

07 March 2018

Guideline on the scope of restriction entry 50 of Annex XVII to REACH: Polycyclic aromatic hydrocarbons in articles supplied to the general public

This document aims to assist producers, importers and distributors of articles, as well as Member States' competent and enforcement authorities, in understanding and complying with their obligations under the REACH Regulation. However, readers are reminded that only the Court of Justice of the European Union is entitled to interpret EU law with legally binding authority. Usage of the information remains under the sole responsibility of the user. The European Chemicals Agency does not accept any liability with regard to the use that may be made of the information contained in this document.

1. Introduction

The placing on the market for supply to the general public of articles containing polycyclic aromatic hydrocarbons (PAHs) is restricted by entry 50 of Annex XVII to REACH Regulation (EC) No 1907/2006, paragraphs 5 and 6. Articles placed on the market for supply to the general public will contravene the restriction if any of their rubber or plastic components that come into direct as well as prolonged contact or short-term repetitive contact with human skin or the oral cavity, under normal or reasonably foreseeable conditions of use, contain more than 1 mg/kg (0,0001% by weight of this component) of any of the 8 PAHs¹ that are identified in Column 1 of the entry.

The entry includes a non-exhaustive list of types of articles falling within the scope of the restriction:

- Sport equipment such as bicycles, golf clubs, racquets,
- Household utensils, trolleys, walking frames,
- Tools for domestic use,
- Clothing, footwear, gloves and sportswear,
- Watch-straps, wrist-bands, masks, head-bands.

The restriction entry covers also toys, including activity toys, and childcare articles², in the same way but with a concentration limit of 0.5 mg/kg. The reason behind the lower concentration limit is that children may be more affected by exposure to PAHs.

The restriction does not apply to articles placed on the market for the first time before 27 December 2015.³

¹ Benzo[a]pyrene (BaP) – CAS No 50-32-8, Benzo[e]pyrene (BeP) – CAS No 192-97-2, Benzo[a]anthracene (BaA) – CAS No 56-55-3, Chrysen (CHR) – CAS No 218-01-9, Benzo[b]fluoranthene (BbFA) – CAS No 205-99-2, Benzo[j]fluoranthene (BjFA) – CAS No 205-82-3, Benzo[k]fluoranthene (BkFA) – CAS No 207-08-9 and Dibenzo[a,h]anthracene (DBaA) – CAS No 53-70-3
[See ECHA's Q&As 669, 670 and 671]

² See ECHA's Q&As No 982 and No 983 (see: [Q&As - ECHA](#)) for more information about the meaning of toys and childcare articles in the context of Annex XVII entries

³ For more information on the expression "placing/placed on the market for the first time", see [Q&A 1067](#): <https://echa.europa.eu/support/qas-support/browse/-/qa/70Qx/view/ids/1067>

ECHA was requested by the European Commission on 13 October 2014 to develop a practical guideline with non-exhaustive lists of articles and subtypes within and outside the scope of the restriction.

In order to prepare the guideline, ECHA launched a targeted consultation from February to April 2015 where some stakeholders were contacted and requested to respond to a survey regarding types and sub-types of articles that may fall within the scope of the restriction. In addition, respondents were asked to provide information about the types and sub-types of articles that may not fall within the scope of the restriction, with justifications. Responses were received from several stakeholders, mainly industry associations.

A call for comments was organised on the draft guideline from January to April 2017. Comments were received from industry organisations, companies, Member States, regional authorities and individuals. This final guideline is based on information collected through the above call for comments, the survey, the Annex XV restriction report submitted by Germany to the Commission in 2010⁴, and a previous ad-hoc consultation on PAHs organised by the European Commission during the preparation of the proposal that resulted in Regulation (EU) 1272/2013.

ECHA sent a draft of this guideline to the Commission, Member State Competent Authorities and stakeholders for discussions at the 25th Meeting of Competent Authorities for REACH and CLP (CARACAL) in November 2017. The MSCAs were requested to provide their views on the draft guideline. ECHA received comments from MSCAs and stakeholders and the updated final draft was discussed at CARACAL-26 in March 2018, which agreed on the guideline.

This guideline does not provide exhaustive lists of all the potential articles that could be in the scope of the restriction but rather gives indicative lists of concrete examples that have been identified during the interaction with different stakeholders.⁵

The target audience of this guideline is producers, importers and distributors of these types of articles as well as national enforcement authorities of EU Member States. The purpose is to ensure a common understanding of the scope and effective implementation of the restriction.

2. Scope

Descriptions of the main elements of the restriction are provided below.

2.1. Placed on the market for supply to the general public

In a note to CARACAL⁶, the Commission presented its interpretation of the phrase "placed on the market for supply to the general public". The interpretation of this phrase was needed in order to determine whether the restriction in entry 50(5) covers tiles/mats used in public playgrounds and synthetic turf used on artificial sports fields. Nevertheless, the interpretation would also apply to other articles in the public domain.

