Düsseldorf, 23 October 2017

Industrieverband Klebstoffe e.V.

Position Paper

of the German Adhesives Association

Baffles and Reinforcements are Articles under REACH

Modern automobiles rely on baffles and reinforcements inserted into a car body's cavities to protect against ingress of dust or water, to reduce sound propagation or to structurally strengthen the body. This contributes to properties like lightweight construction, energy efficiency, comfort and longevity.

Such parts commonly use different materials, in particular a polymer or metal based core specifically adapted to the form of the cavity and an adhesive layer also following the form of the cavity and serving to permanently fix the part in the car and to close any gaps for a tight fit. To ensure easy placement of the part the design includes a gap, which is closed during the KTL curing step in an oven, where the thermoplastic outer layer softens, expands to a foam and forms the adhesive bond to the body structure. On cooling a solid polymer is formed again. Due to this process the form of such a part is individually designed during product development to fit the specific place of installation. This form is essential for the functions of sealing and/or reinforcing the structural element. The adhesive layer also has to fulfil the chemical steps of gas generation for foaming and of forming an adhesive bond to the substrate.

In European chemical legislation, specifically the REACH regulation (Regulation (EC) No. 1907/2006) and the CLP regulation (Regulation (EC) No. 1272/2008), three product types are differentiated: substance, mixture and article. For all participants in the supply chain different duties result from this distinction. More specifically several rules in these regulations do not apply to articles, but only to substances and/or mixtures. Classification according to the CLP regulation and provision of safety data sheets according to Annex II of the REACH regulation can be given as examples. An article is defined in article 3(3) of the REACH regulation as:

article: means an object which during production is given a special shape, surface or design which determines its function to a greater degree than does its chemical composition.

Baffles and reinforcements receive during their production a specific shape and they need for their expansion and bond formation a certain chemical composition. This leads to the question whether shape or composition are more relevant for their function. The function is to be seen as sealing and reinforcing the cavity of the structural element of a car's body. This question cannot be answered solely on the basis of the legal text cited above. The European Chemical Agency (ECHA) has therefore issued a comprehensive guidance, including checklists, decision trees and examples to assist in such a decision. By applying these criteria the German Adhesives Association (IVK) concluded that **baffles** and **reinforcements** as described here are **articles** under REACH.

Main elements of this evaluation are:

- The shape of the part is essential for its function and is already defined during product development and fine tuned to a specific place of installation in a specific car model.
- The different materials used in the article cannot be separated in a non-destructive way and cannot perform the function individually. They are required together in their given form to fulfil the required function and stay connected and unchanged for the full lifetime of the car. This demonstrates that the core material is not a carrier to bring the adhesive to the place of use, but it is part of the function itself.
- A closely related example of an article given in the guidance is an adhesive tape for fixing carpets, where similarly an adhesive layer performs the function of bond formation and a carrier layer is responsible for the strength of the tape. Conclusively both materials perform the function together.

In consequence baffles and reinforcements are not classified or labelled according to CLP and no safety data sheet according Annex II of REACH is issued for them by the member companies of the German Adhesives Association (IVK).

To provide customers of these products with relevant information for safe use and handling the German Adhesives Association (IVK) recommends to its members to supply a voluntary safety information in analogy to the safety data sheet where applicable.

Industrieverband Klebstoffe e.V.

Düsseldorf, 04.12.2025

Annex A to the IVK Position Paper "Baffles and Reinforcements are Articles under REACH", dated 23 October 2017 (hereinafter "IVK Position Paper")**.**

IVK comments on ECHA "Catalogue of borderline cases between Articles and Substances/Mixtures" - Version 4.0, May 2025 (hereinafter "Catalogue") **– Case "Cavity sealing system".**

Between the 1st version, published in March 2023, and the 4th version of May 2025, additional borderline cases have been incorporated into the Catalogue. The Catalogue is intended to facilitate the assessment of such cases, as outlined in the ECHA "Guidance on requirements for Substances in Articles". We welcome ECHA's efforts to further clarify the distinction between Articles and Mixtures, particularly with respect to cavity sealing products.

Among the newly introduced borderline cases, the "Cavity sealing system" (see pages 21 and 43 of the Catalogue), exhibits notable similarities to the products addressed in the IVK Position Paper.

This Annex A to the IVK Position Paper has been prepared to provide commentary on this particular borderline case. It should be emphasized that the Catalogue does not possess legally binding force, and this Annex A is intended exclusively as a commentary.

Comments:

For sealing car bodies, a wide range of cavity sealing systems exist, that differ significantly in their characteristics and applications. The material described in the Catalogue, when applied using an extruder and lacking a defined shape after application, is considered a pumpable cavity sealer. In such cases, classifying the material as a Mixture is appropriate. By contrast, Baffles and Reinforcers – used for the same purpose of cavity sealing – are manufactured in shapes specifically designed for designated locations within car bodies, directly reflecting their intended function. They are prefabricated components designed and purpose-built for specific applications, and installed at specific, predetermined locations within the vehicle structure. Therefore, Baffles and Reinforcers do not fall under the description provided in the Catalogue and must be classified as Articles.

The attached IVK Position Paper provides a comprehensive rationale supporting the classification of these products as Articles under REACH.

The conclusion that Baffles and Reinforcements qualify as Articles under REACH, as articulated in the IVK Position Paper, remains valid in the light of the ECHA guidance and decision-making process, notwithstanding the description of the additional borderline case.

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