

1 March 2023

SEAC/M/57/2022 FINAL

Final

Minutes of the 57th meeting of the Committee for Socio-economic Analysis

**29 November – 2 December
and
5 December 2022**

I. Summary Record of the Proceeding

1) Welcome

María Ottati, Chair of the Committee for Socio-economic Analysis (SEAC), ECHA, welcomed the participants to the 57th meeting of SEAC.

The Chair informed the participants that the meeting would not be recorded. The list of attendees is given in Part III of the minutes.

2) Adoption of the Agenda

The Chair introduced the final draft agenda of SEAC-57. The agenda was adopted without modifications (in line with SEAC/A/57/2022). The Chair mentioned that the meeting would be partly chaired by the Deputy Chair Kalle Kivelä.

The final agenda is attached to these minutes as Annex III. The list of all meeting documents is attached to these minutes as Annex I.

3) Declarations of conflicts of interest to the Agenda

The Chair requested members and their advisors participating in the meeting to declare any conflicts of interest with any of the specific agenda items. One member declared potential conflicts of interest regarding the substance-related discussions under Agenda Item 5.2a-2. Two members and one advisor declared potential conflicts of interest regarding the substance-related discussions under Agenda Item 5.2a-1. Two members and one advisor declared potential conflicts of interest regarding the substance-related discussions under Agenda Item 5.2b-3. Two members declared potential conflicts of interest regarding the substance-related discussions under Agenda Item 5.2b-2. These members did not participate in voting under those Agenda Items, as stated in Article 9(2) of the SEAC Rules of Procedure.

The Chair declared her absence of conflict of interest for all items of SEAC-57 plenary meeting. She noted that the Deputy Chair was involved in the preparation of the Annex XV dossier for the PFASs in Firefighting Foams restriction proposal, and would therefore not participate in discussions, but that he had no conflict of interest for the other items on the agenda.

The list with declared conflicts of interest is given in Annex II of these minutes.

4) General SEAC procedures

a) Report on SEAC-56 action points and written procedures

The Chair informed the participants that all action points of SEAC-56 had been completed or would be followed up during the on-going SEAC-57 meeting.

The Chair also informed the Committee that the final minutes of SEAC-56 had been adopted by written procedure and had been uploaded to S-CIRCABC as well as on the ECHA website.

Representatives of the Commission updated the Committee on SEAC-related developments in the REACH Committee and in CARACAL. The Commission also provided an update on the REACH review.

5) Restrictions

5.1 General restriction issues

1. Report from Working Group on qualitative assessments

A representative from the Working Group on qualitative assessments provided an update on and SEAC discussed the proposed paper on SEAC's evaluation of qualitative assessments in Annex XV restriction dossiers. A written commenting round on the revised paper was organised prior to SEAC-57. The members supported the revisions made and proposed some final editorials in the paper by the working group (related to scientific references, prioritising impacts, how to combine qualitative with quantitative evidence etc.).

The Chair concluded that SEAC agreed on the document with additional editorials agreed at SEAC-57 (in line with the meeting document SEAC/57/2022/01). The Secretariat will make final editorial changes to the agreed document and to publish it on the ECHA website.

2. Mandate for a working group to update the SEAC PBT/vPvB approach

The Secretariat provided a presentation on and SEAC discussed the proposal for a mandate of the working group to update the SEAC PBT/vPvB approach. SEAC agreed on the mandate (in line with the meeting document SEAC/57/2022/02).

Furthermore, SEAC members were requested to volunteer for the working group by 16 December 2022. The Secretariat will launch the work of the working group with the aim at agreeing the updated SEAC PBT/vPvB approach in 2023.

5.2 Restriction Annex XV dossiers

a) Conformity check and key issues discussion

1) BPA+ - Conformity check and key issues discussion

The Deputy Chair welcomed the Dossier Submitter's representative from Germany. He informed the participants that the restriction dossier was submitted by Germany on 7 October 2022 and concerns the restriction of Bisphenol A as well as other bisphenol derivatives with endocrine disrupting properties for the environment. The conformity check process was launched in RAC and SEAC on 10 November 2022 and the SEAC commenting round finished on 21 November, with no comments received from SEAC. The Chair informed the participants that RAC concluded on the conformity of the Annex XV dossier at RAC-63.

The Dossier Submitter's representatives provided an introductory presentation on the restriction proposal. The SEAC rapporteurs then presented the outcome of the conformity check and the recommendations to the Dossier Submitter. The Committee agreed that the dossier conforms to the Annex XV requirements. The Chair informed the Committee that

the six-month consultation of interested parties on the restriction proposal will be launched on 21 December 2022.

2) Creosote, and creosote-related substances - Conformity check and key issues discussion

The Chair welcomed the Dossier Submitter's representative from France. She informed the participants that the restriction dossier was submitted by France on 7 October 2022 (as a new dossier) and concerns the restriction of creosote and creosote-related substances. The conformity check process was launched in RAC and SEAC on 10 November 2022 and the SEAC commenting round finished on 21 November, with no comments received from SEAC. The Chair informed the participants that RAC concluded on the conformity of the Annex XV dossier at RAC-63.

The Dossier Submitter's representatives provided an introductory presentation on the restriction proposal, with the focus on updates made in the dossier compared to the previous submission. The SEAC rapporteurs then presented the outcome of the conformity check and the recommendations to the Dossier Submitter. The Committee agreed that the dossier conforms to the Annex XV requirements. The Chair informed the Committee that the six-month consultation of interested parties on the restriction proposal will be launched on 21 December 2022.

b) Opinion development

1) Medium-chain chlorinated paraffins (MCCP) and other substances that contain chloroalkanes with carbon chain lengths within the range from C14 to C17 – First draft opinion

The Chair welcomed the Dossier Submitter's representatives from ECHA and the RAC rapporteurs. She informed the participants that the restriction dossier was submitted in July 2022 and concerns the manufacture, use and placing on the market of substances, mixtures and articles containing C14-17 chloroalkanes with PBT- and/or vPvB-properties.

The RAC co-rapporteur summarised the discussions to date in RAC and the outcome of RAC-63. The SEAC rapporteurs then presented the first draft opinion. SEAC members commented on the draft opinion related to uncertainties, discount rate, enforceability etc. The Commission observer asked for clarifications on how the different restriction sub-options had been combined and analysed. Furthermore, an accompanying expert to a regular stakeholder observers (Cefic) commented on the assessment of alternatives and the Chair requested them to submit the information via the ongoing third-party consultation.

The Chair concluded that, apart from the uncertainties to be reflected, the opinion development on this dossier is quite far already. Further information is expected to be received via this party consultation. There was agreement on EU wide action, and that a restriction is the most appropriate measure to address the risks. Agreement on other topics is preliminary, pending on outcome of the third-party consultation. The approach taken to AoA, and assessing the costs and benefits was supported by SEAC.

The (co-)rapporteurs were requested to prepare the second draft opinion by February 2023, considering the SEAC-57 discussions, the comments received from the SEAC written commenting round and the comments from the Annex XV report consultation.

2) Terphenyl, hydrogenated – Second draft opinion

The Chair welcomed the Dossier Submitter's representative from Italy. The Chair informed the participants that the restriction dossier was submitted in April 2022.

The ECHA Secretariat summarised the discussions to date in RAC and briefed SEAC on the outcome of the discussions in RAC-63. The SEAC rapporteurs then presented the second draft opinion.

Members commented on the scope of the assessment of alternatives by the Dossier Submitter. A representative of the Dossier Submitter and an accompanying expert to a regular stakeholder observer (Cefic) also commented on this topic.

The SEAC rapporteurs then presented the assessment of costs and benefits. Members and an accompanying expert to a regular stakeholder observer (Cefic) commented on the same subject as well. Members then discussed the assessment of benefits.

Members also discussed the proportionality and a representative of the dossier submitter commented on this subject.

The Chair concluded that SEAC supports the rapporteurs' conclusions regarding the shortcomings of the AoA, and that its narrowness is also a problem. Some agreement on costs and benefits can be reached; however, many uncertainties remain, and information is missing. Regarding the proportionality, SEAC supported the approach to assess proportionality by sector, but there were differing reactions to the way the rapporteurs proposed to reflect the conclusions, and they were requested to further develop this area.

