



## EUROMETAUX REACH PROGRAMME

Dear REACH Forum member,

For most of us, one month is generally enough to push the New Year's resolutions back to the deeper layers of our unconsciousness, from where they emerge occasionally the rest of the year to remind us that we are still working at 6.30 pm, did not stop eating the Eurometaux mignonettes and are definitely not taking enough exercise away from our computers. On the other hand -trying here to trade with my conscience-, these weeks of January have illustrated how powerful and enriching teamwork in our industry can be: from, together explaining UVCB substance identification to ECHA, to discussing multi-metallic issues in Canada and now bringing together a comprehensive package of reports on the Unit World Model... all of this, generating beyond the work, a lot of gratitude and satisfaction, which therefore fulfils my main 2013 resolution: "enjoy what you have!"



Violaine Verougstraete, EHS director Eurometaux

## ECHA REACH activities: hot topics

### ECHA MEETINGS

#### **ECHA NMWG 23 January 2013**

Representatives from Cefic and CEPI attended the first meeting of the ECHA Nanomaterials Working Group which took place in Helsinki on 23 January 2013. The following points were on the agenda:

In the open session the briefing of ECHA on the GAARN meeting held on the two previous days was brief, due to confidentiality considerations

- The JRC reported on the measurement techniques in the context of the Commission nanomaterial definition recommendation
- Cefic presented some issues for nanomaterials from industry's side. It was acknowledged that there is a difference between a) characterizing a substance/form of a substance for (eco)tox testing purposes and risk assessment, and b) determining whether a substance/form of a substance matches the definition recommendation 2011/696/EU. Measurement of the latter, formally and in strict legal terms, does not seem possible for the time being
- The announced presentation of NGOs on a nano inventory was withdrawn
- A list of possible topics for future meetings of the ECHA NMWG was presented

The presentations are available from the Secretariat upon request (more information: Inneke Claes).

#### **GAARN meeting 21-22 January 2013**

Christine Spirlet from IZA attended the GAARN (Group Assessing Already Registered Nanomaterials) meeting in Helsinki. Main topics for discussion and of relevance to our sector were coating, read-across, IUCLID and CSR. She reported back with a number of take-home messages (for which we would like to thank her) like e.g. that the function of coating should always be specified and the potential toxicity modifying effect documented, the need to assess the particle effect versus ionic effect in read-across etc., that for ECHA, nanos are not hazardous *per se* but they raise some new/additional questions and thus the equivalent uncertainty. The openness of industry may help avoid future questions (more information: Christine Spirlet and Inneke Claes).

## ECHA WORKSHOPS

### ***ECHA Workshops on Classification and Labelling: Improving the quality of Annex XV and using the Cl&L list for SVHC prioritisation***

ECHA organized two back-to-back workshops on 15-16 January for MSCAs, including stakeholders. The purpose of the first workshop was to introduce the Classification and Labelling (Cl&L) inventory platform (for industry) and dashboard (for MSCAs). RIVM presented a data mining project on how the extensive hazard data sets could be used for priority setting for harmonized classification and SVHC identification. Dixit ECHA, the Cl&L platform could be a tool that industry could use to comply with Article 41 of REACH, which states that "Industry should make every effort to come to an agreed entry..." Industry was further reminded of its obligation to update registration files or Cl&L notifications in the event of new evidence relevant for the hazard identification becoming available (e.g. UWM evidence (see further)). The 2<sup>nd</sup> workshop discussed a framework for improving the CLH process, with at the same time the aim of increasing the predictability, transparency and efficiency of the classification process: an initiative wholeheartedly supported by industry. The workshop recognized the widely differing practices of Member States in consulting industry in respect of Cl&L and documenting negative conclusions for SVHC endpoints. Industry made a plea for an early interchange, which could help to improve the quality of Annex XV (more information: Hugo Waeterschoot).

