01/07/2015

Comments and references to responses on ECHA's 6th Draft Recommendation for Pyrochlore, antimony lead yellow (EC number: 232-382-1)

The present document compiles the comments received during the public consultation on the draft 6th recommendation for inclusion of substances in Annex XIV of REACH for Pyrochlore, antimony lead yellow (EC number: 232-382-1). The public consultation took place between 1 September and 1 December 2014. Some of the comments submitted contained additional attachment(s), accessible at http://echa.europa.eu/documents/10162/13640/6th_rec_comref_attachments_pyrochlore_antimony_lead_yellow_en.zip. Those comments are indicated accordingly in the table below.

For each of the comments there is also a reference to specific section(s) of a document containing the responses to comments ("Response document", available at http://echa.europa.eu/documents/10162/13640/6th_axiv_rec_response_doc_lead_substances_en.pdf). The responses in the Response document are arranged by thematic block and level of information (see more detailed explanations at the beginning of that document).

PUBLIC VERSION

CONTENT

I - General comments on the recommendation to include the substance in Annex XIV

Number / Date	Submitted by (name, submitter type, country)	Comment	Reference to responses
2571 2014/11/21	Germany, Member State	We still have doubts about the proportionality and the regulatory effectiveness of inclusion of further lead substances into Annex XIV. Lead substances are already highly regulated in various legislative acts (e.g. Battery Directive	**A.2.16. Asking ECHA to assess/ Questioning the regulatory effectiveness of**

		(2006/66/EG), End of Life Vehicle Directive (2000/53/EC), RoHS Directive (2011/65/EU)). Further regulation of lead compounds by listing them in Annex XIV should be reflected in the light of climate protection efforts in Germany: promotion of batteries for storing renewable energy. A high number of authorisation applications for the lead compounds can be expected due to the high volumes and the use spectrum of the substances. Authorisation could therefore lead to a high workload for these highly regulated substances. Regarding this we request ECHA to further analyse the benefits of prioritising these already highly regulated lead substances for Annex XIV inclusion at the current stage. Based on the results of this analysis the best way forward for should be discussed.	**inclusion of lead substances in Annex XIV and stressing the high workload for authorities related to these substances at AfA stage**
2601 2014/11/24	Allgemeine Unfallversicherungsanstalt, National Authority, Austria	We Support antimony lead yellow entering into Annex XIV. 2601_Pb.docx	Thank you for your comment.
2629 2014/11/25	Inorganic Pigments Consortium, Industry or trade association, Spain	The Inorganic Pigments Consortium would like to express its position regarding the inclusion of substance "pyrochlore, antimony lead yellow" (EC 232-382-1) to the draft 6th priority list recommendation under REACH authorisation. In the ECHA "Draft background document for pyrochlore, antimony lead yellow", the following reasoning was provided for the inclusion of this substance: "Pyrochlore, antimony lead yellow is prioritised for inclusion in the draft 6th recommendation together with lead monoxide and lead tetroxide. This is as it appears that they are used in similar applications (pigments)". We would like to emphasise that this statement is incorrect based on the following reasons: • The applications of lead oxides and pyrochlore, antimony lead yellow are totally different. • Pyrochlore, antimony lead yellow is used exclusively in ceramic applications. • In this industry, the temperature of firing of the final articles over which the pigment is applied is very high (around 1000 °C). At these temperatures, lead oxides cannot be used for the purpose of colouring ceramic articles, as these substances would decompose, react with other components of the ceramic	**A.2.6. Disagree/Agree with the grouping of pyrochlore antimony lead yellow with orange lead.**

		article, and lose any possible colouring property. • Only by the use of "pyrochlore, antimony lead yellow", the very specific bright yellow colour that this pigment provides may be achieved. • While lead oxides may have some pigmenting properties in paints (manufactured and applied at ambient temperature), this use cannot be confused with the specific use of the inorganic pigment "pyrochlore, antimony lead yellow" in ceramic applications. For this reason, the Inorganic Pigments Consortium considers that this substance should be treated independently from other lead compounds in terms of prioritisation for authorisation under REACH. The total score that has been assigned for prioritisation of "pyrochlore, antimony lead yellow" is 17. Fifteen of the twenty two substances proposed for the inclusion into the 6th priority recommendation list have received specific scoring. "Pyrochlore, antimony lead yellow" ranks in 12th position out of those 15 substances. We believe that it may be more appropriate that other substances with a higher priority score should rather be recommended for prioritisation than "pyrochlore, antimony lead yellow". Based on all the above, the Inorganic Pigments Consortium believes that including "pyrochlore, antimony lead yellow" onto the 6th priority list followed by the Annex XIV listing would not be appropriate.	
2630 2014/11/25	Asociacion Nacional de Fabricantes de Fritas, Esmaltes y Colores Ceramicos (ANFFECC), Industry or trade association, Spain	The "Asociacion Nacional de Fabricantes de Fritas, Esmaltes y Colores Ceramicos (ANFFECC)" would like to express its support to the position stated by the Inorganic Pigments Consortium regarding the substance pyrochlore, antimony lead yellow.	Please see responses referred to in comment #2629 in this section.
2827 2014/11/28	Norway, Member State	In general, the Norwegian REACH CA supports measures that will reduce the use and emission of lead and lead compounds. We do also support grouping of lead substances to avoid substitution with substances with similar properties within the same use categories. We support that on the basis of grouping considerations (grouping with lead monoxide and lead tetroxide) pyrochlore, antimony lead yellow should be prioritised for inclusion in Annex XIV.	**A.2.6. Disagree/Agree with the grouping of pyrochlore antimony lead yellow with orange lead.**

II - Transitional arrangements. Comments on the proposed dates

Number / Date	Submitted by (name, submitter type, country)	Comment	Reference to responses
2601 2014/11/24	Allgemeine Unfallversicherungsanstalt, National Authority, Austria	2601_Pb.docx	Thank you for your comment.
2827 2014/11/28	Norway, Member State	In general, we are in favour that a regulation should enter into force as soon as possible. Hence we are in favour of the shortest LAD slot.	**B.1.1. General principles for setting latest application dates / sunset dates:** 3. ECHA's proposal for latest application dates

III - Comments on uses that should be exempted from authorisation, including reasons for that

Number / Date	Submitted by (name, submitter type, country)	Comment	Reference to responses
2601 2014/11/24	Allgemeine Unfallversicherungsanstalt, National Authority, Austria	2601_Pb.docx	Thank you for your comment.
2827 2014/11/28	Norway, Member State	Norway does not support that any exemptions from the authorisation requirement should be proposed.	Thank you for your comment.