Level of reporting for SCIP notifications
(revisited)

SCIP IT User Group

24 June 2020

Summary

- Introduction
- 'Grouping': articles as such
  - Identical articles
  - Quasi-identical articles
- 'Grouping': complex objects
  - Criteria 'Grouping' quasi-identical complex objects (Recommended by ECHA)
  - Representative article approach
- 'Hierarchy': complex objects
- Next steps

Introduction

SCIP format

- One-size-fits-all solution to cover all possible articles or complex objects (products) placed on the EU market

- Constrains that <u>would fail</u> a SCIP notification submission to a minimum

- ▪ Provides a lot of discretion on how to report data to the SCIP database
- ▪ Increases the responsibility of submitters
- ▪ Creates some uncertainty on the appropriate level of structuring and submitting data
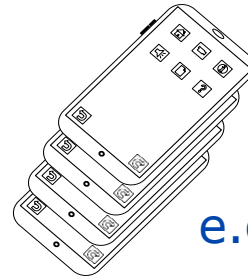
Complexity vs. volumes

Complexity

Volumes

Level of reporting

- Can identical or quasi-identical articles as such and complex objects (products) be submitted in one notification? ('*grouping*')
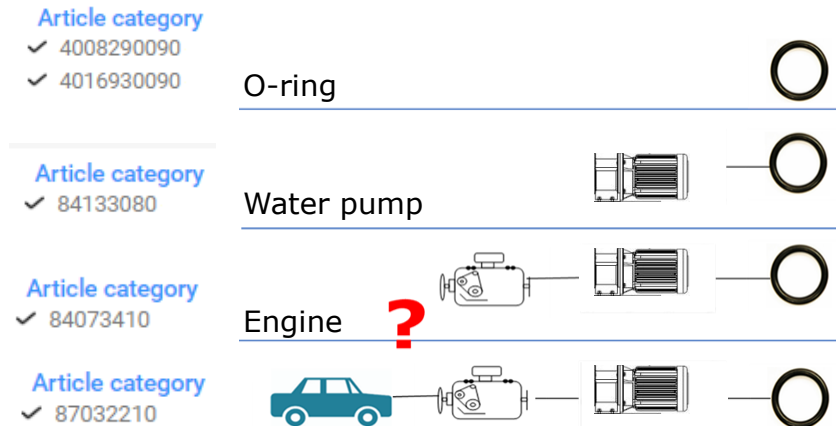
e.g. O-rings   e.g. Smartphones

- How many layers of components and subcomponents of a <u>complex object</u> have to be reported in order to allow the identification and 'location' of the article containing a Candidate List substance?
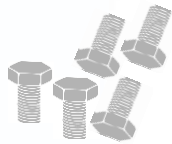
  ('*hierarchy*')

Article category
✓ 4008290090
✓ 4016930090
O-ring

Article category
✓ 84133080
Water pump

Article category
✓ 84073410
Engine **?**

Article category
✓ 87032210

Articles as such

'Grouping'

Can identical or quasi-identical articles as such be submitted in one SCIP notification?

Identical articles as such

Identical articles are articles with the exact same function/use, same physical form (shape, surface and design), and same chemical composition.

They can be submitted in a single SCIP notification by a supplier.
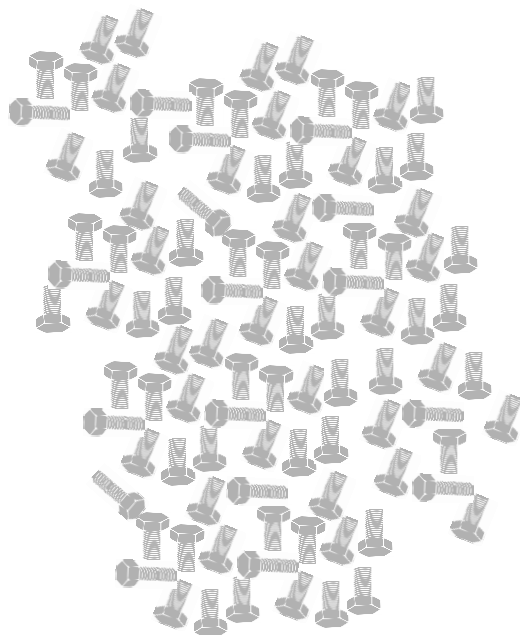
Example: 100 identical bolts

= 100 SCIP notifications? **No!**

It is generally accepted under REACH that the communication under REACH Article 33(1) is managed as 1 article to cover 100 identical bolts

One SCIP dossier covering the 100 identical bolts
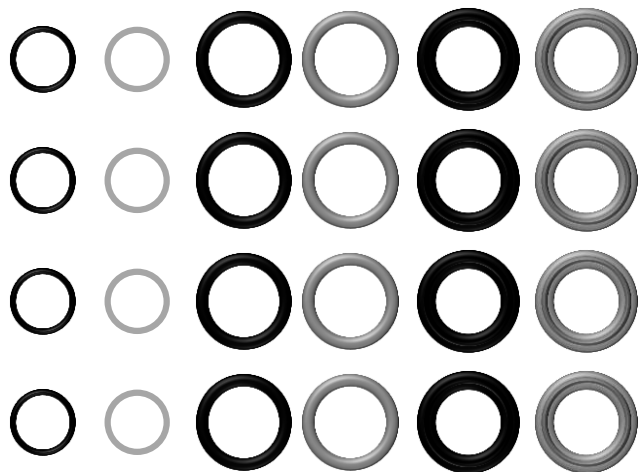
Quasi-identical articles as such

'Sameness' criteria for quasi-identical articles as such:

- The articles have the same function or use;
- They contain the same Candidate List substance(s);
- The material that the articles are made of is the same;
- The safe use instructions are the same, which is a logical consequence of the previous two criteria.

Articles meeting these criteria can be submitted in the same SCIP notification,

provided that the right elements for the identification of each identical article (e.g. names and alphanumeric identifiers) are included in the notification.
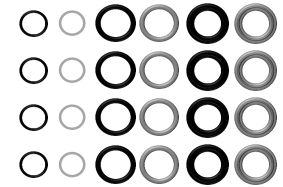
Quasi-identical articles as such: example (1)

Example: O-rings made of the same material containing the same Candidate List substance, but of different width, diameter or colour

They can be submitted in the same SCIP notification

# Quasi-identical articles as such: example (2)

Translation in the SCIP format

- The articles have the same function/use as provided by the appropriate description of the CN/TARIC system, i.e. they have the same article category (CN/TARIC code and description)

Identifiers

Article name*
O-ring (15x2.0B, 15x2.0G, 20x3.5B, 20x3.5G, 20x5.0B, 20x5.0G)_

Other names   **+ New item**

#..	Type	Name
1	brand	Rubber joints RJ

Primary article identifier type*
item number

Primary article identifier value*
O-ring 15x2.0B-15x2.0G-20x3.5B-20x3.5G-20x5.0B-20x5.0G

Categorisation

Article category
✓ 4008290090 - Plastics and articles thereof; rubber and articles thereof > Rubber and articles thereof > Plates, sheets, strip, rods and profile shapes, of vulcanised rubber other than hard rubber > Of non-cellular rubber > Other > Other

✓ 4016930090 - Plastics and articles thereof; rubber and articles thereof > Rubber and articles thereof > Other articles of vulcanised rubber other than hard rubber > Other > Gaskets, washers and other seals > Other

Production in European Union
no

# Quasi-identical articles as such: example (3)
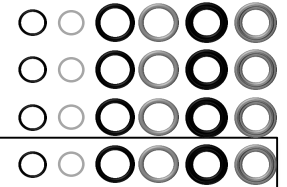
Translation in the SCIP format

• *The identification of each <u>identical article</u> (e.g. names and alphanumeric identifiers) are included in the notification.*

