

February 2020

REACH SVHC Candidate list 16th of January 2020

REACH: Position of packaging produced by Smurfit Kappa

REACH has an impact on all producers and importers (into EU) of chemical substances in volumes > 1 ton/year and legal entity. Furthermore REACH has an impact on downstream users of chemicals.

Registration

Smurfit Kappa plants are mainly affected by REACH as downstream users of chemicals.

Cellulose pulp, which is the main raw material for paper and board, is explicitly exempted from registration according to Annex IV and Annex V, point 8 " substances occurring in nature, if they are not chemically modified".

The chemicals that we use in our industry are normally not pure substances but preparations. Many of our suppliers are formulators (downstream users) of chemical preparations, without registration obligations. The manufacturer or importer of the "pure" substance has the registration obligation.

We have asked our suppliers whether the substances they supply will be registered. We have received confirmation that our suppliers will ensure timely implementation of REACH. We don't foresee any substantial changes in the quality of our supplied products due to REACH.

Substances in articles

Paper, board and packages are articles in terms of REACH, and the chemicals used in the manufacture are consequently "substances in articles".

As manufacturers of paper, board and packages, we are impacted by Article 7, "Registration and notification of substances in articles".

The demands, in Article 7, which are relevant to us, imply that we need to consider whether our products contain substances, meeting the criteria in Article 57, and identified in accordance with Article 59 (1), in concentrations above 0.1%, and the total amount of the substance is > 1 tonne/year. If both criteria are met the European Chemicals Agency (ECHA) must be notified (2011).

The substances as defined in Article 57 are:

- substances meeting the criteria for classification as carcinogenic , mutagenic or toxic for reproduction, categories 1 and 2, according to Directive 67/548/EEC on labeling of hazardous substances)
- substances which are persistent, very persistent, bioaccumulative, very bioaccumulative and toxic in accordance with the criteria set out in Annex XIII of REACH (PBT, vPvB substances);

- substances for which there is scientific evidence of probable serious effects to human health or the environment.

These substances are **potential** Substances of Very High Concern (SVHC) and the use of them might eventually need authorization from ECHA.

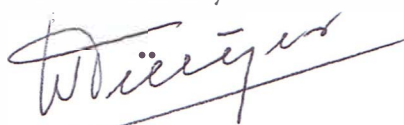
The EU member states will continuously recommend substances to be evaluated and, possibly, included in the SVHC-candidate list. The consequence is that the presence of SVHC in products must continuously be assessed.

The increased demands on paper and board in food contact and more rigorous environmental regulations (e.g. Directive 94/62) in recent years, has put the focus on the use of chemicals. An action to minimize the use of hazardous chemicals has already started.

The in-depth survey carried out in all plants within Smurfit Kappa Group, based on the information received from our up-stream chemical suppliers, permits us to state that, to the best of our knowledge, the packaging that we manufacture do not contain dangerous substances mentioned in annex XVII or substances of the SVHC candidate lists (in a concentration above 0.1 %). Smurfit Kappa Group will follow the development of the SVHC candidate list actively and assess all our products accordingly.

If, in the future, should we discover that chemicals, containing SVHC in concentrations above 0.1%, are used in our mills, we will immediately inform the customers (according to REACH article 33) and without delay look for better alternatives.

Yours sincerely



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