

REACH Restriction and how it is used to manage risks from lead and lead compounds

Stakeholder workshop on the use
of lead in shooting and hunting

10 February 2020, Helsinki



Overview

- Introduction to the REACH Restriction process.
- REACH restrictions on uses of lead and lead compounds.
- Scope of our current investigation into uses of lead in ammunition and fishing tackle.

Introduction to the REACH restriction process



Restrictions under REACH

- Restriction is a tool for protecting human health and the environment from the risks posed by chemicals.
- Restrictions usually limit or ban the manufacture, placing on the market or use of a substance.
- In some cases, a restriction may set out specific conditions such as technical measures or labelling requirements.
- A restriction may be applied to any substance on its own, in a mixture or in an article. The substance may even be one that does need to be registered under REACH e.g. polymers, medicines, cosmetics.

Phase I (preparation and submission)

- Notification of intention to submit (ROI)
- Dossier Preparation (call for evidence)
- Submission and conformity check



Phase II-A (consultation)

- Restriction proposal (6 months)
- SEAC draft opinion (60 days)



Phase II-B (opinion development)

- Forum advice on enforceability
- Committee for risk assessment (RAC)
- Committee for socio-economic analysis (SEAC)



Phase III (decision-making and follow-up)

- Commission REACH committee (Member States)
- European Parliament (scrutiny procedure)
- Compliance and enforcement

Phase I - starting the process

- A Member State or the Commission may have a concern that a substance poses a risk to human health or the environment. If so, preparatory work is undertaken to investigate the problem.
- If a Member State or ECHA concludes that a restriction is the best way forward, it has to notify its intention to prepare a restriction 12 months before it is submitted.

Phase I - registry of intentions

- ECHA maintains a public 'Registry of Intentions' (RoI), which indicates when a new restriction is being planned for a particular substance and use.
- It enables interested parties – citizens, organisations, companies and authorities – to plan for and contribute to the consultations in the restriction process.

<https://echa.europa.eu/registry-of-restriction-intentions>

Restriction proposal (Annex XV report)

- The restriction proposal has to include:
 - Information on hazards and risk
 - Justification for action at an EU-wide level
 - Available information on alternatives
- The proposal has to show that a restriction is the most appropriate risk management measure to address the identified risk.
- The proposal may also include an analysis of socio-economic impacts

Timeline after submission

- Restriction dossier made publicly available shortly after submission (~2 weeks)
- Opinion-making process (typically 12 months)
 - RAC – risk assessment committee
 - SEAC – socio-economic analysis committee
 - Conformity check prior to 6 month public consultation
 - Evaluation of the proposal set out in an ‘opinion’
- Opinions published and sent to Commission for decision along with background documents

Methylene diphenyl diisocyanate (MDI)



- Restriction on 'placing on the market' as a constituent in mixtures for the general public
- Unless:
 - Packaging contain protective gloves
 - Following elements are included on product label
 - Warnings for those with prior sensitisation
 - Warnings for those with specific pre-existing health conditions
 - Instructions on appropriate use conditions (ventilation etc)

REACH restrictions on uses of lead and lead compounds



REACH restrictions on lead and its compounds

- Annex XVII Entry 16
 - Lead carbonates as paint
- Annex XVII Entry 17
 - Lead sulphates as paint
- Annex XVII Entry 63
 - Lead and its compounds in jewellery and consumer articles
- *Lead and its compounds in PVC*
- *Lead and its compounds in gunshot in wetlands*

Lead in paint

- Lead carbonates and lead sulphates
- Restriction on the placing on the market and use of lead carbonate and lead sulphates in paints
- Originally adopted 1989 (pre REACH)
- Derogation for the restoration and maintenance of works of art and historic buildings and their interiors

Lead in jewellery

- Submitted in 2010 (FR) / Adopted 2012
- Restriction in jewellery articles (≥ 0.05 % by weight)
 - Bracelets, necklaces, rings, piercings, watches, wrist-wear, brooches and cufflinks.
- Unacceptable risk to children from mouthing
- Derogations for
 - crystal glass, internal parts of watches, precious and semi-precious stones, enamels
 - Second hand articles

Lead in consumer articles

- Submitted in 2012 (SE) / Adopted 2015
- Restriction in consumer articles placed in the mouth by children under reasonable foreseeable conditions (≥ 0.05 % by weight)
 - Ammunition and fishing tackle outside of scope
- Unacceptable risk to children from mouthing
- Derogations for
 - Articles with low migration rate (< 0.05 $\mu\text{g}/\text{cm}^2/\text{hour}$)
 - crystal glass, precious and semi-precious stones, enamels, keys, locks, padlocks, musical instruments, certain batteries, religious and second-hand articles

Lead in PVC



- Proposed in 2016 (ECHA) / not yet decided
- Restriction on the use of lead-based stabilisers in rigid and flexible PVC
- Risk from releases when articles are disposed as waste / lead containing dusts (children)
- Derogations for
 - Certain article types produced using recycled PVC
 - Encapsulation required for articles used in occupied areas of buildings (e.g. doors and window frames)

Documentation:

<https://echa.europa.eu/registry-of-restriction-intentions/-/dislist/details/0b0236e180a40af7>

Use of lead gunshot in wetlands

- Proposed in 2017 (ECHA) / not yet decided
- Restriction on use of lead gunshot in wetlands
- Harmonisation of EU implementation of African Eurasian Waterbirds Agreement (AEWA):
 - EU is a Contracting Party
 - Implemented in different ways in EU Member States
 - Four Member States have not implemented
- Risks to birds (primary and secondary poisoning)
- Risks to human health from game (not quantified)
- Not the focus of this workshop

Scope of our investigation into uses of lead in shooting



Why are we investigating further uses of lead?

- Alongside the preparation of the wetlands proposal, ECHA was instructed by the Commission to undertake a parallel study on the risks posed by the use of lead in other types of ammunition and fishing tackle
- This [study](#) (published in 2018) concluded that there was sufficient evidence of risk to justify additional risk management of:
 - Use of lead gunshot in non-wetland areas
 - Use of lead in bullets
 - Use of lead in fishing tackle
- This conclusion is supported by:
 - Several Member States having taken measures to prohibit the use of lead in gunshot (outside of wetlands) and in fishing tackle
 - The use of lead containing bullets being prohibited in some regions
- Commission requested ECHA to develop an Annex XV restriction report on these uses in July 2019 (Submission date 10 October 2020)

Scope of our investigation

1. Gunshot for hunting birds and other animals (e.g. rabbits) in non-wetland areas
2. Gunshot for sport target shooting, including training (e.g. clay pigeons)
3. Bullets/pellets for hunting any animal (e.g. deer)
4. Bullets/pellets for sport target shooting (outdoor only)
5. *Fishing tackle for recreational fishing (e.g. weights, jigs and lures)*
6. *Commercial fishing gear*

We are not assessing

1. Indoor shooting
2. Use of lead compounds as primers or propellants
3. Military, police or other security service use of lead ammunition

Q4

- Project scoping and planning
- 'Call for evidence'
- Literature review

Q1

- Stakeholder workshop (February)
- Further information gathering

Q2

- Annex XV report writing

Q3

- Finalisation of Annex XV report for submission in October 2020 (if restriction proposed)

Thank you!

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