Technical supporting document

to the

Draft scenario for the database on articles containing Candidate List substances

1. Introduction

This technical supporting document provides further insight and details on specific aspects of ECHA's "Draft scenario for the database on articles containing Candidate List substances" (henceforward referred as "main document"), and in particular:

- the concept of **unique identifier** for articles or complex objects – section 2
- the envisaged **information requirements** – section 3:
    - administrative/legal entity data
    - article/complex object data
    - Candidate List substance data
    - safe use information
- the **data submission** formats and tools – section 4

The relevant definitions and legal provisions on substances in articles in REACH and the Waste Framework Directive are included in the appendix to this document.

This technical supporting document is primarily meant to bring the additional details of ECHA's draft scenario that may support the stakeholders in contributing to the ongoing open call for input and the questions raised therein. The feedback gathered will be used to further develop the current draft scenario at a technical level, and potentially as a starting point for further discussions with the various stakeholders, in the coming months.

This document also contains some more specific questions, under each of its sections. Those questions – which are not meant to be exhaustive - have been identified by ECHA as potential topics to be further addressed in the next phases of the project. The stakeholders who may already want to reflect on the specific questions are welcome to already do so as part of their contribution to the open call. Most of those questions will however be further discussed in more details later this year/next year; for this purpose, the establishment of technical working group(s) of experts from interested partners, including MSCAs and the European Commission, may be necessary.

