



PROJECT: "Capacity Building and Strategic Partnerships for Chemicals Safety
in the Republic of Serbia"

Campaign "FIGHT TO KNOW!" - report -



Belgrade, April 2016

Background

Campaign “FIGHT TO KNOW!” was implemented in the Republic of Serbia in the period between October 2015 and April 2016 as a part of the project “Capacity Building and Strategic Partnerships for Chemicals Safety in the Republic of Serbia”. The project is implemented by the Ministry of Agriculture and Environmental Protection with technical support of the United Nations Development Programme (UNDP) and financial support of the “SAICM Quick Start Programme Trust Fund”, in collaboration with civil society organisations: Safer Chemicals Alternative (ALHem) and Women in Europe for a Common Future (WECF). The goal of the project is capacity building and strengthening collaboration between relevant state authorities (ministries responsible for environmental protection, health and protection of consumers in particular), civil society organisations and other stakeholders in order to create conditions for safe chemicals management, with specific view to chemicals containing products.

In addition to listed institutions and organisations active in the project, very important partners in implementation of campaign “FIGHT TO KNOW!” were three consumers' associations, Consumer Centre of Serbia (CEPS), Association of Serbian Consumers (APOS) and Centre for Consumers Protection FORUM, as well as the Institute of Public Health of Belgrade.

The model for the campaign “FIGHT TO KNOW!” implemented in the Republic of Serbia was a similar one called “THE FIGHT TO KNOW” which was implemented in the EU in 2010 under the auspice of the European Environmental Bureau (EEB), in collaboration with several partners, including WECF.

This report has been drafted by the Civil Society Organisation Safer Chemicals Alternative - ALHem, in collaboration with the Ministry of Agriculture and Environmental Protection and UNDP, with the aim to inform public about the goals, methodology and results of the campaign.

SCAN AND “MEET US”



ALHem
Safer Chemicals Alternative

Abstract

Modern chemical management system was established in the Republic in Serbia in 2009 through the adoption of the Law on Chemicals (*Official Gazette of RS, no. 36/09, 88/10, 92/11, 93/12 and 25/15*), which was harmonised with the REACH Regulation as a relevant European piece of legislation pertaining to this area. These regulations *inter alia* contain provisions on substances of very high concern (SVHC). Pursuant to Article 27 of the Law on Chemicals, a consumer is entitled to be informed about the presence of SVHC in products if concentration thereof exceeds 0.1%, while producers, importers and distributors are obligated to communicate the information sufficient for safe use of the product, at least the name of the substance, to the consumer at their request. Although this rule had been introduced back in 2009, there is no knowledge that any consumer in Serbia required such information by the end of 2015.

In order to test implementation of the above mentioned legal provisions in practice and to raise awareness about SVHC, the campaign "FIGHT TO KNOW!" was implemented in the period between October 2015 and April 2016. The subject of the campaign included 11 selected types of products made of PVC plastic which potentially can contain phthalates, a group of substances belonging to SVHC. The campaign covered a total of 90 articles. Moreover, communication between the consumers' associations and distributors enabled testing of exercise of rights on being informed about the contents of SVHC in products, and real contents of phthalates in samples of selected articles was determined through laboratory analyses that were conducted by Institute of Public Health of Belgrade.

According to the results of implemented campaign, out of 90 distributed requests, responses were received from 47 distributors (52.2%), out of which 20 (22.2%) provided specific answers to the question about presence of SVHC in products. The other responses indicated that distributors were not familiar with obligations and responsibilities resulting from the provisions of the Law on Chemicals, and that they wrongly equalised fulfilment of obligations resulting from other regulations with the implementation of chemical legislation. When it comes to quality of provided responses, only 9 out of 90 (10%) distributors showed good level of knowledge about SVHC and obligations related to provision of information about presence thereof in products. Laboratory tests on contents of phthalates in selected products demonstrated the presence of phthalates from the List of substances of very high concern (*Official Gazette of RS, no. 94 /13*) in 24 samples (26.7%). Correlation of communication with the distributor and results of laboratory tests indicates that none of the distributors of products found positive on presence of phthalates from the relevant List provided appropriate and correct information. The achieved results indicate low level of awareness about SVHC in general, as well as low level of awareness among producers, importers and distributors about the obligation of information provision related to the presence of these substances in products; consequently, the level of fulfilment of obligations set forth in Article 27 of the Law on Chemicals is quite low.

The campaign "FIGHT TO KNOW!" initiated the process of awareness raising about SVHC in products and about legal obligations in place among the consumers, but also among the producers, importers and distributors. Yet, the activities related to awareness raising about the presence of SVHC in products should be continued, and implementation of Article 27 of the Law on Chemicals should be additionally strengthened through more intensive enforcement and other activities implemented by competent authorities.

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Abbreviations and acronyms

ALHem	Safer Chemicals Alternative
APOS	Association of Serbian Consumers
BBP	Benzyl butyl phthalate
CEPS	Consumer Centre of Serbia
CMR substances	Carcinogenic, mutagenic and/or reprotoxic substances
DBP	Dibutyl phthalate
DEHP	Di-(2-ethylhexyl) phthalate; <i>bis</i> (2-ethylhexyl) phthalate
DIBP	Diisobutyl phthalate
DIDP	Diisodecyl phthalate
DINP	Diisononyl phthalate
DIPP	Diisopentyl phthalate
DMEP	Di-(2-methoxyethyl) phthalate; <i>bis</i> (2-methoxyethyl) phthalate
DNHP	Di- <i>n</i> -hexyl phthalate
DNOP	Di- <i>n</i> -octyl phthalate
DNPP	Di- <i>n</i> -pentyl phthalate
EEB	European Environmental Bureau
EU	European Union
FORUM	Centre for Consumers Protection FORUM
GZZJZ	Institute of Public Health of Belgrade
SVHC List	List of substances of very high concern
Candidate List	List of Candidate Substances of Very High Concern
NPIPP	<i>n</i> -pentyl-isopentyl phthalate
PBT	Persistent, bioaccumulative and toxic substances
PVC	Polyvinyl chloride
REACH	Regulation No. 1907/2006 on Registration, Evaluation, Authorisation and Restriction of Chemicals
RS	Republic of Serbia
SAICM	Strategic Approach to International Chemicals Management
SVHC	Substances of Very High Concern
UNDP	United Nations Development Programme
vPvB	Very persistent and very bioaccumulative substances
WECF	Women in Europe for a Common Future

1. INTRODUCTION

In mid-20th century, consumption of chemicals was about one million tons a year; however, their consumption nowadays has grown to 500 million tons¹. Chemicals are all around us, making a part of every single product we buy. They facilitate modern life in many respects and to great extent, but in order to use all the advantages that chemicals provide, we should use them in safe way, minimising their harmful effects.

According to data provided by the World Health Organisation – WHO², around five million people die annually as a consequence of illnesses resulting from exposure to chemicals surrounding us. On the market, both national and global one, there are still many products which contain some of most dangerous substances with very harmful effects to human health and environment (heavy metals, carcinogenic substances, substances which adversely affect fertility and foetus, endocrine disruptors, etc.).

Modern chemical management system was established in the Republic in Serbia in 2009 through the adoption of the Law on Chemicals (*Official Gazette of RS, no. 36/09, 88/10, 92/11, 93/12 and 25/15*)³, which was, as much as possible for a non-EU member state, harmonised with the [REACH](#) (Regulation on Registration, Evaluation, Authorisation and Restriction of Chemicals), as a relevant European piece of legislation pertaining to this area. This system is aimed at improving the level of protection of human health and environment against dangers and risks related to the use of chemicals. These regulations, *inter alia*, contain provisions referring to Substances of Very High Concern (SVHC) that stipulate additional measures for these substances compared to other chemicals. In addition to competent authorities responsible for the establishment and maintenance of chemicals management system, i.e. for the enforcement of relevant regulations, significant obligations and greatest responsibility for safety of chemicals and products containing them are placed on producers, importers and distributors who gain profit from these products. Also, in order to ensure the system functionality, it is necessary to include other stakeholders, as well as consumers who should be informed about the chemicals they use and to insist on chemical safety of products offered on the market.

1.1. SVHC and consumers' right to be informed about the contents thereof in products

Substances which can cause serious consequences in human health and environment are identified as substances of very high concern (SVHC). These are primarily the substances identified as carcinogenic, mutagenic or reprotoxic (CMR substances), as well as persistent substances (persistent, purely degradable) and bioaccumulative (they build in live organisms, including human

¹ <http://www.unep.org/chemicalsandwaste/Mainstreaming/GlobalChemicalsOutlook/tabid/56356/Default.aspx>

² <http://www.who.int/ipcs/assessment/en/>

³ <http://www.pravno-informacioni-sistem.rs/SlGlasnikPortal/pages/home.xhtml>

body) (PBT or vPvB). This group includes other substances which can cause equivalent concern, including substances which impair functioning of endocrine system (endocrine disruptors). Possibilities of these substances to exhibit harmful effects vary depending on the potential of the substance to cause them, concentration we were exposed to and exposure duration, as well as on the age in which a human was exposed to chemicals. Because of the SVHC property to accumulate in an organism, these chemicals can cause some of the aforementioned harmful effects, whether it is a single exposure to higher concentrations or repeated exposure to the same or different substances in low concentrations. Therefore, increased incidence of cancer, foetus malformation and development disorders among children, sterility among women and men, great number of people suffering from diabetes, are just some of the illnesses which can be related to exposure to SVHC to a significant extent.

Beside the staff who use these chemicals for industrial and professional purposes, every consumer can also be exposed to such substances because they can be found in different products used in everyday life, starting from toys and equipment of babies, through electric devices, kitchen dishes, furniture, floors, to school supplies, office supplies, and similar.

Taking into account harmful effects to human health and environment related to the use of SVHC and SVHC containing products, great attention is globally focused on how to encourage development and introduction of safer alternatives which could be used to substitute those substances. One of the measures for inciting the substitution (replacement) of SVHC is also introduction of legal provisions which set forth the obligations, when it comes to SVHC containing products, to submit information in the supply chain, including end-users, i.e. consumers. This concept was introduced in the EU through provisions of Article 33 of the REACH Regulation, and such obligations were also prescribed in the Republic of Serbia in the procedure of harmonisation of national regulations with the European ones, through Article 27 of the Law on Chemicals (Figure 1.1.a).

Figure 1.1. Excerpt from the Law on Chemicals

Article 27 of the Law on Chemicals (*Official Gazette of RS no. 36/09, 88/10, 92/11, 93/12 and 25/15*)

Producer, importer or distributor of an article which contains a substance properties of which are the same as those of substances referred to in Article 43, paragraphs 2 and 3 of this Law in concentrations exceeding 0.1%, and/or a substance from the List of Candidate Substances of Very High Concern, shall provide every distributor or downstream user with information sufficient for safe use article of such, the name of the substance as a minimum.

Producer, importer or distributor of the article referred to in paragraph 1 of this Article shall, at the consumer's request, submit information about the substance referred to in paragraph 1 of this Article, free of charge.

The Ministry shall publish the List of substances referred to in paragraph 1 of this Article in the Official Gazette of the Republic of Serbia.

