

Two Lead Oxides Considered for Substances of Very High Concern Listing under REACH

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On October 4, 2011, the European Chemicals Agency (ECHA) announced that it was initiating an evaluation of whether two lead compounds – lead monoxide and lead tetroxide – should be added to ECHA's Candidate list of Substances of Very High Concern (SVHC) under Annex XV of the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH). Among other applications, these lead oxides are used in the paste that coats lead metal battery plates. Annex XV evaluation of the substances was requested by the European Commission.

The potential outcome of this process, following an opportunity to comment by interested parties, could be inclusion of the substances in the Candidate List for Authorisation under REACH (Annex XIV). If these lead oxides are included on this list, a prioritization process will take place to determine whether or not the substance should be subject to Authorisation. Under REACH, substances requiring Authorisation can no longer be used without prior approval by ECHA. Depending on the results of the prioritization process, these lead compounds could be identified as subject to Authorisation as early as December 2013.

However, even if a substance is deemed to require Authorisation, some subset of its uses by ECHA may be determined not to need Authorisation (because, for example, sufficient controls established by other European Union (EU)-wide legislation are already in place). Lead-acid batteries and their production are already strictly controlled under the EU Battery Directive and other environmental legislation, and thus could benefit from this provision.

A consultant to ECHA sent highly detailed questionnaires to manufacturers, importers, and downstream users of the substances. They seek to collect data on production volumes, worker exposures, downstream uses, releases, and potential alternatives to the substances, and are due back to the consultant by early November. ECHA's assessment of the survey information will help the European Commission to decide whether the development of an Annex XV dossier for identification of these substances as SVHC is necessary.