



## EUROMETAUX REACH PROGRAMME

Dear REACH Forum member,

*The end of a year and the start of a new one tend to be a time for reflection and also looking forward to and making wishes for the future. Comfortably installed close to the Christmas tree at my parent's place, vaguely appointed as 'guardian' of the Christmas presents around which my young nephews turn in circles while making hypotheses about the size and the probable content of the gifts, I could not help but start thinking about "experience" and "knowledge", which make that most adults can wait- reasonably, and even with some pleasure- to discover the presents someone else selected out for them.*

*"Knowledge" is defined by the dictionary as "the fact or condition of knowing something with familiarity gained through experience or association", or "the range of one's information or understanding", or "the circumstance and also condition of apprehending truth or fact through reasoning".*

*That's it!! Looking back at REACH 2012, the multiple qualities backing up the word 'knowledge' reflect quite well the numerous discussions, the long working hours, the slow acquaintance with the processes and the rules, the discoveries brought with the first 'cases' and the understanding we achieved.*

*It is already certain that 2013 will bring us some expected and unexpected presents, gains and losses, thereby increasing our REACH experience(s). Sharing, exchanging, common sense and quick learning are the tools we have in hand in the REACH Forum, and that we shall use to walk with serenity through 2013.*

*"Learn from yesterday, live for today, hope for tomorrow. The important thing is not to stop questioning" (A. Einstein).*



Happy 2013!!

Violaine Verougstraete, EHS director Eurometaux

## ECHA REACH activities: hot topics

### ECHA COMMITTEES

#### **MSC 27, 10-14 DECEMBER 2012: A VERY BUSY AGENDA AND RAISING CONCERNS FOR WORKLOAD IN 2013**

The last MSC meeting of the year is always heavily loaded given that a series of decision taking is required. Most important conclusions from the meeting included:

- the approval of the next list of more than 50 SVHC substances including Pb compounds (see further),
- first MSC opinion forming on the 4<sup>th</sup> priority list for Annex XIV (authorisation): industry requested that the timing of the new proposed chromates should be extended as done for the 3<sup>rd</sup> list. Eurometaux's comments on the potential intermediate status for the specific uses of As acid in glass were also considered
- the soil testing package for terrestrial plants for substances > 100 tons
- presentation of the updated CoRAP list, now also including a Zn, Be and Al compound. Justification documents for the different concerns are at present in the drafting phase
- review of the workload for 2013 demonstrating that Substance and Dossier Evaluations will dominate the MSC agenda in 2013 (For more information: Hugo Waeterschoot).

## **MSC: AUTHORISATION AND “SUBSTANCES OF EQUIVALENT CONCERN”**

For the first time the adopted SVHC list included substances of “equivalent concern” covering “respiratory/skin sensitizers, PBT and vPvB substances. The opening towards these new criteria for authorisation raised extensive and polarized debate by MSC on the need for more specific guidance versus case-by-case assessments. It was concluded that the present cases should not set precedence until the previous question was resolved (For more information: Hugo Waeterschoot).

## **MSC: AGREEMENT ON Pb COMPOUNDS BEING IDENTIFIED AS SVHC SUBSTANCES**

The December MSC meeting unanimously agreed series of Pb compounds including Pb oxide being identified as Substances of Very High Concern (SVHC). While supporting the SVHC nature of these substances many member state representatives as well as industry criticized the way that the Commission selected and proposed Pb compounds. MSC attendees strongly encourage the Commission to complete full RMO assessments for all Pb compounds also considering the relevancy of Authorisation or other options of RMM. The Commission confirmed their intention and seems to indicate that Restrictions rather than Authorisation may be the preferred and most relevant avenue. The listing on the candidate list of these series of Pb compounds requires manufacturers and users to communicate on properties and RMM measures (For more information: Aggie Kotze & Hugo Waeterschoot).

## **MSC: A CLEAR RECOMMENDATION FROM MSC RELATED TO “REFERENCE SAMPLES FOR UVCBS”**

A proposed Testing Proposal for an organic UVCB triggered an important discussion on the Reference Substance (REFSUB) to be used for testing purposes. MSC concluded that *the variability* of the REFSUB should be recognized when selecting relevant material to run the testing program. This includes maximizing the concentration of (a) dangerous component(s) depending on the endpoint and could result in different samples being used for ecotoxicity as for toxicity assessments, depending on the impurities/components causing this effect. Eurometaux will assess the consequence of this conclusion and debate it at the planned meeting of the Evaluation platform (see further) (For more information: Hugo Waeterschoot & Violaine Verougstraete).

