

SHORT SUMMARY
OBLIGATIONS LINKED TO THE CANDIDATE LIST
OF SUBSTANCES OF VERY HIGH CONCERN

Companies may have **legal obligations resulting from the inclusion of substances on the Candidate List**. These obligations are not linked only to the listed substances on their own or in preparations but also to their presence in articles.

ARTICLES

- **From the date of inclusion:**

EU or EEA suppliers of articles which contain substances on the Candidate List in a concentration above 0.1% (w/w) **have to provide sufficient information**, available to them, **to their customers or upon requests, to a consumer within 45 days of the receipt of the request**. This information must ensure safe use of the article and as minimum contain the name of the substance.

- **From 2011:**

EU and EEA producers or importers of articles have to **notify ECHA** if their article contains a substance on the Candidate List. This obligation applies if the substance is present above 0.1% (w/w) and its quantities in the produced/imported articles are above 1 tonne in total per year per company.

- For substances included in the Candidate List before 1 December 2010, the notifications have to be submitted not later than 1 June 2011.
- For substances included in the Candidate List on or after 1 December 2010, the notifications have to be submitted no later than 6 months after the inclusion.

Note: A notification is not required when

- (i) the producer or importer of an article can exclude exposure of humans and the environment during the use and disposal of the article. In such cases, the producer or importer shall however supply appropriate instructions to the recipient of the article.
- (ii) The substance has already been registered for that use up the same supply chain or any other supply chain.

SUBSTANCES

- **From the date of inclusion:**

EU and EEA suppliers of substances on the Candidate List have to provide their customers with a **safety data sheet**.

PREPARATIONS

- **From the date of inclusion**

EU and EEA suppliers of preparations not classified as dangerous according to Directive 1999/45/EC have to **provide the recipients, at their request, with a safety data sheet** if the preparations contain at least one substance on the Candidate List and its individual concentration is at least 0.1% (w/w) for non gaseous preparations and at least 0.2% by volume for gaseous preparations.

Further information

More guidance on the obligations listed above can be found in the [Guidance on Substances in Articles](#) (see in particular Sections 2 and 8 of the Guidance) for articles and in the [Guidance on Registration](#) (in particular section 3.1) for substances and preparations, both available on the REACH guidance web pages.

The specific provisions on obligations linked to the substances on the Candidate List of Substances of Very High Concern can be found in the [REACH](#) Regulation as follows:

- Art. 7.2 – Notification to ECHA
- Art. 7.3 – Supply of appropriate instructions
- Art. 31.1 – Provision of Safety Data Sheet
- Art. 33 – Duty to communicate safe use information or responding to customer requests