PRESS RELEASE
DECEMBER 22, 2020[1]

CTACSub (CTAC Submission Consortium)[2] is pleased to confirm that after a procedure that has taken more than five years and two REACH Committee qualified majority votes in February 2019 and October 2020 respectively, **the European Commission has finally authorized five out of the six applied for essential uses of chromium trioxide (EC 215-607-8; CAS 1333-82-0).**

These Uses are: Use 1 (formulation); Use 2 (hard chrome plating); Use 4 (surface treatment aeronautics and aerospace); Use 5 (miscellaneous surface treatment); and Use 6 (passivation of tin-plated steel (ETP).

The review period for all Uses will expire on September 21, 2024, thus 7 years after the Sunset Date of chromium trioxide under Annex XIV REACH.

For the remaining not yet decided use, namely functional plating with decorative character (so-called Use 3), CTACSub has submitted, upon request of the European Commission, a Substitution Plan to ECHA on September 24, 2020. This Substitution Plan is based on the input of more than 870 Use 3 Downstream users. We hope that ECHA and the European Commission will quickly scrutinize the Substitution Plan and proceed to authorization of Use 3 in 2021.

The authorization decisions[3] contain a number of conditions, which will be challenging to comply with, including on timing. Among others, the authorization holders will have to produce new exposure scenarios and provide those in amended safety data sheets to Downstream Users by March 18, 2021, for them to apply without undue delay. This work is underway. The Downstream Users will have to conduct annual workers exposure and environmental monitoring for the first time at the latest by June 18, 2021.

CTACSub will shortly publish a new Q&A to assist in implementation. Please also refer to the available Good Practice Sheets, both at www.jonesdayreach.com.

Ursula Schliessner, Jones Day, Chair and Consortium Manager of CTACSub explains: *"The authorization holders will now actively work together with Downstream Users to implement the authorization decisions. The success of implementation will heavily depend on whether the Downstream Users will all provide to ECHA complete and accurate monitoring data."*

As regards the future, CTACSub has recently decided to continue its work and will file a review report. Given that the regulatory requirements for obtaining authorization have become ever more demanding over the past six years, the success of the review report will ultimately depend on the quality and representativeness of the information provided by Downstream Users. For this reason, CTACSub will require the factual and financial collaboration of ALL Downstream Users who wish to be covered by the review report (and thus prolongation of the authorization). For more information on participation in the review report, please see the Q&A and separate communication that will be issued in January 2021.

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1 For additional information, please contact the CTACSub Consortium Manager uschliessner@jonesday.com, tel. +32 2-6451460 or see at www.jonesdayreach.com

2 The authorization holders are: Atotech Deutschland GmbH, Boeing Distribution Inc., Chemservice GmbH, CROMITAL S.P.A., Elementis Chromium LLP, MacDermid Enthone GmbH and Prospere Chemical Logistic OÜ.

3 The text of the authorization decision will be annexed to the Q&A.

PRESS RELEASE[1]
JANUARY 18, 2017

The **CTACSub Consortium** (CTAC Submission Consortium) is pleased to announce that ECHA's Committees for Risk Assessment (RAC) and Socio-economic Analysis (SEAC) have recommended in September 2016 that the European Commission ('Commission') grant the authorizations for continuation of the 6 uses of chromium trioxide (EC 215-607-8; CAS 1333-82-0)[2] applied for by the members of the CTACSub Consortium, on the basis that the socio economic benefits of continued use outweigh the health and environmental risks thereof.[3]

The Commission is now actively working on the draft authorization Decisions, which will have to be agreed with the EU Member States. As no legal deadline is provided for the Commission to issue its final Decisions, and given previous experience on other authorization files, it is possible that the authorization Decisions may not be issued before the Sunset Date of September 21, 2017.

