

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

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CALLS FOR INFORMATION

The following substances have been added to ECHA's website as candidates for identification as Substances of Very High Concern (SVHCs). If a substance is identified as an SVHC, it will be added to the Candidate List for eventual inclusion in the Authorisation List.



The substances and examples of their uses are:

- Benzene-1,2,4-tricarboxylic acid 1,2-anhydride (trimellitic anhydride; TMA) (EC 209-008-0). Used in the manufacture of esters and polymers and as a laboratory chemical.
- 4-tert-butylphenol (EC 202-679-0). Used in coating products, polymers, adhesives and sealants and for the synthesis of other substances.
- p-(1,1-dimethylpropyl)phenol (EC 201-280-9). Used in polymers and for the synthesis of other substances.
- 4,4'-isopropylidenediphenol (Bisphenol-A) (EC 201-245-8). Used in the manufacture of polycarbonate and thermal paper, as a hardener for epoxy resins and as an anti-oxidant for processing PVC.
- Nonadecafluorodecanoic acid (PFDA) and its sodium and ammonium salts (EC 206-400-3, 221-470-5). Not yet registered under REACH but used as a plasticiser, lubricant, surfactant, wetting agent and corrosion inhibitor. Belongs to the group of long-chain perfluoroalkyl substances.
- 4-heptylphenol, branched and linear. Polymers derived from the substances in the group are used in lubricant additives such as detergents, metal deactivators and corrosion inhibitors.

The deadline for comments is 21 October 2016.

Article source: ECHA.Europa.eu

<https://echa.europa.eu/addressing-chemicals-of-concern/authorisation/substances-of-very-high-concern-identification>

EU AUTHORITIES NEED TO INVEST IN SUBSTITUTION EXPERTISE

ECHA and EU member state authorities have been told they need to "significantly grow" their staff capacity to be able to fully support the substitution of harmful substances with safer alternatives.



The recommendation is one of ten in a report by the Lowell Centre for Sustainable Production commissioned by ECHA.

Based on a survey of member states, the report, 'Improving the identification, evaluation, adoption and development

of safer alternatives', found that of those responding (around half of EU countries), the main obstacles to substitution are:

- Lack of information on alternatives
- Lack of relevant expertise and resources in companies.

The report cites the ability to conduct technical feasibility and performance assessments as the main challenge for member states' alternatives assessment work.

To resolve the issue of limited expertise, the report says ECHA should establish a dedicated group of staff with expertise in:

- Chemical hazard evaluation
- Chemistry

- Technical assessment
- Economic analysis.

This group should provide training and support to other authorities and industry. The agency could also help develop external networks of experts, comprised of academics, consultants and government research institutes.

These networks could be an online resource, the report suggests.

In addition, it says web-based data resources based on REACH dossiers would help with screening and evaluation of alternatives.

LACK OF FUNDS

The report notes a 'disconnect' between industry's need to identify alternatives to SVHCs and research into substitutes. It says only three member states engage in and provide funding for alternatives research.

It recommends ECHA coordinate EU and member state grants and private/public partnership funds to invest in innovative research to support the development of alternatives.

To achieve this, ECHA could analyse the agencies that offer funding to research and innovation at union and government levels to engage their support.

COLLABORATION

Sharing of resources and coordination between authorities becomes "a critical priority", the report says.

ECHA could create or expand mechanisms for greater supply chain collaboration and engagement.

These should include:

- Shared performance testing and evaluation
- Demonstration sites the report recommends.

An evaluation of existing supply chain partnership and collaboration models at EU and member state levels and mechanisms might enhance supply-chain communication around substitution.

ECHA could analyse technical support capacities for SMEs in particular at the EU and member state level (including trade associations) that are engaged in supporting chemical substitution activities.

Another opportunity would be to establish a committee for inter-authority analysis of alternatives and chemical substitution. This could "discuss challenges to substitution, share lessons, open doors to collaboration, provide support to smaller member states and identify concrete projects that could be undertaken across member states".

Further report recommendations include:

- A possible 'safer chemical ingredient' listing programme. This could use REACH data to identify safer alternatives for different functional classes of chemicals;

- More detailed guidance materials to complete analyses of alternatives in applications for authorisation and restriction proposals, outlining minimum components and quality criteria; and
- Enhanced analysis of alternatives support and training to improve quality and consistency. ECHA could also establish a "certified analysis of alternatives practitioner" programme.

ECHA's executive director commented "The findings and recommendations of this report are very interesting and highly valuable to our work to stimulate the replacement of substances of concern by safer alternatives".