According to the Commission, entry 50(5) of Annex XVII REACH that reads "*Articles shall not be placed on the market for supply to the general public, if any . . .*" should be interpreted in such a way that tiles/mats used in public playgrounds are supplied to the general public when they are put at the disposal of the general public. The same applies to synthetic turf used on artificial sports fields when it is put at the disposal of the general public, notwithstanding the type of

⁴ See: <http://www.reach-clp-biozid-helpdesk.de/de/REACH/Zulassung-Beschaenkung/Beschaenkung/Vorschlaege/Deutsche-Vorschlaege-zur-Beschaenkung.html>

⁵ In case an article falls under the scope of other legislation as well (e.g. toys under the Toy Safety Directive (Directive 2009/48/EC) or mugs and utensils under the European Food Contact Materials Regulation (Regulation (EC) No 1935/2004)), both legislative measures apply to this article.

⁶ CA/30/2016, 21st Meeting of Competent Authorities for REACH and CLP (CARACAL)

ownership (public or private) or the specific type of transaction by which the objects were put at the disposal of the general public.

In its note, the Commission further stated that tiles/mats that are attached to the ground or to a building do not cease to be an article by mere attachment, assembly or by joining with other objects into a complex product. They could cease to be an article only if they no longer retain their shape, surface or design, or when they become waste.

2.2. Rubber and plastic components

The restriction applies to rubber and plastic components. Other materials are not within the scope of the restriction. As outlined in the Annex XV restriction report submitted by Germany to the Commission (2010), and information provided by stakeholders, PAHs in consumer products may originate from the following sources:

- use of mineral oil- or coal-based extender/plasticiser oils in the production of rubber and plastics; oils may (unintentionally) contain different concentrations of PAHs and are added to materials to achieve the desired material properties,
- carbon black (CAS 1333-86-4 and EC number 215-609-9), which is intentionally added to elastomers to achieve the required properties of the material (e.g. colour, flexibility, damping, solubility in the polymer matrix)

PAHs may be present in articles produced from materials containing either of these. PAHs in articles supplied to the general public may also originate from recycled rubber (e.g. recycled tyres) or plastic containing any of the above materials.

PAHs are typically found in certain elastomer/rubber materials, but potentially also in plastic materials, lacquers/varnishes, or coatings (e.g. plastic coating made of synthetic organic polymers) that may be encountered in or as part of consumer products.

The materials in articles or components of articles most likely affected by this restriction are rubber surfaces and soft or dark plastic surfaces.

The use of any of the sources indicated above in the production of the rubber or plastic components of an article can be therefore an indication of the presence of PAHs.

Components are to be understood as any plastic or rubber material in the article. An article is any object that fulfils the criteria of REACH article 3(3), which is explained in the Guidance on Substances in Articles.⁷

2.3. Direct as well as prolonged contact or short-term repetitive contact with human skin or the oral cavity

Direct contact with human skin or the oral cavity

When assessing whether the rubber or plastic components of articles come into direct contact with human skin or the oral cavity, attention should be given to surfaces of the article (or parts of article) that are touched or are in touch with the skin.

It is not possible to develop an exhaustive list of all the articles that may fulfil the criterion of direct contact with human skin or the oral cavity. However, examples of articles which fall under this definition were developed by ECHA in collaboration with stakeholders and include masks,

⁷ https://echa.europa.eu/documents/10162/23036412/articles_en.pdf

balloons, bracelets, handles, grips, hand tools, gloves and diving suits.

Prolonged contact with human skin or the oral cavity

For the purposes of this guideline, prolonged contact is understood as an extended duration of contact, for example from carrying an article, sitting on it, leaning towards it, holding on to it, wearing it or keeping in the mouth for an extended and uninterrupted length of time.

Examples of articles that come into prolonged contact with human skin or the oral cavity include carrying handles of mobile devices, hand tools (such as the holding area of hammers or screwdrivers), masks, bracelets, gloves, diving suits, handheld video game consoles, cases for portable and mobile units (e.g. camera, notebooks), cigarette lighters, whistles, tweezers, ear plugs or headphones, teething rings, tooth brushes and rubber lips.

Short-term repetitive contact with the human skin or the oral cavity

For the purposes of this guideline, short-term repetitive contact is understood as brief acts of contact repeated several times over a relatively short period of time.

Examples of articles that could come into short-term repetitive contact with human skin or the oral cavity include frisbees, shuttlecocks, key caps, holding devices on domestic appliances (such as blenders or coffee machines), measuring tapes, the buttons on certain kinds of devices (such as handheld game consoles), balloons and thermos bottles.

