Forum för kemikaliesmart handel, 12 februari - 2016

Svensk Handels engagemang i EU-konsultationen om CMR-ämnen i textil

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**Agenda**

- Kort bakgrund KOMs EU-Konsultationen
- Praktiskt kring svara på konsultationen - genomgång hemsida och underlag
- Svensk Handels fokus
- Detaljerad genomgång av Kommissionens bilagor, Swereas underlag, metod, analys
- Diskussion och frågestund
The public consultation on a potential restriction on CMRs in textiles via Art. 68(2)

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Unit D1 - REACH
Directorate-General for Internal Market, Industry, Entrepreneurship and SMEs
European Commission
COM Why CMRs in textiles?

• COM wants to use the case of CMR in textiles as a first example to help to define the criteria for use of Art. 68(2).
• Basic assumption: because of a contact with the skin, we can assume that exposure is to be expected.
• No specific legislation covers presence of chemicals in textiles (except some restrictions).
• Letters sent by Member States and stakeholders raising concerns = SVERIGE
Scope of the potential restriction

• Articles that consist of at least 80% of textiles fibres by weight, or

• Articles containing a part that consists of at least 80% of textiles fibres by weight

✓ Raw, unfinished, semi-finished and finished goods
✓ Coated or not coated, laminated or not laminated
✓ Clothing, footwear, accessories, interior textiles
✓ Fibres, yarn, fabrics and knitted panels
List of substances to be covered

- COM asked ECHA to prepare a list of CMRs 1a and 1b potentially present in textiles.
- Main source: list prepared by KEMI, obtained by screening different databases.
- COM selected the substances for the public consultation
  - **Classified dyes and carcinogenic amines**
    - Proposed limit: 30 mg/kg (0.003%)
  - Petroleum and coal stream substances
  - **Other substances**
    - Proposed limit: 50 mg/kg (0.005%)
Praktiskt kring EU-konsultationen

Hemsida DG Growth

DG GROWTH - Consultation on a possible restriction of hazardous substances (CMR 1A and 1B) in textile articles and clothing for consumer use

Deadline: 22/03/2016.
Consultation on a possible restriction of hazardous substances (CMR 1A and 1B) in textile articles and clothing for consumer use under Article 66(2) of Regulation EC No 1907/2006 (REACH).

Policy fields
Enterprise and Industry, Environment, Internal Market, Public Health

Target group(s)
All citizens and organisations are welcome to contribute to this consultation.
In particular, contributions are sought from companies and organisations potentially concerned with the proposed restriction.

Period of consultation
From 22 October 2015 to 22 March 2016 (prolonged)

Objective of the consultation
Article 66(2) of REACH provides a simplified procedure, which the Commission may use to restrict substances classified as carcinogenic, mutagenic or toxic for reproduction (CMR), categories 1A and 1B on their own, in mixtures or in articles that could be used by consumers. The procedure differs from the standard restriction procedure of Articles 69 to 73. Article 68 (2) does not foresee the following:

- the preparation of an Annex XV Dossier to initiate the restriction process
- public consultation on it
- opinions by RAC and SEAC
- the consultation of the Forum for Exchange of Information on Enforcement.

The Commission intends to use Art. 68(2) to target specific categories of consumer articles, aiming to restrict CMR substances (categories 1A and 1B) in them. Textile articles and clothing were selected as a first test-case because of the high likelihood of a prolonged – or multiple short-term – exposure of consumers to CMR substances being potentially present in those articles. The list of CMR substances (individual substances or groups) covered by this possible restriction would be added as a specific appendix to Annex XVII to REACH and could be regularly updated, as appropriate. The Commission, in collaboration with ECHA and Member States Competent Authorities, has identified a preliminary list of CMR substances Cat. 1A and 1B potentially present in textile articles and clothing.

Questionnaire – länkar till dokument

- Access to the online form
- Access to a pdf-version of the online form

Reference documents

- REACH Restrictions web page
- Criteria and procedure for the implementation of Article 68(2) of REACH: restriction of CMRs 1A and 1B in consumer articles
- List of CMR substances - Background
- List of CMR substances - Classified dyes and carcinogenic amines
- List of CMR substances - Petroleum and coal stream substances
- List of CMR substances - Other substances
SCOPE: The definition of the articles covered by the possible restriction

- Articles that consist of at least 80% of textile fibres by weight, or

- Articles that contain a part that consists of at least 80% of textile fibres by weight.