Other names ➕ New item

#	Type	Name	Action
2	type	O-ring 15x2.0B RJ	🗑
3	type	O-ring 15x2.0G RJ	🗑
4	type	O-ring 20x3.5G BJ	🗑
5	type	O-ring 20x3.5G RJ	🗑
6	type	O-ring 20x5.0B RJ	🗑
7	type	O-ring 20x5.0G RJ	🗑

Other article identifiers ➕ New item

#...	Type	Value
1	item number	15x2.0B RJ
2	item number	15x2.0G RJ
3	item number	20x3.5B RJ
4	item number	20x3.5G RJ
5	item number	20x5.0B RJ
6	item number	20x5.0G RJ
7	EAN (European Article Number)	9944556677801
8	EAN (European Article Number)	9944556677812
9	EAN (European Article Number)	9944556677823
10	EAN (European Article Number)	9944556677834
11	EAN (European Article Number)	9944556677845
12	EAN (European Article Number)	9944556677856

Quasi-identical articles as such: example (4)
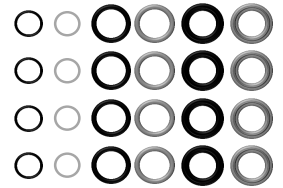
Translation in the SCIP format

- The data under the concern elements is the same:
    - Same Candidate List substances (present in the article)
    - The material that the article is made of is the same.

Concern element

1 **Candidate list substance**
   1,2-Benzenedicarboxylic acid, di-C6-8-branched alk... | 1,2-Benzenedicarboxylic acid, di-C6-8-branched alk... | 71888-89-6
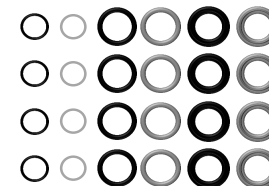
   Concentration range
   ≥ 1.0% w/w and < 10.0% w/w

   Material categories

   1 **Material category**
      rubber and elastomers > styrene-butadiene rubber (sbr)

      Additional material characteristics
      ✓ vulcanised (other)

   Mixture category (EUPCS)
   None

Quasi-identical articles as such: example (5)

Translation in the SCIP format

The submission report (after submitting in ECHA submission portal)

Submission status: Succeeded ✓

Dossier type:	SCIP notification	Submitted by:
Submission number:	RMH883509-08	Test_Company1
Submitted IUCLID version:	6_4	ECHA-2d7fa1ee-d9b3-4913-a7f4-64e84f104086

Submission information

SCIP number	4c0ef0c3-85b9-4782-bbf8-25c702b20bb4
Article name	O-ring (15x2.0B, 15x2.0G, 20x3.5B, 20x3.5G, 20x...
item number	O-ring 15x2.0B-15x2.0G-20x3.5B-20x3.5G-20x5.0...
Dossier name	O-ring (15x2.0B, 15x2.0G, 20x3.5B, 20x3.5G, 20x...
Dossier UUID	5b68de78-504b-46fd-9ff7-c7a414be391e
File name	5b68de78-504b-46fd-9ff7-c7a414be391e.i6z
Notification type	Initial

Submission events

15/04/2020 12:25	Dossier submitted
15/04/2020 12:25	Dossier passed validation checks

Article information

∨ 🔗 O-ring (15x2.0B, 15x2.0G, 20x3.5B, 20x3.5G, 20x5.0B, 20x5.0G)_
   item number : O-ring 15x2.0B-15x2.0G-20x3.5B-20x3.5G-20x5.0B-20x5.0G
   🔗 EC:276-158-1, CAS:71888-89-6, 1,2-Benzenedicarboxylic acid, di-C6-8-branched alkyl esters, C7-rich

Submission history

SCIP number
4c0ef0c3-85b9-4782-bbf8-25c702b20bb4
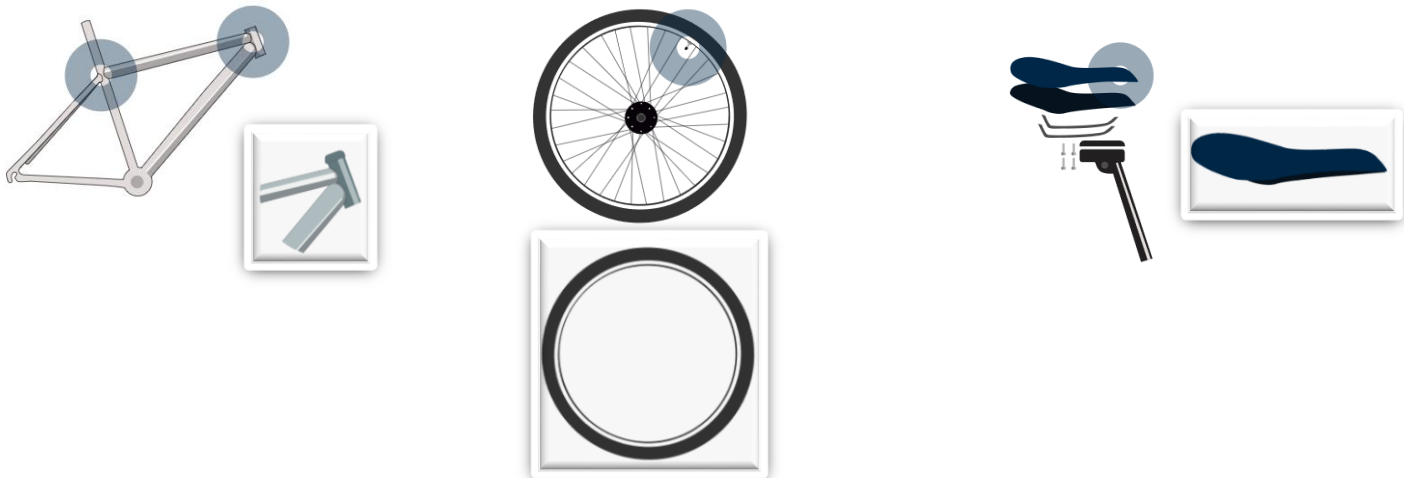15/04/2020 12:25   RMH883509-08 ✓

Complex objects

'Grouping'

Many notifications?

• How many components of a complex object incorporate articles as such with a Candidate List substance > 0.1% w/w?
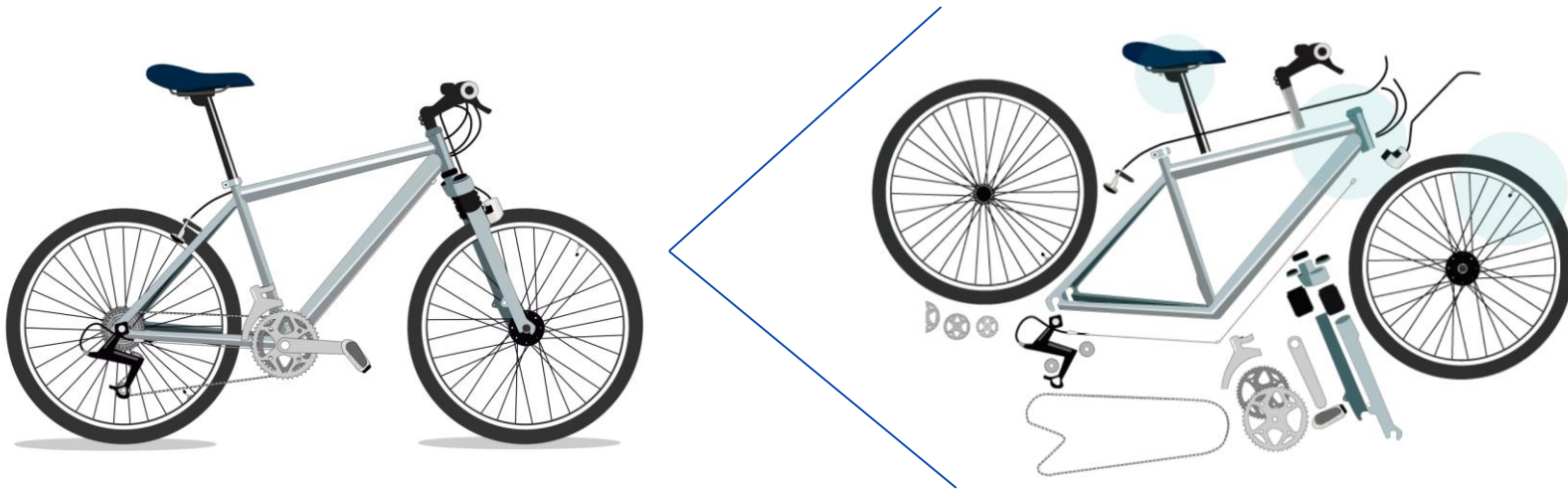
Many notifications? - The 'multi-sourcing' problem

