



EUROMETAUX REACH PROGRAMME

Dear REACH Forum member,

We hope you have all been able to enjoy a nice summer and are now ready to deal with the thousand and one stories REACH still has in reserve to keep us active and fit after the summer months. Tomorrow, Brussels will be tainted by the 'back to school' atmosphere: traffic jams in the remaining road works and Montgomery Square looking like a carousel, somewhat nervous parents parking their car in spaces they would never conceive as valid parking spots 2 days before, overcrowded metros and some raindrops to make it clear that August is over. Like the kids who will look at their schoolbag tonight with a mixture of (holiday) regrets and excitement, I did a quick check of what would be needed by the team in the coming weeks: loads of attention for the Pb discussions in Helsinki next week, a good flexible agenda, well trained wrists to type reports, vitamins to affront the shortening days, humour to erase the stress, precision to convince authorities, ambition and common sense to get budget and projects on the rails, and of course ...all of you!

September bringing its 'quotation': "Start by doing what's necessary; then do what's possible; and suddenly you are doing the impossible." (Francis of Assisi)

Wishing you all an excellent start!

Violaïne Verougstraete, EHS director Eurometaux

ECHA REACH activities: hot topics

ECHA COMMITTEES

SEAC-RAC procedure on Authorisation Applications follow-up: clarity provided on timing and processes

Both ECHA Committees concluded on an integrated working procedure for Authorisation Applications (AA) clarifying the timing, roles and responsibilities for each of the Committees, in handling Authorisation Applications. The procedure also describes the possibilities on how and when industry and other stakeholders are consulted, as well as how and under which conditions organizations like Eurometaux can follow the Authorisation Application review activities in RAC and SEAC. The procedure was circulated to the REACH membership. It is further planned to organise a briefing session for metal compounds that are on the candidate list as soon as experience has been assembled with the assessment of the first Authorisation Application (more information: Hugo Waeterschoot and Violaïne Verougstraete).

Preparing for the RAC and SEAC Pb restriction review: critical September meetings

September will be a "hot month" for the Lead sector given both the Pb metals classification proposal for reproductive toxicity as well as the Pb restriction in consumer articles proposal will be discussed. Over the summer, documents further focusing on the scope of the restriction proposal were released. ECHA continuously reviews the comments provided amongst others by the metals sector under the running Public Consultation. The latter included a data set submitted by the Copper sector on the leaching of Cu alloys to better estimate the potential mouthing risk for children.

RAC and SEAC will organise a special Rapporteurs meeting reviewing all comments and present their proposals to the RAC and SEAC meetings scheduled for the 2nd week of September. RAC will also further elaborate on the classification proposal including the proposed special concentration limit for reproductive toxicity (0.03 %). ILZRO will provide an expert to both ECHA Committees (Craig Boreiko) when they review the Rapporteurs draft opinions for RAC and SEAC (more information: Violaïne Verougstraete and Hugo Waeterschoot).

ECHA OTHERS

ECHA increases activity on Compliance Checks on Intermediates and test waivers: Also metal dossiers are reviewed ECHA recently sent several draft decisions (DD) to metal companies under the Compliance Check (CC) program challenging the interpretation of “intermediate status” and “test waiving”. The multiple cases taught that ECHA and MSC apply a strict interpretation of the intermediates status for substances on the candidate list and in particular those on Annex XIV or candidates for Annex XIV. It is noted that the “response to comments” summarizing the outcome of the MSC review of the Public Consultation on the prioritization step provides reasonable good guidance on how ECHA interprets intermediates status in this respect. Eurometaux will provide special attention to CC issues at its next REACH Forum meeting given its precedent setting nature for the sector (more information: Hugo Waeterschoot and Violaine Verougstraete).

ECHA Management Board: new Registration deadline was a success and allows to better balance the ECHA budget The ECHA Management Board met in June concluding to a successful 2nd registration despite somewhat lower registration numbers and relatively low contributions from SMEs. In addition, the fee income raised more than expected due to registrations and upgrades related to the higher tonnage band. This should allow ECHA to better balance its budget; however one should keep in mind that the Commission still requests a 2 % staff cut for the 4 coming years. Industry hopes that ECHA will not justify the job cuts to limit stakeholder interaction given this would reduce the transparency and extent of the support by the stakeholder community. The resources capacity of ECHA to handle the new responsibilities related to the Biocides regulation (from 1st September on) was also quoted as “capacity constrained”. Industry hopes this will not affect the larger data files when reviewed by ECHA given most metal compounds files covered by the BPR are very large. The approval of the 2014 work plan will be an important agenda-item for the next ECHA Management Board planned for end of September (more information: Guy Thiran).