## **SEAC 17, 3-5 DECEMBER 2012: FOCUS ON RESTRICTIONS SO FAR, BUT PREPARING FOR FIRST AUTHORISATION APPLICATION REVIEWS**

The 17<sup>th</sup> SEAC was still heavily focused on Restriction cases. Most important was the discussion on the SEA for Cr in leather goods. The SEA presented by the Rapporteur raised concerns because the socio-economic impact of skin sensitization effects was seen as probably highly overestimated. The benefits of the restriction case were quoted at more than a billion €/year. SEAC decided to go forward with this version hoping they could refine it after the Public Consultation.

At the next Authorisation platform Eurometaux will consider how this can affect other metal sensitizer cases. Sweden announced it had put Pb and Pb compounds in articles on the ROI for a restriction. The timing for the Cd compounds restriction submission (for use in paints and plastics) has been postponed. A report on “economic feasibility” assessment criteria was discussed and will require review by industry too (For more information: Hugo Waeterschoot).

---

## **ECHA/Commission REACH activities**

### **HIGHLIGHTS LAST DIRECTORS’ CONTACT GROUP 11 DECEMBER 2012**

The following topics were discussed at the last Directors’ Contact Group meeting which took place on 11 December 2012 and where Eurometaux was represented by John Schonenberger:

- Preparedness for 2013 registrations: ECHA asked for industry input to find information on about 700 orphan substances which industry signalled would be registered in 2013, but for which ECHA has no news on a lead registrant or if these substances will actually be registered or not
- SME awareness: a Commission document with proposals to raise the SME awareness about REACH, in particular in view of the 2013 and 2018 registration deadlines

- C&L platform: latest update on the platform which ECHA will launch on 31 January 2013 and which is intended to help industry come to “agreed” C&L (see also discussion at the last REACH Forum meeting and the Briefing Note on the C&L Platform)
- It was observed that it was too early to decide on whether or not authorisation should be discussed at the DCG. The practical experiences with authorisation applications will be monitored and if common and horizontal problems were to be identified, then the DCG could discuss them

A next meeting of the DCG is tentatively scheduled for mid-March 2013. After 1 June 2013, the European Commission will issue a report on the DCG activities and plan early for activities leading up to the 2018 registration deadline (For more information: Inneke Claes).

---

## EUROMETAUX REACH activities: hot topics/issues

### **REACH TASK FORCE ON INTERMEDIATES: LAST MEETING OF 2012 ON 7 DECEMBER 2012**

The first part of the meeting was dedicated to clarify ECHA’s expectations after discussion with EM on the annotations letters and metal PROCs issues. Companies that shall prepare an Article 10 dossier should send a letter to inform ECHA on their intention by end of 2012. EM provided the TF with a template letter where legal entities and registration number of those substances had to be completed. Companies that will update the existing registration dossiers (SCC compliant) should include an appropriate explanation on metal PROCs in their Appendix 3. In view of the upcoming workshop with ECHA on inorganic UVCBs substance identification (8 January 2013), principles of the meeting with ECHA experts and core messages were recalled. The focus of the meeting is to explain our developed approach and illustrate it via examples. Specific issues will be raised, such as inquiry and how revised EC naming and description is read by ECHA. Finally, an update on the status on the internal guidance and in particular on the risk assessment approach was given (For more information: Federica Iaccino).

### **SPECIFIC CONCENTRATION LIMIT: CALL ON 6 DECEMBER 2012**

A call to discuss the new ECHA Specific Concentration Limit Guidance, the impact of the possible Pb metal harmonized classification and associated SCL (0.03%) on our sector and the possible ways forward took place on 6 December 2012. A first action plan was worked out, entailing follow-up actions at RAC and at Commission levels but also the pursuit of the mapping of impacted sectors and consequences in case the Pb metal/compounds reproductive toxicity and lower SCL would be agreed. Further work shall also be carried out internally, addressing bioavailability and downstream consequences of CLP (for more information: Violaine Verougstraete or Hugo Waeterschoot).

### **RMO WEBINARS: AWARENESS RAISING FOR THE IMPLEMENTATION OF A STRUCTURED ADVOCACY ACTIVITY**

In follow-up of the 5 years’ experience review with the Authorisation/Restriction scheme and the press release of Eurometaux on the need to reduce the impact of these REACH instruments for metals, Eurometaux organized 2 briefing webinars in December. They aimed at raising support from industry for a structured and extensive advocacy program to support Risk Management Option Analysis (RMO) being a key tool in deciding which Risk Management Measures (RMM) are the most relevant under REACH or other chemicals management legislation. Clear actions were identified - including the establishment of an advocacy network in most EU countries - to convince authorities to carry out RMO’s before considering SVHC identification. A debate with politicians, NGO’s and ECHA on 22 January 2013 and 2 training webinars for advocacy contact points are the next steps in the advocacy delivery (For more information: France Capon & Hugo Waeterschoot).

