

BASA Bulletin

INFORMED COMMENT FROM THE BRITISH ADHESIVES & SEALANTS ASSOCIATION

2022

We want to give a big thank you to our members for all your support in 2021 and we wish you a prosperous 2022!

In 2021, the BASA team ran 50 virtual drop-in clinics for members and 3 well attended virtual Open Industry Forums (video presentations were uploaded to the website for members that could not attend and are still available). We ran a joint UKREACH for Downstream users' workshop in conjunction with the British Coatings Federation, and offered many Brexit related webinars by BEIS, DIT, and other government departments throughout the year. We promoted relevant ReachReady events and Members were offered numerous topical free member-only webinars from Croner, with the free expert employment law and health & safety helpline you get as part your BASA membership. We also organised exclusive webinars on topics like UKCA marking with Warrington Fire / BM Trada, R&D Tax Credits with ForrestBrown, and covered topics like the Packaging Tax with HMRC. Members also had access to the FEICA members-only webinars as a National Association Member of FEICA. All these events were prompted on the weekly email notifications that all employees of a Member Company can sign up to and via our LinkedIn/Twitter/Facebook feeds.

During the year we produced; 5 online Bulletins showcasing member stories as well as highlighting important updates affecting our sector. The annual printed BASA Digest that includes a full Member Company listing with your company profiles, in place of the BASA Handbook, distributed at the ChemUK 2022 exhibition in September. These publications are available on the open area of the website and are publicised on social media. BASA's experienced Consultant team aided by the Working groups also produced many helpful documents for members, regularly updated and available via a login to the Members only area of the website.

As we start 2022, we look forward to holding the 2022 AGM and Industry Lunch on March 30th at Brunel's SS Great Britain, Bristol after a 2 year break due to the pandemic, as well as running the Sports Day in June and the Dinner Dance in December. We plan to continue to hold the Open Industry Forum meetings virtually as the attendance in 2021 indicates this is the preferred delivery route.

BASA continues to be the recognised voice of the Adhesives and Sealants Industry in discussions with government and regulators to ensure our members are well represented, allowing us to continue to brief you on changes to new or existing regulations. We also work closely with other associations like the Construction Products Association and have been involved with the new Food Packaging Value Chain Alliance to cover food contact issues for the UK.

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Today's membership stands at 98 Members, and we would like to thank our consultants and every member who sits on one of our Working Groups for your invaluable contributions throughout 2021 and your continued involvement and hard work in 2022.

We look forward to continuing to work with all our members this year and encourage you to send any feedback to the Secretariat if there are other areas you would like us to work on so we can ensure you are getting the most from your membership.





Secretary:
Lorna
Williams

Email: secretary@basa.co.uk

Secretariat update

As 2021 ends, I thought a reflection of where we started and where we ended up would be interesting. What strikes me as odd is how the mantra 'following the science' fails to recognise that science does not always have exact predictable answers and 'being led by the data' can often lead you up the garden path. We have all heard the catchy phrase that there are lies, damned lies and statistics, and what people have failed to grasp in the clamour for headlines is that data can be used to support pretty much any argument you have!

Many of us are triple jabbed and yet still the 'data' apparently suggests that hospitals will be overrun by people suffering and dying from the Omicron variant. 'What' I then ask myself was the point of the vaccinations and boosters if we are apparently back where we were before what has been lauded as a successful vaccination programme? The answer seems to be that this data is only looking at reasonable worst case scenarios. It is not looking at whether this is the likely outcome because, as Professor Graham Medley just admitted in a Twitter exchange with Spectator editor Fraser Nelson, Sage only models "what we are asked to model" because apparently 'what would be the point of modelling the most likely scenario instead of just the most worrying scenario'.

What is often lost in the reporting of these worst-case models is that they rarely ever happen but are calculated to allow governments to see what 'might' happen if they did nothing at all to control an outbreak, and to plan accordingly. In a paper by Bradley and Roussos for an LSE Public Policy Review¹, focussing on reasonable worst-case scenarios as a way of managing uncertainty results in a loss of decision-relevant information and does not provide a coherent basis for policy making.

