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Chemicals: Federal Environment Agency proposes inclusion of five anthracene oils as subject to EU authorisation REACH falls short of expectations so far

They elasticise rubber, but they are toxic: anthracene oils extracted from black coal are polycyclic aromatic hydrocarbons, or PAHs. As a rule PAHs persist in the environment, bioaccumulate, and are toxic. However, they continue to be used in products such as flip-flops or rubber handles. The European Union (EU) has already largely banned the use of PAHs in car tyres and foodstuffs. However, the Federal Environment Agency (UBA) would like to push forward and has submitted a proposal to the EU to include five anthracene oils as subject to authorisation.

3 August 2009 marks the second time that the EU Member States of the European Chemicals Agency (ECHA) will nominate substances of very high concern for authorisation according to REACH, the EU Chemicals Regulation. In the past year environmental and consumer protection organisations expressed criticism that only 16 proposals were submitted, demanding that 276 substances be replaced immediately. However, REACH requires an exhaustive risk assessment of candidate substances (Annex XV-Dossier) from the respective authorities in charge in the EU Member States. This is presumably the reason why only 14 proposals will be submitted this year, too, of which five are from UBA.

UBA Vice President Dr. Thomas Holzmann regrets the hesitancy on the part of some Member States, commenting that "so far only a few Members have taken advantage of the great opportunities provided by REACH to do more to protect the environment and health. We are offering other Member States help and cooperation in the assessment and identification of substances of very high concern."

There is much work to be done, as a working group comprised of German and other EU experts has identified over 400 substances that are carcinogenic, mutagenic, teratogenic, or otherwise harmful to the environment. "The authorities within the Member States must move forward jointly and quickly to regulate these substances throughout the EU in short order", said Holzmann. The ECHA has addressed this matter and summoned all authorities in charge to Helsinki for a meeting on 24 September 2009.

Once substances have been identified as 'very high concern' producers must advise merchants and consumers at their request whether the substances in question are present in products in concentrations of more than 0.1 percent. This is the EU's means of giving consumers with a way

to opt for more ecological products, provided that the EU Member States submit proposals on substances, also as a first step towards initiating authorisation obligation of the substance throughout the EU. The aim is to ultimately ban the most harmful chemicals from the market and the environment.

UBA's objective is to continue to support the success of REACH. Its agenda for 2010 already includes additional PAHs and other environmental pollutants, among which are chemicals that are endocrine disruptors.

Further information about REACH and the UBA strategy to identify substances of very high concern is available at www.reach-info.de. The site features a downloadable sample letter of consumer enquiries to merchants.

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