

ARGE Recommendation REACH – lead (Pb)

Brief intro to notification to ECHA (REACH Regulation, Article 7)

About this document

This document is a supplement to the **ARGE Recommendation concerning the heavy metal lead (Pb) being on REACH's Candidate List of Substances of Very High Concern (SVHC)** – document name '*ARGE Recommendation REACH - lead (Pb) - v_1*' (or later version), referred to hereafter as 'main document'.

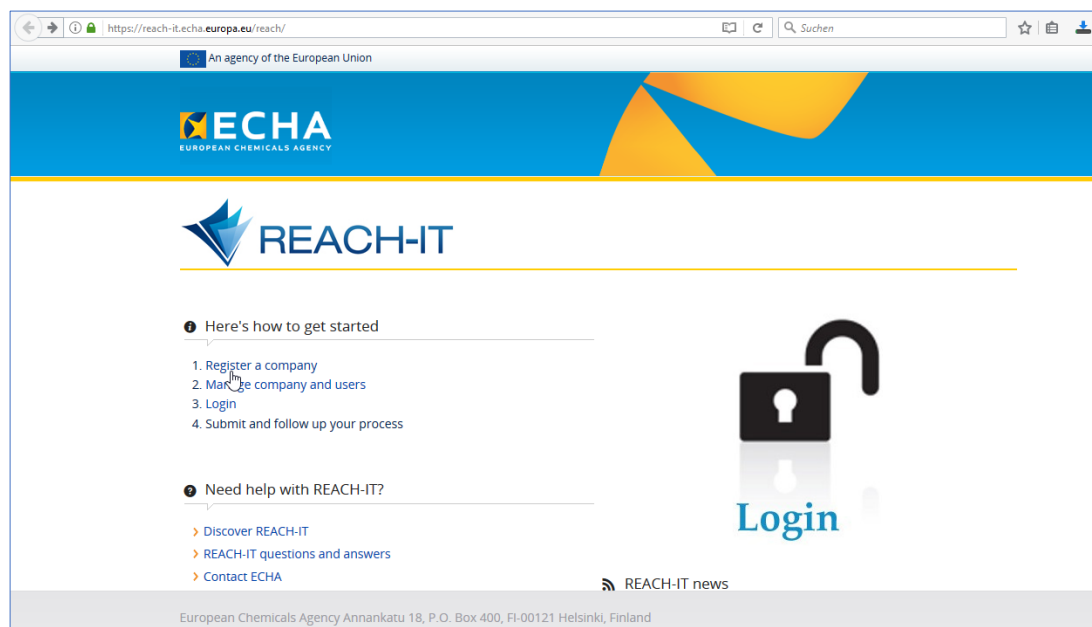
A. Conditions for the obligation to make a notification to ECHA

- Under which conditions a notification to ECHA is required is outlined in the main document under 5.2.2.
- In summary it can be said that **a producer of building hardware is required to notify ECHA in case if**
 - the **import** of raw materials, as coils, profiles, etc, as well as of components, semi-finished and finished products **into the European Economic Area (EEA)** in total **exceeds the weight of lead** in those articles of **one tonne per year**;
 - whereby only such raw materials, components, semi-finished and finished products are taken into account where lead is contained above a concentration of 0,1 % weight by weight (w/w) in the alloy;
 - all raw materials, components semi-finished and finished products which have been supplied from inside the EEA are not considered in the calculation (see main document).
- **The limit of one tonne per year is applicable on legal entities.** This means that quantities of affiliated companies (sister companies, subsidiaries) are not added together.
- The term 'one year' refers to a calendar year. As lead was added to the *Candidate List of SVHC* on 27th June 2018, for the year 2018 only the period from this date until 31st December has to be considered.
- The question whether it is the import of such raw materials, components semi-finished and finished products which has to be considered – or the subsequent selling of the products, is

clearly answered by the *REACH Regulation* Article 3(12): *Import shall be deemed to be placing on the market.* Hence, it is the import and not the selling which is relevant.

B. REACH-IT

- **Notification to ECHA has to be made electronically via REACH-IT.**
- The notification can be made either in REACH-IT online or by preparing an IUCLID dossier first and subsequently upload it to REACH-IT. (IUCLID is a software to record, store, maintain and exchange data on intrinsic and hazard properties of chemical substances.)
- In case one is not familiar with IUCLID, **it is recommended to submit the notification online in REACH-IT.**
- Unless one has already a REACH-IT account, **the first step is to create such an account.**
- **Start page for REACH-IT:** <https://echa.europa.eu/support/dossier-submission-tools/reach-it>
- **Creating a REACH-IT account:** <https://reach-it.echa.europa.eu/reach/>