The (co-)rapporteurs were requested to prepare the third draft opinion by February 2023, considering the SEAC-57 discussions, the comments received from the SEAC written commenting round and the comments from the Annex XV report consultation.

3) *N,N*-dimethylacetamide and 1-ethylpyrrolidin-2-one – Second draft opinion

This agenda item was chaired by the Deputy Chair. He welcomed the Dossier Submitter's representatives from the Netherlands and the RAC rapporteurs. He informed the participants that the restriction dossier was submitted in April 2022.

The RAC rapporteur summarised the discussions to date in RAC and the outcome of RAC-63. The SEAC rapporteurs then presented the second draft opinion. An occasional stakeholder observer (CIRFS) and an accompanying expert to a regular stakeholder observers (Cefic) commented on whether the suggested restriction is the most appropriate EU-wide measure. Members, an accompanying expert to a regular stakeholder observer (Cefic) and an occasional stakeholder observer (CIRFS) also commented on the cost assessment. An occasional stakeholder observer (CIRFS) and an accompanying expert to a regular stakeholder observer (Cefic) also commented on the assessment of alternatives. Members then commented on the assessment of benefits. Members also discussed

proportionality and an occasional stakeholder observer (CIRFS) and an accompanying expert to a regular stakeholder observer (Cefic) also commented on this topic.

The Chair concluded that there was provisional agreement by SEAC on the justification that a restriction under REACH is the most appropriate EU-wide measure. Furthermore, SEAC supported the Dossier Submitter's estimates for the quantitatively assessed costs and benefits and the rapporteurs approach to describe alternatives. SEAC also supported the rapporteurs' tentative approach to assess proportionality.

The (co-)rapporteurs were requested to prepare the third draft opinion by January 2023, considering the SEAC-57 discussions, the comments received from the SEAC written commenting round and the comments from the Annex XV report consultation.

4) Per- and polyfluoroalkyl substances (PFASs) in firefighting foams – State of play on the outcome of the third party consultation

The Chair welcomed the Dossier Submitter's representatives from ECHA and the RAC rapporteurs. The Chair welcomed the Dossier Submitter's representatives from ECHA, the regular and occasional stakeholders and their accompanying experts. The SEAC rapporteurs presented an update on the state of play of the third-party consultation on the Annex XV dossier.

The Chair reminded all participants that the SEAC opinion development has been extended and SEAC is expected to agree on its draft opinion at SEAC-58.

5) Lead in outdoor shooting and fishing tackle – Draft of the SEAC final opinion

The Chair welcomed the Dossier Submitter's representatives from ECHA, the regular and occasional stakeholders and their accompanying industry experts, invited experts, as well as the members of the SEAC support group which was established to support the rapporteurs in the development of the opinion.

The SEAC rapporteurs then presented the draft of the final opinion to the Committee, which was updated based on the outcome of the third party consultation on the agreed SEAC draft opinion (175 comments received). The consultation finished on 29 August 2022.

The accompanying expert to the occasional stakeholder FITASC commented on the ballistics report. The invited expert from UNEP/AEWA also commented on the report. The Commission observer and the accompanying experts to the regular stakeholder observers EEB and ClientEarth commented on the transition period for gunshot in hunting and sport shooting, as well as on full metal lead bullets. The occasional stakeholder observer (FACE), the Commission observer, the regular stakeholder observer from Eurométaux and the accompanying expert to the regular stakeholder observer ClientEarth commented on the benefits.

The Committee adopted its final opinion by consensus. The rapporteurs were requested, together with the Secretariat, to do the final editing of the SEAC final opinion and to ensure that the supporting documentation (Background Document and responses to comments from the consultation) is in line with the adopted SEAC final opinion.

6) Substances containing polycyclic aromatic hydrocarbons (PAHs) in clay targets for shooting – Draft of the SEAC final opinion

The Chair welcomed the Dossier Submitter's representatives from ECHA. She informed the participants that the restriction dossier had been submitted in October 2021.

The SEAC rapporteurs then presented the draft of the final opinion to the Committee, which was updated based on the outcome of the third-party consultation on the agreed SEAC draft opinion (two comments received). The consultation finished on 14 November 2022.

The Committee adopted its final opinion by consensus. The rapporteurs were requested, together with the Secretariat, to do the final editing of the SEAC final opinion and to ensure that the supporting documentation (Background Document and responses to comments from the consultation) is in line with the adopted SEAC final opinion.

5.3 Appointment of (co-)rapporteurs for restriction dossiers (closed session)

SEAC was provided with an update on the upcoming UPFAS restriction proposal.

6) Authorisation

6.1 General authorisation issues

a) Update on incoming/future applications

The Secretariat presented information on incoming/future applications for authorisation and review reports, expected workload in 2023 and beyond, and timelines.

SEAC took note of the update on the new applications for authorisation received during the November 2022 submission window and other AfA-related updates, and discussed options for streamlining the opinion-making process for AfAs.

b) Discussion of various technical issues

The Secretariat presented and SEAC discussed proposed changes in technical guidance and standard texts for SEAC rapporteurs.

There was general support for the proposed changes. As a follow-up action the Secretariat will revise the document's section on economic feasibility to make it clear that there is a full spectrum of possibilities in various cases.

The Secretariat will consider the discussion and will update the relevant material (such as the technical guidance for rapporteurs), as well as publish it on S-CIRCABC.

6.2 Authorisation applications

a) Discussion on key issues

12 applications for authorisation (chromium trioxide) from August 2022 submission windows.

The Secretariat, in cooperation with the SEAC rapporteurs, provided general information regarding the new applications for authorisation and review report, and specified the identified key issues in the applications listed below:

- 285_CT_Liebherr-Aerospace_Linden (two uses),
- 287_CT_Bacrom (single use),
- 288_CT_Leonardo (single use),
- 289_CT_Beretta (two uses),
- 290_CT_Fir-Italia (single use),
- 291_CT_Belloni (single use),
- 292_CT_Artech (single use),
- 293_CT_Talleres-Akyrom (single use),
- 294_CT_Kludi (two uses),
- 295_CT_Ugitech (single use),
- 296_CT_Mahle-2 (single use).

286_CT_Hartchrom-Beck (four uses), from the same submission window, will be presented in SEAC-58,

b) Agreement on draft opinion

1. 260_CT_SARREL (1 use)

This is an application for authorisation on a single use of chromium trioxide:

Use 1: Industrial use of chromium trioxide for the etching of plastics materials, as a pre-treatment step of the electroplating process, for automotive applications mostly.

SEAC members discussed the scope of the application for authorisation, progress in finding alternatives and cooperation between suppliers and the applicants. Representatives of the European Commission contributed to the discussion by noting the importance of the review period setting justification, as well as principles for the review period setting.

The Committee agreed on the draft opinion by consensus. The rapporteurs, together with the Secretariat, will do the final editing of the SEAC draft opinion. The Secretariat will send the draft opinion to the applicants for commenting.

2. 261_CT_Metalbrass (1 use)

This is an application for authorisation on a single use of chromium trioxide:

Use 1: Electroplating of metal substrates using chromium trioxide to achieve functional surfaces for the sanitary sector.

SEAC members discussed dependence of the applicant on the original equipment manufacturers, as well as research and development activities by the applicant in search for an alternative. A representative of the European Commission contributed to the discussion by reflecting on the applications for authorisation by the original equipment manufacturers.

The Committee agreed on the draft opinion by consensus. The rapporteurs, together with the Secretariat, will do the final editing of the SEAC draft opinion. The Secretariat will send the draft opinion to the applicant for commenting.

3. 262_CT_Cromoplastica (2 uses)

This is an application for authorisation on two uses of chromium trioxide:

Use 1: Use of chromium trioxide for etching of plastic substrates as a key pre-treatment step for creating an electrically conductive surface to enable electroplating.

Use 2: Use of chromium trioxide for electroplating of plastic substrates to achieve a protective and durable surface with a silvery finish.

SEAC members discussed the length of the review period in relation to the substitution activities by the applicant, external factors affecting progress of finding the alternative, market sectors for which the applicant is plating plastic parts, length of the review period, as well as comments received during the external consultation. A representative of the European Commission contributed to the discussion by reflecting on the comments received during the external consultation. A representative of a stakeholder organisation (ChemSec) contributed to the discussion by reflecting on general principles of granting the authorisation.

