

Date 28 October 2008

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

Companies may have **legal obligations** resulting from the inclusion of the 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 28 October 2008**, 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 request to consumers within 45 days of the receipt of this request**. This information shall ensure safe use of the article and shall as minimum contain the name of the substance.
- **From 1 December 2011**, EU and EEA producers or importers of articles have to **notify ECHA** when 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.

Note: A notification is not required when the producer or importer of the 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**.

SUBSTANCES

- **From 28 October 2008**, EU and EEA suppliers of substances on the Candidate List **have to provide their customers with a safety data sheet**

PREPARATIONS

- **From 28 October 2008**, 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 related to articles can be found in the [Guidance on Substances in Articles](#) (Section 8.9) available on the guidance website

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 – Provision of Safety Data Sheet
- Art. 33 – Duty to communicate safe use information or responding to customer requests