"ECHA will take the recommendations forward with its co-regulators and stakeholder organisations in the coming months".

Article source: Chemicalwatch.com

https://chemicalwatch.com/49426/eu-authorities-need-to-invest-in-substitution-expertise#utm_campaign=49406&utm_medium=email&utm_source=alert

GUIDANCE ON LABELLING AND PACKAGING IN ACCORDANCE WITH CLP UPDATED



The latest update of the guidance on labelling and packaging in accordance with Regulation (EC) No 1272/2008 consists of a full revision of the guidance. The main aim of this revision was to align the guidance with the fourth and fifth Adaptations to Technical Progress (ATPs) to the classification, labelling and packaging (CLP) Regulation that brought the CLP in line with the fourth and fifth revised editions of the UN Globally Harmonised System (GHS), as well as the provisions of the ATP to CLP related to labelling and packaging of liquid laundry detergents.

Finally, the update addresses the full entry into force of the CLP Regulation and the end of the transition period for labelling mixtures according to the Dangerous Preparation Directive (DSD) and classifying their components according to the Dangerous Substances Directive (DSD).

Alignment of the guidance with the eighth ATP to CLP is the subject of a further update, for which work is already ongoing.

Article source: ECHA.Europa.eu

<https://echa.europa.eu/guidance-documents/guidance-on-clp>

MEMBER STATES SUPPORT **DecaBDE RESTRICTION**

Members states have accepted the European Commission's draft regulation for the restriction of the brominated flame retardant decaBDE.



This restricts its manufacture, or placing on the market as a substance. It also restricts the chemical's use and marketing on its own, as a constituent of other substances, in mixtures or in articles, in a concentration equal to or greater than 0.1% by weight.

These restrictions will come into force 18 months after the regulation takes effect.

On 20 September, a majority of member state representatives in the Commission's REACH Committee voted for a 24-month transitional period for recycled materials. This is six months longer than the Commission's original proposal.

The Regulation includes exemptions for:

- Spare parts for motor vehicles
- Spare parts for agricultural and forestry vehicles
- Aircraft - civil or military
- Spare parts for all aircraft - civil or military
- Electrical and electronic equipment.

The restrictions will also not apply to uses in the production of aircraft, or aircraft spare parts produced within ten years of the regulation coming into force.

Article source: [Chemicalwatch.com](https://chemicalwatch.com/49820/member-states-support-decabde-restriction#utm_campaign=49686&utm_medium=email&utm_source=alert)
https://chemicalwatch.com/49820/member-states-support-decabde-restriction#utm_campaign=49686&utm_medium=email&utm_source=alert

PROPOSAL TO RESTRICT CMRS IN TEXTILES COULD SEE PRODUCTS 'WITHDRAWN' SAYS TRADE ASSOCIATION

The European Commission's proposal to restrict 286 carcinogenic, mutagenic and reprotoxic (CMR) substances in textiles could lead to products being delisted or withdrawn from sale, according to the Foreign Trade Association (FTA).



As reported in our July newsletter, the Commission has updated its proposals and now has the list of substances restricted in two phases, with those that come into direct contact with the skin covered first.

However, trade associations say the amendments have not gone far enough to allay their concerns that the proposals could put a huge burden on apparel and footwear companies.

The FTA says that the EU's approach to chemicals "failed to take into consideration today's business reality of highly complex supply chains". And amendments to the proposals were "small and limited".

It adds: "A possible decision by the EU to restrict some of the mentioned substances from their use in final

products, and thus in the international supply chain, would have an important impact on trade patterns.

"Apparel and footwear retailers might have to delist products, and withdraw merchandise from the market, in case listed substances cannot be properly substituted."

It argues that sufficiently long phase-out periods were needed in order to limit unnecessary market disturbance.

"In our view, the fast-track procedure is not an appropriate instrument to assess the large batch of nearly 300 substances in a challenging timeframe of only a few months," it says.

These concerns were echoed by Euro Commerce, the trade association for retail and wholesale. "We are not convinced that the fast-track

procedure being applied is best suited for a measure which needs proper consideration of a large number of different substances," the association says.

Sufficient transition times are needed to find substitutions for existing substances in products, it says. And "if the measures cover too many products at the same time, the burden on everyone involved, particularly the many SMEs, will become unmanageable."

Toy Industries of Europe (TIE) is unhappy that children's fancy dress costumes are included in the restrictions, despite already being regulated by sector specific EU legislation.

