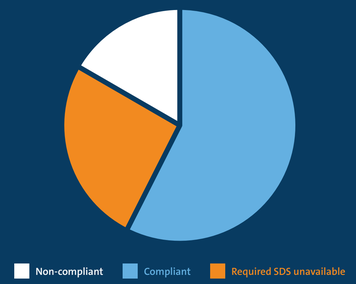
REACH-EN-FORCE (REF)

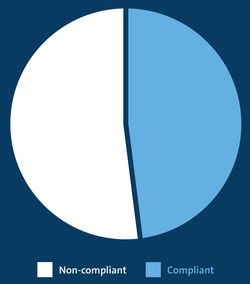
REF-1 Results (2010)

- Inspectors focused on the National language and Mandatory 16 Section requirements only (**limited scope**)
- Results: 1,174 Non-compliant SDSs
  - 7,049 SDSs checked
  - 1,174 (17%) SDSs non-compliant (language and/or format provisions)
  - 1,825 required SDSs unavailable (26% SDSs were not available)



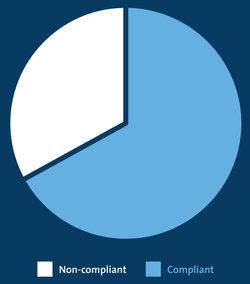
REF-2 Results (2013)

- Inspectors focused on the National language and Mandatory 16 Section requirements
- Results: 52% noncompliant SDSs
  - 4,500 SDSs checked



REF-6 Results (2019)

- Focused on data in Sections 2, 3, 9, 11, 12 and 16
- Results: 33% noncompliant SDSs
  - 3,134 SDSs checked
  - 1,026 SDSs non-compliant



Reference

https://echa.europa.eu/about-us/who-we-are/enforcement-forum/forum-enforcement-projects

ECHA Enforcement Forum Reports – What it means to you

By: Kelsey Squelch and Alexis Sumner
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For 10 years, the ECHA Forum Working Group has published results on REACH, CLP and PIC compliance. Currently, there are eight reports providing an overview of the progress made in creating appropriate documentation to support the sale of products in the EU, including the creation of compliant EU Safety Data Sheets (SDSs). The first report was issued in 2010; the most recent report was issued in late 2019. Data sources, document structure and nuance differences that exist between the EU and US, all need to be considered as part of the SDS authoring process. This 10-year review will summarize the Working Group's findings, give recommendations to SDS authors and direct them to tools that exist to assist with creating compliant EU SDSs.

Is there data in Section 11 to support the classification? Is an explanation provided when data is lacking? Was a product classification assigned based on a calculation?

Are the appropriate substances listed in Section 3, based on disclosure requirements for the substance classification/data?

#1 Is there a harmonized published classification for any of the components in the product?

2. Hazard(s) identification

2.1. Classification of the substances or mixture
Regulation (EC) No 1272/2008

Acute toxicity – Oral	Category 3 – (H301)
Acute toxicity – Inhalation (Dusts/Mists)	Category 4 – (H332)
Skin sensitization	Category 1 – (H317)
Carcinogenocity	Category 1B – (H350)
Chronic aquatic toxicity	Category 3 – (H412)
Flammable liquids	Category 3 – (H226)

Is there data in Section 12 to support the classification? Is an explanation provided when data is lacking? Are components in the product a PBT or vPvB?

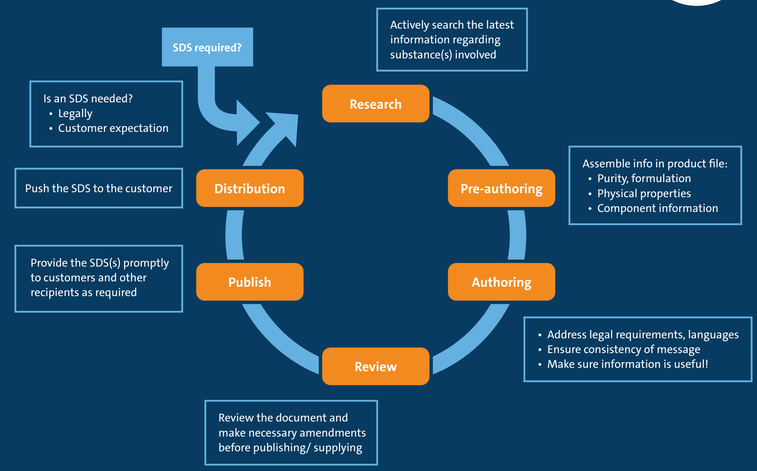
Is there information or data in Section 5, 9, 10 and 14 that supports the classification?

Does the information in Sections 5, 6, 7 and 8 align with RMM and OC from CSRs/eSDSs?
Is the SDS available in the Member State's national language?

Additional Resources

EU regulation requirements for non-EU companies: https://echa.europa.eu/support/getting-started/enquiry-on-reach-and-clp
Guidance on requirements for substances in articles: https://echa.europa.eu/documents/10162/23036412

Preparation and process



Recommendations and Tools

- **Stay up to date with harmonized published classifications, restrictions and authorization lists**
  - 14th ATP published – Harmonised classification for TiO_2
  - Draft of REACH Annex II published Q2 2019 – Sections restructured, nanomaterials, endocrine disruptors
- **Communicate within the supply chain – REACH registration information, Chemical Safety Report, eSDSs, approved uses, vendor SDSs**
- **Ensure consistency within documentation**

ECHA Guidance document