A political decision must be sensitive to judgements about how good or bad any possible policy outcome is, and it is simply not the role of science to provide such value judgements. Public health outcomes have dominated discussion, where what is needed is an assessment of health outcomes together with economic and social wellbeing because the right policy is the one which delivers the best outcomes all things considered, rather than merely the best public health outcomes.

Behind all of this there is a serious point – the problem is that many sectors are facing employee absences due to the need to self-isolate because of the Omicron variant and for the NHS this shortage is a real issue and the fact that admissions due to Covid have been declining and the 85% overall hospital occupancy would normally be considered pretty good for this time of the year does not disguise the sheer numbers of people who are required to self-isolate. This effect potentially affects us all, as there will be similar staff shortages in critical infrastructure and throughout our supply chains.

BASA continues to be active with government departments to make sure that we can represent your interest in regulation and substance assessment in future. We are running a UK chemical substance watch list and are also monitoring any specific substance reviews that come up that may affect BASA members. We are also very active with the Alliance of Chemical Associations to try to amend the current UKREACH regulation to be more appropriate for the UK Chemicals sector.

Now more than every it is important to maintain a strong voice and to do this we urge all BASA Member companies to make sure they have lots of subscribers to the Members area of the website and to sign up for the weekly emails flagging up the important issues and quick access to the working documents.

Finally – we are aiming to run the 2022 AGM and Industry Lunch at the SS Great Britain on March 30th so I hope to be able to see you all there.

¹Bradley, R. and Roussos, J., 2021. *Following the Science: Pandemic Policy Making and Reasonable Worst-Case Scenarios*. *LSE Public Policy Review*, 1(4), p.6. DOI: <http://doi.org/10.31389/lseppr.23>



Question: Our company missed the DUIN deadline at the end of October 2021. What are our options?



Answer: The Downstream User Import Notifications (DUINs) deadline was on the 27th October 2021. Companies who were previously downstream users under EU REACH were expected under UK REACH To let the Health and Safety Executive (HSE) know about their substances. This was done by submitting a DUIN to the HSE.

Although the deadline has passed, companies can still submit DUINs. The HSE advises that you do that as soon as possible. There is no information on how long the HSE will continue to accept DUINs.

For companies needing to add substances to their list the HSE advises that:



"Once a company has indicated in Comply with UK REACH that they wish to continue importing EU registered substances they will be provided with a DUIN number. Only one DUIN number is issued per legal entity. This DUIN number should be included in any additional information DUIN spreadsheet sent to HSE. The company would usually submit one spreadsheet containing the relevant information to the extent that it is available to them.

However, if updated DUIN information is submitted to HSE, our preferred option is to receive a revised spreadsheet that contains all the original information and any new information. It would be helpful if it is indicated in the covering email that the spreadsheet supersedes a previous submission. However, we will still accept and process supplementary spreadsheets containing only the new information, if companies wish to take this approach. Again, if they could indicate this in the covering email too."

Grolman Group and Hob Trade from Egypt have started a Joint Venture Grolman Egypt LLC

In August 2021, Grolman Group & Ihab Hassan, the owner of Hob Trade, established Grolman Egypt LLC. All employees, activities & inventories of Hob Trade are in the process of being acquired by Grolman Egypt LLC and Hob Trade will fade out once Grolman Egypt will get all the authorizations to be fully operational.

Florian Grolman, managing director of Grolman, stated: "I am excited to start our joint venture in Egypt. With their skills, their expertise and their hearts the entire Egyptian team fit so very well to Grolman, our values and the way we think as a family business. A warm welcome to our team!"

Hob Trade is located in Giza and is the exclusive Agent/Distributor of Orion in Egypt. The owner of Hob Trade, Ihab Hassan, started distribution activities in Egypt in 2005 and developed a well-established distribution network serving the plastics, coatings & inks, food and feed industries.

The Grolman Group operates an international specialty chemical ingredients distribution business. It is composed of individual local sales offices based in all European countries, Turkey, Maghreb, India and China, each supported by technically trained sales staff, customer service teams and local warehousing. The Grolman Group, run by the fifth generation of the Grolman family, has been privately owned since it was established in 1855. The key to its success has been the dedication and commitment to building an efficient customer-focused organization where customers' needs are an essential driving force.