- 3 articles as such with Candidate List substances, each filled colour, expect white, represents a specific Candidate List substance

- White filled symbols = articles without Candidate List substances

27 possible combinations for the bicycle, including one without Candidate List substances

Main objective of the SCIP database

SCIP Database

Reduce the content of Candidate List substances in materials and products, including recycled materials
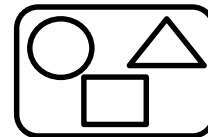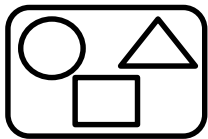
Push for **substitution** of Candidate List substances and **prevention** of generation of waste containing those substances

Result:
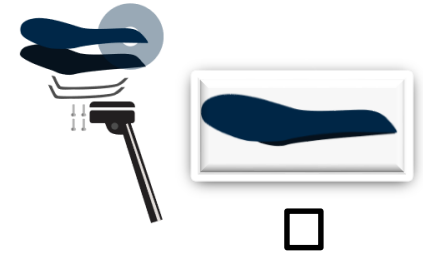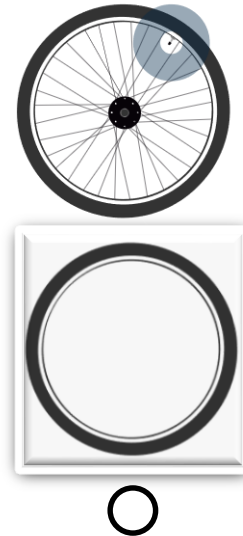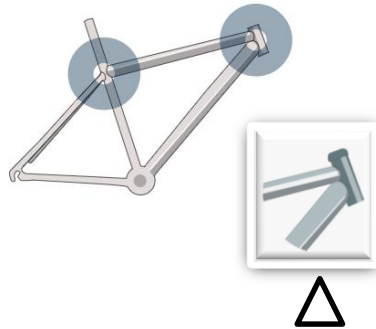
No Candidate List substances ⟹ No need to submit a SCIP notification

Recommendations
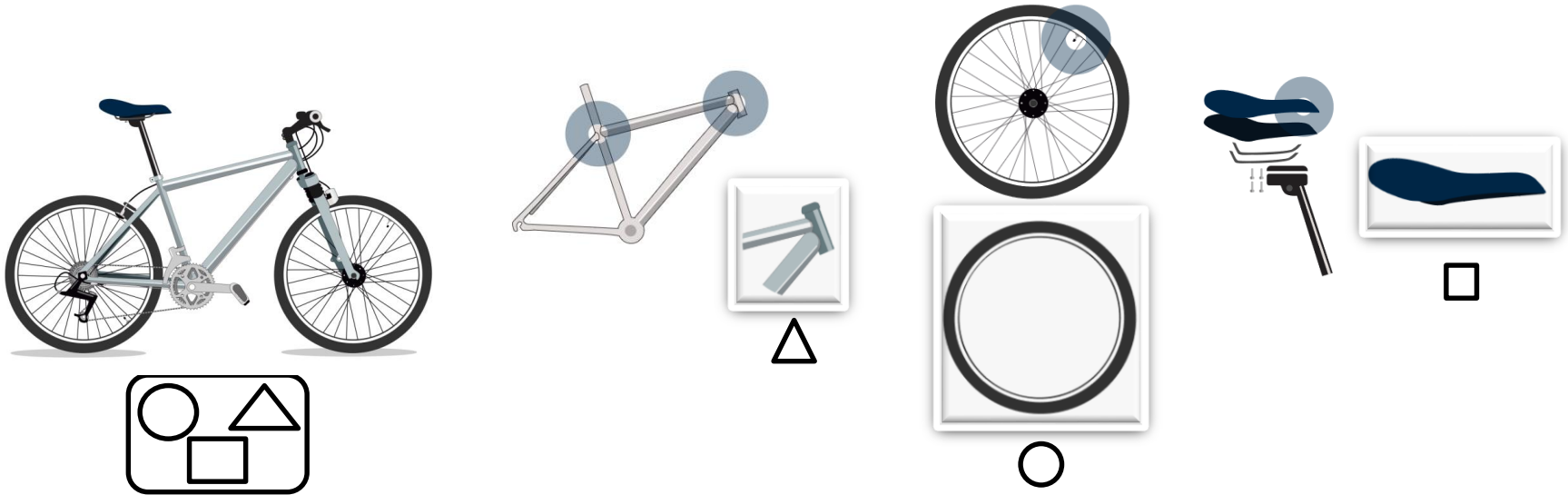
- Wherever possible, select suppliers which supply components and subcomponents <u>without</u> incorporating articles as such with Candidate List substances.

- Under the conception and design of a new complex object (product), take into account the possibility of avoiding the use of components and subcomponents incorporating articles as such with Candidate List substances.

Not always possible!

Commercial identification
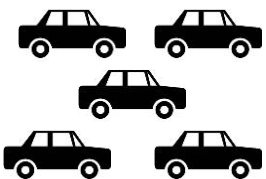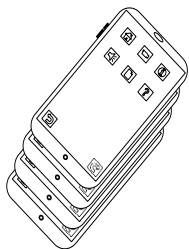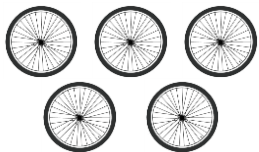
A large number of a complex object units are usually placed on the market with a common:

- Trade name,
- Brand, and
- Bar code number.

For certain complex objects, such as electronic devices and vehicles, each of their units are placed on the market with specific serial number or identification number (these numbers are also 'commercial identifiers' and are usually provided with the product unit sold).

Commercial identification: example (1)
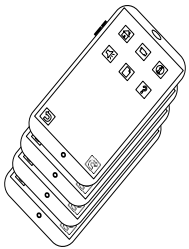
899 "smartphone 10" units are placed on the market by a supplier with a common trade name (smartphone 10), brand (e.g. BRAND) and bar code number (e.g. 123456789).

Each unit is assigned with a serial number provided with each unit sold. The serial number appears in the package of the "smartphone 10" unit, but not in the supplier's catalogue.

Commercial identification	
Article name (trade name):	Smartphone 10
Brand:	BRAND
Bar code number (EAN):	123456789
Serial number(s):	999100–999999 (899 units)

Commercial identification: example (2)
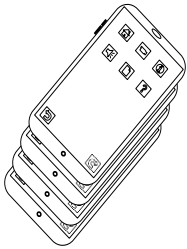
The following identification of the smartphone appears in the supplier's catalogue:

Commercial identification	
Trade name:	Smartphone 10
Brand:	BRAND
Bar code number (EAN):	123456789

- Any actor in the supply chain, e.g. a distributor or professional/industrial end-user, or any consumer at the time of making a purchasing decision has available this information from the supplier's catalogue;

- Based on this information, before making a purchase, a consumer can use their 'right to ask' under REACH Article 33(2) in order to make an informed purchase choice; or after purchasing a unit of the 'smartphone 10', the consumer can also use that 'right', by complementing their request by including also the serial number available to her or him in the package of the bought unit.

