

What information is required for Scip notification and how should it be submitted?

As the deadline looms for suppliers to notify articles containing SVHCs to Echa's Scip database, knoell Germany's Dr Marco Al-Rawi outlines the data requirements, submission formats and latest amendments from the agency

27 July 2020



From 5 January 2021, waste operators in the EU will receive information on the hazardous substances contained in articles they receive for processing, thanks to the revised waste framework Directive (WFD). The revised Directive sets the requirement for suppliers of articles containing a candidate list substance of very high concern (SVHC) above the concentration of 0.1 % (w/w), to notify Echa and submit information on them to the substances of concern in products or Scip database.

Currently EU companies only have to communicate the presence of SVHCs in articles within the supply chain and, on demand, to consumers. By contrast, waste operators do not receive any information on these articles. From next year onwards, they will be able to access information that companies submit to Echa and the Scip database in accordance with Article 9 of the WFD. This will help operators recycle waste appropriately – an important step towards achieving a circular economy. Consumers will also be allowed to request this information.

Because articles containing SVHCs need to be tracked throughout the supply chain, each company involved in producing, importing, assembling, distributing or selling articles is obliged to provide information to Echa. Only retailers selling to consumers are exempted from Scip notification.

How do I submit information?

As I have already mentioned, under REACH companies supplying articles containing a candidate list substance above the concentration of 0.1 % (w/w) already have to communicate information to the recipient of the article. Exactly how this should be done is neither specified in REACH, nor the subject of recommendations from Echa. However, in practice, issuing compliance statements has become the standard approach.

Under the amended WFD, companies in the supply chain must notify the article of concern to Echa in addition to informing recipients. For notification, information can be prepared either online via the Luclid Cloud or offline by using the Luclid 6 version for server and desktop. Echa also allows companies to prepare data in bulk, offline and according to its harmonised format, which can then be sent to the agency.

In each case information will be submitted via the Echa submission portal. If companies choose Luclid, they need to prepare a data set for the article which the software will validate. A snapshot of the article data set – or dossier – will be created which can then be submitted to Echa. Remember, Scip notification under the WFD does not replace the obligation under REACH for producers and importers to notify Echa of SVHCs present in articles

above 0.1% (w/w) and exceeding a total volume of one tonne per year.

What information is required?

Under Article 33 of REACH, companies supplying articles containing a candidate list substance above 0.1 % (w/w) are required to “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”. However, for Scip notification, more information has to be provided than the name of the SVHC and article.

When preparing the data companies need to set the “article name”, a “primary article identifier type” from a [pick list](#) and a “primary article identifier value” to allow waste operators to identify the article. Next, submitters must provide the Taric code (a tariff code intended for the classification of goods at customs) for the article. Furthermore, they must indicate if the production of the article took place in the EU (options in the October version of Iuclid include “both EU produced and imported”, “EU imported”, “EU produced” and “no data”). If safe use information is necessary the submitter must provide this as well.

In order to link the article with the correct SVHC, they are advised to import the candidate list reference substances package, available from the Echa website. Moreover, companies need to select the concentration range of the SVHC from a pick list. The field “material category” will be mandatory only if the SVHC is contained in a material. If the SVHC is contained in a mixture (eg adhesive or solder used within the article) a mixture category has to be chosen.

For complex articles, they have to provide information for the part containing the SVHC. For those consisting of only a few articles (a shirt consisting of fabric, yarn, buttons and label) this may be not too difficult. But for complex articles consisting of hundreds of articles (electrical and electronic equipment) this might be a challenge. The structure of the complex article needs to be clear in order for the hierarchy of all articles, and sub components, to be transposed correctly into the data set in Iuclid.

What’s new? Simplified notification and referencing
In June, Echa presented the following two new features within the Scip database that will allow companies to reuse data already submitted by upstream suppliers in the supply chain:

- simplified Scip [notification](#) that does not require dossier preparation; and
- referencing.

However, only some companies will benefit. While the notification will solely be applicable to distributors which do not modify the article, assemblers and producers of complex articles may use referencing. But in the latter case, the referenced article must not undergo changes in physical form or composition during assembly or production.

In both cases, companies will be provided with an alphanumeric identifier, after the supplier’s successful notification of the article. However, article suppliers will not be able to provide their customers with the relevant reference numbers until the final version of the Scip database opens in October. This leaves them with a very short window to notify their articles before 5 January next year.

Obtaining information

It is important to remember that the Scip notification process is only the final step required to comply with the WFD. Supply chains can be very long and complex, hence obtaining information in a short period of time could prove very challenging. Companies need to check their product portfolio for articles (as defined in Article 3(3) of REACH) as soon as possible, not forgetting packaging which is considered an article under REACH. Next, they should check the information already available on their articles (compliance statements, safety data sheets or test results for example) for completeness, plausibility and up-to-date ness. If information is missing or incomplete, it needs to be requested. If it cannot be obtained, there is the option of testing for an SVHC on the candidate list. However, with more than 200 substances on the list, this can be very costly and time-consuming. Excluding certain substances that are unlikely to be present in the article could reduce test costs.

Plan for the long term

Unfortunately, successful submission of a Scip notification is not the end of the matter. The [candidate list](#) is updated twice a year, hence companies are well-advised to monitor this closely and, if necessary, update their notifications to Echa. Furthermore, they should not overlook restricted substances in Annex XVII of REACH, substances requiring authorisation in Annex XIV, and other chemical-related legislation applying to articles such as the POPS Regulation. Product-specific legislation might also be applicable, like RoHS.

In order to stay compliant, companies need a business strategy, putting in place structures that assign tasks internally to:

- request and evaluate compliance information from suppliers;

- process and store data; and
- make data available to relevant stakeholders, including customers and Echa.

The views expressed in this article are those of the expert author and are not necessarily shared by Chemical Watch.

Obligations	Notification of substances in articles (SiA)	Communication of information on substances in articles	Notification of articles into Scip database
Legal basis	Article 7(2) Reach	Article 33 Reach	Article 9(1)(i) WFD
Actors concerned	Article producers and importers	Article suppliers	
Substances concerned	Substances included in candidate list of SVHCs for authorisation		
Exemptions possible	Yes, if substances already registered for that use or, if exposure can be excluded	No	Yes, for article suppliers that are retailers only selling to consumers
Tonnage threshold	1 tonne per year		
Concentration in article threshold	0.1 % (w/w)		
Information transfer to	Echa	Article recipient and consumers, on demand	Echa

Table: Comparing obligations for SVHCs in articles under Directive 2008/98/EC, the waste framework Directive (WFD) and Regulation (EC) No 1907/2006 REACH, based on Echa's document Guidance on requirements for substances in articles, version 4.0, 2017, p. 10.

Disclaimer: Content on Chemical Watch (including any of its websites) shall not be regarded as professional advice and is not intended as such. CW Research Ltd does not accept liability for inaccuracies in published material. Customers are advised to take appropriate professional advice to inform business decisions.

Copyright: Documents and web pages downloaded from Chemical Watch (including any of its websites) are for the use of registered users only. Such documents and web pages must not be distributed or republished without consent from CW Research Ltd (email enquiries@chemicalwatch.com). Copyright in original legal texts and guidance remains with the respective government authorities.