### **REACH FORUM: LAST REACH FORUM MEETING BEFORE THE CHRISTMAS BREAK**

The last meeting of the REACH Forum was held just before the Christmas break on 19 December 2012 and benefitted from a good turnout. The meeting opened with a presentation of the status of the REACH financing for 2013, a discussion on how to involve metals downstream user organisations in the work on REACH and an update of the Eurometaux REACH strategic plan for 2013 and beyond. A report was also given on the good results obtained regarding the intermediates under strictly controlled conditions and the upcoming work on UVCBs (see article in this newsletter); and on the status of the multimetallic database. The largest part of the meeting was devoted to the reporting on and discussion of issues related to authorisation and restrictions (priority lists, roadmap for SVHC identification, EM 5 year review of authorisation, planning of future workshops and other future EM actions) (For more information: Inneke Claes).

## REACH FINANCING

The end-of-the-year budget overview was sent out on January 4 to the sponsors of the REACH 2012 programme. It reports on status and costs of the ECHA activities (human resources, travels and meetings, workshops) and the REACH projects. Some projects are still on-going but overall, even considering the costs associated with the finalization of the projects, the budget is balanced. The whole REACH team would like to thank the funding consortia/commodities for their support, their trust and help throughout 2012 (For more information: Violaine Verougstraete).

## EVALUATION MEETING CEFIC 17 DECEMBER 2012: AGREEMENT FOR A COMMON SESSION

Cefic created an evaluation working group to build learning experience with Dossier and Substance evaluations, two new REACH tools that will increase very substantially in activity in 2013. Eurometaux was invited and provided early learnings from MSC with Dossier Evaluations. Both organizations concluded that most issues were common for the organic and inorganic sectors and suggested to hold a combined "learning experience session" in March, a proposal that was agreed by the Eurometaux REACH Forum of 19 December 2012 too. For this occasion ECHA will be invited to present its new annual "evaluation report" which would form the basis and kick-start of the Eurometaux Manual of Decisions for Evaluation under REACH. (For more information: Hugo Waeterschoot & Violaine Verougstraete).

## METAL-SPECIFIC REACH APPLICATION TOOLS AND CONCEPTS

### CLP APPLICATION FOR METALS: UNIT WORLD MODEL NOW AVAILABLE FOR 8 METALS!

Mutch associates finalized its report summarizing all existing experience with the UWM model. The model allows assessing the "degradability criterion" included in the new CLP classification scheme for the chronic environmental endpoint. The extensive report does not only include the base metals Cu, Zn, Ni, ... but also metals occurring as impurities like Cd, As, ... making it also a good tool for the assessment of complex inorganic UVCBs. Eurometaux and the involved Consortia will prepare a summary and application guide for ECHA in anticipation of the review of the model by ECHA. The latter will be conducted in 2013 when assessing the harmonized classification proposal for Cu and Cu compounds. (For more information: Katrien Delbeke & Hugo Waeterschoot)

---

## Calendar

- 8 January: UVCB SID meeting (Helsinki)
- 15 January 2013 : ECHA Workshop for MSCA and accredited stakeholders on the C&L Inventory, Helsinki
- 16 January 2013 : ECHA Workshop for MSCA and accredited stakeholders on developing a CLH dossier, Helsinki
- 21-22 January 2013 : 2<sup>nd</sup> GAARN meeting on already registered nanomaterials, Helsinki
- 23 January 2013 : 1<sup>st</sup> meeting of the ECHA Working Group on nanomaterials, Helsinki
- 23 January 2013 : ECHA/European aerospace/aeronautics Workshop, Cologne
- 11-12 February 2013 : ECHA's 3rd Application seminar to inform potential applicants, Helsinki
- 14 February 2013 : Commission Workshop on the review of REACH
- 26 March 2013 : ECHA Stakeholders day, Helsinki

---

## Acronyms

C&L: Classification & Labelling	RMM: Risk Management Measures
CLP : Classification, Labelling and Packaging Regulation	ROI: Registry of Intentions
CoRAP: Community Rolling Action Plan	SEA: Socio-economic assessment
DCG: Directors Contact Group	SEAC: ECHA Socio-Economic Committee
ECHA: European Chemicals Agency	SCL: Specific Concentration Limit
MSC: Member State Committee	SMEs : Small and Medium Enterprises
PBT : Persistent Bioaccumulative and Toxic	SVHC: Substance of very high concern
PROCs: Process Codes	UVCB: Unknown or Variable Composition, Complex Reaction Products and Biological Materials
REFSUB: Reference Substance	vPvB : very Persistent, very Bioaccumulative
RMO: Risk Management Options	