



Title: Asbestos fibres (chrysotile) restrictions amended under REACH Annex XVII

Date: 24 June 2016

Abstract: On 23 June 2016, the *Official Journal of the European Union* has published Regulation (EU) 2016/1005 on the amendment of Entry 6 of Annex XVII to REACH Regulation as regards asbestos fibres (chrysotile).

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Entry 6 of Annex XVII to Regulation (EC) No 1907/2006 prohibits the manufacture, placing on the market and use of asbestos fibres, and of articles and mixtures containing these fibres added intentionally. However, exemptions had been granted for the placing on the market and use of diaphragms containing chrysotile fibres for existing electrolysis installations.

On 18 January 2013, the European Commission requested the European Chemicals Agency ('ECHA') should prepare an Annex XV dossier in accordance with Article 69(1) of REACH with a view to prohibiting the placing on the market and use of diaphragms containing chrysotile. On 17 January 2014, ECHA finalised the Annex XV dossier, which was followed by a public consultation and examination by the Committee for Risk Assessment ("RAC") and the Committee for Socio-Economic Analysis ("SEAC").

In conclusion, Member States shall not permit the placing on the market of diaphragms containing chrysotile and of chrysotile fibres exclusively for their maintenance since the entry into force of Regulation (EU) 2016/1005. However, the duration of the exemption granted by Member States to permit the use of diaphragms containing chrysotile and of chrysotile fibres used exclusively in their maintenance is limited to 30 June 2025 at the latest.

In addition, a report indicating the amount of chrysotile used in diaphragms (pursuant to the exemption) and monitoring results of chrysotile in air shall be submitted to the European Commission. Though limit value is established in EU legislation for workers' exposure to chrysotile fibres, Member states may set more stringent limit values for such fibres in air and may require their regular measurement/monitoring.

According to this Regulation, entry 6, paragraph 1 of column 2 in Annex XVII is replaced by the following:

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Name	Conditions of restriction
<p>6. Asbestos fibres (a) Crocidolite CAS No 12001-28-4 (b) Amosite CAS No 12172-73-5 (c) Anthophyllite CAS No 77536-67-5 (d) Actinolite CAS No 77536-66-4 (e) Tremolite CAS No 77536-68-6 (f) Chrysotile CAS No 12001-29-5 , CAS No 132207-32-0</p>	<p>'1. The manufacture, placing on the market and use of these fibres and of articles and mixtures containing these fibres added intentionally is prohibited.</p> <p>However, if the use of diaphragms containing chrysotile for electrolysis installations in use on 13 July 2016 had been exempted by a Member State in accordance with the version of this paragraph in force until that date, the first subparagraph shall not apply until 1 July 2025 to the use in those installations of such diaphragms or of chrysotile used exclusively in the maintenance of such diaphragms, provided that such use is carried out in compliance with the conditions of a permit set in accordance with Directive 2010/75/EU of the European Parliament and of the Council (*).</p> <p>Any downstream user benefiting from such an exemption shall send, by 31 January of each calendar year to the Member State in which the relevant electrolysis installation is located, a report indicating the amount of chrysotile used in diaphragms pursuant to the exemption. The Member State shall transmit a copy to the European Commission.</p> <p>Where, in order to protect the health and safety of workers, a Member State requires monitoring of chrysotile in air by downstream users, the results shall be included in that report.</p>

C&K Testing advises related businesses should act the amendment with due care.

Further information

[Regulation \(EU\) 2016/1005](#)

[REACH regulation Annex XVII \(updated on 23 June 2016\)](#)

[中文阅读](#)

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