

# ECHA PROPOSES RESTRICTION ON MEDIUM-CHAIN CHLORINATED PARAFFINS (MCCP) AND OTHER SUBSTANCES THAT CONTAIN CHLOROALKANES WITH CARBON CHAIN LENGTHS WITHIN THE RANGE FROM C14 TO C17<sup>1</sup>

## Summary

The proposed restriction aims at addressing the risks to human health or the environment arising from the manufacture, use or placing on the market of 'MCCP' (defined in the Candidate List as UVCB substances consisting of more than or equal to 80 % linear chloroalkanes with carbon chain lengths within the range from C14 to C17) and other substances containing the same congener groups with PBT and/or vPvB properties as 'MCCP'.

Substances containing chloroalkanes with carbon chain lengths from C14 to C17 are used in various sectors, and in a broad range of applications such as PVC, adhesives and sealants, rubber, metalworking fluids, paints and coatings. They are mainly used as plasticisers, flame-retardants, or extreme pressure additives.

SEAC has agreed their draft opinion on the proposal which is now subject to a 60 consultation for interested parties. Comments received will be taken into account before the adoption of the SEAC final opinion in September 2023.

**The consultation on the SEAC draft opinion for this proposed restriction will start on 14 June and end on 14 August 2023 at 23.59 (Helsinki Time zone)**

ECHA will send the RAC and SEAC final opinions to the European Commission, which will take the decision whether to include the proposed restriction in Annex XVII of the REACH Regulation.

## SEAC draft opinion consultation

Interested parties can comment on the SEAC draft opinion using the relevant web form on the ECHA website.

When submitting comments, please keep in mind that:

- It is usually necessary to provide **supporting evidence** (i.e. in the form of references, data or other information) alongside comments. Without supporting evidence, it is usually not possible for SEAC to evaluate the credibility of the comment.
- Where respondents **request a derogation** from the proposed restriction the following supporting evidence should be provided:
  - A detailed description of the use of the substance, including the quantities used/released, technical function, sector of use, article category. etc;

---

<sup>1</sup> The information note has been prepared based on the SEAC draft opinion prepared by ECHA.

## INFORMATION NOTE ON SEAC DRAFT OPINION ON

medium chain chlorinated paraffins ('MCCP') and other substances that contain chloroalkanes with carbon chain lengths within the range from C14 to C17

- Information on **alternatives**, including an assessment of their availability, technical feasibility and economic feasibility; if alternatives are available a detailed description of a substitution timeline;
- The **socio-economic impacts** to society in case a derogation is not included in the restriction. This includes, for example<sup>2</sup>:
  - Impacts to industry (e.g., manufactures, importers, downstream users), including related to alternatives providers;
  - Impacts on consumers (e.g., prices or product performance);
  - Impacts on society, (e.g. employment);
  - Wider implications on trade, competition and economic development, in particular for SMEs);
  - Benefits for human health or the environment (e.g. worker health)
- Information arriving after the closing date or via channels other than the web form will **not be taken into account**.
- It is your responsibility to remove **confidential information** from the comments and attachments submitted with non-confidential status.
- As far as possible, justifications based on non-confidential information are preferred to those based on confidential information. Should the submission of confidential information be considered to be fundamental to describe socio-economic impacts (i.e. in the case that a use is restricted), then a non-confidential form of the confidential information (i.e. generic use descriptions, a tonnage or concentration range or aggregated data from multiple sources to prevent back-calculation) should be submitted in addition to the confidential information. This is to allow for the most transparent discussion of the justification for a derogation in the SEAC opinion.

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 SEAC draft opinion and the most recent version of the Background Document and its annexes that are published on the ECHA website alongside the consultation.

### How to submit a comment in the consultation on a SEAC draft opinion

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 consultation guidance.

---

<sup>2</sup> Further relevant socio-economic impacts are described in Annex XVI of REACH

## INFORMATION NOTE ON SEAC DRAFT OPINION ON

medium chain chlorinated paraffins ('MCCP') and other substances that contain chloroalkanes with carbon chain lengths within the range from C14 to C17

- Section 1: personal information.
- Section 2: organisational information.
- Section 3: non-confidential comments on the SEAC draft opinion - 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 SEAC draft opinion.
- 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 four specific questions to gather information considered to be particularly relevant to the evaluation of the proposal:

1. SEAC's view is that a transition period of 7 years for the entry into force of the ban of the use of the substances in metalworking fluids is required since alternatives may not be readily available for all extreme pressure metalworking fluid applications. SEAC also notes that several respondents who contributed to the third-party consultation of the Annex XV restriction report requested a transition period longer than 7 years. However, SEAC's view is that these requests were not sufficiently substantiated.

SEAC is therefore looking for additional information on the use of the substances in metalworking fluids that would allow SEAC to further assess whether a longer transition period for these applications is needed. In absence of concrete and well substantiated comments, SEAC will consider that the conclusion reached on the transition period required for the use in metalworking fluids is adequate.

2. The third-party consultation of the Annex XV restriction report confirmed that substances containing chloroalkanes with carbon chain lengths from C14 to C17 which are used as extreme pressure additives in metalworking fluids for heavy duty metal working operations (such as fine blanking, broaching and deep drawing) are challenging to replace with alternatives and that it seems that the type of fluids concerned are oil-based fluids. Based on this, the Dossier Submitter has refined the wording of the derogation for metalworking fluids under restriction option B in the Background Document to specify the type of fluids that should be covered by the

## INFORMATION NOTE ON SEAC DRAFT OPINION ON

medium chain chlorinated paraffins ('MCCP') and other substances that contain chloroalkanes with carbon chain lengths within the range from C14 to C17 derogation, namely oil-based metalworking fluids as defined under DIN 51385.

However, SEAC is concerned that the wording of the scope may be too narrow, as other categories of metalworking fluids (not covered by the definition of oil-based fluids under this DIN standard) might also be relevant and should be included under paragraph 8 of the restriction entry text.

Please provide detailed information on whether other categories of metalworking fluids used for heavy-duty applications and not covered by DIN 51385 would also require a longer transition period than 2 years. Please refer to any relevant industry standards applicable to the type of metalworking fluids concerned.

3. According to the SEAC draft opinion, a ban on the manufacture of the substances within the scope of the restriction proposal should enter into force after the 7-year transition period for metalworking fluids has ended. Please, provide further information on the potential impacts of a ban on manufacturing, once the ban on the placing on the market and use of the substance in the EU has entered into force.
4. During the third-party consultation on the Annex XV report, some stakeholders have indicated the presence of substances containing chloroalkanes with carbon chain lengths from C14 to C17 in concentrations above 0.1% (and up to 15%) in PVC recyclates (e.g. from PVC cables) and PVC articles made of these PVC recyclates. According to the recently published restriction on Pb in PVC<sup>3</sup>, flexible PVC containing Pb above 0.1% by weight will no longer be allowed to be recycled in Europe by 28 May 2025. In this context, SEAC would like to understand how the restriction on Pb in PVC would affect the recycling of PVC containing chloroalkanes with carbon chain lengths from C14 to C17. Please estimate the quantity/volume of recycled PVC that would not contain Pb but could still contain chloroalkanes in the scope of the restriction proposal.

---

---

<sup>3</sup> <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32023R0923&qid=1629107278018>