

# Forum for exchange of information on enforcement

## REF-10 project report on:

Integrated chemical compliance of products

December 2023

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Version	Changes
1.0	First edition

## FORUM REF-10 PROJECT REPORT

### Harmonised Enforcement Pilot Project on integrated chemical compliance of products

**Reference:** ECHA-23-R-13-EN

**ISBN:** 978-92-9468-338-0

**Cat. Number:** ED-02-23-275-EN-N

**DOI:** 10.2823/426746

**Publ.date:** 13 December 2023

**Language:** EN

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## European Chemicals Agency

P.O. Box 400, FI-00121 Helsinki, Finland

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## List of abbreviations

Word	Explanation
<b>CL substances</b>	Substances in the Candidate List of substances of very high concern for Authorisation
<b>ECHA</b>	European Chemicals Agency based in Helsinki, Finland
<b>EEA</b>	European Economic Area
<b>EEE</b>	Electrical and Electronic Equipment
<b>EU</b>	European Union
<b>ICSMS</b>	The internet-supported information and communication system for the pan-European market surveillance. An IT platform to facilitate communication between market surveillance bodies in EU and EFTA countries. It shares information on non-compliant products.
<b>MS</b>	Member States belonging to the EEA
<b>MSCA</b>	Member State Competent Authority
<b>NC</b>	National coordinator of the REF project
<b>NEA(s)</b>	National enforcement authority(-ies)
<b>POP</b>	Regulation (EC) No 2019/1021 of the European Parliament and of the Council of 20 June 2019 on persistent organic pollutants (POPs)
<b>REACH</b>	Regulation (EC) No 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH)
<b>REACH Annex XVII</b>	Annex XVII to REACH: restrictions on the manufacture, placing on the market and use of certain dangerous substances, mixtures and articles
<b>REF</b>	EEA wide harmonised enforcement project coordinated by the ECHA Forum for exchange of information on enforcement (the Forum)
<b>RoHS</b>	Directive 2011/65/EU of the European Parliament and of the Council of 8 June 2011 on the restriction of the use of certain hazardous substances in electrical and electronic equipment (RoHS)
<b>Safety Gate / RAPEX</b>	The EU rapid alert system for dangerous non-food products
<b>SCIP</b>	The database designed to contain all information on <b>S</b> ubstances of very high <b>C</b> oncern <b>I</b> n articles as such or in complex objects ( <b>P</b> roducts) at a concentration above 0.1 % w/w established under the Waste Framework Directive (WFD)

<b>SiA</b>	Substances in articles
<b>SVHC</b>	Substance of very high concern
<b>TSD</b>	Directive 2009/48/EC of the European Parliament and of the Council of 18 June 2009 on the safety of toys (Toys Safety Directive)
<b>WFD</b>	Directive 2008/98/EC of the European Parliament and of the Council of 19 November 2008 on waste (Waste Framework Directive)
<b>WG</b>	Working group of the Forum
<b>Drop-shipping</b>	<p>Drop shipping usually refers to an e-commerce store selling products without having its own stock. From here, the consumer orders a product, which the drop-shipping store in turn orders in the consumer's name from the drop-shipping supplier. The product is then sent directly from the drop-shipping supplier to the consumer.</p> <p>A more detailed definition can be found in chapter 1.5.2.2 in <a href="https://www.kemi.se/publikationer/tillsynsrapporter/2023/tillsyn-5-23-enforcement-of-e-commerce-articles-2022">https://www.kemi.se/publikationer/tillsynsrapporter/2023/tillsyn-5-23-enforcement-of-e-commerce-articles-2022</a></p>
<b>Glossary of substances</b>	Substances
<b>MCCP</b>	Medium Chain Chlorinated Paraffins
<b>SCCP</b>	Short Chain Chlorinated Paraffins
<b>DEHP</b>	Bis (2-ethylhexyl)phthalate
<b>DBP</b>	Dibutyl phthalate
<b>BBP</b>	Benzyl butyl phthalate
<b>DIBP</b>	Diisobutyl phthalate
<b>PAH</b>	Polycyclic aromatic hydrocarbons

## 1. Executive summary

The main focus of the REF-10 enforcement project was the integrated control of chemicals in products (substances, mixtures and articles) within different legislation such as the REACH Regulation<sup>1</sup>, POP Regulation<sup>2</sup>, RoHS Directive<sup>3</sup> and Toys Directive<sup>4</sup>.

In this project restrictions are defined as all the legislations (REACH, POP, RoHS and Toys legislations) that have restriction limits for substances. The only part excluded from "restrictions" is the REACH legislation concerning candidate list substances (Article 33).

In total 2407 products were checked, and the overall non-compliance rate was 18%. The non-compliance rate for articles was 20%, and for mixtures it was 9%.

For the communication duty triggered by Article 33(1) of REACH for CL substances, the rate of non-compliance identified was 30%.

The mixtures with the highest non-compliance rate were paint strippers (38%) containing dichloromethane, followed by glues (12%) containing toluene and chloroform.

Within the articles, the product group with the highest non-compliance rate was electrical products (52%). The other article product groups had lower non-compliance rates; toys (23%), fashion (15%), and sport (18%).

The restricted substances within the articles were predominantly found in metals and soft plastic. Lead in soldering points in electrical products and cadmium in jewellery were the restricted substances most often found in metal. In soft plastic phthalates and SCCP were most often found.

Most non-compliances were of the RoHS Directive (49%) and to a lesser extent the REACH Regulation (13%), Toys Directive (10%) and POP Regulation (9%).

In this project, the non-compliance rate was quite similar for both importers and marketplaces, with levels of 26% and 23% respectively. Lower levels of non-compliance were seen for manufacturers (9%) and distributors (13%). This result varies little to the results seen in previous REF projects. When investigating the origin of the products, the highest non-compliance rate lay within the role "unknown" (22%) and the role "outside of EEA" (21%). The non-compliance rate for the role "within EEA" was 8%.

The recommendation for duty holders is to apply a risk-based approach; to start with the applicable legislation for the product type and from there look at the materials and substances that are likely to be found in that/those material(s). In this way only legal products should be placed on the market. Duty holders can also check relevant documentation (such as a declaration of conformity and test reports) and do random chemical analysis on risk materials. Duty holders are also recommended to keep themselves updated with the content in Safety Gate.

The recommendation for ECHA / MSCAs / COM / helpdesks is to give guidance to companies on

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<sup>1</sup> Regulation (EC) No. 1907/2006 of the European Parliament and of the council of 18 December 2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH)

<sup>2</sup> Regulation (EU) No 2019/1021 of the European Parliament and of the Council of 20 June 2019 on persistent organic pollutants (POP)

<sup>3</sup> Directive 2011/65/EU of the European Parliament and of the Council of 8 June 2011 on the restriction of the use of certain hazardous substances in electrical and electronic equipment (RoHS Directive).

<sup>4</sup> Directive 2009/48/EU of the European Parliament and of the Council on the safety of toys (Toys Directive).

how to carry out a material approach and how to find restricted substances. A recommendation is also for the Commission to contact countries outside the EEA concerning the problematic areas observed in this project. The Commission could provide funding for testing expensive restrictions such as for POPs and CMRs in the context of the market surveillance regulation<sup>5</sup>. Last but not least, it is recommended that the Commission considers facilitating enforceability of the Article 33(1) obligations by including a labelling obligation for articles containing more than 0.1% of the CL substance.

National Enforcement Authorities (NEAs) are recommended to continue cooperation across legislations and to follow-up on the key findings of REF-10. To notify in Safety Gate and contact other MS is also recommended.

Further recommendations include having more targeted projects within the Forum and also more targeted trainings on certain restrictions. Online sales could also be included in each Forum project when relevant.

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<sup>5</sup> Regulation (EU) 2019/1020 of the European Parliament and of the Council of 20 June 2019 on market surveillance and compliance of products.

## 2. Introduction

The REF-10 enforcement project was carried out with the main aim of checking compliance with chemical regulations for different types of products placed on the market in Member States<sup>6</sup>.

The main objective of the project was to verify the level of compliance with legislation addressing the risk from chemicals of different sets of products in an integrated manner through the control of substances restricted under the applicable legislations.

The integrated compliance checks on the products included checks of different sets of substances, mixtures and articles, and of different duties as follows:

- enforcement of REACH Annex XVII restrictions applicable to mixtures and articles prioritising recently adopted restrictions;
- enforcement of persistent organic pollutant (POP) restrictions applicable to substances in articles or in mixtures;
- optionally including in the extended scope of the project the enforcement of restrictions derived from the Toys and RoHS Directives;
- checks of products for compliance with the communication duties of Article 33 of REACH for substances of very high concern (SVHC) listed in the candidate list (CL substances).

In detail, the different pieces of legislation included an integrated chemical compliance check of products considering the obligations derived from Article 67(1) of the REACH Regulation regarding the restrictions from Annex XVII of REACH, and the obligations derived from Article 33(1) of REACH requiring appropriate risk management measures that guarantee the safe use of the articles containing CL substances in all stages of the supply chain.

Relevant legal provisions from the POP Regulation checked during the REF-10 project were obligations from Article 3(1) for substances listed in Annex I of the POP Regulation.

An optional part of the project included checking compliance of products with obligations derived from Articles 2 and 4 of the RoHS Directive and obligations derived from Articles 4 to 7 and 10 of the Toys Directive<sup>7</sup>.

The project was not limited to consumer products but also covered products for professional use. Furthermore, the project targeted imported products as well as products produced/formulated/manufactured within the internal market (EU and EEA countries). Checks were performed at all levels of the supply chain.

The REF-10 project was built on the principle that allowed every NEA (National Enforcement Authority) to freely select the products to be checked, as well as selecting the substances to be tested for. Implementation of the extended scope of the project (in the case of the RoHS Directive and Toys Directive) was also fully optional for NEAs.

The main objective of REF-10 was to enforce the legal requirements of the REACH and POPs Regulations, as well as from the RoHS and Toys Directives by setting a harmonised approach

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<sup>6</sup> In this report a reference to "Member States" will cover the countries that are either one of the 27 EU Member States or one of the EEA countries. See Table 1 for the participating countries in the REF-10 project.

<sup>7</sup>Also Annex II, part III, Annex II, part III 3, Annex II, part III 11, Annex II, part III 13. and Annex II, appendix C of this directive could be relevant.



and establishing common enforcement methods for checking such obligations.

