



**Orgalime guideline on how communicate up the supply chain in order to implement  
Article 33(1) REACH information requirements - model letter**

13 October 2008

***The content of this letter and annex may be used as a contract clause, especially if the supplier is outside the EU and has no “only representative” in the EU, to strengthen its legal character.***

***Make sure that you have written evidence that the letter and annex have been sent to your suppliers (e.g. fax receipt, registered mail...)***

{Date}

Dear supplier,

We are writing to you in order to gather information on certain substances present in articles (e.g. products, parts, equipment, packaging) that you supply to us. This will allow you and {if supplier outside the EU: remove “you and”} us the fulfill our legal obligations with regards Article 33 of the European REACH Regulation N°1907/2006 on the Registration, Evaluation, Authorisation and Restriction of Chemicals<sup>1</sup> which entered into force on 1<sup>st</sup> June 2007.

With the publication of the so called “candidate list” (Article 59 REACH) on xxx October 2008 {to be completed}, Article 33(1) of the REACH Regulation obliges suppliers of articles to inform their industrial customers of the presence in the article of substances of very high concern included in the candidate list above a concentration of 0.1% weight by weight (w/w). Article suppliers have to provide their customers with sufficient information available to them to allow safe use, including, as a minimum, the name of the substance.

**At present, 15 substances have been included in the candidate list. We therefore kindly ask you to complete the annexed questionnaire in order to let us know whether the articles that you supply to us contain one (or several) of the listed substances above a concentration of 0.1% w/w. The calculation is to be based on the weight of the whole article. Please indicate the precise concentration, where possible. If you supply several articles to us that contain one (or several) of these substances, please complete one questionnaire per article. Thank you.**

Please return this information to us as soon as possible, but no later than xxx {to be completed}. Please note that if we receive no answer from your side by this date, this will be understood as meaning that you declare that the supplied articles do not contain the above mentioned candidate list substances in a concentration above 0.1% w/w.

Since we are also article suppliers, we may consolidate the information received in order to further communicate in the supply chain according to Article 33 REACH. We commit to guarantee confidentiality of sources when gathering and consolidating data.

The candidate list will be regularly updated. Please note that you have the legal obligation to {if supplier outside the EU: remove “note that you have the legal obligation to”} keep yourself informed with the substances that may be added to the candidate list and automatically inform us about their presence in the articles that you supply to us in accordance with Article 33(1) REACH.

Further information on the candidate list is available on the website of the European Chemicals Agency website at the following address: [http://echa.europa.eu/chem\\_data\\_en.asp](http://echa.europa.eu/chem_data_en.asp)

We thank you for your time and look forward to hearing from you,

Yours sincerely,

<sup>1</sup>For more information about REACH, please consult the Orgalime practical guide to understanding REACH, downloadable free of charge at: <http://publications.orgalime.org>

**Annex: Questionnaire to be completed in view of achieving compliance with Article 33(1) REACH<sup>i</sup>**

- Please indicate if one (or several) of the substances listed below are present in the supplied articles above a concentration of 0.1% w/w.
- Please indicate the precise concentration where possible. The calculation is to be based on the weight of the whole article.
- If you supply several articles to us that contain one (or several) of the substances listed below, please complete one questionnaire per article.

Substance name*	CAS number	EC number	Present in article xxx?	Weight of the article	Concentration (% w/w) Please indicate the precise concentration where possible	Remarks (voluntary)
Anthracene	120-12-7	204-371-1				
4,4'- Diaminodiphenylmethane	101-77-9	202-974-4				
Dibutyl phthalate	84-74-2	201-557-4				
Cobalt dichloride	7646-79-9	231-589-4				
Diarsenic pentaoxide	1303-28-2	215-116-9				
Diarsenic trioxide	1327-53-3	215-481-4				
Sodium dichromate	7789-12-0 10588-01-9	234-190-3				
5-tert-butyl-2,4,6-trinitro-m-xylene (musk xylene)	81-15-2	201-329-4				
Bis (2-ethyl(hexyl)phthalate) (DEHP)	117-81-7	204-211-0				
Hexabromocyclododecane (HBCDD) and all major diastereoisomers indentified ( $\alpha$ -HBCDD, $\beta$ -HBCDD, $\gamma$ -HBCDD)	25637-99-4 and 3194-55-6 (134237-51-7, 134237-50-6, 134237-52-8)	247-148-4 and 221-695-9				
Alkanes, C10-13, chloro (Short Chain Chlorinated Paraffins)	85535-84-8	287-476-5				
Bis(tributyltin)oxide	56-35-9	200-268-0				
Lead hydrogen arsenate	7784-40-9	232-064-2				
Triethyl arsenate	15606-95-8	427-700-2				
Benzyl butyl phthalate	85-68-7	201-622-7				

\* Source: [http://echa.europa.eu/doc/press/pr\\_08\\_34\\_msc\\_indentification\\_svhc\\_20081009.pdf](http://echa.europa.eu/doc/press/pr_08_34_msc_indentification_svhc_20081009.pdf) . The official candidate list will be published later in October and will be available at [http://echa.europa.eu/chem\\_data\\_en.asp](http://echa.europa.eu/chem_data_en.asp).

Please have this Annex duly completed and return it to {name of company sending the letter} no later than xxx {to be completed}. By signing this Annex you acknowledge the content of the cover letter and certify that you are aware of your legal obligation to keep yourself regularly updated with substances that may be added to the candidate list. You further acknowledge that you are responsible to inform {name of company sending the letter} about the presence of any such substance(s) listed in the candidate list in the article that you supply to us in accordance with Article 33(1) REACH.

**Name and function of the contact person responsible for REACH issues:**

**Date**

**Signature**

<sup>i</sup> For more information about REACH, please consult the Orgalime practical guide to understanding REACH, downloadable free of charge at: <http://publications.orgalime.org>