

ICS 13.300

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Introduction

Under the generic term Material Compliance, SMS group, including all subsidiaries, pools all material and material-related requirements resulting from national and international laws, guidelines, standards and customer requirements, etc. in an up-to-date form.

SMS group contributes to ensuring a high level of protection for human health and the environment with the objective of sustainable development and demands that prohibited and declarable substances are replaced by less dangerous substances or technologies.

This standard can be downloaded from the SMS group supplier portal.

<https://www.sms-group.com/suppliers>

1 Scope of application

This company standard defines the pieces of information on manufacturing supplies, operating materials, dangerous goods as well as on prohibited and declarable substances which remain in products for SMS group which have to be communicated by manufacturers and suppliers to SMS group.

2 Normative references

The document stated below is required for the application of the present standard. Dated references refer only to the edition of the date indicated. Undated references refer to the most recent edition of the respective document inclusive of all revisions.

EGV 1907/2006 Regulation (EC) No. 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the registration, evaluation, authorization and restriction of chemicals (REACH), establishing a European Chemicals Agency, amending Directive 1999/45/EC and repealing Council Regulation (EEC) No. 793/93, Commission Regulation (EC) No 1488/94 as well as Council Directive 76/769/EEC and Commission Directives 91/155/EEC, 93/67/EEC, 93/105/EEC and 2000/21/EC (short: **REACH regulation**) 29 CFR 1910.1200 Hazard Communication Standard

3 Terms and definitions

The following terms and definitions are valid for the application of this company standard. Regulation-specific definitions are to be read in the respective regulation and are only listed here in exceptional cases for better understanding of SN 373 (all parts), with a reference to the respective regulation.

3.1

Product (material compliance)

Refers to everything that is made available to SMS group as an object of supply and everything that is manufactured by SMS group itself and remains on a product which is put on the market by SMS group.

Note: Examples of products:

- Complete product, including commercial goods
- Part, component
- Equipment unit
- Spare part
- Semi-finished product
- Material
- Preparation or mixture
- Pure substances
- Soldering flux
- Bonding agent
- Lubricant
- Cooling lubricant
- Surface degreasing agent
- Anti-corrosion agent
- Material for sandblasting
- Material for hardening
- Material for forming
- Packaging including conditioning, such as drying agents or anti-corrosion agents
- Transport materials
- etc.

3.2

Substance [DIN EN 62542:2017-10]

Chemical element and its compounds in natural form or obtained by a manufacturing process, including the additives required for maintaining its stability and the impurities caused by the process used, with the exception of solvents which can be separated from the substance without affecting its stability and without changing its composition.

3.3

Prohibited substances

All substances on which a general ban is imposed by the applicable statutory regulations or SMS group internal stipulations or a ban on which results from other stipulations (restriction of use, mandatory approval etc.).

3.4

Declarable substances

Substances for which mandatory declaration is imposed by the applicable statutory regulations or SMS group internal stipulations.

3.5

Restriction

Condition for the manufacture, use or putting into circulation or prohibition of this activity.

Note:

It may be imposed if the production, marketing or use of substances or ingredients of substances in products involve an unacceptable risk to human health or the environment (REACH regulation).

3.6

Putting into circulation

Delivery against payment or free of charge to third parties or provision for third parties.

Note:

Import shall be considered as putting into circulation.

3.7

Mandatory approval

Is a ban with approval reservation.

Note:

This means that the use of a substance listed in Annex XIV – REACH is strictly prohibited unless an approval has been issued.

3.8

Substances of very high concern (SVHC)

Substances which meet the criteria of Article 57 of the REACH Regulation.