Companies which produce, import or distribute products which contain some SVHC in concentrations exceeding 0.1% are obligated to inform other participants in the supply chain (i.e.

other distributors of that article) about the presence of such substance in the article, and are obligated to provide information for safe use of that specific article, the name of the substance as minimum. In addition, producers, importers and distributors (retailers) are obligated to provide information about this at the consumer's request, free of charge. Substances which are subject to this legal obligation are those listed in the [List of Substances of Very High Concern \(Official Gazette of RS, no. 94/13\)](#) (abbrev. SVHC List) which is, along with other information about SVHC, available at the official internet presentation of the ministry responsible for environmental protection, and which was taken from the list of substances subject to a very requiring authorisation process in the EU. Also, the subject of this legal obligation includes substances listed in the [Candidate List](#) which is available at the webpage of the European Chemical Agency (ECHA). In addition to substances from the aforementioned SVHC List, there are also other substances for which it was proved they had SVHC properties and deadlines for entrance into the authorisation process in the EU is currently being considered. It should be emphasised that SVHC List is at the moment harmonised with previous versions established in the EU, and that further harmonisation of national list with the EU List is expected in the course of 2016. Beside the listed official sources of information, additional information about SVHC and consumers' right to be informed about their presence in products can be found on website of [ALHem](#).

1.2. Measures to incite the development and introduction of safer alternatives

The EU and national regulations about chemicals through specific provisions pertaining to SVHC also introduce additional procedures and measures with the aim to ensure that placement on the market and use of these substances are additionally controlled compared to other chemicals, as well as to encourage companies to develop and introduce safer alternatives. This is achieved in the EU through administrative procedure of authorisation which can result in approval or non-approval of specific SVHC for strictly defined manner of use. The procedure of authorisation is applied in the EU for substances listed in Annex XIV of the REACH Regulation, which is transposed into n legislation through the SVHC List.

Authorisation as obligatory procedure is not prescribed in Serbia; however, Articles 43-47 of the Law on Chemicals introduce certain obligations related to registration of SVHC into the Chemical Register with the aim to ensure risk control and to encourage substitution of SVHC with safer alternatives. The obligation to register chemicals in the Chemical Register, including SVHC and/or mixtures containing them, refers to producers, importers and downstream users who place chemicals and/or SVHC on the market. In addition, downstream user who uses SVHC and/or mixture containing them for professional or industrial purposes shall submit a special dossier to register such chemical in the Chemical Register. Beside other data which must be listed in the dossier about the chemical, in case of SVHC, it is required to submit detailed description of use of such substance of mixture containing it, description of risk reduction measures for the specific manner of use, as well as proposed manner for systematic monitoring. Besides, data about possible

alternative substances is also provided, if available, as well as technical and socio-economic data about the feasibility of substitution. During procedure of inclusion of an SVHC and/or mixtures containing it into the Chemicals Register, the ministry responsible for environmental protection shall apply professional assessment of the submitted data, risk reduction measures and proposed manner for systematic monitoring, and it can order amendments and supplements thereof, if necessary. Producer, importer or downstream user of SVHC and/or mixture containing such substance, shall comply with risk reduction measures and manner for systematic monitoring listed in the decision on registration into the Chemicals Register for that specific SVHC for a concrete manner of use. Fulfilling the prescribed obligations related to the submission of the dossier for registration of SVHC and/or mixture containing such substance into the Chemicals Register, and application of measures defined in the aforementioned decision, will ensure risk control and will incite development and introduction of safer alternatives. These specific obligations have started to be applied starting from 2016, and effects thereof can be expected in the forthcoming period.

1.3. Phthalates

Substances of very high concern include, *inter alia*, certain substances from the phthalate group (phthalic acid esters and aliphatic alcohol esters), which are most commonly used plasticisers, and they are proved to cause toxic effects on reproduction (can adversely affect fertility and foetus), and in case of di-(2-ethylhexyl) phthalate (DEHP), they also turned out to be endocrine disruptors. Phthalates can be found in plastic parts of different products intended for general use, but also in PVC floors, cables, hoses and impregnated textile, even in book covers. Namely, phthalates are added to polyvinyl chloride-based plastic as additives for softening and to reduce breaking, but they are not bonded to polymer and are released from the PVC products, so in contact with phthalate containing products, the user can become exposed to adverse effects of these substances.

Provisions of Article 27 of the Law on Chemicals include four phthalates (DEHP, DBP, BBP and DIBP) from the SVHC List (Figure 1.3.a), which also contains substances with properties referred to in Article 43, paragraphs 2 and 3 of the Law on Chemicals.

Figure 1.3.a. Phthalates listed in the SVHC List

Excerpt from the LIST OF SUBSTANCES OF VERY HIGH CONCERN ("Official Gazette of RS", no. 94 /13)	
Substance identity	Classification of the substance, i.e. whether it is identified as PBT or vPvB, or causes disruption in endocrine system functioning
<i>bis</i> (2-ethylhexyl) phthalate (DEHP) EC: 204-211-0, CAS: 117-81-7	Reproductive toxicity – category 1B
Benzyl butyl phthalate (BBP) EC: 201-622-7, CAS: 85-68-7	Reproductive toxicity – category 1B
Dibutyl phthalate (DBP) EC: 201-557-4, CAS: 84-74-2	Reproductive toxicity – category 1B
Diisobutyl phthalate (DIBP) EC: 201-553-2, CAS: 84-69-5	Reproductive toxicity – category 1B

In addition to the above listed phthalates, Article 27 of the Law on Chemicals also includes 5 more phthalates which also belongs to substances of very high concern because they are listed on the Candidate List. The list of phthalates covered by Article 27 of the Law on Chemicals is provided in the table below:

	Name of the substance and acronym	EC no.	CAS no.
1.	Di-(2-ethylhexyl) phthalate (synonym: <i>bis</i> (2-ethylhexyl) phthalate) (DEHP)	204-211-0	117-81-7
2.	Benzyl butyl phthalate (BBP)	201-622-7	85-68-7
3.	Dibutyl phthalate (DBP)	201-557-4	84-74-2
4.	Diisobutyl phthalate (DIBP)	201-553-2	84-69-5
5.	Di- <i>n</i> -pentyl phthalate (DNPP)	205-017-9	131-18-0
6.	Diisopentyl phthalate (DIPP)	210-088-4	605-50-5
7.	<i>n</i> -Pentyl-isopentyl phthalate (NPIPP)	-	776297-69-9
8.	Di-(2-methoxyethyl) phthalate; (synonym: <i>bis</i> (2-methoxyethyl) phthalate) (DMEP)	204-212-6	117-82-8
9.	Di- <i>n</i> -hexyl phthalate (DNHP)	201-559-5	84-75-3

If some of the above listed phthalates is present in an article in concentration exceeding 0.1%, producers, importers and distributors of such article are obligated to inform the consumers at their request about all the facts related to safe use of the article, at least about the name of the substance.

In addition to the above overview of regulations referring to phthalates as SVHC, it is also important to note that there are chemicals-related regulations which regulate bans and restrictions for use of certain phthalates in toys and child care products (Figure 1.3.b). Namely, the Rulebook on bans and restrictions of production, placement on the market and use of chemicals (*Official Gazette of RS, no. 90/13, 25/15 and 2/16*) prescribes bans for presence of three phthalates (DEHP, DBP, BBP) from the SVHC List in toys and child care products in concentration higher than 0.1%. When it comes to toys and child care products which children can put in their mouth, bans are also prescribed for additional three phthalates (Diisononyl phthalate (DINP), Diisodecyl phthalate (DIDP), Di-*n*-octyl phthalate (DNOP)), which have not yet been included in Candidate List. Additionally, according to the EU regulations about toys, which still have not been implemented in national legislation, presence of a CMR substance is not allowed in concentrations equal or higher than specific cut-off value for classification into relevant hazard class, which is 5% for reproductive toxicity of DIBP.

Figure 1.3.b. Phthalates included in bans and restrictions in terms of their presence in toys and child care products

Excerpt from Part 1, Annex 1 RULEBOOK ON BANS AND RESTRICTION OF PRODUCTION, PLACEMENT ON THE MARKET AND USE OF CHEMICALS (<i>Official Gazette of RS, no. 90/13, 25/15 and 2/16</i>)		
Ordinal number of restriction and ban	Name of the substance or mixture, CAS and EC number	Restrictions and bans
51.	Phtalates a) Di-(2-ethylhexyl) phthalate; bis(2-ethylhexyl) phthalate, DEHP CAS no. 117-81-7, EC no. 204-211-0 b) Dibutyl phthalate, DBP CAS no. 84-74-2, EC no. 201-557-4 v) Benzyl butyl phthalate, BBP CAS no. 85-68-7, EC no. 201-622-7	1. It shall be prohibited to use these substances or mixtures containing them in toys and child care products in concentrations higher than 0.1% (m/m) of plasticised material. 2. It shall be prohibited to place on the market toys and child care products containing more than 0.1% (m/m) of these phtalates. 3. A child care product shall be any product designed to facilitate sleep, relaxation, hygiene, feeding and breastfeeding.
52.	Phtalates a) Di-isononyl phthalate, DINP CAS no. 28553-12-0 and 68515-48-0, EC nor. 249-079-5 and 271-090-9 b) Di-isodecyl phthalate, DIDP CAS no. 26761-40-0 and 68515-49-1, EC no. 247-977-1 and 271-091-4 v) Di- <i>n</i> -octyl phthalate, DNOP CAS no. 117-84-0, EC no. 204-214-7	1. It shall be prohibited to use these substances or mixtures containing them in toys and child care products which children can put in their mouth in concentrations higher than 0.1% (m/m) of plasticised material. 2. It shall be prohibited to place on the market toys and child care products containing more than 0.1% (m/m) of these phtalates. 3. A child care product shall be any product designed to facilitate sleep, relaxation, hygiene, feeding and breastfeeding.

2. CAMPAIGN

Although the consumers' right to be informed about SVHC in products was regulated by Article 27 of the Law on Chemicals in 2009, there is no knowledge that any consumer in Serbia required such information based on this right till the end of 2015. Therefore, it was obvious that consumers needed to develop awareness about the possible presence of SVHC in products we use in our everyday life, as well as about legally established right to be informed about that. At the same time, it was also evident that producers, importers and distributors need to be better aware about SVHC as important factor for chemical safety of products and necessity for substitution of most hazardous components with less hazardous, especially in products used by sensitive groups (children, pregnant women, chronicle patients, elderly ones, etc.).

With regard to that, as a part of the project "Capacity Building and Strategic Partnerships for Chemicals Safety in the Republic of Serbia", the Ministry of Agriculture and Environmental Protection with technical support of the United Nations Development Programme (UNDP) and financial support of the "SAICM Quick Start Programme Trust Fund", and in collaboration with CSO: Safer Chemicals Alternative (ALHem) and Women in Europe for a Common Future (WECF), implemented the campaign "FIGHT TO KNOW!". Beside the competent ministry, the Coordination Team also included members from ministries responsible for health and consumers' protection.

In order to implement the campaign, three consumers' protection associations were included in the activity: Consumer Centre of Serbia (CEPS), Association of Serbian Consumers (APOS) and Centre for Consumers Protection FORUM, as well as the Institute of Public Health of Belgrade, which conducted chemical analyses of selected products.

The model for the campaign "FIGHT TO KNOW!" implemented in the Republic of Serbia was a similar one called "THE FIGHT TO KNOW"⁴ which was implemented in the EU in 2010 under the auspice of the European Environmental Bureau (EEB), in collaboration with several partners, including WECF.

