

**AGREEMENT OF THE MEMBER STATE COMMITTEE
ON IDENTIFICATION OF
DIARSENIC PENTAOXIDE
AS A SUBSTANCE OF VERY HIGH CONCERN**

**According to Articles 57 and 59 of
Regulation (EC) No 1907/2006¹**

Adopted on 1 October 2008

This agreement concerns

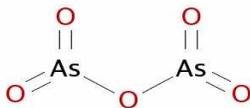
Substance name: Diarsenic pentaoxide

EC number: 215-116-9

CAS number: 1303-28-2

Molecular formula: As₂O₅

Structural formula:



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), establishing a European Chemicals Agency, amending Directive 1999/45/EC and repealing Council Regulation (EEC) No 793/93 and Commission Regulation (EC) No 1488/94 as well as Council Directive 76/769/EEC and Commission Directives 91/155/EEC, 93/67/EEC, 93/105/EC and 2000/21/EC

France presented a proposal in accordance with Article 59(3) and Annex XV of the REACH Regulation (26 June 2008, submission number AK003597-44) on identification of diarsenic pentaoxide as a substance of very high concern because of its carcinogenic properties.

The Annex XV dossier was circulated to Member States on 30 of June 2008 and the Annex XV report was made available to Interested Parties on the ECHA website on the same date according to Articles 59(3) and 59(4).

Comments were received from both Member States and Interested Parties on the proposal.

The dossier was referred to the Member State Committee on 15 September and agreed in the written procedure of the Member State Committee with closing date of 1 October 2008.

Agreement of the Member State Committee in accordance with Article 59(8):

Diarsenic pentaoxide is identified as a substance of very high concern because it fulfils the criteria of Article 57 (a) of Regulation (EC) No 1907/2006 (REACH).

**UNDERLYING ARGUMENTATION
FOR IDENTIFICATION OF SUBSTANCE OF VERY HIGH CONCERN**

According to Annex I to Directive 67/548/EEC diarsenic pentaoxide is classified as a carcinogen Cat. 1 (R 45: May cause cancer).

Reference:

1. Support Document Diarsenic Pentaoxide (Member State Committee, 1 October 2008)