TIE director general, Catherine Van Reeth, says: "This contradicts the Commission's own commitment to avoiding double regulation for the same substance and use, as well as its intention to carefully consider how the proposal might interact with other legislation, including the Toy Safety Directive (TSD)."

The European Commission says it intends to consult further with stakeholders before the restriction is finalised, to avoid products being delisted or withdrawn from sale.

It says: "The list of substances that was the subject of the public consultation was a preliminary one. The most relevant substances and products are

now going to be selected, as explained in the Commission paper, and feasibility aspects will be taken into account.

"The Commission will be mindful of the cases of specific categories of substances, where restrictions under REACH or under other legislations are already in place or planned in order to avoid inconsistencies and duplications."

Article source: [Chemicalwatch.com](https://chemicalwatch.com)

https://chemicalwatch.com/49456/proposal-to-restrict-cmrs-in-textiles-could-see-products-withdrawn#utm_campaign=49406&utm_medium=email&utm_source=alert

RAC AND SEAC EACH AGREE ON CHROMIUM TRIOXIDE AUTHORISATIONS

ECHA's Risk Assessment (RAC) and Socio-Economic Analysis (SEAC) Committees have each agreed final opinions on the authorisation of chromium trioxide for six uses, affecting hundreds of workplaces across Europe.



The authorisations will allow the use of chromium trioxide in surface treatment processes, affecting the aerospace, automotive, locomotive, metal manufacturing and canning industries.

The six uses are:

- The formulation of mixtures
- Functional chrome plating (industrial)
- Functional chrome plating with decorative character
- Surface treatment for aeronautics and aerospace industries
- Surface treatment for general industries
- Passivation for tin-plated steel.

RAC chairman, Tim Bowmer, said: "These are upstream applications that may eventually be used by hundreds of companies and involve thousands of tonnes of chromium trioxide in hundreds of workplaces." Most of the uses will be authorised for seven years.

In July, a group of Dutch trade groups, representing the metal and surface treatment industries, wrote to the European Commission urging it to ignore ECHA's recommendation of review periods of four to seven years for chromium VI compounds and to opt for 12 years instead.

Tomas Öberg, chairman of SEAC, said "the final opinions will have a big impact and the overall benefits of the uses outweigh the risk to human health".

The final opinions are to be published on ECHA's website.

Both committees also agreed many draft opinions on uses of hexavalent chromium compounds and the solvent 1,2-dichloroethane (EDC). RAC agreed

26 draft opinions on chromium compounds and nine on the specific solvent use applications of EDC in the chemical and pharmaceutical industry sectors. SEAC agreed 27 and nine respectively.

SEAC also agreed one opinion and 12 draft opinions on a use of arsenic acid and another on two uses of resin hardener, MDA.

Draft opinions on applications for authorisation are sent to applicants for comment. If none are received, the opinion will become final.

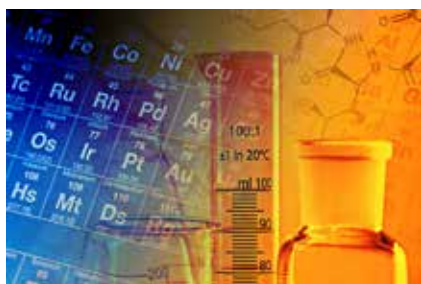
If there are comments, the committees will consider them before adopting their final opinion.

Article source: [Chemicalwatch.com](https://chemicalwatch.com)

https://chemicalwatch.com/49809/rac-and-seac-each-agree-on-chromium-trioxide-authorisations#utm_campaign=49686&utm_medium=email&utm_source=alert

RECLASSIFICATION OF TITANIUM DIOXIDE CAUSES DISPUTES

ECHA's public consultation on France's proposal to classify titanium dioxide as a category 1B carcinogen has received over 500 comments from industry, trade bodies and individuals.



Titanium dioxide producers said it should not be classified in any of its forms and for any endpoints, and they have raised concerns over the impact 1B classification would have if adopted.

According to ECHA, one to ten million tonnes of titanium dioxide are manufactured and/or imported in the European Economic Area each year. It is used in a range of industries and products, including:

- Plastics
- Paint, plaster, coatings and printing inks
- Ceramics, clay and glass
- Food additives and supplements
- Cosmetics
- Electrical products
- Household detergents and cleansers
- Adhesives and sealants
- Toys and textiles.

'INACCURATE' PICTURE

The Titanium Dioxide Manufacturers Association (TDMA) said the current harmonised classification and labelling (CLH) report reflects an "inaccurate and misleading picture" of the alleged inhalation carcinogen hazard, presented by the substance.