Grolman
International Distribution



HGV Driver Shortage – Protecting Your Reputation

With the current HGV shortage, it's now more important than ever for businesses to be aware of the risks associated with hiring a new driver. A rogue driver can quickly destroy your reputation, so when selecting a new driver employers should consider how their decision-making process can help to reduce the costs and risks that a new driver could generate.

NEW DRIVER SELECTION

The quality of your drivers plays a huge role in the overall success of your business – diligent, deliberate and conscientious drivers will probably cost you less in damages, get better customer feedback and cause less management stress than someone who will make more deliveries, but will cut corners to do so.

Arguably, one of the most challenging aspects is sifting through the applicants for a vacancy and choosing the best driver for your business. As a minimum, we would recommend each potential new driver provides references and a claims record from their previous employers, as well as medical declaration.

IN ADDITION, WE WOULD SUGGEST POTENTIAL DRIVERS COMPLETING:

- Licence check (online)
- Drug & Alcohol Test
- A medical declaration that they are fit to drive
- Medical fitness to Drive check, including an Eye Test
- Online driver profiler assessment to assess their attitudes towards driving
- Theory or Highway Code test to assess their knowledge
- On-road practical assessment in the type of vehicle they will be driving

YOU SHOULD ALSO BEAR IN MIND THAT:

- Employing an experienced driver with all the training does not protect you – it is the business responsibility to ensure they are competent i.e. not to rely on previous manual handling training etc.
- Foreign drivers will need to be disclosed to insurers
- Young and/or inexperienced drivers may need to be disclosed to insurers

ONCE THE DRIVER HAS PASSED THESE TESTS, WE WOULD ALSO RECOMMEND A COMPREHENSIVE INDUCTION PROCESS, WHICH SHOULD INCLUDE:

- Awareness and understanding of the company's driving for work policies and procedures
- Initial driver assessment and training for the vehicle and types of journey they will be making
- A 'Buddy' system, in which a new member of staff is paired with an experienced staff member to act as their mentor for a period of time. It's important to ensure the 'buddy' does not pass on incorrect information or bad habits, so some training and monitoring for 'buddies' should also be carried out
- Driver Handbooks should include information about the company's driving rules and procedures, and advice about safe driving. Keep a copy in the vehicle's glove box.
- Vehicle and Route Familiarisation, especially if the new staff member will be driving a type of vehicle they do not normally drive or on types of roads or areas they are not familiar with
- Telematics (if used) can provide an accurate picture of how the new person is driving
- Managers should monitor the feedback about new drivers carefully during their induction period, and ensure that the driver is also looking at the data about their driving to see how they can improve.
- Contractually, you might also consider making new or temporary drivers responsible for a higher proportion of your own damage excess

All training, manuals handbooks should be signed for as evidence of completion and understanding.

DRIVER RETENTION

Having found the driver(s) of your dreams, keeping them on your payroll when other sectors might be offering increased wages will be a challenge.

Regardless of role, happy employees are generally productive employees, and providing a supportive and positive working environment is likely to be a low cost option.

OTHER FACTORS WOULD INCLUDE:

- Competitive Remuneration
- Private Medical Insurance
- Personal Accident/Sickness Insurance
- Performance Bonuses
- Profit Share

AGENCY/TEMPORARY DRIVERS

If you are forced to use Agency or Temporary drivers, all of the factors mentioned above should still be taken into account, and we would recommend you only use an Agency that has Driver Negligence Insurance cover.

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Northamptonshire's Trailblazing Company Further Invests in Area with New Facility



Wollaston, UK, 8th November, 2021 - Scott Bader, the Wollaston based global chemical company, is continuing to invest in the region with a new facility at Earls Barton.

The additional unit, based only a short distance from its Wollaston headquarters, is due for completion in November. It has been introduced to improve the existing production

provision and is part of the company's ongoing succession plan. By bolstering its infrastructure locally, Scott Bader seeks to meet growing international demand for its innovative structural adhesives - products which are of particular interest to specialty markets, including the automotive industry.

The company, which has been based in the county since the early 1940s, employs around 300 people regionally and marked its centenary year this April. Commenting on the recent addition to the portfolio, Deklyn Barnes, Adhesive Product Manager for Scott Bader said: "We're delighted to be enhancing our production capabilities locally. Improving production was key to meeting our market demands but sustainability was also at the heart of the decision and this investment will help us to make improvements in this area too."

