



**EUROPEAN COMMISSION**  
DIRECTORATE-GENERAL ENVIRONMENT  
Circular Economy  
**Safe and Sustainable Chemicals**

DIRECTORATE-GENERAL INTERNAL MARKET, INDUSTRY, ENTREPRENEURSHIP AND SMES  
Chemicals and Consumer Industries  
**REACH**  
Chemicals and Plastics Industries

Brussels, 14/03/2022

Doc. **CA/22/2022**

## **44<sup>th</sup> Meeting of Competent Authorities for REACH and CLP (CARACAL)**

**Open session**

**23 March 2022**

**WebEx meeting**

**Concerns:** SUPPLY CHAIN COMMUNICATION (SAFETY DATA SHEETS)

**Agenda Point:** 4.1

**Action Requested:** Competent Authorities and Observers are invited to take note of the assessment presented in this document. Written comments should be sent by 25 April 2022 to:

[GROW-CARACAL@ec.europa.eu](mailto:GROW-CARACAL@ec.europa.eu)

[ENV-CARACAL@ec.europa.eu](mailto:ENV-CARACAL@ec.europa.eu)

# CARACAL PAPER

## ON SUPPLY CHAIN COMMUNICATION (SAFETY DATA SHEETS)

### STATE OF PLAY AND PROPOSED WAY FORWARD

#### 1 INTRODUCTION

The necessity to improve supply chain communication and the workability and quality of (extended) Safety Data Sheets (SDS) have been first identified in the 2018 REACH review Action Point 3:

<b>AP 3: Improving the workability and quality of extended Safety Data Sheets (eSDS)</b>	
<b>Action 3(1)</b>	<i>The Commission encourages more industry sectors to develop and use harmonised formats and IT tools that would provide more user-targeted information and simplify the preparation and use of extended Safety Data Sheets as well as facilitate their electronic distribution;</i>
<b>Action 3(2)</b>	<i>The Commission will consider including minimum requirements for the exposure scenarios for substances and mixtures in Safety Data Sheets and request ECHA to develop a methodology for Safety Data Sheets for mixtures.</i>

Subsequently, an extensive dialogue started between the Commission, ECHA and stakeholders from the Exchange Network on Exposure Scenarios (ENES), the Occupational Safety and Health (OSH) and the environmental community, with the continuous input and involvement of Caracal (CA/75/2019<sup>12</sup>, CA/14/2020<sup>3</sup>, CA/41/2020<sup>4</sup>, CA/60/2020<sup>5</sup>, CA/05/2021<sup>6</sup>). These discussions and preparatory work resulted into the Development Plan (ref. v.3.2; 03.11.2020)<sup>7</sup> which described in detail the system changes and enhancements required to improve the workability and quality of (extended) SDS in order to better serve the whole supply chain.

The Commission considers that the needs identified in the 2018 REACH Review to simplify Safety Data Sheets and prepare harmonised electronic formats remain valid. Experience showed that without a central institution taking the lead no substantial progress can be made.

<sup>1</sup> [CA 75 2019 REACH RRA3 Call for support](#)

<sup>2</sup> [CA 75 2019 RRA3 ECHA Appendix](#)

<sup>3</sup> [CA 14 2020 REACH Action 3 Extended SDS](#)

<sup>4</sup> [CA 41 2020 REACH Review Action3 eSDS with ECHA Appendix](#)

<sup>5</sup> [CA 60 2020 RRA3](#)

<sup>6</sup> [CA 05 2021 REACH-Review Action 3](#)

<sup>7</sup> [CA 60 2020 RRA3 Development Plan](#)

## 2 STATE OF PLAY AND PROPOSED WAYS FORWARD

The currently ongoing REACH revision provides an opportunity to address some of the high level concerns that had been identified in supply chain communication so far. Further developmental and technical work is needed, once the overall approach for this topic has been clarified during the upcoming Impact Assessment.

### 2.1 Paper vs. electronic transmission of SDS: Article 31(8)

Without prejudice to future decisions on harmonised IT format, a pre-condition for the use of a harmonised IT format is that Safety Data Sheets will be exchanged/communicated electronically between the supplier and the recipient. Currently, Article 31(8) allows provision of Safety Data Sheets on paper, as well as electronic transmission, and thus this provision would need to be modified to make electronic transmission obligatory. This would be in line with the EU objectives on digitalisation. As Safety Data Sheets are generally being prepared electronically anyway, and most software already includes electronic exchange tools such as creating PDF or generating XML based formats, requiring their electronic transmission should not create significant additional burden even where paper transmission is currently still the practice. Moreover, electronic provision of Safety Data Sheets does not preclude a recipient at any point in the supply chain to access and/or print the SDS.

The change could, for example, be done in a simple way by deleting the words “*on paper or*” in Article 31(8), which would then read as “*A safety data sheet shall be provided free of charge electronically ...*”

### 2.2 Develop of a common format for electronic communication

Secondly, once the overall approach for this topic has been clarified during the Impact Assessment, planning would be needed for the development of a **common framework for a standard format (e.g. based on XML)** for the electronic exchange/communication between the supplier and the recipient. At this stage, there is no need to decide whether this standard should be mandatory for all suppliers to provide the (extended) SDS in that electronic format, although this could be envisaged in due time.

The development of the common standard format would require intensive input from a technical point of view, and ECHA was seen as the best candidate for this work during the previous discussion on “REACH Review Action 3”. Further discussion is needed to clarify the role of ECHA on this topic.

If this paper receives the general support of CARACAL, the Commission will consider how to bring this to the Impact Assessment and to discuss further with ECHA at a later stage to clarify their potential role in the development of the formats.

## 3 QUESTIONS TO MS COMPETENT AUTHORITIES AND INTEREST GROUPS AT CARACAL

- a) What are your views on making the electronic provision of Safety Data Sheets obligatory, e.g. though a corresponding change in Article 31(8)?
- b) Do you support further analysis on a potential task for ECHA to develop a common framework for a standard format for the communication of information in the supply chain?