However, in case of delay, Art. 58(1)(c)(ii) REACH provides that downstream users supplied directly or indirectly by the 7 applicants may continue their uses beyond the Sunset Date until the Commission will have decided on the authorizations. Please note though that such continued use is only permitted in as far as the uses are within the remit of the authorization applied for. The CTACSub Consortium therefore encourages its downstream users to thoroughly review the scope of the applications for authorization on the ECHA website.

The CTACSub Consortium together with several European and national downstream user and article manufacturer trade federations is currently working on a series of good practice / task sheets which will illustrate in an easy comprehensible form the risk management measures and operational conditions recommended to be applied by downstream users for the uses of chromium trioxide within the remit of the CTACSub Consortium. These sheets will be available for download in the coming months and before the Sunset Date. In any event, all downstream users are held to comply at this time already with all national laws on work place and environmental safety.

Members of the CTACSub Consortium are:

- Atotech Deutschland GmbH
- Aviall Services Inc
- BONDEX TRADING LTD in its legal capacity as Only Representative of Aktyubinsk Chromium Chemicals Plant, Kazakhstan
- CROMITAL S.P.A in its legal capacity as Only Representative of Soda Sanayii A.S.
- Elementis Chromium LLP in its legal capacity as Only Representative of Elementis Chromium Inc.
- Enthone GmbH
- LANXESS Deutschland GmbH in its legal capacity as Only Representative of LANXESS CISA (Pty) Ltd

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[1] For additional information, please contact the CTACSub Consortium Manager uschliessner@jonesday.com, tel. +32-2-6451460.

[2] Authorization consultations No. 0032-01 to 0032-06; see at https://echa.europa.eu/applications-for-authorisation-previous-consultations. RAC and SEAC have recommended the following review periods (to be counted as of September 21, 2017): Formulation of mixtures (0032-01) / Functional chrome plating (0032-02) / Surface treatment in the aeronautic and aerospace industry (0032-04) – all 7 years; Functional plating with decorative character (0032-03) / Surface treatment in other industries (0032-05) / Passivation of tin-plated steel (ETP) (0032-06) - all 4 years.

[3] For more information on the applications, see previous press release at www.jonesdayreach.com

Deutsche Übersetzung

Das **CTACSub Consortium** (CTAC Submission Consortium) freut sich mitzuteilen, dass die ECHA Ausschüsse für Risikobeurteilung (RAC) und Sozioökonomische Analyse (SEAC) im September 2016 der Europäischen Kommission (Kommission) empfohlen haben, die Zulassungen für die von den CTACSub Mitgliedern beantragte Fortsetzung der 6 Verwendungen von Chromtrioxid (EC 215-607-8; CAS 1333-82-0) [4] zu erteilen, weil der sozioökonomische Nutzen der Weiterverwendung den Gesundheits- und Umweltrisiken überwiegt.[5]

Die Kommission arbeitet nun aktiv an den Entscheidungsentwürfen, die mit den Mitgliedstaaten abgestimmt werden müssen. Da es keine rechtliche Frist für die Entscheidung der Kommission gibt, ist auch wie schon in der Vergangenheit in anderen Fällen damit zu rechnen, dass die Zulassungsentscheidungen eventuell erst nach dem Ablaufdatum (Sunset Date) vom 21. September 2017 verkündet werden.

Sollte es zu einer Verspätung kommen, sieht Artikel 58(1)(c)(ii) REACH jedoch vor, dass diejenigen nachgeschalteten Anwender, die von den 7 Antragstellern direkt oder indirekt beliefert werden, ihre Verwendung über das Ablaufdatum hinaus bis zur Entscheidung der Kommission fortführen können. In einem solchen Fall ist jedoch zu beachten, dass die Fortsetzung der Verwendung nur insofern gestattet ist, als dass die Verwendung sich im Anwendungsbereich des Zulassungsantrags befindet. Das CTACSub Consortium ermutigt daher die nachgeschalteten Anwender, den Anwendungsbereich der Zulassungsanträge auf der Webseite der ECHA eingehend zu studieren.