2.4. Normal and reasonably foreseeable conditions of use

For the purposes of this guideline, interpretations of the terms are provided by the ECHA Guidance on Requirements for Substances in Articles⁸, where it is noted:

- (i) "Normal conditions of use" means the conditions of use associated with the main function of an article. They are frequently documented in the form of user manuals or instructions for use. Normal conditions of use for articles used by industrial or professional users may differ significantly from conditions that are "normal" for consumers. This may particularly be true for the frequency and duration of normal use as well as temperature, air exchange rates or conditions related to water contact. It is explicitly not a "normal condition of use" if the user of an article uses an article in a situation or manner that the supplier of the article has clearly recommended to avoid in writing, e.g. in the instructions or on the label of the article.⁹
- (ii) "Reasonably foreseeable conditions of use" means conditions of use that can be anticipated as likely to occur because of the function and physical form of the article (even though they are not normal conditions of use). For example, when a small child does not know the function of an article but uses it for any purpose he associates with it, such as biting or licking it.

The notion of "normal conditions of use" is largely unproblematic. Most difficulties in interpretation will involve consideration of the "reasonably foreseeable conditions of use". It is to be noted that deliberate misuse and illicit use may be reasonably foreseeable, undeniably so if they occur as a matter of fact. An assessment must be made on a case by case basis by considering the nature and function of the article.

⁸ ECHA Guidance on Requirements for Substances in Articles (20112017): https://echa.europa.eu/documents/10162/23036412/articles_en.pdf

⁹ Examples of the exclusion of specific conditions of use are warning statements such as "keep out of children's reach" or "do not expose to high temperatures".

2.5. Concentrations of PAHs in articles

The restriction entry provides concentration limits for individual PAHs. For articles placed on the market for supply to the general public, if any of their rubber or plastic components that come into direct as well as prolonged or short-term repetitive contact with the human skin or the oral cavity, under normal or reasonably foreseeable conditions of use, the concentration limit is 1 mg/kg (0,0001 % by weight of this component) of any of the listed PAHs. Concentrations above this limit are not allowed. For toys, including activity toys, and childcare articles the corresponding concentration limit is 0,5 mg/kg (0,00005 %).

The entry requires the Commission to review the limit values in the light of new scientific information, including migration of PAHs from the articles referred in the restriction, and information on alternative raw materials by 27 December 2017. As part of the review of the restriction, there may be further information on possible testing methodologies. While there is currently no harmonised EU testing methodology for PAHs in plastic and rubber, available national or international methods can be used.

2.6. Coated articles

First of all, it should be clarified that for the purpose of this guideline, 'coatings' considered in this section are components that are part of the article itself. This section does not refer to elements that are separate articles fulfilling the criteria in Article 3(3) REACH. It should also be noted that the PAH content needs to be assessed separately for any component, i.e. for any plastic or rubber material in the article, which is within the scope of the restriction. For example, when considering an article containing a rubber or plastic coating, the coating should be assessed for PAH content on its own, as illustrated in Figure 1.¹⁰

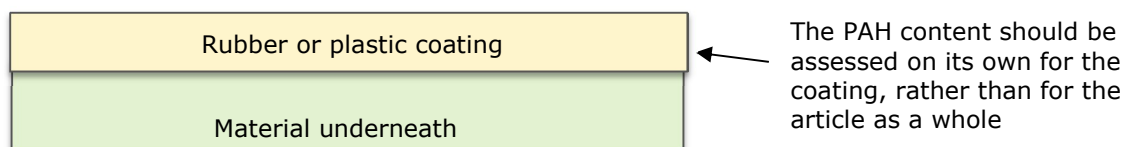


Figure 1. Assessing PAH content in a rubber or plastic coating

If the coating is made of plastic or rubber and the article/component in contact with the skin or oral cavity fulfils the criteria outlined in the restriction, the article is within the scope of the restriction and the PAH concentration limits cannot be exceeded. For example, this could be the case if an article has a painted coating containing a synthetic organic polymer. In relation to lacquered coatings, if the starting material of a lacquer is a synthetic organic polymer, the article falls under the scope of the restriction.

If the coating does not contain rubber or plastic and if the coating prevents any direct contact with any rubber or plastic underneath, the article/component is not within the scope of the restriction. However, there may be an issue if, during the use of the article, the coating would wear off and any rubber or plastic component under the coating would in that way become available for contact with the skin or oral cavity. If this can be expected under normal or reasonably foreseeable conditions of use, considering the expected lifetime of the article in question, the coated article should be considered to be within the scope of the restriction. For example, if a handle/tile/mat/safety slab used in a public area could be expected to wear off under normal or conditions of use, the article would be within the scope of this restriction.¹¹

ECHA also notes that by 27 December 2017 some aspects of the entry will be reviewed by the

¹⁰ Mixtures, whether coated or not, are outside the scope of this restriction.

¹¹ It is recommended that examples of good practices concerning monitoring and maintenance outlined in available standards are considered, such as the European Standards for Playground Equipment (EN 1176-1).

Commission in order to consider new scientific information, including on the migration of PAHs and alternative raw materials. This may give a better understanding on the migration of PAHs also through coatings. The restriction, as well as this guideline, may be modified as a consequence.

3. Indicative lists of examples of articles that fall within or outside the scope of this restriction

The following figure presents a “stepwise approach” for assessing whether an article is within or outside the scope of the restriction on a case-by-case basis.