The Committee agreed on the draft opinions by simple majority. The minority positions are available in Annex IV. The rapporteurs, together with the Secretariat, will do the final editing of the SEAC draft opinions. The Secretariat will send the draft opinions to the applicant for commenting.

4. 263_CT_Orelec (1 use)

This is an application for authorisation on a single use of chromium trioxide:

Use 1: Industrial use of chromium trioxide for the hard chrome plating of injection moulds in order to provide hardness, wear resistance and good demoulding properties, critical for the manufacture of high-quality plastic parts.

SEAC members discussed analysis of the alternative and substitution activities by the applicant, as well as the length of the review period. A representative of the European Commission contributed to the discussion by reflecting on the level of conservativeness of the cost-benefit analysis in the draft opinion and principles of the review period setting.

The Committee agreed on the draft opinion by consensus. The rapporteurs, together with the Secretariat, will do the final editing of the SEAC draft opinion. The Secretariat will send the draft opinion to the applicant for commenting.

5. 264_CT_Cristina (1 use)

This is an application for authorisation on a single use of chromium trioxide:

Use 1: Electroplating of different types of substrates using chromium trioxide to achieve functional surfaces with high durability and a bright or matt silvery appearance for sanitary applications.

SEAC members discussed the quality of the applicant's responses to the Committee's questions and substitution progress by the applicant, as well as the length of the review period. A representative of the European Commission contributed to the discussion by reflecting on the review period setting principles and the substitution activities by the applicant. A representative of a stakeholder organisation (Client Earth) also contributed to the discussion by reflecting on the review period setting principles.

The Committee agreed on the draft opinion by consensus. The rapporteurs, together with the Secretariat, will do the final editing of the SEAC draft opinion. The Secretariat will send the draft opinion to the applicant for commenting.

6. 265_TXP_EDF (2 uses)

This is an application for authorisation on two uses of trixylyl phosphate:

Use 1: Industrial use as a hydraulic fluid in closed systems to drive and control the steam inlet valves of turbines.

Use 2: Industrial use as a hydraulic fluid in closed systems to drive and control main steam isolation valves.

SEAC members discussed the non-use scenario submitted by the applicant, monetised benefits against the costs and the substitution plan by the applicant. A representative of the European Commission contributed to the discussion by reminding the Committee that trixylyl phosphate is a substance, which is toxic to reproduction, and that the application for authorisation follows the adequate control route. The content of the substitution plan in connection to the discussion about the length of the review period was also reflected on.

The Committee agreed on the draft opinions by consensus. The rapporteurs, together with the Secretariat, will do the final editing of the SEAC draft opinions. The Secretariat will send the draft opinions to the applicant for commenting.

7. 266_CT_Olivari (1 use)

This is an application for authorisation on a single use of chromium trioxide:

Use 1: Electroplating of brass substrates using chromium trioxide to achieve functional surfaces for architectural fittings.

The Committee agreed on the draft opinion by consensus. The rapporteurs, together with the Secretariat, will do the final editing of the SEAC draft opinion. The Secretariat will send the draft opinion to the applicant for commenting.

8. 267_CT_SPGPrints (1 use)

This is an application for authorisation on a single use of chromium trioxide:

Use 1: Use of Cr(VI) in an integrated process to create a hard surface with selective adhesion properties on mandrels used to manufacture screens for Rotary Screen Printing (RSP) for textile and other (printing) applications.

SEAC members discussed the length of the review period requested by the applicant, as well as the substitution activities by the applicant, including practical issues of the substitution, which the applicant is facing. A representative of the European Commission contributed to the discussion by asking questions about the content of certain steps in the substitution plan, calculation of benefits and monetised risks by the applicant, as well as the length of the review period.

The Committee agreed on the draft opinion by consensus. The rapporteurs, together with the Secretariat, will do the final editing of the SEAC draft opinion. The Secretariat will send the draft opinion to the applicant for commenting.

9. 268_CT_Paffoni (1 use)

This is an application for authorisation on a single use of chromium trioxide:

Use 1: Functional chrome plating with decorative character of metal substrates for sanitary applications.

The Committee agreed on the draft opinion by consensus. The rapporteurs, together with the Secretariat, will do the final editing of the SEAC draft opinion. The Secretariat will send the draft opinion to the applicant for commenting.

10. 269_CT_Rubinetterie3M (1 use)

This is an application for authorisation on a single use of chromium trioxide:

Use 1: Electroplating of different types of substrates using chromium trioxide to achieve functional surfaces with high durability and a bright or matt silvery appearance for sanitary applications.

SEAC members discussed the overall quality of the application for authorisation, the applicant's responses to the Committee's questions and substitution progress by the applicant, as well as a length of the review period.

The Committee agreed on the draft opinion by consensus. The rapporteurs, together with the Secretariat, will do the final editing of the SEAC draft opinion. The Secretariat will send the draft opinion to the applicant for commenting.

11. 270_CT_Maier (2 uses)

This is an application for authorisation on two uses of chromium trioxide:

Use 1: Functional chrome plating with decorative character for automotive applications.

Use 2: Etching of plastics with chromium trioxide as pre-treatment step for electroplating of plastics for automotive applications

SEAC members discussed the scope of the application and substitution activities by the applicants across the different sites. A representative of the European Commission contributed to the discussion by reflecting on the functionality of the plated articles. A representative of a stakeholder organisation (ClientEarth) contributed to the discussion by reflecting on the length of the review period. Another representative of a stakeholder organisation (Eurometaux) also considered functionalities of the plated articles, as well as reminded the Committee about necessity to assure a level playing field for all the applicants.

The Committee agreed on the draft opinions by simple majority. The minority positions are available in Annex IV. The rapporteurs, together with the Secretariat, will do the final editing of the SEAC draft opinions. The Secretariat will send the draft opinions to the applicants for commenting.

12. 271_CT_Villeroy (1 use)

This is an application for authorisation on a single use of chromium trioxide:

Use 1: The use of chromium trioxide for electroplating of metal substrates with the purpose to create a long-lasting high durability surface with bright look for kitchen and bathroom sanitary ware.

SEAC members briefly discussed search for an alternative by the applicant.

The Committee agreed on the draft opinion by consensus. The rapporteurs, together with the Secretariat, will do the final editing of the SEAC draft opinion. The Secretariat will send the draft opinion to the applicant for commenting.

13. 272_CT_RIGHI (1 use)

This is an application for authorisation on a single use of chromium trioxide:

Use 1: Electroplating of metal substrates using chromium trioxide to achieve functional surfaces for the sanitary sector.

The Committee agreed on the draft opinion by consensus. The rapporteurs, together with the Secretariat, will do the final editing of the SEAC draft opinion. The Secretariat will send the draft opinion to the applicant for commenting.

c) Adoption of opinion

1. 242_RR1_TCE_Microporous (1 use)

This is a review report on a single use trichloroethylene:

Use 1: Trichloroethylene used as extraction solvent in the manufacture of polyethylene separators for lead-acid batteries.

It was received by the Committee in November 2021. SEAC agreed on the draft opinion during SEAC-55 plenary meeting. On 10 October 2022 the authorisation holder submitted comments on the draft opinion.

The Committee adopted the opinion by consensus. The rapporteurs, together with the Secretariat will do the final editing of the SEAC opinion. The Secretariat will send the opinion to the Commission, the Member States and the authorisation holder, and publish it on the ECHA website.

2. 243_RR1_TCE_DOMO (1 use)

This is a review report on a single use trichloroethylene:

Use 1: Industrial use as an extraction solvent for the purification of caprolactam from caprolactam oil.

It was received by the Committee in November 2021. SEAC agreed on the draft opinion during SEAC-55 plenary meeting. On 20 September 2022 the authorisation holder submitted comments on the draft opinion.

The Committee adopted the opinion by consensus. The rapporteurs, together with the Secretariat will do the final editing of the SEAC opinion. The Secretariat will send the opinion to the Commission, the Member States and the authorisation holder, and publish it on the ECHA website.

3. 249_CT_Tenneco_CZ (1 use)

This is an application for authorisation on a single use chromium trioxide:

Use 1: The use of chromium trioxide (EC 215-607-8) by Monroe Czechia s.r.o. in the functional chrome plating of shock absorber rods.

