# **REACH E-NEWSLETTER**

#### **REACH E-NEWSLETTER**



- ▶ FRENCH AGENCY WARNS ABOUT ALLERGENS, IRRITANTS IN CLOTHING AND FOOTWEAR
- UK 'NO-DEAL' BREXIT CHEMICALS PLAN DUE IN AUTUMN
- AUTHORISATION ACTIVITIES
- CALL FOR EVIDENCE: RESTRICTION OF PERFLUOROHEXANE-1-SULPHONIC ACID, ITS SALTS AND RELATED SUBSTANCES
- **COUNCIL OF MINISTERS URGES ACTION ON TRACKING SUBSTANCES OF CONCERN**
- decaBDE PROPOSAL WOULD 'END RECYCLING OF CAR ELECTRONICS PLASTICS' IN EUROPE
- **ENFORCEMENT PROJECT TO CHECK EU INTERNET CHEMICAL SALES**
- **FIRE RETARDANT RESTRICTION INTENTIONS**
- MEMBER STATES BACK EU PHTHALATES RESTRICTION PROPOSAL
- ▶ NEW DATABASE ON CANDIDATE LIST SUBSTANCES IN ARTICLES BY 2021
- ▶ NOTE ON SUBSTANCE IDENTIFICATION AND SCOPE OF RESTRICTION ON MICROPLASTICS PUBLISHED
- ► REGISTRATION UPDATE ADVICE FROM ECHA
- ▶ 'TOMORROW'S TECHNOLOGY WILL SUFFER' FROM SILOXANES SVHC DECISION
- ▶ REACH CANDIDATE LIST PROCESS 'WILL SPEED UP' AFTER BREXIT



# 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 European Chemicals Agency (ECHA) and Chemical Watch. Each of our articles are linked back to source for further reading.

# **CONTENTS**

French agency warns about allergens, irritants in clothing and footwear	3
UK 'no-deal' Brexit chemicals plan due in autumn	4
Authorisation activities	5
Call for evidence: restriction of perfluorohexane-1-sulphonic acid, its salts and related substances	5
Council of Ministers urges action on tracking substances of concern	6
decaBDE proposal would 'end recycling of car electronics plastics' in Europe	7
Enforcement project to check EU internet chemical sales	8
Fire retardant restriction intentions	8
Member States back EU phthalates restriction proposal	9
New database on Candidate List substances in articles by 2021	9
Note on substance identification and scope of restriction on microplastics published	10
Registration update advice from ECHA	10
'Tomorrow's technology will suffer' from siloxanes SVHC decision	11
REACH Candidate List process 'will speed up' after Brexit	12



Tests have revealed the presence of 20 potential allergens and skin irritants in clothing and 50 in footwear, the French Agency for Food, Environment and Occupational Health and Safety (Anses) has said.

The French ministries asked Anses to carry out an inventory on the toxicity of substances in the products, amid regular reports of cases of allergies and skin irritation relating to them.

The test results will support a restriction proposal under REACH by France and Sweden on skin sensitising and irritating substances in clothing and footwear.

Anses tested 25 textile articles and confirmed, among others, the presence of nonylphenols (NPs), nonylphenols ethoxylates and formaldehyde, the agency said. Nonylphenol and formaldehyde can cause severe skin burns and eye damage, according to their EU harmonised classification and labelling.

It also identified substances "not routinely analysed", such as 1.4-paraphenylenediamine (PPD), organotin derivatives or azo dyes, that could lead to contact dermatitis. PPD was found in 20% of apparel textile articles, while 16% contained heavy metals, including lead and mercury.

Fourteen footwear samples were also analysed. All leather parts tested had a chromium VI content below the 3mg/kg regulatory limit under REACH, it said.

#### RECOMMENDATIONS

The agency issued the following recommendations to authorities:

- maintain control of footwear and clothing textiles placed on the market to avoid the presence of substances not complying with regulations;
- revise the regulatory threshold for chromium VI in leather goods;
- set a regulatory threshold for nickel in textiles; and
- propose a classification under the CLP Regulation for unregulated substances, identified as skin sensitisers and/or irritants.