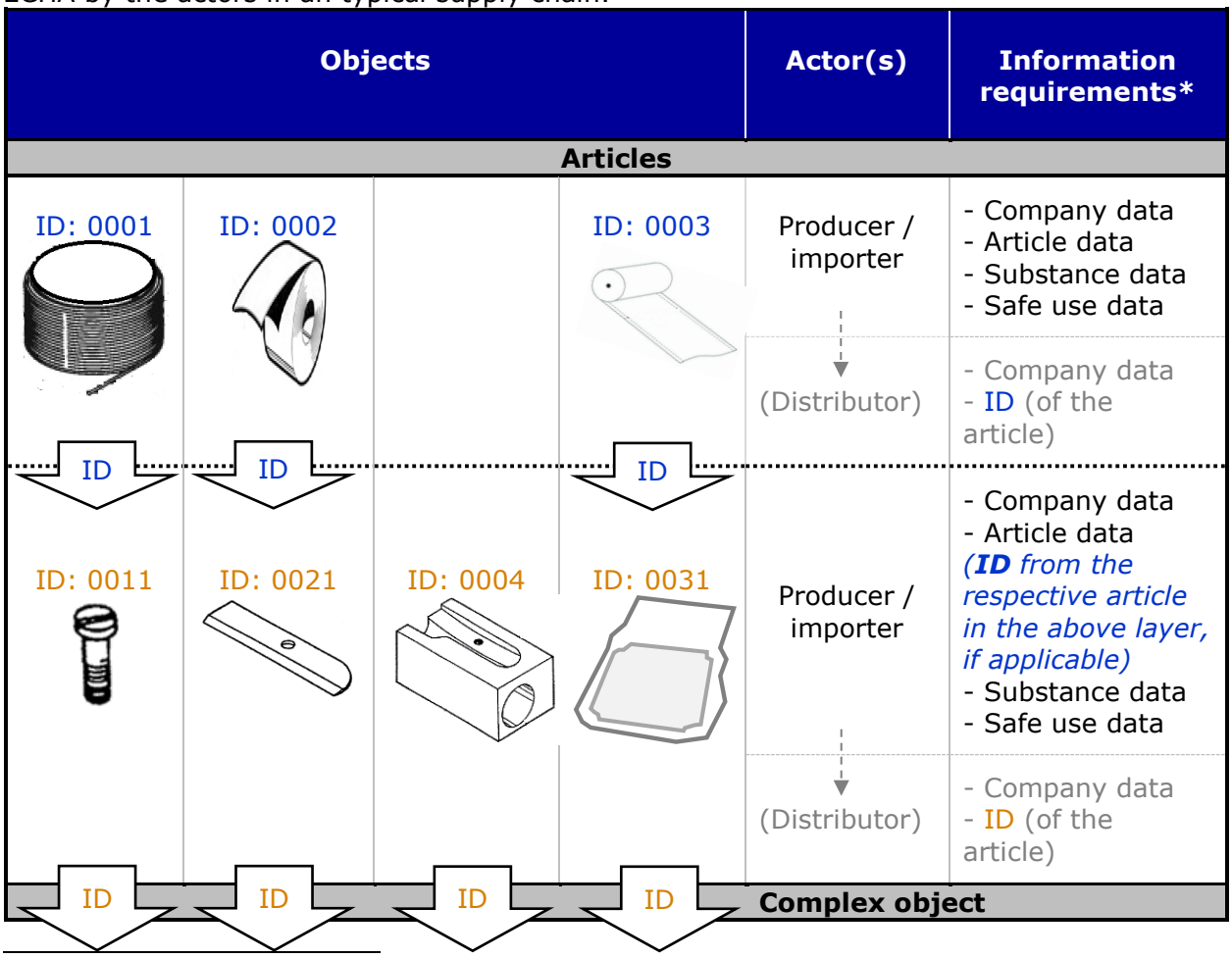
2. The role of the unique identifier

As described in the main document, the introduction of a unique identifier for an article or complex object (object made of two or more articles)[1], in combination with the proposed article-centric approach, would allow the linking of successive submissions of information by the successive actors in a supply chain. This could limit duplications of the information submitted to ECHA (same data for an article or complex object submitted by different actors in supply chains). It would also facilitate the submissions by certain actors in the supply chain, namely assemblers and distributors/retailers, allowing re-use of the data previously submitted by their direct suppliers. This cascade communication using the unique identifier (ID) is illustrated in Figure 1 below. Please note that this example is only used to illustrate the role of the unique identifier (ID) and not to describe a real – often much more complex - case.

The proposed unique identifier for an article or a complex object could be generated either using a generator to be made available by ECHA (separate tool) or automatically at the time of the submission (integrated to ECHA's submission tool). The main functions of the unique identifier would be:

- facilitating the communication of information under Article 33(1) between actors in the same supply chain,
- facilitating submissions and re-use of information already submitted by actors upper the supply chain,
- facilitating traceability and dissemination of information.

Figure 1. Exemplification scheme for the information requirements to be submitted to ECHA by the actors in an typical supply chain.



[1] often refered to with the generic term "product"

Objects	Actor(s)	Information requirements*
ID: 11210431  **ID**	Producer / importer	- Company data - Complex object data *(**IDs** from the articles in the above layer)* - Substance data - Safe use data
	Distributor/ retailer	- Company data - ID (of the complex object)

*Notes: *Assuming that all articles as such or in the complex object contain at least one Candidate List substance; ID = unique identifier; Company data = Legal Entity data*

The proposed unique identifier (ID) could be linked to other identifiers already in use (e.g. European Article Number - EAN/bar code number or similar), which could enable the establishment of interface between ECHA's database and other tools, such as the consumers' App tool to be developed under the LIFE AskREACH project. It could also contribute to the dissemination of relevant information, to meet the needs of the expected users, in particular the waste operators and the consumers.

The ID could work as a stand-alone solution or in combination with other solutions to further facilitate submissions. However, as stressed in the main document, any others solutions would need to be carefully considered before ECHA starts investigate their technical feasibility, as some of them (e.g. group submissions) already appear not to be in line with the legal framework set out by the WFD and REACH Regulations.

Finally, the article-centric approach and the use of a unique identifier could facilitate the voluntary submission of further information. For example, when an actor would like to indicate that an article that they no longer supply but might still be in use or reaching the waste stage, contains a substance that was included in the Candidate List after the supply of the articles was ceased.

Specific follow-up question: *Building on the unique identifier, what could be the best approach to manage updates (i.p. due to the inclusion of new substances in the Candidate List), changes in composition of the article, or the ceasing of supply?*

3. Information requirements

The main sets of information needed for submissions and the handling of the data for dissemination are listed in the main document.

To support on the one hand the submission of coherent and comparable information by duty holders, and enable on the other hand a user-friendly dissemination of information for consumers and waste operators, ECHA strives to receive as structured and standardised information as possible, and therefore to limit the number of free text fields to its minimum.

3.1. Administrative/legal entity data (related to submission management)

Administrative data is in principle automatically generated and refers to:

- reference date (date of first submission) and submission dates (for updates),
- submission numbers,
- reference number (to allow to retrieve the history of submissions).