AUTHORISATION

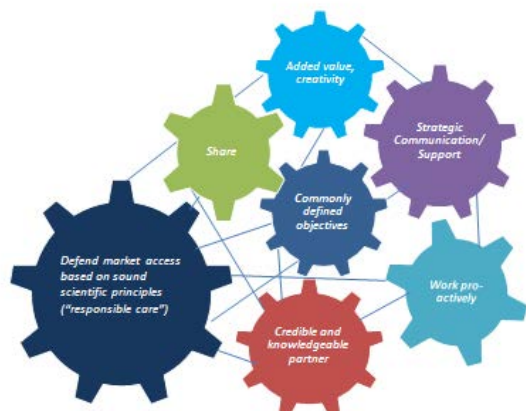
Public Consultation on the 5th priority list for Annex XIV: Eurometaux organized Webinar on RCFs Refractory Ceramic Fibers (RCFs) are on the proposed 5th priority list as is presently posted by ECHA for Public Consultation. In line with the recommendations made by the Eurometaux Authorisation platform, Eurometaux reviewed the RCF sector draft comments and helped in formulating them to be more effective. Subsequently, Eurometaux organized a webinar for the membership providing a status update of the public comments and draft comments of the RCF sector and suggested and discussed draft remarks for the metals sector. The commodities and companies using these fibers are invited to forward comments before closure of the present Public Consultation (September 23). The Webinar provided guidance and directions on the main concerns which Eurometaux will now formulate in a draft submission proposal (more information: Hugo Waeterschoot and Michel Vander Straeten).

EUROMETAUX REACH activities: hot topics/issues

OUTCOMES REACH BRAINSTORMING EM REACH TEAM

Early August the EM REACH team held its brainstorming on the 2014 work plan, priorities and resources needs. A budget proposal will soon be sent to the consortia and be discussed at the next REACH Forum meeting (September 17). The exercise also allowed us to define some core principles to ‘inscribe’ the REACH work in a common framework, defining also the targets and the boundaries of it. Having as overarching principle to defend market access based on sound scientific principles accompanied by the following ones:

- Be a **credible** (‘recognized and accepted’) and **knowledgeable partner** in chemicals management, which goes along with transparency, stewardship, cooperation
- Crystallizing and communicating experience and knowledge, **providing service at strategic level to consortia**
- Provide **added value and creativity**
- Be **pro-active** and anticipate on metal specific aspects, both technically and in advocacy
- Focus on **common defined objectives/cross metal issues**, maintain full solidarity between metals and linking it with other fields (sustainability debate, value chain, trade dimension, ...) inside and outside the EU
- **Share workload** with credible partners



COMMUNICATION ACTIVITIES

Cefic (Hubert Mandery, Leo Appelman, Erwin Annys) and Eurometaux (Guy Thiran and Violaine Verougstraete) representatives 'put their heads together' on August 22 to address the existing resources issues on REACH in both associations. While the REACH agenda does not decrease, REACH experts are moving to other topics/sectors, are hard to replace –in particular if you ask for existing experience- and the regulatory field constantly requires more polyvalence. It was agreed to cooperate closely on the new Evaluation activities, by exchanging experiences and organizing common meetings. The involvement of Downstream Users, delivery on the CSR/ES roadmap and interaction with ECETOC were the other topics that were raised and where common ground was searched for (more information: Guy Thiran and Violaine Verougstraete).

Further outreach of REACH

OECD

REACH-International: UN-Technical Correspondence group received metals proposal to update GHS guidance on environmental classification of metals and metal compounds.

Eurometaux and ICMM forwarded the suggested update of the GHS sections on the environmental classification strategy for metals and metal compounds (section 9.7) and the transformation dissolution protocol (Annex 10) to the UN Technical Correspondence Group composed of experts of UN member states. The national experts will now review the proposals and forward comments by the end of September. The metals sector intends to clarify the comments on the metals environmental classification strategy during subsequent discussion rounds and hopes to make good progress with the acceptance before the next formal meeting of the UN-GHS scheduled for December 2013. Acceptance is critical to ensure an equal level playing field between the CLP and the UN-GHS and to promote harmonization of the metals environmental classification strategy (more information: Hugo Waeterschoot and Benjamin Davies).

