REACH E-NEWSLETTER



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SGS

WELCOME

Dear Reader,

The UK REACH e-bulletin brings you key issues relating to the EU REACH (Registration Evaluation and Restriction of Chemicals) regulation.

We bring information on proposed changes, confirmed changes and the possible effects of these changes from a manufacturing, retail and consumer perspective. Opinions from all concerned parties are reported so a full picture of the workings and effects of the regulation are shared.

The information in the following pages is sourced from the European Chemicals Agency (ECHA) and government sources (HSE, DEFRA etc.). Each of our articles are linked back to source for further reading.

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PROTECTING EUROPEAN CONSUMERS: TOYS AND CARS ON TOP OF THE LIST OF DANGEROUS PRODUCTS

On 5 April the European Commission released its 2018 report on the Safety Gate for dangerous products, the former Rapid Alert System (Rapex).

The report shows that authorities exchanged 2,257 alerts on dangerous products. Toys belonged to the most notified product category (31%), followed by motor vehicles (19%), and clothing, textiles and fashion items (10%), while the main risks flagged were chemical risks and injuries (25% each) followed by the choking risk for children (18%).

Věra Jourová, Commissioner for Justice, Consumers and Gender Equality said: "The Safety Gate is a key tool to protect Europeans from dangerous products and it really works. With more than 2,000 alerts and nearly double as many recalls and removals from the market, the report shows effective enforcement of the rules. We will continue to work with national authorities and third countries to keep all European consumers safe."

Product recalls are one of the most common measures to reduce the risks posed by dangerous products, however the proportion of products successfully recovered from consumers remains generally low. The results of a new survey on the issue show that a third of the respondents consciously continue to use recalled products, suggesting that recall notices may not have much effect on consumers and/or that the risk may not be communicated clearly enough.

More than half of all the detected dangerous products come from China. Cooperation with Chinese authorities in the product safety field continues to be a priority, but the results are mixed. The Commission continues to work with the competent Chinese authorities on this. This includes raising awareness about the product safety rules that need to be met when selling to EU consumers.

BACKGROUND

Since 2003, the Rapid Alert System ensures that information about dangerous non-food products withdrawn from the market and/or recalled anywhere in Europe is quickly circulated between member states and the European Commission. This way, appropriate follow-up action (ban/stop of sales, withdrawal, recall or import rejection by customs authorities) can be taken everywhere in the EU. The Rapid Alert System was renamed the Safety Gate by the European Commission.

The Safety Gate has a dedicated public website that provides access to weekly updates of alerts submitted by the national authorities participating in the system. Every week, around 50 alerts are registered and published on the web.

Businesses also can use the Business Gateway to quickly and efficiently warn national authorities about a product that they have put on the market that might be unsafe.

The Safety Gate website can be found here.

UK STATISTICS

In the UK the three most common product categories notified were:

Motor vehicles: 41%

Toys: 19%

Electrical appliances and equipment: 18%

The three most common risks notified were:

Injuries: 34%

Electric shock: 17%

Choking: 16%

Source: European Commission

AUTHORIZATIONS GRANTED FOR USES OF THREE SUBSTANCES

The European Commission has granted authorizations for:

- two uses of sodium chromate and two uses of potassium chromate (EC 232-140-5, CAS 7789-00-6) to Saes Getters S.p.A.; and
- one use of dibutyl phthalate to AVX Limited.

Source: ECHA

SUBSTANCE	EC NO.	CAS NO.	COMPANY	AUTHORIZED USE	EXPIRY DATE
Potassium chromate	232-140-5	7789-00-6	Saes Getters S.p.A.	Use of potassium chromate in the fabrication of alkali metal dispensers for production of photocathodes.	6 March 2026
Sodium chromate	231-889-5	7775-11-3	Saes Getters S.p.A.	Use of sodium chromate in the fabrication of alkali metal dispensers for production of photocathodes.	6 March 2026
Potassium chromate	232-140-5	7789-00-6	Saes Getters S.p.A.	Use of alkali metal dispensers containing potassium chromate for production of photocathodes.	6 March 2026
Sodium chromate	231-889-5	7775-11-3	Saes Getters S.p.A.	Use of alkali metal dispensers containing sodium chromate for production of photocathodes.	6 March 2026
Dibutyl phthalate (DBP)	201-557-4	84-74-2	AVX Limited	Industrial use in the manufacture of ceramic sheets for the production of multi-layer ceramic capacitors.	21 March 2016

