wilfully obstructing, resisting, threatening or otherwise giving misleading or false information to the competent authority, a fine (multa) from 465.87 EUR to 2 329.37 EUR, or up to six months prison, or to both.</li> <li>• On conviction for any other offence, a fine (multa) from 1 164.69 EUR to 11 646.87 EUR or up to 3 years prison, or to both.</li> <li>• In case of conviction for a second or subsequent offence, a fine (multa) from 1 747.03 EUR up to 23 293.73 EUR or to imprisonment not exceeding four</li> </ul>

		<p>years or to both such fine and imprisonment.</p> <ul style="list-style-type: none"> <li>The court may (with the exception of offences related to obstructing or giving false information) additionally order the suspension or cancellation of any licence/s issued in favour of the person charged or in respect of the premises involved in the proceedings. (Product Safety Act, Article 32(1) to (4))</li> </ul>
Netherlands	<ul style="list-style-type: none"> <li><b>Enforcement action</b> (<i>Bestuursdwang</i>): physical action whereby, after a period wherein the wrongdoer can correct the situation himself, the authorities correct the illegal situation at the cost of the wrongdoer.</li> <li><b>Conditional Fine</b> (<i>Dwangsom</i>): after a period wherein the offender can correct the situation, the wrongdoer has to pay a fine for every time an offence is observed or for every period an illegal situation continues. When possible, it is common to set the maximum <i>dwangsom</i> at twice the amount of the financial advantage obtained from the illegal behaviour when not, standard amounts are imposed. It should be proportionate to the violation and the aimed effect of the penalty imposed.</li> <li><b>Withdrawal of a permit</b>: can be permanent or temporary</li> </ul>	<ul style="list-style-type: none"> <li><b>Major offences</b> are punished with : When committed <i>intentionnally</i> (crime): -6 years prison or -a fine up to 74 000EUR for physical persons/ 740 000 EUR for legal persons, When <i>not</i> committed intentionnally(offence): -1 year prison or - a fine up to 18 500 EUR.</li> <li><b>Minor offences</b> are punished with: When committed <i>intentionnally</i>: -2 years prison or - a fine up to 18 500 EUR When <i>not</i> committed intentionnally: - six months prison or - a fine up to 18 500 EUR.</li> </ul>
Norway	<p><i>Coercive measures</i></p> <p>A coercive fine: a periodical fine that can be imposed on a daily, weekly or monthly basis until the REACH provisions are complied with.</p>	<ul style="list-style-type: none"> <li>A fine proportional to the perpetrators' daily income and/or</li> <li>Imprisonment for a term not exceeding three months.</li> </ul>
Poland	N/A	<p>For a criminal offence of a legal person:</p> <ul style="list-style-type: none"> <li>the penalty of a fine from 1 000 to 20 000 000 PLN (from 239 EUR to 4 761 904, 50 EUR); however, not higher than 10% of the revenue gained in the financial year in which the forbidden act was committed to create the basis for the liability of the collective entity.</li> <li>Forfeiture of : 1) the objects which originate at least indirectly from a forbidden act or which served or were intended to serve to commit the forbidden act; 2) the property benefit which originates at least indirectly from a forbidden act; 3) the value equivalent to that of the objects or property benefit which originate at least indirectly from a forbidden act.</li> </ul> <p>The following may also be ruled:</p>

