

ANNEX XVII TO REACH – Conditions of restriction

Restrictions on the manufacture, placing on the market and use of certain dangerous substances, mixtures and articles

Entry 63
Lead
CAS No 7439-92-1
EC No 231-100-4
and its compounds

Conditions of restriction
<p>1. Shall not be placed on the market or used in any individual part of jewellery articles if the concentration of lead (expressed as metal) in such a part is equal to or greater than 0,05 % by weight.</p> <p>2. For the purposes of paragraph 1:</p> <p>(i) 'jewellery articles' shall include jewellery and imitation jewellery articles and hair accessories, including:</p> <ul style="list-style-type: none">(a) bracelets, necklaces and rings;(b) piercing jewellery;(c) wrist watches and wrist-wear;(d) brooches and cufflinks; <p>(ii) 'any individual part' shall include the materials from which the jewellery is made, as well as the individual components of the jewellery articles.</p> <p>3. Paragraph 1 shall also apply to individual parts when placed on the market or used for jewellery-making.</p> <p>4. By way of derogation, paragraph 1 shall not apply to:</p> <ul style="list-style-type: none">(a) crystal glass as defined in Annex I (categories 1, 2, 3 and 4) to Council Directive 69/493/EEC (*);(b) internal components of watch timepieces inaccessible to consumers;(c) non-synthetic or reconstructed precious and semiprecious stones (CN code 7103, as established by Regulation (EEC) No 2658/87), unless they have been treated with lead or its compounds or mixtures containing these substances;(d) enamels, defined as vitrifiable mixtures resulting from the fusion, vitrification or sintering of minerals melted at a temperature of at least 500 °C.

5. By way of derogation, paragraph 1 shall not apply to jewellery articles placed on the market for the first time before 9 October 2013 and jewellery articles produced before 10 December 1961.

6. By 9 October 2017, the Commission shall re-evaluate this entry in the light of new scientific information, including the availability of alternatives and the migration of lead from the articles referred to in paragraph 1 and, if appropriate, modify this entry accordingly.

7. Shall not be placed on the market or used in articles supplied to the general public, if the concentration of lead (expressed as metal) in those articles or accessible parts thereof is equal to or greater than 0,05 % by weight, and those articles or accessible parts thereof may, during normal or reasonably foreseeable conditions of use, be placed in the mouth by children.

That limit shall not apply where it can be demonstrated that the rate of lead release from such an article or any such accessible part of an article, whether coated or uncoated, does not exceed 0,05 µg/cm² per hour (equivalent to 0,05 µg/g/h), and, for coated articles, that the coating is sufficient to ensure that this release rate is not exceeded for a period of at least two years of normal or reasonably foreseeable conditions of use of the article.

For the purposes of this paragraph, it is considered that an article or accessible part of an article may be placed in the mouth by children if it is smaller than 5 cm in one dimension or has a detachable or protruding part of that size.

8. By way of derogation, paragraph 7 shall not apply to:

- (a) jewellery articles covered by paragraph 1;
- (b) crystal glass as defined in Annex I (categories 1, 2, 3 and 4) to Directive 69/493/EEC;
- (c) non-synthetic or reconstructed precious and semi-precious stones (CN code 7103 as established by Regulation (EEC) No 2658/ 87) unless they have been treated with lead or its compounds or mixtures containing these substances;
- (d) enamels, defined as vitrifiable mixtures resulting from the fusion, vitrification or sintering of mineral melted at a temperature of at least 500 ° C;
- (e) keys and locks, including padlocks;
- (f) musical instruments;
- (g) articles and parts of articles comprising brass alloys, if the concentration of lead (expressed as metal) in the brass alloy does not exceed 0,5 % by weight;
- (h) the tips of writing instruments;
- (i) religious articles;
- (j) portable zinc-carbon batteries and button cell batteries;
- (k) articles within the scope of:
 - (i) Directive 94/62/EC;
 - (ii) Regulation (EC) No 1935/2004;
 - (iii) Directive 2009/48/EC of the European Parliament and of the Council (**);
 - (iv) Directive 2011/65/EU of the European Parliament and of the Council (***)

9. By 1 July 2019, the Commission shall re-evaluate paragraphs 7 and 8(e), (f), (i) and (j) of this entry in the light of new scientific information, including the availability of alternatives and the migration of lead from the articles referred to in paragraph 7, including the requirement on coating integrity, and, if appropriate, modify this entry accordingly.

10. By way of derogation paragraph 7 shall not apply to articles placed on the market for the first time before 1 June 2016.

(*) OJ L 326, 29.12.1969, p. 36.

(**) Directive 2009/48/EC of the European Parliament and of the Council of 18 June 2009 on the safety of toys (OJ L 170, 30.6.2009, p. 1).

(***) 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 (OJ L 174, 1.7.2011, p. 88).