Zusammen mit mehreren europäischen und nationalen Verbänden sowohl der Anwender als auch der herstellenden Industrie arbeitet das CTACSub Consortium zur Zeit an einer Sammlung von Informationsblättern mit Beschreibungen bewährter Praktiken, die in einer leicht verständlichen Form die empfohlenen Risikominimierungsmaßnahmen und operationellen Bedingungen bei den Anwendern im Rahmen der Zulassungsanträge darstellen. Diese Blätter werden voraussichtlich in den nächsten Monaten, aber in jedem Fall vor dem Ablaufdatum, zum Herunterladen bereitgestellt werden. Darüberhinaus wird aber nochmals betont, dass die nachgeschalteten Anwender schon zum jetzigen Zeitpunkt gehalten sind, nationales Arbeitsschutz- und Umweltrecht einzuhalten.

[4] Konsultationen zu den Zulassungsanträgen Nr. 0032-01 bis 0032-06; siehe https://echa.europa.eu/applications-for-authorisation-previous-consultations. RAC und SEAC haben die folgenden Überprüfungszeiträume empfohlen: (Frist läuft ab 21. September 2017): Formulation of mixtures (0032-01) / Functional chrome plating (0032-02) / Surface treatment in the aeronautic and aerospace industry (0032-04) – alle 7 Jahre; Functional plating with decorative character (0032-03) / Surface treatment in other industries (0032-05) / Passivation of tin-plated steel (ETP) (0032-06) - alle 4 Jahre.

[5] Siehe auch frühere Pressemitteilung auf www.jonesdayreach.com

Traduction Francaise

Le Consortium CTACSub (CTAC Submission Consortium) est heureux d'annoncer que les Comités de l'ECHA pour l'Evaluation des Risques (RAC) et pour l'Analyse Socio-Economique (SEAC) ont recommandé en septembre 2016 que la Commission européenne (Commission) accorde les autorisations de poursuite des 6 utilisations de trioxyde de chrome (EC 215-607-8; CAS 1333-82-0)[6] demandées par les membres du CTACSub Consortium, en raison de bénéfices socio-économiques, lors d'une utilisation continue, supérieurs aux risques pour la santé et l'environnement.[7]

La Commission travaille actuellement activement sur les projets de décisions d'autorisation qui devront être convenus avec les États membres. Étant donné l'absence de délai légal obligeant la Commission à rendre ses décisions finales et compte tenu de l'expérience acquise sur d'autres dossiers d'autorisation, il est possible que les décisions d'autorisation ne puissent pas être émises avant la date d'expiration (Sunset date) du 21 septembre 2017.

Toutefois, en cas de retard, l'art. 58 (1)(c)(ii) REACH prévoit que les utilisateurs en aval, approvisionnés directement ou indirectement par les 7 demandeurs, peuvent poursuivre leurs utilisations au-delà de la date d'expiration jusqu'à ce que la Commission ait statué sur les autorisations. Veuillez toutefois noter que cette utilisation continue n'est autorisée que dans la mesure où les utilisations relèvent du cadre de l'autorisation demandée. Le Consortium CTACSub encourage donc ses utilisateurs en aval à examiner en profondeur la portée des demandes d'autorisation sur le site internet de l'ECHA.

Le Consortium CTACSub, en collaboration avec plusieurs fédérations professionnelles européennes et nationales d'utilisateurs en aval et de fabricants d'articles, travaille actuellement sur une série de fiches de bonnes pratiques qui illustreront sous une forme facilement compréhensible les mesures de gestion des risques et les conditions opérationnelles recommandées aux utilisateurs en aval pour les utilisations du trioxyde de chrome dans le cadre du CTACSub Consortium. Ces fiches pourront être téléchargées dans les prochains mois et avant la date d'expiration. Toutefois, tous les utilisateurs en aval sont tenus, dès maintenant, de se conformer à toutes les lois nationales sur la sécurité au travail et environnementale.