It was received by the Committee in February 2022. SEAC agreed on the draft opinion during SEAC-55 plenary meeting. On 7 October 2022 the applicant submitted comments on the draft opinion.

The Committee adopted the opinion by consensus. The rapporteurs, together with the Secretariat will do the final editing of the SEAC opinion. The Secretariat will send the opinion to the Commission, the Member States and the applicant, and publish it on the ECHA website.

4. 250_CT_Tenneco_ES (1 use)

This is an application for authorisation on a single use chromium trioxide:

Use 1: The use of chromium trioxide (EC 215-607-8) by Tenneco Automotive Ibérica S.A in the functional chrome plating of shock absorber rods.

It was received by the Committee in February 2022. SEAC agreed on the draft opinion during SEAC-55 plenary meeting. On 7 October 2022 the applicant submitted comments on the draft opinion.

The Committee adopted the opinion by consensus. The rapporteurs, together with the Secretariat will do the final editing of the SEAC opinion. The Secretariat will send the opinion to the Commission, the Member States and the applicant, and publish it on the ECHA website.

5. 251_CT_Tenneco_BE (1 use)

This is an application for authorisation on a single use chromium trioxide:

Use 1: The use of chromium trioxide (EC 215-607-8) by Tenneco Automotive Europe BVBA in the functional chrome plating of shock absorber rods.

It was received by the Committee in February 2022. SEAC agreed on the draft opinion during SEAC-55 plenary meeting. On 7 October 2022 the applicant submitted comments on the draft opinion.

The Committee adopted the opinion by consensus. The rapporteurs, together with the Secretariat will do the final editing of the SEAC opinion. The Secretariat will send the opinion to the Commission, the Member States and the applicant, and publish it on the ECHA website.

6. 252_CT_Tenneco_PL (1 use)

This is an application for authorisation on a single use chromium trioxide:

Use 1: The use of chromium trioxide (EC 215-607-8) by Tenneco Automotive Eastern Europe Sp. z o.o. in the functional chrome plating of shock absorber rods.

It was received by the Committee in February 2022. SEAC agreed on the draft opinion during SEAC-55 plenary meeting. On 7 October 2022 the applicant submitted comments on the draft opinion.

The Committee adopted the opinion by consensus. The rapporteurs, together with the Secretariat will do the final editing of the SEAC opinion. The Secretariat will send the opinion to the Commission, the Member States and the applicant, and publish it on the ECHA website.

6.3 Appointment of (co-)rapporteurs for authorisation applications (closed session)

Since there were no changes in the restricted room document SEAC/57/2022/02, it was not discussed at the plenary.

7) Requests under Article 77(3)(c)

None.

8) AOB

a) Update of the work plan

The Secretariat provided an update of the work plan for the future months.

9) Action points and main conclusions of SEAC-57

A table with the action points and main conclusions is given in Part II below.

Main conclusions and action points
SEAC-57, 29 November - 2 December and 5 December 2022

(Adopted at SEAC-57 meeting)

Agenda point	
Conclusions / decisions / minority opinions	Action requested after the meeting (by whom/by when)
2. Adoption of the agenda	
The agenda was adopted without modifications (SEAC/A/57/2022).	
3. Declarations of conflicts of interest to the Agenda	
Conflicts of interest have been declared and will be included in the minutes.	
4. General SEAC procedures	
a) Report on SEAC-56 action points and written procedures	
SEAC was informed of the status of the action points of SEAC-56. Furthermore, SEAC took note of the oral report from the Commission on SEAC-related developments in the REACH Committee and the CARACAL meeting, as well as the progress of the REACH revision.	
5. Restrictions	
5.1 General restriction issues	
1. Report from Working Group on qualitative assessments	
SEAC took note of the paper on SEAC's evaluation of qualitative assessments in restriction reports prepared by the working group on qualitative assessments. SEAC agreed on the document with additional editorials agreed at SEAC-57 (in line with the meeting document SEAC/57/2022/01).	SECR to make final editorial changes to the agreed document and to publish it on ECHA website.
2. Mandate for a working group to update the SEAC PBT/vPvB approach	
SEAC took note of the proposal for a mandate of the working group to update the SEAC PBT/vPvB approach. SEAC agreed on the mandate (in line with the meeting document SEAC/57/2022/02).	SEAC members to volunteer for the working group by 16 December 2022. SECR to launch the work of the working group with the aim at agreeing the updated SEAC PBT/vPvB approach in 2023.

5.2 Restriction Annex XV dossiers	
a) Conformity check and key issues discussion	
1. BPA+ - Conformity check and key issues discussion	
SEAC agreed that the dossier conforms to the Annex XV requirements. SEAC took note of the recommendations to the Dossier Submitter.	SECR to compile the RAC and SEAC final outcomes of the conformity check and upload this to S-CIRCABC IG. SECR to inform the Dossier Submitter on the outcome of the conformity check.
2. Creosote, and creosote related substances - Conformity check and key issues discussion	
SEAC agreed that the dossier conforms to the Annex XV requirements. SEAC took note of the recommendations to the Dossier Submitter.	SECR to compile the RAC and SEAC final outcomes of the conformity check and upload this to S-CIRCABC IG. SECR to inform the Dossier Submitter on the outcome of the conformity check.
b) Opinion development	
1. Medium-chain chlorinated paraffins (MCCP) and other substances that contain chloroalkanes with carbon chain lengths within the range from C14 to C17 – First draft opinion	
SEAC rapporteurs presented and SEAC discussed the first draft opinion.	Rapporteurs to prepare the second draft opinion, considering SEAC-57 discussions and SEAC written consultation, by January 2023.
2. Terphenyl, hydrogenated – Second draft opinion	
SEAC rapporteurs presented and SEAC discussed the second draft opinion.	Rapporteurs to prepare the third draft opinion, considering SEAC-57 discussions and SEAC written consultation, by January 2023.
3. N,N-dimethylacetamide and 1-ethylpyrrolidin-2-one – Second draft opinion	
SEAC rapporteurs presented and SEAC discussed the second draft opinion.	Rapporteurs to prepare the third draft opinion, considering the SEAC-57 discussions and SEAC written consultation, by January 2023.
4. Per- and polyfluoroalkyl substances (PFAS) in fire-fighting foams – Status update	

<p>SEAC rapporteurs provided an update on the outcome of the third-party consultation on the Annex XV dossier.</p>	<p>Rapporteurs to prepare the third draft opinion, considering the SEAC-56 and SEAC-57 discussions and the outcome of the third-party consultation, by January 2023.</p>
<p>5. Lead and its compounds in ammunition and fishing tackles – State of play of third-party consultation on SEAC draft opinion</p>	
<p>SEAC rapporteurs presented and SEAC discussed the draft of the final opinion.</p> <p>SEAC adopted its final opinion by consensus (with editorials as agreed at SEAC-57).</p>	<p>Rapporteurs together with SECR to do the final editing of the SEAC final opinion and to ensure that the supporting documentation (BD and RCOM) is in line with the adopted SEAC final opinion.</p> <p>SECR to send the complied package to the Commission.</p>
<p>6. Substances containing polycyclic aromatic hydrocarbons (PAHs) in clay targets for shooting – Second draft opinion</p>	
<p>SEAC rapporteurs presented and SEAC discussed the draft of the final opinion.</p> <p>SEAC adopted its final opinion by consensus.</p>	<p>Rapporteurs together with SECR to do the final editing of the SEAC final opinion and to ensure that the supporting documentation (BD and RCOM) is in line with the adopted SEAC final opinion.</p> <p>SECR to send the complied package to the Commission.</p>
<p>5.3) Appointment of rapporteurs (closed session)</p>	
<p>The Secretariat launched the call for expression of interest for volunteers for the SEAC support group for opinion development on the UPFAS restriction proposal.</p>	<p>SEAC members to volunteer to the pool of members of the support group by 31 January 2023.</p> <p>SECR to confirm the composition of the UPFAS support group in the first quarter of 2023.</p>
<p>6. Authorisation</p>	
<p>6.1 General authorisation issues</p>	
<p>a) Update on incoming/future applications</p>	
<p>SEAC took note of the update on the new AfAs received during the November 2022 submission window and of the SECR's proposals to streamline the opinion-making for Applications for Authorisation.</p> <p>A representative of COM briefed the Committee that the Advocate General of the European Court of Justice issued on 27/10/2022 his non-binding opinion on the case brought by the European</p>	