The project REF-10 contributed to the achievement of the following objectives:

- elaboration of harmonised enforcement methodologies having broader impact in promoting chemical compliance of products;
- development of cooperation with partner enforcement networks and authorities to enhance the integrated verification of the chemical compliance of products;
- improve efficiency and effectiveness for integrated controls;
- identification of product categories with higher probability of non-compliance for specific products and substances;
- identification of issues with specific materials (such as plastics, metals, textiles) to reflect problems at EEA level;
- promote, through control of compliance, safe product communication in the supply chain;
- reduce impacts on human health and the environment through the identification of non-compliant products and the adoption of enforcement measures aiming at risk reduction;
- raise the awareness of duty holders on requirements for compliance with the obligations inspected during the project;
- assess the size and scale of the issue of compliance with the provisions investigated in the project – a better understanding of the problematic areas will be useful for the NEAs to develop up-to-date methodologies and plan future enforcement activities related to integrated controls of products.

The operational phase of the project ran from January to December 2022. The participating countries were supported by the Forum Working Group "Coordinated enforcement project REACH-EN-FORCE-10" (REF-10).

## 3. Results

### 3.1 General overview

REF-10 was the tenth REACH-EN-FORCE project of the Forum for Exchange of Information on Enforcement (Forum). The project covered 26 participating countries encompassing 1984 checked articles and 423 checked mixtures, across a total of 2407 products.

The following tables show the results of the project.

### 3.2 Participating countries

26 countries participated in the REF-10 enforcement project. Each of the participating countries investigated a number of products. See Table 1 for an overview of the participating countries.

**Table 1. Overview of the 26 participating countries and the number of articles and mixtures investigated in each country.**

Participating country	Number of investigated articles	Number of investigated mixtures	Total number of products
Austria	19		19
Belgium	120	2	122
Bulgaria	16	3	19
Croatia	72	15	87
Cyprus	90	10	100
Czechia	36	1	37
Denmark	38	13	51
Estonia	20		20
Finland	54		54
France	70	17	87
Germany	253	19	272

Participating country	Number of investigated articles	Number of investigated mixtures	Total number of products
Greece	88	11	99
Hungary	73	1	74
Ireland	211	44	265
Italy	39	1	40
Liechtenstein	63		63
Lithuania	19	92	111
Luxembourg	99	3	102
Netherlands	37	54	91
Norway	20		20
Poland	154	61	215
Romania	58	15	73
Slovak Republic	23	9	32
Slovenia	15	7	22
Spain	46	43	89
Sweden	241	2	243
Total	<b>1984</b>	<b>423</b>	<b>2407</b>

### 3.2.1 Restrictions

In this project we define restrictions as all provisions stipulated in the legislation within the focus of this project (REACH, POP, RoHS and Toy legislation) that include restriction limits for substances. The only part excluded from "restrictions" in the related reporting of results from the REF-10 project is the REACH legislation on CL substances (communication duty of Article 33(1)). In total 589 articles were checked for CL substances, of which 14 were only checked for

CL substances and not restrictions. See details in Section 3.3 of this report.

Out of 2393 investigated products for restrictions, articles were checked in 1970 of the cases and the non-compliance rate was 20%. A total of 423 mixtures were checked with a non-compliance rate of 9%. See Table 2.

**Table 2. Number of checks and non-compliance of restricted articles and mixtures.**

	<b>Number of products checked</b>	<b>Number of non-compliant products</b>	<b>% non-compliance rate</b>
Articles	1970	395	20%
Mixtures	423	40	9%
<b>Total</b>	<b>2393</b>	<b>434</b>	<b>18%</b>

### 3.3 Candidate list substances

The REF-10 project included the enforcement of the provisions of Article 33(1) of the REACH Regulation. This provision covers the information to be provided in the supply chain when articles contain CL substances and when the concentration of the CL substance(s) is above 0.1% w/w.

The objective of the project was to identify substances of very high concern (SVHC) present in articles and to verify whether their concentration was equal/below or above the threshold limit value of 0.1% w/w in the inspected article. If the threshold limit value was found to be exceeded, checks were made on whether or not the supplier of the inspected article had communicated the relevant information to his professional recipients of the article. The identification and quantification of SVHCs in products could be done simultaneously with the laboratory control of other substances restricted in the REACH, POP, RoHS or Toys legislations.

Inspectors checked for the presence of CL substances in 589 articles. A total of 49 products contained a CL substance at a concentration above the threshold limit value of 0.1% w/w. See Table 3 below for an overview of the 49 products. Inspectors verified that the communication obligations of Article 33(1) of REACH were applicable for 10 out of the 49 articles. The remaining articles were not subject to the obligation. This may be due to the articles having been supplied to consumers only. The supplier is only obliged to provide the required information on the CL substance to his professional recipients. For 3 out of the 10 articles subject to the obligation the supplier did not fulfil his obligations to provide the required information on the substance to his professional recipients. Hence, this gives an overall rate of non-compliance of 30% taking into account the number of articles containing a concentration of substances triggering this communication obligation.

In Annex II to this report, the CL substances that were found at concentrations above the threshold limit value of 0.1% w/w are listed to show which type of substances were found in different product types.

**Table 3. Overview of the 49 products that were found with a concentration of CL substances over the threshold limit value, grouped by product types.**

Product type	Number of products with a CL substance above 0.1 %
Electrical products (EEE)	15
Sport	6
Toys	9
Fashion	11
Building and interior articles	1
Other articles	7

In general, the results reveal that 30% of the articles investigated in this project (i.e., 589 out of 1970 articles in total) have been tested for CL substances and investigated for Article 33(1) communication duties. See Table 4 below.

In all, 8.3% of the articles (49 articles) tested for CL substances contain one or more CL substances above the threshold limit value. Out those 49 articles, the communication obligation was identified for 10 cases. Therefore, this indicates that in order to identify one article for which there is an obligation to provide a communication in the supply chain, there is statistically a need to undertake 59 checks of articles (1.7% "success rate").

When the communication obligation applied, the project identified that in 30% of the cases this obligation was not met. This finding for the non-compliance rate can be compared with the rate found in the ECHA Forum pilot project on Substances in Articles finalised in 2019. In this pilot project 682 articles were checked and the non-compliance rate for the communication duty of Article 33(1) of REACH in that project was 89% (40 out of 45 cases).

Details of the actual inspection results of REF-10 clearly indicate that out of the 49 cases with a CL substance above the threshold, 23 additional cases exist for which the CL substance rules of Article 33(1) of REACH have not been observed. However, as for these 23 cases also the applicable restriction rules were not observed, and non-compliance with the restriction prevails and the "overruled" non-compliance with the communication duty of Article 33(1) was not further considered. Including this "hidden" non-compliance with Article 33(1) available in the REF-10 data into an overall rate of non-compliance with Article 33(1) results in an even higher rate of non-compliance of 53% for Article 33(1) (23 plus 3 non-compliant cases out of a total of 49 relevant cases). One consequence of an integrated inspection approach is, that the overall figures for cases of formal non-compliance with the communication duty of Article 33(1) drop since this type of non-compliance might be "overruled" by a non-compliance with a restriction.

**Table 4. Main findings in relation to analysis of CL substances in investigated articles.**

<b>Analysis of Article 33(1) duty (CL substance checks)</b>	<b>Number of articles</b>	<b>% of articles</b>
Articles that were checked for CL substance	589	30% (589/1970)
Articles with CL substance > 0.1% w/w	49	8.3% (49/589)
Article 33(1) applicable (notification obligation identified)	10	1.7% (10/589)
		20% (10/49)
Articles with non-compliance to article 33(1)	3	30% (3/10)

SCIP notification according to Article 9(2) of the Waste Framework Directive was checked for only 7 products with a CL substance above the threshold limit value. This small number of reported checks in this project did not therefore allow the project to draw any statistically meaningful conclusions in relation to the SCIP notification duty.

### 3.4 Legislation and substances – restrictions

The legislation that was investigated the most times was REACH (2038 cases) followed by POP (645 cases), RoHS (332 cases) and Toys (218 cases). See Table 5. Due to multiple choices of legislations checked per product, the number is higher than the total number of products checked, but still possible to compare. Most of the non-compliances were due to the RoHS legislation (49%), followed by REACH restriction (13%), Toys (10%) and POP (9%).

**Table 5. Legislations and the number of products and non-compliances within each.**

<b>Legislation</b>	<b>Number of products checked</b>	<b>Number of non-compliant products</b>	<b>% non-compliance</b>
REACH restrictions	2038	259	13%
RoHS Directive	329	164	49%
POP regulation	645	61	9%
Toys Directive	218	21	10%

Table 6 below shows that within the REACH regulation the substances that were investigated the most were phthalates, with 2089 controls in total. DEHP had a non-compliance rate of between 10 and 14% in toys, articles for children and plastic articles. Other phthalates were also detected with non-compliance rates of 1-6%. DEHP was controlled within the RoHS legislation as well, with a non-compliance rate of 19%.

Within the REACH regulation, lead, cadmium and nickel were also tested. The three metals

showed a non-compliance rate between 8% and 11%.

Dichloromethane, a substance restricted in the REACH regulation, was checked 40 times. Dichloromethane is a substance which is used in paint strippers. The non-compliance rate was 48%, meaning that nearly half of the inspected cases were non-compliant. Note that this percentage shall not be mixed with the 50 tested paint strippers that in 19 cases contained dichloromethane (38%). They were also tested for other substances.

The RoHS legislation showed the highest number of non-compliances, with 262 non-compliant products in total. In all, 160 of the non-compliant products were due to a concentration of lead over the threshold limit value. Cadmium and phthalates were also found within the RoHS legislation with non-compliance rates of 10-16%.

The POP legislation showed a non-compliance rate of 11 % for short-chain chlorinated paraffins (SCCPs) and 5% for perfluorooctanoic acid (PFOA).

**Table 6. Overview of substances checked within each legislation and the number of products and non-compliances within each of the substances<sup>8</sup>.**

Legislation	Substances	Number of products Checked	Number of non-compliant products	% Non-compliance
REACH	Dichloromethane	40	19	48%
	Cd jewellery	459	55	12%
	Pb jewellery	415	45	11%
	Ni jewellery	320	27	8%
	Toluene	181	14	8%
	PAH	219	15	7%
	Chloroform	126	5	4%
	Cd plastic material	208	7	3%
REACH Phthalates	DEHP – Toys	330	46	14%
	DEHP – Children’s articles	17	2	12%
	DEHP - Plastic article	207	21	10%
	DBP - Toys	325	20	6%
	DIBP - Plastic article	205	11	5%
	DBP - Plastic article	210	7	3%
	DIBP - Toys	312	5	2%
	BBP- Plastic article	204	2	1%
	DINP- Toys	279	4	1%
POP	SCCP	461	52	11%
	PFOA	131	7	5%
	HBCDD	85	1	1%

<sup>8</sup> A total list including all the investigated substances and associated non-compliances can be found in Annex II of this report.

