



Women in Europe for a Common Future | WECF

# Workshop for campaign „The fight to know”

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Chemicals and Health

# WECF

## Women in Europe for a Common Future

W – Water and sanitation

E – Energy

C – Chemicals

F – Farming

Cross-cutting issues:  
Gender & Rights  
Poverty Reduction



# WECF

- International network with 150 member organisations in 50 countries
- Offices in Germany, Netherlands, France and Georgia
- UNEP partner, ECOSOC status, co-coordinator Women Major Group SDG/Rio+20



# What we do

Strengthen NGOs and  
Women



Advocacy on  
international and  
regional level



Implementation  
Projects

# Campaign: The Fight to Know

- In January 2010 the European Environmental Bureau (EEB), Europe's largest federation of environmental NGOs, launched campaign to test how the 'right to know' under REACH is implemented in practice and to address issues around SVHC.

- How the “Fight to know” campaign works and it’s connection to the “Right to know” under REACH.
- The right of citizens is referred to as the “Right to know“

# The “Right to now” in REACH

- In REACH the suppliers are legally obliged to provide an answer with at least the name of the Substances of very high concern (SVHC)
- and information allowing safe use of the article, within 45 days, free of charge.



# SVHCs

- SVHCs are substances that have been identified as carcinogenic, mutagenic or toxic for reproduction or that are persistent and bioaccumulative or warrant similar concern.



# Limited rights up to now in „The right to know”

The consumers are permitted to ask for information only about chemicals in the Candidate List.

REACH Candidate List:  
now: 163 SVHCs  
Back then: 38 SVHCs

ChemSec Substitute it Now (SIN)  
List: app. 400 SVHCs  
now more substances on  
SIN list then during the  
fight to know campaign

# The main goals of the campaign

- 1) To assess the effectiveness of the „rights to know”
- 2) To mobilise the supply chain’s awareness and support of substitution of SVHC
- 3) To raise awareness on the particular issue of cumulative exposures of consumers to SVHC

# Methodology part 1

- 158 „Right to know” requests to 60 retailers/brands in five European countries
- target group: multi-national companies
- two types of e-mails: as average consumer and as NGO member

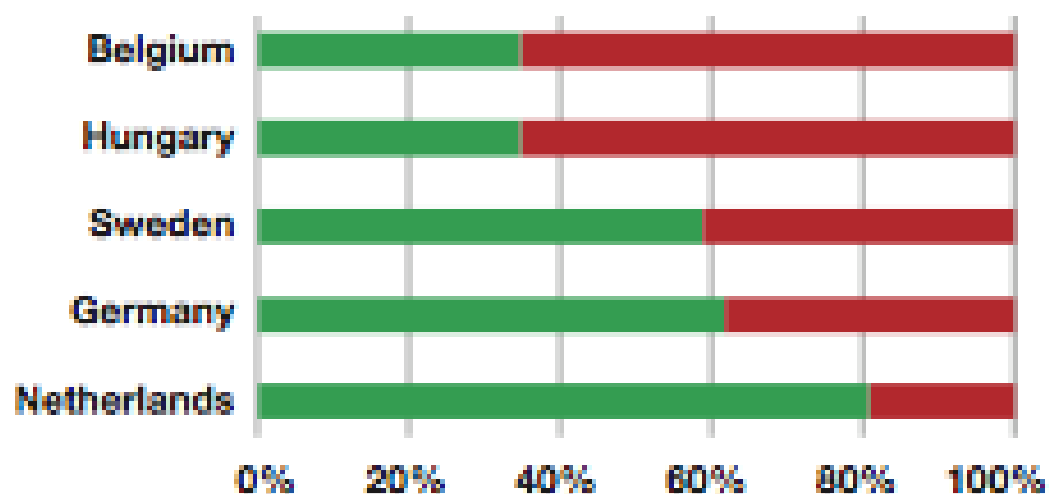
# Results part 1

- only 22% of the citizens' requests received a „satisfactory” answer
- only one retailer provided further information on safe use of the article
- some companies misunderstood the „Right to Know”