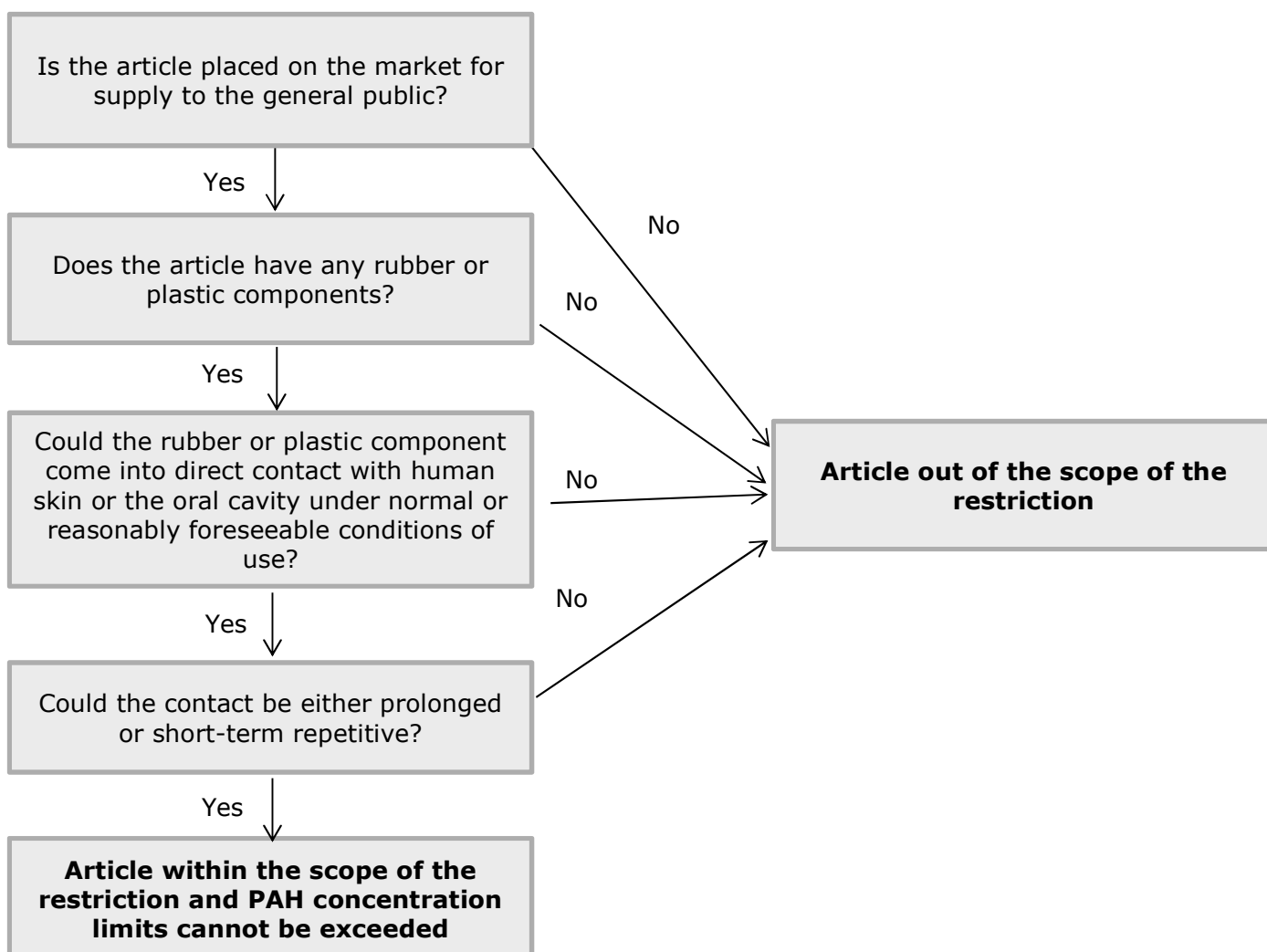


Figure 2. Steps to assess whether articles are within the scope of the restriction

3.1. Examples of articles within the scope of the restriction (Annex 1)

The restriction entry includes a non-exhaustive list of types of articles falling within its scope:

- Sport equipment such as bicycles, golf clubs, racquets,
- Household utensils, trolleys, walking frames,
- Tools for domestic use,
- Clothing, footwear, gloves and sportswear,
- Watch-straps, wrist-bands, masks, head-bands.

The restriction entry covers also toys, including activity toys, and childcare articles, with a lower concentration limit than for the above mentioned articles (see Table 1G for examples of toys and childcare articles).

Based on the non-exhaustive list in the entry, Annex I covers also subtypes and similar types of articles and explains which components may come into direct and prolonged or short-term repetitive contact with the human skin or oral cavity.

3.2. Examples of articles excluded from the scope of the restriction (Annex 2)

There are a few groups of articles that can be considered to be excluded from the scope since little or no contact with the skin in the terms of the entry is foreseen.

