



Item OS 2.2.1: REF-10 project on: Integrated chemical control of products

Open Session

9 November 2023

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WG Chair



Introduction – Disclaimer on results presented

- REF-10 project operational phase (inspections) in 2022
- Reporting of results until 31 March 2023
- Data validation 30 April 2023
- Draft project report 27 October
- Consultation within Forum ending 10 November
- **CURRENT RESULTS AND CONCLUSIONS ARE PROVISIONAL**

Overall

- 2407 products checked in 26 MS
- 2393 for restrictions
- 589 checks in total for CL
- Report Annex 2 – all substances checked

Restrictions

	Number of products checked	Number of non-compliant products	% non-compliance
Articles	1970	395	20%
Mixtures	423	40	9%
TOTAL	2393	434	18%

Candidate list

Analysis of Article 33(1) duty (CL substance checks)	Number of articles	% of articles
Articles that were checked for CL substance	589	30% (589/1970)
Articles with CL substance > 0.1% w/w	49	8.3% (49/589)
Article 33(1) applicable (notification obligation identified)	10	1.7% (10/589)
		20% (10/49)
Articles with non-compliance to article 33(1)	3	30% (3/10)

Legislation

Legislation	Number of products checked	Number of non-compliant products	% non-compliance
REACH restrictions	2038	259	13%
RoHS directive	329	164	49%
POP regulation	645	61	9%
Toys directive	218	21	10%

Product types

Product type	Number of <u>products checked</u>	Number of non-compliant products	% non-compliance
Electrical products (EEE)	329	170	52%
Toys (including EEE toys)¹	471	106	23%
Sports	82	15	18%
Fashion	895	136	15%
Mixtures	423	37	9%
Other articles	174	9	5%
Building and interior articles	98	3	3%

Material articles

Material	Number of products checked	Number of non-compliant products	% non-compliance	Substances found - one product can have more than one substance
Metal	588	141	24%	Lead, cadmium and nickel in jewellery and electrical products (mostly solders)
Soft plastic	371	75	20 %	Mostly Phthalates and SCCP In some cases cadmium, lead, PAH (rubber), TCEP, TCCP and TCDP
Other	48	5	10%	Boron in slime
Hard plastic	64	7	11%	Few cases of lead, cadmium One each of HBCDD, SCCP, PBDE
Textile	213	7	3%	PFOA
Leather	3	189	2%	Chromium VI
Foamed material	10	0	0%	
Wood	15	0	0%	
Paper	25	0	0%	

Company role

Role	Number of products checked	Number of non-compliant products	% non-compliance
Distributor	1193	155	13%
Importer to EEA	446	117	26%
Marketplace	271	61	23%
Manufacture	246	22	9%
Not known	59	39	66%

Origin of products

Origin	Number of products checked	Number of non-compliant products	% non-compliance
Not known	523	116	22%
Outside the EEA	1289	273	21%
Within EEA	587	45	8 %

Countries outside the EEA	Number of products checked
China	985
Unknown	951
India	62
UK	33
Turkey	30
Bangladesh	23
USA	16
Singapore	13
Vietnam	13

POP

Substances	No checked	No Non-compliance	% non-compliance
SCCP	463	52	11
PFOA	131	7	5
HBCDD	85	1	1

REACH restrictions

Substances	No checked	No Non-compliance	% non-compliance
Entry 59 Dichloromethane	40	19	48%
Entry 23: Cadmium - 23.10 Jewellery	459	55	12%
Entry 63 Lead in 63.1 Jewellery articles	415	45	11%
Entry 27: Nickel in jewellery	320	27	8%
Entry 48: Toluene	181	14	8%
Entry 50: PAH	219	15	7%
Entry 32: Chloroform	126	5	4%
Entry 38: 1,1-Dichloroethene	34	1	3%
Entry 23: Cadmium - 23.1 Plastic material	208	7	3%
Entry 47. 5: Chromium VI - Leather	187	3	2%
Entry 63 Lead in 63.7 Consumer Articles	123	1	1%

Phtalates – REACH entry 51

Substances	No checked	No Non-compliance	% non-compliance
DEHP - Toys	330	46	14%
DEHP - Children articles	17	2	12%
DEHP - Other plastic article	207	21	10%
DBP - Toys	325	20	6%
DIBP - Other plastic article	205	11	5%
DBP - Other plastic article	210	7	3%
DIBP - Toys	312	5	2%
BBP- Other plastic article	204	2	1%
DINP- Toys* Entry 52	279	4	1%

REACH restriction entry 72 CMR textiles

Substances	No checked	No Non-compliance	% Non-compliance
Cadmium and its compounds	262	19	7%
Lead and its compounds	281	21	7%
Benzo[e]pyrene	52	2	4%
Benz[a]anthracene	57	1	1%

CL substances

Substances	Number
MCCP	15
7439-92-1 (lead)	15
Diisobutyl phthalate (<u>DIBP</u>)CAS No. 84-69-5	6
Dibutyl phthalate (DBP)CAS No. 84-74-2	6
Bis (2-ethylhexyl)phthalate (DEHP)CAS No. 117-81-7	6
Benzyl butyl phthalate (BBP)CAS No. 85-68-7	6
SCCP	6
Dipentyl phthalate (DPP) CAS No. 131-18-0	5

RoHS

Substances	No checked	No Non-compliance	% non-compliance
Lead	325	169	52%
DEHP	265	42	16%
Cadmium	278	34	12%
DBP	263	27	10%
PBDE	110	2	2%
DIBP	260	5	2%
Mercury	124	1	1%
Cr VI	106	1	1%
PBB	104	1	1%

Toys

Substances	No checked	No Non-compliance	% non-compliance	Substances
Nitrosamines....	13	2	15%	5336-53-8 1
				643014-99-7 1
CMR	28	3	11%	1117-81-7 3
Migration EN 71:3	145	10	7%	Nickel 3
				Al 1
				Boron 4
				Cr VI 1
				Lead 1
				Org tin 1
				Ba 1
				Zinc 1
				Cr III 1
				1117-81-7 3
Thiazolines	11	1	9%	
TCP	54	4	7%	
BPA	45	1	2%	

Conclusions

- There are many restricted substances in many material and products to keep track on.
- Most non compliant material is metal with lead in solders, cadmium in jewellery and soft plastic material with phthalates and SCCP
- Risk based approach; product type ⇒ applicable legislation ⇒ material ⇒ substance

Recommendations - dutyholders

- Risk based approach; product type ⇒ applicable legislation
⇒ material ⇒ substance
- Improve proactive work. Can include analytical testing, investigating relevant documents (DoC, test reports etc.).
- Cooperate with reliable suppliers and follow up Safety Gate.
- Special attention imported products (outside EEA).
- Importers might work with getting proof of compliance

Timeplan

- Report published in December
- Workshop with stakeholders in spring 2024

Thank you

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