

#### The latest from ECHA

- **Market checks show significant violations of the threshold limit values for restricted chemicals – ECHA considers that it is the companies' duty to take action**
  - **Additional product controls announced for enforcing the REACH Regulation**
  - **New SVHCs (Substances of Very High Concern)**
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#### Almost 20 percent of products tested exceed chemical threshold limit values.

ECHA's press release of 13 February 2018 presents the results of the last [project report](#) of the "Enforcement" forum (REF-4). It says that 18 percent of the products checked since March 2016 contain impermissibly high quantities of chemicals that are subject to a statutory restriction. Inspectors in 27 European countries had checked 5,625 substances, mixtures and articles from all product areas at producers, importers, distributors and downstream users for 22 chemicals (Annex XVII) that are subject to limits under REACH.

#### The most frequent violations

The most frequent violations were

- Phthalates in toys
- Cadmium in hard solder and jewellery
- Asbestos fibres in products
- Chromium VI in leather articles

Almost 40 percent of the violations were found in products with **unidentifiable origin**, followed by products **imported from China**.

ECHA announces that in view of these results it will continue to enforce the REACH restrictions by analysing products on the market. Since many of the violations of the law can be proved only in a lab, **ECHA calls on the market actors to fulfil their control function comprehensively**.

Beyond this, on 20 February 2018 ECHA informed that during 2018 the control inspections conducted in the context of the enforcement project REF-6 will check more intensively **whether classification and labelling of mixtures are in line with the information in the corresponding safety data sheet**. This control activity can also be extended to additional modules such as labelling and packaging regulations.

#### What must be done?

ECHA urges all producers, distributors, importers and downstream users, both large and small,

- to check that the delivery chain is traceable in its entirety;
- to proactively test all purchased products and substances;
- to conclude contractual regulations for complying with the REACH requirements in the delivery chain and to fix regress performance, as applicable;
- to ensure regular access to the RAPEX system;
- to provide internal systems and processes for a quick response in cases of non-compliance.

## Become active!

In addition to the applicable legal requirements, this catalogue of measures and the announcement of further checks throughout the EU are reason enough for a company to check out its own data situation and processes once again.

- Check that your documents and packaging are up to date.
- Verify your data situation by lab tests of random samples.
- Find and close the gaps in your contracts and internal processes.

**Your product too might fall into the sample tested during the next control within the delivery chain.**

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## Last but not least: new SVHCs on the candidate list

Seven additional candidates have been added to the SVHC list since 15 January 2018:

- **Benz[a]anthracene:** component or contaminant of other substances
- **Cadmium carbonate:** pH regulator, in drinking water treatment products, laboratory chemicals, cosmetics and body care products
- **Cadmium hydroxide:** for producing electrical, electronic and optical equipment as well as in laboratory chemicals
- **Cadmium nitrate:** for producing glass, ceramic and porcelain products as well as in laboratory chemicals
- **Chrysene:** component or contaminant of other substances
- **Dodecachloropentacyclo[12.2.1.1<sup>6,9</sup>.0<sup>2,13</sup>.0<sup>5,10</sup>]octadeca-7,15-diene ("Dechlorane Plus"):** flame retardant in adhesives and sealants as well as in binding agents
- **Reaction product of 1,3,4-thiadiazolidine-2,5-dithione, formaldehyde and 4-heptylphenol, branched and linear (RP-HP):** for fats, greases and lubricating oils

Review your documentation to find out whether any of the foregoing substances are contained in your mixtures and articles.

### **If any are detectable, then you must become active without delay!**

- ! Ask your suppliers for current information about SVHCs contained.
- ! Review your data sheets to find out whether any of them need to be updated and pass these on to your customers without being asked to. Remember to include the area of work safety!
- ! Take steps to inform your customers of SVHC contents in articles for which the amount lies above the threshold limit value of 0.1 mass percent established in the REACH regulation.

## Trust, but verify...

... ECHA shows you how to do it. You and your company should play it safe by complying with the statutory requirements for dealing with chemicals before the control authorities start telling you to do so. If you and your company are not able to cover everything internally, we would be glad to assist you to the extent that you request.

**Any questions?**

**We are at your side with advice and assistance**

**REACHECK Solutions GmbH**

Frohsinnstrasse 28

63739 Aschaffenburg

Tel.: +49 (0)6021 15860

Fax: +49 (0)6021 1586-77

E-Mail: [info@reacheck.eu](mailto:info@reacheck.eu)