EuroCommerce
Retail & Wholesale

Position Paper

23 April 2025

REACH Revision

High Level of Health & Safety. EuroCommerce supports the objective of reaching a high level of consumer and environmental protection by, inter alia, restricting the use of harmful substances in consumer products. Simultaneously, regulatory options should consider their effect on circular objectives, particularly their effect on reuse and recycling of materials.

More Reliance on Voluntary Action. Many retailers take action to reduce certain substances in products by requesting their suppliers to operate based on Restricted Substances Lists. Voluntary action that has proven to be effective and realistic should be considered in the choice of regulatory options.

Clear and Proportionate Consumer Information. Consumer information on chemicals should be proportionate, explained in lay terms and avoid overburdening or confusing consumers. Under this light, an impact assessment should carefully evaluate consumer needs and understanding, when determining disclosure requirements on chemicals.

Transition Periods. We ask for a minimum period of 24 months for all future restrictions, and for the entry into effect of new harmonised analytical methods. Restrictions should not have a retroactive effect and should allow stock exhaustion where appropriate and safe. Otherwise, large volumes of products may end up as waste, while it is often unfeasible for retailers to identify items with restricted substances.

Increased Traceability. Lack of sufficient or accurate data on the chemical characterization of substances and mixtures or chemicals in articles are key challenges for our sector. Especially Safety Data Sheets (SDS) from international suppliers often fall short of EU requirements. This creates information gaps which some retailers cover by investing in additional testing to ensure products comply, an exercise that not all have the resources to undertake, and which is not an obligation that should be burdening our sector. The revision should ensure that the appropriate and extended information is offered by suppliers.

- **Access to Information Should Be Improved for Unclassified Substances and for Substances Present at Small Concentrations.** This requires expanding Section 3 of SDS. The opposite deprives retailers of proactive action (e.g. product selection). It also limits their ability to identify in which products and concentrations newly classified or restricted substances are present, as they were not declared in the SDS.
- **Stronger Disclosure Requirements.** Extended SDS and more comprehensive chemical disclosure requirements should be required by chemical formulators in the EU and internationally.
- **Alignment of Classification Criteria.** It is necessary to support the international harmonization of hazard classification by aligning EU criteria with the UN GHS framework to reduce discrepancies and improve global consistency.
- **Harmonised Electronic SDS & Digital Product Passport (DPP).** Introduce harmonized electronic format for SDS and consider all information to be relayed via the DPP (if deemed a practical solution).

Solving Administrative Burden & Compliance Challenges

- **Simplifying Reporting.** There are often multiple reporting requirements, including additional ones in certain cases following restrictions (e.g. microplastics derogations), while existing reporting tools and databases are complex:
  - There should be a **one-stop-shop for reporting**, enabling economic operators to enter information once, with that data then automatically fed into the relevant databases or reaching the appropriate actors. A harmonised electronic format for Safety Data Sheets (SDS) including the DPP (if deemed practical and efficient)—should support this approach and help automate compliance reporting.
  - **Simple standardised formats and guiding tools** should define the information requested across different platforms and for different purposes.
  - A clear example would be **phasing out the SCIP database**, which has proven to be impractical and burdensome, and instead enable reporting on Substances of Very High Concern via other digital means like the DPP (if deemed practical and efficient).
- **Sufficient Guidance.** Restrictions should either be formulated carefully or ensure sufficient guidance is published well before their entry into force, to ensure that companies make the correct investments and are sufficiently prepared to implement them.
- **User-Friendly Guidance.** Guidance is often hundreds of pages long or distributed across different documents, which is challenging for companies and especially SMEs to follow. More concise, user-friendly and communicated in advance guidance will ensure better compliance.

Enforceability of Restrictions

- **Enforceable Restrictions & Test Methods.** While some retailers conduct testing, this can be highly challenging when analytical methods are unavailable or when a very large number of substances must be considered—some of which are unlikely to be present in the product type in question. Universal screening methods should be developed and facilitated by external laboratories.
- **Clarity.** Restrictions should clearly identify the substances covered, ideally through explicit substance lists. Broad group definitions or references to CLP classes can lead to confusion on whether a substance falls under a restriction. Precise identification helps all actors in the supply chain—especially distributors and retailers—identify restricted substances more reliably and prevent their presence in consumer products. Moreover, it contributes to legal predictability, which is essential for the industry to plan and invest in the development of safer alternatives.
- **Thresholds.** The absence of clearly defined safe threshold limits for restricted substances may present challenges in ensuring safety and compliance.

Enforcement & Level Playing Field

- **Remove Barriers & Ensure Harmonised Interpretation of EU Restrictions.** Enforcement can differ across Member States, creating market distortion or barriers to trade. Member States should strive for consensus on the legal interpretation and implementation of EU-level restrictions to avoid fragmented enforcement or uneven market conditions. Diverging views on the implementation of the EU restriction on intentionally added microplastics for example, highlight the urgency of this need.
- **Support from the ECHA Enforcement Forum.** Increase the role and facilitate the quantitative and qualitative data and EU wide enforcement activities of the ECHA Enforcement Forum.
- **Strengthen Coordination Among EU and National Enforcement Authorities.** Improve alignment across legislative frameworks (e.g. consumer safety, chemicals, market surveillance, DSA) and enhance cross-border collaboration to close enforcement gaps.
- **Increase Targeted Inspections & Promote Consistency in Penalties Across the EU.** Focus enforcement resources on high-risk products and practices especially in third country imports. Aim for greater alignment of penalties to ensure consistent enforcement outcomes in Member States.