

PRESS RELEASE

DECEMBER 22, 2020¹

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 decisions³ 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.

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.