



LEAD METAL ADDED TO THE CANDIDATE LIST OF SUBSTANCES OF SVHCs FOR AUTHORIZATION

The European Chemicals Agency (ECHA) added lead metal on its Candidate List of Substances of Very High Concern (SVHCs), on 27 June 2018, owing to its properties as a reprotoxic substance.

What does Candidate Listing mean for IPC Members?

Companies may have legal obligations resulting from the inclusion of lead metal in the Candidate List. Candidate Listing means that EU suppliers of articles containing more than 0.1% by weight of lead - including lead-based batteries, architectural lead sheet, engineered lead products and those manufactured with lead containing alloys - must provide information to the recipients which allows for safe use.

Note that in the case of complex objects (i.e. objects made up of more than one article joined or assembled together), the 0.1% threshold applies to each article. As a minimum, the information provided by the article supplier must contain the name of the substance, if present above the 0.1% threshold. The information must be provided in writing and free of charge.

There is also a requirement to notify ECHA. This notification must be submitted by the importer/producer no later than 6 months after the substance was included in the Candidate List.

EU and EEA suppliers of substances on the Candidate List must provide their customers with a safety data sheet (SDS), including relevant exposure scenarios where relevant. Lead producers should already be doing so, but an update is recommended to notify their customers of the inclusion of lead metal in the Candidate list as a Substance of Very High Concern.

The obligation to provide a SDS also applies to mixtures including solders and (pre-fabricated) alloys; however, if the mixture does not meet the criteria for classification as hazardous under CLP, the SDS needs only to be provided at the recipient's request.

What are the next steps?

The next regulatory step after Candidate Listing is the inclusion of the substances on the so-called Authorization List. Once included on the Authorization List, companies wishing to use the substance will have to apply for application-specific permissions from ECHA.

- a) **2019:** With lead metal included on the Candidate List in June 2018, it could be included in ECHA's prioritization exercise in 2019, with a formal recommendation likely to be submitted by ECHA to the European Commission the same year.
- b) **2021:** If the REACH Committee of Member State representatives agrees to include lead metal in Annex XIV, the Authorization List, the substance could be added as early as 2021; a transitional period would apply, potentially giving rise to a 'sunset date' (after which REACH Authorization would be required to use lead metal, unless exemption applied) in 2024.
- c) **Before 2024:** Companies applying for authorization to use lead metal in the EU would need to submit their application at least 18 months before the sunset date to prevent supply chain disruption. Authorization would only be granted if the risks to human health or the environment from the use of metallic lead on its own or in a mixture above the relevant concentration threshold is proven to be adequately controlled or, in the case where adequate control cannot be demonstrated that the financial benefits of continued use outweigh the societal costs of the health and/or environmental impacts and that there are no suitable alternative substances or technologies for the use.

- ECHA added lead to the Candidate List following the SVHC identification process.
- The Candidate List of substances of very high concern (SVHCs) for possible inclusion in the Authorization List now contains 191 substances.
- Companies may have legal [obligations](#) resulting from the inclusion of the substance in the Candidate List.
- Now that Pb metal is Candidate Listed, ECHA could recommend its inclusion in REACH Annex XIV ("Authorization List") as early as late 2019.
- If Member States and the European Commission agree, REACH Annex XIV would be amended.
- A transitional period would then apply before the use of lead metal in the EU required Authorisation.
- The transition period could reasonably be 2-5 years with a "sunset date" as soon as 2024.



- ***IPC will coordinate with the International Lead Association (ILA) to deliver comprehensive communication campaign in lead metal.***
- ***IPC will encourage its members to provide data to develop the socio-economic impact study of a potential authorization for the EU legislators.***

What can IPC and its members do?

IPC will be engaged in an advocacy campaign in partnership with an Eurometaux/ILA cross commodity platform. The goal of this campaign will be to stop the inclusion of lead in the authorization list, or if not possible to advocate for exemptions.

➤ **Engage with lead cross commodity platform (September 2018-2019)**

1. Map out the use of lead across the industry and assess where the risks areas and potential adverse effects are and in which applications substitutions to lead are possible.
2. If lead metal were to be prioritized for Authorization, a 90-days public consultation will be opened to gather views on transition periods, case studies and examples highlighting where REACH Authorization would lead to regulatory overlap or inconsistency. Data will need to be collected from IPC membership to develop a socio-economic analysis.

- **Focus efforts on R&D funding for substitution:** Both ECHA and the European Commission are very keen on fostering R&D efforts on substitution, for which the EU offers a specific budget line. IPC will assess the possibility to get funding opportunities for research on lead-free electronics and has already initiated preliminary contacts with the European Commission service in charge of R&D.

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4th July 2018