Toys	Nitrosamines	13	2	15%
	CMR	28	3	11%
	Thiazolines	11	1	9%
	Migration EN 71:3	1145	10	7%
	TCP	54	4	7%
RoHS	Pb	325	160	50%
	DEHP	265	42	16%
	Cd	278	34	12%
	DBP	263	27	10%

### 3.5 Product types - restrictions

Several product types were investigated in this REF project. See Table 7 below for an overview of the product types.

**Table 7. Overview of the different product types and the number of products checked and level of non-compliant products.**

Product type	Number of products checked	Number of non-compliant products	% non-compliance
Electrical products (EEE)	329	170	52%
Toys (including EEE toys) <sup>9</sup>	471	106	23%
Fashion	895	136	15%
Sports	82	15	18%
Mixtures	423	37	9%
Other articles	174	9	5%
Building and interior articles	98	3	3%

#### 3.5.1 Electrical products

Electrical products showed the highest level of non-compliance (52%). In most of these cases the non-compliance concerned the RoHS legislation (96%). Examples of non-compliant products concerning RoHS were electrical toys (56% non-compliant), chargers (58%), cables (30%), headphones (29%). The product group "Other" showed a non-compliance rate of 53%. Examples of products within the group "other" are luminous gymnastic shoes showing 100% non-compliance towards RoHS (10 out of 10), fans (71%), beauty products (hairdryers etc.) with a non-compliance rate of 52%, as well as lamps/flashlights (29%).

In all, 24 % of the non-compliant electrical products did not meet the regulatory requirements

<sup>9</sup> Electrical toys has been inserted in both Electrical products and Toys.



of the POPs regulation, in most cases due to SCCP-content in soft plastic parts.

### 3.5.2 Toys (including electrical toys)

A total of 471 toys were controlled, of which 75 were electrical toys. Overall, 23% of the total number of investigated toys were non-compliant. Non-compliance levels ranged from 16% for non-electric toys, up to 56% for electric toys. Toys were mostly non-compliant within the REACH and RoHS requirements. Examples of the types of toys that were investigated were bathing/aquatic toys, dolls, costumes, play mats, plastic figures, fidget toys, outdoor toys, slime and childcare articles.

Most of the investigated toys had parts consisting of the materials: soft plastic, metal, rubber and leather. The most problematic materials within toys were soft plastic, and lead in soldering points within electrical toys.

In 35 electrical toys there was an excessive amount of lead, mostly found in soldering points.

There was an excessive amount of SCCP in three of the non-compliant toys. This applied to bathing/aquatic toys.

An excessive level of phthalates was found in many toys consisting of, or having parts made of soft plastic. The phthalates found were DIDP, DINP, DIBP, DBP and DEHP (predominantly DEHP and DBP). Many of the phthalates were found in dolls and plastic figures.

There was an excessive amount of PAH in four of the non-compliant toys. Migration of elements over permitted threshold limit value was observed in eight toys (key ring, slime and plasticine). Nickel and boron represented the majority of the elements here. One toy and some balloons had an excessive amount of nitrosamines. In three toys consisting of soft plastic there were excessive amounts of TCEP, TCCP and TCDP.

### 3.5.3 Sports

Sports products included training equipment like yoga mats, handles, bicycle gloves, and balls. The non-compliance rate within this group was 18%. This was due to SCCP and phthalates in soft plastic and to PAH in rubber.

### 3.5.4 Fashion

A total of 895 products were checked within the fashion category. The non-compliance rate was 15%. The products with the highest non-compliance rate were bags (50%) and jewellery (23%). Other non-compliant products were belts (7%), shoes (8%) and clothes (2%). The product group "Other" had a non-compliance rate of 5% and examples of these products are outdoor textiles, oven gloves, masks, hairbands and key rings.

The non-compliance within fashion was mostly due to content of phthalates and SCCP in soft plastic material, and lead and cadmium in jewellery.

SCCP (in soft plastic) and PFOA (in outdoor textile materials) were the POP substances found in fashion products; each of them being found in four products. In the latter case PFOA itself was not found, but two different PFOA-related compounds were, i.e., 1H,1H,2H,2H-perfluoro-1-decanol (CAS 678-39-7) and 1H,1H,2H,2H-perfluoro-1-dodecanol (CAS 8656-86-1). Both substances are strongly restricted according to the entry for PFOA in Annex I of the POP Regulation.

### 3.5.5 Building and interior design articles

Building and interior articles showed the lowest percentage of non-compliance (3%). The project found three non-compliant cases concerning the REACH legislation in soft plastic materials/rubber. The non-compliant articles consisted of one interior article, one bath mat and one fireplace basket made of recycled tyres. In total 110 articles were investigated within in this product category. Examples of articles investigated were building material (wood panels, nuts, screws, rivets, and tools) and interior articles such as blinds, mats, and shower curtains.

### 3.5.6 Other articles

The non-compliance rate for other articles was 5%. Examples of articles investigated within this product category were thermal paper, medical devices, and plastic articles such as bath mats/rugs. The non-compliant articles within this product category were 3 anti-fog tissue products for glasses (PFOA), 3 slab mats for playgrounds consisting of rubber material (PAH), one parking disc (Cadmium in soft plastic material), one product consisting of grass reinforcement mesh in rubber (PAH) and a pet shampoo with hard plastic packaging (cadmium in plastic).

### 3.5.7 Mixtures and substances

In all a total of 423 mixtures were checked, with a non-compliance rate of 10%. Paint strippers, containing dichloromethane, were the mixtures with the highest rate of non-compliance (38%)<sup>10</sup>, followed by glues (12%) containing toluene and chloroform. Other investigated mixtures, such as cement, air fresheners, ski waxes and water repellent textiles were compliant.

## 3.6 Material - restrictions

Metal was found to be the material with the highest rate of non-compliance (24%) in this project. This applied mostly to jewellery and soldering points (in most cases involving lead) in electronic products. See Table 8 below for an overview of the different materials that were investigated in the project. Soft plastics including artificial leather had a non-compliance rate of 20%. The findings for soft plastics are most often due to the content of polyvinyl chloride (PVC) Phthalates was the substance group found most, with DEHP found in most cases, followed by DBP, DIBP, BBP and DINP. Also, SCCP, PAH, MCCP<sup>11</sup> and BPA were found in soft plastics.

Some metals like cadmium and lead were found in both soft and hard plastics. In hard plastics also HBCCD, SCCP, and PBDE were found. In textiles only 3% of the investigated products were found to be non-compliant, with PFOA above the threshold limit value in all cases. Chromium (VI) was found in leather and the non-compliance rate was 2%. In this project no restricted substances above the threshold limit value were found in foamed material, wood and paper.

Table 8 shows those products for which only one single material was tested (i.e. metal). The products where different materials were tested are not covered in this table. This table includes 1523 products instead of the total 2407 products covered in the project and it includes 238 non-compliant products instead of the total 434. The table gives very valuable knowledge about which materials are problematic.

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<sup>10</sup> Note that 19 paint strippers contained dichloromethane out of 50 checked paint strippers which results in 38% non-compliance. So, paint strippers were also checked for other substances but no non-compliances were found for these. Entry 59 dichloromethane was checked in 40 products total and 38 of these products were paint strippers (see annex II).

<sup>11</sup> MCCP is here additionally mentioned as a CL substance (MCCP is not yet restricted).

**Table 8. Overview of the different materials investigated in the project, the number of products checked within each material and the number of non-compliant products.**

Material	Number of products checked	Number of non-compliant products	% non-compliance	Substances found - one product can contain of more than one substance
Metal	588	141	24%	Mostly lead, cadmium and nickel in jewellery and solders in electrical products
Soft plastic	371	75	20 %	Mostly Phthalates and SCCP In some cases cadmium, lead MCCP <sup>8</sup> , PAH, TCEP, TCCP and TCDF
Other	48	5	10%	Boron in slime
Hard plastic	64	7	11%	Few cases of lead, cadmium One each of HBCDD, SCCP, PBDE
Textile	213	7	3%	PFOA (related compounds)
Leather	189	3	2%	Chromium VI
Foamed material	10	0	0%	
Wood	15	0	0%	
Paper	25	0	0%	

### 3.7 Role of company and origin of products - restrictions

This chapter analyses the type of companies covered by the inspections, and the origin of the products.

#### 3.7.1 Role of company

Importers and marketplaces had approximately the same level of non-compliance, at 26% and 23% respectively. Distributors and manufactures had lower levels of non-compliance (13% and 9%). See Table 9. For some products it was difficult to determine the company's role, hence the "not known" role listed in Table 9. The non-compliance rate for the "not known" group was 66%.

Dropshipping companies are some of the companies placed in the "not known" group. The non-compliance rate for the drop-shipping companies was 78% (39 out of 50). It is important to note here that there could be more drop-shipping companies that were investigated in this project. The number of drop-shipping companies mentioned here is based on the number actually reported as such. There could be many more that we were not aware of, or that were placed under other roles.

**Table 9. Number of products and non-compliances within each for each role.**

Role	Number of products checked	Number of non-compliant products	% non-compliance
Distributor	1193	155	13%
Importer to EEA <sup>12</sup>	446	117	26%
Marketplace	271	61	23%
Manufacture <sup>13</sup>	246	22	9%
Not known	59	39	66%

### 3.7.2 Origin of product

Most of the products investigated in this project were from outside the EEA (1289 products). They had a non-compliance rate of 21%. Within the EEA the non-compliance rate was 13%. See Table 10 below.

The origin “not known” had a non-compliance rate of 22%. It is reasonable to believe that most of the products within this group are from outside the EEA because of the high non-compliance rate. Also, the information given on webpages and on products from within the EEA is better, and therefore there was information about the origin, that hence could be reported in this project.

**Table 10. Overview of the origin of the products investigated in this project and the non-compliance rate by origin.**

Origin	Number of products checked	Number of non-compliant products	% non-compliance
Not known	523	116	22%
Outside the EEA	1289	273	21%
Within the EEA	587	45	8 %

Most of the products from outside the EEA come from China. See Table 11 below. There are also many products within the “unknown” group, and it is suspected that possibly many of these products also come from China. On many products and web pages the origin is not given, therefore making it difficult to report, and having to register the product under “unknown”.

