



28 July 2017

(17-4139)

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Committee on Technical Barriers to Trade

Original: English

NOTIFICATION

The following notification is being circulated in accordance with Article 10.6

1. Notifying Member: <u>EUROPEAN UNION</u> If applicable, name of local government involved (Article 3.2 and 7.2):
2. Agency responsible: European Commission Name and address (including telephone and fax numbers, email and website addresses, if available) of agency or authority designated to handle comments regarding the notification shall be indicated if different from above: European Commission, EU-TBT Enquiry Point, Fax: +(32) 2 299 80 43, E-mail: grow-eu-tbt@ec.europa.eu Website: http://ec.europa.eu/growth/tools-databases/tbt/en/
3. Notified under Article 2.9.2 [X], 2.10.1 [], 5.6.2 [X], 5.7.1 [], other:
4. Products covered (HS or CCCN where applicable, otherwise national tariff heading. ICS numbers may be provided in addition, where applicable): Substances recently classified as carcinogenic, mutagenic and reproductive toxicants (CMR) category 1A and 1B as substances on their own or in mixtures that are placed on the market or used for supply to the general public.
5. Title, number of pages and language(s) of the notified document: Draft Commission Regulation amending the Appendices to Annex XVII to Regulation (EC) No 1907/2006 of the European Parliament and of the Council concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH) as regards CMR substances (3 pages + Annex 4 pages, in English).
6. Description of content: This draft Commission Regulation proposes to include within the scope of entries 28 to 30 of Annex XVII to Regulation (EC) No 1907/2006 the substances listed below, with the effect of restricting their placing on the market or use for supply to the general public as substances on their own, as constituents of other substances or in mixtures and to impose the requirement to mark packaging with the label "restricted to professional users". This is consequent on the recent classification of these substances as CMR category 1A or 1B under Regulation (EC) No 1272/2008 of the European Parliament and of the Council of 16 December 2008 on classification, labelling and packaging of substances and mixtures, as amended by Commission Regulation (EU) 2017/776. The substances are: 2,3-epoxypropyl methacrylate; glycidyl methacrylate; cadmium carbonate; cadmium hydroxide; cadmium dihydroxide; cadmium nitrate; cadmium dinitrate; Anthraquinone; N,N'-methylenedimorpholine; N,N'-methylenebismorpholine; [formaldehyde released from N,N'-methylenebismorpholine][MBM]; reaction products of paraformaldehyde and 2-hydroxypropylamine (ratio 3:2); [formaldehyde released from 3,3'-methylenebis[5-methyloxazolidine]; formaldehyde released from oxazolidin] [MBO]; reaction products of paraformaldehyde with 2-hydroxypropylamine (ratio 1:1); [formaldehyde released from α,α,α -trimethyl-1,3,5-triazine-1,3,5(2H,4H,6H)-triethanol] [HPT]; methylhydrazine; cadmium carbonate; cadmium hydroxide; cadmium dihydroxide;

<p>cadmium nitrate; cadmium dinitrate; 2-methyl-1-(4-methylthiophenyl)-2-morpholinopropan-1-one; 2,3-epoxypropyl methacrylate; glycidyl methacrylate; cyproconazole (ISO); (2RS,3RS;2RS,3SR)-2-(4-chlorophenyl)-3-cyclopropyl-1-(1H-1,2,4-triazol-1-yl)butan-2-ol; dibutyltin dilaurate; dibutyl[bis(dodecanoyloxy)]stannane; nonadecafluorodecanoic acid [1]; ammonium nonadecafluorodecanoate [2]; sodium nonadecafluorodecanoate [3]; triadimenol (ISO); (1RS,2RS;1RS,2SR)-1-(4-chlorophenoxy)-3,3-dimethyl-1-(1H-1,2,4-triazol-1-yl)butan-2-ol; α-tert-butyl-β-(4-chlorophenoxy)-1H-1,2,4-triazole-1-ethanol; quinolin-8-ol; 8-hydroxyquinoline; thiachloprid (ISO); (Z)-3-(6-chloro-3-pyridylmethyl)-1,3-thiazolidin-2-ylidenecyanamide; {(2Z)-3-[(6-chloropyridin-3-yl)methyl]-1,3-thiazolidin-2-ylidene}cyanamide; carbetamide (ISO); (R)-1-(ethylcarbamoyl)ethyl carbanilate; (2R)-1-(ethylamino)-1-oxopropan-2-yl phenylcarbamate.</p> <p>The substance formaldehyde ...%, which was classified as a carcinogen category 1B by Commission Regulation (EU) No 605/2014, is also now included within the scope of entries 28 to 30 of Annex XVII to REACH.</p>
<p>7. Objective and rationale, including the nature of urgent problems where applicable: Prevention of deceptive practices and consumer protection; Protection of human health or safety; The above mentioned substances recently received new harmonised classifications as CMR category 1A or 1B. In accordance with Article 68 (2) of Regulation (EC) 1907/2006 (REACH), the Commission may propose a restriction on the use of these substances and mixtures containing them by consumers.</p>
<p>8. Relevant documents:</p> <ul style="list-style-type: none"> Regulation (EC) No 1907/2006 of the European Parliament and of the Council on the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH Regulation): http://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1423064258789&uri=CELEX:32006R1907
<p>9. Proposed date of adoption: First quarter of 2018.</p> <p>Proposed date of entry into force: 20 days from publication in the Official Journal of the EU. In accordance with Article 2(2) of the Act, the restriction will apply to formaldehyde from the date of entry into force of the Regulation and to the other substances from 1 December 2018.</p>
<p>10. Final date for comments: 60 days from notification</p>
<p>11. Texts available from: National enquiry point [] or address, telephone and fax numbers and email and website addresses, if available, of other body:</p> <p>European Commission EU-TBT Enquiry Point Fax: + (32) 2 299 80 43 E-mail: grow-eu-tbt@ec.europa.eu</p> <p>The text is available on the EU-TBT Website: http://ec.europa.eu/growth/tools-databases/tbt/en/ https://members.wto.org/crnattachments/2017/TBT/EEC/17_3403_00_e.pdf https://members.wto.org/crnattachments/2017/TBT/EEC/17_3403_01_e.pdf</p>