

SAFEGUARDS

CONSUMER GOODS AND RETAIL

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EU NOTIFIES WORLD TRADE ORGANISATION OF DRAFT REGULATION TO EXPAND THE RESTRICTION OF LEAD UNDER REACH

The European Commission (EC) has recently notified the World Trade Organisation (WTO) of a proposal to expand the restriction of lead under REACH. The proposed enforcement date is 12 months after entry into force.

In September 2012, the EU restricted lead in jewellery as new entry 63 under ANNEX XVII of REACH¹. The new law entered into force on 9 October 2012 and has been enforced since 9 October 2013.

On 25 September 2014, the European Commission notified the WTO of a draft Commission Regulation to expand the restriction of lead in jewellery to other articles for the general public². The proposal places a restriction limit of no more than 0.05% lead content to articles for the general public or their accessible parts which may be placed in the mouth by children during normal or reasonably foreseeable conditions of use. The proposal also provides a number of exemptions, including a migration limit of 0.05 µg/cm² per hour (equivalent to 0.05 µg/g/h), as an alternative to the lead content limit.

The draft Regulation is proposed to be adopted in the second quarter of 2015 and proposed to be enforced in the second quarter of 2016.

Highlights of the existing Regulation (EU) 836/2012 and the draft regulation are summarised in Table 1.



¹ [SGS-Safeguard 162/12](#)

² [Notification G/TBT/N/EU/242 of 25 September 2014
Draft Commission Regulation
Annex to Draft Commission Regulation](#)

TABLE 1.

SUBSTANCE	CITATION	SCOPE	REQUIREMENT	ENFORCEMENT DATE
Lead	Regulation (EU) 836/2012	<ul style="list-style-type: none"> Jewellery Components to manufacture jewellery 	≤ 0.05%	9 October 2013
	Draft Commission Regulation notified under G/TBT/N/EU/242 of 25 September 2014	<ul style="list-style-type: none"> Articles for the general public Articles for the general public or accessible parts thereof which may be placed in the mouth by children during normal or reasonably foreseeable conditions of use 	≤ 0.05% or ≤ 0.05 µg/cm ² per hour (equivalent to 0.05 µg/g/h)	12 months after entry into force (Q2, 2016)

NB

The draft Commission Regulation also exempts (amongst others)

- Articles or parts of articles comprising alloys provided the brass alloy is no more than 0.5% lead
- Keys and locks, including padlocks
- Musical instruments
- Tips of writing instruments
- Articles within the scope of
 - Packaging Directive 94/62/EC
 - Food Contact Regulation (EC) 1935/2004
 - Toy Safety Directive 2009/48/EC
 - RoHS Recast Directive 2011/65/EU

SGS will follow up and inform interested parties as developments on REACH regulation occur. Our expertise combined with consultancy services and experience in consumer product supply chains provides a central point of contact for global solutions. If you would like to learn more about how SGS can support your REACH compliance activities please contact us at reach@sgs.com or visit www.sgs.com/reach.



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