

Substance in article

Taipei-Office contact Belgian Authorities

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2 Definition of an article in Reach

Reach article 3(3): “An article is an object which during production is given a special shape, surface or design which determines its function to a larger degree than does its chemical composition”

Belgian point of view: once an article always an article
(this opinion is shared by AT, DE, DK, FR, SE, NO)



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Obligation under Reach regarding articles containing SVHC

Reach article 7(2): notification

Reach article 33: communication

ECHA website :

SiA : http://echa.europa.eu/reach/sia_en.asp

Obligations for SVHC :

http://echa.europa.eu/chem_data/authorisation_process/candidate_list_obligations_en.asp

Candidate List (with date of inclusion) :

http://echa.europa.eu/chem_data/authorisation_process/candidate_list_table_en.asp



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[Registration] / notification : Substances in articles (art. 7)

- *[(full) registration for any substance :*
 - *> 1 tpa per manufacturer / importer*
 - *intended to be released under normal or reasonably foreseen conditions of use]*
- notification if substance is **SVHC** :
 - *> 1 tpa per manufacturer / importer*
 - *> 0,1% w/w*



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Notification : Substances in articles (art. 7.2) (1)

From **1 June 2011** notification :

- For substances included in the Candidate List before 1 December 2010, the notifications have to be submitted not later than 1 June 2011.
- For substances included in the Candidate List on or after 1 December 2010, the notifications have to be submitted no later than 6 months after the inclusion.



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Notification : Substances in articles (art. 7.2) (2)

A notification is not required when

- the producer or importer of an article can exclude exposure of humans and the environment during the use and disposal of the article. In such cases, the producer or importer shall however supply appropriate instructions to the recipient of the article (art. 7.3).
- the substance has already been registered for that use (art. 7.6).



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Duty to communicate on substances in articles (art. 33)

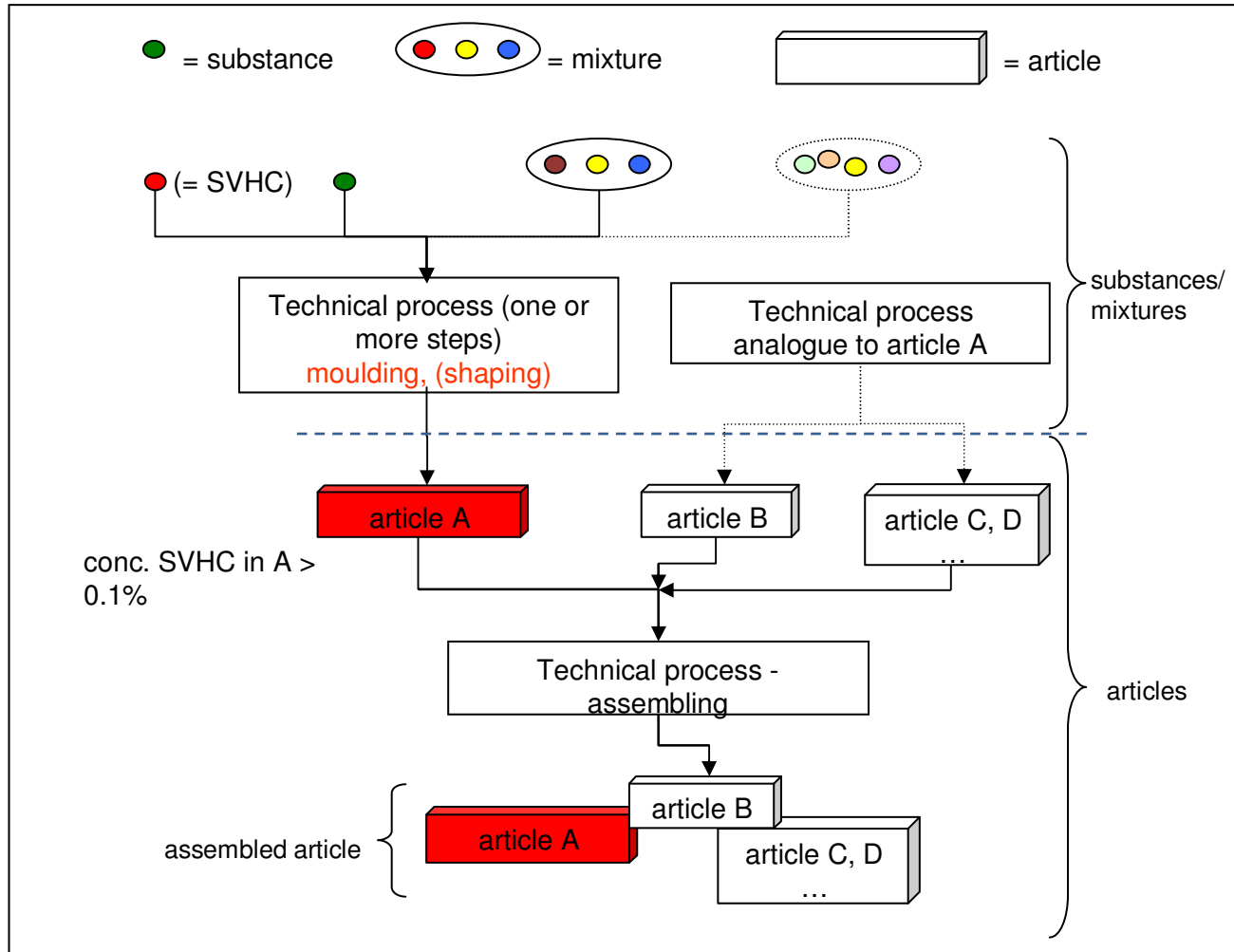
SVHC 0,1% in article (no tonnage limit !, in contrary with [registration] / notification)

- Recipient : minimum the name of SVHC to allow safe use of article
- Consumer : on request, to provide within 45 days of receipt of the request, minimum the name of the SVHC to allow safe use of article



How to identify an article affected by Article 7(2) and 33?

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9 How to calculate the 0.1% threshold?

The 0.1 % trigger limit must be calculated as the average concentration of **any** object that has a shape, surface or design which entails compliance with the definition of an article in REACH (art. 3(3)).

