

WORLD TRADE ORGANIZATION

G/TBT/N/EU/64
18 September 2012

(12-5024)

Committee on Technical Barriers to Trade

Original: English

NOTIFICATION

The following notification is being circulated in accordance with Article 10.6

1.	Notifying Member: EUROPEAN UNION If applicable, name of local government involved (Article 3.2 and 7.2):
2.	Agency responsible: European Commission Name and address (including telephone and fax numbers, email and website addresses, if available) of agency or authority designated to handle comments regarding the notification shall be indicated if different from above: European Commission EU-TBT Enquiry Point Fax: +(32) 2 299 80 43 E-mail: mailto:eu-tbt@ec.europa.eu Website: http://ec.europa.eu/enterprise/tbt/
3.	Notified under Article 2.9.2 [X], 2.10.1 [], 5.6.2 [], 5.7.1 [], other:
4.	Products covered (HS or CCCN where applicable, otherwise national tariff heading. ICS numbers may be provided in addition, where applicable): Chemical substances
5.	Title, number of pages and language(s) of the notified document: Draft Commission Regulation amending Annex XIV to Regulation (EC) No. 1907/2006 of the European Parliament and of the Council on the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH) (10 pages, in English).
6.	Description of content: This draft Commission Regulation aims at amending Annex XIV of the REACH Regulation. Annex XIV lists the substances which are subject to the authorisation requirement laid down in Title VII of the Regulation. The draft proposes to include eight additional substances in that Annex, namely trichloroethylene, chromium trioxide, acids generated from chromium trioxide and their oligomers, sodium dichromate, potassium dichromate, ammonium dichromate, potassium chromate and sodium chromate. Once the regulation is adopted and enters into force, the placing on the market and the use of those substances in the EU will only be possible, after the date specified for each substance ("sunset date"), for those operators who have been granted an authorisation in accordance with Articles 60-64 of REACH, and for those who have submitted an application for authorisation before a given date ("latest application date") but a decision has not yet been adopted.

7.	<p>Objective and rationale, including the nature of urgent problems where applicable: The objective of this draft Regulation is to subject eight substances of very high concern to the authorisation requirements laid down in the REACH Regulation. According to Article 55 of REACH, the aim of the authorisation provisions is <i>"to ensure the good functioning of the internal market while assuring that the risks from substances of very high concern are properly controlled and that these substances are progressively replaced by suitable alternative substances or technologies where these are economically and technically viable"</i>.</p>								
8.	<p>Relevant documents: Regulation (EC) No 1907/2006 of the European Parliament and of the Council on the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH) (OJ L 396, 30.12.2006, p. 1). Regulation as last amended by Regulation (EU) No 412/2012 of 15 May 2012 (OJ L 128, 16.5.2012, p. 1). http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2006:396:0001:0849:EN:PDF http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2012:128:0001:0003:EN:PDF The Recommendation of the European Chemicals Agency of 20 December 2011: "http://echa.europa.eu/documents/10162/13640/3rd_a_xiv_recommendation_20dec2011_en.pdf"</p>								
9.	<table border="0"> <tr> <td data-bbox="300 907 726 952">Proposed date of adoption:</td><td data-bbox="829 907 1396 952">March 2013</td></tr> <tr> <td data-bbox="300 952 726 996">Proposed date of entry into force:</td><td data-bbox="829 952 1396 996">3 days after publication in the Official Journal of the European Union.</td></tr> <tr> <td></td><td data-bbox="829 1019 1396 1332"> <p>N.B. The "latest application date" (i.e. date by which an application for authorisation must be received by the European Chemicals Agency if the applicant wishes to continue using the substance or placing it on the market after the "sunset date" and a decision on his application has not yet been taken) shall be between 18 and 21 months from the date of entry into force (depending on the substance).</p> </td></tr> <tr> <td></td><td data-bbox="829 1355 1396 1624"> <p>The "sunset date" (date from which the use of the substance and its placing on the market is prohibited unless an authorisation has been granted or an application has been submitted before the latest application date and a decision on the application has not yet been taken) shall be between 36 and 39 months from the date of entry into force (depending on the substance).</p> </td></tr> </table>	Proposed date of adoption:	March 2013	Proposed date of entry into force:	3 days after publication in the Official Journal of the European Union.		<p>N.B. The "latest application date" (i.e. date by which an application for authorisation must be received by the European Chemicals Agency if the applicant wishes to continue using the substance or placing it on the market after the "sunset date" and a decision on his application has not yet been taken) shall be between 18 and 21 months from the date of entry into force (depending on the substance).</p>		<p>The "sunset date" (date from which the use of the substance and its placing on the market is prohibited unless an authorisation has been granted or an application has been submitted before the latest application date and a decision on the application has not yet been taken) shall be between 36 and 39 months from the date of entry into force (depending on the substance).</p>
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10.	<p>Final date for comments: 60 days from date of notification.</p>								

11. Text available from: National enquiry point [], or address, telephone and fax numbers, e-mail and web-site addresses, if available of the other body:

European Commission
EU-TBT Enquiry Point
Fax: + (32) 2 299 80 43
E-mail: <mailto:eu-tbt@ec.europa.eu>

The text is available on the EU-TBT Website: <http://ec.europa.eu/enterprise/tbt/>

http://members.wto.org/crnattachments/2012/tbt/EEC/12_3670_00_e.pdf