

Results of REF-6

Open session

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WG Chair



REF-6

- The main module on “Classification and labelling of mixtures” was obligatory for all MSs
- Four optional modules
 - Exemptions from labelling and packaging requirements
 - Harmonised classification
 - Liquid laundry detergent capsules
 - Biocides

Project description

- The aim of the project was to check compliance and to raise awareness, by investigating and enforcing a variety of legal provisions in CLP, the most relevant stipulated in Articles 4, 37 17, 29 and 35 of CLP, Article 31 of REACH and Articles 17 and 69 of BPR, with a special focus on classification and labelling of mixtures.
- Any mixture that requires classification as hazardous could be chosen to be checked and reported.

Project description

- The target groups where all the actors in the supply chain that place hazardous mixtures on the market and who classify, label and package them in accordance with the CLP Regulation provisions.
- The inspections were carried out in 2018
 - the legal provisions on classification and labelling of CLP Regulation are completely applicable to mixtures (Article 61(4) and the second paragraph of Article 62 of CLP Regulation)
- The final Project Report will be published by the end of 2019.

Main results

- 29 countries reported
- 1620 inspected companies
 - manufacturers, importers, downstream users or distributors of mixtures
 - most controlled types of companies were
 - Manufactures of chemicals and chemical products - 32%
 - Wholesale trade - 29% and
 - Retail trade - 21%
 - 76% of the controlled companies where small and medium sized enterprises

Main results

- 3391 checked mixtures
 - participating inspectors could report maximum of five mixtures per company
- The most controlled product categories were
 - Washing and cleaning products - 26%,
 - Biocidal products - 22%
 - Coatings and paints, thinners, paint removers - 15%

Main results

- The classification:
 - 17% of the reported mixtures had incorrect classification. The incorrect classification also leads to incorrect labelling.
 - The classification of the substances in the mixture given in section 3.2 of the SDS(s) corresponded either to the harmonized classification in Annex VI table 3.1 in CLP for 93% or to a notification in the C&L Inventory for 92% of the cases.

Main results

- The labelling:
 - For 17% of the mixtures the label does not correspond with the section 2.2 of SDS
 - 33% had incorrect labelling due to errors or deficiencies
- The SDS
 - 33% of the checked SDS were reported as non-compliant

Main results

- Total 45% of the inspected companies had at least one non-compliance and 44% of the number of mixtures checked was found to be non-compliant. These data show a substantial non-compliance rate.

Main results: Exemptions

- Despite using fold-out labels, tie-on tags or an outer packaging, in 32,1% of the checked mixtures the full labeling information was not provided according to article 17(1)
- In 8,6% of the cases the labelling elements were not written in the official language(s) of the Member State(s) where the mixture is placed on the market

Main results: Harmonised classification

- 9% of the checked substances were non-compliant (Art 4(3) of CLP)
- Most common non-compliance concerned CMR endpoints, respiratory sensitisation, skin sensitisation and specific target organ toxicity in repeated exposure

Main results: LLDC

- For 22% of the checked LLDCs, the closure of the outer packaging did not maintain its functionality when repeatedly opened and closed during the life span of the packaging

Main results: Biocides

- 2,6% of the checked biocides lacked a valid authorisation according to Art 17(1) of BPRS
- 4,7% of the checked biocides lacked a valid authorisation according to national legislation during the transitional period
- 5,8% of the labels differed from the SPC
- 11,6% of the labels did not correspond with Art 69(2) of BPR

Main recommendation to industry

- Manufacturers, importers and downstream users should put more effort in deriving the right classification of the mixtures and communicating it down the supply chain. This will prevent dissemination of incorrect information in the SDS and on the label.
- The industry should strive to improve the quality of the SDSs which will improve the quality of the information in the supply chain.

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