For the identification of the submitter(s), the following legal entity (company) data would be submitted:

Legal entity (company) identifiers

Company name*
Company's contact details*
ECHA's company identifier (e.g. company UUID)[#]
Contact person (details)[&]

*Mandatory fields
[#]Mandatory field, only for internal purposes
[&] Voluntary fields

3.2. Article/product information

The information to be submitted to ECHA under WFD Article 9(1)(i) should allow to clearly identify the article or the complex object placed on the market, as well as the exact article(s) in a complex object, that contain(s) (a) Candidate List substance(s).

For **articles as such** containing a Candidate List substance, the following sets of information would be required, in line with REACH Article 33:

- **Identification of the article**: refers to the name of the article, the unique article identifier (ID) and a set of other identifiers which allows differentiation from similar articles placed on the market by other market players;

- **Description of the article**: refers to characteristics, composition (e.g. materials) and use(s). These elements should be those enabling the purchasing decision (consumers / supply chain actors) and the safe collection, separation and treatment of articles waste (waste treatment operators);

- **Safe use information**: refers to the information which should allow the safe use of the article throughout its whole life cycle including at the waste stage (due to the presence of Candidate List substances).

For **complex objects**, each supplier in the supply chain (in the production part of the

supply chain) would need to provide the following types of additional[2] information:

- **Identification of the complex object incorporating articles containing Candidate List substances**: refers to the name of the complex object, the unique identifier (ID) and other identifiers which allow the identification of the specific complex object placed on the market;

- **Description of the complex object**: refers to characteristics and/or use(s), as well as an explicit reference to each article containing Candidate List substances in the complex object;

- **Safe use information**: refers to information for allowing the safe use of the complex object and to manage the risks from the incorporated articles containing Candidate List substances.

3.2.1. Identifiers for articles and complex objects

The identifiers for articles and complex objects (products) must allow their identification when placed on the market. They should also allow differentiating the specific article or complex object from similar ones placed on the market, by the same actor or other actors.

Set of identifiers: specific identification of an article/complex object

ECHA's unique identifier (ID)[1]
Complete trade name
(Unique) number/code • Internationally recognised number/code e.g. - European International Article Number (EAN)/bar code - Universal product code (UPC) - International standard book number (ISBN) - RFID - QR code • If an internationally recognised number is not available, an internal number could be reported, such as - Serial number - Reference/catalogue number - Batch number - Other internal number
Brand [N/A as an option]
Model/type [N/A as an option]
Other identifiers[2] (e.g. - picture (or URL(s) to a picture or set of pictures) - size/dimensions - weight - density - colour - package quantity - others)

[1] See section 2.
[2] Suitable identifiers to be developed together with industry partners, based on existing standards, and MSCAs. N/A – Not available.

[2] to the information about articles already submitted by suppliers upper in the supply chain

3.2.2. Description of the article or complex object

3.2.2.1. Role of the company in relation to the articles

The submitter would indicate for each article what their role in the supply chain is: producer, assembler, importer, or distributor/retailer. This is needed to assess which information is required to be submitted, taking into account that certain actors can make simplified submissions, by referring to the ID, namely distributors/retailers (see Figure 1 in section 2).

3.2.2.2. Description of articles as such or in complex objects

ECHA proposes that articles and complex objects would be described in terms of:

- the materials they are made of and/or materials that are incorporated in them;
- their characteristics, functions and use(s), which should also reflect the articles/complex objects groups they belong to.

Information on the material(s) is particular relevant for waste operators, while information on articles/complex object group(s) is needed for both waste operators and consumers. Therefore, standard categorisation for materials and articles/complex objects may need to be developed based on existing schemes.

The proposed minimum information requirements to describe the article or complex object are listed below.

Mandatory for an article

Categorisation of the article - Material-based category(ies) (see section 3.2.2.3) - Article/complex object-based category(ies) (see section 3.2.2.4)
Article used by workers/consumers
Concentration of the substance in the article: • ≥ 0.1% w/w and < 0.3% w/w; • ≥ 0.3% w/w and < 1.0% w/w; • ≥ 1.0% w/w and < 5.0% w/w; • ≥ 5.0% w/w and < 10.0% w/w; • ≥ 10.0% w/w
If applicable, identification of the article which has been further processed to produce this article: [Not applicable as option] *Note: In certain cases, it can be made by just referring to the ID (see Figure 1)*
If applicable, identification of the mixture containing the Candidate List substance(s) incorporated in the further processing step (e.g. coating) by the category from the European product categorisation system (EuPCS)

