

Use Case Study - Consumers, professional users

Enabling informed purchasing choices for consumers (and purchasers more generally)

Primary Actor	Consumers, purchasers (e.g. professional users)
Secondary Actors	NGOs
Existing Practice	<p>Consumers currently do not know whether SVHCs are present in many products unless the article is labelled accordingly. This lack of information is also a problem for professional users who purchase articles business-to-business.</p> <p>REACH introduced, in Article 33, the "consumer right to know". Companies are obliged to answer a consumer inquiry about the presence of a substance of very high concern in an article, within 45 days. The LIFE AskREACH project (currently under development) aims to make this process more convenient by developing a smartphone app allowing consumers to scan barcodes and request information on the presence of SVHCs in articles.</p> <p>The AskREACH project is still in development and consumers are still challenged by up to a 45 day wait for the information. This delayed response restricts the potential to base purchasing choices on whether or not products contain SVHCs.</p> <p>For instance, some garden hoses contain phthalates which are on the candidate list¹. If a consumer wishes to buy a garden hose to use soon after purchase and is comparing different garden hose products in a store, REACH Article 33 would not be able to provide information in sufficient time for the consumer unless planned for.</p> <p>The Danish authorities have attempted to improve information in the supply chain for building materials and DIY (Do-It-Yourself) articles by creating "Byggebasen"². This is an online product catalogue which can be accessed by members of the Trade Association Danish Building Centres for information on the presence of Candidate List substances in construction and DIY products.</p> <p>The Nordic countries have established a products register called "SPIN"³ (Substances in Preparations In the Nordic countries) which is a database on the use of substances (including in mixtures) across the region. It is accessible publicly and includes quantities, industries in which substances are used (e.g. NACE) and the function it is used for (use category). SPIN allows organisations to identify trends in the use of substances and the products (mixtures) in which they are used. Consumer organisations use this information to track substances that are already regulated, or which are candidates for regulation. Regulatory authorities use this information to assess the effects (and effectiveness) of regulations on specific substances and mixtures.</p>
Challenges related to substances of (very high) concern in waste	<p>Lack of consumer awareness of the presence of candidate list substances in articles means that such articles continue to enter the municipal waste stream. The substances pose a potential health risk to the users of the products that contain them and to waste/recycling workers once in the waste stream, as well as a potential risk of release to the environment and contamination of recycled materials.</p> <p>Retailers often do not receive information that a product contains an SVHC. Stakeholders have highlighted that for instance the DIY and building materials sectors often struggle to obtain information on SVHC in these products, and various routes to addressing this issue are recommended by the Danish Government:</p>

¹ <https://kemi.taenk.dk/bliv-groennere/test-kemi-i-produkter-af-plastik>

² <http://www.byggebasen.dk/>

³ <http://spin2000.net/>

- If DIY firms do not receive information that an article or product contains an SVHC, this may be due to the article/product being free of SVHC, but also because the supplier does not have the information, or that the supplier is unaware of its duties or does not comply with REACH Article 33. Suppliers may also be unaware that the threshold value applies to each individual article of a complex object.
- The Danish Government recommends obtaining information from the supplier where information is insufficient, and companies can draw on information on types of SVHC that may be present in products.

The SPIN database only covers the Nordic countries. Moreover it only covers substances and mixtures, not articles. Whilst it is clearly very useful, it is limited in terms of:

- Identifying the link between use of SVHC in specific products, and hence their passage to the waste stage, where their identification may be important to waste handlers.
- Identifying an EU-wide picture on the presence of SVHC in products, given the limited geographical scale.

Future Practice with the new database

The development of the database provides the following key opportunities:

- a. **A robust and reliable source of information** on the presence of SVHCs in articles and products.
- b. Consumers have the possibility to consult the database and **find out instantly if the article about to be purchased has SVHC** present.
- c. The potential for the database to be adapted as the **information source for a database with a smartphone app**. This could be developed by a third party.
- d. The SCIP database can also be used to **identify trends and track the use of substances and the articles in which they are used**. Similarly to the use of the SPIN database for substances in mixtures, this allows consumer organisations and regulatory authorities to assess the effects (and effectiveness) of regulations on specific substances and products.

In the future, a consumer looking to purchase a garden hose and wishing to identify the presence of SVHCs in the available products could scan the bar code or enter the name and find out if any SVHC are present. With this knowledge the consumer will be able to consciously choose a garden hose without SVHC if they wish to do so. The increased demand for garden hoses without SVHC would incentivise substitution of the SVHC and could contribute to reducing such substances in waste streams and the environment. Consumer organisations could have an important role to play in this.

Potential benefits of this use

This use could improve consumer and purchaser knowledge of harmful substances in articles, enabling a range of potential benefits:

- **Empowering consumers to make better informed purchasing decisions**, reinforcing their right to know which substances they may be exposed to, and reducing their exposure if they wish to do so.
- **The increased awareness will help facilitate substitution** of harmful chemicals and reduce the number of products containing such substances that enter the waste stream. This will reduce the number of harmful substances emitted into the environment.
- **Consumer organisations could potentially** be able to access information on specific product types to **highlight to consumers where SVHC are being used**, to help consumers make informed purchase decisions **without checking every individual product**.

Incentives and barriers for this use

Incentives:

- Consumer demand to reduce the use of and potential exposure to harmful substances.

Barriers:

- A potential lack of information in the database for consumers to easily identify products (e.g. brand names which is currently an optional information requirement). Producers' lack of

willingness to provide detailed information to help consumers to identify the products and articles within them because of fears the database can expose supply chain information.

- Improved information is reliant on there being more incentives to provide information to the database than there is for existing notifications under Article 33 and existing supply chain communication.
- A potential barrier exists in terms of ensuring a link between the database and existing systems (e.g. the "DB-number" or "EAN-number" which are used in the Byggebassen database).

Presentation of information in the database to support this use

- The database would require an easy-to-use interface for consumers (e.g. an easily searchable internet portal or an app) to present the information on the presence of SVHCs in articles. The database should link to safe-use instructions clearly when being accessed by consumers.
- It would be most-useful to present data at the level of specific products so that individual purchasers (consumers and professionals) can get improved information on which contain SVHC. The database would ideally enable purchasers (possibly via an app) to easily match a product that they see in a shop with the corresponding information in the database, for instance by scanning a barcode or other existing systems (e.g. the "DB-number" or "EAN-number" mentioned above in the context of the Danish building products sector).

This use case is an extract of a report that has been prepared under contract ECHA/2018/338. Further background is provided in the full report.

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