European Borates Association A.I.S.B.L.
Member of IMA-Europe

To: Borates Downstream Users (Trade Federations & Companies)

March 27th, 2014

Dear Sir, Madam,

On 13 March 2014, the ECHA Risk Assessment Committee (RAC) met to discuss the reclassification of boric acid as Toxic to Reproduction, Category 2. The RAC considered new scientific data to support reclassification, including epidemiology data and studies provided by Industry on the interaction between zinc and borate. Although we consider the new data and evidence show that there are no effects on humans, the RAC upheld the classification for boric acid as a Category 1B.. Hence, the current classification remains and downstream users will not experience any changes.

The RAC considered amending the specific concentration limit (SCL) for boric acid (currently 5.5%) to align with the current ECHA guidance for deriving SCLs. However, the current SCL is retained but is under review.

EBA extends its appreciation to Poland for its leadership through the reclassification effort. Poland's involvement, as the Member State proposing the reclassification for boric acid, was significant and essential.

The RAC also discussed a proposal to harmonise the classification for disodium octaborate (CAS# 12008-41-2) and disodium octaborate tetrahydrate (DOT) (CAS# 12280-03-4) submitted by the Netherlands arising from the biocidal active approval of DOT in 2009.

The RAC endorsed the Dutch proposal, and both substances will be classified as Toxic to Reproduction, Category 1B. No additional classifications based on environmental endpoints seen in the initial Annex XV dossier or any other endpoints were proposed.

The Dutch proposal suggested to align the SCLs for these substances with that of boric acid (4.6 % for DOT). However, the RAC proposed and agreed that SCLs for each of these substances be amended in line with the Generic Concentration Limits set under the new CLP guidance (i.e. 0.3%).

Next steps

In the coming weeks, the RAC opinions will be published and provided to the European Commission for consideration. The Commission then will either:

1) Prepare a draft amendment of the Annex VI (list of substances with harmonised classification) of the CLP Regulation 1272/2008; or
2) Ask the RAC to revise its opinion should they identify an issue (for example that the RAC has deviated from the proper procedure, etc.)

On behalf of EBA, I would like to express our thanks to your organisation and its members for your continued support.

Kind regards,

Keith Sperring
President

Roger Doome
Secretary General

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