

AGREEMENT OF THE MEMBER STATE COMMITTEE

**ON IDENTIFICATION OF
ANTHRACENE OIL, ANTHRACENE PASTE, DISTN. LIGHTS
AS A SUBSTANCE OF VERY HIGH CONCERN**

**According to Articles 57 and 59 of
Regulation (EC) No 1907/2006¹**

Adopted on 4 December 2009

This agreement concerns

Substance name: Anthracene oil, anthracene paste, distn. lights

EC number: 295-278-5

CAS number: 91995-17-4

Molecular formula: not applicable

Structural formula: not applicable

¹ Regulation (EC) No 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH), establishing a European Chemicals Agency, amending Directive 1999/45/EC and repealing Council Regulation (EEC) No 793/93 and Commission Regulation (EC) No 1488/94 as well as Council Directive 76/769/EEC and Commission Directives 91/155/EEC, 93/67/EEC, 93/105/EC and 2000/21/EC

Germany presented a proposal in accordance with Article 59(3) and Annex XV of the REACH Regulation (28 August 2009, submission number CC011537-64) on identification of *anthracene oil, anthracene paste, distn. lights* as a substance of very high concern because of its PBT and vPvB properties.

The Annex XV dossier was circulated to Member States on 31 August 2009 and the Annex XV report was made available to interested parties on the ECHA website on the same day according to Articles 59(3) and 59(4).

Comments were received by both Member States and interested parties on the proposal.

The dossier was referred to the Member State Committee on 16 November 2009 and was discussed in the meeting of the Committee on 2-4 December 2009.

Agreement of the Member State Committee in accordance with Article 59(8):

***Anthracene oil, anthracene paste, distn. lights* is identified as a substance of very high concern because it fulfils the criteria of Article 57 (a), (b), (d) and (e) of Regulation (EC) No 1907/2006 (REACH).**

***Anthracene oil, anthracene paste, distn. lights* does not meet the criteria for identification as a carcinogen according to the criteria of Article 57 (a) in situations where it contains less than 0.005 % w/w benzo[a]pyrene (EINECS No 200-028-5) and less than 0.1 % w/w benzene (EINECS No 200-753-7).**

***Anthracene oil, anthracene paste, distn. lights* does not meet the criteria for identification as a mutagen according to the criteria of Article 57 (b) in situations where it contains less than 0.1 % w/w benzene (EINECS No 200-753-7).**

UNDERLYING ARGUMENTATION FOR IDENTIFICATION OF SUBSTANCE OF VERY HIGH CONCERN

Carcinogenicity:

Anthracene oil, anthracene paste, distn. lights is classified as carcinogen (Carc. Cat.2; R45) according to Annex VI, part 3, Table 3.2 (the list of harmonised classification and labelling of hazardous substances from Annex I to Directive 67/548/EEC) of Regulation (EC) No 1272/2008².

This classification does not apply if the substance contains less than 0.005 % w/w benzo[a]pyrene (EINECS No 200-028-5) and if the substance contains less than 0.1 % w/w benzene (EINECS No 200-753-7).

Mutagenicity:

Anthracene oil, anthracene paste, distn. lights is classified as mutagen (Muta Cat.2; R46) according to Annex VI, part 3, Table 3.2 (the list of harmonised classification and labelling of hazardous substances from Annex I to Directive 67/548/EEC) of Regulation (EC) No 1272/2008³.

This classification does not apply if the substance contains less than 0.1 % w/w benzene (EINECS No 200-753-7).

Persistence, Bioaccumulation and Toxicity:

In accordance with the guidance available for assessment of multi-constituent and UVCB substances, the PBT assessment for *anthracene oil, anthracene paste, distn. lights* focuses on the assessment of its PAH-constituents present in concentrations $\geq 0.1\%$ ⁴ such as anthracene (presence 0.5-25%), phenanthrene (10-45%) and fluorene (15-45%).

An overview on the conclusions drawn on persistence, potential for bioaccumulation and toxicity to human health and/or the environment based on comparison of the data presented for the three indicator PAH-constituents of *anthracene oil, anthracene paste, distn. lights* with the PBT/vPvB criteria of Annex XIII of the REACH Regulation is provided in Table 1.

² This corresponds to a classification Carc. 1B; H350 (May cause cancer) in Annex VI, part 3, Table 3.1. of Regulation (EC) No 1272/2008 (list of harmonised classification and labelling of hazardous substances).

³ This corresponds to a classification Muta. 1B; H340 (May cause genetic defects) in Annex VI, part 3, Table 3.1. of Regulation (EC) No 1272/2008 (list of harmonised classification and labelling of hazardous substances).

⁴ Chapter R.11 (PBT assessment) of the guidance on information requirements and chemical safety assessment (ECHA)

Table 1: Overview on conclusions on fulfilment of the (v)P-, (v)B- or T-criteria of Annex XIII of the REACH Regulation for the three indicator PAH-constituents of anthracene oil, anthracene paste, distn. lights					
Substance	Persistence	Bioaccu- mulation	Toxicity Human health	Toxicity Aquatic Environment	Conclusion
Anthracene	vP	B	-	T	PBT
Phenanthrene	vP	vB	-	-	vPvB
Fluorene	No experi- mental data	B	-	-	-

Based on the data available, it is concluded that

- phenanthrene fulfils the vPvB criteria, but not the PBT criteria
- anthracene fulfils the PBT criteria, but not the vPvB criteria.

Fluorene does not fulfil either the PBT or vPvB criteria.

Conclusion:

Anthracene oil, anthracene paste, distn. lights needs to be considered as a carcinogen (Carc. Cat.2, R45) in accordance with Annex VI of Regulation (EC) No 1272/2008, unless its content of benzo[a]pyrene is less than 0.005 % (w/w) and its content of benzene is less than 0.1 % (w/w).

Anthracene oil, anthracene paste, distn. lights needs to be considered as a mutagen (Muta. Cat.2, R46) in accordance with Annex VI of Regulation (EC) No 1272/2008, unless its content of benzene is less than 0.1 % (w/w).

Anthracene oil, anthracene paste, distn. lights needs to be considered as a substance with both vPvB and PBT properties because of the above conclusions on the vPvB and PBT properties of its constituents anthracene and phenanthrene. It is concluded that *anthracene oil, anthracene paste, distn. lights* is a substance containing at least 10.5 % of PAH constituents with vPvB or PBT properties.

Reference:

1. Support Document *Anthracene oil, anthracene paste, distn. lights* (Member State Committee, 4 December 2009)