Parliament challenging the European Commission's decision granting an authorisation to CTAC for a certain number of uses of chromium trioxide. SEAC took note of it.	
b) Update of technical guidance for rapporteurs	
The Secretariat presented and SEAC discussed the updated version of the technical guidance for rapporteurs.	SECR to consider the discussion and update the document, and to publish it on S-CIRCABC.
6.2 Authorisation applications	
a) Discussion on key issues	
12 applications for authorisation (chromium trioxide) from August 2022 submission windows.	
SEAC discussed the key issues identified in the applications for authorisation and the review report.	
b) Agreement on draft opinions	
1) 260_CT_SARREL (1 use)	
SEAC rapporteurs presented and SEAC discussed the SEAC draft opinion. SEAC agreed on its draft opinion (with editorials agreed at SEAC-57) on this application for authorisation by consensus.	Rapporteurs together with SECR to do the final editing of the SEAC draft opinion. SECR to send the draft opinion to the applicants for commenting. Rapporteurs and SECR to consider the need to come back to discussions in SEAC after the opinion has been agreed by RAC.
2) 261_CT_Metalbrass (1 use)	
SEAC rapporteurs presented and SEAC discussed the SEAC draft opinion. SEAC agreed on its draft opinion (with editorials agreed at SEAC-57) on this application for authorisation by consensus.	Rapporteurs together with SECR to do the final editing of the SEAC draft opinion. SECR to send the draft opinion to the applicant for commenting. Rapporteurs and SECR to consider the need to come back to discussions in SEAC after the opinion has been agreed by RAC.
3) 262_CT_Cromoplastica (2 uses)	
SEAC rapporteurs presented and SEAC discussed the SEAC draft opinions.	Rapporteurs together with SECR to do the final editing of the SEAC draft opinions.

<p>SEAC agreed on its draft opinions (with editorials agreed at SEAC-57) on this application for authorisation by simple majority.</p>	<p>SECR to send the draft opinions to the applicant for commenting.</p> <p>Rapporteurs and SECR to consider the need to come back to discussions in SEAC after the opinions have been agreed by RAC.</p>
<p>4) 263_CT_Orelec (1 use)</p>	
<p>SEAC rapporteurs presented and SEAC discussed the SEAC draft opinion.</p> <p>SEAC agreed on its draft opinion on this application for authorisation by consensus.</p>	<p>Rapporteurs together with SECR to do the final editing of the SEAC draft opinion.</p> <p>SECR to send the draft opinion to the applicant for commenting.</p>
<p>5) 264_CT_Cristina (1 use)</p>	
<p>SEAC rapporteurs presented and SEAC discussed the SEAC draft opinion.</p> <p>SEAC agreed on its draft opinion (with editorials agreed at SEAC-57) on this application for authorisation by consensus.</p>	<p>Rapporteurs together with SECR to do the final editing of the SEAC draft opinion.</p> <p>SECR to send the draft opinion to the applicant for commenting.</p> <p>Rapporteurs and SECR to consider the need to come back to discussions in SEAC after the opinion has been agreed by RAC.</p>
<p>6) 265_TXP_EDF (2 uses)</p>	
<p>SEAC rapporteurs presented and SEAC discussed the SEAC draft opinions.</p> <p>SEAC agreed on its draft opinions on this application for authorisation by consensus.</p>	<p>Rapporteurs together with SECR to do the final editing of the SEAC draft opinions.</p> <p>SECR to send the draft opinions to the applicant for commenting.</p>
<p>7) 266_CT_Olivari (1 use)</p>	
<p>SEAC rapporteurs presented and SEAC discussed the SEAC draft opinion.</p> <p>SEAC agreed on its draft opinion on this application for authorisation by consensus.</p>	<p>Rapporteurs together with SECR to do the final editing of the SEAC draft opinion.</p> <p>SECR to send the draft opinion to the applicant for commenting.</p>
<p>8) 267_CT_SPGPrints (1 use)</p>	

<p>SEAC rapporteurs presented and SEAC discussed the SEAC draft opinion.</p> <p>SEAC agreed on its draft opinion (with editorials agreed at SEAC-57) on this application for authorisation by consensus.</p>	<p>Rapporteurs together with SECR to do the final editing of the SEAC draft opinion.</p> <p>SECR to send the draft opinion to the applicant for commenting.</p>
<p>9) 268_CT_Paffoni (1 use)</p>	
<p>SEAC rapporteurs presented and SEAC discussed the SEAC draft opinion.</p> <p>SEAC agreed on its draft opinion on this application for authorisation by consensus.</p>	<p>Rapporteurs together with SECR to do the final editing of the SEAC draft opinion.</p> <p>SECR to send the draft opinion to the applicant for commenting.</p> <p>Rapporteurs and SECR to consider the need to come back to discussions in SEAC after the opinion has been agreed by RAC.</p>
<p>10) 269_CT_Rubinetterie3M (1 use)</p>	
<p>SEAC rapporteurs presented and SEAC discussed the SEAC draft opinion.</p> <p>SEAC agreed on its draft opinion (with editorials agreed at SEAC-57) on this application for authorisation by consensus.</p>	<p>Rapporteurs together with SECR to do the final editing of the SEAC draft opinion.</p> <p>SECR to send the draft opinion to the applicant for commenting.</p> <p>Rapporteurs and SECR to consider the need to come back to discussions in SEAC after the opinion has been agreed by RAC.</p>
<p>11) 270_CT_Maier (2 uses)</p>	
<p>SEAC rapporteurs presented and SEAC discussed the SEAC draft opinions.</p> <p>SEAC agreed on its draft opinions (with editorials agreed at SEAC-57) on this application for authorisation by simple majority.</p>	<p>Rapporteurs together with SECR to do the final editing of the SEAC draft opinions.</p> <p>SECR to send the draft opinions to the applicants for commenting.</p> <p>Rapporteurs and SECR to consider the need to come back to discussions in SEAC after the opinions have been agreed by RAC.</p>

12)271_CT_Villeroy (1 use)	
<p>SEAC rapporteurs presented and SEAC discussed the SEAC draft opinion.</p> <p>SEAC agreed on its draft opinion on this application for authorisation by consensus.</p>	<p>Rapporteurs together with SECR to do the final editing of the SEAC draft opinion.</p> <p>SECR to send the draft opinion to the applicants for commenting.</p> <p>Rapporteurs and SECR to consider the need to come back to discussions in SEAC after the opinion has been agreed by RAC.</p>
13)272_CT_RIGHI (1 use)	
<p>SEAC rapporteurs presented and SEAC discussed the SEAC draft opinion.</p> <p>SEAC agreed on its draft opinion on this application for authorisation by consensus.</p>	<p>Rapporteurs together with SECR to do the final editing of the SEAC draft opinion.</p> <p>SECR to send the draft opinion to the applicant for commenting.</p> <p>Rapporteurs and SECR to consider the need to come back to discussions in SEAC after the opinion has been agreed by RAC.</p>
c) Adoption of opinion	
7. 242_RR1_TCE_Microporous (1 use)	
<p>SEAC rapporteurs presented the SEAC draft final opinion.</p> <p>SEAC adopted its opinion on this review report by consensus.</p>	<p>Rapporteurs, together with SECR, to do the final editing of the SEAC opinion.</p> <p>SECR to send the opinion to the Commission, the Member States, and the authorisation holder, and to publish it on the ECHA website.</p>
8. 243_RR1_TCE_DOMO (1 use)	
<p>SEAC rapporteurs presented the SEAC draft final opinion.</p> <p>SEAC adopted its opinion on this review report by consensus.</p>	<p>Rapporteurs, together with SECR, to do the final editing of the SEAC opinion.</p> <p>SECR to send the opinion to the Commission, the Member States, and the authorisation holder, and to publish it on the ECHA website.</p>

