



REACH update

Microplastics



- ECHA REACH Annex XV restriction proposal for intentionally added microplastics
- Commission identified pellet loss as significant contribution to annual release of microplastics – **up to 23% of total release**
- Foresees labelling and reporting obligations related to losses of pellets, regranulate and flakes at the premises of those using them

ECHA Definition of Microplastics

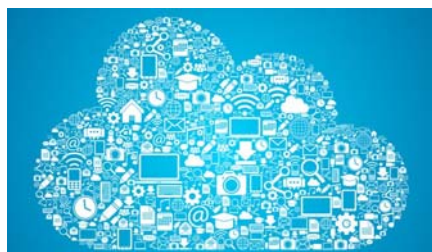
Material consisting of solid polymer-containing particles, to which additives or other substances may have been added, and where $\geq 1\%$ w/w of particles have (i) all dimensions $1\text{nm} \leq x \leq 5\text{mm}$, or (ii), for fibres, a length of $3\text{nm} \leq x \leq 15\text{mm}$ and length to diameter ratio of >3

- Covers most polymers (e.g. pellets, masterbatches, flakes) used at industrial sites

EUPC/ Industry view

- Pellets can be used all along supply chain
- Pellets at converters transformed into plastic items and do not retain shape and size
- Should not be regulated under proposed REACH restriction for intentionally added microplastics
- Voluntary commitments instead:
- Operation Cleansweep; or
- Marine litter resolutions
- EUPC action plan – request to complete questionnaire circulated by end of September to help with arguments.

ECHA database



- ECHA tasked by Commission under Article 9 of the revised Waste Framework Directive to produce a database in which manufacturers are obliged to declare Substances of Very High Concern above 0.1% present in products placed on the market.
- Includes importers as well
- Automotive industry leading platform to call for SVHCs to be declared at waste level instead
- Letter to commission not sent as no consent reached
- View of TC?

Status of ADCA in the discussion for possible Annex XIV listing

- Reach Committee meeting on 9th July, a vote took place to update Annex XIV –
but ADCA was removed from the list before the vote and will not be included in Annex XIV
- ADCA remains on the Candidate List of substances of very high concern (SVHC) for Authorisation. This means that regulatory action on ADCA will be further considered by the EC at some point in the future and a proposal to list on Annex XIV can't be excluded. (expectation EuPC in 2 – 3)
- Many Member States would prefer more appropriate risk management measures for ADCA. The Commission will now look at the possible setting of an OEL – as an alternative measure to Authorisation.
- Also restriction would be possible
- EuPC will organize a meeting in Autumn 2019 to prepare the definition of an OEL. A measurement campaign is expected for 2020. Converters will be asked for input. (exposure data etc.)

Status TiO₂

- The draft implementing decision the EC shared with the Competent Authorities for REACH was sent to TC on the 29th August
- Some progress in this draft in line with the position of EuPC, would prevent the classification of most pellets, compounds and recycilate through the derogation provided in note 10.

'Note 10: The classification as a carcinogen by inhalation applies only to mixtures in powder form containing 1% or more of titanium dioxide which is in the form of or incorporated in particles with aerodynamic diameter $\leq 10\mu\text{m}$.'

However the obligation to label (EUH212 and EUH210 would apply to plastics despite the fact that they would not be classified.

EUH210: "Safety data sheet available on request"

EUH212: "Warning! Hazardous respirable dust may be formed when used. Do not breathe dust."

Status TiO₂ II

- EC also informed EuPC that they intend to address the potential issue of classification of waste containing TiO₂ as hazardous through a modification of the waste guidance instead of a legal text (such as an amendment of the list of waste : see distributed Plastics Industry Letter to the EC.
- In summary some significant derogation were finally implemented in the text (and this should be the bare minimum to limit costs to our industry).
The issue still may create lack of legal certainty concerning waste classification. The whole issue stems from the fact the considered measure (classification) is **not the appropriate regulatory measure to be used: an OEL should be considered instead.**

Furthermore, the comments made during the public consultation have barely been considered .

- **Next steps :**

A new letter in front of CARACAL was issued.

A joint industry letter asking for a meaningful impact assessment to be done was co-signed by EuPC. ERFMI provided this material and asked you to contact (again) your Member States representatives.