These include:

- Substances with carcinogenic and mutagenic properties and properties which are toxic for reproduction (CMR categories 1 and 2)
- Substances which are classified as persistent, bioaccumulative and toxic according to the criteria of Annex XIII (PBT substances)
- Substances which are classified as very persistent and very bioaccumulative according to the criteria of Annex XIII (vPvB substances)
- Substances with properties of equally high concern, e.g. substances referred to as endocrine disruptors or substances which do not meet PBT/vPvB criteria but are persistent, bioaccumulative and toxic and show serious and irreversible effects on man or the environment

Note: SVHC stands for Substances of very high concern

3.9

Homogeneous material [RoHS]

A material of homogeneous composition or a material consisting of different materials which cannot be mechanically disjointed into individual materials by means of mechanical processes such as screwing off, cutting, chopping, milling and grinding.

Note:

Example: A screw consists of the metal body, a zinc coat, a passivation layer and a final coating. The screw thus contains four homogeneous materials.

3.10

Packaging (material compliance)

Products made of any substances and to be used as receptacle, to protect, handle, ship or present goods and which may range from raw material to processed products and which the manufacturer passes on to the user or consumer.

All "disposable products" used for the same purpose have also to be considered as packaging. (EU Packaging Directive Article 3, paragraph 1).

3.11

Packaging components (material compliance)

Packaging components are parts of the packaging which can be separated by hand or by simple mechanical processes.

Additional elements that are directly attached to or fastened at a product and fulfill a packaging function shall be considered as packaging unless they are an integral part of the product.

3.12

Battery, accumulator [DIN EN ISO 11148-13:2019-07]

Source of electrical energy generated by direct transformation of chemical energy, consisting of one or more primary cells (non-rechargeable) or one or more secondary cells (rechargeable).

3.13

Manufacturing supplies

Substances which are used in the production of a product and contained in the final product.

Note: Examples of manufacturing supplies:

- Paint,
- Thread locker

3.14

Operating materials

Substances which are not an integral part of a machine but which are required for the operation of the machine.

Note: Examples of operating materials:

- Hydraulic oil
- Coolants
- Lubricants
- Fuels.

3.15

Dangerous goods [DIN EN 17173:2020-12]

Goods containing substances and objects which have been identified as dangerous during transport and pose a risk to persons, property and the environment.

4 Basic stipulations

4.1 Supplier's obligations

The supplier shall be responsible for compliance with SN 373 (all parts).

This standard has no effect on the supplier's obligation to comply with statutory requirements (national and international legislation).

The necessity to obtain the latest applicable rules and regulations, laws and standards remains unaffected by this and continues to be regarded as an obligation to be performed by the SMS group suppliers.

The supplier shall be obliged to check at least every 6 months whether an updated version of SN 373 and the associated supplementary sheet is available. When this standard is updated, the new version replaces the previous one and is in force with immediate effect. SMS group shall not notify the supplier of the updating of SN 373. Any amendments to the law do not necessarily result in an update of this standard, but do not release the supplier from the obligation to take these amendments to the law into account. The Supplier is obliged to transmit the information requested by Section 8 and the statutory rules and regulations listed in SN 373 supplementary sheet 1 free of charge.

The supplier shall inform the SMS group purchasing department in due time about any consequences or product changes resulting from new or changed legal requirements. This shall particularly apply in the event that temporary exemptions under statutory requirements have been claimed on and these terms expire.

In individual cases, the technical data sheets of all used raw materials and auxiliary materials shall, upon request, be submitted to the material compliance officers of the respective companies of SMS group free of charge for initial inspection.

4.2 Substances concerned

This stipulation relates to manufacturing supplies and operating materials, provided they remain on the product or are to be classified as environmentally relevant substance, hazardous material or dangerous goods, as well as to packaging and transport and handling materials, provided that these are delivered to the customer together with the product.

SMS group sells its products worldwide. In this sense, this regulation also involves market-specific statutory rules and regulations as stipulation.

The product requirements in terms of materials and substances (material compliance requirements) of this regulation are equivalent to the other product requirements. Material compliance is a product characteristic.

5 Prohibited and declarable substances

The statutory rules and regulations concerning prohibited and declarable substances as well as the specific regulations derived from above rules and regulations for SMS group are listed in SN 373 Supplementary sheet 1.