Studies to obtain toxicological data should be conducted for CI Disperse Orange 37/76 and CI Disperse Yellow 23 dyes – two dyes for which no such data are available, Anses said.

And it encouraged retailers to check with their suppliers for the presence of carcinogenic, mutagenic and reprotoxic (CMR) substances, skin sensitisers or irritants in their products.

They should also work towards establishing an information system for consumers to raise awareness of the potential presence of these.

Anses also advised consumers to wash new garments before wearing them for the first time. NPs were eliminated after washing, it said, but concentrations of PPD did not change.

The agency has also set up a pioneering biomedical study to investigate cases of allergy or skin intolerance that may be related to chemicals in clothing or footwear. Its second phase will be completed in October.



The UK's environment ministry (Defra) is working on a "large and detailed" draft of a statutory instrument to transfer the "responsibilities and operability" of ECHA to a UK agency in the event of a no-deal Brexit scenario.

The draft should be laid out in Parliament this autumn, Defra's deputy director of EU environment Gabrielle Edwards told a House of Lords select committee on 18 July.

The draft, she said, will "essentially build the UK regulatory capacity by extending the role of the Health and Safety Executive and the environment agency and ensuring we put in place arrangements to ensure there is suitable transparency and a requirement to seek external advice to replace some of the work that is done in the ECHA and technical scientific committees".

The draft regulation is one of three the government is discussing, she

said. Another would give effect to an "optimistic assumption" that the UK is moving into the proposed 'implementation period' – not quite business as usual, but still complying with REACH.

In addition, there would need to be legislation to enable the government to support arrangements for moving into a situation where it has a negotiated settlement with the EU along the lines set out in the Brexit White Paper published on 12 July, Ms. Edwards said.

#### **IT SYSTEM**

Meanwhile work continues on the government's IT system, which junior environment minister Thérèse Coffey told the committee she is confident will be in place by the time the UK leaves the EU on 29 March.

Plans include detailed delivery timelines for designing and procuring the system with ongoing reviews "to ensure they remain on track," she said. Defra is trying to build a system that "as far as we can will replicate what the ECHA system does". Some of the fuller functionality that is not required necessarily on day one would come on board on a "slightly slower" time scale, Ms. Edwards said. "The critical thing for day one is to have that registration function in place."

#### **REGISTRATION TRANSFERS**

In a no-deal scenario existing REACH registrations submitted by UK legal entities will become 'non-existent' from 30 March 2019. Under these circumstances, Ms. Edwards said Defra "would anticipate" a mechanism for transfer of registrations to be in place. Earlier this year, Cefic said the idea of allowing the transfer to downstream users of those chemicals in the EU was "theoretically possible".



#### EXAMPLES OF FEE CHANGES FOR APPLICATIONS FOR AUTHORISATION

A table has been published giving four examples of how the new Fee Regulation would affect the fees paid for applications for authorisation. (Examples are given on the ECHA website).

ECHA will continue to charge an unchanged base fee covering the application for an authorisation for one substance and one use. The revision of the Fee Regulation increases the fees charged for each additional use covered by the application.

The revised fees therefore take better account of the amount of work involved in assessing the applications. On the other hand, no fees will be charged for additional applicants. Therefore, joint applications are encouraged. If companies are of a different size, the highest applicable fee will be levied.

The revised fees will also apply to authorisation holders who submit a review report.

#### **AUTHORISATIONS APPROVED**

The Commission has granted authorisations for uses of the following substances:

 Chromium trioxide – conversion coatings for cadmium plated electrical connectors – by Souriau SAS, Amphenol Limited, Amphenol Socapex, ITT Cannon, Connecteurs Electriques Deutsch and Tyco Electronics UK Ltd.

