



## Update on EU-REACH Activities Regarding the Use of Diisocyanates

Dear customer,

In November 2016, we gave you an update on the proposed restriction of diisocyanate containing products.<sup>1</sup> Meanwhile the restriction dossier passed the conformity check and was accepted by ECHA.

On 22 March 2017, ECHA has started the public consultation phase of six months. Interested parties are now invited to comment on the restriction proposal during this period.

The following link will guide you to the public consultation and the updated documents on the ECHA website:

<https://echa.europa.eu/restrictions-under-consideration/-/substance-rev/16120/term>.

ECHA is especially requesting comments by stakeholder concerning:

1. *What transition period do you consider to be appropriate to implement the measures specified in the restriction proposal and why? Please mention potential priorities in terms of application area or geographic regions.*
2. *What approaches (in addition to those already mentioned in the dossier) would you propose to communicate the requirements of the restriction through the supply chain, to effectively inform all levels of downstream users about their duties (including SMEs<sup>2</sup> and self-employed practitioners)?*
3. *Could you give examples of training methods in the area of occupational health and safety which have proven to be particularly effective? Could you provide information on how the effectiveness of these methods has been assessed?*
4. *Do you have an information on a case(s) where respiratory or skin isocyanate-related symptoms were observed with a product containing less than 0.1% diisocyanates? Please provide as detailed case information as possible.*
5. *How would the proposed training program affect your company (we are particularly interested in how this affects SMEs or self-employed persons)?*
  - a. *What would be the most important cost to your company from the proposed training program – the €-cost of training, loss of employee time, else?*
  - b. *Would the training program benefit your company in other ways besides potential improvements in worker health, such as improved productivity/working methods?*

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<sup>1</sup> Bundesanstalt für Arbeitsschutz und Arbeitsmedizin (BAuA) submitted the restriction proposal dossier on the use and placing on the market of diisocyanates. It was published by ECHA on 17 Oct 2016.

<sup>2</sup> SME = small and medium size enterprise



### What does all this mean for you?

We recommend that you as a relevant stakeholder align with your industry organization and use the public consultation in order to provide detailed feedback regarding the proposed restriction. ECHA is interested in valuable contributions in order to make the restriction more practical and effective. Please keep in mind that if you do not express your opinion, other stakeholders such as national authorities, producers of competing materials or non-governmental organizations (NGOs) might come forward with recommendations from their perspective.

Please note:

The diisocyanate industry associations ALIPA and ISOPA created a platform together with downstream user associations, which is called the '*PU Exchange Panel*'. The *Panel* will further engage in and support the regulatory process with the European REACH competent authorities. The *Panel* is in favor of a pragmatic, credible, and reliable mandatory product stewardship program.

The *PU Exchange Panel* is currently preparing a position paper to support associations and companies to participate in the public consultation. This position paper will become available within the next weeks. Your association will keep you informed.

Covestro, as a member of ALIPA and ISOPA, actively takes part in the *PU Exchange Panel* and fully supports a smooth and efficient implementation throughout the polyurethanes value chains. We encourage you to actively take part in this process and raise your voice within the six months period.

Please forward this letter to the person in charge within your company. In case of any further questions please consult your business partner within Covestro.

We will keep you informed as the situation develops.

Yours Sincerely

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Appendix:

In summary and based on our current knowledge, we assume the further regulatory process under REACH to be as follows:

1. Public consultation (six months until 22 Sept 2017; but the authority is looking for early important comments until 1 June 2017),
2. Review and refinement of a draft restriction by ECHA committees until March 2018,
3. Final preparation of the restriction and the decision by EU Commission and Member States within 2018,
4. Publication of the final restriction (*amendment to Annex XVII of the REACH regulation*) in the Official Journal of the EU in late 2018 or 2019.
5. Covestro expects a further transition period before the restriction applies (see ECHA's questionnaire, point 1 on page 1)

Further details can be found in the industry's e-book.

- Please follow the link to the ISOPA homepage for the English version:  
<http://www.isopa.org/media/2726/isopa-ebook-final.pdf>
- FSK translated the e-book into German:  
<http://www.fsk-vsv.de/wp-content/uploads/2017/03/FSK-Leitfaden-für-das-Beschränkungsverfahren-von-Diisocyanaten.pdf>

You may review the status of the restriction via the following link to ECHA:  
<https://echa.europa.eu/restrictions-under-consideration/-/substance-rev/16120/term>

This page also offers the link for submitting of your comments.

<b>Status of proposal</b>	Opinion development
<b>Information note on restriction report</b>	
<b>Restriction report</b>	
<b>Restriction report appendix</b>	
<b>Consultation on restriction report</b>	<a href="#">Link</a>
<b>1st deadline for comments on restriction report</b>	01/06/2017
<b>Final deadline for comments on restriction report</b>	22/09/2017