2.1. Campaign objectives

Campaign "FIGHT TO KNOW!" was implemented with the following objectives:

- 1) Screening of the implementation of legal provisions about the obligation to communicate information about the presence of SVHC in products in practice and promotion of consumers' right on such information,
- 2) Awareness raising about substances of very high concern (SVHC) as important factor for chemical safety of products, as well as about the obligation to communicate information about SVHC in products along the supply chain and the need to introduce safer alternatives.

⁴ <http://www.eeb.org/EEB/?LinkServID=8BBC1DF8-C9C7-8B93-CA5F42033F11A3AD>

2.2. Campaign subject

The subject of this campaign comprised selected products made of PVC which potentially can contain phthalates as a group of substances belonging to SVHC (Figure 2.2.a.). The products included 11 types of products for everyday use which can be bought in retail shops throughout Serbia. Nine samples were taken for 8 types of products, while 3 types of products (beachwear, accesories for mobile phones and plastic dishes) were represented by 6 samples. The list of products included in the campaign and closer description thereof is presented in the following table:

PRODUCTS WHICH POTENTIALLY CAN CONTAIN PHTHALATES			Number of samples per type
no.	PRODUCT TYPE	Product description – subtype	
1.	SCHOOL SUPPLIES	Rubbers	9
		Protective films and folders	
		Pencil holders	
2.	TOYS	Rocking horses	9
		Balls	
		Bath toys (including PVC books)	
3.	BABY CARE PRODUCTS	Changing pads	9
		Nose aspirators - pumps	
		Bibs	
4.	BEACHWEAR	Floats	6
		Armbands	
5.	ACCESORIES FOR MOBILE PHONES	Plastic masks for mobile phones	6
		PVC protective foils for mobile phones	
6.	FOOTWEAR AND CLOTHES	Flip-flops	9
		Crocs slippers	
		Raincoats	
7.	HOUSEHOLD UTENSILS	Oilcloths	9
		Food serving pads	
		Bath pads	
8.	PLASTIC DISHES	Bowls-food dishes	6
		Jugs-decanter	
9.	CABLES	Extending cables-electric cables	9
		Cables with connectors	
		Bulk cables	
10.	PVC FLOORS	PVC canvas	9
		Rolled vinyl floor covers	
		Sport exercise mats and children's puzzle mats	
11.	MEDICAL DEVICES	Urinal catheter	9
		Cannulas (Braun cannulas, infusion sets)	
		PVC syringes	

Figure 2.2.a. Examples of products which can contain phthalates



PVC raincoats



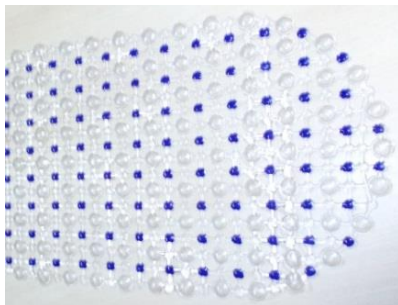
Toys



Bibs



Floats



Bath pads



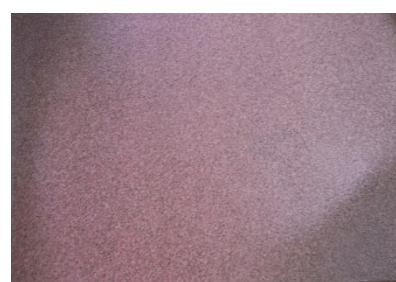
Cables



Infusion sets



PVC canvas



PVC floor covers

Note: The above photos are provided solely for illustration purposes for types of products which can contain phthalates

A total of 90 product samples were procured and their distributors were contacted with a request to provide information about the content of SVHC in these products, and samples were sent to laboratory testing to determine the content of phthalates in them.

The phthalates contents of which was analysed and reasons for inclusion thereof in the laboratory testing are presented in the following table:

Phthalate	Acronym	Reason for laboratory testing
Di-(2-ethylhexyl) phthalate	DEHP	Included in the SVHC List and covered by Ban 51
Dibutyl phthalate	DBP	Included in the SVHC List and covered by Ban 51
Benzyl butyl phthalate	BBP	Included in the SVHC List and covered by Ban 51
Diisobutyl phthalate	DIBP	Included in the SVHC List
Di-(2-methoxyethyl) phthalate	DMEP	Included in the Candidate List
Di- <i>n</i> -pentyl phthalate	DNPP	Included in the Candidate List
Di- <i>n</i> -hexyl phthalate	DNHP	Included in the Candidate List
Diisononyl phthalate	DINP	Covered by Ban 52
Diisodecyl phthalate	DIDP	Covered by Ban 52
Di- <i>n</i> -octylphthalate	DNOP	Covered by Ban 52

All the listed phthalates are reprotoxic, that is, they can adversely affect fertility and foetus, and DEHP turned out to be endocrine disruptor as well, so because of such intrinsic properties, these chemicals are subject to special provisions set forth by the Law on Chemicals with the aim to apply additional measures and influence the reduction or complete phase out in the production of different products for general use, especially toys and baby products.

2.3. Campaign methodology

Primary activities in the campaign “FIGHT TO KNOW!” were divided into two sections:

- 1) Communication with distributors – includes selection and purchase of specific PVC products and sending of letters requiring information about the presence of SVHC in those products, as well as successive collection of answers.
- 2) Laboratory testing – includes chemical analysis to determine whether the purchased products contain phthalates belonging to SVHC.

In addition to listed primary activities, other ones necessary for realisation of the activity and achievement of defined goals and objectives were also implemented, such as:

- Preparatory activities which included preparation of public call and contracting of regional partners and laboratory, development of the campaign methodology, guidelines and materials, as well as organisation of initial consultative workshop as a start of main activities.

- Evaluation activities which included compilation and analysis of all results, correlation of answers received from distributors with laboratory test results, as well as drafting of a campaign result report.
- Visibility activities which comprised preparation of printed materials and publication of information about consumers' rights through websites, social networks and media, and design and implementation of three visibility events (local public meetings) in three cities in Serbia with the aim to raise awareness about SVHC and promote the campaign results.

Entities directly involved in the campaign implementation had the following responsibilities:

- Ministry of Agriculture and Environmental Protection⁵ – as the project proponent and competent authority for chemicals management, grants approvals to the activities, working papers and reports and participates in visibility activities.
- UNDP⁶ – as implementing agency organises, coordinates and supervises all activities, implements contests for contracting of regional partners and laboratory, evaluates and approves reports and information, etc.
- ALHem⁷ – prepares the campaign methodology, guidelines and materials and present them to regional partners at the initial workshop, provides professional support and guidelines, coordinates activities of regional partners and laboratory, compiles and analyses results, drafts final report about the campaign and information which will be presented to broader audience.
- WECF⁸ – provides guidelines and advice based on experience gained in implementation of model campaign “The fight to know” in the EU in 2010, as well as approvals for use of relevant model text for the brochure about SVHC in products and exercise of consumers' right to be informed.
- Three consumers' associations: Consumer Centre of Serbia (CEPS)⁹, Association of Serbian Consumers (APOS)¹⁰ and Centre for Consumers Protection FORUM¹¹, were involved in implementation of the campaign in three regions of Serbia, selecting specific articles, procuring samples, communicating with distributors, and participating in visibility activities.
- Institute of Public Health of Belgrade (GZZJZ)¹² – accredited analytical laboratory experienced in testing of presence of phthalates in products, was contracted to analyse delivered samples for content of phthalates for the campaign purposes.
- Project Coordination Team – cross-sectoral team composed of representatives from competent state institutions in the area of environmental protection, chemicals management, health protection and consumers' rights, was established with the aim to consider project results, provide recommendations for guiding of project activities and manage results.

⁵ <http://www.eko.minpolj.gov.rs/>

⁶ <http://www.rs.undp.org/content/serbia/sr/home.html>

⁷ <http://www.alhem.rs/o-alhem/ko-je-alhem/>

⁸ <http://www.wecf.eu/>

⁹ <http://www.ceps.rs/>

¹⁰ <http://apos.rs/>

¹¹ <http://www.forum-nis.org.rs/>

¹² <http://www.zdravlje.org.rs/>

2.3.1. Manuals, materials and training of campaign participants

Detailed manual for implementation of campaign with clear guidelines for the selection of products and distributors, procurement of samples and communication with distributors was drafted by ALHem and presented to contracted consumers' associations (CEPS, APOS, FORUM) at consultative workshop organised for the initial provision of information and materials needed for implementation of campaign. In addition to uniformed model documents used for communication between the campaign participants, this manual contains a model letter with the request for provision of information about the presence of SVHC in products (Figure 2.3.1.).

Figure 2.3.1. Model letter requiring provision of information about SVHC in products

<hr/> <i>Name of the company to which the request is supplied</i>
<hr/> <i>Address of the company</i>
REQUEST for the provision of information
<p>Article 27 of the Law on Chemicals (Official Gazette of RS, no. 36/09, 88/10, 92/11, 93/12 and 25/15) prescribes that producer, importer or distributor of products containing:</p> <ol style="list-style-type: none">1) substance with properties of those referred to in Article 43, paragraphs 2 and 3, i.e. substance listed on the List of Substances of Very High Concern, and/or2) substance listed on the Candidate List of Substances of Very High Concern, in concentrations exceeding 0.1%, shall at the consumer's request and free of charge provide information sufficient for safe use of such product, at least the name of the substance. <p>Additional information about this obligation is available at the website of the Ministry of Agriculture and Environmental Protection through the following link: http://www.eko.minpolj.gov.rs/organizacija/sektori/sektor-za-planiranje-i-upravljanje-u-zivotnoj-sredini/odeljenje-za-hemikalije/informativni-pult-za-hemikalije-i-biocidne-proizvode/potrosaci/informisan-potrosac/ within the page of Chemical Info Desk (phone: 011/7155-225, e-mail: info.hemikalije@eko.minpolj.gov.rs), section Consumers > Informed consumer.</p> <p>Taking into account that your company is a distributor of a product <u> (insert name of the specific product, as well as name of the producer or importer and country of origin, code of the product and price) </u> koji se može kupiti u prodavnici <u> (insert name and address of the shop) </u>, I am asking you in compliance with your obligation prescribed by Article 27, paragraph 2 of the Law on Chemicals, to provide me with information whether the substance listed in the List of Substances of Very High Concern or Candidate List present in the stated product in concentration of more than 0.1%, supplying the name of the substance, and information sufficient for safe use of the product.</p> <p>In addition, I would kindly ask you to inform me about manner of checking whether chemicals in products from your offer are in compliance with the Law on Chemicals and whether you have plans and options to substitute the products containing substances of very high concern with safer alternatives.</p> <p style="text-align: right;">Sincerely,</p> <p style="text-align: right;"><hr/><i>Name and surname</i></p> <p>Place: _____</p> <p style="text-align: right;"><hr/><i>Name and address of association</i></p> <p>Date: _____</p> <p style="text-align: right;"><hr/><i>e-mail and/or phone number</i></p>

2.3.2. Selection of products and distributors

Selection of products and distributors thereof was conducted by three consumers' associations based on the provided guidelines and in coordination of ALHem. Each of these three associations made a list of 30 products and distributors who will be included in the campaign in their regions (Belgrade, Vojvodina and Central Serbia). Considerable attention was paid to selection of products and distributors thereof with the aim to contact as many distributors as possible through requests for submission of information about the presence of SVHC in products. Specific attention was paid to avoid the situation in which products and distributors selected in one region are also selected for the campaign in the other two regions. Therefore, selection of products and distributors was conducted according to the following rule:

1 product = 1 distributor = 1 request

Applying this rule enabled that 90 distributors received one request each, asking them to provide information about the presence of SVHC in one specific article.

