

Break-out group discussions on workability, assumptions and main open questions

Workshop on Waste Framework Directive
database

Break-out group discussions in a nutshell

- Objective: to discuss more in (practical) details some key elements for the design of the database, based on the input from stakeholders so far
- 3 topics, 4 groups:
 - Groups 1A and 1B: How to ensure the information flows
 - Group 2: Dissemination: How to make the database useful for consumers and waste operators
 - Group 3: How could the data be submitted
- 90 min to discuss in groups, followed by 30 min to report and discuss in plenary

Breakout group 1: How to ensure the information flows



Questions for discussion

- How to ensure that each duty holder has the information they need?
 - Who in the supply chain is best placed to provide what information?
- Based on the existing legal duty on all suppliers to submit notifications:
 - What would be the most efficient solution to gather the required information?
 - How to avoid duplications?
- ECHA has the aim not to collect CBI. Are there any further CBI concerns?

Summary of the discussion

How to ensure that each duty holder has the information they need?

- Responsibility: always on supplier of the article (if there is due diligence, the information should already be there)
- Safe use instructions should contain the relevant information - also related to the waste stage;
- Waste stream identification: granularity of the information on material/item category to be used/decided by the specific sector
- Currently, information flow is often driven by requests from recipients;

Summary of the discussion

How to ensure that each duty holder has the information they need?

- Updating requirements and needs:
 - updates of the Candidate List (CL): new substances added twice a year, however, early information on which substances are considered for the CL is available on ECHA website;
 - changes in product (no longer containing CL substance) – how to deal with these?
- How can today's information be useful when the product becomes waste – some articles have (very) long service-life and in some cases chemical composition may change during the service-life. Legacy substances?

Summary of the discussion

What would be the most efficient solution for gathering the required information?

- Information should come from producer-level: retailers and wholesalers do not do anything and cannot add to the information. How to make the obligations proportionate for them?
- Importers would need to be able to tell you whether the article contains an SVHC.
- How to take into account the differences between sectors and supply chains in the practical implementation (how common the presence of SVHCs is, level of information, level of organisation, etc.)?
- Internet sales from outside EU: who is the duty holder? (The 'Blue Guide' on the implementation of EU product rules 2016?)

Summary of the discussion

What would be the most efficient solution for gathering the required information?

- Balance between mandatory/voluntary information is needed
- Unique ID should not be mandatory; ID as voluntary (between supplier and direct recipient) may be useful (maybe not for already organised sectors). It may also be useful to distributors/retailers
- Concentration band: should be voluntary, not mandatory; Tonnage: could be considered as voluntary

Summary of the discussion

CBI concerns?

- Supply chain must not be visible (specific article in specific object from specific supplier) – a concern raised in particular by non-EU producers;
- Even if certain information is not directly published, it is (often) possible to derive the sought information from bits of information --> data-security experts' input needed.

Summary of the discussion

General observations

- The supply chain is hugely complex;
- Potentially large number of suppliers of 'primary articles';
- The number of changes to an object during its lifecycle may be challenging;
- 'Uninformed consumers' may read more to the listing than what it really means: requires very good communication and that information is put properly in context;
- Is there underestimation of the volume of data?
- Call for harmonised implementation.

Breakout group 2:

**Dissemination - how to make the database useful
for consumers and waste operators**



REMINDER - Information requirements / main items in ECHA's current draft scenario

What information is needed to each actor at the different stages of the supply chain to:

1. identify the article
(in supply chains / in
database)?



- identifiers
- **description and categorisation** (material / item)

2. ensure its safe
use, incl. at
waste stage?



- **concentration** range
- **"location"** into complex objects
- **instructions** (i.p. for dismantling)

Questions for discussion

- **What** information is needed by the different potential users of the database?
- **How** should ECHA make the information available to consumers and waste operators (and other potential users)?