Articles or components in short and infrequent contact with the skin or oral cavity

Articles or components which are only in short and infrequent contact with the skin or oral cavity can be considered excluded from the scope of the restriction.

Examples include plugs, cable sheathings (except on cables that are in long or repetitive contact with the skin, such as the cables of headphones, which are within the scope), bicycle tyres, lamp and power switches that are only expected to be in short and infrequent contact with the skin (e.g. if they are only touched once or twice per use). However, note that buttons that are expected to be in short and repetitive contact with the skin (such as the buttons of handheld video game consoles) are within the scope of this restriction.

Inaccessible or internal components

Inaccessible or internal components, which cannot be accessed during normal use or which only become accessible as a result of dismantling or destruction, can be considered not to come into direct and prolonged or short-term repetitive contact with the human skin or oral cavity. In relation to toys, including activity toys, and childcare articles, accessibility can be assessed following the definition and method laid down in the European Standard on the safety of toys, EN 71-1¹².

Examples of these include electronic components, cables and other internal parts of household appliances, tools, toys, childcare articles (e.g. exposure to internal cables due to destruction of toy is excluded from the scope) and of IT devices.

Components that are only accessed during simple maintenance or upgrading work

Components that are rarely and only briefly accessed during simple maintenance or upgrading work by the user can be considered not to come into direct and prolonged or short-term repetitive contact with the human skin or oral cavity. This also applies to components that can no longer be touched by the consumer after installation.

Examples include printer cartridges, batteries and battery compartments, parts of lamps that are only touched when bulbs have to be exchanged, the undersides, rear sides, seals and feet of household appliances.

¹² EN 71-1: European standards within the field of safety of toys on mechanical and physical properties (http://standards.cen.eu/dyn/www/?p=204:110:0:::FSF_PROJECT:41917&cs=105249A5D7F7CDB15454E2D00E0786F71)

ANNEX 1 Indicative list of examples of articles¹³ within the scope of this restriction¹⁴

It should be noted that some of the listed examples could be mentioned in several product groups but for clarity have only been mentioned in one of the tables below. Also note that this is not an exhaustive list but rather an indication of possible examples.

Table 1A – Sport equipment	
<i>Articles</i>	<i>Articles/components of articles which are made of plastic/rubber and may be in direct as well as prolonged or short-term repetitive contact with the skin/oral cavity</i>
Bicycles, kick scooters for sports	Grips, seat, handlebar
Golf clubs	Handle
Racquets	Handle
Training equipment, such as steppers, training bicycles and rowing machines	Handles and seat
Gymnastics bands	Whole articles
Knee and elbow protectors, and protectors for the mouth used by boxers and in other contact sports	Whole articles (apart from any filling material not in contact with the skin)
Helmets	Inner lining (apart from any filling material not in contact with the skin)
Dumb-bell sets	Handle
Frisbees	Whole articles
Boxing gloves	Outer area and accessible inside
Shuttlecocks	Whole articles
Golf bags	Outer area and accessible inside
Yoga / stretching mats	Whole article
Gym / stretching balls	Whole articles
Surf boards	Whole articles
Billiard, pool and snooker accessories	Cue grips
Sports balls (balls classified as toys are listed in Table 1G)	Whole outer area
Kayaks, canoes and similar light boats	Inside parts, e.g. spray skirt, cockpit lining, hip and knee bracers, sitting area, as well as external part that may be in

¹³ Taking into account the definition of Article in Article 3(3) of REACH and the ruling of the CJ in case C-106/14, some items listed in the Annex under the title of 'Article' may be in fact complex products composed of several articles (e.g. bicycles are composed of several articles such as chain links, tyres, parts of frame, etc). The conditions of the restriction should be assessed for each of the elements within the listed item which fulfils the REACH definition of article. Where one of those articles is under the scope of the restriction, the complex product can only be placed on the market if that article is removed or replaced.

¹⁴ Some of the products listed in this Annex may contain inaccessible or internal components which do not come into contact with the skin or oral cavity as described in section 3.2

	contact with skin during use (not the underside)
Stand up paddling boards	Standing and sitting area
Paddles	Handle
Swimming aids, belts, shoes and gloves	Whole articles
Snorkelling equipment, goggles and diving glasses (for articles classified as toys, see Table 1G)	Whole articles
Fishing and shooting equipment	Handle and grip area
Ski goggles	Whole articles
Hand-operated air pumps, e.g. for bike or swimming aids	Handle and grip area
Synthetic turf carpet used on artificial sports fields (for artificial grass used for other purposes, please see Table 1F) ¹⁵	Carpet pile (turf filament) and elements that become accessible after wear during normal or reasonable foreseeable use

¹⁵ In addition to the carpet pile (turf filament), which is within the scope of this restriction, a synthetic turf carpet also comprises primary and secondary backings (the base of the synthetic turf carpet), performance infill (e.g. rubber granules which is a mixture), stabilising infill (sand) and shockpad (optional) beneath the synthetic turf carpet; these are not within the scope of the restriction unless the carpet pile wears during use and they become accessible. (See picture (r) in Annex 3).