2.3.3. Procurement of products

Once final list of products and distributors was defined, each of the three consumer protection associations bought samples (in duplicate) of 30 products in shops in their respective regions, accompanying the products with obligatory fiscal slip. Each product was photographed and marked with appropriate internal code containing codes of regions, distributors and product sub-type. A total of 90 products were procured (in duplicate). Samples were taken from each and every product (one sample per product) and sent to the laboratory to be tested for presence of phthalates therein.

2.3.4. Communication with distributors

Communication with distributors about the presence of SVHC in products purchased in their regions was conducted by consumer protection associations using agreed model letter requesting information referred to in Article 27 of the Law on Chemicals and consumers' right established therein. The letter with relevant request for submission of information about the presence of SVHC in a specific article was sent to the distributor owning the retail shop where such article was purchased. The letter was sent by electronic and snail mail.

In cases when distributors required clarifications related to the requesting letter, additional communication was conducted including delivery of scanned fiscal slips and photos of the article.

Time stipulated for the responses was 45 days. Upon the expiry of this period, communication with distributors was evaluated in terms of responsiveness and quality of responses.

2.3.5. Criteria for evaluation of communication with distributors

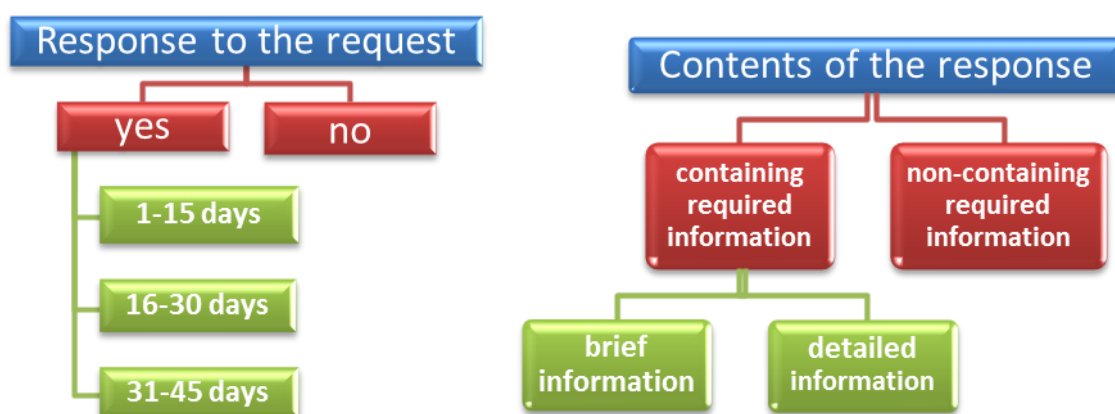
Communication with distributors was evaluated based on the responsiveness to the request and contents of the response (Figure 2.3.5.a.).

The response to the request was evaluated based on the fact whether there was any response and time needed to receive it, taking into consideration the following periods from the request dispatch:

- 1-15 days
- 16-30 days
- 31-45 days

Contents of the response was evaluated based on the fact whether it contained the required information about the contents of SVHC in products, and in cases when information referred to in Article 27 of the Law on Chemicals, response quality was further analysed.

Figure 2.3.5.a. Criteria for evaluation of communication with distributors



2.3.6. Laboratory testing

Laboratory testing of the submitted samples started on 22nd December 2015, upon the reception of samples. All submitted samples were marked with internal code attributed for the campaign purposes. The samples were accompanied by a list of all articles grouped according to product type and subtype and with the inserted brand and internal code. At the reception all samples were registered in record book O8 with allocated identification number (ID) of the Institute of Public Health of Belgrade (GZZJZ). Each sample was photographed with visible internal ALHem code and ID number of the GZZJZ. A total of 90 samples was analysed for presence of 10 following phthalates:

- 1) Di-(2-ethylhexyl) phthalate; DEHP
- 2) Dibutyl phthalate; DBP
- 3) Benzyl butyl phthalate; BBP
- 4) Diisobutyl phthalate; DIBP
- 5) Di-(2-methoxyethyl) phthalate; DMEP
- 6) *Di-n*-pentyl phthalate; DNPP

- 7) Di-*n*-hexyl phthalate; DNHP
- 8) Diisononyl phthalate; DINP
- 9) Diisodecyl phthalate; DIDP
- 10) Di-*n*-octylphthalate; DNOP

Preparation and analysis of samples were conducted in compliance with accredited validated and documented method VDM 0180¹³, which is registered in the Accreditation Scope under number 01-036 and includes the following elements: Determination of phthalate content (DBP, DEHP, BBP, DNOP, DINP, DIDP) applying technique GC-MSD with measurement range of 0.01-1 % (w/w). The method is accredited for polymer products (PVC and hard plastic) and children toys.

2.3.7. Principle and brief description of the method

Ground or finely cut sample of PVC or thermoplastic product is completely dissolved in tetrahydrofuran, then hexane is added to separate PVC polymer from the solution mixture, which is filtrated through 0.45µm filter, dissolved by hexane if necessary, and then is analysed in gas chromatography technique with mass spectrometry (GC/MSD).

The range of curve for determination of phthalates was between 0.1 and 2.0 µg/ml for DEHP, DBP, BBP, DIBP, DMEP, DNPP, DNOP and DNHP and between 2.0 and 10.0 µg/ml for DIDP and DINP.

2.3.8. Equipment and chemicals

Gas chromatographer used for the analysis is Hewlett Packard GC System 6890 with mass detector Hewlett Packard 5973 MSD. Chromatographic separation was conducted by use of gas-chromatography column Phenomenex ZB-5, dimensions: 30m x 0.25mm x 0.25 µm, Part no. 7HG-G002-11.

All chemicals used were of analytical purity level, procured from commercial sources.

2.3.9. Testing reports

Data about the sample with test results were presented for each and every sample in separate test reports. Every test report is encoded with ID code of the sample and report date. Test results are presented in the report as percentage of phthalates content. Testing reports are accompanied by photos of each sample analysed for the campaign purposes.

It should be noted that the above mentioned laboratory tests included only phthalates as one of SVHC groups, and that there are other substances belonging to SVHC, but were not included in laboratory tests conducted for the campaign purposes.

¹³ Modified method EN 14372:2004 Child use and care products – Cutlery and feeding utensils – Safety requirements and tests, 6.3.2. Determination of phthalate content. Modifications with respect to standard EN 14372:2004: item 6.3.2. Preparation of extracts: Test Method: CPSC-CH-C1001-09.2, Standard Operating Procedure for Determination of Phthalates, July 27, 2009

2.4. Campaign results

Campaign results were analysed from two aspects:

- 1) communication with distributors with regard to provision of information about content of SVHC in products
- 2) content of phthalates in products determined in laboratory tests

In order to establish the accuracy of collected information from distributors, their answers were correlated to laboratory test results.

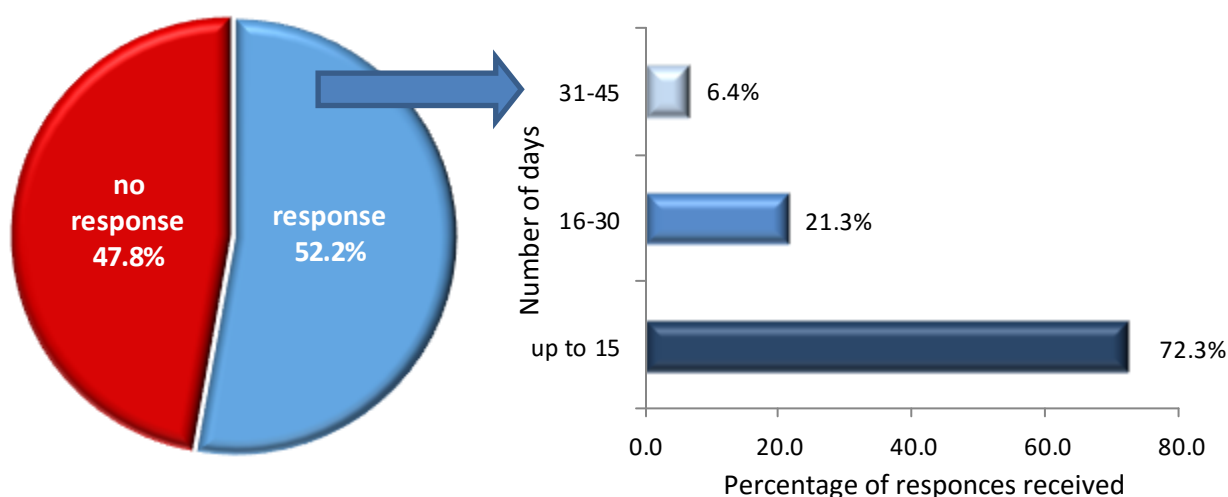
Also, laboratory tests included DINP, DIDP and DNOP, i.e. phthalates which are not yet included in the Candidate List, but are prohibited in toys and child care products, and inclusion thereof in the Candidate List is being considered at the EU level, because reprotoxic properties are also detected, so presence thereof in tested samples was considered from the aspect of expected inclusion into the Candidate List and effects this will have for products containing them.

2.4.1. Results of communication with distributors

At the request for submission of information about the content of SVHC in products in accordance with obligation prescribed in Article 27 of the Law on Chemicals, 47 out of 90 contacted distributors replied, i.e. 52.2%. In Belgrade region, responses to the request were received from 50.0% distributors, and in Vojvodina and Central Serbia, 53.3% distributors responded in their respective regions. In most cases, communication was realised only via electronic mail. It was noticed that distributors from Central Serbia responded the most answers via snail mail, while in the remaining two regions electronic mail communication greatly prevailed.

In terms of speed of responses to the request, with respect to total number of received answers (47, i.e. 52.2%), the most answers were received in first 15 days from the request dispatch, that is, 34 (72.3%). Ten more distributors (21.3%) sent their answers in the period between 16 and 30 days, which indicates that out of total number of distributors who responded to the request, 93.6% replied within 30 days. Only 3 replies (6.4%) were received after the expiry of 30 days from the request dispatch (Figure 2.4.1.a.).

Figure 2.4.1.a. Responsiveness to the request for information about the content of SVHC in product

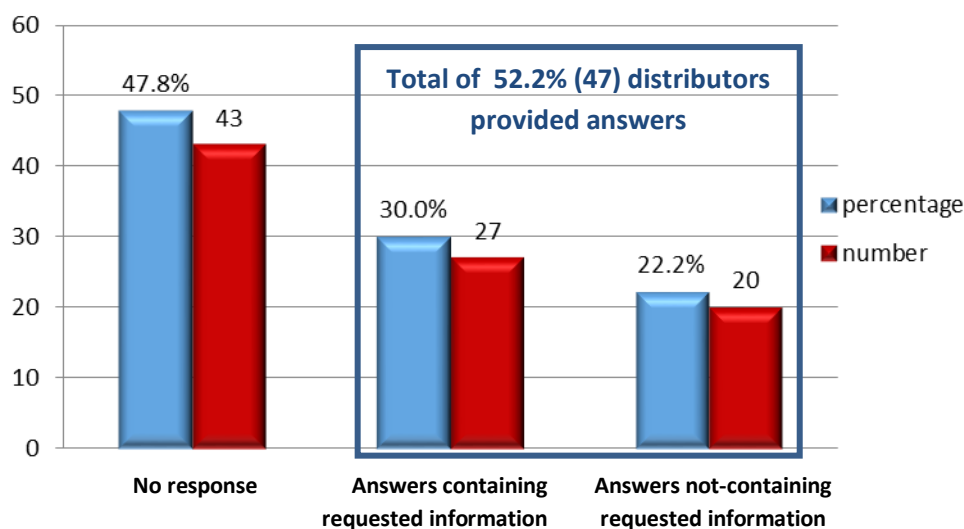


Quality of answers to the request for submission of information about the content of SVHC in products was evaluated based on the fact whether they contain the requested information. The obtained answers were divided into two groups, as follows:

- 1) Answers containing the requested information
- 2) Answers not-containing the requested information.