### ***ECHA-Industry Workshop with the aeronautic sector: preparing for authorisations***

ECHA, the European Agency for Aviation Safety, and Industry (Cefic and Eurometaux) took part in a sectorial briefing workshop with the aviation industry on January 22 in Cologne aimed at explaining the authorisation process and how the sector, together with the manufacturers/suppliers, could prepare for Authorisation Applications once a substance is listed in Annex XIV. In general, the aeronautics sector was clearly not well informed of the consequences and had hoped for a general exemption - which is not foreseen in REACH. The metals sector urged this sector to keep in close contact with the Consortia concerned and to prepare for other metal compounds being listed in the future if RMOs continue to lack a selection instrument (more information: Hugo Waeterschoot).

### ***Planning for an ECHA Sediments Science Workshop: 7 and 8 May 2013***

ECHA organized a meeting of the Steering Committee by conference call to review the objectives and outline of the science programme, in which the scientific community was encouraged to widely participate. The workshop is being organized following work on Nickel sediments and at the request of the metals sector to improve the REACH guidance for this compartment. Scientists and representatives from industry and governments were invited to submit requests for participation before the end of January. The various Metal Consortia and metal research organizations facilitated the proposals for candidates from the scientific community and for REACH metal sediment experts (more information: Chris Schlekot and Hugo Waeterschoot).

## OTHER ECHA ACTIVITIES

### ***ECHA launches the Cl&L Platform***

On 31 January 2013, ECHA launched its Classification and Labelling Platform. The Platform is a new online interactive communication tool that allows registrants and notifiers to fulfil their obligation to agree on a (self-) classification with other companies which have submitted a different Cl&L for the same substance. An updated background note will be available from the REACH Metals Gateway as of 4 February and the Eurometaux industry flash is available via this link: <http://www.eurometaux.be/LinkClick.aspx?fileticket=NqHPCjQurbw%3d&tabid=64> (more information: Inneke Claes).

## Commission REACH activities

### **Commission Communication on the REACH Review announced**

The long awaited Commission Communication on the review of REACH is expected on the 4<sup>th</sup> or 5<sup>th</sup> of February. The event on the review of REACH scheduled for 14 February 2013 has been cancelled. More news to follow soon ... (more information: Inneke Claes).

### **Nanomaterials and OSH legislation – Questionnaire**

Risk & Policy Analysts Ltd (RPA), has been contracted by the European Commission (DG Employment) to carry out a study assessing the suitability of the current EU legal framework for workers protection, to address any potential risks and hazards which may be posed by nanomaterials and nanotechnologies and to evaluate the scope and requirements of possible modifications in order to ensure an adequate coverage. The questionnaire has been circulated to the REACH Forum and is available from the Secretariat upon request. Deadline for replies is 15 February 2013 (more information: Inneke Claes).

### **Commission workshop on the 2<sup>nd</sup> regulatory review of nanomaterials on 30 January 2013**

Some of the key points discussed at the workshop:

- Both DG Enterprise and DG Environment emphasised that the existing framework of REACH (registration) is sufficient to cover nanomaterials, but that there are some modifications necessary to the Annexes of REACH. Nanomaterials have to be assessed on a case by case basis
- SCENIHR's opinions on nanomaterials: nanoforms are not more toxic than macroforms and classical risk assessment tools can be used, with some adaptations to the specificity of nanomaterials (e.g. what is "dose", dose-response relationships, measurement of exposure)
- Regulatory review: possible adaptation of REACH Annexes under comitology – consultation during 2013 and possible presentation of a legislative proposal at the end of 2013
- Upcoming Commission impact assessment on registry for nanomaterials below REACH registration thresholds
- The greens from the European Parliament do not agree with the Commission that the existing framework is appropriate and find that the lack of information on nanomaterials is problematic. They argue for a separate "mini-REACH on nanomaterials"

The recordings and presentations will be available from this website around mid-February: [http://ec.europa.eu/enterprise/sectors/chemicals/reach/events/index\\_en.htm](http://ec.europa.eu/enterprise/sectors/chemicals/reach/events/index_en.htm) (more information: Inneke Claes).

