

Mayer Brown launches a new mediation service on REACH

Mayer Brown Brussels is launching a new mediation service involving multi-disciplinary experts to assist companies resolve their disputes and disagreements over the substance information exchange fora (SIEFs) and Consortia under the EU Regulation on the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH).

Less than 10 months before the 1st December 2010 REACH registration deadline, many difficulties remain related to the formation and operation of SIEFs, Consortia and other forms of agreements selected to achieve joint submission of data by all potential registrants. This is due to many factors, including the number of pre-registrants, the lack of SIEF formation facilitator and/or lead registrant that are trusted, conflicts or lack of trust between existing consortium members and other SIEF members, confidentiality issues that prevent the parties to proceed, etc.

Mayer Brown has decided to set up a specific mediation service whereby Mayer Brown experts can act as third party to facilitate negotiations between the parties in dispute, in view of reaching a mutually agreed amicable solution. Our REACH mediation team combines the specific skills of our REACH legal and scientific experts with support of the firm's accredited mediators.

Essentially, once the parties agree to retain our services, they will be asked to send us a statement of the facts as they see them and their position. We would then invite the parties/sides to a one day meeting where

we would hear the parties and facilitate a discussion between them to seek to resolve the difficulties and reach an agreement. If the parties cannot reach an agreement and if they ask us to do so, we could also provide the parties with our recommendation for a possible fair solution. This recommendation would not be binding. It would be for the parties to enforce the agreement they reached and/or to decide whether to follow and enforce our recommendation.

Our REACH mediation team is essentially made of:

- Jean-Philippe Montfort, attorney, legal expert on REACH
- Giovanni Indirli, attorney, legal expert on REACH
- Andrew Fasey, one of the “authors” of REACH, now a well known REACH consultant
- Daniela Georgieva, a PhD scientist, who also worked in the Commission REACH unit

More Information

Interested companies can contact us at REACHMediation@mayerbrown.com. They will receive the relevant information, including a Question & Answer document and the mediation rules that we shall apply.

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