



Reference:

S. Doyle, *ECHA update – Authorisation and Restriction*, 5th ESA REACH Workshop, ESA ESTEC, Noordwijk, the Netherlands, 19th June 2024

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ECHA update – Authorisation and Restriction

5th ESA REACH workshop (online)

19 June 2024

Simone DOYLE

Head of Risk Management I unit
European Chemicals Agency



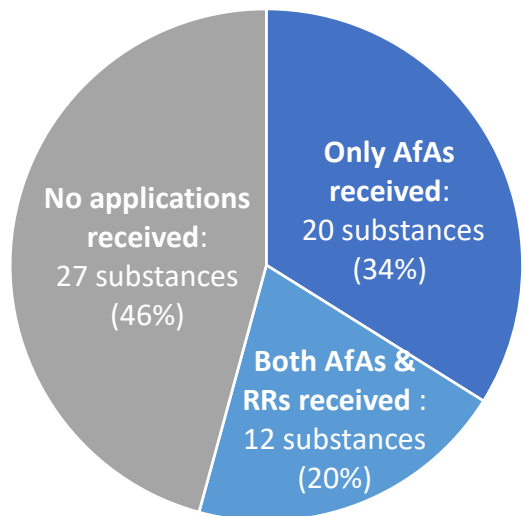
Content

- Ongoing applications for authorisation
- Preparations for a restriction proposal on certain chromium(VI) compounds
- Stakeholder engagement
- New tasks under Batteries Regulation

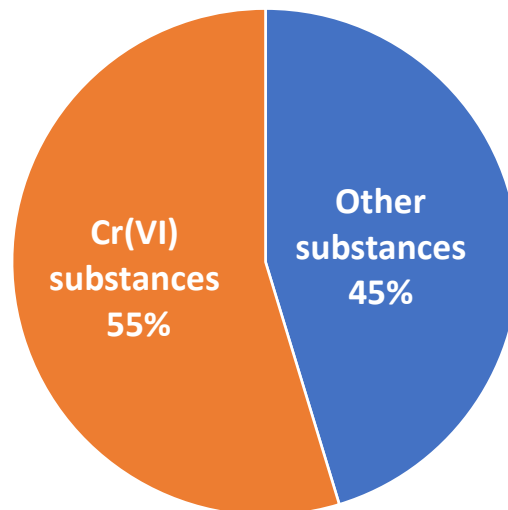
Experience with AfA so far –
Focus on Cr(VI) substances

Half of Annex XIV substances applied for...