6 Manufacturing supplies, operating materials and dangerous goods

6.1 General notes

Putting into circulation, trading and dealing with manufacturing supplies and operating materials always require an evaluation with respect to national and international hazardous substances and dangerous goods regulations as well as a review with respect to product-related stipulations if these substances remain on the product. This section comprises requirements which have to be satisfied due to statutory regulations and SMS group requests to be met.

6.2 Safety data sheet

The safety data sheet is the central element of communication in the supply chain for hazardous substances and mixtures. It provides important information on their characteristics, such as:

- Identity of the product
- Intended use
- Occurring hazards
- Safe handling
- Measures for prevention
- Measures to be taken in case of danger
- Information on dangerous goods

The requirements to be met by the contents and the format of the safety data sheet are regulated

- in Article 31 and Annex II of the REACH Regulation (EC) No. 1907/2006 for the EU;
- in the Hazard Communication Standard (HCS) (29 CFR 1910.1200(g)) plus any supplements of the respective states for the USA.

In other countries, the respective national regulations shall apply.

According to Article 31 of the REACH Regulation (EC) No. 1907/2006, a safety data sheet must be made available

- if the substance or mixture meets the criteria for the classification as dangerous.
- if the substance is persistent, bioaccumulative and toxic or very persistent and very bioaccumulative according to the criteria of Annex XIII.
- if the substance has been included in the list prepared in accordance with Article 59, paragraph 1.
- for non-gaseous mixtures containing at least one dangerous substance with an individual concentration of ≥ 1 % by weigh.
- and for gaseous mixtures containing at least one dangerous substance with an individual concentration of ≥ 0.2 % by volume.
- for non-gaseous mixtures containing an individual concentration of ≥ 0.1 % by weight of at least one carcinogenic substance of category 2 or a substance which is toxic for reproduction of category 1A, 1B or 2, a skin sensitizer of category 1, a respiratory sensitizer of category 1, a persistent, bioaccumulative and toxic substance (PBT) according to the criteria specified in Annex XIII, a very persistent and very bioaccumulative substance (vPvT) according to the criteria specified in Annex XIII.
- if a substance is contained which has been included in the list drawn up in accordance with Article 59, paragraph 1.
- if a substance is contained for which joint limit values exists for the exposure at the workplace.

The supplier of a substance/mixture or dangerous goods is responsible for ensuring that the safety data sheet has been filled in properly and completely.

The safety data sheet shall be made available to SMS group in electronic form or as download option free of charge upon request, with an up-to-date version of it however being submitted at the latest with the quotation.

Suppliers shall update the safety data sheet immediately if:

- New information is available which may have effects on risk management measures,
- an approval has been granted or rejected,
- a restriction has been issued.

The corrected version shall be made available to SMS group without request.

6.3 Dangerous goods

Products from which danger may arise during transport require special labeling and declarations which are stipulated in general regulations for the respective country and the corresponding regulations of the transport operators. The regulations for the transport operators are the following:

- European Agreement concerning the International Carriage of Dangerous Goods by Road (ADR)
- Regulation concerning the International Carriage of Dangerous Goods by Rail (RID)
- European Agreement concerning the International Carriage of Dangerous Goods by Inland waterways (ADN)
- International Maritime Code for Dangerous Goods (IMDG code)
- IATA Dangerous Goods Regulations

The supplier is responsible to ensure that the dangerous goods regulations in their applicable version are complied with and shall provide all information and documents free of charge to SMS which are required for the hazard assessment compliant with the law.

7 SCIP database

SCIP is the database for information on SVHC in products under the Waste Framework Directive (WFD) and operated by the European Chemicals Agency. All articles (individual parts) and complex objects (assemblies and machines) have to be reported which:

- have been delivered to the EU **and**
- contain SVHC substances of more than 0.1 weight % by weight based on the article (e.g. lead or cadmium).

Only companies which are domiciled in the EU are allowed to make notifications to the SCIP database.