Can quasi-identical complex objects (products) be submitted in one SCIP notification?
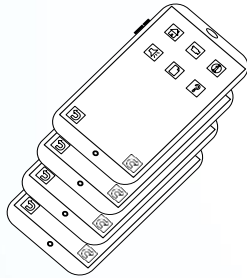
Quasi-identical complex objects: 'grouping'
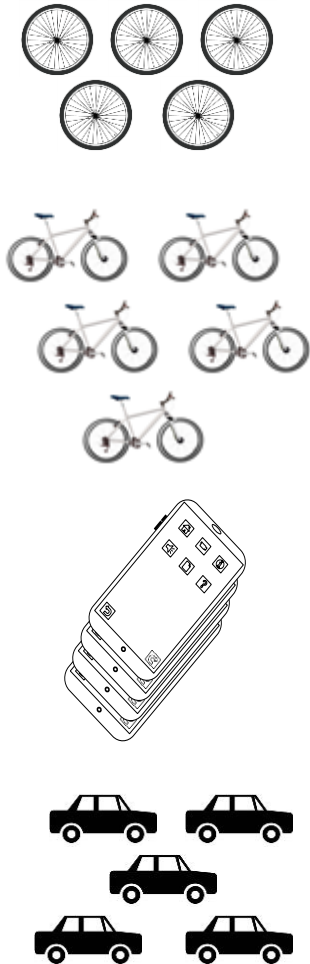
All complex object (product) units fulfilling the criteria listed in the next slide are considered an *article* for SCIP purposes and will be identified by a single primary article identifier (type and value) and name in the SCIP database.

Only one SCIP notification must be submitted for those units.

- It would be just submission of the same data multiple times;
- It may jeopardise one of the objectives of the SCIP database: allowing an informed purchase choice by actors in the supply chain and consumers

Quasi-identical complex objects: Criteria

Criteria:
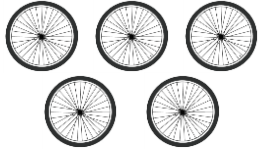
1. The complex object (units) have the same function or use

[as provided by the appropriate code and description of the CN/TARIC system, i.e. they have the same article category (CN/TARIC code and description)];

2. The complex object (units) incorporate the same components and subcomponents (i.e. having the same function/use following the previous criterion 1), and the complex object or its components and subcomponents incorporate the same articles as such, which fulfil 'sameness' criteria for quasi-identical articles as such listed in slide 10.
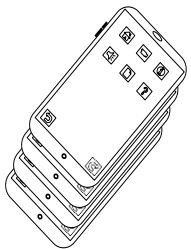
3. The safe use instructions are the same for the complex object (units)

[which is a logical consequence of the two criteria above]
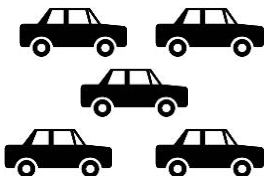
Quasi-identical complex objects: example (1)

Example:

The 899 "smartphone 10" units are placed on the market with a common trade name (smartphone 10), brand (e.g. BRAND) and bar code number (e.g. 123456789), as described above. Assuming that from those 899 units, only 649 incorporate Candidate List substances in their components, subcomponents and articles as such. The set comprising the other 250 units are not subject to a SCIP notification obligation.
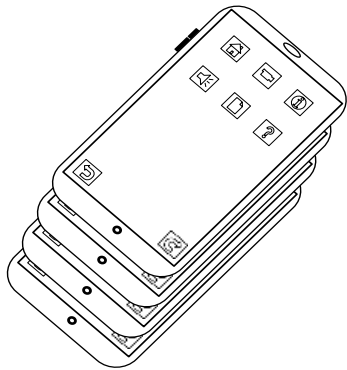
The 649 units subject to the SCIP notification obligation contain different combinations of components and subcomponents incorporating articles as such with different Candidate List substances.

Those combinations are the same for different sets of the assembled units.

Quasi-identical complex objects: example (2)
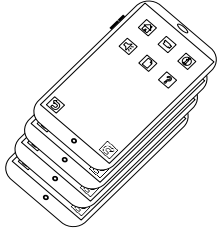
"Smartphone 10"

Each of those sets with the same combinations, as shown below, must be submitted to the SCIP database as one notification with a specific primary article identifier.

Required specific identification of the "smartphone 10" sets for SCIP notifications			
Primary article identifier	**Primary ID** *(Set 1)* 200 units	**Primary ID** *(Set 2)* 350 units	**Primary ID** *(Set 3)* 99 units
Smartphone 10	10-1	10-2	10-3
O Printed Circuit Board PCB	PCB-01	PCB-02	-
Ø Capacitor CAP	CAP-001	CAP-002	-
- Contact CO	CO-0001 ¶ SVHC 1	CO-0001 ¶ SVHC 1	-
- Casing CA	CA-0002 ¶ SVHC 2	-	-
O Battery BAT	BAT-03 ¶ SVHC 3	-	BAT-03 ¶ SVHC 3

Quasi-identical complex objects: example (3)

In this hypothetical example there are 3 sets of possible combinations for the "smartphone 10", where each set comprises a large number of individual units.
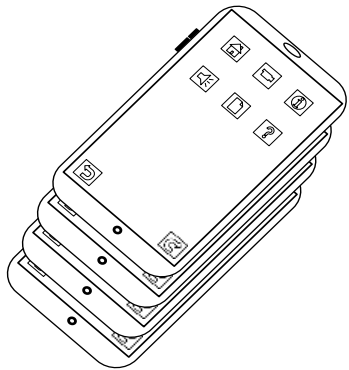
Each set must be reported in a single SCIP notification by attributing a specific primary article identifier (10-1, 10-2, 10-3) and including the following commercial identifiers in the SCIP notification, notably if intended to be supplied to consumers:

- Trade name: smartphone 10
- Brand: BRAND
- Bar code number: 123456789.

Submit a notification for each unit in these situations <u>must not</u> be done!

Quasi-identical complex objects: example (4)

As pointed out in this hypothetical example for the "smartphone 10", following current practices, it may be likely that the 'commercial identification' of a complex object **does not match** the appropriated way to identify each set (of units) in the respective SCIP notification.

Identification of each set:

- Each duty holder should identify each set of possible (units) combinations with a specific or unique primary article identifier type and value (Primary ID), e.g. as shown in the example for the "smartphone 10" by 10-1, 10-2, 10-3.

- There is **no need to include** on each SCIP notification, if available at the time of the submission, a specific unit number (e.g. serial number, or vehicle identification number (VIN)). Updates are not recommended to include such alphanumeric identifiers as they will become available for each unit when they are placed on the market.

- It is however, strongly encouraged that the specific or unique primary article identifier type and value attributed by the notifier to each set (used in the respective SCIP notification) will progressively be incorporated as part of the 'commercial identification' of the complex object (e.g. to allow consumers to search for the specific product they wish to buy in the SCIP database).

ECHA's recommended approach

ECHA recommends the grouping of quasi-identical complex objects based on the criteria listed above.

- It can be considered in line with a strict reading of the legal text and the definition of "article" and the reporting duties under Articles 9(1)(i) of the WFD and 33(1) of REACH.
- It allows to largely reduce the number of notifications to be submitted to ECHA, in particular for simpler complex objects, and thus reducing the impact on industry and ECHA in terms of the data volumes to be stored and processed by ECHA.
- It ensures that meaningful data will be submitted to the SCIP database for consumers and waste operators, by facilitating searches in the database.
- It avoids the submission of the same data multiple times.

