WORLD TRADE ORGANIZATION

G/TBT/N/EU/435

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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: grow-eu-tbt@ec.europa.eu Website: http://ec.europa.eu/growth/tools-databases/tbt/
3.	**Notified under Article 2.9.2 [X], 2.10.1 [ ], 5.6.2 [X], 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):** Recently classified carcinogenic, mutagenic and reproductive toxicants (CMR) category 1A and 1B as substances on their own or in mixtures that are placed on the market or used for supply to the general public.
5.	**Title, number of pages and language(s) of the notified document:** Draft Commission Regulation amending the Appendices to Annex XVII to Regulation (EC) No 1907/2006 of the European Parliament and of the Council concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH) as regards CMR substances (3 pages + Annex 4 pages, in English).
6.	**Description of content:** This draft Commission Regulation proposes to include within the scope of entries 28 to 30 of Annex XVII to Regulation (EC) No 1907/2006 the substances listed below, with the effect of restricting their placing on the market or use for supply to the general public as substances on their own, as constituents of other substances or in mixtures and to impose the requirement to mark packaging with the label "restricted to professional users". This is consequent on the recent classification of these substances as CMR category 1A or 1B under Regulation (EC) No 1272/2008 of the European Parliament and of the Council of 16 December 2008 on classification, labelling and packaging of substances and mixtures, as amended by Commission Regulations (EU) No 605/2014, 2015/1221 and 2016/1179. The substances are: tetrahydro-2-furyl-methanol, gallium arsenide, tributyltin compounds, [1,2-benzenedicarboxylic acid, dihexyl ester, branched and linear], 1,2-dichloropropane, bisphenol A, [phenol, dodecyl-, branched], [phenol, 2-dodecyl-, branched], [phenol, 3-dodecyl-, branched], [phenol, 4-dodecyl-, branched], [phenol, (tetrapropenyl) derivatives], chlorophacinone (ISO), warfarin (ISO), coumatetralyl (ISO), difenacoum (ISO), brodifacoum (ISO), flocoumafen (ISO), disodium octaborate anhydrous, [e-glass microfibers of representative composition], lead powder and lead massive, bromadiolone (ISO), difethialone, [perfluorononan-1-oic acid, and its sodium and ammonium salts], dicyclohexyl phthalate, 3,7-dimethylocta-2,6-dienenitrile, triflumizole (ISO).

7.	**Objective and rationale, including the nature of urgent problems where applicable:** The above mentioned substances recently received new harmonised classifications as CMR category 1A or 1B. In accordance with Article 68 (2) of Regulation (EC) 1907/2006 (REACH), the Commission may propose a restriction on the use of these substances and mixtures containing them by consumers.
8.	**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 Regulation) http://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1423064258789&uri=CELEX:32006R1907
9.	**Proposed date of adoption:** 3rd quarter of 2017 **Proposed date of entry into force:** 20 days from publication in the Official Journal of the EU. In accordance with Article 2 of the Act, the restriction will apply to certain substances from the date of entry into force of the Regulation and to others from 1 March 2018.
10.	**Final date for comments:** 60 days from notification
11.	**Texts available from: National enquiry point [ ] or address, telephone and fax numbers and email and website addresses, if available, of other body:** European Commission EU-TBT Enquiry Point Fax: + (32) 2 299 80 43 E-mail: grow-eu-tbt@ec.europa.eu The text is available on the Website: http://ec.europa.eu/growth/tools-databases/tbt/ https://members.wto.org/crnattachments/2016/TBT/EEC/16_5247_00_e.pdf https://members.wto.org/crnattachments/2016/TBT/EEC/16_5247_01_e.pdf