This covers raw, unfinished, semi-finished and finished goods, whether or not coated or laminated, including articles such as clothing, footwear, accessories, interior textiles, fibres, yarn, fabrics and knitted panels.

Examples of articles intended to be covered:

- Underwear, nightwear, swimwear, garments, scarfs, ties, handkerchiefs, hats, gloves, socks, footwear;
- Footwear, clothing or their parts and accessories made of synthetic/artificial leather;
- Footwear, clothing or their parts and accessories made of artificial furs or hides;
- Interior articles such as hangings and curtains, carpets and other floor coverings, table mats, table cloths, towels, bed linen, pillow cases.
SCOPE: Articles excluded from the possible restriction:

- Footwear, clothing or their parts and accessories made of real leather;
- Footwear, clothing or their parts and accessories made of natural furs or hides;
- Toys (except those consisting of at least 80% of textile fibres by weight or containing parts consisting of at least 80% of textile fibres by weight - Updated: 26/11/2015 - Reason: the scope of the public consultation is extended to cover also textiles and clothing that are considered as toys, such as disguise costumes).

QUESTION:

2.1 Is it clear which articles are covered by the possible restriction?
2.2. Do you think that the range of articles covered by the possible restriction is appropriate?
Consultation part 3. Comments on specific CMR substances

- In this section, you can provide comments on the specific substances that can be present in the articles proposed to be covered in the possible restriction. You can download:

- The preliminary lists of CMR substances Category 1A or 1B that may be present in textile articles and clothing for consumer use
  - List of CMR substances - Classified dyes and carcinogenic amines
  - List of CMR substances - Petroleum and coal stream substances
  - List of CMR substances - Other substances

UPPDRAG TILL SWEREA ATT HJÄLPA TILL MED ATT SVARA PÅ DENNA DEL
Ex KOMs frågeställningar om de olika ämnen i bilagorna

3.1 Are there any substances in the list that are not present in the articles covered by the possible restriction? If you are aware of such substances, please list the relevant ones and provide a justification why it is not likely they would be present (e.g. description of the production process that is used or known to be used).

3.2 Do you have comments on the function of the substances as presented in the list, or additional information on their function in the articles covered by the possible restriction?

3.3 Are there any substances on the list for which you have evidence that they do not cause dermal or inhalation exposure of consumers during normal or foreseeable use? (“Normal or foreseeable use” includes wearing the clothes or children mouthing parts of the clothing) If yes, please provide relevant evidence to support this.

3.4 Do you have any evidence of an increasing or decreasing trend of the market and use inside or outside of the EU for any of the listed substances? Please provide the evidence or a summary of it, including the name of the country.

3.5 Are there any CMR substances Category 1A or 1B not mentioned in the list, for which you have evidence of the presence in the articles covered by the possible restriction? If you are aware of such substances, please provide the name and identifiers of the substance(s) such as CAS or EC number) and evidence for their presence (e.g. available test results or knowledge/description of the production process used requiring the use of that substance).

If known or available, please specify the function in the article and possible concentration limits.
Forts. Kommentarer på specifika CMR-ämnen

Public consultation on a possible restriction of hazardous substances (CMR 1A and 1B) in textile articles and clothing for consumer use under Article 68(2) of Regulation EC No 1907/2006 (REACH) – Table for responses

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<th>Name of substance</th>
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<th>Chemical group</th>
<th>Comments on presence/absence in textile and clothing articles and in non-textile (parts of) clothing articles and accessories (including imported articles). Questions 3.1, 3.3, 3.5, 3.7, 3.8</th>
<th>Comments on function of the substance. Questions 3.2, 3.5</th>
<th>Comments on concentration limit and enforceability. Question 3.9, 3.10</th>
<th>Comments on socio-economic elements. Questions 3.4, 3.6, 3.11</th>
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Vald fokus i Svensk Handel och Tekos arbete med konsultationen

- Ämnen med hög textilrelevans – Kemis rapport 6/2014
- Särskilja användning och förekomst
- Funktionsämnen kontra processämnen
- Gränsvärden/detektionsvärden
- Vad bör regleras i snabbspåret 68:2, CMR 1A och 1B vs bilaga XVII
- Andra ämnen som bör regleras