Shortcomings for very complex objects

Complexity
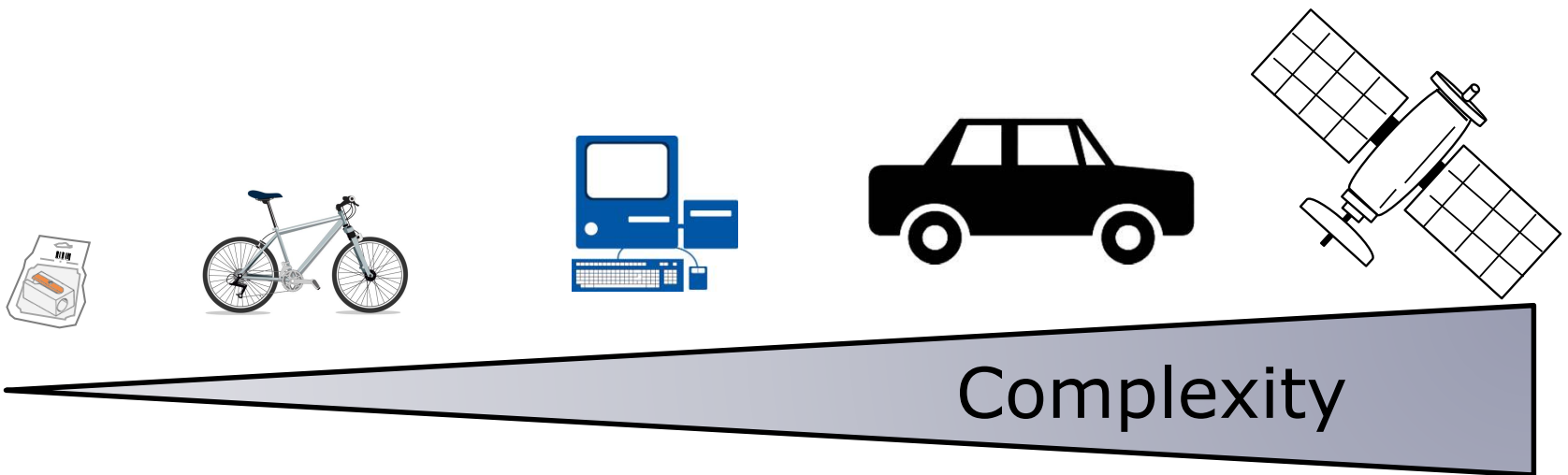
It may also be possible that for certain very complex objects, with many components a subcomponents incorporating articles with Candidate List substances, this recommended approach would lead to a single product unit level/serial number level reporting.

More far-reaching 'grouping' approaches

Among other possible far-reaching grouping approaches analysed, ECHA found that the '**representative article approach**' could be the most suitable.

Representative article approach

• Variation of what is sometimes also referred to as 'worst case' reporting

• Articles in complex objects with different Candidate List substances in their composition are reported individually in the SCIP notification under a generic identification for those complex objects.

• The components and sub-components are reported in a SCIP notification under a single name and primary article identifier.

Consists in the 'worst' possible combination of potential components and subcomponents containing Candidate List substances in a given complex object and reported in the SCIP notification under the umbrella of a 'fictitious' complex object.

Representative article approach: Example (1)

- The batteries (BAT3 and BAT4) incorporated in the "smartphone 10" units by the assembler have two sources.

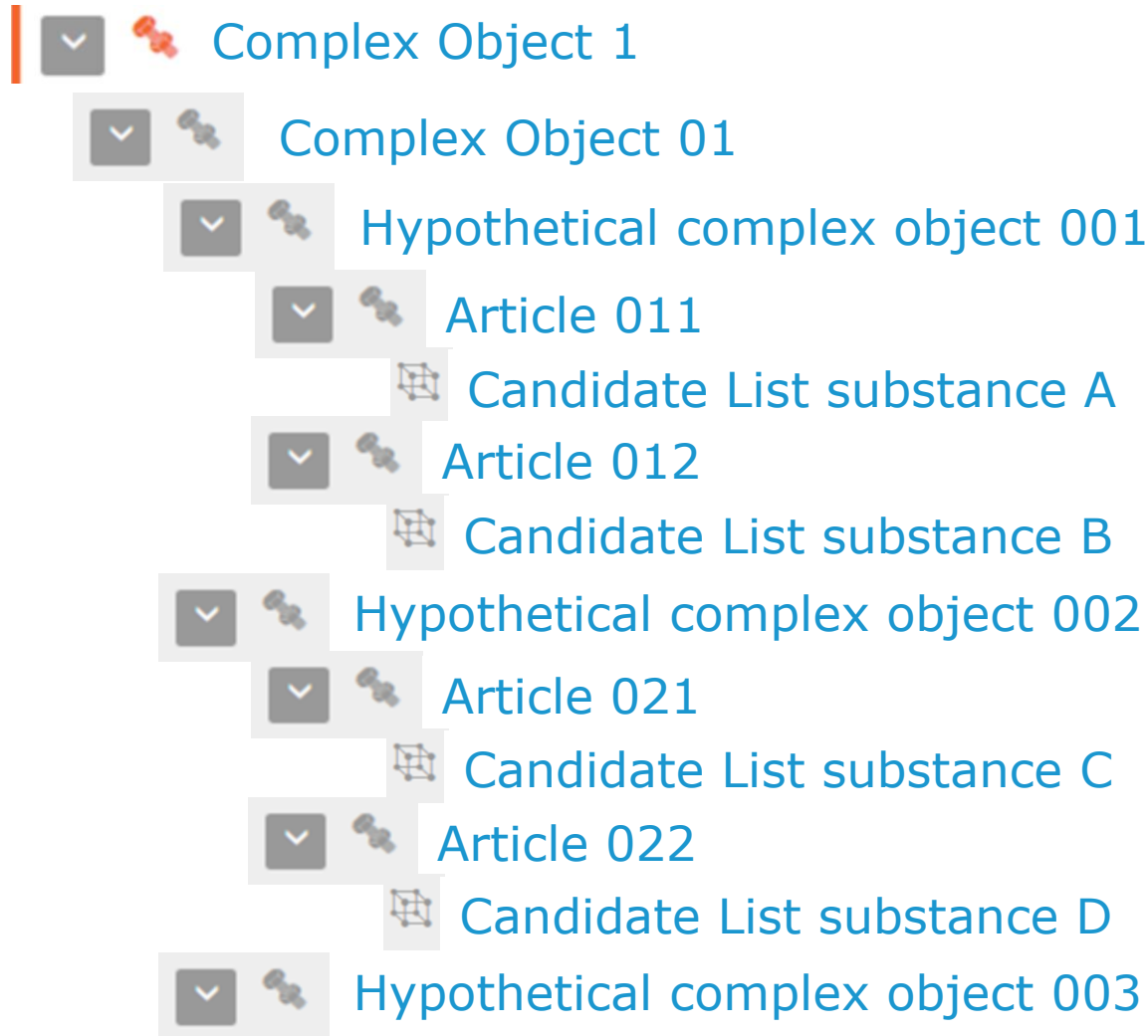- A subset of those batteries (BAT3) comes from one supplier and contains Candidate List substance 3; Another subset of those batteries (BAT4) comes from another supplier containing Candidate List substance 4

- The assembler could report in the SCIP notification the two subsets of batteries under a single battery identification (single name, Battery BAT-F, and single primary article identifier, BAT-F-01), regardless whether the concrete battery used belongs to one subset or another

- Smartphone 10 (primary article identifier 10-RAA)
    - Battery BAT-F (primary article identifier BAT-F-01)
        - Battery BAT3 (primary article identifier BAT-03)
            - Candidate List substance 3
        - Battery BAT4 (primary article identifier BAT-04)
            - Candidate List substance 4
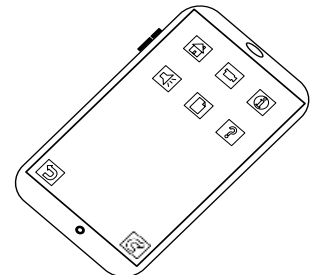
Representative article approach: *generalisation*

- Complex Object 1
  - Complex Object 01
    - Hypothetical complex object 001
      - Article 011
        - Candidate List substance A
      - Article 012
        - Candidate List substance B
    - Hypothetical complex object 002
      - Article 021
        - Candidate List substance C
      - Article 022
        - Candidate List substance D
    - Hypothetical complex object 003

...