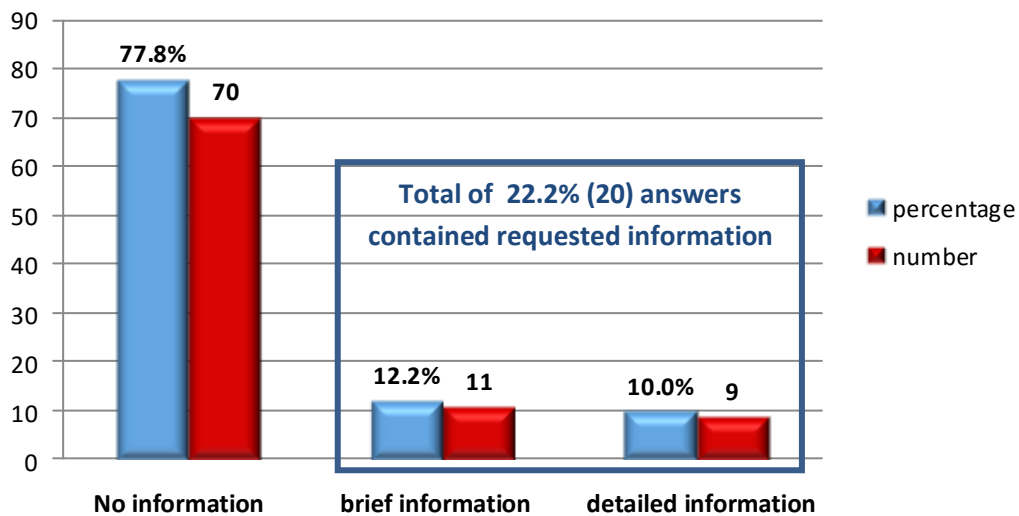
It was established that out of 47 received answers more than a half, even 27 answers, did not contain the required information about the content of SVHC in products, and that only 20 answers provided the required information by denying presence of SVHC in the specific article. Statistical processing of these pieces of information with respect to 90 distributed requests indicated that only 22.2% of total number of distributed requests really got the answer to posed question (Figure 2.4.1.b.). This indicates that, even though they expressed the willingness to answer to the consumers' requests, many distributors did not have knowledge about SVHC in products, and that they equalised fulfilment of obligations resulting from other regulations with fulfilment of regulations about chemicals.

Figure 2.4.1.b. Contents of provided answers



There are differences in scope and quality of provided information indicating that there are different levels of awareness amongst distributors about substances of very high concern and possible presence thereof in products. Detailed information demonstrating good level of awareness about SVHC in products was provided by 9 distributors, which is only 10% of total number of contacted distributors (Figure 2.4.1.c). Additionally, some answers indicated that distributors required specific information from the producer or importer in supply chain, but they did not receive adequate information to forward to the consumer.

Figure 2.4.1.c. Quality of answers



Note: The first column incorporated requests not responded or responded but without the required information provided

According to product type, the best response to the request (Figure 2.4.1.d.) was for plastic dishes (100%), followed by baby care products (77.8%), cables and additional equipment for telephones (66.7%). Percentage of responses related to school supplies was 55.6%, and for toys, PVC floors, household utensils and medical devices was 44.4%. The poorest response was received for requests pertaining to beachwear (33.3%), and footwear and clothes (11.1%). The most answers containing the required information belonged to cables, i.e. 4, followed by toys and baby care products with 3 each respectively. When it comes to additional equipment for mobile phones, household utensils, plastic dishes and PVC floors, 2 answers with required information were provided per each type of product, and school supplies and beachwear were covered by 1 appropriate answer each. The received answers for footwear and clothes, as well as for medical devices, did not contain the required information, but only points about the fulfilment of obligations prescribed by regulations pertaining to textile and medical devices. Detailed information was provided in 2 answers each for toys and cables, and in 1 answer each for school supplies, baby care products, beachwear, household utensils and PVC floors (Figure 2.4.1.e.).

Figure 2.4.1.d. Response per product type

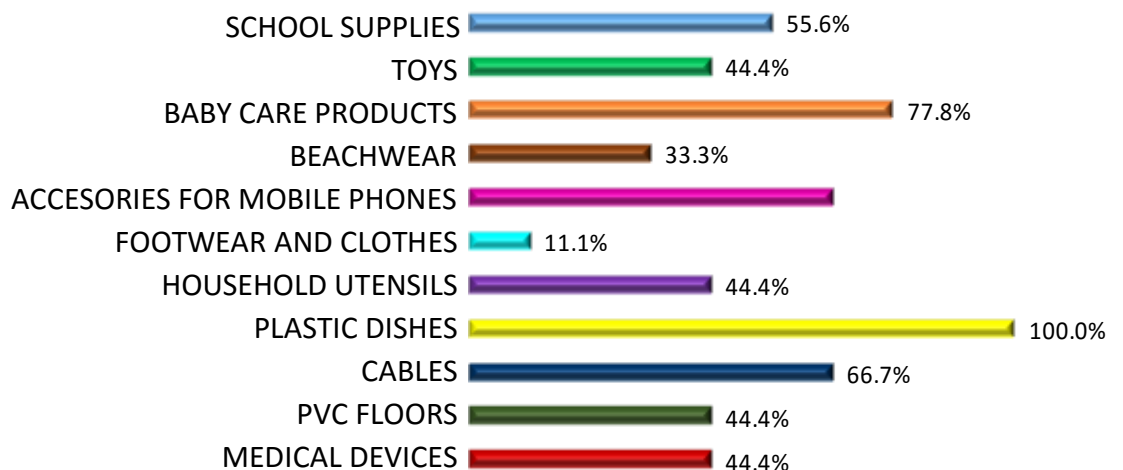
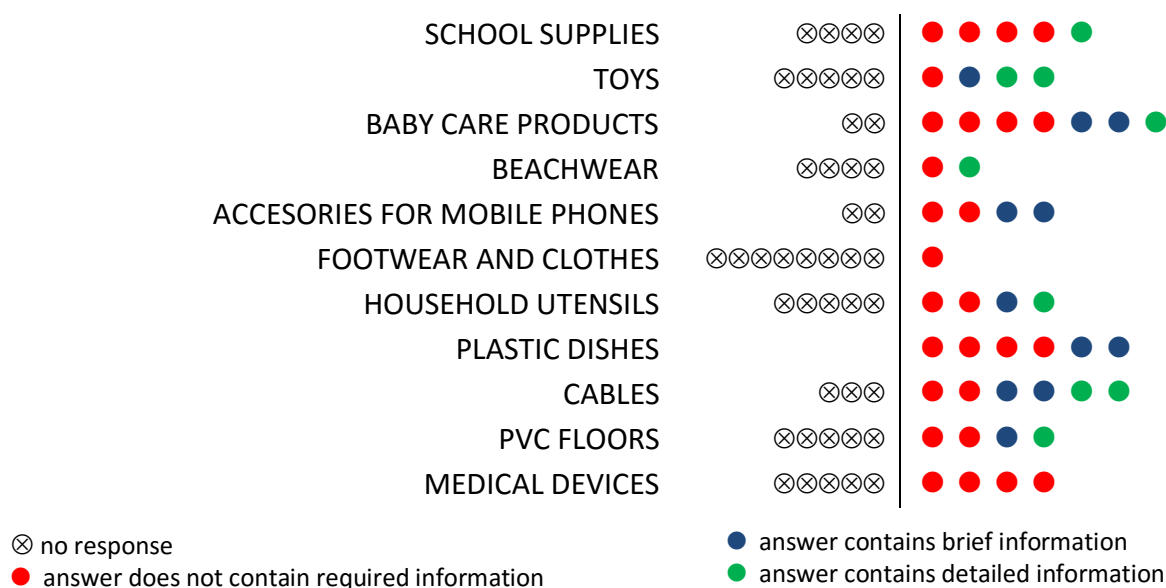


Figure 2.4.1.e. Quality of answers per product type



2.4.1.1. Conclusions and recommendations – PART 1

Based on communication with distributors, it can be concluded that only a half of distributed requests for information about SVHC in products were responded, noting very similar responsiveness in all regions of Serbia. Communication via electronic mail was in most cases preferred way of communication, reminding that Central Serbia region deviated from this rule. The greatest response was recorded in first 15 days, while almost all answers were received within a month after the request dispatch. Only 20 distributed requests received answers which contained information about presence of SVHC in products. Out of total number of distributors responded to the request, more than a half did not provide the required information about SVHC in product prescribed in Article 27 of the Law on Chemicals, but their answers mainly contained information about fulfilment of obligations referred to in other regulations primary pertaining to that specific product (e.g. regulations pertaining to products for general use, medical devices and electronic equipment), and in some answers distributors justified their answers with statements that they lacked information from producers or importers. In terms of quality, answers received from 9 out of 90 (10%) distributors demonstrated good level of knowledge about potential presence of SVHC in products and obligation to submit information pursuant to Article 27 of the Law on Chemicals. High level of responsiveness and quality of answers were recorded in case of toys and baby care products which are subject to bans in terms of content of phthalates, as well as for cables and floor linings manufactured in production processes which require that PVC insulation/lining obligatory contains plastic softeners. Lack of understanding of obligations prescribed by the Law on Chemicals was demonstrated amongst distributors of medical devices and textile products, as well as of electronic equipment.

Therefore, it is necessary to raise awareness about SVHC in products and increase awareness amongst producers, importers and distributors of products about their obligations related to provision of information at consumers' request pursuant to Article 27 of the Law on Chemicals. To this end, specific attention should be paid to producers, importers and distributors of products primarily regulated by regulations on medical devices, textile products and electronic equipment. Although deadline of 30 days turned out to be appropriate for response from distributors in majority of cases, there is a need to prescribe deadline for submission of information about presence of SVHC in products (e.g. in the EU, such deadline is 45 days for submission of required information about presence of SVHC in products), in order to dismiss any dilemmas about the deadline for provision of information about presence of SVHC in products. In addition, it is necessary to enforce implementation of Article 27 of the Law on Chemicals through intensified inspection control.

