

Status of electronic cigarettes under REACH and CLP

Introduction

Increasing in popularity as an alternative to traditional cigarettes, electronic cigarettes are small, battery operated devices which deliver inhalable vapours. To function, they contain a liquid mixture of chemical substances, usually including nicotine, which is normally heated to release the vapours. Earlier this year, the UK's Medicines and Healthcare products Regulatory Agency, MHRA, announced that electronic cigarettes will in the future be regulated as medicinal products. In light of this announcement, REACHReady was approached by an electronic cigarette importer needing guidance on the status of the products under REACH and CLP and on the company's obligations.

Solution

During an initial telephone discussion with the importer, a member of REACHReady's technical team confirmed that electronic cigarettes fall within the full scope of REACH and CLP, but that once a product is regarded as a medicine, certain aspects of these regulations do not apply.

To obtain more detailed information and guidance on meeting their REACH and CLP obligations, the importer signed up as a Gold subscriber. During the complimentary one-hour telephone consultancy, REACHReady's technical expert explained that electronic cigarettes are regarded as containers of a mixture of substances. Depending on the quantity imported, the importer may have REACH registration obligations for the substances in the mixture. However, if they are "phase-in" substances the importer may be able to defer full registration to the 2018 deadline by submitting pre-registrations.

Having already classified the mixture, the importer used the REACHReady Helpdesk to confirm the substances they needed to notify under CLP, and to seek guidance on preparing safety data sheets (SDS) for the hazardous mixtures imported and supplied to business recipients, such as retailers.

Results

A plan of action for the importer was identified with the company, including:

1. Identification of the substances in the electronic cigarettes, together with the annual quantities, in order to ascertain any REACH registration duties
2. Review of the classification of the mixtures with a view to updating SDS, labelling and making the necessary CLP notifications.

Further information

REACHReady's aim is to help our customers find the cost-effective solution which will best meet their requirements. The Helpdesk is a key benefit of the Gold subscription package (£375 + VAT per subscriber) and is ideal for dealing with questions and obtaining clarification on best practice.

We aim to provide a value-for-money service of the highest quality and the flexibility to fit your budget.

For more information please call +44 (0) 20 7901 1444 or email enquiries@reachready.co.uk