

Declaration concerning Article 33 of the REACH- Regulation

March 2016

The REACH¹ regulation stipulates in Article 33 that manufacturers of articles containing Substances of Very High Concern (SVHC) above 0.1 % weight by weight (w/w) have a duty to communicate information in the supply chain and to the consumers.

Article 33- Duty to communicate information on substances in articles

1. Any supplier of an article containing a substance meeting the criteria in Article 57 and identified in accordance with Article 59(1) in a concentration above 0.1 % weight by weight (w/w) shall provide the recipient of the article with sufficient information, available to the supplier, to allow safe use of the article including, as a minimum, the name of that substance.

2. On request by a consumer any supplier of an article containing a substance meeting the criteria in Article 57 and identified in accordance with Article 59(1) in a concentration above 0.1 % weight by weight (w/w) shall provide the consumer with sufficient information, available to the supplier, to allow safe use of the article including, as a minimum, the name of that substance.

The relevant information shall be provided, free of charge, within 45 days of receipt of the request.

The container glass industry puts products (bottles, jars, tableware) on the market which are articles as they comply with the REACH definition of an article: “*an object which during production is given a special shape, surface or design which determines its function to a greater degree than its chemical composition*”.

These articles are simple articles, as opposed to assembled, complex articles (products made of several articles assembled together). This means that glass

¹ COMMISSION REGULATION (EC) No 987/2008

containers are articles within the meaning of the REACH regulation, since their function is determined primarily by the shape and surface, not by the chemical composition.

Commission Regulation (EC) No 987/2008 of 8 October 2008 **defines glass as a substance.**

Glass articles are therefore articles made of a unique substance, “Soda-lime Silicate glass”, which itself doesn’t contain any substance from a formal REACH perspective.

As soda lime silicate glass is not a SVHC, there is no need for the container glass producers to provide information according to Article 33 of REACH.

With regards to the raw materials used to produce container glass, those are recycled glass and intermediates such as sand, soda ash and dolomite. All of the raw materials used as input are covered with a registration under REACH. There are no SVHC substances used as raw material to melt soda lime silicate glass, which is exempted from the registration under REACH.

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