



LIFE AskREACH, a project funded by the European LIFE programme, aims to simplify the communication of SVHC information in articles (check out www.askreach.eu).

Scan4Chem (Kemikalieappen, Pytaj o chemię, Tjek Kemien) is the smartphone app that was developed in **AskREACH**. Consumers can send SVHC requests through this app or – if article information is already stored in the database – receive the desired information directly.



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The Project LIFE AskREACH
(No. LIFE16 GIE/DE/000738) is
funded by the LIFE Programme
of the European Union

LUXEMBOURG
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LIFE ASKREACH: SUBSTANCES IN ARTICLES ARE OF RETAILERS CONCERN

Whether you represent a large industry or a small retailer shop, chemical substances being present in the articles you sell concern your business. Sometimes harmful substances are intentionally added to the article to obtain certain properties.

Articles for consumer use commonly are **solid objects serving a wide range of purposes**.

Growing awareness on the negative effects of chemicals and the REACH requirement to phase out SVHCs in the long run have triggered the industry to invest into research on safer alternatives to replace the harmful substances in articles. But it is impossible to remove all such substances from our everyday life at once. Thus, articles containing SVHCs can still appear at the shelves of retailers.

CHEMICALS ADDED

The consumer desire:

To have articles certain properties, e.g., less flammable, non-sticky surface, water repellent textile, etc.

The consumer concern:

Harmful substances can be released from articles during their life-time and thus increase human exposure and leak to the environment.

The consumer protection request:

Consumers should be protected against harmful substances, especially those which are carcinogenic, mutagenic, or toxic for reproduction, are endocrine disrupting or are of high concern to the environment (e.g., very persistent, very bio accumulative).

Informing customers on the chemical content of an article and its safe use is a legal obligation and good communication practice for retailers!

CHEMICALS REGULATED

The European Union has a lot of legal acts regulating product safety and chemicals used in articles.

The central piece of legislation on chemicals is the European chemicals regulation (Registration, Evaluation, Authorization and Restriction of Chemicals, REACH, [Regulation on EU No 1907/2006](#)).

The REACH Regulation is adopted as a legislative umbrella to improve the protection of human health and the environment from the risks that can be posed by chemicals from a large range of industry sectors.

Particular attention is paid to substances of very high concern (SVHCs) that are defined to have one or several specific hazardous properties.

CHEMICALS COMMUNICATED

The duty to communicate information on substances in articles is set by the REACH Regulation:

Article 33(1) **obliges suppliers** of articles to communicate information about SVHCs that may be present in their articles in a concentration above 0.1% (w/w), to allow safe use of the article including, as a minimum, the name of that substance.

Supplier of an article means any producer or importer of an article, distributor or other actor in the supply chain placing an article on the European market.

Article 33(2) states that **on request by a consumer**, any supplier of an article containing an SVHC in a concentration above 0.1% (w/w), shall **provide the consumer with sufficient information**, to allow safe use of the article including, as a minimum, the name of that substance.

The relevant information shall be provided, free of charge, within 45 days of receipt of the request.

As a supplier of articles, you have the duty to communicate information on substances in the articles you sell, even if you have purchased the articles from someone else and are only re-selling them!

Re-directing the consumer to the producer or importer of the article is not sufficient! You are responsible for the articles you sell. Consumers are expecting an answer from the retailer!

CUSTOMER INITIATED COMMUNICATION: THE RETAILER REACTS ON REQUESTS

Sending a reply to customer only when requested, might be very time consuming. When a customer initiates communication by sending a request to retailer via letter, e-mail, or a smartphone app, your duty is to respond and care for the information. If this information on your articles is not in your possession, you need to request for the information from your own suppliers.

No information provided by your supplier

Possible reasons:

- Article does not contain any SVHC (above the threshold)
- Supplier does not have this information
- Supplier is unaware of his duties or does not comply with these duties

Activity by the retailer:

Request explicitly such information for specific articles, proactively seek for an answer

Insufficient information from your supplier

Possible reasons:

- Supplier takes a formal approach, e.g., "the article is REACH compliant"
- Supplier is unaware of his duties or does not comply with these duties

Activity by the retailer:

Ask the follow-up questions and specify the request

Sufficient information from your supplier

Possible reasons:

- Supplier has (i) stated the name of any SVHC substance in the article, (ii) provided sufficient information to allow safe use of the article or (iii) has confirmed that SVHC concentration is below 0.1% w/w

Activity by the retailer:

Use the information to respond to a request from a consumer

If the article (or individual parts of it) contains SVHCs above a concentration of 0.1% w/w, the name of this SVHC has to be communicated to the consumer. If SVHCs are below 0.1% w/w consumers also want to be informed so that they can make their purchase decision on that basis.

RETAILERS INITIATED COMMUNICATION: PRO-ACTIVE APPROACH

Setting contractual agreements with your suppliers

As a retailer you can explicitly include the communication as part of the contract between you and your suppliers. Specific contractual clauses may refer to:

- Obligation to provide information on substances in articles, particularly on SVHC
- Request for an evidence of correctness of information on substances in articles
- Purchase only articles which contain SVHCs below 0.1% w/w.

Benefits for the retailer:

Prepared in-house information to fulfil your legal obligations on communication

Make article information available in AskREACH data base

As a retailer you may encourage your suppliers to submit their information to the AskREACH database:

- For making it readily available to all European Scan4Chem smartphone app users.
- Rapid upload options are available for extensive article portfolios.
- Submissions can be made for all articles, whether they contain SVHCs or not.

(<https://www.askreach.eu/app-database/>)

Benefits for the retailer:

Automatic responses to customers to fulfil your communication obligations