



16 September 2019

(19-5898)

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Committee on Technical Barriers to Trade

Original: English

NOTIFICATION

The following notification is being circulated in accordance with Article 10.6

1. Notifying Member: <u>EUROPEAN UNION</u> If applicable, name of local government involved (Article 3.2 and 7.2):
2. Agency responsible: European Commission Name and address (including telephone and fax numbers, email and website addresses, if available) of agency or authority designated to handle comments regarding the notification shall be indicated if different from above: European Commission EU-TBT Enquiry Point Fax: +(32) 2 299 80 43 E-mail: grow-eu-tbt@ec.europa.eu Website: http://ec.europa.eu/growth/tools-databases/tbt/en/
3. Notified under Article 2.9.2 [X], 2.10.1 [], 5.6.2 [X], 5.7.1 [], other:
4. Products covered (HS or CCCN where applicable, otherwise national tariff heading. ICS numbers may be provided in addition, where applicable): Diisocyanates
5. Title, number of pages and language(s) of the notified document: Draft Commission Regulation amending Annex XVII to Regulation (EC) No 1907/2006 of the European Parliament and of the Council concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH) as regards diisocyanates (4 pages + Annex 6 pages, in English)
6. Description of content: This draft Regulation relates to a new entry of Annex XVII to Regulation (EC) No 1907/2006. It would restrict the use of diisocyanates as substances on their own, as a constituent in other substances or in mixtures for industrial and professional use(s), individually or in any combination of these di-isocyanates, in a concentration above 0.1% by weight. A derogation is provided for the placing on the market and use of these substances and mixtures if the employer or self-employed worker ensures that adequate training is successfully completed by the industrial and professional users prior to their use. Application of the restriction is deferred for 2 years for use and 18 months for placing on the market of diisocyanates to allow sufficient time to adapt and achieve compliance with the regulation.
7. Objective and rationale, including the nature of urgent problems where applicable: The exposure to diisocyanates in a concentration, individually or in any combination, equal to or greater than 0.1% by weight of the substances or mixtures poses a risk to human health, in particular a risk of occupational asthma in workers. The aim of the restriction is to prevent worker exposure to diisocyanates; if sensitisation is prevented by the exposure to these substances, elicitation of hypersensitivity reactions upon re-exposure would be avoided. The transitional period (2 years for use, 18 months for placing

on the market) before the application of the proposed restriction will allow stakeholders sufficient time to comply with the proposed restriction and to ensure adequate communication throughout the supply chain.

8. Relevant documents:

- Regulation (EC) No 1907/2006 of the European Parliament and of the Council on the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH Regulation): <http://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1423064258789&uri=CELEX:32006R1907>
- The opinions of the Committees for Risk Assessment (RAC) and Socio-economic Analysis (SEAC): <https://echa.europa.eu/documents/10162/d6794aa4-8e3a-6780-d079-77237244f5f9>
- Further background information is available at <https://echa.europa.eu/nl/registry-of-restriction-intentions/-/dislist/details/0b0236e180876053>

9. Proposed date of adoption: December 2019

Proposed date of entry into force: 20 days from publication in the Official Journal of the EU (the restriction will begin to apply 2 years after the date of entry into force)

10. Final date for comments: 60 days from notification

11. Texts available from: National enquiry point [] or address, telephone and fax numbers and email and website addresses, if available, of other body:

European Commission
EU-TBT Enquiry Point
Fax: + (32) 2 299 80 43
E-mail: grow-eu-tbt@ec.europa.eu

The text is available on the EU-TBT Website:

<http://ec.europa.eu/growth/tools-databases/tbt/en/>

https://members.wto.org/crnattachments/2019/TBT/EEC/19_5064_00_e.pdf

https://members.wto.org/crnattachments/2019/TBT/EEC/19_5064_01_e.pdf