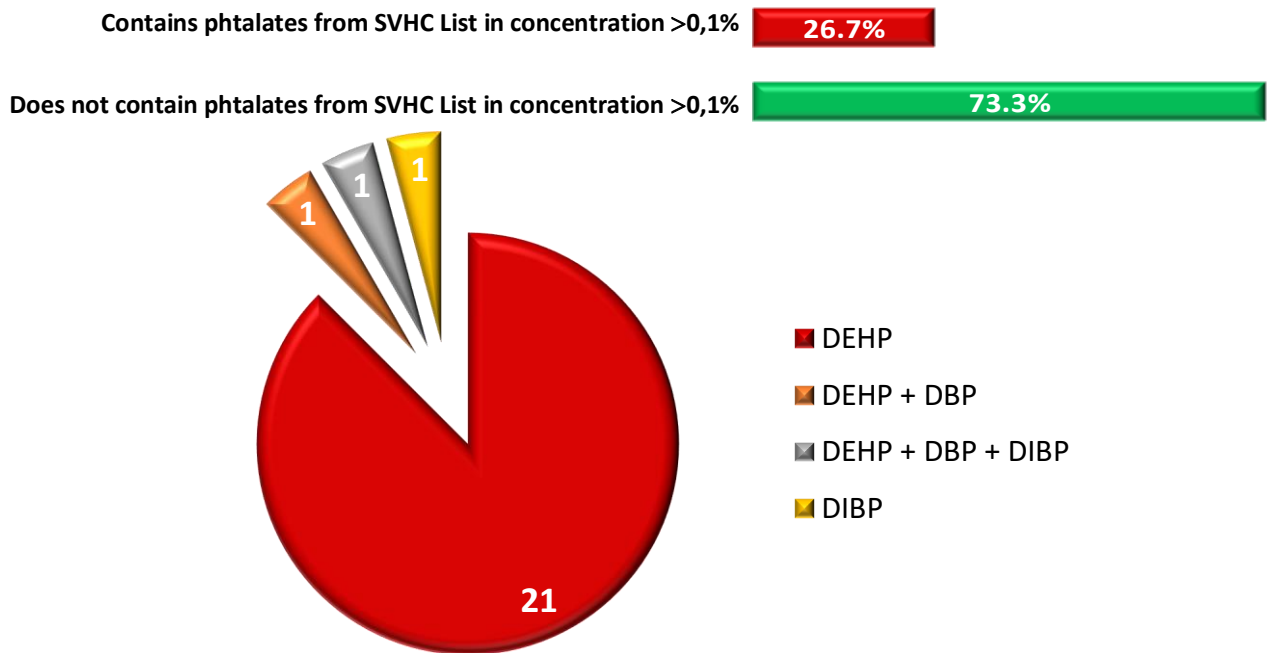
It is interesting that similar campaign implemented in 2010 in the EU generated similar results in terms of response, but also in terms of quality of answers provided in communication with distributors. Based on this, it can be concluded that awareness about SVHC in products and degree of implementation of relevant legal provisions are at the same level as they were in the EU in 2010, so positive experience from the EU gained in activities which over the past 6 years generated good results should be used to increase awareness about SVHC and exercise of right to be informed about content of SVHC in products.

2.4.2. Results of laboratory testing

Laboratory testing of content of phthalates in sampled articles demonstrated that presence of phthalates from the SVHC List in concentrations exceeding 0.1% was found in 24 samples, which is 26.7% of total number of products included in the campaign. In most cases of samples positive on presence of SVHC in concentration exceeding 0.1%, DEHP was identified as the only phthalate from the SVHC List, while in one sample DEHP was found in combination with DBP and in one other with DIBP and DBP. In one positive sample, DIBP was identified in concentration exceeding 0.1% (Figure 2.4.2.a.).

Phthalates from the Candidate List were not identified in tested samples in concentrations exceeding 0.1%.

Figure 2.4.2.a. Presence of phthalates from the SVHC List in sampled articles



According to product type, greatest representation of samples positive on presence of phthalates from the SVHC List was in cables (6 out of 9, i.e. 66.7%) and certain medical devices (4 out of 9, i.e. 44.4%), followed by 33.3% positive samples from PVC floor linings (3 of 9), toys (3 of 9), beachwear (2 of 6) and clothes and footwear (3 of 9). Baby care products were positive on presence of phthalates from the SVHC List in one of nine tested samples (11.1%), and household utensils in two out of nine tested samples (22.2%)(Figure 2.4.2.b.). None of the tested samples from school supplies, plastic dishes and additional equipment for mobile phones contained phthalates from the SVHC List in concentrations exceeding 0.1% (Figure 2.4.2.c.).

Figure 2.4.2.b. Percentage representation of positive samples per product type

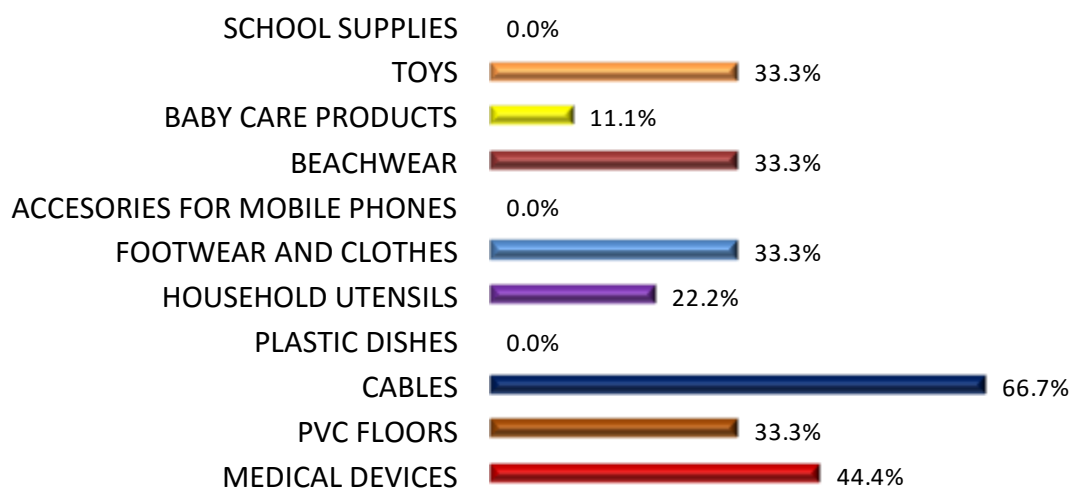
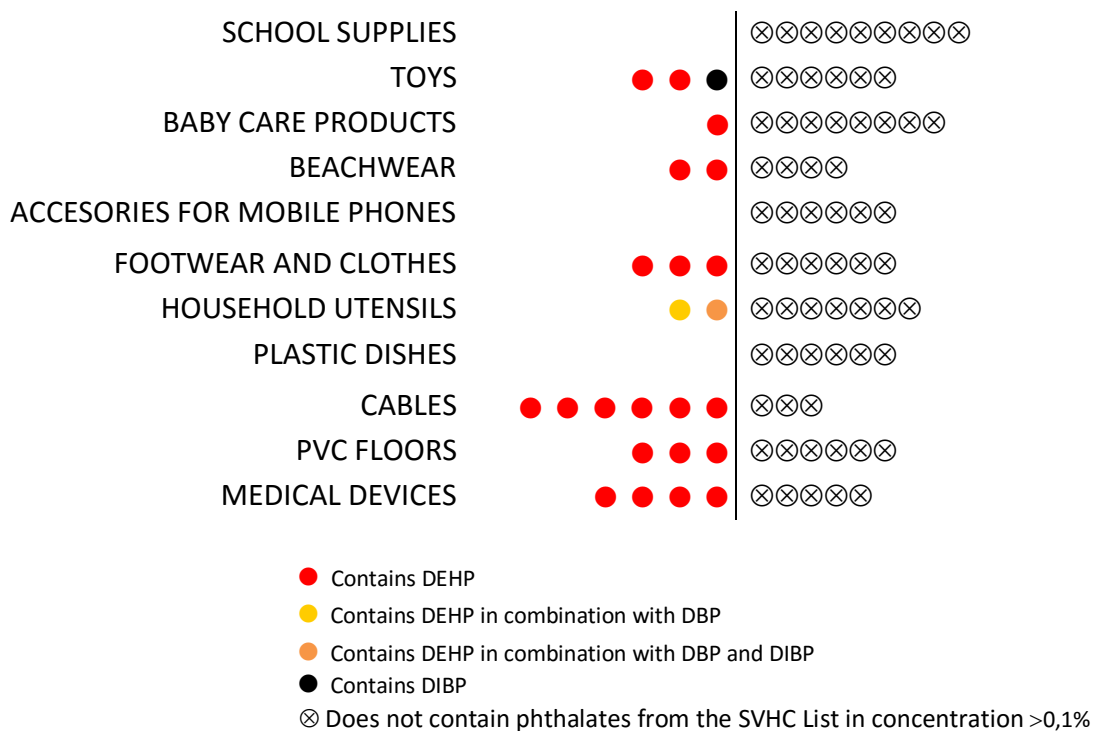


Figure 2.4.2.c. Presence of phthalates from the SVHC List in tested samples per product type



It is important to mention that presence of DEHP was identified in 2 toy samples and 1 sample of baby care products, which means violation of ban no. 51 prescribed in the Rulebook on restrictions and bans of production, placement on the market and use of chemicals for this type of products. Additionally, DINP was identified in the mentioned sample of baby care products, which is subject of ban no. 52 (Figure 2.4.2.d.). Beside all the aforementioned, one toy sample was positive on presence of DIBP which is listed in the SVHC List, but is not covered by prescribed bans 51 or 52. This sample contained >12% DIBP. It should be stressed that according to the EU regulations on toys, which have not yet been transposed into national legislation, presence of CMR substance is not allowed in concentrations equal or higher than specific cut-off value for classification into relevant hazard class, which is 5% for DIBP when it comes to reproductive toxicity. Therefore, a toy with >12% DIBP is not allowed in the EU, and once national legislation is harmonised with relevant EU regulations, the same status can be expected for such toy in Serbia as well. Draft Rulebook on safety of toys has been developed and it incorporates transposed provisions of the EU Directive concerning safety of toys, which are transposable at the moment. However, due to the national methodology applied in regulations development and lack of full legal basis in the current Law on Health Safety of Items of General Use, new Law on Health Safety of Items of General Use is currently being drafted, which will provide for legal basis for the adoption of bylaws, including the mentioned Rulebook. It is planned that draft new Law on Health Safety of Items of General Use is finalised by the end of 2016, and immediately upon the adoption thereof, the developed draft rulebooks will enter into the legal procedure (toys, cosmetics, materials in contact with foodstuff).

