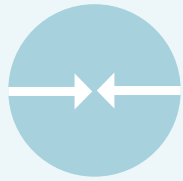


OUR VIEWS ON THE GERMAN CA PROPOSAL TO IDENTIFY PHENOLIC BENZOTRIAZOLE UV-329 AS SVHC DUE TO vPvB PROPERTIES

ELISANA supports the European Authorities' intention to ensure the highest levels of safety for human health and the environment. ELISANA welcomes constructive cooperation with regulatory authorities and downstream users with the objective of achieving science-informed, proportionate and enforceable regulation of light stabilisers and antioxidants.

OUR POSITION

ELISANA respectfully disagrees with the German Competent Authorities (CA) proposal to identify UV-329 as a substance of very high concern (SVHC) due to very Persistent and very Bio-accumulative (vPvB) properties.



CONFLICTING CONCLUSIONS

While we agree that UV-326 shows very Bio-accumulative (vB) properties, a REACH requested study performed according to OECD method guidelines and in close alignment with the German Competent Authorities shows that UV-329 is not Bio-accumulative (B).



WEIGHT OF EVIDENCE (WOE)

The German CA used a WoE approach. We support the principle of a WoE approach, providing that:

- In case of experimental data, results from standardised testing methods (e.g. OECD 305) must be given first priority prior to testing using non-OECD guideline methods, e.g. with *Hyalella azteca*.
- In case of both experimental data and calculated values, first priority should be given to experimental data.

Therefore, ELISANA is of the opinion that the WoE for UV-329 is lacking scientific evidence.

POTENTIAL CONSEQUENCES OF AN SVHC IDENTIFICATION OF UV-329

An SVHC identification for UV-329 and potentially other phenolic benzotriazoles for which OECD-conform studies do not justify identification as Bio-accumulative would have severe consequences for the production and lifespan of a wide range of products used in our everyday life. As a further step, UV-329 and potentially more phenolic benzotriazoles might become subject to authorisation, meaning that after a so called "Sunset Date" the placing on the market and use of this substances would be prohibited in the EU, unless an authorisation has been granted or the use is exempt from authorisation.



APPLICATIONS

Phenolic benzotriazoles, including UV-329, are used in many applications, particularly also in sectors that are key for the achievement of the UN Sustainable Development Goals.

Applications include renewable energy, (e-)mobility, building & construction, and more.



SUBSTITUTION

Phenolic benzotriazoles cannot be easily substituted by other benzotriazoles, or by other UV-absorbers, as these might not be as effective, affordable and available in sufficient quantities & in a timely manner.

THE GROUPING APPROACH

Status

- The German CA are assessing UV-234, UV-329, UV-P, UV-928 and have confirmed their intention to address this set of substances as a group.
- They understand that UV-234, UV-329, UV-P, UV-928 would be "regrettable substitution" for UV-326 due to a similar concern with regard to their bioaccumulation properties.

Our position

As the results of the assessed phenolic benzotriazoles reveal significant differences in the substances' properties, they therefore should be assessed on a case-by-case basis.

REGULATORY BACKGROUND



In 2014, the German CA launched an RMOA (Risk Management Option Analysis) on phenolic benzotriazoles.

In alignment with the German CA, industry conducted studies to assess Bio-accumulative (B) properties of UV-326, UV-329, UV-234, UV-P.

In 2020, industry submitted test results to ECHA, revealing that UV-329, UV-234 and UV-P did not show any B properties.

In April 2022, the German CA launched an RMOA with the intention to identify at least UV-326, UV-329 and UV-234 as SVHC (Annex XV) due to vPvB properties.

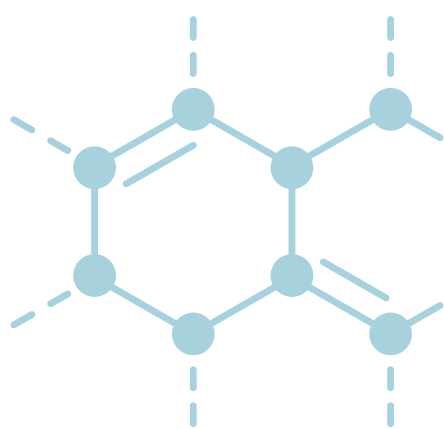


March 2023: ECHA publishes the intention of the German CA to submit an SVHC Dossier for UV-326 & UV-329 in August 2023

August 2023: the German CA are expected to submit a proposal for UV-326 and UV-329 as SVHC due to vPvB properties.

After ECHA's conformity check on the SVHC Dossier, a 45-day public consultation will be launched.

In parallel, ECHA's PBT Expert Group (EG) is currently assessing the bioaccumulation potential of UV-329, UV-234, UV-928 and UV-P. The next meeting of the PBT EG will take place on 26th-27th September.



WHAT ARE PHENOLIC BENZOTRIAZOLES?

Phenolic benzotriazoles, including UV-329, are a class of ultraviolet (UV)-light absorbers. UV light stabilisers are organic additives that enhance performance, safety and durability of finished products, therefore contributing to the sustainable use of products. They are used to prevent damage to plastics & coatings caused by exposure to light, including loss of physical properties (e.g. loss of adhesion & material cracks) and of visual properties (e.g. yellowing).

HOW CAN YOU HELP?

To help us, we encourage our Downstream Users to:

- contribute to the upcoming public consultation, by e.g. submitting information on the socio-economic impact
- support us in our advocacy activities



CONTACT US

Should you need more information on how you can help ELISANA, feel free to contact us:

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ABOUT ELISANA

The European Light Stabilisers and Antioxidants Association (ELISANA), a sector group of Cefic, was created in 2004 with the mission to become the trusted reference on health, safety and environmental information related to antioxidants and UV light stabilisers.

A sector group of Cefic

European Chemical Industry Council - Cefic aisbl

EU Transparency Register n° 64879142323-90