Mandatory for a complex object

Categorisation of the complex object - Material-based category(ies) (only if a mixture is used to join or assembly two or more articles) (see section 3.2.2.3) - Article/complex object-based category(ies) (see section 3.2.2.4)
Complex object used by workers/consumers
Identification of the articles containing Candidate List substances in the complex object *Note: In certain cases, it can be made by just referring to the article/product ID (see Figure 1)*
If applicable, identification of the mixture containing the Candidate List substance(s) used for joining or assembling two or more articles in the complex object (e.g. adhesive, solder), by the category from the European product categorisation system (EuPCS)

3.2.2.3. Material-based categories

The material groups (and subgroups) the article is made of could be developed based on existing grouping systems. Useful grouping systems could be the 'Article Categories' (ACs) in ECHA's R12 Guidance on use description; the separate collection or sorting systems for construction and demolition waste as set out in EU waste legislation; and the combined nomenclature (CN codes) in Annex I to Council Regulation (EEC) No 2658/87[3] (e.g. many chapters from sections VII to XV).

Using as a starting point the material-based Article Categories in the ECHA's R12 Guidance on use description, the generic groups of materials can be the following:

☐ stone	☐ ceramic	☐ paper	☐ other
☐ plaster	☐ fibre	☐ rubber	
☐ cement	☐ leather	☐ wood	
☐ glass	☐ metal	☐ plastic	

Other groups could be added from other systems, if necessary.

Within these groups, further differentiation would be needed, in particular for fibre, metal, rubber and plastic. For example, within the plastic group, it may be useful to further discriminate by polymer type as shown below:

Group	**Subgroup**	**Polymer**	**…**
Plastics	Thermoplastics[4]	- polyethylene terephthalate - high density polyethylene - low-density polyethylene - polyvinyl chloride - polypropylene - polystyrene - etc.	…
	Thermosets[2]	- acrylic resins - polyesters - polyvinyl esters - etc.	…

The definition of the subgroups and differentiation levels needs to be further elaborated and discussed, potentially via the establishment of a dedicated working group of experts.

[3] On the tariff and statistical nomenclature and on the Common Customs Tariff, as amended by Regulation (EU) 2017/1925 of 12 October 2017, available at https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32017R1925

[4] E.g. Commission Decision (97/ 129/EC) on identification system for packaging materials

3.2.2.4. Article/complex object-based categories

A general description of an article or complex object that can be easily understood by the users of the database would be necessary. However, a suitable approach for defining article/complex object-based categories needs to be developed, based on existing classification schemes. The suggested scheme for defining these categories should be understood as defining groups and subgroups of articles and complex objects in a hierarchical (from generic to more specific) and coherent way, based on the market segment, common designation and/or function (intended use).

The approach of the United Nations Standard Products and Services Code (UNSPSC)[5] classification scheme, managed by the GS1 organisation, seems to be a good starting point. The four primary levels of this scheme are segment, family, class and commodity:

- the segment - the logical aggregation of families (for analytical purposes);
    - the family - a commonly recognised group of inter-related commodity categories;
        - the class - a group of commodities sharing common characteristics;
            - the commodity - a group of substitutable products (or services).

An example is shown below.

Example **pencil sharpener** classification according to UNSPSC scheme

- the segment: Office Equipment and Accessories and Supplies (segment code: 44);
    - the family: Office supplies (family code: 12);
        - the class: Desk supplies (class code: 16);
            - the commodity: Manual pencil sharpener (commodity code: 19).

Complete code: 44121619 - Manual pencil sharpener

Similar to the UNSPSC scheme, there is the Global Product Classification (GPC) standards[6], also managed by GS1. In this classification scheme, products are grouped into categories based on their essential properties as well as their relationship to other products. The grouping hierarchy is defined by segment, family, class, brick and attribute (value).

An example is shown below.