**Applications received for
Annex XIV substances**

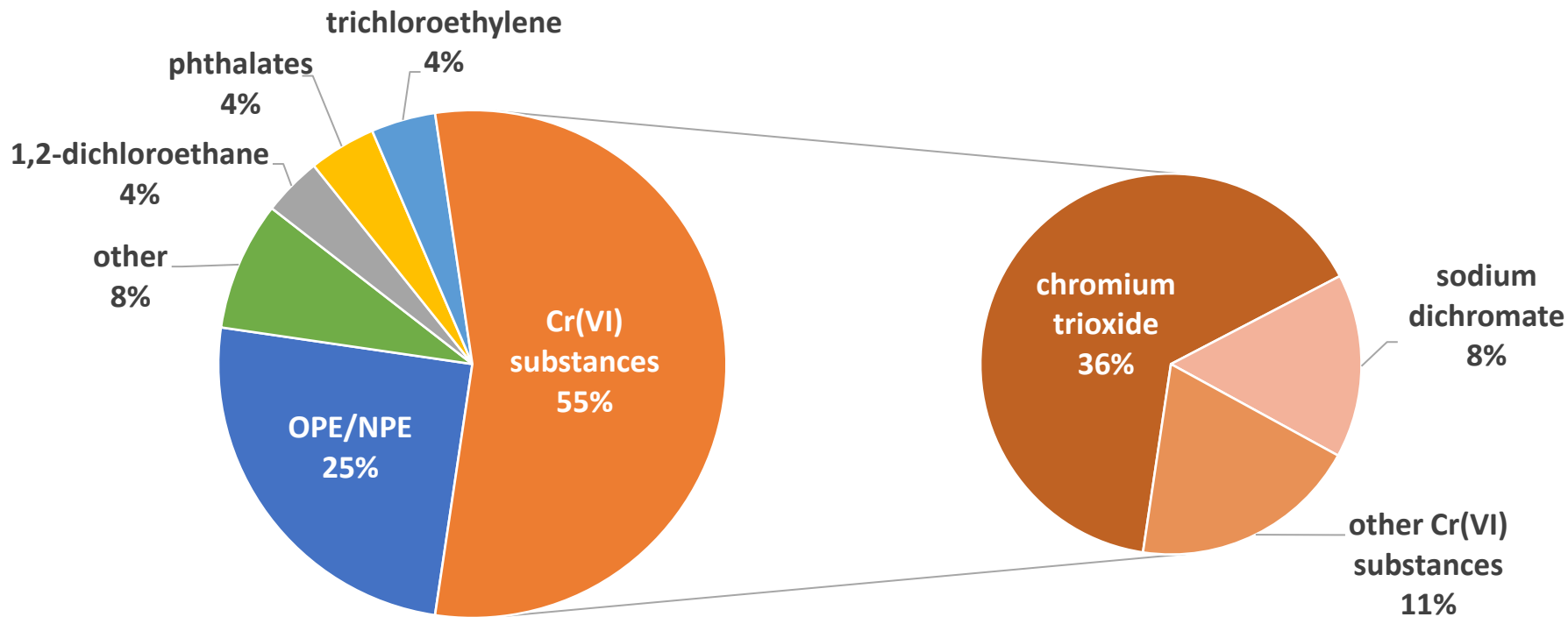


**Uses applied for (585 uses)
AfAs & RRs**

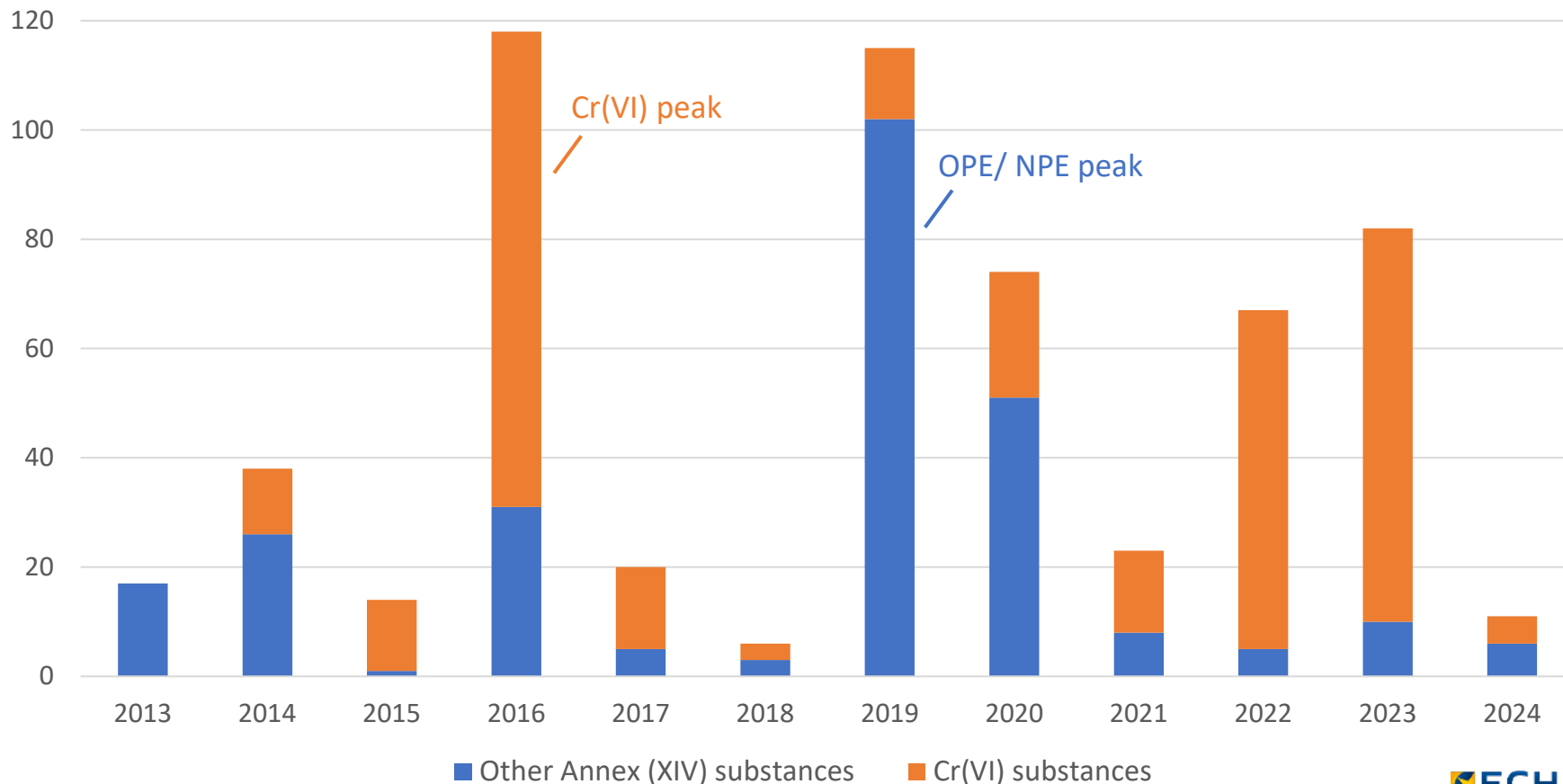


... Cr(VI) substances in majority

Distribution of uses applied for per Annex XIV substance



Waves of applications since 2013



Preparations for a restriction
proposal on certain
Chromium(VI) compounds

Restriction proposal for Cr(VI) compounds (1/3)

- Number of Cr(VI) AfAs has far exceeded the predictions at the time of inclusion of the substances in Annex XIV.
- The approach envisaged for regulating Cr(VI) substances (authorisation) is no longer appropriate to ensure:



Human health
protection



Substitution



Proper functioning
of internal market



Adequate use of
resources

Hence a restriction proposal is being prepared

Restriction proposal for Cr(VI) compounds (2/3)



- 27 Sep 2023 Commission mandate: Possible restriction of at least two Cr(VI) substances: Chromium trioxide (entry 16) and Chromic acid (entry 17)
- First Call for Evidence ended on 27 Feb (> 600 responses received) – focus on the most likely response of companies to different scientific limit values and the costs associated with meeting them

Restriction proposal for Cr(VI) compounds (3/3)

In May 2024, COM extended the scope based on:

- specific considerations (incl. regrettable substitution, enforceability etc.)
- need to cover more Cr(VI) substances listed in Annex XIV (not only CT and CA as initial potential option)



Extension of the restriction submission to 11 April 2025



[Call for evidence](#) on uses and alternatives running until mid-Aug



[Webinar](#) for stakeholders held 6 June



Meanwhile, ECHA keeps on receiving and processing AfAs for Cr(VI) compounds

How to follow the developments?