COMMISSION PUBLISHES 12TH ATP TO THE CLP REGULATION

On 27 March 2019, the European Commission published the 12th adaptation to technical progress (ATP) to the CLP Regulation, implementing the sixth and seventh revised editions to the Globally Harmonized System (GHS) of Classification and Labelling.

Source: EUR-Lex

ECHA CALLS FOR EVIDENCE ON LEAD AND DIISOCYANATES

On 17 April ECHA issued a call for comments and evidence on lead and diisocyanates, to support its recommendations on occupational exposure limits (OELs) for the compounds.

The call targets companies, trade associations and any other stakeholders or member state authorities, the Agency says. It is asking for information on:

- uses;
- exposure;
- health effects;
- toxicology;
- epidemiology; and
- modes of action.

This will help ECHA in drafting the scientific reports that will form the basis of its proposals for OELs under the carcinogens and mutagens Directive (CMD) and the chemical agents Directive.

Lead and its compounds and diisocyanates are the first OEL recommendations ECHA has been tasked with since it took over the responsibilities of DG Employment's Scientific Committee on Occupational Exposure Limits (SCOEL), earlier this year.

The deadline for comments is 30 June 2019.

Source: ECHA

POISON CENTRES NOTIFICATION FORMAT UPDATED

Version 1.0 of the Poison Centres Notification (PCN) format was published in April 2018. A pilot project was launched shortly after in order to assess its usability, in collaboration with the relevant stakeholders in industry, appointed bodies and poison centres. As a result, the identified fixes and improvements have now been taken into consideration and a slightly revised version (1.1) is available in the section dedicated to the PCN format on the Poison Centres website.

One modification made consisted in clarifying the way notification updates are recorded in the format, for example. The feedback collected during the pilot project also served as input for an update of the documentation provided together with the format, including the example notification in IUCLID 6 format and the corresponding notification preview.

The IUCLID version published in October 2018 and downloadable from the IUCLID website already incorporates the latest changes, at a technical level. Another IUCLID update is expected to be released, at the end of April 2019, together with the PCN portal, to provide users with a specific PCN wizard to prepare notifications.

BACKGROUND INFORMATION

The PCN format structures the information submitted to the member state appointed bodies. The format has been organized based on the information and data requirements laid out in Annex VIII to the Classification, Labelling and Packaging (CLP) Regulation. The PCN format is compatible with IUCLID, a software that is developed at OECD level and promotes the harmonization of information on chemicals.

Source: Poison Centres

EUROPEAN CHEMICAL AGENCY GENERAL REPORT 2018

Presented in an interactive and concise format, ECHA's new General Report outlines the Agency's achievements over the course of 2018. It also looks ahead to their future plans and goals as they continue to work for the protection of human health and the environment.

Source: ECHA

SUBMISSION DATES FOR RESTRICTION PROPOSALS

On 19 July ECHA will submit restriction dossiers for a number of lead chromates, calcium cyanamide and organophosphate flame retardants.