<sup>12</sup> This does not take into account the different definitions in different legislations

<sup>13</sup> Manufacture of both mixtures and articles

**Table 11. Overview of the origin of products placed outside the EEA. Note that this table shows the top 9 countries with the most products.**

Countries outside the EEA	Number of products checked
China	985
Unknown	951
India	62
UK	33
Türkiye	30
Bangladesh	23
USA	16
Singapore	13
Vietnam	13

The products from inside the EEA tested for the provisions within RoHS showed surprisingly a comparable rate of conformity compared to other origins. A full 52% of these products did not fulfil the requirements. For products with an unknown origin the rate of non-compliance was 62%, and for an origin outside the EEA 47% (98% China).

In the field of the POP Regulation a significantly higher rate of non-conformity was found for products from outside the EEA (10%, 95% thereof from China) and for products with unknown origin (11%). For products with their origin inside the EEA hardly any infringement was observed; only 1 out of 85 tested products showed a deviation.

From a REACH perspective the non-compliance rates were almost the same for the products from outside the EEA (15%) and of unknown origin (16%), whereas inside the EEA the non-compliance rate was lower (6%). The picture is the same for the Toys Directive where outside the EEA the non-compliance rate was 11% and for the "not known" the rate was 11%, whereas inside the EEA the non-compliance rate was lower (3%).

### 3.8 Enforcement measures

This section analyses the enforcement measures taken by inspectors when cases of non-compliance were identified.

#### 3.8.1 Enforcement measures

During inspections a total of 434 non-compliant products were detected. For these products enforcement measures were imposed by the enforcement authorities. It is important to clarify that multiple measures per case could have been taken by the enforcement authorities. The most used enforcement measure observed was the issuance of written advice (in 60 % of the cases where breaches were noticed). This suggests an approach by authorities in guiding duty holders to compliance without resorting to more severe punitive actions. See Table 12 below for an overview of the enforcement measures.

Public announcements were employed in almost 28% of the non-compliant cases, indicating a commitment to transparency and public awareness regarding non-compliance issues. Enforcement authorities issued orders in 24% of the non-compliant cases, implying that more formal and legally binding actions were required to address non-compliance. Examples of other measures taken by the authorities were destruction of the product, re-export, and allocating the dossier to another local authority for follow-up.

**Table 12. Overview of the enforcement measures taken by inspectors (per product).**

Enforcement measures	Number of cases
Written advice	264
Public announcement	120
Order	105
Follow up activities still on-going	99
Verbal advice	44
Other	25
No enforcement actions were initiated	8

Where enforcement measures were taken, companies were prohibited from placing products on the market in 39% of the cases. See Table 13 below for an overview of the company actions.

### 3.8.2 Company actions

Companies chose to voluntarily withdraw their non-compliant product(s) from the market in 39% of the cases. Companies also chose to remove their non-compliant products from their websites or online platforms (where offered) in 29% of the cases. Only 5% of the noticed breaches led to a recall of the product from the general public. In 15% of the cases, follow-up activities were still ongoing at the end of the reporting phase.

It is important to clarify that in relation to the above statistics multiple measures could have been taken by the companies.

**Table 13. Overview of company actions for products.**

Company actions	Number of cases
Voluntary withdrawal from the market	169
Prohibition from placing on the market	168
Removed the product offer from the website (Restrictions)	126
Follow up activities still on-going	72
Recall from general public	29
No action was observed	16

### 3.8.3 Sanctions/fines/criminal complaints

In addition to enforcement measures, sanctions can also be imposed for the non-compliant products. The sanctions imposed are highlighted in Table 14 below. In 53% of the cases, no sanctions were applied. In 18% of the cases, fines were imposed as a form of penalty. These fines could have been related to various violations or offenses, and the amounts and reasons for fines may vary.

In 13% of the cases, the cases were escalated to the level of criminal complaints or handed over to the public prosecutor's office. This indicates that the violations were deemed serious enough to involve legal authorities. The criminal law in each MS varies. For some MS it is obligatory to report all non-compliances. In almost 10% of the cases, information was provided to another investigation authority, typically the police.

Cases reported as other are e.g. cases that are still under investigation, or where cases concerned products that were no longer on the market.

**Table 14. The table shows an overview of the sanctions imposed for inspected products.**

Sanctions	Number of cases
No sanctions were applied	231
Fine imposed	76
Other	69
Criminal complaint / handing over to public prosecutor's office	58
Information to investigation authority (Police)	42

The information on sanctions reported in this section also fully covers the (statistically) very low number of cases of non-compliance with CL substances requirements of Article 33(1) of REACH. This comes from the fact that any non-compliance with the provisions of restrictions imposing a market ban for the product always prevails over the communication duties on CL substances triggered in Article 33(1) of REACH.

### 3.8.4 Communication

Out of the 434 non-compliant cases, 80 dossiers were communicated to other Member States. In most of the cases, enforcers used Safety Gate (65%) and ICSMS (30%) to inform their colleagues in other Member States.

## 4. Discussion, Conclusion and Recommendations

Based on the data received and its analyses, the following conclusions and recommendations can be drawn from the project.

## 4.1 Discussion and Conclusions

It is important to highlight that, in many cases, the selection of products in this project was not randomly chosen, but based on a risk-based approach and the results regarding non-compliance do therefore not represent a general overview of all products available on the market. This is important to bear in mind when analysing the findings of this project.

The non-compliance rate in this project was 18%, with a higher level for articles (20%) than for mixtures (9%). This difference could be due to the fact that for mixtures a Safety Data Sheet is in most cases required. In the Safety Data Sheet any content of substances over the threshold limit value should be presented. This contributes to having only legal mixtures on the market. On the other hand, for articles, Safety Data Sheets, are not required, making it difficult to know the content, and hence more products with content of substances over the threshold limit value are placed on the market.

Within the investigated articles the product type with the highest non-compliance rate was electrical products (52%). This high rate of non-compliance is mostly due to non-compliance with the RoHS legislation: lead in soldering points (50% of all tested cases), followed by the phthalates DEHP (19%) and DBP (12%) in soft plastic, and cadmium (12%) in circuit boards. The high rate for lead is most likely due to a very efficient application of a risk-based inspection approach (focus on lead in single noticeable soldering points in electrical products). This also applies to the phthalate findings, as there is, in many NEAs, a focus on investigation of phthalates in soft plastic. This high non-compliance towards RoHS legislation has to be taken into account when comparing the findings of REF-10 with other Forum projects. There was also a non-compliance rate of 11% within the POPs regulation, with mostly soft plastic parts containing SCCP.

Other product groups showed lower non-compliance rates; fashion (15%), sport (18%) and toys including EEE toys (23%).

- The non-compliance rate for fashion is in most cases due to soft plastic material with content of phthalates and SCCP.
- The non-compliance rate for sports equipment was due to excessive content of phthalates, SCCP in soft plastic material and PAH in rubber material.
- The non-compliance rate for toys was mostly due to content of phthalates and SCCP in soft plastic material, but also in some cases a high concentration of PAH, migrated nickel or boron was observed.

The non-compliance rate for the investigated mixtures was 9%. The mixtures with the highest amount of non-compliant cases were paint strippers (38% of all the tested cases) with high content of dichloromethane, followed by glue (12%) with high content of toluene and chloroform.

The material with the highest amount of non-compliant cases was metal in soldering points and jewellery (24%), followed by soft plastic material (20%). This is a standard observation for the NEAs. The high level of non-compliance in the case of jewellery was also seen in the Forum's REF-4 project, which indicates that very little progress has been made in relation to jewellery compliance.

In terms of breached legislation most non-compliances were regarding the RoHS Directive (49%) followed by lower non-compliance rates for the REACH Regulation (13%), the Toys Directive (10%) and the POP Regulation (9%). The specifically high rate of non-compliance with the RoHS Directive is a standard observation for the NEAs (see explanation related to lead in soldering points provided earlier in this section).



The non-compliance rate company wise was almost the same for importers (26%) and marketplaces (23%). The highest rate of non-compliance is for companies where the role is unknown (66%), which could be due to online sales such as small drop-shipping stores which has been added in the commenting fields since such an option did not exist in the questionnaire. Fewer non-compliances can be seen for manufacturers and distributors. This result does not differ from other REF projects.

When investigating the origin of the products, the unknown (22%) and outside EEA (21%) have higher levels of non-compliance than within EEA (8%).

The total number of articles checked to identify the presence and the quantity of CL substances is considered a high number in relation to the total number of articles checked for compliance (30%). Therefore, it is likely to conclude that most controls of the obligations triggered by the presence of CL substances in quantities equal or above 0.1 % w/w were done in parallel to the control of restrictions.

The efficiency of checks of CL substance duties is low, it required 100 analyses of articles to identify 8 articles containing at least one CL substance above the threshold. And it required 59 analyses of articles to identify one (1) article to which the communication obligations in the supply chain according to Article 33(1) of REACH apply.

In situations with no restriction obligation applicable but with the communication according to Article 33(1) of REACH required, 30% of the cases have this communication obligation not fulfilled. This can be an indicator that the suppliers do not know the communication obligations applying to the articles they supply.

The efficiency challenge observed for inspecting the communication duties of Article 33(1) of REACH based on laboratory test data is not a surprise as these challenges were already present in the ECHA Forum pilot project on Substances in Articles finalised in 2019<sup>14</sup>. Also, in that pilot project the initial sample of 682 inspected products resulted only in 45 cases for which the communication duty was relevant due to the concentration of a CL substance exceeding 0.1% w/w.

Non-compliances with Article 33 of REACH are often overlapped by additional non-compliances with restrictions for the relevant substance(s) in an article. Taking such situations of overlapping non-compliance into account, non-compliance rates with the communication duty of Article 33(1) can be compared between a group covering all articles with identified high concentration of a CL substance above the threshold (non-compliance rate 53%) and the subgroup of articles with a high concentration of a CL substance triggering a breach with Article 33(1), but no breach with a restriction duty (non-compliance rate 30%).

This comparison shows that identified non-compliance rates have strong variations mainly due to the small statistical sample of products identified for their concentration of a CL substance above the threshold but also due to the impact of additional substance restriction rules that overlap and are applicable to the same CL substance. However, irrespective of these strong variations in the non-compliance rate, the non-compliance found with Article 33(1) of REACH is always high.

The project results indicate that one approach to increase efficiency of controls for the communication duties of Article 33(1) of REACH is to perform these controls in context of an integrated inspection covering several legislations relevant for the CL substances. Specifically, it is important to always include in the controls of CL substances related to Article 33(1) also the

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<sup>14</sup> See report [link https://echa.europa.eu/documents/10162/17088/sia\\_pilot\\_project\\_report\\_en.pdf/f9fc153b-a322-43be-1ba1-44f4e5cb02c8?t=1573818259276](https://echa.europa.eu/documents/10162/17088/sia_pilot_project_report_en.pdf/f9fc153b-a322-43be-1ba1-44f4e5cb02c8?t=1573818259276)

control of all restrictions that are in place for the same substance. This is important because the duties applicable to restrictions in general prevail (e.g. ban of placing on the market) over communication duties triggered by Article 33(1) of REACH when the threshold of CL substances is exceeded (e.g. placing on the market accompanied by information on safe use).