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[6] Consultations sur les demandes d'autorisation n° 0032-01 à 0032-06; voir https://echa.europa.eu/applications-for-authorisation-previous-consultations. RAC et SEAC ont recommandé les périodes de réexamen suivantes (à compter du 21 septembre 2017): Formulation of mixtures (0032-01) / Functional chrome plating (0032-02) / Surface treatment in the aeronautic and aerospace industry (0032-04) – tous les 7 ans; Functional plating with decorative character (0032-03) / Surface treatment in other industries (0032-05) / Passivation of tin-plated steel (ETP) (0032-06) - tous les 4 ans.

[7] Pour plus d'informations à propos des applications, voir le communiqué de presse précédent sur www.jonesdayreach.com

PRESS RELEASE
JUNE 27, 2016

Progress on Applications for REACH Authorization

of Several Uses of Chromium Trioxide – RAC and SEAC Draft Opinions

Following the **CTACSub Consortium's** (CTAC Submission Consortium) press release of May 2015 on its submission to ECHA of the application for REACH authorization ('AfA') of six uses of chromium trioxide [1], ECHA's RAC (Risk Assessment) and SEAC (Socio-Economic Analysis) Committees have recently issued their draft opinions on this AfA.

In their draft opinions, RAC and SEAC support the AfA and will recommend that the six uses[2] applied for shall be authorized by the European Commission, because the *overall benefits of continued use* of chromium trioxide for these uses *outweigh the risks to human health*.

This means that the direct and indirect customers of the seven CTACSub applicant companies will be allowed to continue using chromium trioxide for the six uses beyond the September 21, 2017 so-called sunset date (i.e. the date by which the use would have to be stopped unless the use is covered by a REACH authorization handed down either to the user or his upstream supplier).

RAC's and SEAC's draft opinions recommend the adoption by the European Commission of the following so-called review periods[3]: Use 1: seven years; Use 2: seven years; Use 3: four years; Use 4: seven years; Use 5: four years; Use 6: four years ('bridging period' applied for). In the nomenclature of RAC and SEAC, 'seven years' constitutes the default 'normal' review period (absent perceived special circumstances).

The CTACSub applicants have concerns regarding several aspects of the draft opinions and intend to use their opportunity to submit comments. After the final opinions will have been issued in September, the AfA will be transferred to the European Commission for a decision.

For additional information please contact CTACSub's consortium manager uschliessner@jonesday.com, tel. 32-2-6451460.

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1 See more information at www.jonesdayreach.com. AfA 0032-1 to 6. Applicants are Atotech Deutschland GmbH (formulator); Aviall Services Inc. The Netherlands Branch (affiliate of The Boeing Company), (importer of formulations); Bondex Trading Ltd. (importer); Cromital Spa (OR) (for and affiliate of Soda Sanayii A.S.); Elementis Chromium LLP (OR) (for Elementis Chromium Inc.); Enthone GmbH (formulator); Lanxess Deutschland GmbH (OR) (for Lanxess CISA (Pty) Ltd.) acting as Submitting Applicant for the joint application.

2 Use 1: formulation of mixtures; Use 2: functional chrome plating; Use 3: functional chrome plating with decorative character; Use 4: Surface treatment for applications in the aeronautics and aerospace industries, unrelated to Functional chrome plating or Functional plating with decorative character; Use 5: Surface treatment (except ETP) for applications in various industry sectors namely architectural, automotive, metal manufacturing and finishing, and general engineering; Use 6: Passivation of tin-plated steel (ETP).

3 A review period is a deadline in advance of which the applicant must have filed an updated report on the authorization which will allow the European Commission to decide whether the authorized use may continue or not.