Table 1B – Household utensils, trolleys, walking frames

Table 1B – Household utensils, trolleys, walking frames	
<i>Articles</i>	<i>Articles/components of articles which are made of plastic/rubber and may be in direct as well as prolonged or short-term repetitive contact with the skin/oral cavity</i>
Cookware and cooking utensils, such as turners, ladles, whisks, cutlery, sauce pans, frying pans, trays	Handle and holding area
Thermos bottles	Holding and drinking area
Plastic mugs	Holding and drinking area
Plastic utensils	Whole articles
Plastic drinking bottles	Whole articles (except inaccessible components)
Domestic appliances, such as blenders, water boilers, citrus presses, coffee machines	Handle and holding area
Trolleys and trolley bags	Handles
Hand and shoulder bags	Outside and accessible inside
Walking frames (for articles classified as toys or childcare articles, see Table 1G)	Handles
Cleaning tools (such as window wipers, vacuum cleaners, cleaning brushes)	Handle / holding area
Handheld game consoles	Holding area and buttons
PC keyboards	Whole articles (external parts)
PC mice	Whole articles (external parts)
Mouse pads	Whole articles
Desk pads	Whole articles
TV/audio-visual remote controls	Buttons and outer case
Mobile and portable devices, such as notebook- and tablet computers, mobile phones, smartphones, cameras, e-readers, dictation machines or pocket calculators	Whole articles except inaccessible components
Cases of mobile and portable devices, such as notebook and tablet computers, smartphones or cameras	Whole articles
Torches, flashlights	Handle / holding area
Furniture, such as chairs, or tables (not bookshelves)	Seats, handles, back rest, table top, legs
Walking sticks and crutches	Handle and wrist strap
Shower handles	Grip
Table cloths and mats	Whole articles

Table 1C – Tools for domestic use	
<i>Articles</i>	<i>Articles/components of articles which are made of plastic/rubber and may be in direct as well as prolonged or short-term repetitive contact with the skin/oral cavity</i>
Tools, such as hammers, screwdrivers, knives, pliers, spanners	Handle / grip area
Gardening tools and equipment, such as shovels, spades, hoses, watering cans, wheelbarrows, lawnmowers and grass-cutters	Handle / grip area
Handheld electrical tools, such as power drills	Handle / grip area
Measuring tapes	Whole articles
Scissors	Handles
Thimbles	Whole article

Table 1D – Clothing, footwear, gloves and sportswear

Table 1D – Clothing, footwear, gloves and sportswear	
<i>Articles</i>	<i>Articles/components of articles which are made of plastic/rubber and may be in direct as well as prolonged or short-term repetitive contact with the skin/oral cavity</i>
Sandals	Whole articles, apart from underside
Flip-flops	Whole articles, apart from underside
Shoes	Whole articles, apart from underside
Shoes for babies	Whole article
Rubber boots	Whole articles, apart from underside
Clogs	Whole articles, apart from underside
Gloves (including protective gloves)	Whole articles
Underwear	Whole articles
All types of corsetry articles	Whole articles
Prints of T-Shirts and other clothing	Whole articles, except prints on the back of clothing with sufficiently thick tissue to prevent direct contact with the skin
Weather protection garments, such as jackets and pants	Whole articles
Fishing pants	Whole articles
Wet suits	Whole articles
Flippers / fins	Area in contact with the skin
Hats	Whole articles
Rucksacks	Handles, belts, buckles at the belts and plastic parts for adjustment of the straps, as well as area in contact with back and shoulders
Protection clothing, such as knee or elbow covers, hearing protections	Whole articles
Socks	Whole article

Table 1E – Watch-straps, wrist-bands, masks, head-bands (including similar type of articles)	
<i>Articles</i>	<i>Articles/components of articles which are made of plastic/rubber and may be in direct as well as prolonged or short-term repetitive contact with the skin/oral cavity</i>
Watch-straps	Whole articles
Wrist-bands	Whole articles
Activity trackers	Whole articles (except inaccessible components)
Bracelets	Whole articles
Masks, rubber lips and other masquerade items with close skin contact (apart from masquerade items classified as toys or childcare articles, as these are listed in Table 1G)	Whole articles
Headbands	Whole articles
Mobile audio devices, such as headphones	Outer area
Cable of headphones	Outer area
Earplugs	Outer area
Protective equipment, such as earmuffs or safety glasses	Outer area
Sunglasses	Whole articles
Hair slides, hairgrips, hair clasps	Whole articles
Head torches	Whole articles except inaccessible parts
Pulse monitors	Whole articles except inaccessible components
Eye cups	Whole articles
Sex articles	Whole articles
Whistles	Whole articles
Musical instruments	Handles, cases, mouthpieces, buttons, cords, keys, as well as parts of the instrument from which it is held or which rests on or is in repetitive contact with the body.
Tooth brushes	Whole articles
Fever thermometers	Outer parts
Domestic blood-pressure meters	Strap, cuff and bulb
Combs, brushes	Whole articles
Stress balls	Whole outer area
Umbrella	Handle

