

Brussels, November 2019

Subject: Response to Public consultation on RoHS substance inventory

Dear,

I am writing to you on behalf of the members of European Plasticisers which represents the largest plasticiser manufacturers in Europe. In response of the ongoing RoHS substance inventory, European Plasticisers would like to address and clarify some of the plasticiser entrees in the RoHS substance inventory.

We would like to bring to your attention that the following non-classified plasticisers are not hazardous according to CLH, and are therefore incorrectly categorised as hazard group I in the inventory:

- Di-n-octyl phthalate (CAS 117-84-0 - EC 204-214-7)
- Diisodecyl phthalate (CAS 26761-40-0 – EC 247-977-1)
- Diisononyl phthalate (CAS 28553-12-0 – EC 249-079-5)
- Diethyl phthalate (CAS 84-66-2 – EC 201-550-6)

The inventory also categorises 1,2-Benzenedicarboxylic acid, di-C9-11-branched alkyl esters, C10-rich (CAS 68515-49-1 – EC 271-091-4) as hazard group V, however it is not hazardous according to CLH, yet it is prioritised as overall priority group 1.

The above substances have been reviewed for their hazard classification under CLP as required by REACH regulation, concluding no classification is required, including Diisononyl phthalate where an extensive CLH review by the ECHA Risk Assessment Committee concluded no classification is required.

It can be concluded that the proposed RoHS methodology and substance inventory are not aligned with CLH. At this stage, it is unclear how non-hazardous substances are categorised high according to hazard and subsequently ranked high in the overall priority for further assessments.

European Plasticisers therefore would like to request the hazard information in the inventory to be amended according to CLH for these plasticisers, and to clarify the methodology determining their overall priority ranking.

Additionally, please be informed that the following substances are not used as plasticisers:

- Bis(2-methoxyethyl) phthalate (CAS 117-82-8 – EC 204-212-6)
- 1,2-Benzenedicarboxylic acid, di-2-propenyl ester (CAS 131-17-9 – EC 205-016-3)
- Diethyl phthalate (CAS 84-66-2 – EC 201-550-6)
- Dimethyl phthalate (CAS 131-11-3 – EC 205-011-6)
- Diisooctylphthalate (CAS 131-20) - this substance is not REACH registered.

European Plasticisers and their members are committed to the protection of health and the environment through the implementation of the RoHS Directive and other EU legislation by relying on robust weight of evidence science developed under the CLP and other EU regulations including those where risk assessment is a key element to support safe use.

Yours sincerely,

Perry Walters