If the supplier has a legal domicile within the EU, he is obliged to inform SMS group of the SCIP ID of the article and/or complex object free of charge such as to enable SMS group to submit a related SCIP notification.

Should the supplier not have a legal domicile within the EU, he is obliged to provide the information required for a SCIP notification free of charge. This information shall at least meet the requirements listed in Table 1:

Table 1 – Information required for a SCIP notification

Requirement	Description	M/R/O
Name of the article	Name of the article or complex object	M ¹⁾
Other designation(s)	Additional designation used for unique identification of the article or complex object, e.g. brand name, type or other. For example, a designation which shows on the article or complex object, on labels, in catalogs or in other ways.	O ⁴⁾
Primary article identifier	e.g. article number, purchase order number or similar.	M ¹⁾
Article category	Customs tariff number/TARIC code	M ¹⁾
Instruction for safe use	Explanation to furnish evidence that an assessment has been made in accordance with the guidelines in subchapters 3.2.1 and 3.4.1 of the SiA Guidance with the conclusion that no instructions for safe use need to be specified in a SCIP notification to ensure the safe use of the reported article or complex object. This means that the identification of the Candidate List substance(s) is sufficient to ensure the safe use of the article as such containing a Candidate List substance or of the complex object comprising the reported articles containing Candidate list substances throughout the entire life cycle including the useful life, dismantling and the waste/recycling phase. Or Simple, clear and concise instructions to ensure the safe use of the reported article or complex object. This means instructions which are considered as sufficient to enable safe use of the article as such containing Candidate List substances or of the complex object comprising articles containing Candidate List substances. If deemed necessary, it must cover the entire life cycle, including the useful life, dismantling and the waste/recycling phase. Such instructions should be the result of an evaluation carried out in accordance with the guidelines in subchapters 3.2.1 and 3.4.1 of the SiA Guidance.	R ³⁾
Components of complex objects	References to a component (either a component of the complex object or an article as such) of the complex object containing SVHC substances. This requirement shall not apply to an article as such.	M ¹⁾ (Only for complex objects)
Candidate List substance	Identification of the Candidate List substance contained in the article and listed in the official Candidate List of substances of very high concern for the approval (published in accordance with Article 59, Par. 10 of the REACH Regulation)	M ¹⁾
Concentration of the substance	Concentration of the Candidate List substance in the article in the form of concentration ranges in percentage by weight (w/w). The concentration range (percentage w/w) is indicated from a list of predefined ranges one of which is the complete range which causes the obligation of a SCIP notification: > 0.1 % w/w and ≤ 100 % w/w.	R ³⁾

Table 1– Information required for a SCIP notification (continued)

Requirement	Description	M/R/O
Material category	<p>Identification of the material of which the article consists (article matrix) which contains the Candidate List substance.</p> <p>The identification of the material which the article consists of (article matrix) is provided from a predefined list of material categories prepared by ECHA. The list contains general main categories, each of which has sub-categories, with the exception of the category "Others". Each category, with the exception of the "Others" category, contains at least one general sub-category which aims to fulfill this requirement for materials which are not covered by other specific sub-categories within a category. They also allow (as well as the "Others" category) in justified cases to report information without going too much into detail, even if more detailed information is not available.</p>	#M ²⁾
Mixture category	<p>Where relevant, the identification of a mixture with the Buyer List(s) substance/s integrated in the further processing step (e.g. coating) of an article or for the connection or assembly of two or more articles in a complex object (e.g. bonding agent, solder). This identification is done on the basis of a predefined list of mixture categories (the European Product Classification System (EUPCS), which is used to describe "the intended use of a mixture").</p> <p>The EUPCS includes broad categories. These broad categories in the framework of a SCIP notification are mainly aimed at meeting this requirement if this is justified without going too much into detail, including those cases where no more detailed information is available.</p> <p>The mixture category allows identification where the Candidate List substance is present in the article, e.g. if the substance is not present in the main material of the article matrix. For this purpose, it is also required for certain objects which are considered to be articles with an integral substance/mixture according to Chapter 2 of the SiA Guidance (e.g. thermometer with liquid and battery) for which the material category is not suitable.</p>	
¹⁾ M (Mandatory): ²⁾ #M: ³⁾ R (Required): ⁴⁾ O (Optional):	<p>Data has to be made available because it is legally and/or technically required; if no data is provided for the application, the submittal of the notification will fail and the obligation is not fulfilled.</p> <p>Has to provide at least the material category or the mixture category according to the respective requirements</p> <p>An input is required, e.g. by selecting one of the options in a drop-down list or by ticking a box; however, this can be fulfilled without specifying data, e.g. if no information is available or no additional information has to be made available; in these cases, the corresponding option among the available options can be selected (e.g. "No data") or an explanation shall be made that no data need to be made available by ticking a box.</p> <p>The data may be made available as an option.</p>	