Example: **pencil sharpener** classification according to GPC scheme

- the segment: Stationery/Office Machinery/Occasion Supplies;
    - the family: Stationery/Office Machinery;
        - the class: Writing/Design Implements/Aids;
            - the brick: Pencil Sharpeners (Non Powered);

[5] Available at http://www.unspsc.org/ and https://www.ungm.org/Public/UNSPSC

[6] Available at https://www.gs1.org/standards/gpc; Browser available at https://www.gs1.org/services/gpc-browser

- ✓ the attribute: Type of Pencil Sharpeners (Non Powered)

  (the value: Pencil Sharpener (hand-held))

The UNSPSC and the GPC schemes are good examples of article/product categories, but they need to be further assessed for completeness and level of granularity that fits for the purpose of the database. If they are considered incomplete or not adequate, there are other existing schemes which can be used instead or be used to fill in identified gaps in the UNSPSC and the GPC schemes:

- Combined nomenclature (CN codes)[1] (relevant chapters and CN code descriptions from sections VII to XXI);
- Central Product Classification (CPC) (relevant divisions/classes, e.g. in divisions 26 to 29, 31, 32, 36 to 38, 41 to 49) and the Standard International Trade Classification (SITC) (relevant groups/subgroups in Sections 5 to 9), both managed by United Nations Statistics Division (UNSD)[7];

These schemes group articles and products by frequently combining material-based and product-based criteria. Therefore, they do not seem to be useful in defining "pure" product-based categories. The advantage of the Combined nomenclature (CN codes) could be that it is used by importers and exporters to declare goods. An example of this scheme is shown below.

Example: **pencil sharpener** classification according to Combined nomenclature (CN codes)

- CHAPTER 82 - TOOLS, IMPLEMENTS, CUTLERY, SPOONS AND FORKS, OF BASE METAL; PARTS THEREOF OF BASE METAL
  - CN code: 8214 - Other articles of cutlery (for example, hair clippers, butchers' or kitchen cleavers, choppers and mincing knives, paperknives); manicure or pedicure sets and instruments (including nail files)
    - CN code: 8214 10 00 - Paperknives, letter openers, erasing knives, pencil sharpeners and blades therefor

In certain specific cases, the categories may need to follow or be at least harmonised with specific EU legislation. For example for electrical and electronic equipment, the categories included in the annexes to the Waste Electrical and Electronic Equipment (WEEE) Directive may need to be followed. Furthermore, harmonisation or correlations may need to established between different schemes (e.g. with the Combined nomenclature scheme).

Specific follow-up questions:

1. *Do the UNSPSC and the GPC classification schemes appear to be a good basis for defining product-based categories to describe products?*

2. *If not, would the Combined nomenclature (CN codes) or a combination approach of the different schemes, be a better basis?*

[7] Available at https://unstats.un.org/unsd/classifications/unsdclassifications/

3.3. Substance data

The information communicated down the supply chain under REACH Article 33(1) is on Candidate List substances only. Therefore, the substance data can be the same as that already used for the current submissions of notifications under Article 7(2), prepared online in REACH-IT.

The tool can in the future be further extended to address other substances of concern (e.g. Persistent Organic Pollutants - POPs).

3.3.1. Single entries in the Candidate List

When the Candidate List entry covers a single substance, the notification submitter (under REACH Article 7(2)) select the Candidate List substance from the list of entries in the Candidate List. The identifiers in the Candidate list include the following data fields:

Substance identifiers:

Substance Name* (EC/IUPAC)
EC/list Number*
CAS Number (if available)*

The same mandatory data fields could be used for this database. When one of the identifiers is filled in, the other fields would be filled automatically.

3.3.2. Group entries in the Candidate List

If a Candidate List substance entry covers a group of substances, the following mandatory data fields could be used for the database:

Group entry identifiers (which may be pre-defined)**:**	
Group entry Name*	
EC/list Number*	
	Specific substance (belonging to the group) identifiers:
	Substance Name* (EC/IUPAC)
	EC/list Number*
	CAS Number (if available)*

This solution would be similar to that already adopted for the Substance in articles notifications under REACH Article 7(2). However, some adaptations may be needed for the identification of the specific substance member of the group.

If the substance belongs to a group entry in the Candidate List, then:

- the submitter would notify the group as a whole and not the specific substance (e.g. select the group Hexahydromethylphthalic anhydride and not one of the four substances under the group, e.g. *Hexahydro-1-methylphthalic anhydride*, EC no.: 256-356-4);
- on a voluntary basis, the notifier would have the possibility to provide the identifiers (e.g. name, EC number or CAS number) for the specific substance (e.g. the substance name: Hexahydro-1-methylphthalic anhydride, AND/OR the EC no.: 256-356-4).

