



Consumer products

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## Newly lead requirements added to EU Annex XVII to REACH

23 April 2015, EU published Official Journal L 104/2 on COMMISSION REGULATION (EU) 2015/628 of 22 April 2015 amending Annex XVII to Regulation (EC) No 1907/2006 of the European Parliament and of the Council on the Registration, Evaluation, Authorisation and Restriction of Chemicals ('REACH') as regards lead and its compounds.

This amendment mainly adds the new requirements of lead to the entry 63, the lead content in articles or accessible parts that could be placed in the mouth by children could not exceed 0.05%, unless the rate of lead release from above articles does not exceed 0,05 µg/cm<sup>2</sup> per hour. The newly requirement will be effective from 1 June 2016. Detailed please refer to below.

**Entry 63 is amended as follows:**

**In Annex XVII to Regulation (EC) No 1907/2006, column 2 of entry 63 is amended as follows:**

**(1) paragraph 6 is replaced by the following:**

	'6. By 9 October 2017, the Commission shall re-evaluate paragraphs 1 to 5 of this entry in the light of new scientific information, including the availability of alternatives and the migration of lead from the articles referred to in paragraph 1 and, if appropriate, modify this entry accordingly.'
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**(2) the following paragraphs 7 to 10 are added:**

	<p>'7. Shall not be placed on the market or used in articles supplied to the general public, if the concentration of lead (expressed as metal) in those articles or accessible parts thereof is equal to or greater than 0,05 % by weight, and those articles or accessible parts thereof may, during normal or reasonably foreseeable conditions of use, be placed in the mouth by children.</p> <p>That limit shall not apply where it can be demonstrated that the rate of lead release from such an article or any such accessible part of an article, whether coated or uncoated, does not exceed 0,05 µg/cm<sup>2</sup> per hour (equivalent to 0,05 µg/g/h), and, for coated articles, that the coating is sufficient to ensure that this release rate is not exceeded for a period of at least two years of normal or reasonably foreseeable conditions of use of the article.</p> <p>For the purposes of this paragraph, it is considered that an article or accessible part of an article may be placed in the mouth by children if it is smaller than 5 cm in one dimension or has a detachable or protruding part of that size.</p>
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Could be placed in the mouth by children: if it is smaller than 5 cm in one dimension or has a detachable or protruding part of that size.



	<p>8. By way of derogation, paragraph 7 shall not apply to:</p> <ul style="list-style-type: none"> <li>(a) jewellery articles covered by paragraph 1;</li> <li>(b) crystal glass as defined in Annex I (categories 1, 2, 3 and 4) to Directive 69/493/EEC;</li> <li>(c) non-synthetic or reconstructed precious and semi-precious stones (CN code 7103 as established by Regulation (EEC) No 2658/87) unless they have been treated with lead or its compounds or mixtures containing these substances;</li> <li>(d) enamels, defined as vitrifiable mixtures resulting from the fusion, vitrification or sintering of mineral melted at a temperature of at least 500 °C;</li> <li>(e) keys and locks, including padlocks;</li> <li>(f) musical instruments;</li> <li>(g) articles and parts of articles comprising brass alloys, if the concentration of lead (expressed as metal) in the brass alloy does not exceed 0,5 % by weight;</li> <li>(h) the tips of writing instruments;</li> <li>(i) religious articles;</li> <li>(j) portable zinc-carbon batteries and button cell batteries;</li> <li>(k) articles within the scope of: <ul style="list-style-type: none"> <li>(i) Directive 94/62/EC;</li> <li>(ii) Regulation (EC) No 1935/2004;</li> </ul> </li> </ul> <div style="text-align: right;">  <p>Musical instruments are exceptionally exempted</p> </div> <ul style="list-style-type: none"> <li>(iii) Directive 2009/48/EC of the European Parliament and of the Council (1);</li> <li>(iv) Directive 2011/65/EU of the European Parliament and of the Council (2)</li> </ul>
	<p>9. By 1 July 2019, the Commission shall re-evaluate paragraphs 7 and 8(e), (f), (i) and (j) of this entry in the light of new scientific information, including the availability of alternatives and the migration of lead from the articles referred to in paragraph 7, including the requirement on coating integrity, and, if appropriate, modify this entry accordingly.</p>
	<p>10. By way of derogation paragraph 7 shall not apply to articles placed on the market for the first time before 1 June 2016.</p>

## HCT Solutions:

This amendment mainly adds the new requirement to lead content in those articles or accessible parts that could be placed in the mouth by children. Related enterprises could revise the toys design, parts that could be placed in the mouth by children under normal or reasonably foreseeable conditions of use should use the safety and green material. Or change the dimensions of the high risk component into more than 5CM. HCT is a CNAS & CMA accredited third party lab that could help enterprises to test the lead content of the products. If there should have any enquiry, please contact us.

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