- Potassium dichromate conversion coatings for cadmium plated electrical connectors – by Connecteurs Electriques Deutsch and Tyco Electronics UK Ltd.
- Sodium dichromate conversion coatings for cadmium plated electrical connectors – by Souriau SAS, Amphenol Limited, Amphenol Socapex and Tyco Electronics UK Ltd.
- 1,2-dichloroethane (EDC) use as a solvent in de-waxing and de-oiling of petroleum streams to produce oils and waxes – by H&R Ölwerke Schindler GmbH and H&R Chemisch-Pharmazeutische Spezialitäten GmbH.

Details are available online

#### DRAFT OPINIONS ON SUBSTANCE USE

The committees, RAC and SEAC, have recently discussed and agreed on draft opinions for applications in authorisation on uses of chromium (VI) substances, DBP and diglyme. They have also agreed on draft opinions on two review reports - these were the first review reports to be submitted under REACH. Each authorisation decision by the Commission for a substance on Annex XIV contains a time-limited review period. Close to its expiry, and if the substitution still cannot be done by the authorisation holder, a review report must be submitted to ECHA. The two review reports are on uses of DEHP-containing PVC recyclate. Further information is available on ECHA's

website.

Article source: HSE.gov.uk

#### CALL FOR EVIDENCE: RESTRICTION OF PERFLUOROHEXANE-1-SULPHONIC ACID, ITS SALTS AND RELATED SUBSTANCES

Norway is preparing an Annex XV restriction dossier concerning perfluorohexane-1-sulphonic acid, its salts and related substances (PFHxS) and is requesting interested parties to submit any information they must help with the preparation of the dossier.

The deadline for comments is 22 August 2018 (23:59 Helsinki time).

Call for evidence on the manufacture, import and use of the substances, as well as on the possibility for substitution, potential alternatives and on the economic impacts of substitution. Information on emissions and on the use in articles is also of interest.

PFHxS and PFHxS-related substances may be present in fire-fighting foams, food contact materials water/ stain-proofing agents, cleaning and polishing products (as surfactants or surface protection agents). PFHxS and PFHxS-related substances may also be present in electronic equipment, semiconductors and metal plating3. The available information suggests that it is technically possible to substitute PFHxS and PFHxS-related substances in a range of applications and that there may be suitable non-fluorinated alternatives on the market.

The information will be used in the preparation of an Annex XV restriction dossier on perfluorohexane-1- sulfonic acid, its salts and related substances including the socio-economic consequences of the restriction proposal and the feasibility of alternatives. Norway is planning to submit a restriction proposal to ECHA in April 2019, based on concerns about the substances PBT/vPvB properties. Furthermore, the information will be used in the global regulation process for PFHxS and PFHxS-related substances under the Stockholm Convention.

Article source: ECHA.europa.eu



The EU's Council of Ministers has called on the European Commission and ECHA to implement measures, to ensure that by 2030 substances of concern in materials – including those in imported articles – can be traced through the entire supply chain. This includes end-of-life operations.

The Council urged the Commission to develop harmonised tools to track the substances, in conclusions for delivering on the EU action plan for the circular economy, adopted recently.

Under REACH, suppliers of articles are already obliged to provide information on those containing SVHCs and recently agreed provisions in the revised waste framework Directive "complement REACH obligations in this respect", it said.

There is a need, the Council added, to ensure a more consistent approach between chemicals and waste classification rules.

In order to establish non-toxic material cycles, the Commission, ECHA and member states should define substances of concern to be "minimised or eliminated" in products and waste, it said. This will promote the circularity of products and achieve a high level of protection of human health and the environment.

It also emphasised the importance of ensuring a level playing field between

EU and non-EU produced articles. It suggested this could be done through "promoting the timely use of restrictions and enforcement of chemicals, product and waste legislation at EU borders".

The Council explicitly called on the Commission to ensure that SVHCs in imported articles face the same restrictions as substances that are not authorised under REACH for use in EUproduced articles.

#### **MANAGING WASTE**

On waste management, the Council said the detoxification of waste containing legacy substances should be the preferred option. However, it added that to reach non-toxic material cycles, "certain derogations" to such criteria may be appropriate in individual cases subject to conditions – provided that risks for human health and the environment are adequately controlled and properly communicated.