Annex A (for information purposes) Sources and assistance

Information on sources and assistance can be found under the following links:

- Platform for European regulations, directives and resolutions, in all existing versions and official European languages. The year and number of publication have to be input in the search mask:
<https://eur-lex.europa.eu/>
- Support section of the European Chemicals Agency (ECHA):
<https://echa.europa.eu/support/guidance>
- Reach-CLP-Biozid Helpdesk – national information center of the German Federal Government:
https://www.reach-clp-biozid-helpdesk.de/EN/Home/Home_node.html
Reach Helpdesk – German Federal Environmental Agency:
<https://www.umweltbundesamt.de/themen/chemikalien/reach-chemikalien-reach>
- Help tools: Identification of SVHC in articles:
<https://www.reach.baden-wuerttemberg.de/svhc-in-erzeugnissen/arbeitshilfen-ermittlung-svhc>

Annex B (for information purposes) Abbreviations

Table B.1 provides an overview of abbreviations used in connection with the issue of material compliance.

Table B.1 – Abbreviations relating to material compliance

Abbreviation	Long text
AfPS	Product safety committee
baua	German Federal Institute for Occupational Safety and Health
CMR	carcinogenic, mutagenic, reprotoxic
ECHA	European Chemicals Agency
GefStoffV	Gefahrstoffverordnung (German Hazardous Substances Ordinance)
GS	Approved safety
KM	Conflict minerals
LZL	Guideline for cooperation with suppliers
PAK/PAH	Polycyclic aromatic hydrocarbons
PBT	persistent/bioaccumulative/toxic
POP	Persistent organic pollutants
QSV	Quality assurance agreement
QUVZ	Quality and environmental agreement
REACH	Registration, Evaluation, Authorization and Restriction of Chemicals (Registrierung, Bewertung, Zulassung und Beschränkung von Chemikalien)
RoHS	Restriction of Hazardous Substances (Beschränkung (der Verwendung bestimmter) gefährlicher Stoffe)
SCIP	Substances of Concern In articles as such or in complex objects (Products)
SiA Guidance	ECHA Guidance on requirements for substances in articles
SVHC	Substances of very high concern
VPvB	very persistent and very bioaccumulative

Bibliography

SiA Guidance: https://echa.europa.eu/documents/10162/2324906/articles_en.pdf

Furthermore, more optional items of information are possible, such as figures, dismantling instructions, etc. Details can be found on the web pages of the European Chemicals Agency.

Source:

https://echa.europa.eu/documents/10162/28213971/Information_requirements_for_scip_notifications_en.pdf/db2cf898-5ee7-48fb-e5c8-4e6ce49ee9d2

DIN 62542	Environmental standardization for electrical and electronic products and systems
DIN EN 17173	Glossary of terms
DIN EN ISO 11148-13	European CBRNE glossary; Hand-held non-electric power tools – Safety requirements Part 13: Fastener driving tools
SN 373 Supplementary sheet 1	Material Compliance - Overview of prohibited and declarable substances

Changes

Amendments made in comparison with SN 373: 2021-09:

- a) Updating of links to external sites

Previous editions

SN 373:2021-09