

Helsinki, 17. 06. 2013

Inclusion of Substances of Very High Concern in the Candidate List

(Decision of the European Chemicals Agency)

Owner: Jukka Malm

Validity: Indefinite

Classification: Public

Distribution:

Director of Regulatory Affairs

Quality Manager

HoU D.2

Executive office

Whereas

(1) Pursuant to Article 59(3) of 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) the European Chemicals Agency (hereinafter referred to as 'ECHA' or 'The Agency') received from Member States ten dossiers in accordance with Annex XV to REACH for substances which in their opinion meet the criteria of Substances of Very High Concern (SVHCs) set out in Article 57 of REACH.

(2) On 4 March 2013, the Agency invited all interested parties to submit comments on the Annex XV dossiers, as stated in Article 59(4) and 59(5) REACH.

(3) The public commenting period for all substances ended on 18 April 2013.

(4) The Agency received comments on the identification as SVHCs for the following substances:

SUBSTANCE NAME	EC NUMBER	CAS NUMBER
4-Nonylphenol, branched and linear, ethoxylated [substances with a linear and/or branched alkyl chain with a carbon number of 9 covalently bound in position 4 to phenol, ethoxylated covering UVCB- and well-defined substances, polymers and homologues, which include any of the individual isomers and/or combinations thereof]	-	-
2-(2H-benzotriazol-2-yl)-4-(tert-butyl)-6-(sec-butyl)phenol (UV-350)	253-037-1	36437-37-3
2-(2H-benzotriazol-2-yl)-4,6-ditertpentylphenol (UV-328)	247-384-8	25973-55-1
2,4-di-tert-butyl-6-(5-chlorobenzotriazol-2-yl)phenol (UV-327)	223-383-8	3864-99-1
2-benzotriazol-2-yl-4,6-di-tert-butylphenol (UV-320)	223-346-6	3846-71-7
Ammonium pentadecafluorooctanoate (APFO)	223-320-4	3825-26-1
Pentadecafluorooctanoic acid (PFOA)	206-397-9	335-67-1
Dipentyl phthalate (DPP)	205-017-9	131-18-0
Cadmium	231-152-8	7440-43-9
Cadmium oxide	215-146-2	1306-19-0

Thus, pursuant to Article 59(7) of REACH the dossiers related to these substances were referred to the Member State Committee (MSC).

(5) MSC unanimously agreed via written procedure, which closed on 31 May 2013, and at its 30th meeting (11-14 June 2013) that the following substances meet criteria set out in Article 57 of REACH for identification as SVHCs:

SUBSTANCE NAME	EC NUMBER	CAS NUMBER
4-Nonylphenol, branched and linear, ethoxylated [substances with a linear and/or branched alkyl chain with a carbon number of 9 covalently bound in position 4 to phenol, ethoxylated covering UVCB- and well-defined substances, polymers and homologues, which include any of the individual isomers and/or combinations thereof]	-	-
Ammonium pentadecafluorooctanoate (APFO)	223-320-4	3825-26-1

Pentadecafluorooctanoic acid (PFOA)	206-397-9	335-67-1
Dipentyl phthalate (DPP)	205-017-9	131-18-0
Cadmium	231-152-8	7440-43-9
Cadmium oxide	215-146-2	1306-19-0

(6) Therefore, pursuant to Article 59(8) of REACH the Agency shall now include these substances in the Candidate List for eventual inclusion in Annex XIV.

(7) In accordance with Article 59(10) REACH, the Candidate List shall be published on ECHA's website.

(8) The Member State Committee unanimously agreed at its 30th meeting that it is not possible to conclude on the identification of the following substances as SVHCs in accordance with Article 57 of REACH:

SUBSTANCE NAME	EC NUMBER	CAS NUMBER
2-(2H-benzotriazol-2-yl)-4-(tert-butyl)-6-(sec-butyl)phenol (UV-350)	253-037-1	36437-37-3
2-(2H-benzotriazol-2-yl)-4,6-ditertpentylphenol (UV-328)	247-384-8	25973-55-1
2,4-di-tert-butyl-6-(5-chlorobenzotriazol-2-yl)phenol (UV-327)	223-383-8	3864-99-1
2-benzotriazol-2-yl-4,6-di-tert-butylphenol (UV-320)	223-346-6	3846-71-7

(9) Therefore, these four substances cannot be included in the Candidate List for eventual inclusion in Annex XIV.

THE EUROPEAN CHEMICALS AGENCY

HAS DECIDED THE FOLLOWING:

- 1. Pursuant to Article 59(8) of REACH the following substances shall be included on 20 June 2013 in the Candidate List for eventual inclusion in Annex XIV to REACH.**

SUBSTANCE NAME	EC NUMBER	CAS NUMBER	REASON FOR INCLUSION
4-Nonylphenol, branched and linear, ethoxylated <i>[substances with a linear and/or branched alkyl chain with a carbon number of 9 covalently bound in position 4 to phenol, ethoxylated covering UVCB- and well-defined substances, polymers and homologues, which include any of the individual isomers and/or combinations thereof]</i>	-	-	Equivalent level of concern having probable serious effects to the environment (Article 57 (f))
Ammonium pentadecafluorooctanoate (APFO)	223-320-4	3825-26-1	Toxic for reproduction (Article 57 (c)); PBT (Article 57 (d))
Pentadecafluorooctanoic acid (PFOA)	206-397-9	335-67-1	Toxic for reproduction (Article 57 (c)); PBT (Article 57 (d))
Dipentyl phthalate (DPP)	205-017-9	131-18-0	Toxic for reproduction (Article 57 (c))
Cadmium	231-152-8	7440-43-9	Carcinogenic (Article 57(a)); Equivalent level of concern having probable serious effects to human health (Article 57 (f))
Cadmium oxide	215-146-2	1306-19-0	Carcinogenic (Article 57(a)); Equivalent level of concern having probable serious effects to human health (Article 57 (f))

2. Publication

The updated Candidate List shall be published on ECHA's website on 20 June 2013.

Done at Helsinki, 17. 06. 2013



Jukka Malm
Director of Regulatory Affairs¹

¹ Mandated to sign this decision pursuant to the decision of the Executive Director ED/110/2010 *Delegation of the power to sign certain science-based regulatory decisions and communications*, delegating the powers to sign decisions to include a substance on the Candidate List for eventual inclusion in Annex XIV under Article 59(6) or Article 59(8) of the REACH Regulation to Jukka Malm, Director of Regulatory Affairs.