

COMMENTS AND RESPONSE TO COMMENTS ON AUTHORISATION

Substance name: Chromium trioxide

EC number: 215-607-8

CAS number: 1333-82-0

Broad information on use applied for (title): Use of Chromium (VI) Trioxide for Electrolytic Chromium Coating of Steel (ECCS); also known as Tin Free Steel (TFS)

Consultation number: 0274-03

Applicant name: ArcelorMittal France; ARCELORMITTAL ESPAÑA S.A.

Consultation period: 17/08/2022 - 12/10/2022

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Reference number and date:	Submitter:	Alternative:						Attachments:
		Type	Generic name	EC Number	CAS Number	Description of technical alternative	Classification and Labelling	
Ref.No: 1392 Date: 2022/10/12 Type of comment:* The comment provides information that is generally not in support of the application	Affiliation: BehalfOfAnOrganisation Type/Role in the supply chain: Non-governmental organisation (NGO) Name of org/company: ChemSec Country: Sweden					several proposals		Comment_1392_Attachment.doc

Applicants' response:

Answer by the Applicant: 1. ALTERNATIVE ID AND PROPERTIES

As has been stated in several parts of our application for Authorisation, the review period being requested corresponds to our current understanding of the needs of our value chain in terms of qualification of the alternative material to ensure continued high levels of consumer safety for steel for packaging. There are no other alternatives for these uses.

Our sector did not wait for chromium trioxide to be listed on REACH Annex XIV to dedicate considerable efforts to develop alternatives to hexavalent chromium to manufacture ECCS. Amongst other sectorial and corporate efforts, we worked collectively with our main European competitors to identify and test several possible alternatives via an EU-sponsored research project ("IPSA", references present in the AoA section of the AfA). The development work we are currently carrying on at ArcelorMittal with the Low Tin Steel technology finds its foundation in that project.

The alternatives listed on ChemSec's Marketplace are dedicated to replace hard chrome plating, a distinct application of chromium trioxide, with very different technical requirements than the ones that are relevant for the ECCS product which is then used for the metallic packaging sector. An indispensable requirement for any alternative for our application is food contact compatibility. The alternative we are developing meets these requirements and the surface treatment products involved have been assessed against FCM regulations in major retail markets (Europe, USA, China, Mercosur).

Should ArcelorMittal follow the advice of ChemSec and switch to a theoretical alternative being promoted on their Marketplace, our company would require - at a minimum - 4 years to bring such a technology up to a level of industrial capability for our use, followed by a further 5 years of qualification by our value chain. This would result in the need for an extended review period for the use of hexavalent chromium, far in excess of the current request, with the possibility that any chosen technology would fail and thus require an even longer continued use of the SVHC substance. Furthermore, the LTS technology is not based on CrIII, and does not share any safety concerns with that family of substances. We are happy to reiterate here that we did not find any other technology that would be equally suitable for our application, and implementable at a faster pace than our current substitution plan.

Answer by the applicant: 7. OTHER COMMENTS

ChemSec is suggesting that no review period should be longer than 4 years for chromium trioxide. We regret that ChemSec did not take into account the fact that metal packaging, used in food contact applications, requires strict controls to ensure a continued high level of consumer safety. Consequently, there is a need for new technologies introduced into this value chain to undergo long testing and validation (typically up to 5 years, not including repeat testing in case of failure and adaptation of the coating systems) by its users. They have also apparently forgotten that the implementation of such a new technology is a complex process in terms of the complexities of industrial implementation of the validated alternative and commercial substitution throughout the supply chain. Those points are detailed in the current AfA.

Finally, our customers are closely associated to the testing and validation of the most promising alternative for ArcelorMittal. A lower level of performance would mean a.o. shorter shelf-life duration for the integrity of the packaged contents, which would lead to more waste in general. This is not compatible with the objectives of sustainability pursued at European level, in particular for food applications.

We understand that ChemSec comments are not specific to this application, as the very same comments have been submitted during the public consultations related to a dozen of recent Applications for Authorisation of chromium trioxide. This probably explains why the alternatives put forward by ChemSec are not suitable to the present use.

Reference number and date:	Submitter:	Alternative:						Attachments:
		Type	Generic name	EC Number	CAS Number	Description of technical alternative	Classification and Labelling	
Ref.No:1382 Date: 2022/10/11	Affiliation: BehalfOfAnOrganisation Type/Role in the supply chain:					Low Tin Steel (LST) is a 100% hexavalent		Comment_1382_Attachment.zip

Type of comment:* The comment provides information that is generally in support of the application	Industry or trade association Name of org/company: Metal Packaging Europe Country: Italy					chromium free alternative whose protective layer stabilises the tin oxide in a similar manner to chromium passivation, preventing further surface oxidation and ensuring the desired product performance.		
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Applicants' response:

We thank Metal Packaging Europe for providing those useful comments.

Reference number and date:	Submitter:	Alternative:						Attachments:
		Type	Generic name	EC Number	CAS Number	Description of technical alternative	Classification and Labelling	
Ref.No: 1379 Date: 2022/09/14 Type of comment:* The comment provides information that is generally in support of the application	Affiliation: BehalfOfAnOrganisation Type/Role in the supply chain: Industry or trade association Name of org/company: APEAL - The Association of European Producers of Steel for Packaging Country:					Low Tin Steel (LTS) is a hexavalent chromium free alternative developed to replace electrolytic chromium coated steel (ECCS).		Comment 1379 Attachment.pdf

	Belgium							
Applicants' response:								
We thank APEAL for providing those useful comments.								