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## EUROMETAUX REACH activities: hot topics/issues

### **CLP: preparing input on the Unit World Model (UWM) for ECHA**

Eurometaux and the Consortia conducted an extensive research package to answer the questions and concerns raised by the experts attending the ECHA-UWM workshop in February last year. The objective is to maintain a level playing field with the organic sector by ensuring that rapid removal from the water column can be accounted for metals to reduce the hazard categorization for the environmental hazard endpoint. Mutch Associates and ARCHE presented extensive reports, which were reviewed by the contributing Consortia coordinated through Eurometaux. The metals sector has prepared an extensive briefing package for ECHA, MSCAs and scientists who attended the workshop, which includes a summary briefing note on new science and evidence supporting the model, submitted to ECHA on 31 January (more information: Katrien Delbeke and Hugo Waeterschoot).

### **RMO: training the contact points for advocacy on the Risk Management Option (RMO) road map**

Eurometaux organized 2 webinars to brief and train the national contact points who will deliver the advocacy on the need for early RMO assessment in preparation of the Commission's conclusions on the SVHC Road Map in March. An extensive briefing package has been developed for this purpose, as well as a contact database. The national contact points were asked to ensure briefing contacts with their national MSCAs before the end of February (more information: France Capon and Hugo Waeterschoot).

### ***RMO: Euractiv event providing a platform to communicate Eurometaux's position***

The Nickel Institute facilitated a Workshop organized by the EU media platform Euractiv, structured around a Panel debate on the effectiveness of Risk Management Option analysis. The workshop comprised contributions from speakers from Eurometaux, ECHA and the European Parliament. The event was well attended, covering major downstream user sectors for metals and other industry sectors (minerals, engineering, etc.), as well as public authorities (Commission, permanent representatives, etc.). It provided an excellent opportunity for an open and constructive discussion on the REACH authorisation process, its implications, lessons learnt, and possible ways forward, emphasizing the relevance and importance of early RMO assessments and also covering the impact of potential authorisation on other EU policies such as energy, resources and sustainability policies (more information: Marco Vallini (NI) and Hugo Waeterschoot).

### ***Eurometaux meets Commission on classification-related issues***

Eurometaux met representatives from DG Environment & DG Enterprise for an informal discussion on the following issues: the new Specific Concentration Limit (SCL) and Pb metal classification (impacts, possible ways forward as presented by industry), the "reclassification project" (change in Annex VI classification for group entries, new data, follow-up 2<sup>nd</sup> ATP), the issue of industry experts representation at RAC and to provide them with a short status on the UWM project. Clear recognition and understanding for the different aspects were brought up and a number of very useful suggestions were made by the Commission, on which we will further follow up (more information: Violaine Verougstraete and Hugo Waeterschoot).

## **INTERMEDIATES**

### ***Meeting with ECHA to discuss substance identification of UVCB***

On 8 January, a delegation from the Eurometaux Intermediate Taskforce met experts from the ECHA Substance Identification Unit and ECHA's scientific adviser to present the work industry developed on inorganic UVCB Substance Identification. The meeting allowed for a fruitful exchange and was useful to refine a number of key issues such as the parameters of variability (and its drivers), the importance of the elemental composition, the management of uncertainty and reporting aspects in IUCLID. It was also confirmed at the meeting that ECHA had received 'intermediates letters' from 17 companies informing ECHA of their intention to go for an Article 10, and that replies were sent to those companies confirming that the corresponding registration numbers would be temporarily excluded from their screening activities (more information: Federica Iaccino and Violaine Verougstraete).