Example: notification of *Potassium perfluorohexane-1-sulphonate*, EC no. 223-393-2, CAS no. 3871-99-6.

The notification submitter selects the Candidate List entry:

Name	EC/List number	CAS number
Perfluorohexane-1-sulphonic acid and its salts (PFHxS)	799-980-7	

In a second step, the submitter has the possibility to provide (voluntarily) the identifiers of specific substance belonging to the group:

Name	EC/List number	CAS number
Potassium perfluorohexane-1-sulphonate	223-393-2	3871-99-6

3.4. Safe use information

The aim of Article 33 is to ensure that sufficient information is communicated down the supply chain to allow the safe use of articles by workers, professional and industrial end-users and consumers due to the presence of Candidate List substances in articles. It should therefore cover all relevant life cycle stages of the article, including disposal and the waste stage. More specifically, the life-cycle stages that may be covered are:

- further processing of the article and assembly,
- (re)packaging, transport and storing,
- end-use/operation,
- installation, maintenance, repair, overhaul, and/or reuse,
- discarding of the article by consumers and professional/industrial end-users (e.g. indication of a specific waste stream),
- safe waste (separate) collection,
- safe treatment at waste stage (e.g. dismantling, preparing for reuse, recycling, recovery and disposal (e.g. incineration and landfill)).

ECHA proposes to take the opportunity of the development of this new database on articles containing Candidate List substances, to work on a better and common understanding of what safe use information could mean in relation to substances in articles, and how the advice given by suppliers of articles could be streamlined and made as useful and coherent as possible, for the different users of that information. For that, ECHA would seek the collaboration of all interested parties. As a starting point, the safe-use advice included in exposure scenarios under REACH to cover processing and use of articles could be used to support this work. In practice, a set of standardised statements could ultimately be developed.These statements could also contribute to consistent submission and dissemination of safe use information.

Examples of such statements could be:

Advice to workers:

- Wear respiratory protection in processing operations generating dust (e.g. grinding, drilling)
- Avoid prolonged direct contact with skin during use
- …

Advice to consumers:

- Avoid prolonged direct contact with skin during use
- Keep out of reach of children
- Keep away from heat, hot surfaces, sparks, open flames
- Do not mix with municipal waste
- For outdoor use only
- …

Advice to waste treatment operators:

- Dispose of as hazardous waste
- Waste incineration is recommended
- …

If necessary, the possibility to provide specific instructions to waste treatment operators on how to disassemble and separate waste from complex objects could also be envisaged.

Specific follow-up questions:

1. *Do stakeholders see the need to develop on a more systematic, complete and/or standardised way to communicate safe use instructions for articles/complex objects?*

2. *Is the development of standardised phrases/statements for safe use instructions an appropriate way forward to address this need?*

4. Data submission formats and tools

ECHA foresees to define a harmonised EU-wide format, which will be based on IUCLID[8]. An article-centered model is foreseen to be developed to support this need. ECHA will investigate the compatibility with existing standards.

The data storage is thus foreseen to happen via IUCLID (online or locally prepared) and the data submission via ECHA's existing electronic submission tools (REACH-IT).

[8] IUCLID is a software to record, store, maintain and exchange data on intrinsic and hazard properties of chemical substances. ECHA co-develops the software with the OECD (for more information, see https://echa.europa.eu/support/registration/creating-your-registration-dossier/what-is-iuclid-)

Appendix: Definitions and legal provisions on substances in articles

A. Definitions

Candidate List substance: substance of very high concern (SVHC) included in the Candidate List.
(*LINK to Candidate List: https://echa.europa.eu/candidate-list-table*)

Substances with the following hazard properties may be included in the **Candidate List**:

- Substances meeting the criteria for classification as carcinogenic, mutagenic or toxic for reproduction (CMR) category 1A or 1B in accordance with the CLP Regulation.
- Substances which are persistent, bioaccumulative and toxic (PBT) or very persistent and very bioaccumulative (vPvB) according to REACH Annex XIII.
- Substances on a case-by-case basis, that cause an equivalent level of concern as CMR or PBT/vPvB substances.

Article: "an **object** which during production is given a special shape, surface or design which determines its function to a greater degree than does its chemical composition" (REACH Article 3(3)).

Most of the commonly used objects in private households and industries are themselves articles (e.g. sheet of paper, injection-moulded garden chairs), or incorporate several articles (e.g. sofa, vehicle, electronic equipment).