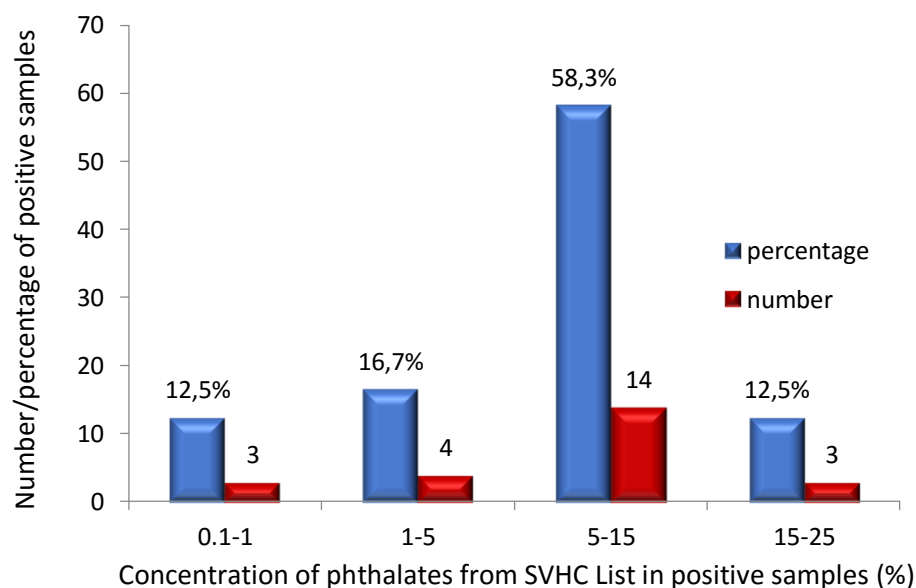
Figure 2.4.2.d. Products which are subject to prescribed bans no. 51 and/or 52 depending on content of certain phthalates in concentrations of >0,1%

	Subject to prescribed bans	Is not subject to prescribed bans
TOYS	● ●	● ⊗ ⊗ ⊗ ⊗ ⊗ ⊗
BABY CARE PRODUCTS	●	⊗ ⊗ ⊗ ⊗ ⊗ ⊗ ⊗ ⊗

● Contains >0.1% DEHP and is subject to ban no. 51
 ● Contains >0.1% DEHP in combination with >0.1% DINP and is subject to bans no. 51 and 52
 ● Contains >0.1% DIBP and is not subject to bans no. 51 or 52
 ⊗ Does not contain phthalates in concentration of >0.1%

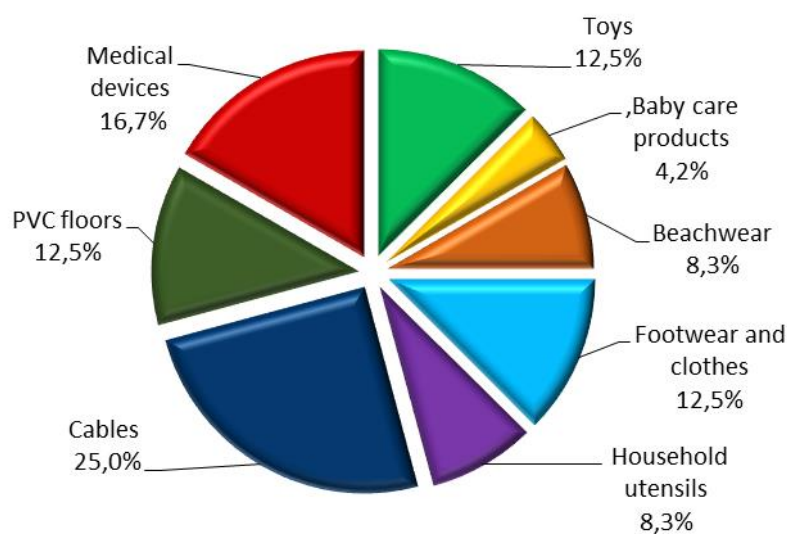
In terms of concentration of phthalates from the SVHC List, 14 positive samples contained 5-15% phthalates, while 1-5% phthalates were present in 4 samples in concentrations lower than 1% and higher than 15% in 3 samples. Highest concentrations (>15%) of phthalates from the SVHC List were identified in one sample of toys and two samples of PVC floor linings (Figure 2.4.2.e.).

Figure 2.4.2.e. Distribution of positive samples according to concentration of phthalates from the SVHC List



With respect to total number of samples positive on presence of phthalates from the SVHC List (24), 6 samples belong to cables (25.0%), 4 to medical devices (16.7%), 3 belong to PVC floor linings, toys and clothes respectively (12.5% each), and 2 to beachwear and household utensils respectively (8.3% each), while 1 positive sample belongs to baby care products (4.2%)(Figure 2.4.2.f.).

Figure 2.4.2.f. Distribution of positive samples per product type



2.4.2.1. Conclusions and recommendations – PART 2

Laboratory test results demonstrated that there are products containing phthalates from the SVHC List on the market of the Republic of Serbia. Laboratory tests implemented as a part of the campaign found presence of phthalates from the SVHC List in 26.7% tested samples, and share of positive samples (8 out of 11) of tested product types indicated high probability of exposure of general population during the use of different products in their everyday life. Not all samples in any of the tested product types were positive on presence of phthalates from the SVHC List, which indicates that there are available products on the market of the same type which differ in terms of chemical safety, so when deciding about the purchase of certain product it is necessary to take into account potential presence of SVHC.

With regard to the above mentioned, it is necessary to raise awareness of general population about possible presence of SVHC as an important factor in chemical safety of a product. Consumers should be aware that producers, importers and distributors are obligated to provide information at request about presence of SVHC in products in concentrations exceeding 0.1%. However, if they do not get information they are entitled to pursuant to Article 27 of the Law on Chemicals, consumers should refer to competent environmental inspectorate in order to ensure application of prescribed legal measures. Exercising this right, consumers can influence the producers, importers and distributors, indicating the need to procure products free of these substances.

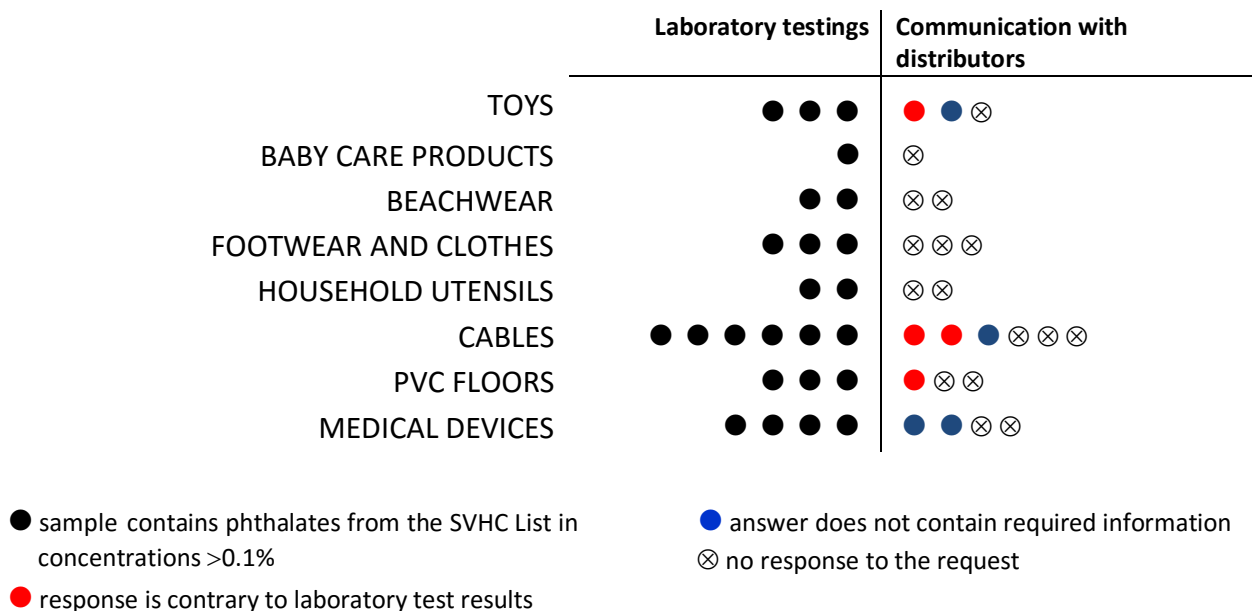
Additionally, presence of phthalates was detected in samples of toys and baby care products indicates commercial offence in the sense of prescribed bans and restrictions, so it is necessary to intensify enforcement activities of competent sanitary inspectorate in terms of control of these products. In addition, it is necessary to harmonise national legislation on toys with relevant EU regulations as soon as practicable, in order to prevent placement of toys containing CMR substances on the market (e.g. DIBP substance) in concentrations equal or higher than cut-off concentration for classification related to carcinogenicity, mutagenicity and/or reproductive toxicity.

2.4.3. Correlation of results of communication with distributors and if laboratory tests

For total of 24 products which were found in laboratory tests positive on presence of phthalates from the SVHC List in concentrations higher than 0.1%, only 8 distributors responded to the sent request for provision of information, and out of that number, only 4 answers contained information about presence of SVHC, denying the presence thereof in the specific article.

Cross analysis of this data leads to the conclusion and 4 distributors provide information about presence of SVHC which is contrary to laboratory test results, while the remaining 4 distributors, although responding to the request for information, did not provide the answer which contained the required information. Therefore, all 8 distributors who participated in communication for products positive on presence of phthalates from the SVHC List, did not provide appropriate and correct information, which was their obligation to provide at a consumer's request pursuant to Article 27 of the Law on Chemicals. In addition, for 16 products found positive on presence of phthalates, no response from distributors was received to the request for information (Figure 2.4.3.a.).

Figure 2.4.3.a. Correlation of data about samples found positive on presence of phthalates from the SVHC List and responses obtained in communication with distributors, per product type



Note: The above correlation does not include samples found negative on presence of phthalates from the SVHC List

2.4.3.1. Conclusions and recommendations – PART 3

Correlation of results of communication with distributors and of laboratory tests indicated that appropriate information was not provided for any of the products found positive on presence of phthalates from the SVHC List in concentrations higher than 0.1%, and that information provided in 4 answers in which presence of SVHC was denied was incorrect, i.e. contrary to laboratory test results.

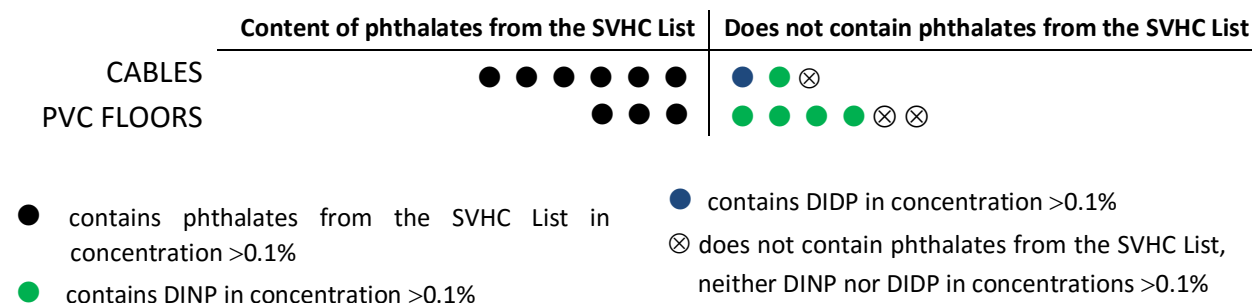
Such results indicate that awareness should be raised among the producers, importers and distributors about possible presence of SVHC in most different products and about obligations set forth in national legislation, as well as about the need to introduce safer alternatives. Also, it is necessary to encourage implementation of regulations through exercise of consumers' right to be informed about SVHC in products. Exercising this right, consumers can influence the producers, importers and distributors to take into account presence of SVHC as an important factor for chemical safety and competitiveness of products they place on the market.

2.4.4. Additional data from laboratory test results

Phthalates from the SVHC List in concentrations exceeding 0.1% were identified in 24 products, out of which 6 positive samples were cables and 3 were PVC floor linings. Additionally, for these two types of products in 6 samples (4 floor linings and 2 cables) which were negative on presence of phthalates from the SVHC List, presence of DINP and DIDP was identified (Figure 2.4.4.a.). These are phthalates neither banned in these products, nor listed in the SVHC List, but their inclusion in the

Candidate List is being considered at the EU level, taking into account that they exhibited reprotoxic properties. The percentage of DINP in these samples ranged between 13-26%, while the percentage of DIDP was lower than 0.5%.