What information? (waste operators' needs) (1)

- For non-mixed up streams, there is need for information at **article type** (e.g. car bumpers) and **matrix** (plastic X) level; still some diverging views whether, in some case and/or in the future, there would be a need for article specific details (“this specific car bumper”)
- Plastics: plastic recyclers currently need information at **application level** only (e.g. category/family of product, sector of use), in order to pre-identify products of potential concern and then target further testing

What information? (waste operators' needs) (2)

- Pulp and paper industry: a case where actors are both producing (e.g. virgin paper) and recycling articles (used, printed paper)
 - at first level, they need a “solid” confirmation there is no Candidate List substance in the articles they are recycling
 - if the article contains a CL subst., then:
 - there is need for more detailed information on volume, and precise location in the article/complex object (in the example of pencil sharpener: where precisely the CL subst. is in the painted blade, in the paint or in the metallic blade?)
 - additional information on poss. residues/environmental fate of the substances and information for workers' protection at workplace would also be welcome

What information? (waste operators' needs) (3)

- The concentration (range) at which the Candidate List substance is present in the article might not be enough, but also the total amount (mass) can be necessary for recyclers to decide on how to process the article (e.g. lead in electronics/printed boards)

What information? (consumers' needs)

- Consumers should already have instructions on safe use, i.p. via labelling; however, they may still need information on:
 - whether or not the article/complex object they are about to buy contains a Candidate List substance (but nothing more precise than that)
 - possibly additional safe use and disposal instructions, at final product level; in that context, there are still some diverging views on whether and when the consumer would need to know “where precisely” the Candidate List substance is in the article.
- Suppliers of Candidate List substance-free articles should be able to submit information to the database

How? (How to use and search the database?)

- Industry/recyclers: need to be able to download the database, based on certain (risk assessment)
- Consumers:
 - need to be able to search the database by brand names of the products that they find on the EU market
 - A bar code is not enough, as the same bar code can potentially be used for several batches – and therefore different compositions – of the same article; more information is therefore needed in the database on e.g. which serial numbers do (not) contain CL substance

Other topics/information/suggestions

- The information which would be available in the database from certain sectors/article categories, could help deriving/making analogies and assumptions of the possible presence of certain Candidate List substances in other sectors/article categories; it could also be useful for authorities to target more “problematic” or potentially problematic sectors
- There will be a use of the database for public authorities (possibility to reduce the amount of mixed waste and “target” certain waste streams), incl. customs
- Enforcement is key for the success of the database, and more broadly a better information/tracking of substances in articles

Other topics/information/suggestions

- The streams from e-commerce are even more challenging / Packaging is another specific issue
- It should be kept in mind that the main stream of waste is not from consumers, but from commercial and industrial sectors
- Overall, the information in the database is expected to have more value (i.e. to be of more use) for short-life, simple products, rather than very complex and/or long-life products
- Some actors (e.g. pulp and paper industry) would support a stepwise approach for the implementing the database (to be defined what this would mean in practice)

Breakout group 3: How could the data be submitted



Discussion topics

- Summary of comments received
- Topics to discuss
 - Three ways of submitting the data
 - Unique Identifier
- Summary of the breakout discussion



- Re-use existing formats to make it easier to comply
- Keep it simple, flexible and easy to use, in particular for SMEs
- Should be available in all languages
- Up and Download function in different formats (xlsx, html, ...)
- Before submitting a new object force the submitter to verify the presence of an already uploaded object.
- The submitter shall have only one database where he/she loads all the information needed – Link data to other systems
- Manual entering of the data is not an option for everyone

Three ways of submitting the data



Three ways of submitting data

Data submission

Manual
upload of
file

Manual
preparation
online



System to
System



Data storage



Dissemination



Waste
operators



Consumers

Questions for discussion

- ECHA has identified three possible submission channels. Are there other needs?
- What other systems would be potential system to system submitters than the supply chain tools?
- How can interface with existing supply chain tools best be organised?

Unique identifier



Questions for discussion

- What is the benefit with a unique article identifier?
- Do articles already have an unique identifier? Do some have more than one?
- What can be read out from unique ID's
- How would a system generated Article ID be communicated in the supply chain?

Summary of the breakout discussion



Summary of discussion topics

- Industry-specific data standards - convert to ECHA requirements
- Language translation of information - only if structured
- Ways of exchanging data - systems to system 2-way
- Effort / cost of updating company systems
- Different availability of information in supply chains

- Needs from different product types, complexity / durability
- Unique identifiers - not needed in the supply chain
- Notification granularity - serial number, live updates (secure)