It also encouraged the Commission to develop methods to tackle management of waste containing substances of concern. And it said that, in consultation with member states, it wants the EU executive to identify waste types that typically contain legacy chemicals and that could successfully be recycled in a "restricted set of specific applications that are safe for health and the environment". It urged the Commission to develop concrete actions to remove "technical, financial and market barriers" that hinder recycling and prevent the uptake of secondary raw materials. This could include finding effective means to avoid, remove or reduce the presence of substances of concern "as much and as soon as possible" to ensure non-toxic material cycles.

#### **FITNESS CHECK**

The Council also asked the Commission to "urgently conclude" its fitness check of all non-REACH chemicals legislation. In January, the EU executive said the review had been delayed until the end of the year and it wants it to develop, in close collaboration with member states, an "overarching ambitious strategy for a nontoxic environment" in line with the 7th EAP and the Better Regulation agenda.

The Council has asked the Commission to produce an annual progress report on the implementation of the action plan for the circular economy. This will include:

- measures proposed in the plastics strategy; and
- the results of consultations and measures addressing the interface between chemicals, product and waste legislation.

# decaBDE PROPOSAL WOULD 'END RECYCLING OF CAR ELECTRONICS PLASTICS' IN EUROPE

A European Parliament proposal to set a concentration limit for the flame retardant decaBDE in substances, mixtures and articles, would put a stop to plastics from vehicles and electronics being recycled in Europe, according to recycling industry association, EuRIC.

The proposal, posted on the Parliament's website, has been forwarded to the European Commission as it considers plans to recast the persistent organic pollutants (POPs) Regulation. The aim is to update the Regulation and align it with other EU legislation and the UN's Stockholm Convention.

The proposal sets a concentration level for the substance equal to or below 10mg/kg, or 0.001% by weight.

Unlike other brominated flame retardants already listed in the POPs Regulation – tetraBDE, pentaBDE, heptaBDE and octaBDE – the proposal does not include a derogation for articles or mixtures produced from recycled material.

As a result, EuRIC says that should a concentration limit of 10mg/kg – as an unintentional trace contaminant for decaBDE – become mandatory under the POPs recast, recycling plastics from end-of-life vehicles (ELVs) and electrical and electronic waste (WEEE) will come to an end in Europe.

#### **'NO ADDED BENEFIT'**

The association says producing recycled plastics containing less than 10mg/kg of decaBDE is not technically feasible at the industrial scale, even for the "best performing operators with whom EuRIC is working".

The proposal, it says, would effectively stop recycling companies, which have invested heavily in the development of innovative sorting and treatment processes, from recycling plastics, while "bringing no added benefit to the protection of human health or the environment".

It adds that, if adopted, the proposal would result in "major negative environmental and social impacts" because plastics waste must be incinerated or placed in landfill, increasing the emissions of carbon dioxide (CO2).

The European Commission has not included decaBDE in its recast proposal because, according to EuRIC, a study with contributions from the association and ten EU member states, is ongoing. This aims to define the position of the EU on this low POP content limit value.

At the international level, a limit value and derogations under the UN's Stockholm Convention are yet to be agreed. The next Conference of the Parties of the Stockholm and Basel Conventions will take place next year where a decision is expected.

#### **UNWANTED PROPERTIES**

However, NGO the European Environment Bureau has welcomed the Parliament's proposal, which it says is in line with the "clean circular economy principles". In January, the European Commission published a series of planned actions and proposed options to combat the problem of substances of concern in products and waste.

EEB's senior policy officer, Tatiana Santos, told Chemical Watch her organisation supports recycling materials if the final product does not contain substances with unwanted properties.

"If recycled materials contain a substance of very high concern, the problem of continued emission in the environment would be perpetuated."

The goal, she says, of reducing exposure to POP substances – which is one of the main objectives of the POPs Regulation – would not be met, as well as the EU 7th Environmental Action Programme's goal for a non-toxic environment, material cycles and goals for hazardous substances and waste.

