



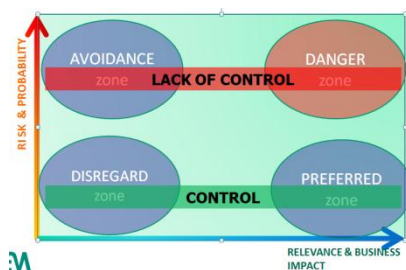
## EUROMETAUX REACH PROGRAMME

Dear REACH Forum member,

February has been one of those months when information on REACH and metals has been flying around, eliciting immediate 'sighs' when hit by it, forcing us to assess without delay its importance and relevance so as to decide whether to add the print-out of this information to our ever growing "to-address-right-now" list or subtly pose on the "read it later" storage pile on our desk. But what information lives from and consumes with avidity is attention. However we are still "only" human beings and our attention capacity is limited and highly variable. A wealth of information inevitably ends by overconsumption and poverty of attention. The latter we can unfortunately not afford.

E.O. Wilson wrote that 'We are drowning in information, while starving for wisdom. The world henceforth will be run by synthesizers, people able to put together the right information at the right time, think critically about it, and make important choices wisely.'

In order to help us with this wise allocation of resources and filtering of information, we will ask the metals consortia at the next REACH forum meeting to reflect **strategically** on the issues (and related information) that impact **their** portfolio and companies, e.g. using the scheme below, and to share with the REACH Team the results of their reflection. Think about your metal and compounds, but also more broadly about substances involved/used in processes or present in the supply chain! Another tool is the useful initiative of the Precious Metals Consortium who kindly volunteered to act as a centralised mailbox to collect interests in substances ending up on one of the REACH lists. Make use of it and we will all gain in discernment!



Violaine Verougstraete, EHS director Eurometaux

## ECHA REACH activities: hot topics

### ECHA COMMITTEES: MSC 28, 5-7 FEBRUARY 2013:

#### **MSC: METAL TESTING PROPOSAL CASES TO APPEAR IN JUNE AND SEPTEMBER**

ECHA grouped most metal testing proposals for review and waited for the outcome of the Metals Read Across workshop (see October 2012 REACH News). Lead Registrants received draft decisions (DD) end of last year allowing ECHA to review those. Member States are presently commenting them, and metal substances for which no agreement can be found under the written procedure will appear for MSC deliberation in June or September. Eurometaux will set up a "real situation training case" for those metals that would like to prepare for the MSC encounter (more information: Hugo Waeterschoot and Violaine Verougstraete).

#### **MSC: AGREEMENT REACHED ON THE FIRST CORAP UPDATE, PUBLICATION EXPECTED FOR 20 MARCH**

The CoRAP is the REACH Community Rolling action plan on Substance Evaluations (SE) that has been updated for the first time and complemented with substances to be reviewed in the period 2013-2015. The list now includes several metals and metal compounds for different grounds of concerns (Al sulfate, Tin sulfate, Ag, Be, Zn phosphate, GaAs) and will presumably be extended with specific substance evaluations assessing the outcome of testing programs agreed under the ESR program (like for Nickel and sediments).

The updated CoRAP will be published on 20 March. Besides the importance for the substance itself, the substance evaluations on specific grounds of concerns (e.g. diffuse sources input, workplace exposure monitoring, nanoform testing, PBT and CMR properties, ...) will set precedence for Registration files for metals in general and for future Dossier and Substance Evaluations in particular. MSC also discussed how and under which conditions Industry could interact with the country conducting the SE and during the review period of the Draft Decision by MSC. Eurometaux will propose to the REACH forum a set of preparatory activities to help Consortia faced with SEs to achieve the best communication and outcome, including a learning system for the sector (more information: Hugo Waeterschoot).

#### **MSC: SUBSTANCE EVALUATION, FIRST DRAFT DECISIONS TO BE EXPECTED IN MARCH**

36 Substance Evaluations (SEs) were successfully submitted by Member States to ECHA before end 2012. This included a background report including the analysis, reasoning and conclusions (Substance Evaluation Report (SER)) and a Draft Decision summarizing the conclusions from the SER for "the identified grounds of concern". Recommendations for further REACH or other EU legislative follow-up including additional data gathering or testing by industry are also part of it. Member States improved the proposals in February and all Registrants of the substance will receive the DD in March or early April for a 30 day commenting period. This will be the first experience with the SE review process, new to all. Given the extreme short response time, industry requested a pre-announcement on when they will receive the DD and also some insight into the SER to fully understand the reasoning and conclusion setting. ECHA will organize a workshop end of May to review the first experience with the SE process as well as with the CoRAP process. TiO<sub>2</sub> is presently the only metal compound on which a Substance Evaluation was finished by the Netherlands, most probably setting precedence on how Member States will handle the nanoform assessment under REACH (more information: Hugo Waeterschoot).

