

EU producers required to report Substances of Very High Concern from January 2021 under revised Waste Framework Directive

1. Introduction – Background

The revision of the **Waste Framework Directive** dated 30th May 2018 (amendment [EU/2018/851 to 2008/98/EC](#)) defines reporting obligations for any EU producer to report articles that include **substances of very high concern (SVHC)** through a so called **SCIP data base - Substances of Concern In articles**, as such or in complex objects (Products). The implementation of this reporting obligation will come into effect from **5th January 2021**.

This information requirement is triggered when a supplier / producer places product (articles) on the EU market which contain any substances registered on the **Candidate List of SVHCs**, in a concentration of above **0.1% weight for weight** (according to the REACH-Regulation (EC) No 1907/2006). Information for the database must be provided for the article as such, but also for the complex object if the article as such is integrated into a complex object (product). For the SCIP database, duty holders will need to supply information to identify the article and a description of its characteristics; the name, concentration range, location and material category where the Candidate List substance is present; and any other information to allow for the safe use of the article, notably information to ensure proper management of the article once it becomes waste.

2. Impact on Lift industry

Based on what is specified in the above-mentioned regulations, the relevant information to be reported is defined below. The Lifts industry is impacted by the reporting duties if the specified conditions are met.

As stated in the **Article 33 - Duty to communicate information on substances in articles - of Regulation (EC) No 1907/2006 (note 1)**:

1. *Any supplier of an article containing a substance meeting the criteria in Article 57 and identified in accordance with Article 59(1) in a concentration above **0,1 % weight by weight (w/w)** shall provide the recipient of the article with sufficient information, available to the supplier, to allow safe use of the article including, as a minimum, the name of that substance.*
2. *On request by a consumer any supplier of an article containing a substance meeting the criteria in Article 57 and identified in accordance with Article 59(1) in a concentration above **0,1 % weight by weight (w/w)** shall provide the consumer with sufficient information, available to the supplier, to allow safe use of the article including, as a minimum, the name of that substance.*

As stated in the **Article 9 - Prevention of waste - of EU/2018/851 (note 2)**:

“1. Member States shall take measures to prevent waste generation. Those measures shall, at least:

*(i) promote the reduction of the content of hazardous substances in materials and products, without prejudice to harmonised legal requirements concerning those materials and products laid down at Union level, and **ensure that any supplier of an article** as defined in point 33 of Article 3 of Regulation (EC) No 1907/2006 of the European Parliament and of the Council (*) **provides the information pursuant to Article 33(1) of that Regulation to the European Chemicals Agency as from 5 January 2021;***

*2. The **European Chemicals Agency** shall establish a **database for the data to be submitted** to it pursuant to point (i) of paragraph 1 by 5 January 2020 and maintain it. The European Chemicals Agency shall provide*

access to that database to waste treatment operators. It shall also provide access to that database to consumers upon request.”

As stated in the **Article 3 – Definitions – of Regulation (EC) No 1907/2006 (note 1)**: 3. article: means an object which during production is given a special shape, surface or design which determines its function to a greater degree than does its chemical composition.

Notes

1. <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32006R1907&from=en>
2. https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv:OJ.L_.2018.150.01.0109.01.ENG&toc=OJ:L:2018:150:FULL

In the attached link it is possible to find the list of SVHC
<https://echa.europa.eu/candidate-list-table>

More information on the SCIP database can be found here
<https://echa.europa.eu/scip>

3. Summary

Companies supplying articles containing Candidate List substances and placing them on the EU market have an obligation to submit information on these articles to ECHA. Lifts manufacturers and component manufacturers must identify within the respective supply chain the potential articles which may be affected by the above-mentioned provisions and report to the SCIP database the concerned products accompanied by the requested information.