## 4.2 Recommendations

Based on the findings of the project and the conclusions drawn, the following recommendations are addressed to the different actors with certain level of responsibility in the implementation of the legislation related to this project (duty holders, ECHA, the European Commission, the Member State Competent Authorities, the national Helpdesks, the NEAs and the Forum).

### 4.2.1 Recommendations to duty holders

The following recommendations are formulated to duty holders:

- industry and economic actors should pay attention and raise awareness of the legal duties included in this project by regularly checking product compliance regarding restrictions and the communication obligation of Article 33(1) of REACH;
- when having an integrated look at products it could easily be overwhelming with all the restricted substances stipulated in different sector legislations. For example, for toys, REACH, POPs, RoHs and Toy Safety Directive may apply. Therefore, the recommendation is to investigate the legislation applicable to the product as a whole and after this to focus on the materials within the product. Another way to approach this issue is to start with the materials and from there look for substances that are likely to be found;
- given that toys and electrical products have such a high degree of non-compliance, each company/seller needs to improve their proactive work on compliance for these product categories. An example of proactive work, for all product types, is to implement and carry out a risk assessment. A risk assessment can include doing analytical tests for substances in high-risk materials, and also investigating the relevant documents that apply to the different product types. For toys and electrical products, for instance, Document of Conformity applies. As for products in general investigating the test reports is a good approach;
- duty holders are encouraged to set specific requirements to the supplier when it comes to materials and substances that are of high risk (for example soft plastic, metal, SCCP, lead and phthalates), and to make sure the suppliers have all the necessary documents that are needed for the given product type before placing the product on the market;
- duty holders should make use of the available public platforms for product safety (Safety Gate, ICSMS) to identify non-compliant products that they may sell;
- duty holders should be aware of products imported to the EU from outside the EEA and carry out the necessary risk assessment to make sure that the products placed on the market are in accordance with the relevant regulations.

### 4.2.2 Recommendations to ECHA/COM

The following recommendations are formulated to ECHA and the European Commission:

- ECHA is encouraged to continue support on a material approach of how to find restricted substances for companies. Specifically, it should advise duty holders on which restrictions apply to the materials that they manufacture / import / produce or place on the market;

- the Commission is encouraged to contact countries outside the EEA concerning the problematic areas observed in this project;
- the Commission is invited to consider potential changes to Article 33(1) obligations to facilitate enforcement by including a labelling obligation for articles containing more than 0.1 % of the CL substance.

#### **4.2.3 Recommendations to the National Enforcement Authorities (NEAs)**

NEAs are encouraged to:

- expand the fruitful cooperation implemented in the project REF-10 between NEAs in Member States but also between Member States, that are responsible for different legislations;
- continue the efforts to control products as high as possible in the supply chain and check documentation to ensure that non-compliant products are not supplied down the supply chain in those sectors where legislation requires documentation checks (i.e., RoHS and Toys);
- follow-up on the key findings of REF-10 when planning surveillance actions at national level;
- notify the non-compliant cases with serious risk to Safety Gate;
- communicate with other Member States' NEAs which are affected by the case.

#### **4.2.4 Recommendations to Forum**

The Forum is encouraged to:

- in the future carry out more targeted projects focusing on products identified in this project with the highest non-compliant rates;
- continue to encourage Member States to take part in the REF-projects;
- continue to involve Member States in activities related to training for inspectors and continue to design relevant Forum training programs for inspectors (i.e. specific new restrictions);
- continue the efforts to promote a harmonised approach towards enforcement measures;
- include online sales in each relevant project.

## 5. Annexes

### 5.1 Annex I - Project questionnaire

Please fill in **one questionnaire per inspected product**

The questionnaire is divided into three sections:

- **Section 0** – Information about the inspection.
- **Section A** – Product level questions. Questions to check the compliance of the product investigated. Question 1.9 gives the inspector the possibility to select which regulations will be checked per product.
- **Section B** – Company level questions.

The questionnaire is intended only for use by enforcement authorities and **shall not be distributed to companies inspected.**

The information requested in questions 02, 03, 1.1, 1.2, 1.3, 1.4 and 8.1 is only for internal use in the NEA or MS (e.g., in case you need to forward the questionnaire to other NEAs for assistance). In case this information is not removed from the online version of the questionnaire (EU Survey tool) before the electronic submission of the form, these data will be available to the ECHA Focal point in HET and later on to the NC. Therefore, please verify in advance if you are authorised to send any information requested in these questions and remove it from the questionnaire before sending it to the ECHA Focal point if you do not want this information to be available to other parties.

## Forum REF 10 Integrated control of products QUESTIONNAIRE

### Section 0: General information about the inspection

<b>0.1</b> Participating country:	
<b>0.2</b> Name of the authority (in case REACH, POP, RoHS, Toys) in one place): E-mail address (inspector): Name of authority 1 (REACH): E-mail address (inspector): Name of authority 2 (POP): E-mail address (inspector): Name of authority 3 (RoHS): E-mail address (inspector): Name of authority 4 (Toy): E-mail address (inspector):	This data is only for internal use.
<b>0.3</b> File reference	

### Section A - Product level Questions

<b>I. Product identifier</b>	
<b>1.1</b> Sample number	Please coordinate in you MS what number series to use. One example could be MS prefix + Number e.g., SE1, SE2 etc. This data is only for internal use
<b>1.2</b> EAN / GTIN No./Barcode / Item number <b>1.3</b> URL address <b>1.4</b> CN code	EAN = European Article Number GTIN = Global Trade Item Number  This data is only for internal use.
<b>1.5</b> The product is a:  <input type="checkbox"/> Substance <input type="checkbox"/> Mixture <input type="checkbox"/> Article	<u>Multiple choice</u>  Please note that certain products maybe a combination of an article and a substance /mixture (e.g., electric air fresheners. In this case, please tick article if you are checking the electric device substances and tick substance/mixtures if you are checking the substance/mixture in the refilled block or check both)
<b>1.6</b> Category/Sub-category of product?  Fashion/textiles <input type="radio"/> Clothes <input type="radio"/> Shoes <input type="radio"/> Bag <input type="radio"/> Belt <input type="radio"/> Jewellery <input type="radio"/> Other  <input type="radio"/> 1.6.1 Please specify your answer "Fashion/textiles - Other"	

<p>Electrical and Electronic Equipment (EEE)  <input type="radio"/> Electric Toys <input type="radio"/> Headphones <input type="radio"/> Chargers <input type="radio"/> Wires <input type="radio"/> Cables (e.g., HDMI, SCART, network) <input type="checkbox"/> Other</p> <p><input type="radio"/> 1.6.1 Please specify your answer "Electrical and Electronic Equipment (EEE) – Other"</p> <p>Toys (not EEE)  <input type="radio"/> Dolls <input type="radio"/> Bathing/aquatic toys <input type="radio"/> childcare articles <input type="radio"/> paints <input type="radio"/> slime</p> <p><input type="radio"/> outdoor toys          Outdoor toys (toys found in playgrounds provided that they are included in the scope of the Toys directive)</p> <p><input type="radio"/> Other          Remark: when other please refer to the chapter 95 of the Commodity codes (CN codes): <a href="https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=OJ:L:2020:361:FULL&amp;from=EN">https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=OJ:L:2020:361:FULL&amp;from=EN</a></p> <p><input type="radio"/> 1.6.1 Please specify your answer "Toys (not EEE) – Other"</p> <p>Sport  <input type="radio"/> Training equipment (yoga mats, handles, bicycle gloves etc) <input type="radio"/> Other</p> <p><input type="radio"/> 1.6.1 Please specify your answer "Sport - Other"</p> <p><input type="radio"/> Building and interior articles  <input type="radio"/> Insulation panels <input type="radio"/> Wood panels <input type="radio"/> Interior decoration articles <input type="radio"/> Other</p> <p><input type="radio"/> 1.6.1 Please specify your answer "Building and interior articles - Other"</p> <p><input type="radio"/> Other (e.g., thermal paper)          Description of the product (in English)</p> <p>Mixtures (chemical products)  <input type="radio"/> Glues <input type="radio"/> Air freshener <input type="radio"/> Paint Strippers <input type="radio"/> Spray paints <input type="radio"/> Firework  <input type="radio"/> Ski waxes <input type="radio"/> Cement <input type="radio"/> Water repellent/waterproofing agent for textiles <input type="radio"/> Other</p> <p><input type="radio"/> 1.6.1 Please specify your answer "Mixtures (chemical products) - Other"</p> <p><input type="radio"/> Substances (Chemical product)          Note that Substances here is a chemical product and not a substance in an article. The name of the substance will show in Question 2</p>	
<p><b>1.7</b> If product is an article, has it been checked for the following materials:</p> <p><input type="checkbox"/> Metal  <input type="checkbox"/> Textile  <input type="checkbox"/> Leather  <input type="checkbox"/> Soft plastic (includes artificial leather)  <input type="checkbox"/> Hard plastic  <input type="checkbox"/> Rubber  <input type="checkbox"/> Paper  <input type="checkbox"/> Wood  <input type="checkbox"/> Foamed material  <input type="checkbox"/> Other... please specify:</p>	<p>Multiple choice</p>
<p><b>1.8</b> The product is intended to be sold:</p> <p><input type="radio"/> only to industrial/professional users  <input type="radio"/> only to the general public  <input type="radio"/> both to professionals and the general public  <input type="radio"/> not known/not checked</p>	<p>A product for professional users could require a login for the purchase or indicate a VAT number or similar identification of professionals.</p> <p>Note that it is the intention of the product that is important. As an example - A toy is a product for the general public</p>

	even though it has been supplied business to business (B-2-B) throughout the supply chain.
<p><b>1.9</b> This product will be checked against the following duties:</p> <p><input type="checkbox"/> REACH Restrictions (<i>Opens Section II</i>)</p> <p><input type="checkbox"/> POP (<i>Opens Section III</i>)</p> <p><input type="checkbox"/> REACH Candidate list substances (Article 33.1) (<i>Section IV</i>)</p> <p><input type="checkbox"/> RoHS (<i>Opens Section V</i>)</p> <p><input type="checkbox"/> Toys (<i>Opens Section VI</i>)</p>	<u>Multiple choice</u> Choose one or more of the duties to be investigated for this product.
<p><b>1.10</b> The product was checked (multiple responses are possible):</p> <p><input type="checkbox"/> a) by doing a chemical analysis initiated by the authority Note for 1.10.a) Also includes the option that the chemical analysis has been carried out by a laboratory</p> <p><input type="checkbox"/> b) by doing an analytical screening investigation by the authority (e.g., XRF for metals)</p> <p><input type="checkbox"/> c) by checking the test report provided by the company</p> <p><input type="checkbox"/> d) based on the information available in the SDS or label on the product</p> <p><input type="checkbox"/> e) Other... please specify:</p>	<u>Multiple choice</u>

