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MAJOR ENFORCEMENT IN EU TARGETING CHEMICAL RESTRICTIONS IN PRODUCTS

The Forum for Exchange of Information on Enforcement (*Forum*) is a network of authorities responsible for the enforcement of REACH, CLP, PIC, POP and Biocidal Product Regulations in the EU, Norway, Iceland and Liechtenstein.

The Forum is composed of one appointed member from each EU Member State, Norway, Iceland and Liechtenstein. The Forum sets its own work programme based on the list of tasks specified in the above regulations and provides solutions to specific areas of enforcement. EU Member States will also formulate relevant control plans based on their own conditions.



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On March 24th, 2021, the Forum decided that its 10th major enforcement project, REF-10, will focus on integrated controls of consumer products.

The brief information on this enforcement project is as follows:

- Inspectors will check the compliance of restriction requirements under Annex XVII of REACH
 - Such as Entry 66 restriction of Bisphenol A (BPA) in thermal paper
 - Entry 72 restrictions on 33 CMR substances in textiles, etc.
- Controls will also check whether products comply with restrictions under the POPs Regulation
 - Such as PFOA in water repellent textiles or ski waxes
 - Short chain chlorinated paraffins (SCCPs) in soft plastic articles
- Enforcers will also check REACH duties for substances in articles
 - Whether information on substances of very high concern (SVHC) in products is being communicated in the supply chain
- The compliance of electronic and electrical products (EEEs) and toys with RoHS Directive and Toy Safety Directive will also be checked

The lists of REACH and POP restrictions that will be covered in the enforcement project REF-10 are still under development and will not be limited to the requirements listed above. The project will be prepared in 2021, with inspections being conducted in 2022 and the report to be published in 2023.

Besides, Sweden will target electrical products and toys in future market surveillance. The main focus of the market controls will include Phthalates (DEHP, BBP, DBP, DIBP, DINP, DIDP, DNOP), SCCPs, Lead, Cadmium, Per- and Polyfluoroalkyl substances (PFAS). Kemi warned that there is no guarantee their focus on these enforcement activities are limited to these areas.

Obviously, the EU law enforcement authorities will continuously focus on the compliance of restricted substances in consumer goods in the future. Since EEEs are widely used in daily life and with its complex production process, numerous material types and/or difficulties in supply chain management, manufacturers face many challenges during production, and it is their responsibility to ensure products do not cause harm to human health when used by consumers under normal and foreseeable conditions.. Relevant enterprises and stakeholders will need to pay special attention on the conformity of restricted substances.