"Hazardous legacy is an obstacle to quality recycling needed for the circular economy. The EU needs to avoid reinjection in the economic cycle, even if to start with this may limit recyclability of contaminated material, that can then be burnt in specific incinerators from which heat recovery could be considered."

## ENFORCEMENT PROJECT TO CHECK EU INTERNET CHEMICAL SALES

EU national enforcement authority (NEA) inspectors will concentrate on online sales of substances, mixtures and articles under the eighth REACH Enforcement project (Ref-8).

It follows on from the 2017 ECHA Enforcement Forum project that checked more than 1,300 online adverts for hazardous chemical mixtures across the EU and found over 82% were noncompliant under the CLP Regulation.

Of the 1,083 non-compliant internet adverts, 903 did not mention the type or types of hazard indicated on the product label.

Ref-8 was agreed at the Forum meeting on 19-20 June. In a subsequent interview Forum vice chair Sinead McMickan said: "The project will include substances restricted under Annex XVII of REACH and possibly also cover some aspects of CLP, such as CLP obligations."

She added that the full scope is yet to be defined, but the project will run in 2020 with publication of the report expected by the end of 2021.

#### **AUTHORISATION PROJECT**

At its meeting, the Forum also agreed that inspections for the pilot project on authorisation focusing on chromium VI compounds and other substances will take place in 2020, a year later than first planned.

"This will allow us to target decisions granted and the downstream user notifications under Article 66 should have been submitted by that date so it will be a better time," Ms McMickan said.

REACH Article 66 stipulates that downstream users of an authorised chemical must notify ECHA within three months of the first supply of the substance.

For the project, inspectors will target companies that are using substances of concern without the required authorisation. They will also check that authorisation holders and their downstream users comply with the conditions of the authorisation decision.

Other substances to be targeted will be agreed at the November Forum meeting, Ms McMickan said.

Article source: ChemicalWatch.com

# FIRE RETARDANT RESTRICTION INTENTIONS



ECHA has recently submitted an intention to restrict three organophosphate flame retardants. ECHA's screening assessment identified a risk for children from exposure to the flame retardants TCEP, TCPP and TDCP in flexible polyurethane (PUR) foams in childcare articles and residential upholstered furniture. The Commission requested ECHA to prepare a restriction proposal. The submission is expected on 12 April 2019.

#### **SCOPE OF RESTRICTION**

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.

This restriction intention covers also the substance identified with the name Reaction products of phosphoryl trichloride and methyloxirane (TCPP).

Article source: ECHA.europa.eu

#### N°26 • JULY 2018 PAGE 9

#### **REACH E-NEWSLETTER**



### MEMBER STATES BACK EU PHTHALATES RESTRICTION PROPOSAL

EU member states have voted unanimously in favour of a proposal to restrict the phthalates DEHP, DBP, DIBP and BBP in articles.

The four phthalates are on the REACH Candidate List of SVHCs for their reprotoxic as well as endocrine disrupting properties.

Under the proposal they would be restricted to a concentration equal to or above 0.1% by weight individually or in any combination in any plasticised material in articles used by consumers or those used in indoor areas.

The proposal, which was approved at the REACH Committee meeting on 11 July, takes into account the cumulative effects and combined exposure to the four phthalates from different articles. Consumers can be exposed to one of these phthalates or to their combination through different sources, the European Commission said. Examples are:

- ingesting food and dust;
- placing articles in the mouth;
- breathing in air and dust indoors; and
- by dust and articles getting in contact with mucous membranes and skin.

The European Parliament and the Council of Ministers now have three months to scrutinise the measure before its adoption by the Commission.

The restriction will then be published in the EU's Official Journal and will apply 18 months after the entry into force to products produced both in and outside of the EU.

Article source: ChemicalWatch.com

### **NEW DATABASE ON CANDIDATE LIST SUBSTANCES IN ARTICLES BY 2021**



ECHA will establish a new database on the presence of hazardous chemicals in articles by the end of 2019 for waste treatment operators and consumers. The database will comprise information submitted by companies producing, importing or selling articles that contain Candidate List substances. Companies need to submit this information by the end of 2020.