#### **MSC: NEXT SVHC IDENTIFICATION LIST ESTABLISHED-PUBLIC CONSULTATION STARTS ON 4 MARCH**

ECHA clarified the timeline for the next SVHC identification round. Proposals were received from the Member States and include Cd and Cd oxide, as proposed by Sweden. The number of substances listed is however limited this time (10-12), waiting for the outcome of the recommendations of the Commission Road Map on SVHCs (see further). The review and approval process will be similar to those of the previous years and the Public Consultation will start on **4 March** (more information: Christian Canoo and Hugo Waeterschoot).

#### **MSC: LAUNCHED ACTIVITIES FOR 5TH PRIORITY LIST FOR AUTHORISATION**

MSC agreed to focus the prioritisation for Annex XIV listing on substances that were added last year to the candidate list and to temporarily leave aside the substances scored but not prioritized in the past, in view of the lack of time for updating all the scorings in line with the updated Registration dossiers. As a consequence Eurometaux members might be faced with the first multi-sectorial Authorisation needs if Refractory Ceramic Fibers should be prioritised, but Borates may not be on the 5<sup>th</sup> list. The timeline was agreed with MSC and the first proposed ranking will be presented at the next MSC meeting, followed by a Public Consultation over the summer. The Eurometaux REACH program members are invited to announce their interest in substances on this list using the tracking kindly developed by the Precious Metals consortium (see further) (more information: Hugo Waeterschoot and Caroline Braibant).

#### **MSC: AGREEMENT TO REVISE THE PRIORITISATION APPROACH FOR ANNEX XIV LISTING**

The Cobalt and Chromate prioritisation experiences last year confirmed that the prioritisation scoring system used by ECHA for selecting substances from the Candidate List and including them in the Annex XIV list was not appropriate. Several MSC delegates felt that the scoring was overly emphasizing "wide dispersive use" and "workers exposure" and challenged ECHA to revise the scoring system. Industry supported this and also added that "volume" was inappropriately used as an exposure trigger. MSC consequently agreed with the ECHA conclusion on the need to revise the scoring system. A proposal will be presented to MSC in June. Eurometaux aims at submitting input in advance of ECHA starting this activity (more information: Hugo Waeterschoot).

#### **RAC: WEBEX ON TWO PHTHALATES: LEARNING LESSONS FOR DERIVATION OF DNELS**

RAC organized a webex call on February 11, also inviting STOs to attend the debates on DNEL derivation for DINP and DIDP, toxicokinetics data and 'mouthing time'. While those substances are not in the Eurometaux portfolio, these discussions are interesting to follow to see how RAC experts apprehend data, uncertainty and assessment factors (more information: Violaine Verougstraete).

## **ECHA MEETINGS**

#### **AUTHORISATION APPLICATIONS: TRAINING DAY FOR APPLICANTS WELL ATTENDED BY THE METAL SECTOR**

ECHA organized its 3<sup>rd</sup> Authorisation Application (AA) training session for potential applicants, this time attended by a series of metal companies. Besides being informed on the procedures and first experiences, the workshop allowed for questioning ECHA staff on the procedure and on how to best prepare for Authorisation Applications. The workshop also allowed for extensive and informal contacts with ECHA staff and networking with colleagues from other sectors. Cefic presented the

Myths associated with Authorisation complemented by a presentation by Eurometaux on first experiences with Authorisation Consortia (more information: Inge Maes, Aggie Kotze and Hugo Waeterschoot).

