

What has been learned since the launch of the Scip database?

Four months on, knoell Germany's Dr Friederike Danneberg asks what has been gained so far from the notification process – and from the data gathered

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It is now four months since the [substances of concern In products \(Scip\) database](#) opened and businesses have been able to submit their Scip notifications to Echa. The obligation to do this for articles containing a substance of very high concern (SVHC) in a concentration above 0.1% w/w was established under the EU's waste framework Directive 2008/98/EC (WFD) and entered into force on 5 January.

From the end of October until now, several million notifications have been submitted to the database – on 19 February Echa reported that it had received 6.6m of them. But what does this tell us about the number of products marketed in the EU that contain SVHCs above the limit?

This question is not easy to answer. Certainly, not all companies with the obligation to notify have done so yet. Some are still collecting data, while others are experiencing problems with their software solutions for system-to-system Scip notification. In addition, despite Echa's best efforts, it is likely there are companies unaware of their obligations – or simply ignoring them. These factors mean that a huge number of articles of concern will be missing from the database.

It should also be noted that 6.6m notifications does not equate to the same number of unique articles containing SVHCs. Since many articles will be notified not only by the producer or importer, but also by distributors and retailers down the supply chain (as the WFD requires), this number will be markedly lower. Large companies with legal entities in all EU member states are likely to have notified their articles in all member states, making use of the simplified Scip notification (SSN).

Nevertheless, 5m is a large number and it shows that companies were (and still are) busy fulfilling their obligations. So what have we learned from the first few months? What were, and are, the hurdles for notifications? What must be improved? And what can we expect to gain from all the data submitted?

Significant steps

Amidst the many industry concerns, it must be acknowledged that Echa has taken significant steps to help companies fulfil their notification obligations. The agency created a specific Iuclid section for articles so not to confuse companies that do not deal with toxicological endpoints or use descriptors in their daily business.

With the step-by-step video tutorials Echa has provided, even Iuclid beginners should be able to manage the process. At the beginning of December, the agency announced that only 7% of submissions were unsuccessful, clearly showing that submitting a notification dossier is not rocket science. The validation assistant helps to avoid simple mistakes.

Industry strongly questioned the requirement to indicate the TARIC code. But it turns out that determining this to indicate the article category is much easier for some companies than identifying the articles to be notified. Companies importing from, and exporting to, non-EU countries usually have these codes already available in their system.

The referencing function decreases the complexity of Scip notifications considerably and has been a huge relief, especially for compilers. Simplified notification lives up

to its promise, especially for bulk SSNs. The process is easy and saves time because it is sufficient to upload an excel spreadsheet containing the Scip numbers of articles and complex objects that need to be notified. However, the time available to make full use of both functions was too short for many companies down the supply chain to receive the Scip number of the original supplier.

Key challenges

From the very beginning, there were concerns that companies had insufficient time to prepare for Scip notification. Of course, Echa was right to point out that they should already know which of their articles contain SVHCs above 0.1% w/w (and hence require notification to the Scip database). Otherwise they would be unable to fulfil their obligations with regard to Article 33 of REACH which requires them to inform their customers of the presence of SVHCs above 0.1% w/w.

Nevertheless, industry is also right to emphasise that additional information is needed compared with Article 33. The TARIC code for simple articles or complex objects might not be difficult to obtain, but the material or mixture category, and the information needed on components in complex articles, is often not available. For importers of complex articles in particular, obtaining this kind of information from suppliers can be impossible.

Analysing which components end up in which articles can be challenging for companies producing a variety of very complex objects. In addition, the preparation of notification datasets for complex objects is more time-consuming than for simple articles. The concept of grouping (for which Echa provided some guidance) does help reduce the number of notifications needed. But it requires careful evaluation of the portfolio as well as additional information for all group members (for example, article names and identifiers) to the notification dataset.

For companies with a huge number of frequently complex, or very complex, articles to be notified, system-to-system notification was suggested to make the process easier. While a good option in theory, initial notifications turned out to be troublesome for many companies. Software providers had to develop their system-to-system tools in parallel to Echa's publication of the exact data requirements for Scip notification and Iuclid updates. It is not surprising therefore that some solutions contained bugs which delayed the process. It is not unreasonable to argue that it would have gone more smoothly had there been more time for software development – or had Echa published the exact data requirements and test system earlier.

How will information be used?

Even though companies have been submitting data to the Scip database for several months now, two big questions remain: What is the quality of the data? And will it be of use to waste operators, consumers and even the suppliers of articles?

The first question won't be answered soon. At the beginning of December, only three EU member states (Denmark, Sweden and Ireland) had communicated full implementation of the revised WFD into their national law. It is therefore unlikely that enforcement of Scip notifications will play a significant role in all EU member states in the near future. Thus, we will have to wait until meaningful data is available on the quality of Scip notification dossiers.

The second question might be answered more quickly, at least in part, since Echa is planning to start publishing the submitted data soon (publication has been delayed from the original start date of the end of February).

There have been doubts expressed that the Scip database will achieve its goal of helping waste operators segregate waste containing SVHCs and identify material-based streams likely to contain such substances. Most likely, it will not be single notifications that prove to be useful to waste operators, but the evaluation of the whole of the submitted data among different product groups and/or materials.

For consumers, the database will certainly make it easier to obtain information on SVHCs in products. Under Article 33 of REACH, such information only has to be provided to consumers on request – and companies have 45 days to reply. Previous enforcement projects and tests by consumer organisations have shown that many companies fail to provide correct information or simply do not answer such requests at all. The Scip database (if the search function is well-designed) will offer an easier, and faster, way to learn about substances of concern in products.

Meanwhile, for suppliers of articles, there are benefits. Firstly, the Scip notification obligation has led to more companies identifying articles containing SVHCs above 0.1% w/w (something they should already have done) and thus learning where they need to find alternatives. Evaluation of the submitted data will also help article producers and importers.

Most companies do not have a full material declaration for articles they purchase. And information from distributors and suppliers outside the EU may not be reliable due to

limited knowledge of REACH. Meanwhile, testing every article for more than 200 SVHCs is not a realistic option. However, the data from the Scip database may help to identify which of the candidate list substances are being used in articles, and in which materials or product types – thus leading to easier identification of ‘risk substances’ for different materials and product groups. This will enable companies to ask their supplier about specific ‘risk substances’ and conduct testing targeted on them if necessary.

Dr Friederike Danneberg is chemicals EU regulatory affairs expert at knoell Germany

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