Complex object: objects made up of more than one article (e.g. a bike, a computer, a car,…).
Most of the products on the market (and which end-up being handled by waste operators), are in the REACH terminology either "complex objects", or combinations of complex objects with mixtures: for instance, a paint spray is a combination of a container made of several articles (e.g. can, dispenser, cap) and a mixture (paint).

Supplier of an article: "any producer or importer of an article, distributor or other actor in the supply chain placing an article on the market" (REACH Article 3(33)). This refers to articles supplied as such or in complex objects.

Further details on these definitions can be found in the ECHA's Guidance on requirements for substances in articles available at https://echa.europa.eu/guidance-documents/guidance-on-reach

B. REACH provisions on substances in articles

Article 33
Duty to communicate information on substances in articles

1. Any supplier of an article containing a substance meeting the criteria in Article 57 and identified in accordance with Article 59(1) in a concentration above 0,1 % weight by weight (w/w) shall 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.

2. On request by a consumer any supplier of an article containing a substance meeting the criteria in Article 57 and identified in accordance with Article 59(1) in a concentration above 0,1 % weight by weight (w/w) shall provide the consumer with sufficient

information, available to the supplier, to allow safe use of the article including, as a minimum, the name of that substance.

The relevant information shall be provided, free of charge, within 45 days of receipt of the request.

Article 7
Registration and notification of substances in articles

1. …

2. Any producer or importer of articles shall notify the Agency, in accordance with paragraph 4 of this Article, if a substance meets the criteria in Article 57 and is identified in accordance with Article 59(1), if both the following conditions are met:

(a) the substance is present in those articles in quantities totalling over one tonne per producer or importer per year;

(b) the substance is present in those articles above a concentration of 0,1 % weight by weight (w/w).

3. Paragraph 2 shall not apply where the producer or importer can exclude exposure to humans or the environment during normal or reasonably foreseeable conditions of use including disposal. In such cases, the producer or importer shall supply appropriate instructions to the recipient of the article.
…
6. Paragraphs 1 to 5 shall not apply to substances that have already been registered for that use.
…

LINK to REACH legislation: https://echa.europa.eu/regulations/reach/legislation

European Court of Justice's clarification on the scope of the notification and communication obligations under REACH

The judgement of the European Court of Justice of 10 September 2015 in case C-106/142 clarified that the obligations under Articles 7(2) and 33 of REACH also apply to articles that are present in complex objects (i.e. objects made up of more than one article, corresponding to the term "complex product" used by the Court) as long as these articles keep a special shape, surface or design and do not become waste. According to the Court's judgement:

1. Article 7(2) of the REACH Regulation must be interpreted as meaning that, for the purposes of application of that provision, it is for the producer to determine whether a Candidate List substance of very high concern, is present in a concentration above 0.1% weight by weight of any article it produces and, for the importer of a product made up of more than one article, to determine for each article whether such a substance is present in a concentration above 0.1% weight by weight of that article.

2. Article 33 of the REACH Regulation must be interpreted as meaning that, for the purposes of application of that provision, it is for the supplier of a product one or more constituent articles of which contain(s) a Candidate List substance of very high concern in a concentration above 0.1% weight by weight of that article, to inform the recipient and, on request, the consumer, of the presence of that substance by providing them, as a minimum, with the name of the substance in question.

LINK to ECJ judgement (case C-106/142):
http://curia.europa.eu/juris/liste.jsf?language=en&td=ALL&num=C-106/14

C. WFD provisions related to substances in articles

Article 9
Prevention of waste

1. Member States shall take measures to prevent waste generation. Those measures shall, at least:
…
(i) promote the reduction of the content of hazardous substances in materials and products, without prejudice to harmonised legal requirements concerning those materials and products laid down at Union level, and ensure that any supplier of an article as defined in point 33 of Article 3 of Regulation (EC) No 1907/2006 of the European Parliament and of the Council provides the information pursuant to Article 33(1) of that Regulation to the European Chemicals Agency as from 5 January 2021;
…
2. The European Chemicals Agency shall establish a database for the data to be submitted to it pursuant to point (i) of paragraph 1 by 5 January 2020 and maintain it. The European Chemicals Agency shall provide access to that database to waste treatment operators. It shall also provide access to that database to consumers upon request.
…"