<b>II – REACH Restrictions</b>			
<b>2.</b> Inspection of compliance with Annex XVII entry(-ies) (multiple answers possible):		<u>Multiple choice</u>	
<i>At least one answered row</i>	<b>Compliant</b>	<b>Non-compliant</b>	<p><b>Please report all substances checked.</b> For each of the substances checked you need to report whether the product is or is non-compliant. Only one option is possible (compliant or non-compliant).</p>
Entry 5: Benzene	<input type="radio"/>	<input type="radio"/>	
Entry 6: Asbestos	<input type="radio"/>	<input type="radio"/>	
Entry 20.6: Dioctyltin (DOT)	<input type="radio"/>	<input type="radio"/>	
Entry 23: Cadmium - 23.1 Plastic material	<input type="radio"/>	<input type="radio"/>	
Entry 23: Cadmium - 23.8 Brazing fillers	<input type="radio"/>	<input type="radio"/>	
Entry 23: Cadmium - 23.10 Jewellery	<input type="radio"/>	<input type="radio"/>	
Entry 27: Nickel in jewellery	<input type="radio"/>	<input type="radio"/>	
Entry 32: Chloroform	<input type="radio"/>	<input type="radio"/>	
Entry 38: 1,1-Dichloroethene	<input type="radio"/>	<input type="radio"/>	
Entry 43: Azocolourants and Azodyes - Leather	<input type="radio"/>	<input type="radio"/>	
Entry 43: Azocolourants and Azodyes - Textiles	<input type="radio"/>	<input type="radio"/>	
Entry 47.5: Chromium VI - Leather	<input type="radio"/>	<input type="radio"/>	
Entry 47.7: Chromium VI - Cement	<input type="radio"/>	<input type="radio"/>	
Entry 48: Toluene	<input type="radio"/>	<input type="radio"/>	
Entry 50: PAH	<input type="radio"/>	<input type="radio"/>	
Inspection of compliance with Annex XVII entry 51: Phthalates			
DEHP Toys	<input type="radio"/>	<input type="radio"/>	
DEHP Childcare articles	<input type="radio"/>	<input type="radio"/>	
DEHP Other plastic article	<input type="radio"/>	<input type="radio"/>	
DBP Toys	<input type="radio"/>	<input type="radio"/>	
DBP Childcare articles	<input type="radio"/>	<input type="radio"/>	
DBP Other plastic article	<input type="radio"/>	<input type="radio"/>	
BBP Toys	<input type="radio"/>	<input type="radio"/>	

BBP Childcare articles	<input type="radio"/>	<input type="radio"/>
BBP Other plastic article	<input type="radio"/>	<input type="radio"/>
DIBP Toys	<input type="radio"/>	<input type="radio"/>
DIBP Childcare articles	<input type="radio"/>	<input type="radio"/>
DIBP Other plastic article	<input type="radio"/>	<input type="radio"/>
Entry 52: Phthalates	<input type="radio"/>	<input type="radio"/>
DINP Toys	<input type="radio"/>	<input type="radio"/>
DINP Childcare articles	<input type="radio"/>	<input type="radio"/>
DINP Other plastic article	<input type="radio"/>	<input type="radio"/>
DIDP Toys	<input type="radio"/>	<input type="radio"/>
DIDP Childcare articles	<input type="radio"/>	<input type="radio"/>
DIDP Other plastic article	<input type="radio"/>	<input type="radio"/>
DNOP Toys	<input type="radio"/>	<input type="radio"/>
DNOP Childcare articles	<input type="radio"/>	<input type="radio"/>
DNOP Other plastic article	<input type="radio"/>	<input type="radio"/>
Entry 59 Dichloromethane	<input type="radio"/>	<input type="radio"/>
Entry 63 Lead in 63.1. Jewellery articles	<input type="radio"/>	<input type="radio"/>
Entry 63 Lead in 63.7. Consumer Articles	<input type="radio"/>	<input type="radio"/>
Entry 64 1,4-DCB	<input type="radio"/>	<input type="radio"/>
Entry 65 Inorganic Ammonium salts	<input type="radio"/>	<input type="radio"/>
Entry 66 Bisphenol-A (BPA)	<input type="radio"/>	<input type="radio"/>
Entry 70 D4/D5	<input type="radio"/>	<input type="radio"/>
Entry 71 NMP	<input type="radio"/>	<input type="radio"/>
Inspection of compliance with Annex XVII Entry 72 CMRs		
Cadmium and its compounds	<input type="radio"/>	<input type="radio"/>
Chromium VI compounds	<input type="radio"/>	<input type="radio"/>
Arsenic compounds	<input type="radio"/>	<input type="radio"/>
Lead and its compounds	<input type="radio"/>	<input type="radio"/>
Benzene	<input type="radio"/>	<input type="radio"/>
Benz[a]anthracene	<input type="radio"/>	<input type="radio"/>
Benzo[e]acephenanthrylene	<input type="radio"/>	<input type="radio"/>
benzo[a]pyrene; benzo[def]chrysene	<input type="radio"/>	<input type="radio"/>
Benzo[e]pyrene	<input type="radio"/>	<input type="radio"/>
Benzo[j]fluoranthene	<input type="radio"/>	<input type="radio"/>
Chrysene	<input type="radio"/>	<input type="radio"/>
Dibenz[a,h]anthracene	<input type="radio"/>	<input type="radio"/>
$\alpha$ , $\alpha$ , $\alpha$ ,4-tetrachlorotoluene; p-chlorobenzotrichloride	<input type="radio"/>	<input type="radio"/>
$\alpha$ , $\alpha$ , $\alpha$ -trichlorotoluene; benzotrichloride	<input type="radio"/>	<input type="radio"/>
$\alpha$ -chlorotoluene; benzyl chloride	<input type="radio"/>	<input type="radio"/>
Formaldehyde	<input type="radio"/>	<input type="radio"/>
1,2-benzenedicarboxylic acid; diC 6-8-branched alkylesters, C 7- rich	<input type="radio"/>	<input type="radio"/>
Bis(2-methoxyethyl) phthalate	<input type="radio"/>	<input type="radio"/>
Diisopentylphthalate	<input type="radio"/>	<input type="radio"/>
Di-n-pentyl phthalate (DPP)	<input type="radio"/>	<input type="radio"/>
Di-n-hexyl phthalate (DnHP)	<input type="radio"/>	<input type="radio"/>
N-methyl-2-pyrrolidone (NMP)	<input type="radio"/>	<input type="radio"/>
N,N-dimethylacetamide (DMAC)	<input type="radio"/>	<input type="radio"/>
N,N-dimethylformamide; dimethyl formamide (DMF)	<input type="radio"/>	<input type="radio"/>
1,4,5,8-tetraaminoanthraquinone; C.I.	<input type="radio"/>	<input type="radio"/>



Disperse Blue 1			
Benzenamine, 4,4'-(4-iminocyclohexa-2,5 dienyliidenemethylene) dianiline hydrochloride; C.I. Basic Red 9	<input type="radio"/>	<input type="radio"/>	
[4-[4,4'-bis(dimethylamino)benzhydrylidene]cyclohexa 2,5-dien-1-ylidene]dimethylammonium chloride; C.I. Basic Violet 3 with $\geq 0,1$ % of Michler's ketone	<input type="radio"/>	<input type="radio"/>	
4-chloro-o-toluidinium chloride	<input type="radio"/>	<input type="radio"/>	
2-Naphthylammoniumacetate	<input type="radio"/>	<input type="radio"/>	
4-methoxy-m-phenylene diammonium sulphate;	<input type="radio"/>	<input type="radio"/>	
2,4-diaminoanisole sulphate	<input type="radio"/>	<input type="radio"/>	
2,4,5-trimethylaniline hydrochloride	<input type="radio"/>	<input type="radio"/>	
Quinoline	<input type="radio"/>	<input type="radio"/>	

<b>III – POP</b>																										
<p><b>3. Inspection of compliance with POP Regulation:</b></p> <table border="1"> <thead> <tr> <th><i>At least one answered row</i></th> <th><b>Compliant</b></th> <th><b>Non-compliant</b></th> </tr> </thead> <tbody> <tr> <td>Brominated diphenyl ethers</td> <td><input type="radio"/></td> <td><input type="radio"/></td> </tr> <tr> <td>PFOS</td> <td><input type="radio"/></td> <td><input type="radio"/></td> </tr> <tr> <td>PFOA</td> <td><input type="radio"/></td> <td><input type="radio"/></td> </tr> <tr> <td>SCCP</td> <td><input type="radio"/></td> <td><input type="radio"/></td> </tr> <tr> <td>HCB</td> <td><input type="radio"/></td> <td><input type="radio"/></td> </tr> <tr> <td>HBCDD</td> <td><input type="radio"/></td> <td><input type="radio"/></td> </tr> <tr> <td>PCP</td> <td><input type="radio"/></td> <td><input type="radio"/></td> </tr> </tbody> </table> <p>3.1.a Please specify if non-compliant (CAS No):</p>		<i>At least one answered row</i>	<b>Compliant</b>	<b>Non-compliant</b>	Brominated diphenyl ethers	<input type="radio"/>	<input type="radio"/>	PFOS	<input type="radio"/>	<input type="radio"/>	PFOA	<input type="radio"/>	<input type="radio"/>	SCCP	<input type="radio"/>	<input type="radio"/>	HCB	<input type="radio"/>	<input type="radio"/>	HBCDD	<input type="radio"/>	<input type="radio"/>	PCP	<input type="radio"/>	<input type="radio"/>	<p><b>Please report all substances checked.</b></p> <p>For each of the substances checked you need to report whether the product is or is non-compliant.</p> <p>Only one option is possible (compliant or non-compliant).</p>
<i>At least one answered row</i>	<b>Compliant</b>	<b>Non-compliant</b>																								
Brominated diphenyl ethers	<input type="radio"/>	<input type="radio"/>																								
PFOS	<input type="radio"/>	<input type="radio"/>																								
PFOA	<input type="radio"/>	<input type="radio"/>																								
SCCP	<input type="radio"/>	<input type="radio"/>																								
HCB	<input type="radio"/>	<input type="radio"/>																								
HBCDD	<input type="radio"/>	<input type="radio"/>																								
PCP	<input type="radio"/>	<input type="radio"/>																								
<b>IV – REACH – Candidate list substances</b>																										
<p><b>4. Inspection of compliance with Article 33.1 (multiple answers possible):</b></p> <p><b>4.1</b> Was any CL substance checked?  <input type="radio"/> Yes (continue to 4.2)  <input type="radio"/> No (end of this section)</p> <p><b>4.2</b> Was any CL substance found above 0,1%?  <input type="radio"/> Yes (continue to 4.3)  <input type="radio"/> No (end of this section)</p>		<p>Note:  Article 33.1 Any supplier of an article containing a substance meeting the criteria in Art 57 and identified in accordance with Art 59(1) in a concentration above 0,1% (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.</p> <p>If you tick yes you will need to complete the 'compliant' section in Q 4.3. If you tick 'no' then you will not be able to fill in the 'compliant' section in the online survey tool because the</p>																								