## ECHA ACTIVITIES

### **ECHA EVALUATION REPORT 2012 IS NOW PUBLISHED:**

...and will be further analysed in depth by Eurometaux and Cefic. It provides an overview on the testing proposals examinations in 2012, compliance checks and follow-up actions launched by ECHA as well as the start of substance evaluation activities. A joint meeting will be set up in the coming weeks to draw the main lessons from the report and exchange on first Evaluation experiences. The report lists the most common shortcomings found in the dossiers and gives specific recommendations for registrants concerning the following topics: substance identification, identification of the test material, providing clear use and exposure information, which are also crucial for the ongoing work on UVCB intermediates (more information: Violaine Verougstraete and Hugo Waeterschoot).

### **ECHA OFFERS SUPPORT TO REGISTRANTS IN EXCEPTIONAL CASES**

As they did for the 2010 registration deadline, ECHA is now offering support for registrants who are facing exceptional situations that are likely to prevent them from registering on time through no fault of their own. Such 'exceptional situations' cover: a) difficulties in providing data required in Annex VII and Annex VIII in due time or difficulties for importers of mixtures to obtain compositional and analytical data of the substances in the mixture from their suppliers (DCG Issue No. 10), b) impossibility of submitting a late pre-registration due to legal entity changes (DCG Issue No. 15), c) failure by the lead registrant to submit a fully REACH compliant dossier (DCG Issue No. 20) and d) downstream users being obliged to become importers, as a substance is not registered by any EU-based supplier (DCG Issue No. 21). Every company affected will need to contact ECHA as far ahead of the deadline as possible, providing detailed justification of its situation and an explanation of the measures that it has taken to comply with its obligations under REACH. For more information, please see the ECHA press release: [http://echa.europa.eu/view-article/-/journal\\_content/title/echa-offers-support-to-registrants-in-exceptional-cas-1](http://echa.europa.eu/view-article/-/journal_content/title/echa-offers-support-to-registrants-in-exceptional-cas-1) and the DCG section of the ECHA website for practical details (how to contact ECHA, which information to provide and expected outcome): <http://echa.europa.eu/about-us/partners-and-networks/directors-contact-group> (more information: Inneke Claes).

### **NEW IUCLID RELEASE PLANNED FOR MARCH 2013**

ECHA plans to roll-out IUCLID 5.5 at the end of March 2013. This new version is only necessary for the Biocides Directive, the update does not need to be installed for only REACH related duties. ECHA promised full compatibility with REACH-IT: dossiers generated with both IUCLID 5.4 and 5.5 can be submitted to REACH-IT. IUCLID 5.4 also contains the new OECD templates for nanomaterials in section 4 (physical-chemical properties) but these will not be linked to REACH dossiers until the REACH review for nanomaterials is finalised and IUCLID 6 will be released. This major new release of IUCLID with a completely new architecture is foreseen for end of 2014 – beginning of 2015 (more information: Inneke Claes).

### **ECHA LAUNCHED NEW DOSSIER QUALITY ASSISTANT AS PART OF THE NEW TCC PLUGIN TO IUCLID**

On 11 February, ECHA launched the new Dossier Quality Assistant. It is an extended version of the IUCLID Technical Completeness Check (TCC) plugin and aims at detecting some of the most common inconsistencies that ECHA has encountered in its dossier evaluation work and other screening activities. The Dossier Quality Assistant covers areas such as substance identity, tonnage consistency and use description. It can, for example, be used to verify that registration dossiers according to Article 17 or 18 of the REACH Regulation only contain information on uses compatible with the definition of intermediates (more information: see the press release [http://echa.europa.eu/view-article/-/journal\\_content/title/new-tool-to-support-registrants-in-improving-dossier-quality-now-available](http://echa.europa.eu/view-article/-/journal_content/title/new-tool-to-support-registrants-in-improving-dossier-quality-now-available) and Inneke Claes).

### **ECHA ALSO LAUNCHED ANOTHER UPDATED PLUGIN: THE CSR PLUGIN – MAINLY USEFUL FOR USERS OF CHESAR**

The new release enables registrants to merge the section 1 to 8 of the chemical safety report generated from IUCLID data with sections 9 and 10 generated in CHESAR. To ensure consistency of information between the technical IUCLID dossier and the chemical safety assessment performed in CHESAR, the plugin also verifies all substance properties and reported uses. If necessary, uses assessed in CHESAR can be added directly into the right section of IUCLID (more information: ECHA website and the press release: [http://echa.europa.eu/view-article/-/journal\\_content/title/create-the-full-chemical-safety-report-with-the-new-iuclid-csr-plug-in](http://echa.europa.eu/view-article/-/journal_content/title/create-the-full-chemical-safety-report-with-the-new-iuclid-csr-plug-in) and Inneke Claes).