9. 249_CT_Tenneco_CZ (1 use)	
<p>SEAC rapporteurs presented the SEAC draft final opinion.</p> <p>SEAC adopted its opinion on this application for authorisation by consensus.</p>	<p>Rapporteurs, together with SECR, to do the final editing of the SEAC opinion.</p> <p>SECR to send the opinion to the Commission, the Member States, and the applicant, and to publish it on the ECHA website.</p>
10. 250_CT_Tenneco_ES (1 use)	
<p>SEAC rapporteurs presented the SEAC draft final opinion.</p> <p>SEAC adopted its opinion on this application for authorisation by consensus.</p>	<p>Rapporteurs, together with SECR, to do the final editing of the SEAC opinion.</p> <p>SECR to send the opinion to the Commission, the Member States, and the applicant, and to publish it on the ECHA website.</p>
11. 251_CT_Tenneco_BE (1 use)	
<p>SEAC rapporteurs presented the SEAC draft final opinion.</p> <p>SEAC adopted its opinion on this application for authorisation by consensus.</p>	<p>Rapporteurs, together with SECR, to do the final editing of the SEAC opinion.</p> <p>SECR to send the opinion to the Commission, the Member States, and the applicant, and to publish it on the ECHA website.</p>
12. 252_CT_Tenneco_PL (1 use)	
<p>SEAC rapporteurs presented the SEAC draft final opinion.</p> <p>SEAC adopted its opinion on this application for authorisation by consensus.</p>	<p>Rapporteurs, together with SECR, to do the final editing of the SEAC opinion.</p> <p>SECR to send the opinion to the Commission, the Member States, and the applicant, and to publish it on the ECHA website.</p>
9. Action points and main conclusions of SEAC-57	
<p>SEAC adopted the action points and main conclusions of SEAC-57.</p>	

III. List of Attendees

SEAC-57

SEAC members
ANASTASIOU Christos
ARGYROPOULOS Christos
BRIGNON Jean-Marc
BÜCKER Michael
CASTELLI Stefano
CAVALIERI Luisa
COGEN Simon
DOMINIAK Dorota
DOLENC Darko
FANKHAUSER Simone
FREUDENTHAL Oona
GABBERT Silke
GAIDUKOVIS Sergejs
GRACIA Ignacio
ISKRA Jernej
JANSSEN Martien
JOMINI Stéphane
JONES Derrick
JOYCE John
KIISKI Johanna
LEAHY Eimear
LÜDEKE Andreas
MÅGE Marit
NIKOVA Julieta
PIÑEROS Juan
PETERSEN Ida Svostrup
REALE Priscilla
RODRIGUEZ Manuel
ROUW Aart
RUZGYS Karolis
SCHUCHTÁR Endre
SERRA Alexandra
SPITERI Jonathan
THIELE Karen
TURVEY Alex

ECHA STAFF
AHTIAINEN Heini
BARNEWITZ Greta
BIN Essi
DEDE Yasemin
DEMI Rossella
GMEINDER Michael
KIVELÄ Kalle
KLAUSBRUCKNER Carmen
LAZIC Nina
LEFEVRE Sandrine
LOGTMEIJER Christiaan
LOUKOU Christina
LUDBORZS Arnis
MANNERVESI Maija
MARQUEZ-CAMACHO Mercedes
NICOT Thierry
NIEMELÄ Helena
NURMI Väinö
ORISPÄÄ Katja
OTTATI Maria
PELTOLA Jukka
PILLET Monique
POPOVIC Marko
PORTUGAL Laura
REGIL Pablo
REUTER Ulrike
ROGGMAN Maarten
ROBERTS Julian
SALO Marta
SIMPSON Peter
SOSNOWSKI Piotr
THIERRY-MIEG Morgane
TUNNELA Outi
VAZQUEZ RODRIGUEZ Jesus
VITORICA Ander
WILK Mateusz
ZEIGER Bastian

Commission observers
BERTATO Valentina
GALLEGO Mateo
PEDERSEN Finn
SVÄRD Amie
ROSSI Ludovica
TOSETTI Patrizia
ZORGNO Ricardo

RAC rapporteurs
DOAK Malcolm
GEOFFROY Laure
LUND Bert-Ove
MOLDOV Raili
TOBIASSEN Lea Stine

Stakeholder observers & accompanying experts
BALLACH Jochen as occasional stakeholder (CIRFS)
BARBU Luminita as occasional stakeholder (EDANA)
CHAFFIN Kimberley as accompanying expert to MedTech Europe
CASSART Michael as regular stakeholder (Plastics Europe)
DUGUY H��l��ne as regular stakeholder (ClientEarth) EPEE
DYEKJAER Sidsel as regular stakeholder (ChemSec)
EICHLER-HAESKE Jens-Olaf as accompanying expert to CEFIC
GESTERMANN Sven as accompanying expert to PlasticsEurope
HANNEBAUM Peter as accompanying Expert to EUROFEU for PFAS
HOLLAND Mike as regular stakeholder (EAERE)
HOWICK Chris as accompanying expert to CEFIC
HUNZIKER Ren�� as accompanying expert to CEFIC
J��NOSI Amaya as regular stakeholder (CEFIC)
KALLER Martin as accompanying expert to CEFIC
KORNER BOYE Mads as accompanying expert to CEFIC
LEONHARDT Thomas as occasional stakeholder (EUROFEU)
LOEBEL Oliver as occasional stakeholder (EurEau)
PAIN Debbie as accompanying expert to EEB

PUUSTINEN Seppo as occasional stakeholder (FACE)
ROBIN Nicolas as regular stakeholder (Plastics Europe)
ROMANO Dolores as regular stakeholder (EEB)
RUELENS Paul as occasional stakeholder (CropLife Europe)
SANTOS Roumiana as regular stakeholder (MedTech Europe)
SEBASTIANI Giuliana as accompanying expert to Eurometaux
SCHULLER Jan as accompanying expert to CEFIC
VEITH Tobias as accompanying expert to MedTech Europe
WAETERSCHOOT as regular stakeholder (Eurometaux)

Advisors, invited experts, observers & dossier submitters
ALIVERNINI Silvia as dossier submitter for Terphenyl, hydrogenated
ARNING Jurgen as dossier submitter for BPA+
ASSMANN Mervi as advisor to Johanna KIISKI
AVERBECK Frauke (baua) as invited expert for PFAS
AZIZ Shasha as advisor to John JOYCE
CARLSSON FENG Mattias (Swedish Chemicals Agency) as invited expert for PFA
CASTAN Stephanie as advisor to Simone FANKHAUSER
CATONE Tiziana as dossier submitter for Terphenyl, hydrogenated
CROMIE Ruth (UNEP/AEWA) as invited expert for Lead
DANNENBERG Carl (baua) as invited expert for PFAS
de BLAEIJ Arianne as advisor to Martien JANSSEN
DERELIEV Sergey (UNEP/AEWA) as invited expert for Lead
DRISSI Sammy as dossier submitter for Creosote
FIORE Karine as dossier submitter for Creosote
GALERT Wiebke as dossier submitter for BPA+

HARD Sebastiana as advisor to Silke GABBERT
HILY Emeline as dossier submitter for Creosote
LEINALA Eeva as invited expert
JONGENEEL Rob as dossier submitter for DMAC-NEP
MORO IACOPINI Sabrina as advisor to Stefano CASTELLI
PASQUIER Elodie as dossier submitter for Creosote
PETERS Oliver as advisor to Karen THIELE
UNKELBACH Christian as dossier submitter for BPA+
URBAN Klaus as adviser to Michael BÜCKER

IV. List of Annexes

- ANNEX I. List of documents submitted to the members of the Committee for Socio-economic Analysis
- ANNEX II. Declared conflicts of interest
- ANNEX III. Final Agenda
- ANNEX IV. Minority positions on applications for authorisation

ANNEX I**Documents submitted to the members of the Committee for Socio-economic Analysis**

Document	Number
Final Draft Agenda	SEAC/A/57/2022
Report from Working Group on qualitative assessments	SEAC/57/2022/01
Mandate for a working group on updating the SEAC's approach for evaluating restriction reports and applications for authorisation for PBT/vPvB substances	SEAC/57/2022/02
Appointment of (co-)rapporteurs for authorisation applications	SEAC/57/2022/03 (restricted room document)

DECLARATIONS OF CONFLICTS OF INTEREST TO THE RESPECTIVE AGENDA ITEMS

The following participants declared conflicts of interests with the agenda items below (according to Article 9(2) of the SEAC Rules of Procedure):