**4.3** Please indicate substances found:

<i>At least one answered row</i>	<b>Compliant</b>	<b>Non-compliant</b>
<b>Phthalates</b>		
Diisohexyl phthalate <i>CAS No. 71850-09-4</i>	<input type="radio"/>	<input type="radio"/>
Dicyclohexyl phthalate (DCHP) <i>CAS No. 84-61-7</i>	<input type="radio"/>	<input type="radio"/>
Dipentyl phthalate (DPP) <i>CAS No. 131-18-0</i>	<input type="radio"/>	<input type="radio"/>
Bis(2-methoxyethyl) phthalate <i>CAS No. 117-82-2</i>	<input type="radio"/>	<input type="radio"/>
Diisobutyl phthalate (DIBP) <i>CAS No. 84-69-5</i>	<input type="radio"/>	<input type="radio"/>
Dibutyl phthalate (DBP) <i>CAS No. 84-74-2</i>	<input type="radio"/>	<input type="radio"/>
Bis (2-ethylhexyl)phthalate (DEHP) <i>CAS No. 117-81-7</i>	<input type="radio"/>	<input type="radio"/>
Benzyl butyl phthalate (BBP) <i>CAS No. 85-68-7</i>	<input type="radio"/>	<input type="radio"/>
SCCP	<input type="radio"/>	<input type="radio"/>
MCCP	<input type="radio"/>	<input type="radio"/>
<b>Other substance 1</b>	<input type="radio"/>	<input type="radio"/>
<b>Other substance 2</b>	<input type="radio"/>	<input type="radio"/>
<b>Other substance 3</b>	<input type="radio"/>	<input type="radio"/>
<b>Other substance 4</b>	<input type="radio"/>	<input type="radio"/>

Please specify with CAS number, EC number or RML ID for Substance 1:

Please specify with CAS number, EC number or RML ID for Substance 2:

Please specify with CAS number, EC number or RML ID for Substance 3:

Please specify with CAS number, EC number or RML ID for Substance 4:

**Optional Question for NEAs who would like to check consistency with SCIP duties:**

**4.4** Are the findings of Questions 4.1, 4.2 and 4.3 consistent with a requirement to submit a SCIP notification?

Yes  No  Not checked

If yes, has a SCIP Notification been submitted to ECHA?

Yes  No

If yes, SCIP Notification No. \_\_\_\_\_

requirement of Art.33(1) does not apply.

**Please report all substances checked.**

For each of the substances checked you need to report whether the product is or is non-compliant. Only one option is possible (compliant or non-compliant).

The case is non-compliant only when the inspected company, as a supplier, has not supplied the information to their customer (company). A supplier has the duty to communicate if the product is supplied to a consumer.

This question is introduced to raise awareness on the requirement to complete SCIP notification

You need to reply Yes if you have found that the article contains a SvHC in the Candidate List above the concentration of 0.1 % w/w

See annex 5 for further guidance

<b>V – RoHS</b>		
<b>5. Inspection of compliance with RoHS Directive (multiple answers possible):</b>		<i>Multiple choice</i> <b>Please report all substances checked.</b> For each of the substances checked you need to report whether the product is or is non-compliant. Only one option is possible (compliant or non-compliant).
<i>At least one answered row</i>	<b>Compliant</b>	<b>Non-compliant</b>
Lead	<input type="radio"/>	<input type="radio"/>
Cadmium	<input type="radio"/>	<input type="radio"/>
Mercury	<input type="radio"/>	<input type="radio"/>
Cr VI	<input type="radio"/>	<input type="radio"/>
Polybrominated biphenyls (PBB)	<input type="radio"/>	<input type="radio"/>
Polybrominated diphenyl ethers (PBDE)	<input type="radio"/>	<input type="radio"/>
Bis(2-ethylhexyl) phthalate (DEHP)	<input type="radio"/>	<input type="radio"/>
Butyl benzyl phthalate (BBP)	<input type="radio"/>	<input type="radio"/>
Dibutyl phthalate (DBP)	<input type="radio"/>	<input type="radio"/>
Diisobutyl phthalate (DIBP)	<input type="radio"/>	<input type="radio"/>
<b>VI – Toys</b>		
<b>6. Inspection of compliance with Toys Directive:</b>		<i>Multiple choice</i> <b>Please report all substances checked.</b> For each of the substances checked you need to report whether the product is or is non-compliant. Only one option is possible (compliant or non-compliant).  Toys Directive 2009/48/EC  Migration substances - Annex II, Part III. Chemical Properties point 13  XRF screening for metals is possible  Appendix C  CMR from CLP regulation 1272/2008
<i>At least one answered row</i>	<b>Compliant</b>	<b>Non-compliant</b>
<b>Migration elements (EN 71 :3)</b> Please specify if non-compliant (CAS No)	<input type="radio"/>	<input type="radio"/>
<b>Other substances</b> (migration or content):		
TCEP, TCCP and TCDP	<input type="radio"/>	<input type="radio"/>
BPA	<input type="radio"/>	<input type="radio"/>
Formamide	<input type="radio"/>	<input type="radio"/>
Thiazolines (4 kinds of biocides)	<input type="radio"/>	<input type="radio"/>
Phenol	<input type="radio"/>	<input type="radio"/>
<b>CMR</b> Please specify if non-compliant (CAS No):	<input type="radio"/>	<input type="radio"/>
<b>Fragrances</b> Please specify if non-compliant (CAS No.):	<input type="radio"/>	<input type="radio"/>
<b>Nitrosamines and nitrosatable substances</b> Please specify if non-compliant (CAS No.):	<input type="radio"/>	<input type="radio"/>
<b>VII. Summary/enforcement actions/enforcement measures taken</b>		

<p>7.1. Is the product compliant in terms of content of restricted / banned substances?</p> <p><input type="radio"/> Yes (go to 7.1.2)</p> <p><input type="radio"/> No</p> <p><input type="radio"/> Not checked</p> <p>7.1.1. If the product was non-compliant, please specify regarding which obligations</p> <p><input type="checkbox"/> REACH restrictions</p> <p><input type="checkbox"/> POP</p> <p><input type="checkbox"/> RoHS</p> <p><input type="checkbox"/> Toys</p> <p>7.1.2. Is the communication obligation under Article 33(1) of REACH fulfilled?</p> <p><input type="radio"/> Yes</p> <p><input type="radio"/> No</p> <p><input type="radio"/> N/A</p> <p><input type="radio"/> Not checked</p> <p>7.1.3. Is the SCIP communication to ECHA obligation fulfilled?</p> <p><input type="radio"/> Yes</p> <p><input type="radio"/> No</p> <p><input type="radio"/> N/A</p> <p><input type="radio"/> Not checked</p>	<p>This question relates only to checks of REACH Annex XVII, POP Annex I, RoHS and Toys restrictions. You do not need to report the obligations concerning article 33.1 in this question. This is to be reported in 7.1.2</p> <p>Non-compliance to article 33 if content of CL substance &gt;0.1% and if the information has not been supplied</p> <p>N/A (e.g., Art 33(1) not required if product supplied to consumers)</p> <p>Optional Question</p>
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<p>7.2 Which type of enforcement actions were initiated when non-compliance was identified?</p>	
<p>7.2.1 Enforcement measures:</p>	<p><i>Multiple choice</i></p>
<p> <input type="checkbox"/> No enforcement actions were initiated  <input type="checkbox"/> Verbal advice  <input type="checkbox"/> Written advice  <input type="checkbox"/> Order  <input type="checkbox"/> Public announcement by the Enforcement Authorities "Name and Shame"  <input type="checkbox"/> Follow up activities still on-going  <input type="checkbox"/> Other (please specify in 7.2.1.a):                   7.2.1.a Please specify your answer other             </p>	<p>Examples of public announcement is that the result of the non-compliant product and company is published in a report or in the NEA 's decision (order)</p>
<p>7.2.2 If you have chosen any action above, please specify what action the company has taken: (multiple choice is possible)</p>	<p><i>Multiple choice</i></p>
<p> <input type="checkbox"/> Prohibition from placing on the market  <input type="checkbox"/> Removed the product offer from the website (Restrictions)  <input type="checkbox"/> Withdrawal from the market  <input type="checkbox"/> Recall from general public  <input type="checkbox"/> Follow up activities still on-going  <input type="checkbox"/> No action was observed             </p>	
<p>7.2.3 Sanctions/fines/criminal complaint: (multiple choice is possible)</p>	<p><i>Multiple choice</i></p>
<p> <input type="checkbox"/> No sanctions were applied  <input type="checkbox"/> Fine imposed  <input type="checkbox"/> Information to investigation authority (Police)  <input type="checkbox"/> Criminal complaint / handing over to public prosecutor's office  <input type="checkbox"/> Other (please specify in 7.2.3.a):                   7.2.3.a Please specify your answer other             </p>	
<p>7.3 The product was inserted/notified</p> <p> <input type="checkbox"/> in ICSMS  <input type="checkbox"/> in Safety gate (RAPEX)  <input type="checkbox"/> not inserted/notified  <input type="checkbox"/> Follow up activities still on-going (possible notification)             </p>	<p><i>Multiple choice</i></p>

<p>7.4 Has information about <i>this non-compliant product</i> been forwarded to other Member States Authorities for action?</p> <p><input type="radio"/> Yes (specify further the tool(s) used)</p> <p>7.4.1 If Yes, please specify the tool used:</p> <p><input type="checkbox"/> Interact portal</p> <p><input type="checkbox"/> ICSMS ('pass the baton/request for information/request for executive measures')</p> <p><input type="checkbox"/> Safety Gate: the EU rapid alert system for dangerous non-food products</p> <p><input type="checkbox"/> Informally (e.g., e-mail, phone call)</p> <p><input type="checkbox"/> Other. Please specify:</p> <p>7.4.1.a Please specify your answer "Other"</p> <p><input type="radio"/> No</p>	<p><i>Multiple choice</i></p>
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## Section B - Company level questions

