

## **ECHA PROPOSES RESTRICTION ON THE MANUFACTURE AND PLACING ON THE MARKET OF DECHLORANE PLUS, INCLUDING IN ARTICLES (e.g. ELECTRICAL AND ELECTRONIC EQUIPMENT).<sup>1</sup>**

### **Summary**

The proposed restriction would prevent the manufacturing, use and placing on the market of 1,6,7,8,9,14,15,16,17,17,18,18-dodecachloropentacyclo [12.2.1.16,9.02,13.05,10] octadeca-7,15-diene (“Dechlorane Plus”) [covering any of its individual anti- and syn-isomers or any combination thereof, and on articles containing Dechlorane Plus in concentrations greater than 0.1% by weight.

Dechlorane Plus is a synthetic substance mainly used as a flame retardant. It was identified by ECHA as a Substance of Very High Concern (SVHC) in 2018 because of its very persistent and very bioaccumulative (vPvB) properties. Dechlorane Plus shows structural similarities with already listed Persistent Organic Pollutants such as aldrin, chlordane, heptachlor, mirex, chlordecone, which have neurotoxic and some also carcinogenic properties.

Dechlorane Plus is transported over long distances and has frequently been detected in the Arctic. Due to these properties, Dechlorane Plus may cause severe and irreversible adverse effects on the environment and on human health if the releases are not minimised. Even though there are no natural sources of Dechlorane Plus, it is detected in humans, wildlife and environmental samples all around the world, including the Arctic and Antarctic. The main releases of Dechlorane Plus to the environment are attributable to the waste stages. Human exposure to Dechlorane Plus occurs through drinking water, food and air. The unborn child may receive Dechlorane Plus via the umbilical cord and via breast milk after it is born.

Dechlorane Plus is imported into the EU as a substance, in mixtures and in articles. There is no manufacture of Dechlorane Plus within the EU. According to REACH registration information, Dechlorane Plus is used as a flame retardant in adhesives/sealants and polymers. Furthermore, a stakeholder survey, in preparation of the restriction proposal, indicates that Dechlorane Plus is used as an extreme pressure additive in greases. The majority of Dechlorane Plus is used by the automotive sector. The aviation sector is believed to be another important user of Dechlorane Plus, although the volumes used are uncertain. Other confirmed uses are in consumer electronics and fireworks but use volumes for these sectors are unknown.

Based on the available information on alternatives, costs and benefits for society as a whole, the Dossier Submitter (Norway) proposes a ban on the manufacture, use and placing on the market of Dechlorane Plus as a substance, a constituent in a substance, a mixture or in an article. This provides the maximum possible reduction in Dechlorane Plus emissions and thereby minimises potential adverse effects on human health and the environment.

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<sup>1</sup> This information note is based on information in the Annex XV report prepared by Norway.

The proposed restriction:

Designation of the substance, of the group of substances or of the mixture	Conditions of restriction
<p>1,6,7,8,9,14,15,16,17,17,18,18-Dodecachloropentacyclo [12.2.1.1<sup>6,9</sup>.0<sup>2,13</sup>.0<sup>5,10</sup>] octadeca-7,15-diene (“Dechlorane Plus”) [covering any of its individual anti- and syn-isomers or any combination thereof]</p> <p>CAS No 13560-89-9; 135821-74-8; 135821-03-3</p> <p>EC No 236-948-9; -; -</p>	<p>1. Shall not be manufactured, or placed on the market as a substance on its own from [18 months after entry into force].</p> <p>2. Shall not, from [18 months after entry into force], be used in the production of, or placed on the market in:</p> <p>(a) another substance, as a constituent;</p> <p>(b) a mixture;</p> <p>(c) an article,</p> <p>in a concentration equal to or above 0.1% by weight.</p>

Based on the available information, the concentration limit, equal or below 0.1% by weight, is assumed to be achievable in recycled materials. If new information became available this assumption could be further justified.

## RESTRICTION REPORT CONSULTATION

The consultation on this proposed restriction will start on 23/06/2021 and end on 3/1/2022. ECHA's Committees welcome early comments by 28/07/2021 to help them in the first discussion of the proposal in September 2021.

Interested parties can comment on the restriction report using the relevant web form on the ECHA website. When submitting information, please keep in mind:

- It is necessary to provide **supporting evidence** to justify the information submitted in the consultation, otherwise ECHA's Committees may not be able to independently evaluate the information submitted.
- Information should be submitted as early as possible in the process (see the plenary plan below).
- Information arriving after the closing date or via other channels than the web form **will not** be taken into account by ECHA's Committees.
- It is your responsibility to remove confidential information from the comments and attachments submitted with non-confidential status. If you need more time to collect information on certain aspects while other information is readily available,

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we advise you to file separate submissions so that information can be used optimally during the opinion development process.