### ***Meeting of the Intermediates Taskforce on 29 January 2013***

The main outcomes of the discussion with ECHA on 8 January were reported to the taskforce. The intermediate task force discussed the necessary steps to finalize the UVCB's risk assessment & classification aspects and agreed upon actions to be undertaken for a possible follow up meeting with ECHA in April/May. Eurometaux will –with the support of the consortia– develop examples on classification, IUCLID reporting information, risk characterization and Chemical Safety Report generation. The examples shall be sufficiently pragmatic, illustrative and representative of the work ongoing in several consortia to convince ECHA to have another discussion on classification and risk assessment. Eurometaux will present preliminary results for discussion at the next Intermediate TF meeting (more information: Federica Iaccino).

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## **Further outreach of REACH**

### **ICMM-Chemicals Management Working Group: international industry review of UWM and IMO activities**

The ICMM CMWG (ex-MMTWG) met in Toronto on 9-10 January. This group provides a platform for the metals commodities, ICMM and Eurometaux to exchange on regional chemicals management issues and to seek potential co-operation. The major theme this year was advocacy on the IMO environmental update. There was also extensive discussion on the parametrisation of the UWM model for CLP and GHS application. The meeting enabled Eurometaux to discuss the UWM model aspects in detail with the international Commodities. Eurometaux's participation was sponsored by Rio Tinto ☺ (more information: Ilse Schoeters and Hugo Waeterschoot).

## Meeting Environmental Canada: exchange on UWM and risk assessment priorities

At the ECHA-UWM Workshop last year, Canada expressed concern about the validity and relevance of recognizing speciation and degradation from the water column in order to declassify metals, stating that “metals are inherently persistent and therefore require risk management”. ECHA insisted this would be clarified with the sector to avoid this issue being raised at OECD or UN GHS level. The North American Metals Council (NAMC), headed by Bill Adams and supported by Vale, facilitated a meeting with a large delegation of ENV and Health Canada enabling the need for the UWM to be discussed (avoiding discrimination in relation to the organic sector), and indicating that this was currently only used for the CLP and GHS environmental hazard identification. The meeting succeeded in communicating this message, with Canada expressing surprise that its intervention at the workshop had had such an effect. Canada further shared its planning of metal risk assessment reviews covering a series of metals. Eurometaux suggested that ongoing REACH registration work be recognized, and invited Canada to amend its timing accordingly. Eurometaux informed the Consortia involved (covering Zn, Ag, B, Si and others) (more information: Bill Adams and Hugo Waeterschoot).

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## Calendar

- 11-12 February 2013 : ECHA’s 3rd Application seminar to inform potential applicants, Helsinki
  - 19 February 2013 : Reach Authorisation / Restriction Platform
  - 27 February 2013: publication ECHA Evaluation-progress report 2012
  - March 2013: publication of updated CoRAP and report on first substances evaluation decisions
  - 19 March 2013: REACH Forum
  - 26 March 2013 : ECHA Stakeholders day, Helsinki
  - 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>)
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## Acronyms

AA: Authorisation Application	JRC: Joint Research Centre
ATP : Adaptation to Technical Progress	MSCA: Member State Competent Authorities
Cefic : European Chemical Industry Council	NAMC : North American Metals Council
CEPI: Confederation of European Paper Industries	NGO : Non-Governmental Organisation
Cl&L: Classification and Labelling	NMWG: NanoMaterials Working Group
CLH : Harmonised Classification	RIVM: Rijksinstituut voor Volksgezondheids en Milieu (NL)
CLP : Classification, Labelling and Packaging Regulation	RMO: Risk Management Options
CoRAP: Community Rolling Action Plan	RPA: Risk & Policy Analysts Ltd
CSR : Chemical Safety Report	SCENIRH: Scientific Committee on Emerging and Newly Identified Health Risks
GAARN: Group Assessing Already Registered Nanomaterials	SCL: Specific Concentration Limit
GHS: Global Harmonised System	SVHC: Substance of very high concern
IMO: International Maritime Organisation	UWM : Unit World Model
IUCLID: International Uniform Chemicals Information Database	UVCB: Unknown or Variable Composition, Complex Reaction Products and Biological Materials