Scott Bader commits to the Irish composites market

Scott Bader has further committed to the Irish composites market through the incorporation of its Irish office.

Previously part of Scott Bader UK, Scott Bader Ireland was established as its own legal corporation in Ireland during 2021. The investment will ensure Scott Bader Ireland continues to serve their loyal, longstanding customers throughout Northern and Southern Ireland.

Originally established in 1984, Scott Bader has long been committed to the Irish composites market. They are the only global composites manufacturer to have invested in a presence in Ireland. From their office in Dunboyne, Co Meath, the Irish team offer Scott Bader's high-performance range of Crystic resins and gelcoats, alongside their leading GRP roofing system CrysticROOF and Crestabond MMA primerless structural adhesives.

Anthony Dunne, Business Director for Scott Bader Ireland, said: "Incorporating our Irish business is a significant moment for Scott Bader Ireland and another example of our commitment to our

A trailblazer from the start, Scott Bader was one of the first organisations in the UK to be employee-owned and one of the founding partners of the UK's Employee Ownership Association (EOA). Deklyn Barnes believes this heritage plays a major part in the Wollaston company's long-term success and future strength of position.

"From the moment you walk through the converted grade two listed building in Wollaston, it strikes you that here's a company that has been doing the right thing for a very long time." He continues: "We became a top 10 global adhesive manufacturer in 2021, not only because of our leading adhesives but because of the company's ethos. From its forward-thinking structure early on, to the fact that the broader sustainability agenda has always been part of our make-up, Scott Bader's success has been built on its investment in humanity, business and ecology."

Scott Bader's unique structure also includes an established charity, which supports many local initiatives in the Northamptonshire area. This year alone the grant scheme has already invested £37,500 into 10 local groups including Action for Children, Autism East Midlands, Busy Bee Pre-School and Northamptonshire Domestic Abuse Service.

Coupled with recent investment in a third North American site, Scott Bader's global coverage now totals seven manufacturing plants and 16 offices worldwide. On the back of these developments, the company is currently recruiting for some 70 plus roles, globally. With opportunities across manufacturing, HR, R&D, sales, marketing, operations, IT and applications.



For further information visit scottbader.com

great Irish customers. We look forward to working with them for many years to come."

Alongside the incorporation of their Irish office, Scott Bader has recently announced the establishment of a new \$16M manufacturing site in North Carolina and a new sales office in Italy.



SAVE THE DATE

FEICA European Adhesive & Sealant Conference and EXPO 2022

14-16 September 2022
Grand Elysée Hamburg



First UK REACH Deadline criteria

The first UK REACH deadline of the 27th October 2023 is for substances over 1000 tonnes per annum and those that are;

- Carcinogenic, mutagenic or toxic for reproduction (CMRs) - 1 tonne or more per year
- Very toxic to aquatic organisms (acute or chronic) - 100 tonnes or more per year
- Candidate list substances (as at 31 December 2020)



How can I determine if my substances meet that criteria?

Substances that are Carcinogenic, mutagenic or toxic for reproduction (CMRs) Cat 1 or Cat 2 will have the following classifications and hazard statements;

- Category 1A: Known human carcinogen (H340), mutagen (H350) or reproductive toxicant (H360) based on human evidence.
- Category 1B: Presumed human carcinogen (H340), mutagen (H350) or reproductive toxicant (H360) based on animal studies.
- Category 2: Suspected carcinogen (H341), mutagen (H351) or reproductive toxicant (H361) based on limited evidence from animal studies or/and human.

Substances that are very toxic to aquatic organisms - Chronic 1, Acute 1, so the hazard statements to look out for are;

- H400 – Very toxic to aquatic life
- H410 – Very toxic to aquatic life with long lasting effects.

Candidate list substances (as at 31 December 2020) – the European Candidate list of substances of very high concern for Authorisation (last updated July 2021) can be found here: echa.europa.eu/candidate-list-table

Or you could use the list of substances in Annex XIV of UK REACH ("[Authorisation List](#)") (which is the same as the EU list as at 31st December 2021).