Deutsche Zusammenfassung (German language summary)

Die RAC und SEAC Ausschüsse der Europäischen Chemikalienagentur (ECHA) haben kürzlich die Entwürfe ihrer Empfehlungen zum CTACSub Antrag auf REACH Zulassung der Nutzung von Chromtrioxid verabschiedet. Sie stimmen den sechs Anträgen auf Zulassung zu. Die Entwürfe empfehlen Überprüfungszeiträume von sieben Jahren für Formulierung, Hartverchromung und Oberflächenbehandlung in der Luftfahrtindustrie, und von vier Jahren für funktionelle Verchromung mit dekorativem Charakter, Oberflächenhandlung in anderen Industrien, und ETP.

Das bedeutet, dass die direkten und indirekten Kunden der sieben Antragsteller Chromtrioxid über den Ablauftermin vom 21. September 2017 hinaus benutzen werden können.

Die ECHA Empfehlungen werden nach der Sommerpause der EU Kommission zur Entscheidung vorgelegt werden.

Sommaire en Français (French language summary)

Les comités RAC et SEAC de l'Agence Européenne des Produits Chimiques (ECHA) ont récemment approuvé leurs projets d'avis concernant les six demandes d'autorisation REACH de CTACSub pour l'utilisation du trioxyde de chrome. Ils recommandent des périodes limitées de réexamen de sept années pour les mélanges, la chromatisation dur, et le traitement des surfaces pour l'aéronautique. Pour la chromatisation fonctionnelle à caractère décoratif, le traitement de surface dans les autres secteurs industriels, et l'ETP, quatre années sont recommandées.

Cela veut dire que les clients directs et indirects des sept entreprises qui ont déposé des demandes d'autorisation peuvent continuer d'utiliser le trioxyde de chrome au-delà de la date d'expiration du 21 septembre 2017.

Les avis d'ECHA seront transférés à la Commission Européenne pour la prise d'une décision après l'été.

REVISED
PRESS RELEASE
MAY 28, 2015

The **CTACSub Consortium** (CTAC Submission Consortium) is pleased to announce that it has started its works. **The CTACSub joint application for authorization has been submitted to ECHA on May 11, 2015.**

CTACSub is a group of seven companies that was created on February 20, 2015 to jointly file applications for REACH authorization for specific industrial uses of chromium trioxide. CTACSub filed joint so-called 'upstream' applications for authorization for all uses for which draft applications for authorization (common data sets) were developed by the CTAC Consortium (in turn consisting of 150+ companies).

This early (one year before the so-called 'Latest Application Date' on March 21, 2016) joint upstream application is destined to assure the market that the major chromium trioxide (formulation) suppliers are well aware that the industrial use of this substance is essential for a large number of industries and that everything will be done so that the downstream users can continue to use chromium trioxide for their current uses provided adequate operational conditions and risk management measures are met. These current uses covered by the joint application are in addition to formulation of mixtures, functional plating, functional plating with decorative character, miscellaneous surface treatment, and passivation of tin-plated steel (for exact definitions, please see below).

In turn, this also ensures that articles and components manufactured using chromium trioxide can continue to be manufactured in and for the numerous sectors that utilize such articles in today's economy These sectors include aerospace, architecture, automotive, machinery, packaging, printing and sanitary.

Members of CTACSub are:

- Atotech Deutschland GmbH (formulator)
- Aviall Services Inc. The Netherlands Branch (affiliate of The Boeing Company), (importer of formulations)
- Bondex Trading Ltd. (importer)
- Cromital Spa (OR) (for and affiliate of Soda Sanayii A.S.)
- Elementis Chromium LLP (OR) (for Elementis Chromium Inc.)
- Enthone GmbH (formulator)
- Lanxess Deutschland GmbH (OR) (for Lanxess CISA (Pty) Ltd.) acting as Submitting Applicant for the joint application.

For additional information, please contact the CTACSub Consortium Manager uschliessner@jonesday.com, tel. +32-2-6451460.

Use Definitions (from Annex 1 of CTAC Consortium Agreement)[1]

(1) Formulation of mixtures

The formulation of chromium-based mixtures in liquid or solid forms using chromium trioxide combined with other chemical substances and/or compounds. The use definition is restricted to formulation for 'placing on the market for…' (e.g. a proprietary coating formulation). This use definition explicitly excludes the subsequent use of the mixtures. because these are considered as covered by Uses (2) – (8).

