

PRESS RELEASE
JUNE 27, 2016

**Progress on Applications for REACH Authorization
of Several Uses of Chromium Trioxide – RAC and SEAC Draft Opinions**

Following the **CTACSub Consortium's** (CTAC Submission Consortium) press release of May 2015 on its submission to ECHA of the application for REACH authorization ('AfA') of six uses of chromium trioxide¹, ECHA's RAC (Risk Assessment) and SEAC (Socio-Economic Analysis) Committees have recently issued their draft opinions on this AfA.

In their draft opinions, RAC and SEAC support the AfA and will recommend that the six uses² applied for shall be authorized by the European Commission, because the *overall benefits of continued use* of chromium trioxide for these uses *outweigh the risks to human health*.

This means that the direct and indirect customers of the seven CTACSub applicant companies will be allowed to continue using chromium trioxide for the six uses beyond the September 21, 2017 so-called sunset date (i.e. the date by which the use would have to be stopped unless the use is covered by a REACH authorization handed down either to the user or his upstream supplier).

RAC's and SEAC's draft opinions recommend the adoption by the European Commission of the following so-called review periods³: Use 1: seven years; Use 2: seven years; Use 3: four years; Use 4: seven years; Use 5: four years; Use 6: four years ('bridging period' applied for). In the nomenclature of RAC and SEAC, 'seven years' constitutes the default 'normal' review period (absent perceived special circumstances).

The CTACSub applicants have concerns regarding several aspects of the draft opinions and intend to use their opportunity to submit comments. After the final opinions will have been issued in September, the AfA will be transferred to the European Commission for a decision.

For additional information please contact CTACSub's consortium manager uschliessner@jonesday.com, tel. 32-2-6451460.

¹ See more information at www.jonesdayreach.com. AfA 0032-1 to 6. Applicants are Atotech Deutschland GmbH (formulator); Aviall Services Inc. The Netherlands Branch (affiliate of The Boeing Company), (importer of formulations); Bondex Trading Ltd. (importer); Cromital Spa (OR) (for and affiliate of Soda Sanayii A.S.); Elementis Chromium LLP (OR) (for Elementis Chromium Inc.); Enthone GmbH (formulator); Lanxess Deutschland GmbH (OR) (for Lanxess CISA (Pty) Ltd.) acting as Submitting Applicant for the joint application.

² Use 1: formulation of mixtures; Use 2: functional chrome plating; Use 3: functional chrome plating with decorative character; Use 4: Surface treatment for applications in the aeronautics and aerospace industries, unrelated to Functional chrome plating or Functional plating with decorative character; Use 5: Surface treatment (except ETP) for applications in various industry sectors namely architectural, automotive, metal manufacturing and finishing, and general engineering; Use 6: Passivation of tin-plated steel (ETP).

³ A review period is a deadline in advance of which the applicant must have filed an updated report on the authorization which will allow the European Commission to decide whether the authorized use may continue or not.

Deutsche Zusammenfassung (German language summary)

Die RAC und SEAC Ausschüsse der Europäischen Chemikalienagentur (ECHA) haben kürzlich die Entwürfe ihrer Empfehlungen zum CTACSub Antrag auf REACH Zulassung der Nutzung von Chromtrioxid verabschiedet. Sie stimmen den sechs Anträgen auf Zulassung zu. Die Entwürfe empfehlen Überprüfungszeiträume von sieben Jahren für Formulierung, Hartverchromung und Oberflächenbehandlung in der Luftfahrtindustrie, und von vier Jahren für funktionelle Verchromung mit dekorativem Charakter, Oberflächenhandlung in anderen Industrien, und ETP.

Das bedeutet, dass die direkten und indirekten Kunden der sieben Antragsteller Chromtrioxid über den Ablauftermin vom 21. September 2017 hinaus benutzen werden können.

Die ECHA Empfehlungen werden nach der Sommerpause der EU Kommission zur Entscheidung vorgelegt werden.

Sommaire en Français (French language summary)

Les comités RAC et SEAC de l'Agence Européenne des Produits Chimiques (ECHA) ont récemment approuvé leurs projets d'avis concernant les six demandes d'autorisation REACH de CTACSub pour l'utilisation du trioxyde de chrome. Ils recommandent des périodes limitées de réexamen de sept années pour les mélanges, la chromatisation dur, et le traitement des surfaces pour l'aéronautique. Pour la chromatisation fonctionnelle à caractère décoratif, le traitement de surface dans les autres secteurs industriels, et l'ETP, quatre années sont recommandées.

Cela veut dire que les clients directs et indirects des sept entreprises qui ont déposé des demandes d'autorisation peuvent continuer d'utiliser le trioxyde de chrome au-delà de la date d'expiration du 21 septembre 2017.

Les avis d'ECHA seront transférés à la Commission Européenne pour la prise d'une décision après l'été.