Fig 2: Overall Answer rate



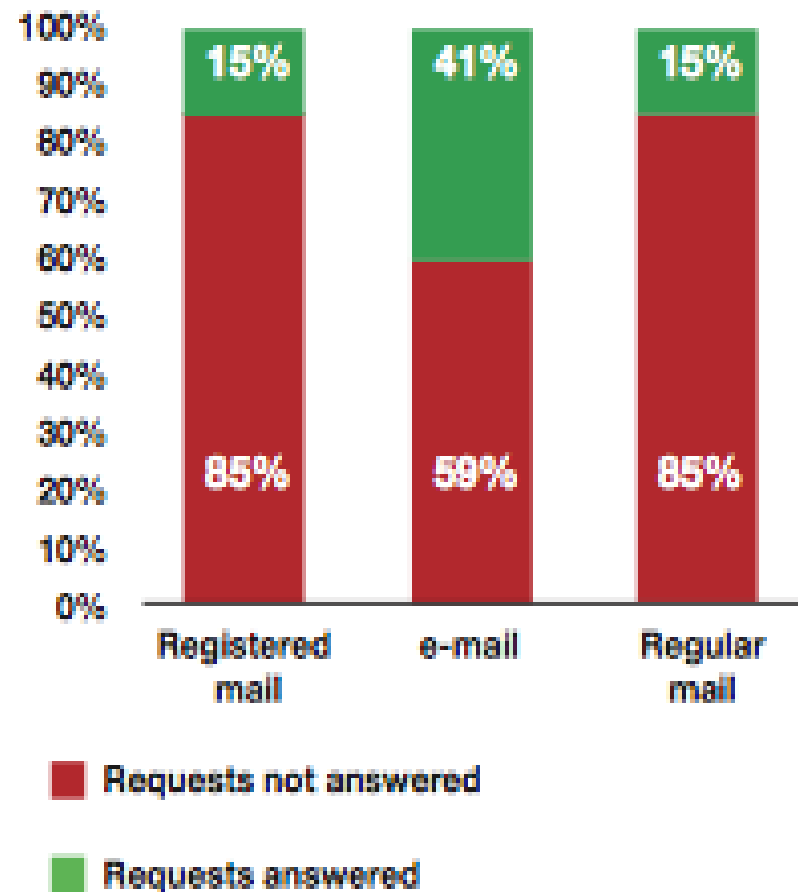
**Fig 5: Answer rate form request (EU)**



Netherlands	Germany	Sweden	Hungary	Belgium
19%	38%	41%	66%	66%
81%	62%	59%	35%	35%

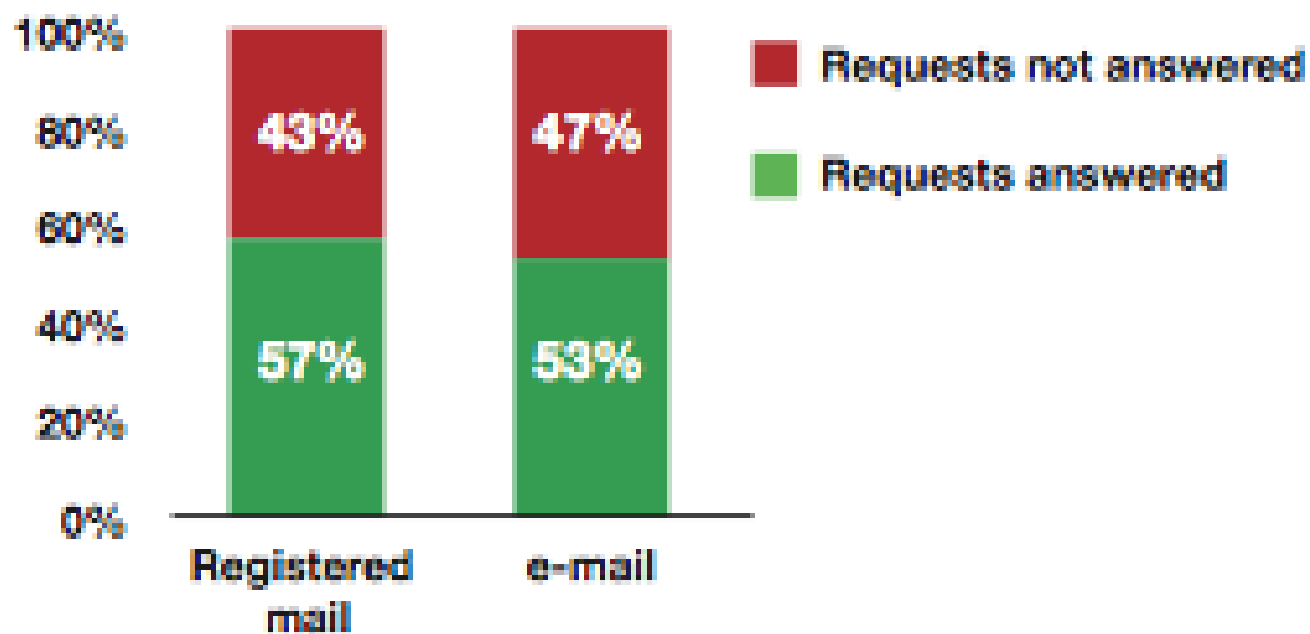
■ Requests answered
 ■ Requests not answered

*Fig 4: Answer rate form request (BE)*





*Fig 3: Answer rate form request (EU)*



# Methodology of part 2

- chemical analysis on the presence of the 8 phthalates in specific products
- the chosen products are part of the average European household's daily life