The substances are:

- calcium cyanamide (CAS 156-62-7
  - Annex XV restriction determining whether the use of calcium cyanamide as a fertilizer poses an unacceptable risk to the environment.
- lead chromate;
- lead chromate, lead sulfochromate yellow (C.I. Pigment Yellow 34); lead chromate molybdate sulphate red (C.I. Pigment Red 104) (CAS -).
  - The restriction targets articles that contain lead chromate

- tris(2-chloroethyl) phosphate (TCEP); tris(2-chloro-1-methylethyl) phosphate (TCPP); reaction mass of tris(2-chloropropyl) phosphate and tris(2-chloro-1-methylethyl) phosphate and phosphoric acid, bis(2-chloro-1-methylethyl) 2-chloropropyl ester and Phosphoric acid, 2-chloro-1-methylethyl bis(2-chloropropyl) ester (TCPP); reaction products of phosphoryl trichloride and methyloxirane (TCPP); tris[2-chloro-1-(chloromethyl)ethyl] phosphate (CAS -).
  - Restricting the placing on the market of childcare articles and residential upholstered furniture with PUR foams containing TCEP, TCPP and TDCP. A restriction may cover mattresses for adults and textiles as well.

Source: ECHA

TWO RESTRICTION DOSSIERS SUBMITTED

On 12 April, the following restriction dossiers were submitted and listed in the registry of intentions:

- A proposal by France and Sweden to restrict skin sensitizing, irritative and/or corrosive substances (EC/CAS -).
- A proposal by Norway to restrict perfluorohexane-1-sulphonic acid, its salts and related substances.

ECHA's committees are currently performing a conformity check on the reports. ECHA will publish the reports on its website to ensure transparency and to help stakeholders prepare for the six-month public consultations on the reports.

The public consultations are expected in June 2019 if the reports pass conformity.

SUBMITTER(S)

France

Sweden

DETAILS ON THE SCOPE OF RESTRICTION

Restricting the placing on the market of textile and leather articles containing skin sensitizing, irritative and/or corrosive substances.

REASON FOR RESTRICTION

The dossier submitters' starting point is skin sensitizing, irritative and/or corrosive substances that may be present in textile and leather articles, including classified substances as skin sens. under CLP 1/1A/1B and/or skin irrit. 2 and/or skin corr. 1/1A/1B/1C as well as the substances recommended to be classified as such by RAC

REMARKS

The proposal intends to cover the placing on the market of textile and leather articles, hides and furs intended to come into direct and prolonged contact with the skin.

Stakeholders are requested to provide any information relevant to the dossier submitter during the Annex XV Restriction Dossier process, either in any call for evidence or separately during the process. This information will be used, amongst other issues, to determine if any derogations are required for the potential restriction as these cannot be proposed without adequate risk and socio-economic information. If a derogation is not proposed by the dossier submitter then it will be incumbent on the relevant stakeholders to do so during any public consultation process with a full risk and socio-economic justification accompanying it

SUBMITTER(S)

Norway

DETAILS ON THE SCOPE OF RESTRICTION

The proposal intends to restrict the manufacture, use and placing on the market of PFHxS, its salts and related substances as substances, constituents of other substances, mixtures and articles or parts thereof.

REASON FOR RESTRICTION

PFHxS is a substance of very high concern due to its very persistent and very bioaccumulating properties. PFHxS-related substances degrade to PFHxS. The substance is found in high levels in the environment, and studies indicate increasing concentrations in the environment and in human blood serum. Norway has submitted a proposal to list PFHxS, its salts and PFHxS-related compounds in Annexes A, B and/or C to the Stockholm Convention on Persistent Organic Pollutants.

BACKGROUND

The registry of restriction intentions until outcome lists the intentions and Annex XV restriction proposals received by ECHA.

A restriction proposal may be prepared by a Member State or by ECHA at the request of the Commission or on its own initiative for substances in the Authorization List. It is a legal requirement for a member state to notify ECHA of its intention to prepare a restriction dossier. The advance notice enables interested parties to plan and prepare for commenting later on.

Interested parties can follow the progress of a proposal through the restriction process, from the notification of the intention to the adoption of the final opinions by the Committee for Risk Assessment (RAC) and the Committee for Socio-economic Analysis (SEAC), and the adoption of the restriction by the European Commission.

Stakeholders are encouraged to submit any relevant information to the dossier submitters during the preparation of the restriction proposal and during the public consultations. Information to motivate any exemptions to the scope described in the intention is particularly useful to receive in the preparatory phase of the dossier.

Source: ECHA

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