## WEBINARS

**New!** Webinar open to members: **How to prepare and submit the member dossier**: will focus on the key steps needed to successfully submit a member registration dossier by 31 May 2013 (taking place on 5 March 2013 11.00 – 14.00 CET) <http://echa.europa.eu/web/guest/support/training-material/webinars>

Webinar open to all: **Live demonstration of the C&L platform**: Overview of the C&L platform including a brief background and purpose, a live demonstration of the main functionalities of the platform and opportunities for participants to ask questions. (taking place on 19 March 2013 11.00 – 14.00 CET)

<http://echa.europa.eu/web/guest/support/training-material/webinars>

*For open webinars a registration link will be added to the programme closer to the event date*

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## Commission REACH activities: hot topics/issues

### **SVHC IDENTIFICATION: COMMISSION RELEASED ROAD MAP PROPOSAL AND LAUNCHED DISCUSSION AT COUNCIL LEVEL**

The Road Map aiming to clarify the Commission's strategy on the selection and identification of SVHC substances was released on the eve of the Competitiveness Council on 18-19 February. Put under pressure by the Member States and Stakeholders (including industry), the Commission agreed to stimulate early RMO assessments, preferably before a Member State confirms its intention to list it for the SVHC listing and inclusion in the candidate list. The proposal does not include a numerical target for 2020 anymore and foresees more emphasis on the selection of PBT substances, endocrine disruptors and respiratory sensitizers, than presently the case and mainly promotes Restrictions and Authorisations as relevant Risk Management tools for SVHC substances. The Road Map will be further discussed at the Environmental Council on 21 March 2013 (more information: France Capon and Hugo Waeterschoot).

### **12<sup>TH</sup> CARACAL MEETING ON 13-14 MARCH 2013**

At the next CARACAL meeting on 13 and 14 March 2013, the following 'hot' topics will be discussed: the REACH review, the Nanomaterials review, Registration – substance identity workshop, the Road Map for SVHC, CMRs in consumer articles, the ATPs to the CLP, updating of Annex VI and Poison centres. IMA-Europe will attend the meeting on 13 March and Eurometaux on 14 March, both on behalf of the REACH Alliance. The REACH Forum will receive more information once the background documents have been made available by the European Commission (more information: Inneke Claes).

### **ENDOCRINE DISRUPTORS – AUTHORISATION UNDER THE SOCIO-ECONOMIC ROUTE - REVIEW OF ART 60 (3) OF REACH**

According to Art 138 (7) of REACH, the European Commission needs to review by 1 June 2013, whether or not the scope of Art 60(3), substances for which the adequate control route for an authorisation does not apply (i.e. authorisation can only be granted via the socio-economic route), needs to be extended to endocrine disruptors. The Commission therefore called upon the CARACAL members and observers to provide scientific and technical documents related to the concept of threshold values for endocrine disruptors and socio-economic impacts if authorisation for endocrine disruptors were only to be granted under the socio-economic route. The deadline to respond is 29 March 2013 (more information: Inneke Claes).

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## EUROMETAUX REACH activities: hot topics/issues

### **EUROMETAUX AND CONSORTIA ACTIVITIES**

#### **RMO: POSITION UPDATED TO PREPARE FOR ENVIRONMENTAL COUNCIL DISCUSSION**

The industry RMO advocacy network had a series of meetings with national REACH MSCAs to underline the relevance and importance of an early and properly conducted RMO and received good support from many countries and ECHA. The position of the metals sector was amended and refined after the release of the Commission Road Map on the SVHC identification and selection and the Competitiveness Council debating this. The updated position underlined the need for exploring other RM options than Restriction and Authorisation, providing attention for other environmental impacts (like on climate) when assessing the best tool for Risk management, the need for a minimal content, scope and quality of RMOs and more opportunities for industry to provide data and collaborate with the reviewing country. The RMO network will now defend this position in preparation of the upcoming Environmental Council meeting scheduled for 21 March 2013 (more information: France Capon and Hugo Waeterschoot).

