

Dear Ms Gross,

I am writing to you on behalf of the International Antimony Association (i2a) regarding the ongoing Öko Institut consultation in the context of the review of the EU RoHS Directive.

We understand that the criteria set by the European Commission to identify new substances for potential inclusion under the RoHS are those which denote a substance of very high concern (SVHC) under REACH, i.e. PBT, vPvB and CMRs 1 and 2.

The Öko Institut has decided to include **Antimony Trioxide (ATO) and Antimony Compounds** in its inventory of high priority substances.

The members of the International Antimony Association have been gathering data on the use of different antimony (Sb) compounds in E&E applications. We feel it is unjustified to add any Sb compound to this RoHS list for the following reasons:

- EU Risk Assessment available on antimony trioxide (ATO)

ATO has been going through a Risk Assessment under the Existing Substance Regulation 793/93 with Sweden as Rapporteur. The report will be finalized before summer and has been summarized in the attachment "Summary of currently available scientific data on antimony trioxide". No risks have been identified by the Swedish Rapporteur for consumer exposure including E&E applications. ATO is neither a PBT, a vPvB nor a CMR 1 or CMR 2 substance. Nor is it an endocrine disruptor. This has been confirmed by the EU risk assessment, to be finalized before summer 2008.

- Availability of ATO in final products

In most final products, antimony trioxide is encapsulated in a matrix, in which it is either physically bound, such as in flame retarded rubbers, plastics and textile back coatings or chemically bound in a transformed state such as in PET, glass and pigments. Only by way of wear processes (dry abrasion) is any release as diantimony trioxide feasible. However, such release of antimony trioxide has been investigated and been found to be extremely low, to levels far below any concern. See separate attachment "E&E applications of Sb compounds for RoHS review".

- Classification and labeling of other antimony compounds

Most other antimony compounds used in E&E are not classified as dangerous according to Annex I of Directive 67/548/EEC (Sb, Sb₂O₅, Sb₂S₃, Sb₂S₅). Merely sodium Antimonate is classified as dangerous (N and R51/53 above 25% concentration limits) but this high concentration is not used in E&E applications. Neither is there scientific data available indicating that antimony compounds meet the criteria for substances of very high concern. There is consequently no scientific reason to justify their presence on this list of high priority hazardous substances.

- PBT criteria are not applicable to metals

Using the N, R51/53 classification of sodium antimonate as reason to classify this substance as a PBT: EU regulators (TC NES and working groups of REACH) agreed that the PBT paradigm is not applicable to metals and metal substances, since for metals:

- o Persistence is not equivalent to long term exposure
- o Bioaccumulation is opposite to concentration (due to regulation by the organism)

Furthermore, inorganic substances are not obliged to undergo a PBT, vPvB-assessment under REACH, as inorganic substances are exempt from Annex XIII. This means an assessment as foreseen for the chemical safety assessment (Annex I, Chapter 4) cannot be undertaken (we simply have no criteria for an assessment). Therefore this criterion should also not apply to the candidate list.

So also here, there is no reason to insert antimony compounds to the RoHS list.

We trust that taking into account the above arguments, the entries "antimony trioxide" and "antimony compounds" are removed completely from your priority list.

Please do not hesitate to contact us if you have any questions or require any further information.

Yours sincerely,

Karine van de Velde
i2a Secretary General