UPPDRAG ÅT SWEREÅ ATT TA FRAM UNDERLAG
Swerea - CMR

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Introduction

- Implementation of Article 68(2) of REACH: restriction of CMRs 1A and 1B in consumer articles

Article 68(2) of REACH provides a simplified procedure, which the Commission may use in relation to substances classified as carcinogenic, mutagenic or toxic for reproduction (CMR), categories 1A and 1B on their own, in mixtures or in articles that could be used by consumers. The procedure differs from the standard restriction procedure of Articles 69 to 73, which requires the preparation of an Annex XV Dossier to initiate the restriction process, public consultation, opinions by RAC and SEAC and the consultation of Forum.
Purpose with the risk management option analysis (RMOA)

- The purpose of the risk management option analysis (RMOA) is to help decide whether further regulatory risk management activities are required for a substance and to identify the most appropriate instrument to address a concern.

- RMOA is an important step, agreed in the SVHC Roadmap from 2013, but it is voluntary (i.e. not part of the processes as defined in the legislation).

- An RMOA can conclude that regulatory risk management is required for a substance (for example, harmonised classification and labelling, inclusion on the Candidate List, restriction, other EU legislation) or that no regulatory action is required.

- Communicating information on substances undergoing RMOA through the Public Activities Coordination Tool (PACT), allows stakeholders and the general public to better predict which substances may be addressed by which formal risk management routes in the future.

- The responsibility for the content of an RMOA rests with the authority that developed it. RMOAs and their conclusions are compiled on the basis of available information and may change in the light of new information or further assessment.
Concentration limits

• Two concentration limits are suggested:
  • One specific concentration limit, in accordance with existing legislation (for example the concentration limit for aromatic amines and azo dyes of 30 ppm)
  • One general concentration limit (50 ppm) for all other substances
## Overview – included substances

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Classified dyes and carcinogenic arylamines

Included chemical groups

- Arylamine salts
- Arylamines
  - Breakdown products of azo dyestuffs and pigments. May occur as degradation product
- Azo-compounds
  - Structural group of dyestuff originating from arylamine precursors
- Carcinogenic dyes/colorants with carcinogenic potential

Comments

- Remains of the auxiliary chemical substances, as well as unreacted raw materials and impurities (i.e., unintended chemical substances) may be found in the finished articles and can cause health and/or environmental problems.
- Arylamines may occur as degradation products from azo compounds in textile applications. Many of these substances are included on the Candidate List of Substances of Very High Concern (SVHC).
- The concentration limits for these substances are set to 30 mg/kg (0.003% by weight) in accordance with entry 43 of Annex XVII in REACH.
Other substances

Included chemical groups

- Metal compounds - Chromium, beryllium, cobalt, cadmium, lead, mercury, nickel, tin-organic
- Solvents - aromatic, chlorinated aromatic, formamides, glycol diethers (glymes), hydrazine compounds, heterocyclic aromatic compounds, organic chlorine compounds, etc.
- Phtalates
- Transformation and/or reactive intermediates chemicals such as aldehydes, epoxide compounds nitroaromatic compounds and nitrosamines
- Arsenic and boron compounds
- Organic bromine compounds
- Organic compounds, other than listed above
- Thiourea compounds
- Triarylmethyl dyes

Comment:

- Large variety of chemical substances with different uses in textile application (i.e. solvents, monomers, pesticides and plasticizers)
- The substances included in this list may be used as raw material or process additives in the manufacturing or to give function to the end product (i.e. garment). In some cases the substances included in this part of the list may relate to accessories and other non-textile parts of clothing, for example brass used for metal buttons.
- The substances in the list can be part of a dyestuff. May pose a risk to occur as a degradation product.
Petroleum and coal stream substances

**Included chemical groups**
- Antracene oils
- Aromatic hydrocarbons
- Coal and petroleum derivatives
- Polyaromatic hydrocarbons (PAHs)

**Comments**
- These substances may be used as raw materials for polymerization, solvents and carriers for other chemicals
- Occurrence in final product is accidental residues or impurities
- Unlikely to detect these substances in finished textile goods, except PAHs that might be found as impurities in rubber materials, leather and textile related materials that contain mineral oils as lubricants e.g elastane.

**No substances with high textile relevance**
Scientific Work for Industrial Use
www.swerea.se