Poison centres update

New validation rule errors. Some members have been experiencing failures with two validation rule failures when it comes to MIMs. It looks like the new quality flags are being triggered where a Non-EU supplier is named & there is no link to a voluntary notification (ie a UFI). It would appear that ECHA have done this to encourage voluntary notification or full composition from non EU suppliers.

It should be noted that this is a quality flag is not a fail & the notification can still be made but the authorities could query the flag in the future.

The validation rules:

QLT624 - If the MiM does not have UFI and is instead identified with providing the available component(s) of the composition, then the legal entity in the 'Suppliers' record should be different than the Submitting Legal entity (Submitting legal entity is reported in 'Mixture identity and legal submitter' record in the field 'Legal entity owner'.)

This rule stops EU LE hiding their full mixture or cover up them not knowing the breakdown.

QLT869 - If the MiM does not have UFI and is instead identified with providing the available component(s) of the composition, then the legal entity in the 'Suppliers' record should be from EU country. Please note that the responsibility for mixtures imported into the EU remains on the importer.*

If you are importing into Europe then you have an EU LE which is responsible for that mixture. It appears that ECHA are trying to prevent you from being able to push the liability up the supply chain to a UK Entity where the EU no longer have jurisdiction & also draw attention to the requirement for an EU SDS naming the EU supplier. Potentially, it also encourages Non-EU suppliers to perform more voluntary notifications.

The solutions? – do a voluntary notification or insist your suppliers do a voluntary notification – then a UFI can be used. Or submit with the quality rule failure and hope for the best!



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Understanding How the Secondary Legislation that Will Follow the **Building Safety Bill** Will Work



The UK Government has notified the Committee on Technical Barriers to Trade at the World Trade Organisation (WTO) of their intention to bring into force the Construction Products Regulations 2022. The document correspondence provides a useful update of the intent and focus of changes to the regulatory environment for construction products. The draft Construction Products Regulations 2022 is the largest set of regulations, running to 55 pages and provides the detail to accompany Schedule 9 of the Building Safety Bill. With minor exemptions these apply to the whole of the UK, unlike other regulations which mostly apply to England only.

A copy of the draft is available the CPR Task Group in the members area of the BASA website:

<https://www.basa.uk.com/WorkingGroups/ArticleDetails?articleId=1520>

It is interesting to note that the Construction Products Regulations 2022 will not replace the existing GB Construction Products Regulations which are EU 305/2011 as amended by SI 465 Construction Products (Amendment etc.) (EU Exit) Regulations 2019 and SI 1359 Construction Products (Amendment etc.) (EU Exit) Regulations 2020 in respect of Great Britain, so it is a little confusing!



As a bit of background, the Building Safety Bill will enable the Secretary of State to strengthen regulations for the marketing and supply of construction products in the United Kingdom. The Government intends to use this power to identify and make regulations for 'safety critical' products (where the failure of such products would risk causing serious injury or death).

Amongst other requirements, Government will require manufacturers to supply clear and accurate performance information when placing such products on the market. This will enable designers and installers to make good, informed choices about the products they use, to better enable them to design combinations of products that will meet the requirements set out in building regulations. BASA's safety critical construction product manufacturing members are going to need to meet the new challenges that these changes will make.

The intention is to make sure all construction products made available on the UK market fall under a regulatory regime. The Bill will create powers to make regulations to:

- require construction products to be safe before they can be placed on the UK market
- create a statutory list of 'safety critical' construction product standards

It is intended safety critical construction products will be identified with the assistance of industry and others as the Secretary of State considers appropriate, so we will be working with the Construction Products Association (where BASA is a member) this year to help Members understand the new regime. Amongst other requirements, manufacturers will be required to complete a declaration of performance for all safety critical products to be placed on the market, put in place factory production controls and follow the specified system of assessment and verification of constancy of performance (AVCP) to ensure that the claimed performance is consistently met.

This will bring the regulation of these products in line with arrangements for products covered by the existing regulatory framework.

The existing regulatory framework for construction products, which derives from EU law, will remain in place for Great Britain (European Law will continue to apply in Northern Ireland as per the Northern Ireland Protocol). The Bill will create powers to enable the Secretary of State to extend or amend this regime, to ensure that it remains fit for purpose and continues to meet the needs of the GB market.

