

# Enforcement perspective on supply chain communication

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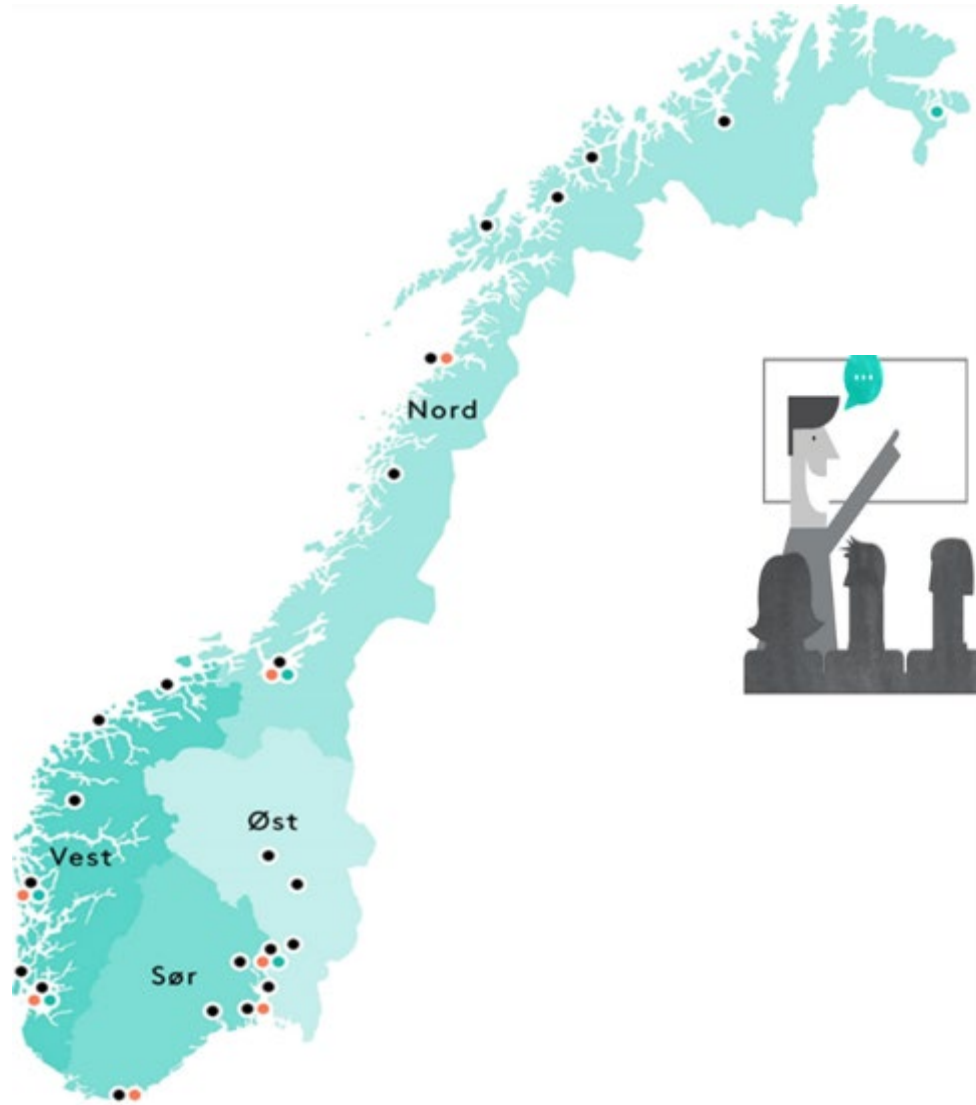




**CONTENT**

- The Norwegian Labour Inspection Authority
- Quality of information in SDS/ES
- Perception on exposure scenarios (ES)
- SDS distribution
- Foreseen changes?

# The Norwegian Labour Inspection Authority



# Communication in the Supply Chain

## REACH (Recitals):

(56) Part of the responsibility of manufacturers or importers for the management of the risks of substances is **the communication of information on these substances to other professionals such as downstream users or distributors**. [...].

This important responsibility should also apply throughout the supply chain **to enable all actors to meet their responsibility in relation to management of risks arising from the use of substances**.

(57) As the existing **safety data sheet** is already being used as a communication tool within the supply chain of substances and mixtures, it is appropriate to develop it further and **make it an integral part of the system** established by this Regulation

# Quality of SDS

- General control of SDS – Regular national inspections
- Lack of SDS specificity – Centralised SDS compilation
- Mixtures SDS –
  - Challenges with classifications
  - Similar measures for varied product types
  - Sections 7-9 most difficult
  - Substance-based generic information, incorrect
  - Hardly any information on substance restrictions (authorisation)
- Situation after (Forum) REF 5 and ASO Joint SDS project
  - Slight improvement
  - Focus on sections 1, 2,3, 8, 9, 11

# Quality of Information in Exposure Scenario (ES)

## From REF5 (*Dated information?*):

- Checked 190 ES against information in CSR
  - 63% (120) exact copies
- Check identified use in 480 SDS and in ES
  - 94% (n=452) SDS-ES agreement in identified uses
- **What does this means?**
  - Effective use of REACH-generated information?
  - What about the quality of the information?

# Perceptions on Exposure Scenario (ES)

## Fitting ES with inspectors' work:

- Inspectors informed about ES, but do not focus on ES
- Challenging to check ES content against workplace measures (*Who does this, anyway?*)
- Content similarity for different processes
- Extensive content with many repetitions
- No identifiable minimum requirements (*What is good enough?*)

# Industry agrees...

- ❑ “Communication between REACH and OSH experts is a prerequisite for the development of close-to-reality exposure scenarios and to achieve the greatest possible benefit for operational practice.”
- ❑ “Redundancies and inconsistencies in safety data sheets must be avoided so that essential information for carrying out the risk assessment can be better identified.”



## *REACH and OSH*

The extended Safety Data Sheet under REACH and Risk Assessment in Occupational Health and Safety –

Evaluation of a VCI Expert Workshop



# Distribution of (extended) SDS

- Common with webpage distribution
- Centralised SDS distribution
- Time consuming intermediary distribution
- Reasonable distribution of extended SDS  
(REF5: Generally ~24% did not receive ES)
- Inspectors do not always find ES at workplaces



# Any Foreseen Improvements?

- The new regulation (Regulation (EU) 2020/878) – detailed requirement elaboration
- Expected improvement of SDS quality: Really?

## ***Expectations:***

- Improved content specification
- Information on ED, Nano material
- Information on M-factors, ATE, UFI codes
- Better information in section 9 [...]

## ***From experience:***

- Generic nature of the information
- Information not provided according to the regulation
- Unwillingness to provide information
- Support misinformation

# Upcoming EU/EEA SDS Enforcement Project

- ECHA Forum: REF 11 Project on SDS
- Scope (at the moment):  
**Compliance with the revised requirements in Annex II to REACH**
- Preparation phase, 2022
- Operational phase, 2023 (Inspections/SDS control)
- Reporting, 2024

# Thank you for listening

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