(2) Functional chrome plating

An industrial use, meaning the electrochemical treatment of surfaces (typically metal) to deposit metallic chromium using a solution containing chromium trioxide (amongst other chemicals), to enhance wear resistance, tribological properties, anti-stick properties, corrosion resistance in combination with other important functional characteristics. Such secondary functional characteristics are chemical resistance, able to strip, unlimited in thickness, paramagnetic, deposit not toxic or allergic, micro-cracked brightness. Process characteristics are closed loop processing, high speed, flexibility in size, plating of inner surfaces, low process temperature, surface can be machined, assemblability. Functional chrome plating may include use of chromium trioxide in pre-treatment and surface deposits unlimited in thickness but typically between 2μm and 5000 μm. Functional chrome coatings are widely used in many industry sectors.

(3) Functional chrome plating with decorative character

The electrochemical treatment of metal, plastic or composite surfaces to deposit metallic chromium to achieve an improvement in the surface appearance, level of corrosion protection and to enhance durability. In functional plating with decorative character, chromium trioxide is used to deposit a coating of typically 0.1-2.0 μm, or, where increased corrosion resistance is required, a 'micro cracked' chromium deposit at thicknesses of typically 0.5 - 2.0 μm, over a nickel undercoat. Functional plating with decorative character may include use of chromium trioxide in a series of pre-treatments and surface deposits. Functional plating with decorative character is used widely in automotive, plumbing, household appliances, bathroom, furniture and homeware applications. Functional plating with decorative character includes black chrome plating provided that there is no residual CrVI on the surface of the article at the detection limit[2], which has been used, for example, in solar panel manufacture, where deposits are porous and <1 μm in thickness.

(4) Surface treatment for applications in the **aeronautics and aerospace industries**, unrelated to Functional chrome plating or Functional plating with decorative character

This Use includes processes that convert the surface of an active metal or coat metal surfaces by forming/incorporating a barrier film of complex chromium compounds that protects the metal from corrosion and provides a base for subsequent treatments such as painting or bonding. This includes integrated process systems where chromium trioxide is used in a series of pre/main/post-treatments. Pre-treatment includes processes such as chemical polishing, stripping, dexodizing, pickling and etching of metals. Main-treatment includes processes such as conversion coatings, passivation and anodizing, deposition and other surface treatments where a chromium trioxide-based solution is used. Post-treatment includes processes such as rinsing, staining and sealing for final surface protection.

(5) Surface treatment **(except ETP)** for applications in **various industry sectors namely architectural, automotive, metal manufacturing and finishing, and general engineering**

This Use includes processes that convert the surface of an active metal or coat metal surfaces by forming/incorporating a barrier film of complex chromium compounds that protects the metal from corrosion, provides a base for subsequent painting, provides a chemical polish, and/or colors the metal. This includes integrated process systems where chromium trioxide is used in a series of pre/main/post-treatments. Pre-treatment includes processes such as chemical polishing, stripping, dexodizing, pickling and etching of metals or other materials. Main-treatment includes processes such as conversion coatings, passivation and anodizing, deposition and other surface treatments where a chromium trioxide-based solution is used. Specifically, this includes continuous coil coating of steel and passivation (e.g. zinc plating, copper foils), but not passivation of tin-plated steel. Post-treatment includes processes such as rinsing, staining and sealing for final surface protection.

(8) Passivation of tin-plated steel (ETP)

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1 Amended and consolidated version December 19, 2014. Use definitions of Use 6 (catalysts) and Use 7 (laboratory) are not repeated here because no draft authorization dossiers have been developed by CTAC for these uses.

2 EN 15205 is to be used as the standard of detection of chromium VI. If a Member wishes to use another standard, the Member has to prove that it is equally sensitive.