Table 1F – Miscellaneous articles¹⁶ similar to the categories described in the restriction entry and thus covered by the entry	
<i>Articles</i>	<i>Articles/components of articles which are made of plastic/rubber and may be in direct as well as prolonged or short-term repetitive contact with the skin/oral cavity</i>
Writing instruments (colouring and painting articles classified as toys are listed in Table 1G)	Holding area (excluding the tip), cap
Colouring and painting articles for artistic use (colouring and painting articles classified as toys are listed in Table 1G)	Holding area excluding the tip
Manicure/pedicure tools, such as nail files	Whole articles
Tweezers	Whole articles
Eyelash curlers	Whole articles
Shavers	Whole article
Vehicles (e.g. car or scooter)	Grips, upholstery of seats, seat belt, gear stick and steering wheel
Boats	Inside parts, e.g. spray skirt, cockpit lining, hip and knee bracers, sitting area, as well as external part that may be in contact with skin during use (not the underside)
Needles, including knitting needles	Whole articles
Hair dryers, straighteners and curlers	Handle / holding area
Cigarette lighters	Outer case
Erasers (erasers classified as toys are listed in Table 1G)	Whole article
Pocket articles, such as cosmetics or powder boxes (pocket articles classified as toys are listed in Table 1G)	Outer case
Hearing aids	Outside area
Rubber bands	Whole article
Textiles (e.g. polyesters, polyamides or other synthetic organic polymers) and fibers (e.g. thread and yarn), such as making clothing, table cloths, cushions, bed linen or other items in this Annex	Whole article

¹⁶ Taking into account the definition of Article in Article 3(3) of REACH and the ruling of the CJ in case C-106/14, some items listed in the Annex under the title of 'Article' may be in fact complex products composed of several articles (e.g. a pen is often composed of several articles such as the tap, the case, the ink container, etc.). The conditions of the restriction should be assessed for each of the elements within the listed item which fulfil the REACH definition of article. Where one of those articles is under the scope of the restriction, the complex product can only be placed on the market if that article is removed or replaced.

Artificial grass carpet used e.g. by the pool (See footnote number 11)	Carpet pile (turf filament) and elements that become accessible after wear during normal or reasonable foreseeable use
Tiles/mats/safety slabs used in playgrounds (including public playgrounds), sport fields and other public areas (for tiles/mats/safety slabs classified as toys, please see Table 1G) ¹⁷	Outer area and, in the case of coated articles, as indicated in section 2.6, any components that would be accessible after wear during normal or reasonably foreseeable use
Furniture in public areas (e.g. hospitals, public transport, playgrounds)	Seats, handles, back rest, table top, legs

¹⁷ Please note that the Toy Safety Directive does not apply to playground equipment intended for public use

Table 1G – Toys and childcare articles	
<i>Note the lower concentration limit for this category</i>	
<i>Articles</i>	<i>Articles/components of articles which are made of plastic/rubber and may be in direct as well as prolonged or short-term repetitive contact with the skin/oral cavity</i>
Balls classified as toys or childcare articles (sports balls are listed in Table 1A)	Whole outer area
Plastic or rubber figurines	Whole articles
Loom bands and charms	Whole articles
Toy cars and trains	Outside and accessible inside
Run bikes, children’s bikes, toy mower and toy scooters	Whole articles
Colouring and painting articles classified as toys	Outer area and accessible inside
Erasers classified as toys	Whole articles
Pocket articles classified as toys, such as toy cosmetics	Outer area and accessible inside
Toy guns	Outer area and accessible inside
Plastic swords	Whole articles
Rubber balloons	Whole articles
Dolls (apart from dolls for collectors bearing the requisite marking)	Outer area and accessible inside
Baby walkers / walking frames / stationary walkers for indoor/terrace use (for adults, see Table 1B)	Outer area and accessible inside
Child-sized kitchen centre	Whole articles apart from underside
Paddling pools for play	Whole articles apart from underside
Bath toys	Whole articles
Bath thermometres	Whole articles
Buggies, prams, baby carriages, pushchairs and strollers	Whole articles, apart from wheels, tyres and underside
High chairs	Outer area and accessible inside
Teething rings	Whole articles
Changing pads	Whole articles
Cots, cribs, pillows and mattresses	Whole articles
Carrying slings	Whole articles
Car seats for children	Backrest, cover of headrest, sides, reducer/support pillow, belt pads and harness straps
Breast-feeding pillows	Whole articles