The task is based on the revised waste framework directive that entered into force in July 2018. It is part of the EU's waste legislation package, contributing to the EU's circular economy policy.

The information will be available to waste treatment operators and consumers and should help waste operators in treating waste and recycling materials. The goal is to improve the risk management of chemicals during waste recovery and to promote non-toxic material cycles.

The database aims to help consumers make informed choices for safer products. This will also increase pressure to substitute substances of concern.

This new task strengthens the need for good supply chain communication as foreseen under REACH, where companies must communicate in the supply chain and notify ECHA about Candidate List substances in articles.

Article source: ECHA.europa.eu

# NOTE ON SUBSTANCE IDENTIFICATION AND SCOPE OF RESTRICTION ON MICROPLASTICS PUBLISHED

ECHA is currently assessing the need for a restriction on intentional uses of microplastic particles. As an outcome of the stakeholder workshop on microplastics held in May, ECHA has now published a note outlining the identification of microplastics and the steps the agency will take to understand the remaining unresolved issues. The note also elaborates on the relationship between substance identification and the potential scope of possible restriction. ECHA aims to conclude its investigation by January 2019. The concern associated with 'microplastic' particles stems, in straightforward terms, from the potential environmental and human health risks posed by the presence of particles of polymer-based materials in the environment that are:

(a) small (typically microscopic) making them readily available for ingestion, and

(b) very resistant to normal environmental degradation, which will lead to them being present in the environment for a long time after their initial release. These properties are known to result in exposure to environmental receptors including invertebrates, fish, marine reptiles, birds and cetaceans (either directly or via secondary poisoning) and may also result in exposure to humans (via food or water that contains microplastics). This exposure could be associated with unacceptable risks.

You can find the note on the ECHA website.

Article source: ECHA.europa.eu

# **REGISTRATION UPDATE ADVICE FROM ECHA**

ECHA advise that companies who have registered substances should regularly check their REACH-IT accounts. This is to check progress on their submission(s) and to check the tasks section for information about their registrations, for example on invoice reminders and completeness check failure notices.

In addition, contact details including email contacts should also be kept up to date through the REACH-IT menu (Menu/Manage company/Contacts). This way companies can ensure that the other members of the joint submission and newcomers can easily be contacted when necessary.

Article source: HSE.gov.uk

### 'TOMORROW'S TECHNOLOGY WILL SUFFER' FROM SILOXANES SVHC DECISION

ECHA's decision to add three siloxanes to the REACH Candidate List of substances of very high concern has "blacklisted" them and will have a major impact on the technology of the future, according to trade group CES-Silicones Europe.

#### The substances

damp. Manual

octamethylcyclotetrasiloxane (D4); decamethylcyclopentasiloxane (D5) and dodecamethylcyclohexasiloxane (D6) were all added in June. The move came after the agency's member state committee (MSC) identified them as SVHCs due to their persistent, bioaccumulative and toxic (PBT) and very persistent and very bioaccumulative (vPvB) properties.

The siloxanes are used as intermediates, or basic raw materials, in the production of:

- silicone rubbers;
- gels; and
- resins.

They are also used in personal care products where a restriction on the use of D4 and D5 will enter into force in 2020.

#### 'BLACKLISTING'

Opposing the decision, secretary general

for trade group CES-Silicones Europe, Pierre Germain, said that the SVHC identification is the equivalent of a "blacklisting". Investment in technologies reliant on these substances will shift outside of Europe, he said.

"Unfortunately those developing new technologies and products that will contribute to achieving environmental targets will not base them on these very useful substances that show little impact on the environment and human health."

Silicones are essential for "tomorrow's technology", such as multi-glazed windows, solar panels, wind turbines, LED lights and computer circuit boards, Dr. Germain said. The compounds are, and will be, needed to achieve energy and CO2 reduction goals, he added.

For every unit of CO2 produced through the manufacture of silicone, nine units are saved in their application, according to Dr. Germain.