→ Applications for Authorisation:

- List of AfAs (<https://echa.europa.eu/applications-for-authorisation-previous-consultations>)
- Highlights from RAC and SEAC meetings and related podcasts (<https://echa.europa.eu/-/highlights-from-march-2024-rac-and-seac-meeting>)

→ Restriction:

- ECHA's current activities on restrictions: <https://echa.europa.eu/current-activities-on-restrictions>
- Commission's FAQ: <https://ec.europa.eu/docsroom/documents/56174>
- Calls for evidence: <https://echa.europa.eu/calls-for-comments-and-evidence>

On-going call for evidence with relevance for the space sector :

- Aromatic brominated flame retardants (Investigation Report)
- Chromium VI (Restriction preparation)

<https://echa.europa.eu/calls-for-comments-and-evidence>

ECHA's new tasks under Batteries Regulation

Batteries Regulation in a nutshell

Objectives

- Regulation (EU) 2023/1542 – entered into force: 17 August 2023
- Replacing Batteries Directive (Directive 2006/66/EC)
- Covers the entire life cycle of batteries (circular economy)
- Ensures proper collection and recycling of waste batteries
- Reduces environmental and social impact of batteries
- Applies to all type of batteries



Restriction of substances (the principles)

Art. 6 Restriction of substances in batteries if unacceptable risk to human health or the environment from:

- **use** of a substance in the **manufacture** of batteries
- **presence** of a substance in the batteries
 - when they are placed on the market, or
 - arising during subsequent life cycle stages such as **repurposing** or the **treatment of waste** batteries
- REACH-like approach



Substances of concern (SoC) in batteries

Art. 6(5)

Report on substances of concern in batteries

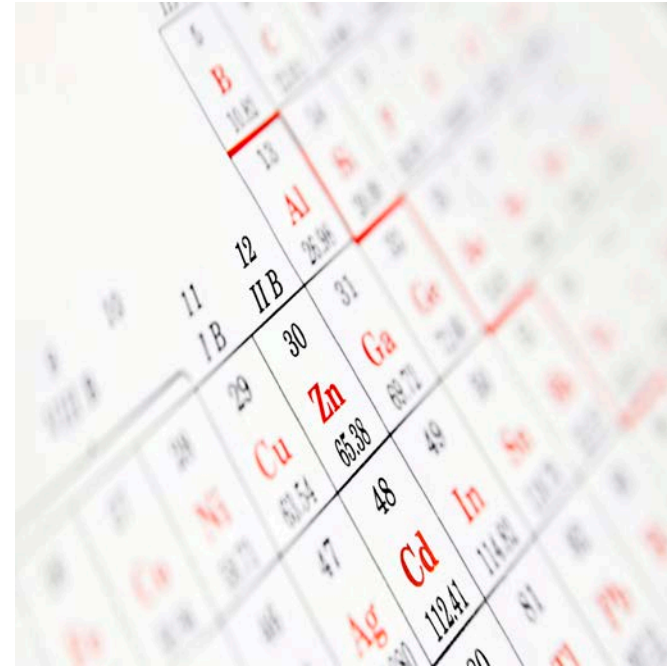
- Prepared by the **European Commission** assisted by **ECHA**
- To be submitted to the European Parliament and Council by 31 December 2027
- Covers substances **present in** batteries or used in their **manufacture**
- Must contain considerations on follow-up measures, including **restrictions**



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Substances of concern (SoC) – ECHA's task

- Goal: report delivered to the Commission by end of 2026
- Study outsourced to a contractor under ECHA's supervision
- Two phases study
 1. Phase 1 (by June 2025)
 - **Mapping** of substances and processes
 - **Investigation** on use in batteries of Hg, Cr (VI), Cd, Pb (already restricted for some batteries). Considerations for further restrictions.
 2. Phase 2 (by December 2026)
 - List of **substances of concern** and **prioritisation** delivered to the Commission



Restrictions – ECHA's task

- Goal: Restriction process under Batteries Regulation integrated into REACH restrictions
- Process set up (by Q4 2025)
 - ECHA's team set up and capacity building
 - RAC-SEAC set up and training
 - Restriction templates and internal procedures
 - IT tools, website and info sharing
 - Communication and external support



Thank you

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