		<p>1) the prohibition of the promotion or publicity of the activities carried out, the articles manufactured or sold, the services rendered or contributions provided;</p> <p>2) the prohibition of the use of grants, subsidies or other forms of financial support with public resources;</p> <p>3) the prohibition of the use of assistance from international organisations to which the Republic of Poland is a Party;</p> <p>4) the prohibition of the seeking of public orders;</p> <p>5) the prohibition of the conduct of a specific primary or secondary activity;</p> <p>6) the public announcement of the ruling.</p> <p>In turn, the penalty for a petty offence is a fine (up to 5 000 PLN – up to 1 190 EUR).</p>
<p><b>Portugal</b></p>	<p><i>Very serious offences:</i></p> <ul style="list-style-type: none"> <li>• Natural Persons – Fine from 20 000 EUR to 30 000 EUR (negligence) and from 30 000 EUR to 37 500 (fault)</li> <li>• Legal Persons – Fine from 38 500 EUR to 70 000 EUR (negligence) and from 200 000 EUR to 2 500 000 (fault)</li> </ul> <p><i>Serious offences:</i></p> <ul style="list-style-type: none"> <li>• Natural Persons – Fine from 2 000 EUR to 10 000 EUR (negligence) and from 6 000 EUR to 20 000 (fault)</li> <li>• Legal Persons – Fine from 15 000 EUR to 30 000 EUR (negligence) and from 30 000 EUR to 48 000 (fault)</li> </ul> <p>For serious and very serious offences the following administrative sanctions may be applicable together with the fine:</p> <ul style="list-style-type: none"> <li>• Confiscation of the assets (objects used or that were meant to be used to commit the offence) belonging to the agent;</li> <li>• Suspension of the right to undertake the activity or profession which are subject to public title or public authorisation;</li> <li>• Suspension of the right to obtain subsidies or other benefits issued by public authorities (at national or EC level);</li> <li>• Suspension of the right to participate in exhibitions or events at national or international level aimed at selling or marketing the products or activities of the agent;</li> <li>• Suspension of the right to participate in public tenders for providing public services or the right to be issued permits;</li> <li>• Closure of the establishment subject to permit from the administrative authority;</li> <li>• Revocation of authorisation and permits related with the activity;</li> </ul>	

	<ul style="list-style-type: none"> <li>• Sealing up the equipment;</li> <li>• Loss of fiscal and credits benefits;</li> <li>• Application of measures aimed at preventing environmental damage;</li> <li>• Publicity of the administrative conviction/decision</li> <li>• Animal's confiscation.</li> </ul>	
<b>Romania</b>	<p>Depending on the severity of the offence:</p> <ul style="list-style-type: none"> <li>• A penalty of 15 000 to 30 000 RON<sup>11</sup> (3 564 to 7 128 euros)</li> </ul> <p>or</p> <ul style="list-style-type: none"> <li>• A penalty of 30 000 to 50 000 RON (7 128 to 11 889 euros)</li> </ul>	N/A
<b>Slovakia</b>	<p>Depending on the infringement the law provides range of the administrative fines:</p> <ul style="list-style-type: none"> <li>• - A penalty of 16 596,99 to 29 874,527 EUR (breach of Articles 38, 40(4), 41(4), 46(2), 65(1), 67)</li> <li>• A penalty of 29 874,560 to 43 152,094 EUR, (breach of Articles 37)</li> </ul>	N/A
<b>Slovenia</b>	<ul style="list-style-type: none"> <li>• Legal person: a fine from 1000 to 60 000 EUR</li> <li>• Natural persons, engaging in activity: a fine from 500 to 32 000 EUR</li> <li>• The manager of the company: fine from 200 to 2 000 EUR.</li> </ul> <p>Confiscation of the substances and materials with which the offence has been committed or which result from the offence</p>	N/A
<b>Sweden</b>	<i>Administrative measure ( injunctions with or without a fine)</i>	<ul style="list-style-type: none"> <li>- Up to 2 years imprisonment, or</li> <li>- a fine based on the perpetrator daily income</li> <li>- a corporate fine from 5 000 SEK (480 EUR) to 10 000 000 SEK (960 157 EUR)</li> </ul>
<b>UK</b>	N/A	<ul style="list-style-type: none"> <li>• On summary conviction, a fine up to a £5000 (5606 EUR) or to imprisonment not exceeding three months, or both.</li> <li>• On conviction on indictment, to a fine (unlimited) or to imprisonment not exceeding two years, or both.</li> </ul>