European Plastics Converters (EuPC) said studies of 20,000 workers in 15 titanium dioxide manufacturing plants,

over decades, showed no adverse health effects from occupational exposure.

Plastics Europe said the "most thorough possible processes" are applied to the substance's assessment.

Cosmetics Europe commented that over 20,000 cosmetics products, launched over the last five years, contained titanium dioxide. "A classification as a 1B carcinogen would mean that titanium dioxide is banned for use in cosmetics products," it said, adding that the submission of the CLH proposal by France had not been "triggered by new data or new concern".

The European Federation for Cosmetic Ingredients concluded that "no human evidence for increased lung cancer risk exists".

CEPE, which represents the paint and printing ink industry in Europe, said the substance is a constituent of over 85% of its members' products.

"In paint, titanium dioxide is embedded in a liquid matrix and is not able to cause inhalation toxicity (should the alleged toxicological effects be confirmed). It has been used successfully for nearly a century and there is no alternative available that matches the performance in our products," CEPE said.

Large-scale manufacturers including Albemarle Europe, AkzoNobel, BASF Coatings, Bayer, and Henkel also provided individual comments.

OUTSIDE OF EUROPE

Dozens of responses came from associations representing markets outside of Europe, with many from North America expressing disapproval.

Of these, notable organisations that opposed the proposal include: The Canadian Paint and Coatings Association, the American Coatings Association, the International Paint and Printing Ink Council, the American Cleaning Institute, the Plastics Industry Trade Association and Aerospace Industries Association.

Bodies representing Japanese interests were the most prevalent voice from Asia. Japan's Titanium Dioxide Industry Association, Cosmetic Industry Association, Chemical Industry Association and Tobacco International have opposed the proposal.

The national paint manufacturers associations of Australia and New Zealand provided confidential comments, while the Mexican association said the consequences of the proposed classification would "clearly be disproportionate" to any speculative risks posed to human health, and said it should be rejected.

NEXT STEPS

The French Agency for Food, Environmental and Occupational Health and Safety (Anses) which proposed the classification, is preparing its response.

The initial proposal, comments and their responses will be sent to ECHA's Committee for Risk Assessment (RAC) for discussions expected in June 2017 with an opinion for the Commission expected within 18 months.

Article source: Chemicalwatch.com

https://chemicalwatch.com/49183/industry-slams-titanium-dioxide-classification-proposal#utm_campaign=48930&utm_medium=email&utm_source=alert

SWEDISH AGENCY FINDS BANNED CHEMICALS IN PLASTIC GOODS

A spot check by the Swedish Chemicals Agency (Kemi) of plastic goods has found that almost 10% contained prohibited chemicals.



The agency examined 160 plastic products from 52 companies for:

- Phthalates (plasticisers)
- Short-chain chlorinated paraffin's (plasticisers and flame retardants)

- Lead
- Cadmium
- Dimethylformamide/methylacetamide.

The articles checked were items that can be found around the home, including bathroom products, garden equipment, working gloves, bags and sports equipment. Most were made of soft plastic.

The most common substances found were short-chain chlorinated paraffin's used as plasticisers and flame retardants, the agency report says.

And the results show a lot of articles – mostly those made of PVC – contain substances with hazardous properties.

In its investigation Kemi found:

- 14 articles contained restricted substances in levels above their limit values

- 24 contained substances on the REACH candidate list at levels above 0.1% by weight
- 44 had low levels – below the limit value – of restricted substances, or hazardous chemicals that were not restricted in the particular kind of article
- 78 articles in which none of the substances were found.

When informed of the agency's analyses, some companies voluntarily stopped selling the goods. In two cases Kemi imposed a ban on the articles. A further 20 companies were reported to the environmental prosecutor.

Article source: Chemicalwatch.com

https://chemicalwatch.com/49331/swedish-agency-finds-banned-chemicals-in-plastic-goods#utm_campaign=48930&utm_medium=email&utm_source=alert

HEALTHY AND WEALTHY – HOW REACH IMPROVES OUR LIFE



ECHA has published new infographics and a subsection on the website showing how REACH benefits human health, the environment and the economy. The pages show how a restriction on a substance such as lead can avoid damage to children's brain development, keep the environment green and clean, and save money at the same time.

Article source: ECHA.Europa.EU

<https://echa.europa.eu/chemicals-in-our-life/how-european-legislation-on-chemicals-improves-our-lives/healthy-children>

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 85,000 employees, SGS operates a network of over 1,800 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.

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WHEN YOU NEED TO BE SURE