<u>Name of participant</u>	<u>Agenda item</u>	<u>Interest declared</u>
Martien JANSSEN	5.2b-3) N,N-dimethylacetamide; 1-ethylpyrrolidin-2-one (NEP)	Working for the MSCA submitting the dossier
Silke GABBERT	5.2b-3) N,N-dimethylacetamide; 1-ethylpyrrolidin-2-one (NEP)	Working for the MSCA submitting the dossier
HARD Sebastiana (Adviser to SEAC M Silke GABBERT)	5.2b-3) N,N-dimethylacetamide; 1-ethylpyrrolidin-2-one (NEP)	Worked for the MSCA submitting the dossier
THIELE Karen	5.2a-1) BPA+	Worked for the MSCA submitting the dossier
BUCKER Michael	5.2a-1) BPA+	Worked for the MSCA submitting the dossier
HELMEDACH Achim (Advisor to SEAC M Karen THIELE)	5.2a-1) BPA+	Dossier Submitter
Stefano CASTELLI	5.2b-2) Terphenyl, hydrogenated	Working for the MSCA submitting the dossier
Priscilla REALE	5.2b-2) Terphenyl, hydrogenated	Working for the MSCA submitting the dossier
Stephane JOMINI	5.2b-2) Creosote, and creosote related substances	Dossier Submitter
KIVELÄ Kalle (Deputy Chair)	5.2b-4) PFAS in fire-fighting foams	Worked on preparing the dossier

16 November 2022
SEAC/A/57/2022

Final Draft Agenda
57th meeting of the Committee for Socio-economic Analysis

29 November-2 December
and
5 December 2022

Hybrid meeting

Tuesday 29 November starts at 9:30
Friday 2 December breaks at 13:00
Monday 5 December resumes at 10:00
Monday 5 December ends at 18:50

Item 1 – Welcome and Apologies

Item 2 – Adoption of the Agenda

SEAC/A/57/2022
For adoption

Item 3 – Declarations of conflicts of interest to the Agenda

Item 4 – General SEAC procedures

b) Report on SEAC-56 action points and written procedures

For information

Item 5 – Restrictions

5.1 General restriction issues

3. SEAC's approach to Qualitative assessment - agreement on the paper

For discussion and agreement

SEAC/57/2022/01

4. Mandate for a working group to update the SEAC PBT/vPvB approach

For discussion and agreement

SEAC/57/2022/02

5.2 Restriction Annex XV dossiers

- c) Conformity check and key issues discussion

- 1) BPA+ - Conformity check and key issues discussion
- 2) Creosote, and creosote related substances - Conformity check and key issues discussion

For discussion and agreement

- d) Opinion development

- 1) Medium-chain chlorinated paraffins (MCCP) and other substances that contain chloroalkanes with carbon chain lengths within the range from C14 to C17 – First draft opinion
- 2) Terphenyl, hydrogenated – Second draft opinion
- 3) *N,N*-dimethylacetamide and 1-ethylpyrrolidin-2-one – Second draft opinion

For discussion

- 4) Per- and polyfluoroalkyl substances (PFAS) in fire-fighting foams – State of play on the outcome of the third party consultation

For information

- 5) Lead and its compounds in ammunition and fishing tackles – Draft of the SEAC final opinion

- 6) Substances containing polycyclic aromatic hydrocarbons (PAHs) in clay targets for shooting – Draft of the SEAC final opinion

For adoption

5.3 Appointment of (co-)rapporteurs for restriction dossiers **(closed session)**

For information

Item 6 – Authorisation

6.1 General authorisation issues

- c) Update on incoming/future applications
- d) Discussion on SAGA

For information

6.4 Authorisation applications

- d) Discussion on key issues

12 applications for authorisation (chromium trioxide) from August 2022 submission windows

For discussion

- e) Agreement on draft opinion

- 14. 260_CT_SARREL (1 use)
- 15. 261_CT_Metalbrass (1 use)
- 16. 262_CT_Cromoplastica (2 uses)
- 17. 263_CT_Orelec (1 use)
- 18. 264_CT_Cristina (1 use)
- 19. 265_TXP_EDF (2 uses)
- 20. 266_CT_Olivari (1 use)
- 21. 267_CT_SPGPrints (1 use)
- 22. 268_CT_Paffoni (1 use)
- 23. 269_CT_Rubinetterie3M (1 use)
- 24. 270_CT_Maier (2 uses)
- 25. 271_CT_Villeroy (1 use)
- 26. 272_CT_RIGHI (1 use)

For discussion and agreement

- f) Adoption of opinion

- 13. 242_RR1_TCE_Microporous (1 use)
- 14. 243_RR1_TCE_DOMO (1 use)
- 15. 249_CT_Tenneco_CZ (1 use)
- 16. 250_CT_Tenneco_ES (1 use)
- 17. 251_CT_Tenneco_BE (1 use)
- 18. 252_CT_Tenneco_PL (1 use)

For discussion and adoption

6.5 Appointment of (co-)rapporteurs for authorisation applications (closed session)

SEAC/57/2022/03

***Restricted room document
For agreement***

Item 7 – Article 77(3)(c) requests

None

Item 8 – AOB

a) Update of the work plan

For information

Item 9 – Action points and main conclusions of SEAC-57

Table with Conclusions and Action points from SEAC-57

For adoption

MINORITY POSITIONS ON APPLICATIONS FOR AUTHORISATION

1. Minority Position CT_Cromoplastica (Use ID: 0262-01/2)

In this minority position I will focus on issues that are currently covered under the remit of SEAC. I will therefore not focus on the essentiality of the use applied for, which can be considered predominantly decorative.

When it comes to the evaluation of the AoA, SEAC is expected to answer the following two questions:

1. Has the applicant demonstrated that there are no alternatives with the same function and similar level of performance that are technically and/or economically feasible for the applicant by the date of adoption of the opinion?
2. Is there information available in the application for authorisation or the comments submitted by interested third parties in the consultation indicating that there are alternatives available that are technically and economically feasible in the EU?

The applicant has, among others, identified the following key product performance requirements: Surface appearance, corrosion/thermal/chemical/mechanical resistance. According to my assessment the applicant has not sufficiently justified the importance of all requirements for the use applied for. While it is clear that aesthetics is the most important requirement for this predominantly decorative use, it is unclear why an equivalent level of performance in terms of adhesion, corrosion/thermal/chemical/mechanical resistance is required compared to chrome-plated parts where the function is more important than appearance (example faucets, piston rods, etc). Since product performance requirements are key in delineating the scope of the alternatives, this deficiency undermines the credibility of the analysis of alternatives provided by the applicant.

Further to that, there is clear information available to SEAC that alternatives are available in general for the use applied for. Some indicative examples:

1. Saxonia Galvanik GmbH has recently submitted information that is extremely relevant for the use applied for ("plate on plastic", including Polypropylene PP). I refer to the third party consultations for CT_Cristina, CT_Paffoni or CT_Rubinetterie3M. Saxonia also has a dedicated web page to Cr(VI)-free processes ([click](#)) as well as a "status quo" document ([click](#)).
2. Avanzare Innovacion Tecnologica received funding in 2018 for the project "*Chrome plating without toxic Cr(VI): An ecofriendly electroplating for automotive plastic parts*" ([click](#)).

Reference 1 and 2 above are a clear and specific indication that alternative technologies to Cr(VI)-etching have advanced considerably and most likely also moved beyond what is discussed in the application from Cromoplastica.

Reference 1 is of particular interest since it suggests that "*there are alternatives available that are technically and economically feasible in the EU*". It also strongly suggests that the applicant's AoA is not an exhaustive and/or sufficiently detailed assessment of all potential alternatives.

More generally, plating technology (with or without a pre-treatment step) has advanced considerably since the "Chemservice" application (formerly CTAC) submitted in 2015. In my view the current application does not sufficiently reflect this reality.

Based on all of the above, it is in my view clear that the applicant has NOT "*demonstrated that there are no alternatives with the same function and similar level of performance that are technically and/or economically feasible for the applicant by the date of adoption of the opinion*" or at the very least that "*The Analysis of Alternatives is not thorough enough in demonstrating that no suitable alternatives will become available during the normal period or if the applicant has not made an effort to demonstrate why potential alternatives on the market would not be suitable and available for him*".