Considerations on the Representative article approach

Advantages

- It reduces dramatically the number of notifications to be made by industry (e.g. 1 notification for "Smartphone 8", one for the "Smartphone 9", one for "Smartphone 10" vs. one for every possible combination of different components containing SVHC).

- It allows 'referencing' as an option to refer to data already submitted to the SCIP database by the upstream suppliers of batteries.

- It ensures that meaningful data will be submitted to the SCIP database for consumers and waste operators, by facilitating searches in the database.

Considerations on the Representative article approach

Disadvantages

- It is questionable if such solution is still in line with the legal text which requires reporting at "article" level.
    - It is clear that such solution also carries risks that may even undermine the objectives of the database: e.g. actors in the supply chain and consumers will only know that an article or product "may contain" an SVHC, which may not allow an informed purchase choice; Concerning waste operators, this level of information may not be sufficient for dismantlers and waste operators dedicated to the preparation for re-use.
    - It may also reduce the pressure on supply chains to substitute or track more precisely the presence of SVHCs in articles in the spirit of safety by design, even when applying multi-sourcing.
- May trigger many requests under REACH Art. 33(2) by consumers by using their 'right' to ask.

Considerations on the Representative article approach

Disadvantages (cont.)

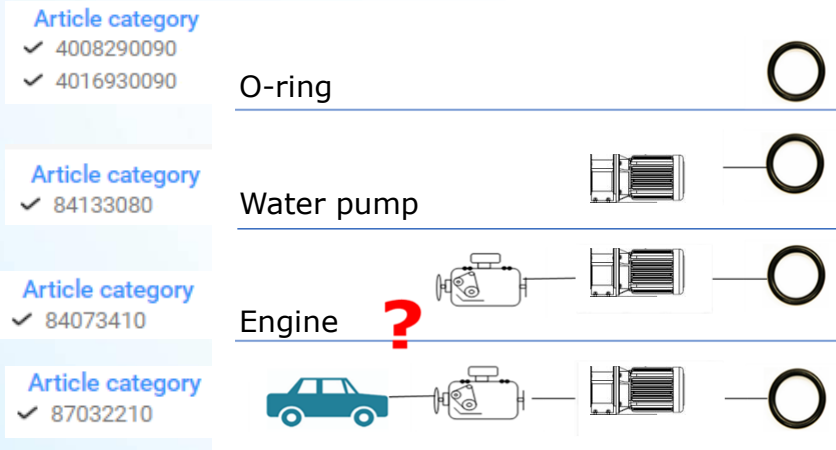- May not be supported by all MSs – problems with enforcement harmonisation

Could it be applied temporarily for certain very complex objects, at a company's own risk, while progressively adapting their IT tracking tools and reporting methods to the extent possible by aligning them with the criteria for grouping of quasi-identical complex objects?
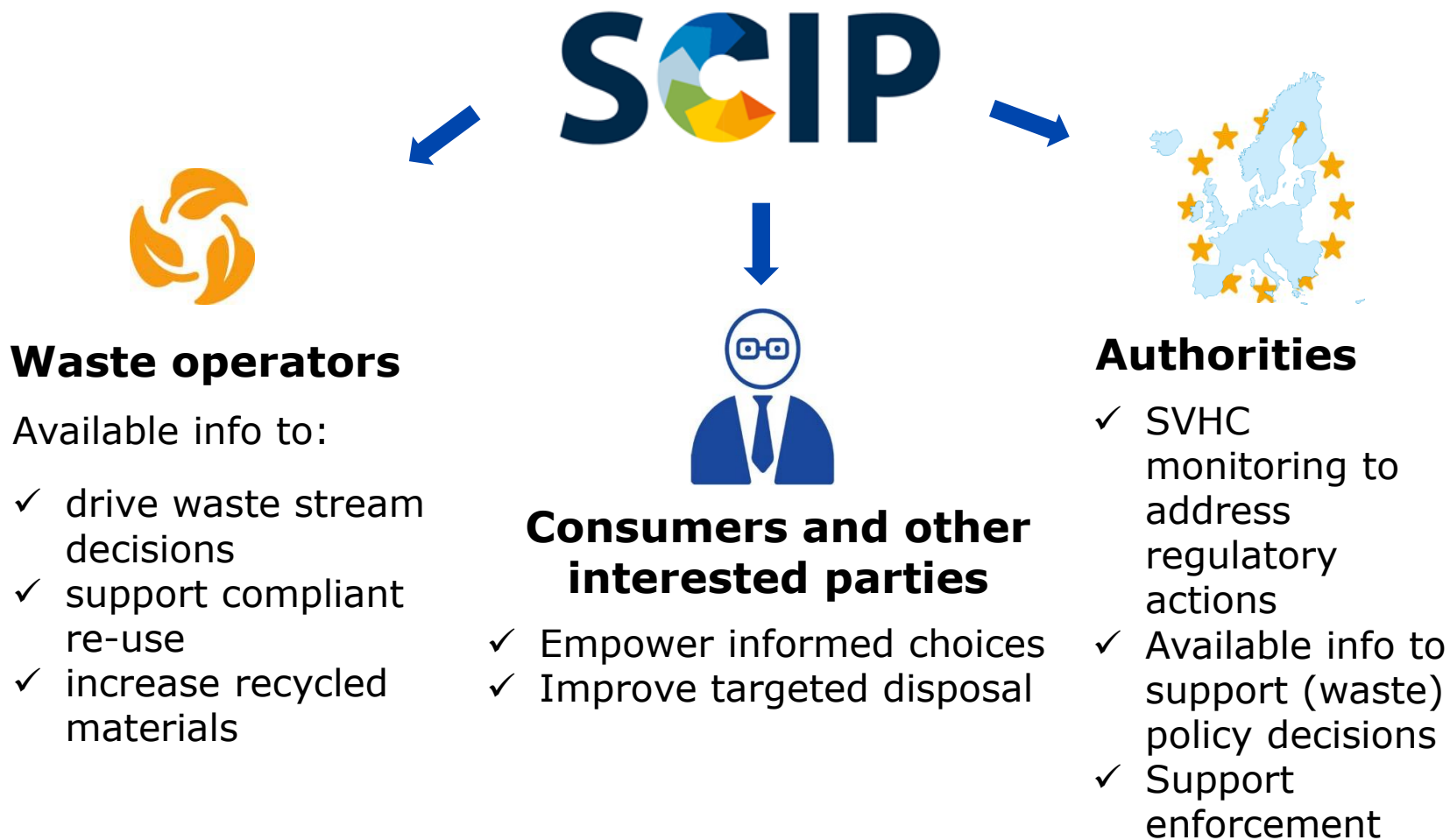
Complex objects

'Hierarchy'

How many layers of components and subcomponents of a complex object have to be reported in order to allow the identification and 'location' of the article containing a Candidate List substance?

