

EPMA European Structural Parts Group

**Harmonisation of Safety Data Sheets (SDS) for Fe Base Metal
Powders and Metal Powder Mixes for Uses in PM Processes**

“SDS”

Consortium Agreement

Issued November 2014

The Project – “SDS” as defined in Annex 1

The Contractor –

- Powder Metallurgy Solutions: Dr. Volker Arnhold Kottsiepen, 62 42369 Wuppertal, Deutschland / Germany: **IC**

The Coordinator –

- The European Powder Metallurgy Association: Talbot House, 2nd Floor , Market St., Shrewsbury, SY1 1LG, England: **EPMA**

The Members – Paid up corporate EPMA members funding the Project

The Participants – The Contractors and the Members

UV = Unanimous vote of The Members

MV = Majority vote of 2/3 Members or higher

Heads

1. The Members and Contractors agree to cooperate in order to complete the Project according to Annex 1.
2. The exchange of information during this project will be strictly limited to the topic ‘Harmonization of Safety Data Sheet’. All information generated under the Project will be strictly limited to the topic ‘Harmonization of Safety Data Sheet’. All information generated under the Project may only be disclosed to third parties (e.g. in Safety Data Sheet) after delivery of the final written report to Members.
3. The Contractors agree to not carry out a similar project on Harmonisation of Safety Data Sheets (SDS) for Fe Base Metal Powders and Metal Powder Mixes for Uses in PM Processes with organisations other than the Members until completion of the Project (delivery of the final report).
4. The Members agree **to share equally the cost of the Project** (EUR 13,560). The required minimum number of Members is **four** unless the Members agree to exceed the maximum Project Fee.
5. **VAT**: The Project Fee is excluding VAT if applicable. Non UK participants do not pay VAT provided they give their VAT number to the EPMA. UK participants have to pay VAT regardless and then reclaim it.

Powder Metallurgy Solutions

6. The Members also undertake to provide the Contractors with the necessary materials (powders, specimen etc...) for the Project. If no agreement on in-kind contribution between the industrial partners can be found or if the Consortium agrees to subcontract it internally or externally at an additional cost, the EPMA will coordinate this task "Work Package 0" and charge each Member equally to cover the cost plus an administrative fee of 13%.
7. **Payment Schedule:**
For Work Package 0 (if necessary): Full payment within one month of invoice.
For "SDS" Project:
 - **50% at the start,**
 - **50% after completion** of the "SDS" Project and delivery of the final report.
8. New paying members may be admitted during the Project by UV on payment of an additional reasonable premium (10%). The premium will be used to decrease the Project Fee for the other Consortium Members.
9. Except for the deliverables detailed in Annex 1, each Participant will retain the Intellectual Property for any other outcomes of the Project.
10. **Warranty.** The Contractor's warranty extends solely to the use of due scientific diligence and to compliance with accepted engineering practice. The Contractor does not guarantee that the desired objectives of this research and development Project will be achieved.
11. **Liability.** The Contractor is liable solely for wilful actions and gross negligence. Liability for proven damage is limited to the amount of the contractual sum.

All the terms of this agreement may be changed by UV, except for 4, 9 & 10.

Coordination will be undertaken by the EPMA, who will have responsibility for invoicing, day to day liaison with the Contractors and keeping Consortium Members informed. The EPMA will operate under the same confidentiality agreement as Members and the EPMA President will arbitrate any unresolved disputes.

Signatures: Signed individually by all Members and Contractors

ORGANISATION:

VAT NUMBER:

NAME:

DATE:

SIGNATURE:

Annex 1

Title: **Harmonisation of Safety Data Sheets (SDS) for Fe Base Metal Powders and Metal Powder Mixes for Uses in PM Processes**

Partners: Member companies of EPMA **producing metal powders and respective mixtures** and **PM parts producers receiving such powders** press-ready or for further in-house processing before compaction.

Structure: Club Project coordinated by EPMA (Olivier Coube) managed by an independent industrial consultant (IC, Volker Arnhold)

Background: After the introduction of REACH all metals have been registered or are under registration. These registrations also cover the uses in PM processes. One consequence of REACH has been the introduction of new SDS, containing additional information compared to the traditional layout and former legal necessities.

The SDS are generated by the powder makers for their products but may also have to be generated by parts makers, if they run mixing plants within their organisation (→ transfer to another legal entity).

Some parts makers are supplied by several powder producers with identical or similar powders, mixes, alloys, diffusion alloyed grades, etc. Comparisons of the respective SDS done by parts makers in the past showed that in some cases the SDS for the same (or very similar) powders or mixes contain different information (e.g. classifications) and/or give different advice in case of problems (e.g.

actions in case of fire). Such a situation may lead to problems with audits or in-house generated SDS due to wrong or inconsistent data.

REACH has enforced the duty and some rules in respect of data sharing during the registration phase. Furthermore ECHA also made the following statement (taken from 'Guidance in a Nutshell – Data Sharing'): *'It is important to underline that it is under industry's responsibility to decide how to best comply with data sharing obligations. ECHA has set up procedures and provides guidance to assist registrants. Nevertheless registrants are free to choose and agree on the form of cooperation and the data sharing approach they consider appropriate.'*

In principal this statement covers the registration phase, but it makes sense to use a similar approach for further legally introduced activities like SDS. Anyhow, REACH is heavily relying on the exchange of information along the supply chain.

Note: Other powder producers (Non-Fe powders) organized in the European Metal Particulates Association (EMPA) have exercised such a harmonisation during the registration phase.

Project Steps + Time Frame:

1. Definition of powders to be / powder grades evaluated

Members to decide which sections of the SDS need harmonisation (kick-off meeting & follow-up actions)

– 4 weeks

2. Collection via the industry experts of all available SDS from the different suppliers by IC

– 6 weeks
3. Analysis of the SDS and report by IC showing findings, differences, contradictions between SDS (Report to be distributed)

– 4 weeks
4. Based on this report: Working meeting of Members to overcome possible differences in the SDS and achieve a common understanding for all definitions, classifications, conditions of use, safety advices... → Final report

- 6 weeks

Total Time Frame: 24 weeks (max.)

Budget:

€ 12,000: IC

€ 1,560: EPMA Management Fee (13%)