

To whom it may concern

Recent REACH Activities on the Use of Diisocyanates



Isocyanates and products made therefrom are expected to remain available on the EU market, since they can be handled safely according to recommendations in the safety data sheets.

Dear customer,

Chemical substances have to be registered in the European Union according to the REACH¹ regulation. Many substances have not only to be registered but are in additional scope of evaluation, authorization and restriction processes. Within these processes, diisocyanates are currently reviewed in the EU – among many other chemical substances.

Over the course of the last months three important activities under the REACH regulation concerning the use of diisocyanates and products containing diisocyanates have been published:

1. In Sept 2014 the German competent authority BAuA (Bundesanstalt für Arbeitsschutz und Arbeitsmedizin) conducted a risk management option analysis (RMOA) and proposed a use restriction for diisocyanates to ensure safe handling.²
2. On 7 Oct 2015 ECHA published BAuA's Registration of Intent (ROI) for this use restriction on its website.³
3. BAuA subsequently announced a "Call for Evidence" via the ECHA website on 14 Oct 2015.⁴ By this survey BAuA would like to gather additional information that could be relevant for the use restriction proposal.

In general, the authority targets to further reduce the already low number of sensitization cases of workers which are assumed to be caused by diisocyanates.

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),

² BAuA published its intention to file a dossier on isocyanates on 23 Sept 2014. The Risk Management Option Analysis can be found on the Public Activities Coordination Tool (PACT) website of the European Chemicals Agency (ECHA) at <http://echa.europa.eu/de/addressing-chemicals-of-concern/substances-of-potential-concern/pact>

³ BAuA published the ROI on isocyanates in 7 Oct 2015. It can be found on the website of the European Chemicals Agency (ECHA) at <http://echa.europa.eu/web/guest/registry-of-current-restriction-proposal-intentions>

⁴ <http://echa.europa.eu/addressing-chemicals-of-concern/restriction/calls-for-comments-and-evidence>



What does all this mean for you?

Mandatory training as core of use restriction:

The proposal permits the use and placing on the market of products containing ≥ 0.1 % by weight of free diisocyanate if users have successfully completed a safety training program. Such diisocyanates may include TDI, MDI, H₁₂MDI, HDI, IPDI, NDI, TODI and m-TMXDI. The safety data sheets (section 3) may help you to evaluate whether your products contain diisocyanates and might be in scope.

The authorities intend to enforce a kind of “driver’s license” for workers dealing with products containing diisocyanates. This may include:

- Regular training of the workforce
- Documentation, e.g. by certification

Possible Exemptions:

Some diisocyanate containing products in specific applications with minor exposure risks may be exempt from the above mentioned training requirements. The criteria for such exemptions will be proposed within the next year by BAuA finally.

The subsequent legislative process might be finalized around 2018, followed by EU-wide implementation at a later date.

Covestro as well as the industry associations ALIPA and ISOPA remain strongly committed to the safe use of diisocyanate containing products. Current low numbers of sensitization cases have been achieved through the industry’s ongoing product stewardship initiatives, e.g. “Walk the Talk” (ISOPA) and “We care that you care” (ALIPA).

BAuA requests support from the polyurethane industry, represented by ALIPA, ISOPA and downstream associations⁵ to contribute to a science-based and practical approach related to this intended restriction for diisocyanates. In this context, the PU industry is currently evaluating existing and possible supplemental training concepts for the safe use of diisocyanates. Covestro as part of the PU industry is interested in a smooth and efficient implementation throughout the polyurethanes value chain.

Call for Evidence:

BAuA started an internet survey (“Call for Evidence”) under the following link: [http://www.reach-clp-biozid-helpdesk.de/en/REACH-en/Restriction/German proposals for restriction/Proposal_Diisocyanates/Proposal_Diisocyanates.html](http://www.reach-clp-biozid-helpdesk.de/en/REACH-en/Restriction/German%20proposals%20for%20restriction/Proposal_Diisocyanates/Proposal_Diisocyanates.html). With this “Call for Evidence” they would like to gather additional information that could be relevant for the restriction proposal. Feel free to comment from your point of view until end of November 2015. For further information you may also contact your industry trade association.

⁵ Downstream associations include CEC, ceced, CEPE, Deutsche Bauchemie, EFCC, EFIC, EFP, EPDLA, EURATEX, EuroMolders, EuroPUR, FECC, FEICA, FSK, Gespoten PURschuim, IVK, IVPU, PaP, PDA, PU Europe, VdL, ZVEI and others.

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Please also find the PU industry's latest information at ISOPA webpage:

<http://www.isopa.org/media/2101/pu-exchange-panel-press-statement-roi-on-diisocyanates-3.pdf>

Based on our long commitment to product safety, Covestro is convinced that procedures for the safe handling of diisocyanates in industrial and professional applications enable their safe use if followed accordingly. Nevertheless, we recognize the effort of the authorities to further improve the safety culture within the polyurethanes industry.

Summary:

Provided that the proposed scheme enters into force, it may impact you as follows:

- Diisocyanates and products made therefrom will remain available on the EU market, since they can be handled safely according to recommendations in the safety data sheets.
- The authorities intend to enforce a kind of “driver’s license” for workers dealing with products containing diisocyanates. This may include training and certification testing.
- The specific design of the EU-wide restriction and the conditions of exempt diisocyanate containing products in specific applications bearing only minor exposure risks are currently under discussion and development, and may be subject to change.
- Please review section 3 of the safety data sheet in order to evaluate whether your product contains diisocyanate monomers whether you are possibly effected.

We will keep you informed as the situation develops.

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