('*hierarchy*')

Article category
- ✓ 4008290090
- ✓ 4016930090

O-ring

Article category
- ✓ 84133080

Water pump

Article category
- ✓ 84073410

Engine ❓

Article category
- ✓ 87032210

Improving transparency

SCIP

Waste operators

Available info to:

- ✓ drive waste stream decisions
- ✓ support compliant re-use
- ✓ increase recycled materials

Consumers and other interested parties

- ✓ Empower informed choices
- ✓ Improve targeted disposal

Authorities

- ✓ SVHC monitoring to address regulatory actions
- ✓ Available info to support (waste) policy decisions
- ✓ Support enforcement

How SCIP will protect sensitive information?

➢ Submitter information level

SCIP will not disclose the link between the Notification and its submitter (**Legal Entity**)
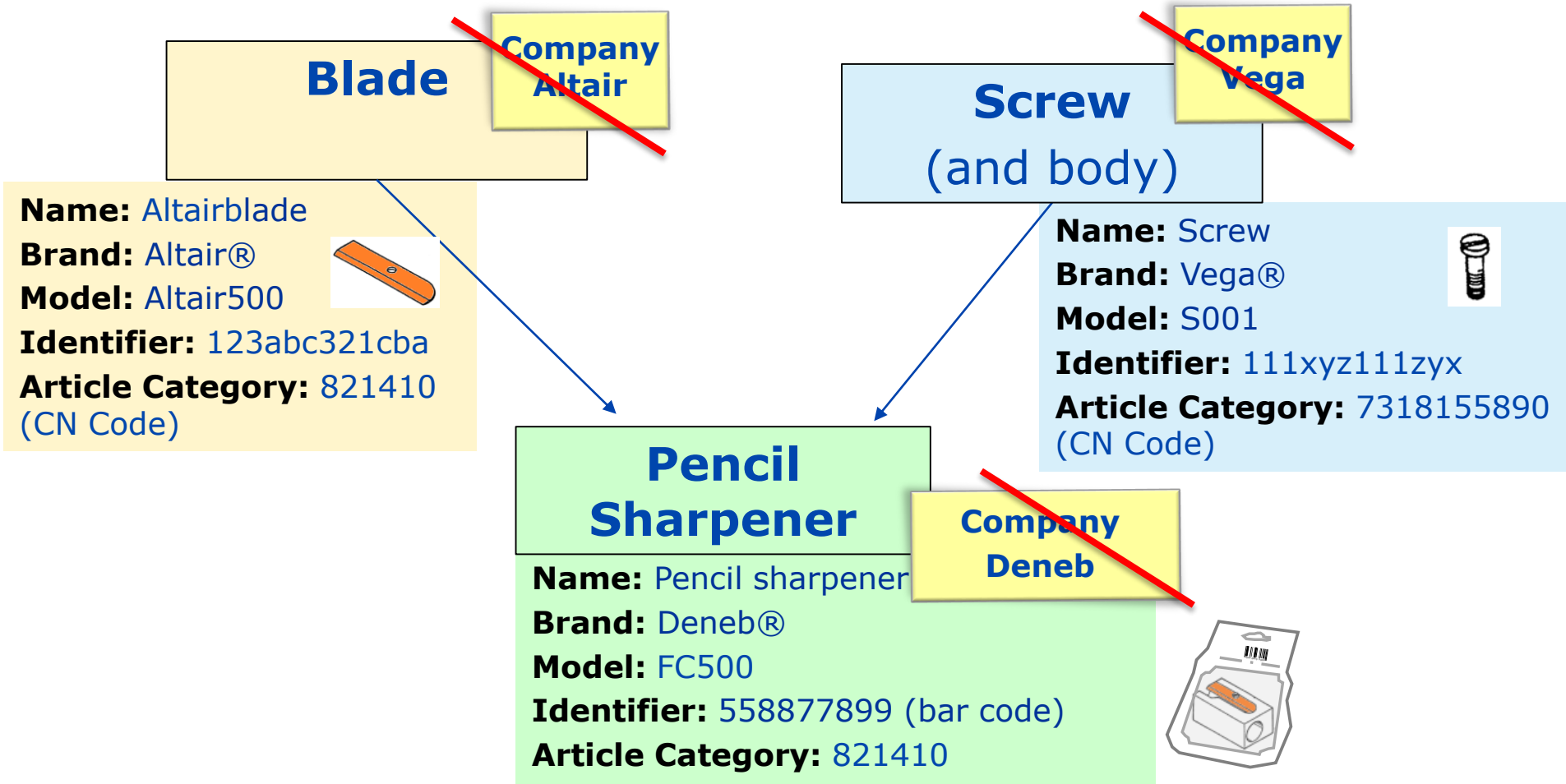
➢ Identifiers level

ONLY Identifiers of Articles as such notified or Identifiers of top level articles, Complex objects, will be disclosed.

SCIP & CBI principles (I)

Principle 1: SCIP will **not disclose** the link between the notification and its submitter (**Legal Entity**)

Blade — Company Altair

Screw and body — Company Vega
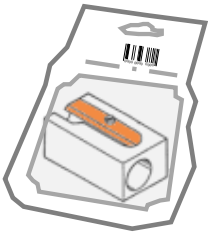
Pencil Sharpener — Company Deneb

SCIP & CBI principles (II)
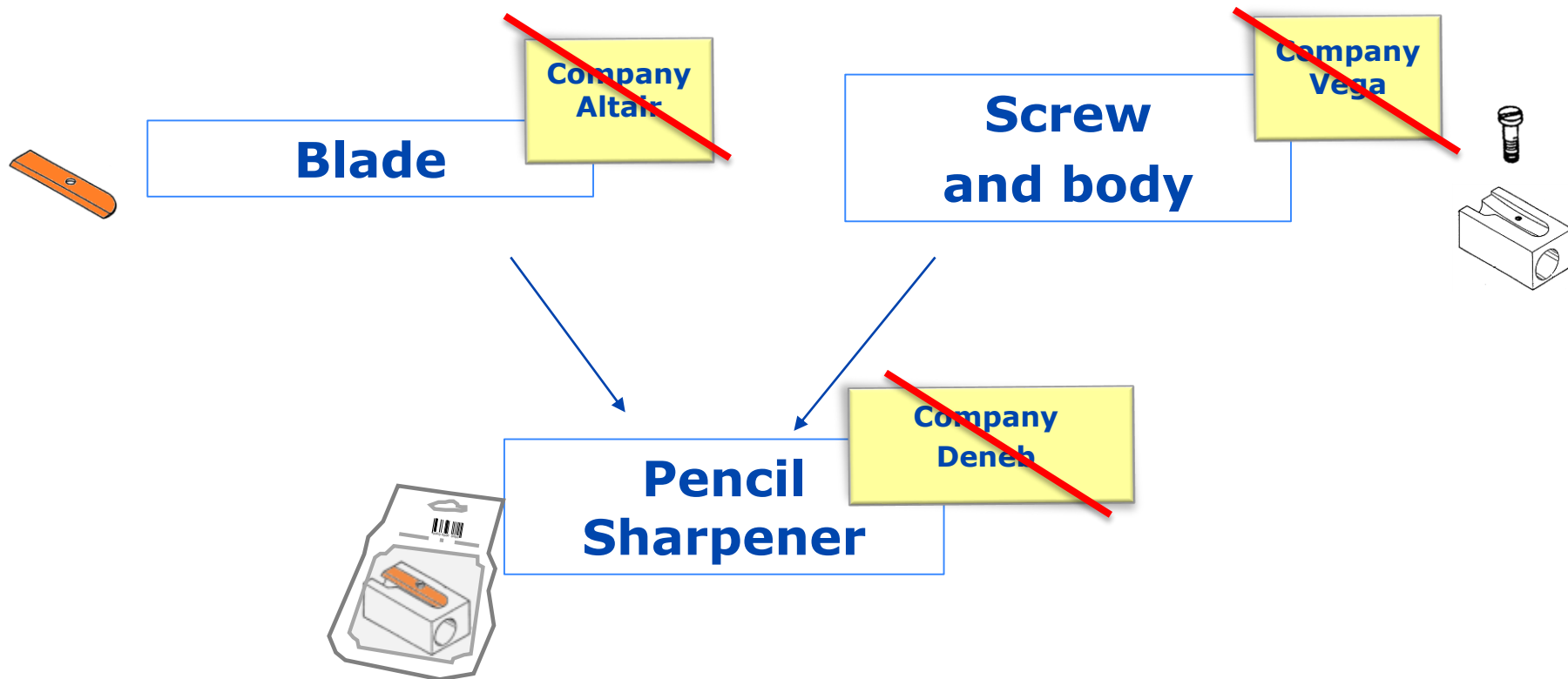
Principle 2: ONLY identifiers and names of articles as such or identifiers of top level articles (complex objects) will be disclosed.