ECETOC: a study to clarify the relevance of Exposure Scenarios for the environmental risk evaluation

REACH requires the development of Exposure scenarios for substances that are classified as hazardous and/or that can cause a risk. This definition is difficult to interpret for the environmental compartment given the hazard classification system only covers the aquatic compartment and not the soil and sediments compartment. Moreover, metals can cause a potential risk at regional level for the environment even when they are not classified. An ECETOC task force has been established to develop scientific evidence and guidance to assess this dilemma, to which the Nickel Institute (Emily Rogevich) and Eurometaux (Hugo Waeterschoot) were invited. ECETOC will start the activity with a review of existing ecotoxicity data sets including on metals, to define recommendations for ECHA (more information: Hugo Waeterschoot and Emily Rogevich).

ICMM CMWG meeting reviewed status of chemicals management activities at international level: Eurometaux contributed actively to the meeting

The ICMM Chemicals Management Working Group (CMWG) met on August 19-20 to discuss common concerns and programs of Consortia, Commodities and major mining companies in respect to chemicals management. Based on suggestions made by Eurometaux and ICMM the group discussed the progress made with the UN GHS and the OECD Chemicals management

activities and proposed to support with all means the “OECD Environmental hazard and risk assessment Guidance development project. An update of the most important chapters of MERAG was seen as the best way to provide independent input to the OECD whereby maximal leverage from the EU learning experience can be achieved. In turn the MERAG update could be used for the scheduled environmental guidance update for metals in 2014 by ECHA thereby harmonizing and facilitating the input. CMWG also discussed other relevant UN and OECD programs and made suggestions to proceed on the diffuse sources project, the marine hazard assessment, the proposal of the UN to develop a global harmonized classification list. A short report will be distributed to the REACH Forum members (more information: Hugo Waeterschoot, Ilse Schoeters and Benjamin Davies).

ETAP: providing the metals sector with scientific suggestions on outstanding regulatory challenges and emerging issues ETAP, a forum of independent ecotox top experts brought together by the major metal commodities, met back to back with the ICMM CMWG meeting and provided opinions on critical outstanding scientific challenges for the metals sector. These included on how to merge existing soil bioavailability databases and models to form a more global system, how to best tackle the question on the relevance of a separate marine hazard assessment system for metals. The panel also raised interesting emerging issues which may impact the sector quite significantly in the future including the impact of clones of standard organisms like Daphnia and their impact on defining ecotoxicity reference value for classification. The most worthwhile suggestions will be taken forward by the Commodities after a prioritization procedure. The recommendations were also most useful for Eurometaux to design its multi-year chemicals management agenda and program (more information: Chris Schekat, Eric Van Genderen and Hugo Waeterschoot).

Calendar

- 3 September 2013: Brainstorming Session on Recycled substances and REACH Authorisation – MCC (Brussels)
- 4-5 September 2013: European Chemicals Policy & Risk Management – Informa (Barcelona)
- 10-13 September 2013: RAC 26 – ECHA (Helsinki)
- 11-13 September 2013: SEAC 20 – ECHA (Helsinki)
- 17 September 2013: REACH Forum – MCC (Brussels)
- 23 September 2013: Exposure Scenario Meeting – MCC (Brussels)
- 23-27 September 2013: MSC 31 – ECHA (Helsinki)
- 24 October 2013: Task Force on REACH Intermediates – MCC (Brussels)
- 30 October 2013: REACH Enforcement Forum-16 - stakeholder open session – ECHA (Helsinki)
- 12 November 2013: Authorisation & Platform Meeting – MCC (Brussels)
- 21-22 November 2013: 5th meeting of ENES-tbc (Brussels)
- 17 December 2013: REACH Forum – MCC (Brussels)

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

- 11 September 2013: [ECHA webinar “How to bring your registration dossier in compliance with REACH - Tips and hints, part 4”](#)

Acronyms

AA: Authorisation Application	ETAP: Ecotoxicity Technical Advisory Panel
BPR: Biocidal Products Regulation	GHS: Global Harmonised System
CC: Compliance Check	MERAG: Metals Risk Assessment Guidance
CLP: Classification, Labelling and Packaging	MB: Management Board
CMWG: Chemicals Management Working Group	MSC: Member States Committee
CSR/ES: Chemical Safety Report/Exposure Scenarios roadmap	OECD: Organisation of Economic Cooperation and Development
DD: Draft Decisions	RAC: ECHA Risk Assessment Committee
ECETOC: European Centre for Ecotoxicology and Toxicology of Chemicals	RCF : Refractory Ceramic Fibres
ENES: Exchange Network on Exposure Scenarios	SEAC: ECHA Socio-Economic Committee
ES: Exposure Scenarios	UN: United Nations