Silicones are critical structural sealants, he said, which are resistant to UV rays, high temperatures and water, but permeable to oxygen. Alternatives with these same properties do not exist, he said.

Nevertheless, the MSC agreed with ECHA's risk assessment committee

that D5 and D6 can be considered PBT and vPvB because of D4 impurities, and therefore meet REACH criteria for SVHC.

However, CES-Silicones Europe said that the Committee has not taken "full account of the whole body of scientific evidence".

"We are the victim of this domino effect in Europe, first there is a restriction on a single use – in this case certain cosmetics – then it moves to an SVHC identification, next it could be restrictions on all uses. After that who knows," Dr. Germain said.

CES-Silicones Europe points to industryfunded analysis of data collected for the US EPA. The authors of the environmental assessment claim that D4 poses a "negligible risk to the environment". The organisation also highlights decisions made by other countries and regions.

Silicones industry groups in Europe, North America and Japan are carrying out monitoring initiatives to better understand the presence and behaviour of these substances in the environment. The groups say that these assessments "have and will continue to demonstrate both their safety and their positive impact on the global society".



The process of identifying substances of very high concern and adding them to the REACH Candidate List is likely to happen quicker, once the UK leaves the EU, NGOs have said.

Once the country withdraws in March next year, it will no longer play an active role and will not have a vote in the trade bloc's regulatory committees, such as ECHA's Member State Committee (MSC).

The MSC provides opinions for the European Commission to consider on the identification of SVHCs and ECHA's draft recommendations for the authorisation list (Annex XIV).

Within the committee, the UK has raised an objection to seven out of nine substances on which EU member states did not reach unanimous agreement.

Tatiana Santos, senior policy officer at the European Environmental Bureau (EEB), says this "clearly shows" the UK is the member that is "most fiercely" opposed to the inclusion of substances on the Candidate List. Two other NGOs agreed but did not want to be named.

The NGOs have criticised authorities for adding only 191 substances to the list in ten years. In its report on the second REACH Review, the European Commission acknowledged that the process is "extremely slow".

For a chemical to be identified as an SVHC, unanimous agreement is required between all member states. If this is not achieved, those opposing it must document their views in a minority position, which the Commission considers in a final decision.

So far, out of 211 proposals since 2008, there have been nine cases with a minority view. The UK, with at least one other member state, has opposed SVHC status for seven substances:

- 1,7,7-trimethyl-3-(phenylmethylene) bicyclo[2.2.1]heptan-2-one (3-benzylidene camphor, 3-BC);
- 4-tert-butylphenol (PTBP);
- the phthalates DEHP, DBP, DiBP and BBP; and
- hexamethylene diacrylate (hexane-1,6diol diacrylate) (HDDA).

In the case of the four phthalates, the UK argued, together with Spain, Italy and Germany, that SVHC identification based on endocrine disrupting effects on humans did not present an "equivalent level of concern".

In a white paper published earlier this month, the UK government repeated its call for associate membership of ECHA once it leaves the trade bloc.

Article source: ChemicalWatch.com

### WHY SGS?

SGS is the world's leading inspection, verification, testing and certification company. SGS is recognised as the global benchmark for quality and integrity. With more than 95,000 employees, SGS operates a network of over 2,400 offices and laboratories around the world.

Enhancing processes, systems and skills is fundamental to your ongoing success and sustained growth. We enable you to continuously improve, transforming your services and value chain by increasing performance, managing risks, better meeting stakeholder requirements and managing sustainability.

With a global presence, we have a history of successfully executing large-scale, complex international projects. Our people speak the language and understand the culture of the local market and operate in a consistent, reliable and effective manner.

TO LEARN HOW SGS CAN HELP YOU EXCEED CUSTOMER EXPECTATIONS, VISIT WWW.SGS.CO.UK OR CONTACT GB.REACH@SGS.COM FOR MORE INFORMATION.

### WWW.SGS.COM WWW.SGS.CO.UK



WHEN YOU NEED TO BE SURE