#### **AUTHORISATION PLATFORM: DEFINED ANTICIPATIVE WORKPLAN FOR 2013 ACTIVITIES**

The Eurometaux Authorisation Platform met on 19 February. Besides a comprehensive briefing on the intentions and timelines of ECHA and Commission activities on Restriction and Authorisations, the meeting promoted an experience exchange between Consortia on the REACH tools that could be highly impacting the metals business in the future. The platform agreed on a workplan and time schedule for its 2013 activities based on a response to upcoming ECHA activities (e.g. Public consultation on the 5<sup>th</sup> list) and more proactive activities to ensure pre-emptive input on ECHA policies and programmes (e.g. new prioritisation scoring system for Annex XIV identification and preferred RMO format (more information: France Capon and Hugo Waeterschoot).

#### **ANNEX XIV LISTING: IMPACTING WASTE AND RECYCLING?**

Recent experience with phthalates in the recycling stream demonstrated that the recycling and waste sector may under certain circumstances require Authorisation Applications. This could in particular be the case should Borates, Pb or Cd be up for Authorisation in the future. Eurometaux will organize an exchange with the plastic sector to develop a strategy to mitigate the need for Authorisation Applications, if possible. The outcome of this exchange will be presented at the REACH Forum meeting of March (more information: Hugo Waeterschoot and Inneke Claes).

#### **COBALT SECTOR PREPARING FOR PRESCREENING ON RELEVANCE AND SCOPE OF RESTRICTION**

The Cobalt sector and ECHA exchanged on how to ensure good co-operation to complete a screening study to define the scope of a potential restriction proposal later this year. Eurometaux assisted and provided suggestions based on previous experience. The Cobalt Consortium plans to organize a webinar to launch the data gathering and a workshop type meeting to review the first input. Eurometaux invites the Cobalt Consortium to share its experience with the other sectors at the next Authorisation Platform session (more information: Brigitte Amuroso and Hugo Waeterschoot).

#### **REACH CROSS SECTOR GROUP MEETING ON 21 FEBRUARY 2013**

Eurometaux attended the meeting of the REACH Cross Sector Group on 21 February 2013. In this platform, the manufacturers (Eurometaux, Eurofer, Concawe and Cefic) and downstream user organisations (FECC (distributors), DUCC (Downstream users), Orgalime (appliances), ASD (aerospace and defense), ACEA (cars), UEAPME (SMEs), Eurocommerce, EUPC (plastics convertors), EURATEX (textiles), EDRA (non-wovens), CheMI Platform) discussed issues related to the communication in the supply chain and Authorisation & Restriction under REACH. A deliverable from last year from this group was the Downstream user Guide on Authorisation. Currently, it is investigated if a joint paper on the Commission Roadmap for prioritisation of SVHC can be agreed upon by this group (more information: Inneke Claes).

#### **INTERMEDIATES:**

##### **INTERMEDIATES TASKFORCE MEETING ON 27 FEBRUARY 2013:**

In line with the action plan agreed in January, Eurometaux and Consultants worked on technical aspects related to classification, reporting of information in IUCLID and the development of Risk Assessment and the CSR. Currently developed UVCB-intermediate examples are used to extrapolate what can be learnt in real cases to a generalized and harmonized approach, representative and workable for the NFM sector. Reasoning and status were presented to the taskforce on 27 February. Further refinements will include the development of a few additional examples on classification so as to allow understanding of the methodology to be used when increasing the complexity of the UVCBs; refine 2 options to complete the IUCLID considering information needs and 'workability', and with regard to risk assessment refine the approach. Eurometaux will contact ECHA soon to ask whether another meeting could be set up to discuss the developed approach. Next meeting of the taskforce is envisaged for end of March to check ongoing refinements and prepare for ECHA's meeting, possibly to take place in April/May (more information: Federica Iaccino).

#### **METAL-SPECIFIC REACH APPLICATION TOOLS AND CONCEPTS**

##### **CLP: UWM-MODEL, PREPARING FOR CU REVIEW**

After the submission of an extensive data and information package on the UWM model to ECHA the last day of January, Eurometaux contacted several ECHA staff members to raise concern and support for the proposed follow-up actions. Cu and Cu compounds being revised for a harmonized Hazard Classification will test the concept presumably in June or September. ECI and Eurometaux commonly explored what briefing and advocacy activities would be required to ensure this could happen in the best way. This advocacy plan will be further discussed by the Classification Working Group at its meeting of 28 March (more information: Katrien Delbeke and Hugo Waeterschoot).