As such I cannot agree with the opinion as adopted by SEAC during the November-December 2022 plenary meeting.

Simon Cogen
SEAC Member

2. Minority Position on CT_Cromoplastica AfA

I, the undersigned, take a minority position based on the following arguments/justifications:

The SEAC opinion concludes, regarding its assessment of the Analysis of Alternatives and the Substitution Plan, that "SEAC has not identified any remaining uncertainties of such magnitude that they may affect its conclusions. Therefore, any remaining uncertainties are considered negligible."

I however find that there are still non-negligible uncertainties due to partial or lacking information under some perspectives, that could affect SEAC conclusion on the AoA, and on the length of the Review Period. These are the following :

- The applicant explains that he fully depends on decisions made by OEMs regarding the possibility to implement alternatives, on their final approval of the parts coated after etching. The application does not appear to provide information in terms of solid consumer market surveys supporting the strict aesthetic performance requirements by OEMs. Nor does it provide information on the possibilities for OEM to work on the customer acceptance of alternatives, and therefore to possibly shorten the Review Period .
- I note the claim by the applicant that other companies carrying out etching on plastics also applied for a long review period. However, other applicants working in the same area have already committed to achieve substitution well before the end of the Review Period requested by the applicant. For instance, the applicant Gerardhi applied for the same use in 2015 in the same automotive sector, and the end of their requested review period is in 2027, whereas the end of the review period requested for the present application is 2034 (7 years later). Other applicants (Doureca, Sarrel, Osmoplast) requested review periods between 8 and 10 years, that would end between 2029 and 2031¹. This further tends to indicate that there is uncertainty regarding SEAC conclusion that substitution cannot be carried out before 2034, also noting that all these applicants previously submitted a common AoA under the CTAC application.
- The applicant claimed, and SEAC used as an argument to support a long review period, that transition to alternative can only happen for new contracts and projects and that current contracts cannot be amended, this being one of the reasons for a long review period. The justification why changes in current contracts would not be, by principle, accepted by OEMs was not made clear enough to SEAC in my view.

I am also of the opinion that not all criteria set in the SEAC paper SEAC/20/2013/03 for granting a long review period are fulfilled. Because adapting or lowering aesthetic performance requirements for end consumers was not considered, it is not possible to state that the cost of alternatives is "very unlikely" to not change during the review period requested. Another reason is that plating of plastic is seeing continuous technological improvement and that foreseen completion by competitors or other job platers before the

¹ CT Osmoplast AfA (review period requested of 10 years) has not been reviewed by SEAC at the time of writing this minority position.

end of the review period requested is an indication its cost might decrease in the next decade.

5th December 2022

[Signature removed]

Jean-Marc Brignon

3. Minority Position CT_Maier (Use ID: 0270-01/2)

In this minority position I will focus on issues that are currently covered under the remit of SEAC. I will therefore not focus on the essentiality of the use applied for, which can be considered purely decorative.

When it comes to the evaluation of the AoA, SEAC is expected to answer the following two questions:

1. Has the applicant demonstrated that there are no alternatives with the same function and similar level of performance that are technically and/or economically feasible for the applicant by the date of adoption of the opinion?
2. Is there information available in the application for authorisation or the comments submitted by interested third parties in the consultation indicating that there are alternatives available that are technically and economically feasible in the EU?

The applicant has, among others, identified the following key product performance requirements: Aesthetics, adhesion, corrosion/thermal/chemical/mechanical resistance. According to my assessment the applicant has not sufficiently justified the importance of all requirements for the use applied for. While it is clear that aesthetics is the most important requirement for this decorative use, it is unclear why an equivalent level of performance in terms of adhesion, corrosion/thermal/chemical/mechanical resistance is required compared to chrome-plated parts where the function is more important than appearance (example faucets, piston rods, etc). Since product performance requirements are key in delineating the scope of the alternatives, this deficiency undermines the credibility of the analysis of alternatives provided by the applicant.

Furthermore, the applicant already uses Cr(III)-alternatives for multiple chrome-plated parts and there is additional information available to SEAC that alternatives are entirely feasible for these decorative uses. Some indicative examples:

1. Saxonia Galvanik GmbH has recently submitted information that is extremely relevant for the use applied for ("plate on plastic", including Polypropylene PP). I refer to the third party consultations for CT_Cristina, CT_Paffoni or CT_Rubinetterie3M. Saxonia also has a dedicated web page to Cr(VI)-free processes ([click](#)) as well as a "status quo" document ([click](#)).
2. Avanzare Innovacion Tecnologica received funding in 2018 for the project "*Chrome plating without toxic Cr(VI): An ecofriendly electroplating for automotive plastic parts*" ([click](#)).

Reference 1 and 2 above are a clear and specific indication that alternative technologies to Cr(VI)-etching have advanced considerably and most likely also moved beyond what is discussed in the application from Maier.

Reference 1 is of particular interest since it suggests that the applicant overestimates the time needed to switch to an alternative.

More generally, plating technology (with or without a pre-treatment step) has advanced considerably since the "Chemservice" application (formerly CTAC) submitted in 2015. In my view the current application does not sufficiently reflect this reality.

Based on all of the above, it is in my view clear that the applicant has NOT "*demonstrated that there are no alternatives with the same function and similar level of performance that are technically and/or economically feasible for the applicant by the date of adoption of the opinion*" or at the very least that "*The Analysis of Alternatives is not thorough enough in demonstrating that no suitable alternatives will become available during the normal*

period or if the applicant has not made an effort to demonstrate why potential alternatives on the market would not be suitable and available for him".

As such I cannot agree with the opinion as adopted by SEAC during the November-December 2022 plenary meeting.

Simon Cogen
SEAC Member

4. Minority Position on CT_MAIER AfA Use 2 (ID 0270 – 01/02)

I, the undersigned, take a minority position based on the following arguments/justifications:

The SEAC opinion concludes, regarding its assessment of the Analysis of Alternatives and the Substitution Plan, that "SEAC has not identified any remaining uncertainties of such magnitude that they may affect its conclusions. Therefore, any remaining uncertainties are considered negligible."

I however find that there are still non-negligible uncertainties due to partial or lacking information under some perspectives, that could affect SEAC conclusion on the AoA, and on the length of the Review Period. These are the following :

- The applicant explains that he fully depends on decisions made by OEMs regarding the possibility to implement alternatives, on their final approval of the parts coated after etching. The application does not appear to provide information in terms of solid consumer market surveys supporting the strict aesthetic performance requirements by OEMs. Nor does it provide information on the possibilities for OEM to work on the customer acceptance of alternatives, and therefore to possibly shorten the Review Period .
- Other applicants working in the same area have already committed to achieve substitution well before the end of the Review Period requested by the applicant. For instance, the applicant Gerardhi applied for the same use in 2015 in the same automotive sector, and the end of their requested review period is in 2027, whereas the end of the review period requested for the present application is 2034 (7 years later). Other applicants (Doureca, Sarrel, Osmoplast) requested review periods between 8 and 10 years, that would end between 2029 and 2031². This further tends to indicate that there is uncertainty regarding SEAC conclusion that substitution cannot be carried out before 2034, also noting that all these applicants previously submitted a common AoA under the CTAC application.
- The applicant claimed, and SEAC used as an argument to support a long review period, that transition to alternative can only happen for new contracts and projects and that current contracts cannot be amended, this being one of the reasons for a long review period. The justification why changes in current contracts would not be, by principle, accepted by OEMs, was not made clear enough to SEAC in my view.

I am also of the opinion that not all criteria set in the SEAC paper SEAC/20/2013/03 for granting a long review period are fulfilled. Because adapting or lowering aesthetic performance requirements for end consumers was not considered, it is not possible to state that the cost of alternatives is "very unlikely" to not change during the review period requested. Another reason is that plating of plastic is seeing continuous technological improvement and that foreseen completion by competitors or other job platers before the end of the review period requested is an indication its cost might decrease in the next decade.

² CT Osmoplast AfA (review period requested of 10 years) has not been reviewed by SEAC at the time of writing this minority position.

5th December 2022[

[Signature removed]

Jean-Marc Brignon