# Criteria of part 2

- Actual presence of SVHC of the Candidate list
- Presence of phthalates of the SIN List 1.1
- Presence multiple phthalates

# Results part 2

- phthalates in concentration from 0,1% to 63% concentration were found in almost one product out of three

## Top 5 of articles with multiple phthalates

### Pencil case

(Rossmann – Hungary)

DEHP (0,28%) + DBP (0,013%) + DINP (15%) + DIBP (0,0070%)

### Cosmetic bag

(Carrefour – Belgium)

DEHP (8,7%) + DIBP (0,39%) + DBP (0,16%)

### Sport shoes

(Galeria Kaufhof – Germany)

DEHP (7%) + DIBP (0,19%) + DINP (0,83%)

### Ear phones

(Hama)

DEHP (7,9%) + DBP (0,057%) + DINP (0,11%)

### Extension cord + Sport shoes

(Blokker – Netherlands / V&D – Netherlands)

DEHP (6,4%) + DINP (2,3%)

# Recommendations for retailers

- provide an active dissemination policy via electronic dissemination tools
  - = centrally updated online database
  - transparency, cost efficiency
- provide a quality management system
- provide email address and information on websites on SVHC policy

# Recommendations for retailers

- proactively identify the used chemicals in their articles
- phase out and substitute the chemicals included in the SIN 1.1 list (back then it was SIN 1.1.)
- check regularly the „registry of intent”

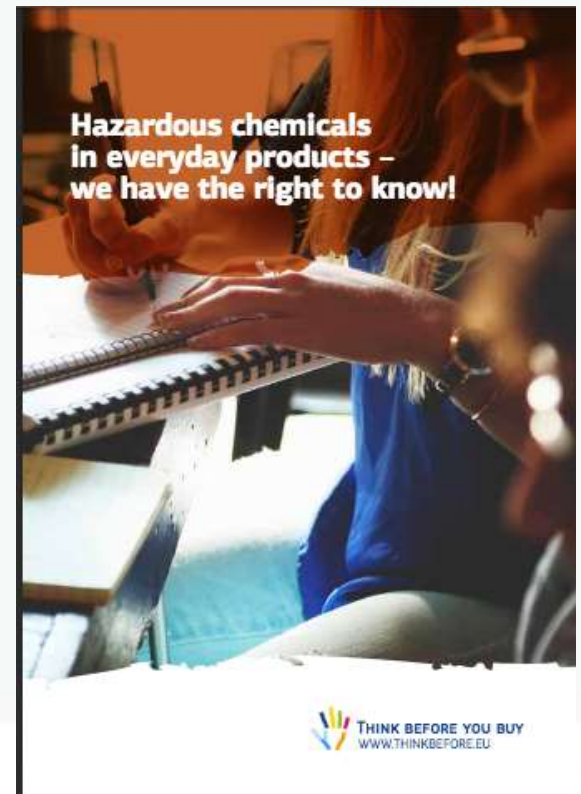
# Recommendations for policy makers

- provide awareness or education campaigns about REACH Art 33.2 obligations
- speed up the listing of SVHCs on the Candidate list



# Follow up activities

- NGOs continue to raise awareness on the right to know and SVHCs in products
- project in the Baltic countries  
[www.thinkbefore.eu/en/](http://www.thinkbefore.eu/en/)  
-



# Follow up activities

- ECHA released a video for consumers about their right to know

<https://www.youtube.com/watch?v=WSWIAEDJfSg>

The film was highly criticized by industry

A joint NGO response was drafted

<http://www.eeb.org/?LinkServID=AE EE22A9-5056-B741-DB9ED7D30D60DF32&showMeta=0&aa>

# Governments inform about the right to know



- Chemikalien
- Registrierung
- Evaluierung
- Zulassung / Beschränkung
- Arbeitshilfen
- Gutachten / Forschungsprojekte
- Rechtliches
- Veranstaltungen
- Glossar
- Links

Google™ Benutzerdefinierte Suche >>

## Auskunftsrechte für Verbraucherinnen und Verbraucher

Informationen zu den Auskunftsrechten in türkischer, italienischer und russischer Sprache wurden vom Ministerium für Arbeit, Integration und Soziales des Landes Nordrhein-Westfalen herausgegeben: [Italiano](#), [русский](#), [Türkçe](#).