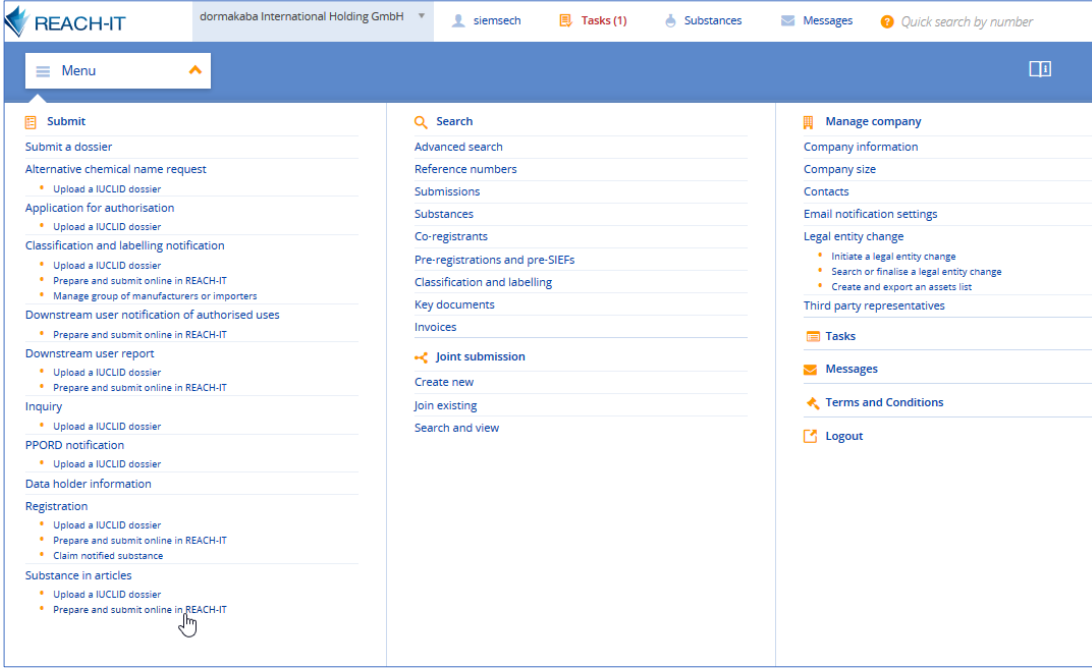


- More detailed information on establishing *ECHA* accounts, on how to administer them, as well as how to make use of the support functionalities can be found in the *ECHA Account Manual*: https://echa.europa.eu/documents/10162/21721613/echa_accounts_en.pdf
- Especially of interest for affiliated companies is the fact that a registered user in REACH-IT can make online notifications for more than one company. For groups of companies this means that

one registered user can make notifications for all affiliated legal entities who are under the notification obligation.

C. Information on notifying substances in articles

- This is the page on ECHA's website on the subject of 'Notifying substances in articles' online on REACH-IT: <https://echa.europa.eu/support/dossier-submission-tools/reach-it/notifying-substances-in-articles>
- The ECHA Video Tutorial: 'How to submit a substance in article notification ... ' provides a helpful guidance for making a notification: https://echa.europa.eu/en/view-video/-/video_display/2cmS/video/13
- Additional info on making a notification can be found in ECHA's 'Manual – How to prepare a substance in Articles notification': https://echa.europa.eu/documents/10162/22308542/manual_subs_in_art_notif_en.pdf/71b39d03-d140-418c-830e-896f281bb9bb
- When a REACH-IT account has been created, and after having logged in at the account one can start the notification process as follows: Click on 'Menu' and go to 'Substance in articles' and 'Prepare and submit online in REACH-IT':



The screenshot shows the REACH-IT web application interface. At the top, the user is logged in as 'siemsech' for 'dormakaba International Holding GmbH'. The main navigation menu is open, displaying various options. Under the 'Substance in articles' section, the option 'Prepare and submit online in REACH-IT' is highlighted with a mouse cursor. Other menu items include 'Submit', 'Search', 'Manage company', 'Tasks', 'Messages', 'Terms and Conditions', and 'Logout'.

- The further steps are according to the menu of the respective notification pages.

- **A main subject** for a producer of building hardware when submitting notification on articles **is to define exactly what an article is**. Based on the definition in the REACH Regulation and seen from a practically perspective, one can say that an article is whatever has its own material number in the ERP system. This means that e.g. two types of round brass bars with different diameters have to be considered as two separate articles. As notification in such detail might be quite extensive and laborious, ARGE recommends having a pragmatic approach towards determining the articles for which the notification is made. **It might be feasible to group certain articles together** whereby a grouping characteristic could be the concentration of lead in the raw materials, components, semi-finished and finished products. E.g., one could define an article as being all type of brass bars which in average contain lead in a concentration of 3.0 % w/w.
- Last but not least, reference is made to the fact that **notifications in REACH-IT can be modified** at any time, whereby the younger version replaces the older version. This means that a company which is under the obligation to notify, might start with a notification based very much on estimated figures and possibly having just one or a few articles under which all relevant products are aggregated (e.g. 'building hardware products and their components'). Such a notification can be updated later by providing more accurate data and by having a more detailed breakdown of the products into articles.

Disclaimer

This document contains recommendations, explaining obligations of the REACH Regulation for the Building Hardware Industry and how to fulfil them. It is offered in good faith and reflects ARGE's knowledge on this subject at the time of its publication. However, users of this document are reminded that the text of the REACH Regulation is the only authentic legal reference and that a binding interpretation of EU legislation is the exclusive competence of the European Court of Justice. Therefore, the information and guidance in this document are in no way legally binding.

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19th December 2018

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