Further information can be found in the consultation guidance available at: [https://echa.europa.eu/documents/10162/13641/restriction\\_consultation\\_guidance\\_en.pdf](https://echa.europa.eu/documents/10162/13641/restriction_consultation_guidance_en.pdf)

When responding to the consultation, stakeholders should ensure that they are referring to the most recent version of the Annex XV report and any annexes (i.e. those published alongside the consultation).

Respondents are also encouraged to take into account when certain aspects of the proposal are planned to be discussed in the committee's plenary meetings (see table below) and time their submissions accordingly (multiple submissions are possible throughout the consultation).

	Committee	
Plenary meeting of the Committee (timing)	Risk Assessment Committee (RAC)	Socio-Economic Assessment Committee (SEAC)
<b>1 (2.5 months after PC starts)</b>	Verify the proposed scope. Conclude on hazard and hold preliminary discussion on exposure/risk.	Verify the proposed scope. Conclude on costs of the proposed restriction and hold preliminary discussions on its benefits.
<b>2 (5.5 months after PC starts)</b>	Conclude on exposure/risk and hold preliminary discussion derogations.	Conclude on benefits and hold preliminary discussions on proportionality and derogations.
<b>3 (8.5 months after PC starts)</b>	Finalise the derogations. Finalise the opinion plus justification text and adopt the final opinion.	Conclude on proportionality and derogations. Finalise the opinion plus justification text and agree the draft opinion.
<b>4</b>	Not relevant.	Conclude on issues raised during the SEAC draft opinion consultation. Adopt the final opinion.

Information on the hazards of the substance(s) and the costs of the proposal would make the most impact if submitted by month two and exposure/risk, benefits and derogations by month four of the consultation. This early submission would also allow the information to be considered at the appropriate time. This timing takes into account that stakeholders have access to the dossier much earlier than in the past, as it is pre-published approximately two weeks after submission or more than six weeks in advance of the start of the consultation.

It is possible to submit more than one consultation response during the six month period. Please take this into account when deciding when to submit information.

### **How to submit a comment in the consultation on the proposed restriction**

When you are ready to make your comments, click on the appropriate link on the ECHA website. Please be aware that it is not possible to save your submission and come back to it, so you should already have your comments prepared in an attachment or saved in some other format in advance.

The web form contains five main parts:

- Introduction: containing some general information on the restriction and a link to this note and the PC guidance.
- Section 1: Personal information
- Section 2: Organisational information
- Section 3: Non-confidential comments on the proposal - both general comments and information on specific issues (see below). Your responses can be entered directly into the form or through section 4 as an attachment. However, please do not submit the same comments via both means. General comments can be on any aspect of the Annex XV restriction proposal, including on issues related to socio-economic analysis.
- Section 4: Non-confidential attachments can be added here.
- Section 5: Confidential attachments can be added here. Confidential information will only be available to the ECHA Secretariat, the Committees and Member State Competent Authorities. However, if ECHA receives an Access to Documents request, we may come back to you for justifications why the information is confidential. You can also add this information already in the relevant part of the webform.

Once you have finished your submission press the submit button and your comments will be submitted. You will receive a submission number via e-mail and you should refer to this in any communication with ECHA on this issue.

It is not possible for you to retrieve your submission so you may want to take a screen shot, or printed copy for your future reference.

### **Specific information requests**

In addition to the general comments, outlined above, the consultation includes several specific questions to gather information that is considered to be particularly relevant to the evaluation of the proposal, as follows:

- Any further information on uses of Dechlorane Plus as a flame retardant in adhesives/sealants and polymers or as an extreme pressure additive in greases in the automotive sector, the aviation sector, electrical and electronic equipment and fireworks but also in electrical batteries and accumulators, fabrics, textiles and apparels, and plastic articles. Although the above uses have been reported as identified uses, very limited information was collected during the consultation that took place during the preparation of the restriction proposal. Relevant information could include, amounts currently used, site-specific emission data

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(associated with manufacture, service-life or end-of-life), and any impacts (costs and benefits to society) of the proposed restriction on these uses (in line with the elements of a socio-economic analysis (SEA) as outlined Annex XVI of REACH).

- Information on chemical and non-chemical alternatives to Dechlorane Plus when used as a flame retardant or as an extreme pressure agent. In particular information on any specific technical criteria relevant to specific uses that could not be fulfilled by the listed alternatives or by other flame retardants or lubricants.
- Information on actual concentration of Dechlorane Plus in recycled materials (or as impurity in substances and mixtures) and information on how recycling (especially of plastic materials) could potentially be affected by the proposed restriction.

Further information to justify possible shortening or lengthening of the transitional period (impacts on risks, costs and benefits).

The final opinions of both Committees are scheduled to be available by June 2022. ECHA will send the joint opinion of the Committees to the European Commission, which will take the decision whether to include the proposed restriction in Annex XVII of the REACH Regulation.

The Dossier Submitter and the Rapporteurs will respond to the issues raised in the consultation and these responses will be published on the ECHA website at the start of the consultation on the SEAC draft opinion (in month nine of the process).