

## Policy on REACH Regulation (EC) 1907/2006 (The Registration, Evaluation and Authorisation of Chemicals)

It is our policy that all products we sell comply with the requirements of the REACH Regulation.

The REACH Regulation became law on 1st of June 2007 and unlike previous chemical regulations, REACH places additional legal obligations on the manufacturers and importers of chemicals and finished products (including their packaging). It is a supplier's responsibility to clearly understand how REACH affects their business and to provide us with the necessary information in order to prove that the products they supply are compliant. This policy outlines the individual product specific requirements that must be followed.

The REACH legislation affects all product types, but places different requirements for information submission dependant on the product type. More detailed information can be found at: <https://echa.europa.eu/regulations/reach/understanding-reach>

### Domestic and Overseas Suppliers

REACH affects European suppliers differently from those suppliers based outside of Europe. EU (domestic) suppliers are legally responsible for providing us with REACH compliant products. This means passing Safety Data Sheets to enable safe use of preparations and ensuring that the ingredients of all products captured by pre-registration have been pre-registered with the European Chemicals Agency. If a supplier imports chemicals, either as raw materials or in products captured by pre-registration, the importer is legally responsible for all pre-registrations unless the supplier outside of the EU has employed the services of an Only Representative.

Overseas suppliers must again provide us with Safety Data Sheets to enable safe use of preparations and any supplier wishing to supply products that are captured by pre-registration must use the services of an EU based Only Representative to pre-register the chemicals. The contact details of the Only Representative must then be supplied to us.

### What are my Data submission requirements?

All suppliers must complete an SVHC declaration and submit this to us. These completed forms will then be stored as part of our product technical files. The forms must be submitted to our relevant Product Technologist during a product's assessment stage, along with all other standard technical data required. A product will not be allowed to ship or be delivered into our warehouses without these documents. Details of the required documents are given in the next section

### *Failure to provide the necessary information will result in the product being rejected*

Overseas (Direct Import) supplier requirements

1) For products that contain liquids, gases, gels, powders, cream, lotions or fragrances (i.e. those captured by pre-registration obligations), please download and complete the SVHC Declaration.

2) Any chemical captured by the pre-registration criteria and supplied to us in quantities over 1 tonne must be pre-registered using an EU-based Only Representative

3) For finished products that do not release chemicals intentionally, please complete our SVHC Declaration.

European (Domestic) supplier requirements

1) For finished products that do not release chemicals intentionally, please complete our SVHC Declaration.

### Important Change

On September 10, 2015 the Court of Justice of the European Union ruled on a nearly decade old disagreement between five Member States (Belgium, Denmark, France, Germany, Sweden) and Norway versus the European Commission and the European Chemicals Agency (ECHA) regarding the definition of articles.

At stake was the interpretation of the REACH regulation (Regulation (EC) No 1907/2006) with regard to whether or not components of a final product are considered articles or if the final product itself is considered an article.

Ultimately, the goal of the regulation is aimed at being able to accurately quantify the amount of hazardous substances in commerce in the EU.

The final ruling that **each component of a final product should be treated as an individual article** more accurately supports the goal of the legislation. With this ruling, obligations for companies that handle articles have increased exponentially.

### Substances of Very High Concern (SVHC)

The original 'candidate list' of 15 SVHC's was published on 28th October 2008 and has since been updated regularly with additional substance, it now contains **205** substances of very high concern.

Under the requirements of Article 33, any consumer can request information on the use of SVHCs in a product, if the use of the chemical is greater than 0.1% by weight of the total product.

Appendix 1 of this document lists the 205 substances currently on the candidate list, giving examples of use. The candidate list can be found at:

<http://echa.europa.eu/candidate-list-table>

It is therefore our intention to prohibit the use of all of these **205** substances from all products and packaging that we sell, above 0.1% w/w.

### Substances Restricted under REACH

Annex XVII to REACH includes all the restrictions adopted in the framework of REACH and the previous legislation, Directive 76/769/EEC. Each entry shows a substance or a group of substances or a substance in a mixture, and the consequent **restriction** conditions.

The restricted substances (on their own, in a mixture or in an article) are substances for which manufacture, placing on the market or use is limited or banned in the European Union. The restricted list can be found at:

<https://echa.europa.eu/substances-restricted-under-reach>

It is therefore a supplier's responsibility to ensure that any product (or packaging) that they supply to us, or any of our subsidiary companies, does not contain any of these listed chemicals. Suppliers must design and develop their products using alternative chemicals as necessary.

### Information Requirements (MSDS)

**Transition 4 – 1<sup>st</sup> June 2017:** The MSDS for mixtures 'on the self' must be re-issued with one in accordance with the second revision of Annex II (unless an update in accordance with Article 31(9) of REACH had previously been required)

For further information:

<https://echa.europa.eu/safety-data-sheets-and-exposure-scenarios-guide>

### Market Surveillance Testing Programme

To ensure that the products we sell are safe and continue to comply with all requirements of the REACH Legislation, we will carry out a program of surveillance testing to validate declarations of conformity submitted by suppliers. Products will be selected at our discretion and tested.

Action will be taken against any supplier if SVHC's are detected within their products, yet not stated upon the declaration of conformity. All incurred costs associated with product testing and product withdrawals will be charged back to the supplier in these cases.