Blade

Company Altair

Name: Altairblade
Brand: Altair®
Model: Altair500
Identifier: 123abc321cba
Article Category: 821410 (CN Code)

Screw (and body)

Company Vega

Name: Screw
Brand: Vega®
Model: S001
Identifier: 111xyz111zyx
Article Category: 7318155890 (CN Code)

Pencil Sharpener

Company Deneb

Name: Pencil sharpener
Brand: Deneb®
Model: FC500
Identifier: 558877899 (bar code)
Article Category: 821410

SCIP & CBI principles (II)

Principle 2 (Corollary): Specific names (e.g. brand, model) or identifiers of components will not be disclosed.

Complex object identification

Name: Pencil sharpener
Brand: Deneb®
Model: FC500

Identifier
558877899
(bar code)

Article Category
(CN Code):
821410

Component of a complex object identification

Name: Blade
Brand: ALTAIR ®
Model: Altair500

Identifier
111xyz111zyx

Article Category
(CN Code):
821410

+ safe use instructions, disassembling instructions and characteristics

Motor vehicle (passengers)_2
reference number : 234567890098

Article category
✓ 87032210

+ safe use instructions, disassembling instructions and characteristics

Combustion engine_2

Article category
✓ 84073410

+ safe use instructions, disassembling instructions and characteristics

Water pump

Article category
✓ 84133080

+ safe use instructions, disassembling instructions and characteristics

O-ring_15x2.0B, 20x3.5B, 20x5.0B
EC:276-158-1, CAS:71888-89-6, 1,2-Benzenedicarboxylic ac

Article category
✓ 4008290090
✓ 4016930090

+ safe use instructions and characteristics

Distributor

Article category
✓ 8511300055

+ safe use instructions, disassembling instructions and characteristics

O-ring_20x3.5G
EC:276-158-1, CAS:71888-89-6, 1,2-Benzenedicarboxylic ac

Article category
✓ 4008290090
✓ 4016930090

+ safe use instructions and characteristics

O-ring_2
EC:276-158-1, CAS:71888-89-6, 1,2-Benzenedica C6-8-branche

Article category
✓ 4008290090
✓ 4016930090

+ safe use instructions and characteristics

Tyre

Article category
✓ 401110

+ safe use instructions, disassembling instructions and characteristics

Tyre valve

Article category
✓ 8481804090

+ safe use instructions, disassembling instructions and characteristics

Tyre valve cap
EC:271-084-6, CAS:68515-42-4, 1,2-Benzenedicarboxylic acid,

Article category
✓ 8481900090

+ safe use instructions and characteristics

Recommendation

Follow the components placed on the market and incorporated in complex objects at each assembling stage through its article category (CN/TARIC code & description)
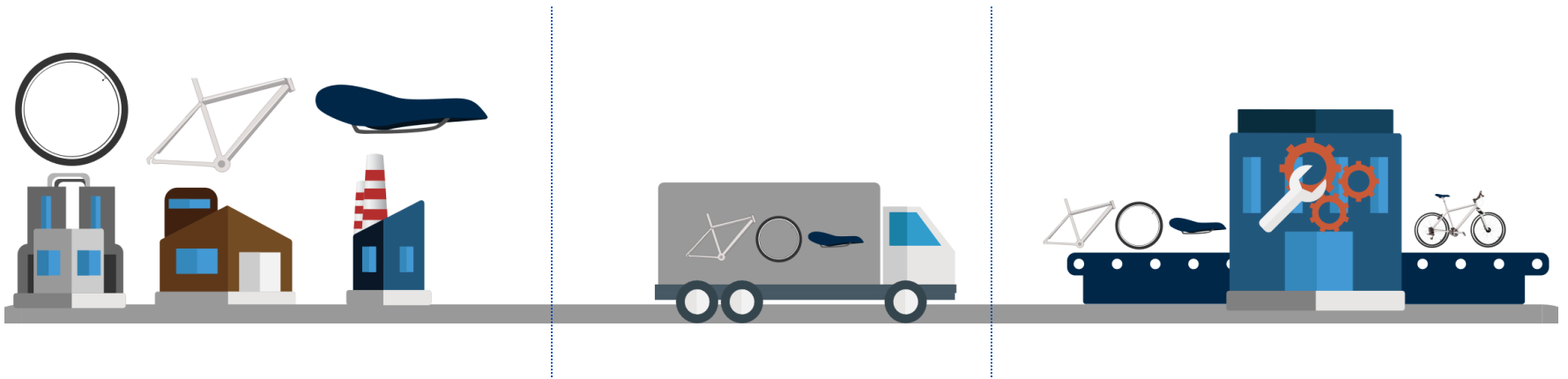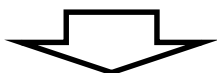
How? (1)

O-ring_15x2.0B, 20x3.5B, 20x5.0B

EC:276-158-1, CAS:71888-89-6, 1,2-Benzenedicarboxylic ac   :hed alkyl esters, C7-rich

Article category
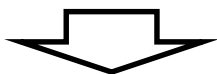✓ 4008290090
✓ 4016930090

Water pump
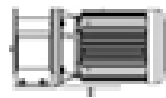
Article category
✓ 84133080

O-ring_20x3.5G

EC:276-158-1, CAS:71888-89-6, 1,2-Benzenedicarboxylic ac   :hed alkyl esters, C7-rich

Article category
✓ 4008290090
✓ 4016930090

Distributor

Article category
✓ 8511300055

How? (2)

Water pump — Article category ✓ 84133080

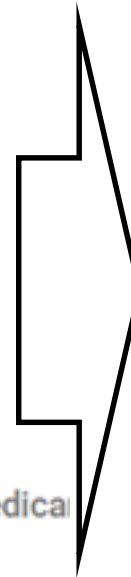Distributor — Article category ✓ 8511300055

O-ring_2 — Article category ✓ 4008290090 ✓ 4016930090
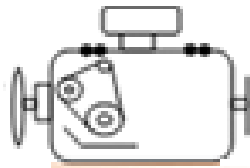EC:276-158-1 9-6, 1,2-Benzenedical

Combustion engine_2 — Article category ✓ 84073410

How? (3)

∨ 🔧 Combustion engine_2

Article category
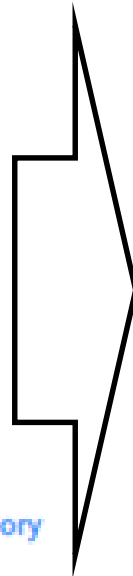✓ 84073410

∨ 🔧 Tyre   **Article category**
✓ 401110

∨ 🔧 Motor vehicle (passengers)_2
reference number : 234567890098

Article category
✓ 87032210

Next steps

Next steps

- Discussion on the level of reporting at the next Joint Meeting of the Expert Groups on Waste and CARACAL, on 9 July 2020