The regulation of safety critical products and the requirement for construction products to be safe will extend to Northern Ireland. One of these amendments to the existing legislation is likely to be to set a date in law to cease recognition of CE marking from 1st January 2023, and we also understand that AVCP3 issues will also be addressed, covering the use of historical test reports under AVCP3 and test capacity and capability deficiencies.

An important aspect is defining what a 'safe product' is. A construction product is a 'safe product' if, under normal or reasonably foreseeable conditions of use, the product does not present any risk to the health or safety of persons, or, if it does, the risk is as low as it can be compatibly, with using the product at all. "Use" includes storage, transportation or packaging and "reasonably foreseeable conditions" include reasonably foreseeable circumstances in which the construction product might come under stress (for example, a fire).



We are still studying the proposals and also seeking clarification on the use of No Performance Determined which is likely to be removed for safety critical products, but also to understand what will happen to safety critical products that are already under the scope of CE marking (and therefore already under UKCA marking).

Please keep an eye on the CPR task group to stay up to date. If you don't have your own access to the members area, please sign up today – this is a free member benefit and there are no limits to the number of subscribers each BASA Member Company can have.

SAVE THE DATE

UK REACH webinar - 11th January 2022

BCF are hosting a webinar (13.30-15.00) on the topic of UK REACH, and they would like to open attendance up to all BASA members. In light of the announcement before Christmas that DEFRA and Government would look again at alternative REACH models, BCF have invited both DEFRA and HSE to discuss the alternative models and extensions to the existing deadlines and how to deal with new registrations for existing substances (NRES).

Controlled Drugs Regulatory Changes Awareness Online Clinic - 12th January 2022

Free of Charge for All CBA / BCF / BASA / ACA Members The scheduling of the following two substances under the Misuse of Drugs Regulations 2001 will change so that industrial users will need a licence for gamma Butyrolactone (GBL) and 1,4-Butanediol (1,4 BD / BDO). These substances will be placed in schedule 1.

UK REACH Registration – Data essentials - 26 & 27 January 2022

This workshop will demystify the information requirements for UK REACH registrations and the associated jargon, providing you with a better understanding of what's essential to your registration, helping you ensure you don't end up paying for data you don't need.

BASA AGM & Industry Lunch - Wednesday 30th March 2022

The AGM & Industry Lunch returns in 2022 at Brunel's SS Great Britain, Bristol. Bookings will open on the BASA website shortly.

NEW Managing Safety Data Sheets - 29 & 30 March 2022

Everyone supplying mixtures in the UK and EU 27 - from importers to formulators - needs to understand the Safety Data Sheet and how REACH affects it (EU/UK).

REACH: Current Landscape and Emerging Issues conference - 7th April 2022

REACHReady's popular annual conference, held jointly with the CIA. The "must attend" event for anyone within regulatory affairs and/or product stewardship working in the chemical and downstream sectors.

The Offsite Show - ExCeL London - 3-5 May 2022

The Offsite Show is the UK's most innovative show and will take place at London's ExCeL on 3-5 May 2022. The event, in partnership with Buildoffsite, welcomes over 4,000 high quality visitors with a vested interest in using offsite solutions and techniques for future business strategies, as well as associated products and services.

CHEMUK2022 - 11th & 12th May 2022, NEC Birmingham

The show will present 300+ specialist supply chain exhibitors and 100+ expert speakers providing a unique networking opportunity for the UK's chemical & pharma industries. Registration opens soon.

SURFEX Exhibition 2022 - 7-8 June 2022, Ricoh Arena Coventry

FREE TO ATTEND - Surfex is organised by OCCA in recognition of the importance of keeping up to date with all aspects relating to innovation, development, manufacture and supply of coatings, inks, adhesives and an array of allied and associated industries.

BASA Sports Day - June 30th 2022

WE ARE BACK After a two year gap due to Covid - we are booked to return to the West Midland Shooting Ground and Hawkstone Park for our 2022 BASA Sports Day.

BASA Dinner Dance - 3rd December 2022, Galveston Manor Stratford-upon-Avon

We are delighted to confirm that the BASA Christmas Dinner Dance event that had to be cancelled in 2020 and 2021 will return to BASA's schedule this year and we are sticking with the last selected venue Galveston Manor in the glorious Stratford-upon-Avon.



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