

## ANNEX XVII TO REACH – Conditions of restriction

### Restrictions on the manufacture, placing on the market and use of certain dangerous substances, mixtures and articles

#### Entry 67

Bis(pentabromophenyl)ether  
(decabromodiphenyl ether; decaBDE)

CAS No 1163-19-5

EC No 214-604-9

#### Conditions of restriction

1. Shall not be manufactured or placed on the market as a substance on its own after 2 March 2019.
2. Shall not be used in the production of, or placed on the market in:
  - (a) another substance, as a constituent;
  - (b) a mixture;
  - (c) an article, or any part thereof,in a concentration equal to or greater than 0,1 % by weight, after 2 March 2019.
3. Paragraphs 1 and 2 shall not apply to a substance, constituent of another substance or mixture that is to be used, or is used:
  - (a) in the production of an aircraft before 2 March 2027.
  - (b) in the production of spare parts for either of the following:
    - (i) an aircraft produced before 2 March 2027;
    - (ii) motor vehicles within the scope of Directive 2007/46/EC, agricultural and forestry vehicles within the scope of Regulation (EU) No 167/2013 of the European Parliament

and of the Council<sup>1</sup> or machinery within the scope of Directive 2006/42/EC of the European Parliament and of the Council<sup>2</sup>, produced before 2 March 2019.

4. Subparagraph 2(c) shall not apply to any of the following:

- (a) articles placed on the market before 2 March 2019;
- (b) aircraft produced in accordance with subparagraph 3(a);
- (c) spare parts of aircraft, vehicles or machines produced in accordance with subparagraph 3(b);
- (d) electrical and electronic equipment within the scope of Directive 2011/65/EU.

5. For the purposes of this entry 'aircraft' means one of the following:

- (a) a civil aircraft produced in accordance with a type certificate issued under Regulation (EU) No 216/2008 of the European Parliament and of the Council<sup>3</sup> or with a design approval issued under the national regulations of a contracting State of the International Civil Aviation Organisation (ICAO), or for which a certificate of airworthiness has been issued by an ICAO contracting State under Annex 8 to the Convention on International Civil Aviation;
- (b) a military aircraft.

---

<sup>1</sup> Regulation (EU) No 167/2013 of the European Parliament and of the Council of 5 February 2013 on the approval and market surveillance of agricultural and forestry vehicles ([OL L 60, 2.3.2013, p. 1](#)).

<sup>2</sup> Directive 2006/42/EC of the European Parliament and of the Council of 17 May 2006 on machinery, and amending Directive 95/16/EC ([OJ L 157, 9.6.2006, p. 24](#)).

<sup>3</sup> Regulation (EC) No 216/2008 of the European Parliament and of the Council of 20 February 2008 on common rules in the field of civil aviation and establishing a European Aviation Safety Agency, and repealing Council Directive 91/670/EEC, Regulation (EC) No 1592/2002 and Directive 2004/36/EC ([OJ L 79, 19.3.2008, p. 1](#)).