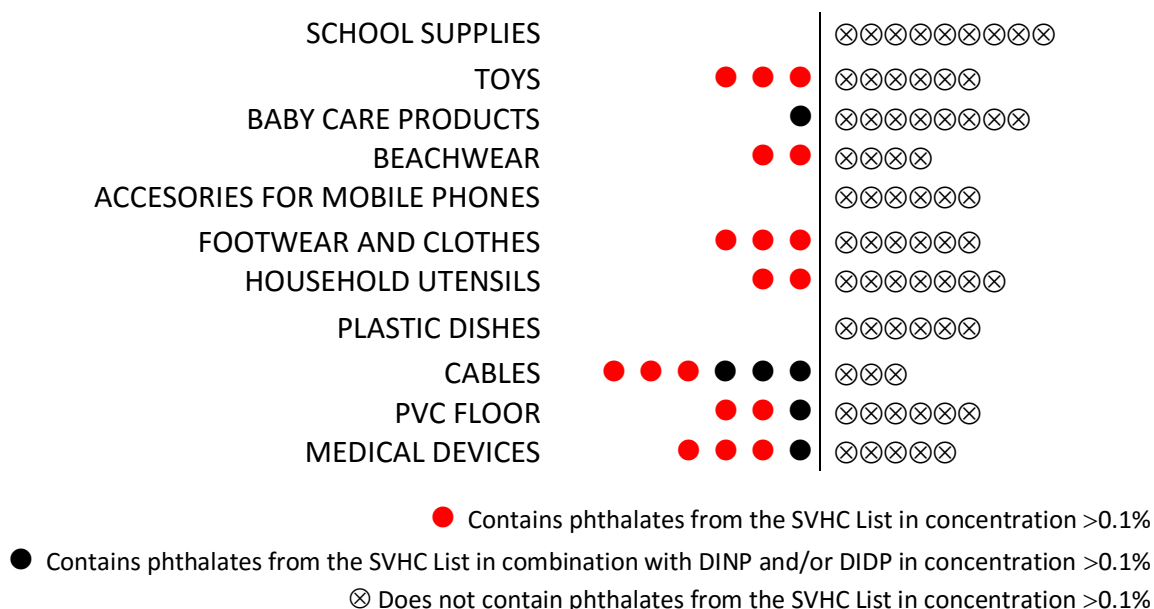
Figure 2.4.4.a. Additional information from laboratory testings on presence of phthalates



Besides, it should be noted that in 6 samples found positive on presence of DEHP, combined presence of DINP and DIDP was detected in concentrations >0.1% (Figure 2.4.4.b.). Specific attention should be paid in cases of toys and baby care products, taking

into account the prescribed bans and restrictions, as explained in details in Chapter 2.4.3. Percentage of these phthalates in tested samples mainly ranged between 0.1% and 4%, except for in one sample of medical devices where more than 28% DINP was identified.

Figure 2.4.4.b. Presence of phthalates from the SVHC List in combination with DINP and DIDP per product type



2.4.4.1. Conclusions and recommendations – PART 4

Beside phthalates from the Candidate List, there are phthalates that are not yet covered by obligations referred to in Article 27 of the Law on Chemicals, but also have reprotoxic properties and their inclusion on the Candidate List is being considered in the EU. Such phthalates are in case of DINP, DIDP and DNOP, because of the mentioned hazardous properties, included in ban no. 52 when it comes to toys and products designed for baby care.

Therefore, when finding and introducing safer alternatives, even beside the current exclusion from obligations referred to in Article 27 of the Law on Chemicals, it is necessary to take into account properties of a substance which potentially can lead to inclusion on the Candidate List, i.e. it is necessary to check literature including latest findings and examples of good practice from countries with highly developed chemical industry. When deciding about safer alternative, professional and scientific criteria should prevail over economic ones. In consideration of most hazardous properties of substances and finding safer alternatives, internationally recognised databases should be used. There are such bases available in Serbian language as well. These include [SIN list](http://srbija.chemsec.org/)¹⁴ (List of chemicals of very high concern which require priority action) and [SUBSUPPORT Portal](http://rs.subsport.eu/)¹⁵ (Portal for support to industry in substitution of chemicals of very high concern with safer alternatives).

¹⁴ <http://srbija.chemsec.org/>

¹⁵ <http://rs.subsport.eu/>

3. AWARENESS RAISING ABOUT SVHC WITHIN THE CAMPAIGN

Besides testing the effectiveness of legal provisions pertaining to obligation of submission of information about SVHC in products, campaign “FIGHT TO KNOW!” had the aim to promote the right to be informed among consumers and to raise awareness about possible presence of SVHC in different products of mass consumption. In order to do that, numerous visibility and promotional actions were implemented in parallel to primary activities of communication with distributors and laboratory testing of products. These activities included the following:

- Preparation, printing and distribution of brochure “Guidance for purchase of chemically safe products” about SVHC in products and consumers’ right to be informed
- Three public meetings organised in Belgrade (SM Stadion, 15 March 2016), Niš (pedestrian zone in front of SM Forum, 16 March 2016) and Novi Sad (SM Big, 17 March 2016) on the occasion of the World Consumer Rights Day, when consumers had the opportunity to meet the campaign key players and to be informed about hazardous chemicals and products containing them, as well as to get closer instructions on how to exercise their right to be informed, brochures and model letter of request for information about presence of SVHC in products.
- Press releases and conferences in Media Centre in Niš and City Hall in Novi Sad on the occasion of publication of preliminary campaign results.
- Publication of information about SVHC and preliminary campaign results on web sites of the campaign participants
- Hosting in radio and TV programmes
- Publication of information in newspaper articles
- Publication of information via social networks

In this way public was informed about the campaign, raising the level of knowledge among consumers about possible presence of SVHC in products and consumer right to be informed about that was promoted. Also, taking into account that distributors were contacted in the campaign through request for the provision of information, who had to ask for specific answers from producers and importers of these products, awareness was raised along the supply chain about SVHC as an important factor for chemical safety, as well as about the obligation to communicate information about SVHC in products and need to introduce safer alternatives.

4. SUMMARY

Modern chemical management system was established in the Republic in Serbia in 2009 through the adoption of the Law on Chemicals which was harmonised with the REACH Regulation as a relevant European piece of legislation pertaining to this area. This Law *inter alia* contains provisions on substances of very high concern (SVHC) which grants the right to consumer to be informed about the presence thereof in products. Pursuant to Article 27 of the Law on Chemicals, producers, importers and distributors are obligated to communicate the information sufficient for safe use of the product which contains more than 0.1% SVHC, at least the name of the substance, to the consumer at their request. Although this rule had been introduced back in 2009, there is no knowledge that any consumer in Serbia required such information by the end of 2015.

In order to test implementation of the above mentioned legal provisions in practice and to raise awareness about SVHC, the campaign "FIGHT TO KNOW!" was implemented in the period between October 2015 and April 2016. The model for this campaign implemented in the Republic of Serbia was a similar one called "THE FIGHT TO KNOW" which was implemented in the EU. Numerous promotional and visibility activities were implemented within the campaign with the aim to raise awareness among consumers about possible presence of SVHC in products and to promote right to be informed about that.

Campaign "FIGHT TO KNOW!" is a part of the project "Capacity Building and Strategic Partnerships for Chemicals Safety in the Republic of Serbia" implemented by the Ministry of Agriculture and Environmental Protection and the United Nations Development Programme (UNDP), in collaboration with civil society organisations: Safer Chemicals Alternative (AlHem) and Women in Europe for a Common Future (WECF). In order to implement the campaign, three consumers' associations were contracted (Consumer Centre of Serbia (CEPS), Association of Serbian Consumers (APOS) and Centre for Consumers Protection FORUM), as well as analytical laboratory of the Institute of Public Health of Belgrade.

The subject of campaign "FIGHT TO KNOW!" comprised selection of 11 types of products of PVC plastic which can potentially contain phthalates as a group of substances belonging to SVHC. A total of 90 products which can be procured in retail shops throughout Serbia were included in the campaign. Communication between the consumers' associations and distributors enabled testing of exercise of right to be informed about presence of SVHC in products, while real content of phthalates in selected products was determined in laboratory analysis.

According to the results obtained in implemented campaign, out of 90 distributed requests, communication was successful with 47 (52.2%) distributors, out of which only 20 (22.2%) provided specific answer to question about presence of SVHC in product, while the remaining answers revealed that distributors were not familiar with obligations and responsibilities resulting from the Law on Chemicals, and they were wrongly equalising fulfilment of obligations referred to in other regulations with the application of chemical-related regulations. When it comes to quality of answers, only 9 out of 90 (10%) distributors who were contacted through requests demonstrated

good level of knowledge about SVHC and obligation to provide information about their presence in products. Laboratory tests of phthalates content in selected products proved that presence of phthalates from the SVHC List in concentrations exceeding 0.1% was detected in 24 samples (26.7%). Correlation of communication with distributors and of laboratory test results demonstrated that none of the distributors of products found positive on presence of phthalates from the SVHC List in concentrations higher than 0.1% provided appropriate and correct information which they were obligated to provide pursuant to Article 27 of the Law on Chemicals. Obtained results indicated low level of awareness about SVHC, as well as low level of awareness of producers, importers and distributors about their obligation to provide information about presence of SVHC in products, which has a consequence of low level of fulfilment of obligations set forth in Article 27 of the Law on Chemicals. In addition, presence of phthalates (>0.1%) found in samples of toys (2) and baby care products (1), indicates violation of prescribed bans and restrictions no. 51 and/or 52. Based on the campaign results, detailed conclusions were drawn and recommendations formulated for the improvement of implementation of legal provisions pertaining to SVHC. In cases in which violation of chemical regulations was noticed during the campaign implementation, both in terms of obligation to provide information about presence of SVHC in products in concentrations higher than 0.1%, and in terms of prescribed bans and restrictions when it comes to toys and baby care products, the Ministry of Agriculture and Environmental Protection will inform professional services and inspectorates of competent ministries about the obtained results in order to enable application of measures for proper enforcement of the provisions referred to in the Law on Chemicals and related bylaws.

The campaign “FIGHT TO KNOW!” initiated the process of awareness raising about SVHC in products and about legal obligations in place, among the consumers who are supposed to exercise their legal rights, but also among the producers, importers and distributors who are obligated to provide proper information about the presence of SVHC in products they place on the market, as well as to communicate about this issue along the supply chain. Yet, the activities related to awareness raising about the presence of SVHC in products should be continued, and implementation of Article 27 of the Law on Chemicals should be additionally strengthened through more intensive enforcement and other activities implemented by competent authorities.

It should be stressed that efficient implementation of regulations requires inclusion of many players in the society in addition to competent authorities and producers, importers and distributors who are subject to obligations and responsibilities prescribed by the Law on Chemicals. To this end, significant role can be attributed to civil society organisations, professional public, media, as well as consumers who should be informed about chemicals they use and should insist on chemical safety of products offered on the market. Taking into account that direct participation of civil society organisations and consumers’ associations within this campaign turned out to be very efficient, civil sector should take more active part in further visibility and/or educational activities related to SVHC, and to use their staff and professional capacities to contribute and increase knowledge about SVHC and rights and obligations referred to in Article 27 of the Law on Chemicals. Media should play more important role in provision of information to public about the obligations

of industry and about rights of consumers in the area of chemical management. Professional public, especially medical doctors, toxicologists, chemists and chemical engineers should give their contribution through education of general population about harmful effects of SVHC to human health and environment, but also through professional support to companies with regard to introduction of safer alternatives.