<p><b>VIII. Information of the identified company</b></p>	
<p><b>8.1. Name of company</b></p>	<p>This data is only for internal use.</p> <p>Note that for some product many companies can be involved (e.g., distributor (retailer), supplier, manufacturer). – report only the highest in the supply chain</p>
<p><b>8.2 The role of the inspected company?</b></p> <p><input type="checkbox"/> Manufacturer/ Producer of substance / mixture</p> <p><input type="checkbox"/> Manufacturer/ Producer of articles</p> <p><input type="checkbox"/> Importer</p> <p><input type="checkbox"/> Distributor (in EEA)</p> <p><input type="checkbox"/> Market place</p> <p><input type="checkbox"/> Not known</p>	<p><i>Multiple choice</i></p> <p>If several companies are inspected for the same product – report only the highest in the supply chain (within your MS)</p> <p>Manufacture includes own brand, or own name on product</p> <p>Distributor includes retailer and wholesaler</p> <p>Market place is a company that supplies (not sells) other sellers' products, like Amazon[1], E-bay etc.</p> <p>[1] Note that some marketplaces have multiple roles. They could also be manufacturers, importers, or distributors for different products</p>
<p><b>8.3 Where is the product manufactured (made)?</b></p> <p><input type="radio"/> Within the Member State</p> <p><input type="radio"/> Within EEA</p> <p><input type="radio"/> Outside the EEA (Please Indicate Country in 8.3.a)</p> <p><input type="radio"/> Not known</p> <p>8.3.a Please specify the country:</p>	<p>The label often states where the product is made e.g., "Made in X"</p>

**IX: Informal comments (free text)**

Please fill this section if you would like to inform on obstacles overcome, lessons learned, need for clarification/harmonisation

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## 5.2 Annex II – Substance checked in the project

Below all substances checked and the rate of non-compliance in the project

### Restricted substances POPs-Regulation

Substances	Number checked	Number Non-compliance	% non-compliance
SCCP	463	52	11%
PFOA	131	7	5%
HBCDD	85	1	1%
Brominated diphenyl ethers	44	0	0%
PFOS	135	0	0%
HCB	13	0	0%
PCP	55	0	0%

### Restricted substances REACH-Regulation

#### 2.1

Substances	Number checked	Number Non-compliance	% non-compliance
Entry 5: Benzene	109	0	0%
Entry 6: Asbestos	4	0	0%
Entry 20.6: Dioctyltin (DOT)	35	0	0%
Entry 23: Cadmium - 23.1 Plastic material	208	7	3%
Entry 23: Cadmium - 23.8 Brazing fillers	1	0	0%
Entry 23: Cadmium - 23.10 Jewellery	459	55	12%
Entry 27: Nickel in jewellery	320	27	8%
Entry 32: Chloroform	126	5	4%
Entry 38: 1,1-Dichloroethene	34	1	3%
Entry 43: Azocolourants and Azodyes - Leather	62	0	0%
Entry 43: Azocolourants and Azodyes - Textiles	103	0	0%
Entry 47. 5: Chromium VI - Leather	187	3	2%
Entry 47.7: Chromium VI - Cement	40	0	0%

Entry 48: Toluene	181	14	8%
Entry 50: PAH	219	15	7%

## 2.2 Phthalates entry 51

Substances	Number checked	Number Non-compliance	% non-compliance
DEHP - Toys	330	46	14%
DEHP - Children articles	17	2	12%
DEHP - Other plastic article	207	21	10%
DBP - Toys	325	20	6%
DBP - Childcare articles	13	0	0%
DBP - Other plastic article	210	7	3%
BBP- Toys	324	0	0%
BBP- Childcare articles	16	0	0%
BBP- Other plastic article	204	2	1%
DIBP - Toys	312	5	2%
DIBP - Childcare articles	15	0	0%
DIBP - Other plastic article	205	11	5%

## 2.3 Phthalates Entry 52

Substances	Number checked	Number Non-compliance	% non-compliance
DINP- Toys	279	4	1%
DINP- Childcare articles	14	0	0%
DINP - Other plastic article	59	0	0%
DIDP- Toys	279	1	0%
DIDP- Childcare articles	14	0	0%
DIDP - Other plastic article	62	0	0%
DNOP- Toys	277	0	0%
DNOP - Childcare articles	14	0	0%
DNOP - Other plastic article	60	0	0%

## 2.4

Substances	Number checked	Number Non-compliance	% non-compliance
Entry 59 Dichloromethane	40	19	48%
Entry 63 Lead in 63.1 Jewellery articles	415	45	11%
Entry 63 Lead in 63.7 Consumer Articles	123	1	1%
Entry 64 1,4-DCB	79	0	0%
Entry 65 Inorganic Ammonium salts	2	0	0%
Entry 66 Bisphenol-A (BPA)	26	0	0%
Entry 70 D4/D5	9	0	0%
Entry 71 NMP	3	0	0%

## 2.5 CMR substances

Substances	Number checked	Number Non-compliance	% non-compliance
Cadmium and its compounds	262	19	7%
Chromium VI compounds	131	0	0%
Arsenic compounds	32	0	0%
Lead and its compounds	281	21	7%
Benzene	53	0	0%



Benz[a]anthracene	57	1	2%
Benz[e]acephenanthrylene	35	0	0%
benzo[a]pyrene; benzo[def]chrysene	55	0	0%
Benzo[e]pyrene	52	2	4%
Benzo[j]fluoranthene	53	0	0%
Chrysene	57	0	0%
Dibenz[a,h]anthracene	49	0	0%
$\alpha$ , $\alpha$ , $\alpha$ ,4-tetrachlorotoluene; p-chlorobenzotrichloride	54	0	0%
$\alpha$ , $\alpha$ , $\alpha$ -trichlorotoluene; benzotrichloride	26	0	0%
$\alpha$ -chlorotoluene; benzyl chloride	26	0	0%
Formaldehyde	26	0	0%
1,2-benzenedicarboxylic acid; diC 6-8-branched alkylesters, C 7- rich	93	0	0%
Bis(2-methoxyethyl) phthalate	35	0	0%
Diisopentylphthalate	35	0	0%
Di-n-pentyl phthalate (DPP)	36	0	0%
Di-n-hexyl phthalate (DnHP)	42	0	0%
N-methyl-2-pyrrolidone (NMP)	37	0	0%
N,N-dimethylacetamide (DMAC)	35	0	0%
N,N-dimethylformamide; dimethyl formamide (DMF)	27	0	0%
1,4,5,8-tetraaminoanthraquinone; C.I. Disperse Blue 1	48	0	0%
Benzenamine, 4,4'-(4-iminocyclohexa-2,5 dienyliidenemethylene) dianiline hydrochloride; C.I. Basic Red 9	36	0	0%
[4-[4,4'-bis(dimethylamino)benzhydrylidene]cyclohexa 2,5-dien1-ylidene]dimethylammonium chloride; C.I. Basic Violet 3 with $\geq 0,1$ % of Michler's ketone	34	0	0%
4-chloro-o-toluidinium chloride	28	0	0%
2-Naphthylammoniumacetate	27	0	0%
4-methoxy-m-phenylene diammonium sulphate;	28	0	0%
2,4-diaminoanisoole sulphate	28	0	0%
2,4,5-trimethylaniline hydrochloride	27	0	0%
Quinoline	46	0	0%

### CL substances REACH-Regulation

The table indicates in which product types CL substances are identified above the threshold limit value of 0.1 % w/w. The fact that a CL substance is found in this concentration in an article does not mean that the article is non-compliant. However, the supplier of the article is obliged to notify information on the substance down the supply chain. For this reason, the table does not contain a % of non-compliance.

Substances	Product group	Number of products
<b>Cadmium and its compounds</b>	Fashion	8
<b>Lead and its compounds</b>	Fashion	2
<b>Lead and its compounds</b>	Other	7
<b>D4/D5/D6</b>	Other	7
<b>Chromium trioxide</b>	Fashion	1
<b>Benzo[a]pyrene</b>	Building and interior	1

<b>Benzo[a]anthracene</b>	Building and interior	1
<b>Chrysene</b>	Building and interior	1
<b>Benzo[k]fluoranthene</b>	Building and interior	1
<b>DIBP</b>	EEE	3
<b>DBP</b>	EEE	3
<b>DEHP</b>	EEE	3
<b>BBP</b>	EEE	3
<b>Lead</b>	EEE	9
<b>MCCP</b>	Toys	9
<b>MCCP</b>	Sports	5
<b>SCCP</b>	Sports	3
<b>DDP</b>	Sports	5
<b>DIBP</b>	Sports	3
<b>DBP</b>	Sports	3
<b>DEHP</b>	Sports	3
<b>BBP</b>	Sports	3
<b>Chrysene</b>	Sports	1

### Restricted substances RoHS Directive

Substances	Number checked	Number Non-compliance	% non-compliance
Lead	322	160	50%
Cadmium	275	34	12%
Mercury	123	1	1%
Cr VI	104	1	1%
PBB	104	1	1%
PBDE	110	2	2%
DEHP	218	42	19%
BBP	217	0	0%
DBP	214	27	10%
DIBP	214	5	2%

### Restricted substances Toys Directive

Substances	Number checked	Number Non-compliance	% non-compliance	Substances
Migration EN 71:3	145	10	7%	Ni 3 Al 1 Boron 3 Cr VI 1 Lead 1 Organic tin 1 Ba 1 Boron 1 Zinc 1 Cr III 1 1117-81-7 <sup>15</sup> 3
TCP	54	4	7%	
BPA	45	1	2%	
Formamide	14	0	0%	
Thiazolines	11	1	9%	
Phenol	41	0	0%	

<sup>15</sup> Di (2 ethylhexyl) phthalate or di-sec-octyl phthalate

CMR	28	3	11%	1117-81-7 3
Fragrances	10	0	0%	
Nitrosamines....	13	2	15%	Sum of: 5336-53-8 <sup>16</sup> /643014-99-7 <sup>17</sup> 1 55-18-5 <sup>18</sup> 1

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<sup>16</sup> N-Nitrosodibenzylamine

<sup>17</sup> N-Nitroso-N,N-di-(7-methyloctyl)amine

<sup>18</sup> N-Nitrosodiethylamine

EUROPEAN CHEMICALS AGENCY  
P.O. BOX 400, FI-00121 HELSINKI, FINLAND  
ECHA.EUROPA.EU