Trampolines	Jumping net, padding and enclosure
Swings	Whole articles (except components that are high enough not to be accessible during use, such as plastic caps covering bolts located on the top of the frame)
Slides and climbing frames	Whole articles (except components that are high enough not to be accessible during use, such as plastic caps covering bolts located on the top of the frame)
Aquatic and non-aquatic inflatable toys	Whole articles
Toy musical instruments, such as trumpets, blows, shakes, maracas, guitars, flutes and tambourines	Outer area and accessible inside
Slinky	Whole articles
Snorkelling equipment, goggles and diving glasses classified as toys (for adults, see Table 1A)	Whole articles
Tiles/mats/safety slabs classified as toys (i.e. playground equipment) intended for domestic use	Outer area and, in the case of coated articles, as indicated in section 2.6, any components that would be accessible after wear during normal or reasonably foreseeable use

ANNEX 2 Indicative list of examples of articles¹⁸ outside the scope of this restriction

It should be noted that plastic and rubber articles not placed on the market for the general public (i.e. placed on the market exclusively for industry or exclusively for professional use with no access for the general public), are out of the scope of this restriction.

Table 2A – Inaccessible or internal components

Electronic components, internal cables and other internal articles of household appliances, tools, IT devices, inaccessible components in toy trains or in consumables supplied to the general public, plastic caps covering bolts located on the top of the frame of an activity toy (e.g. a swing) etc.

Table 2B – Components that are only accessed during simple maintenance or upgrading work

Printer cartridges
Batteries and battery compartments
Parts of lamps that are only touched when bulbs have to be exchanged
The undersides, rear sides, seals and feet of household devices

Table 2C – Articles or components in short and infrequent contact with the skin or oral cavity

Light switches
Power switches of different devices (e.g. coffee machine, radio, TV, fan heater)
Plugs
Cable sheathings (except on cables that are in long or repetitive contact with the skin, such as the cables of headphones, which are within the scope)
Bicycle tyres
AC adaptors
Charging cradles

¹⁸ Taking into account the definition of Article in Article 3(3) of REACH and the ruling of the CJ in case C-106/14, some items listed in the Annex under the title of 'Article' may be in fact complex products composed of several articles. The conditions of the restriction should be assessed for each of the elements within the listed item which fulfil the REACH definition of article. The fact that one of those articles is not under the scope of the restriction, does not exclude that other articles present in the complex product may be subject to the restriction.

ANNEX 3 Pictures¹⁹ of certain articles that are within the scope of the restriction

- (a) Picture of bicycle (handlebar, grips and seat)



- (b) Picture of training bicycles (handles and seat)



- (c) Picture of fishing equipment (handle / grip area)



¹⁹ Images were provided by the following source: by Fotolia (2015) except picture (q) by the European Synthetic Turf Association

(d) Picture of walking frame (handles)



(e) Picture of TV/audio-visual remote control (buttons and outer case)



(f) Picture of tool (handle / grip area)



- (g) Picture of flippers/fins (area in contact with the skin)



- (h) Picture of watch (watch-strap, side of the sphere in contact with the skin and wheel button)



- (i) Picture of mask (whole article)



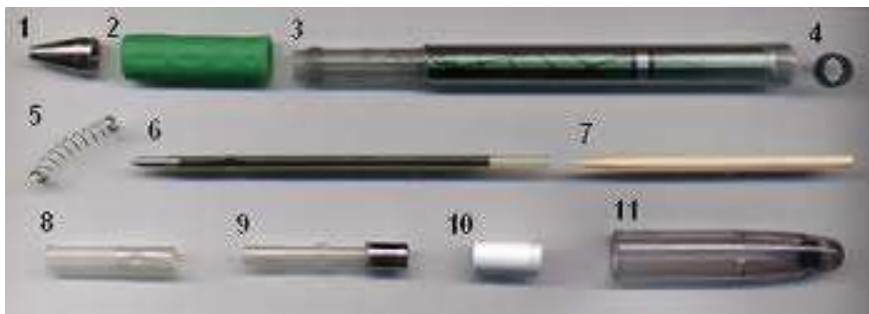
- (j) Picture of whistle (whole article)



- (k) Picture of musical instrument (handles, cases, mouthpieces, buttons, cords, keys, as well as parts of the instrument from which it is held or which rests on or is in repetitive contact with the bodywhole article)



- (l) Picture of writing instruments (holding area, i.e. 1, 2, 3 and 11, is within the scope; the tip, i.e. part of 6, and the other components are outside the scope)



- (m) Picture of powder box (puter case and sponge)



- (n) Picture of run bike (whole articles)



- (o) Picture of baby walker / walking frame (outer area and accessible inside)



- (p) Picture of colouring and painting articles classified as toys (outer area and accessible inside)



- (q) Picture of synthetic turf/artificial grass (the carpet pile (turf filament)), i.e. the upper layer, is within the scope. The primary and secondary backings (the base of the synthetic turf carpet), as well as the performance infill, stabilising infill and potential shockpad, are outside the scope unless the upper layer wears and they become accessible. Note that infill material is a mixture.



Change history

Revision	Comment	Date
Original document		CARACAL-26/07-03-2018