##### **CLP CHANGES AND IMPACT ON TRANSPORT**

The Eurometaux REACH team met with a metals company transport expert team to explore what impact CLP changes could have on transport legislation including packaging classes and transport ruling. Alternatively Eurometaux explained future initiatives on Classification and Labelling (like the potency correction for Reprotox) and how tools like MECLAS may be of help to facilitate transport managers to assess complex materials and recyclables. It was agreed to develop a 2 pager describing the issue and possible ways forward (set up of a taskforce bringing together CLP and transport experts) (more information: Violaine Verougstraete and Hugo Waeterschoot).

## COMMUNICATION ACTIVITIES

### MEETING WITH ARSENIC CONSORTIUM REPRESENTATIVES IN BERLIN

Eurometaux met representatives of the Arsenic consortium for a useful brainstorming on Arsenic and GaAs REACH related issues (including for example the finalisation of the GaAs harmonized classification process, the GaAs evaluation, ..). Such exchanges of information and concerns are really helpful in identifying, defining and prioritising actions for the Eurometaux REACH Team, to be repeated.

### PRESENTATION OF 2012 ACHIEVEMENTS AND 2013 CHALLENGES AT THE COPPER CONSORTIUM GENERAL ASSEMBLY

Eurometaux was kindly invited by the Copper Consortium to present the set-up of the Eurometaux REACH activities, the identified priorities and challenges for 2013, as well as the main achievements for 2012. Without any doubt, one of the main achievements is the REACH Forum, whose dynamism, repeated support and input allow us as REACH team to look confidently at the work ahead of us in 2013 and be sure the messages are relayed to the companies. End 2012, the Precious Metals Consortium also invited Eurometaux to do this kind of exercise, and it as proved really useful for us to ensure the aims and modalities are adapted to the consortia needs.

## Calendar

- March 2013: publication of updated CoRAP and report on first substances evaluation decisions
- 4 March 2013: Start Public Consultation on the next SVHC list
- 4-8 March 2013: RAC
- 5-8 March 2013: SEAC
- 5 March 2013: ECHA Webinar - How to prepare and submit the member dossier
- 7 March 2013 : Euractiv Workshop by Nickel Institute (London)
- 19 March 2013: ECHA Webinar - Live demonstration of the C&L platform
- 19 March 2013: REACH Forum
- 20 March 2013: Publication of the CoRAP update
- 26 March 2013 : ECHA Stakeholders day, Helsinki
- 8 April: Eurometaux RMO training workshop
- 9 April: first Industry-ECHA-Member States SEA-AofA network meeting (tbc)
- 23-24 May 2013: ECHA workshop on Substance Evaluation and CoRAP experience
- 17 June 2013: 4<sup>th</sup> Authorisation Applications workshop
- 20 June 2013: REACH Forum
- 21 June: Reach Authorisation / Restriction Platform
- 25 June: Biocides stakeholder day
- 17 September 2013: REACH Forum
- 12 November: Reach Authorisation / Restriction Platform
- 17 December 2013: REACH Forum
- New workshops: see ECHA website (<http://www.echa.europa.eu/web/guest>)
- New webinars: see ECHA website (<http://www.echa.europa.eu/web/guest/support/training-material/webinars>)

## Acronyms

AA: Authorisation Application	IUCLID: International Uniform Chemicals Information Database
ATP : Adaptation to Technical Progress	MSC: Member State Committee
Cefic : European Chemical Industry Council	MSCA: Member State Competent Authorities
CHESAR: Chemical Safety Assessment and Reporting Tool	OECD: Organisation for Economic Cooperation and Assessment Development
CLP: Classification, Labelling and Packaging Regulation	PBT: Persistent Bioaccumulative and Toxic
CMR: Carcinogens, Mutagens Reproductive Agents	RM: Risk Management
CSR: Chemical Safety Report	RMO: Risk Management Options
CoRAP: Community Rolling Action Plan	SE: Substance Evaluation
DD: Draft Decisions	SER: Substance Evaluation Report
DNEL: Derived No Effect Level	SVHC: Substance of very high concern
DINP: Diisononyl phthalate	TCC: Technical Completeness Check
DIDP: Di-isodecyl phthalate	UWM : Unit World Model
ESR: Existing Substances Regulation	UVCB: Unknown or Variable Composition, Complex Reaction Products and Biological Materials