Unter REACH werden besonders besorgniserregende Stoffe identifiziert [<http://www.reach-info.de/svhc.htm>] und in der sogenannten Kandidatenliste geführt. Werden chemische Stoffe zu Erzeugnissen verarbeitet (z.B. ein Farbstoff in einem Kunststoffprodukt), müssen innerhalb der Lieferkette Informationen zu den enthaltenen, besonders besorgniserregenden Stoffen und zur sicheren Handhabung weitergegeben werden. Verbraucher können beim Händler, Hersteller oder Importeur nachfragen, welche besonders besorgniserregenden Stoffe der Kandidatenliste in einem Erzeugnis enthalten sind. Händler, Hersteller und Importeure müssen sie dann innerhalb von 45 Tagen kostenlos darüber informieren – unabhängig von einem möglichen Kauf.

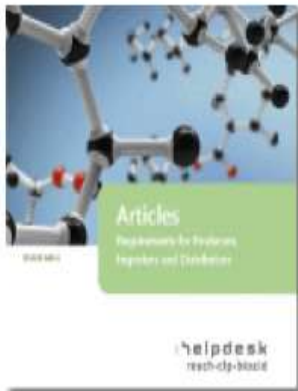
Die Auskunftspflicht gilt sobald die Konzentration des jeweiligen Stoffes im Erzeugnis 0,1 Massenprozent überschreitet. Sie gilt für die meisten Gegenstände, z.B. Haushaltswaren, Textilien, Schuhe, Sportartikel, Möbel, Heimwerkerbedarf, Elektro-/Elektronikgeräte, Spielzeug, Fahrzeuge oder Verpackungen. Sie gilt nicht in Bereichen, die speziellen Regelungen unterliegen. Dazu gehören z.B. flüssige oder pulverförmige Produkte (wie Lacke oder Farben), Medizinprodukte, Arzneimittel, Lebensmittel, Kosmetika, Wasch- und Reinigungsmittel, Futtermittel, Pflanzenschutzmittel und Biozide.



Anfragen können schnell und einfach per [ ] Verbraucher müssen lediglich die Nummer unter dem Strichcode des Produktes eintragen und ihre Kontaktdaten angeben, damit sie

- Information for consumers (sample letter)
- Information for retailers and producers

## Articles - Requirements for Producers, Importers and Distributors



Die Broschüre REACH Info 6 wurde 2014 überarbeitet und um das Kapitel "Einmal Erzeugnis - immer Erzeugnis" ergänzt. Danach wird als Bezugsgröße für bestimmte Informationspflichten das einzelne Erzeugnis festgelegt, auch dann wenn es in einem komplexen Erzeugnis verbaut wird. Auf Grund der Nachfrage, z. B. können Importeure von Erzeugnissen ihre außereuropäischen Lieferanten mit der englischen Version über mögliche Pflichten informieren, wurde die Broschüre

übersetzt.

Model Company  
22 Model Road  
  
22222 Modeltown

10.12.2015

**Regulation (EC) No 1907/2006 (Reach Regulation);  
Duty to communicate information pursuant to Article 33**

Dear Madam or Sir,

The European Chemicals Agency (ECHA) has published on its website a list of substances of very high concern which meet the criteria listed in Article 57 of the REACH Regulation and have been identified in accordance with Article 59 of the REACH Regulation ([http://echa.europa.eu/chem\\_data/candidate\\_list\\_table\\_en.asp](http://echa.europa.eu/chem_data/candidate_list_table_en.asp)). Referring to Article 33 (2) of the REACH Regulation, I request that you inform me/us of whether the article "XXX", which you market, contains any of these substances of very high concern in a concentration above 0.1 % and that you provide me/us with the information necessary to allow safe use of the article XXX. If article XXX is composed of several articles, I request that you communicate the above-mentioned information for every included article.

Article 33 of the REACH Regulation requires you, the supplier of XXX, to provide me, the consumer, with this information within 45 days of receipt of the request. If article XXX does not contain any substances of very high concern I request that you provide me/us with a respective information as well. This information would facilitate my buying decision.

Sincerely,

# Current situation

The right to know is currently not very much in the focus, because other urgent topics arose, like

- watering down the authorisation process
- compliance of notifications and registrations
- authorisation of e.g. DEHP in consumer articles
- TTIP

# Conclusion

- NGOs must continue to monitor the implementation of the right to know
  - other hot topics
  - funding
- Governments should provide information and facilitate information sharing
- ECHA should take more efforts to facilitate the implementation of the right to know
- Retailers and producers should act proactively providing information

Thank you  
for your attention!

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# Test of the „The fight to know” work in practice

## Part 1) Testing the consumer’s „right to know”

- request to the retailers about the substance of their products
- evaluating the answers

## Part 2) Chemical analysis

- 93 everyday products of the requested retailers
- labor test of the SVHC’s level

# Criteria part 1

- 1) Answer
- 2) Answer within deadline
- 3) Obstacles to answer
- 4) Reference to REACH and SVHCs
- 5) SIN list
- 6) Further substitution policy
- 7) Correctness of companies answers vs. Products testing