



MSC/M/04/2008 Final  
Adopted on 04/11/2008

**Final Minutes**

**Minutes of the 4<sup>th</sup> Meeting of the Member State Committee (MSC-4)  
7-8 October 2008**

## **I. Summary Record of the Proceeding**

### **Item 1 - Welcome and Apologies**

The Chair of the Committee, Ms Anna-Liisa Sundquist, opened the meeting and welcomed the participants to the fourth meeting of the Member State Committee (MSC-4). The Chair informed participants that the meeting would be recorded for the purpose of taking the minutes.

#### ***1a Welcome remarks by the Executive Director of ECHA***

The Executive Director of ECHA, Mr Geert Dancet opened the meeting by welcoming the observers from stakeholder organisations which were present for the first time. This stakeholder participation was a landmark in the practical involvement of stakeholders in the work of the ECHA Committees.

Underpinning the participation of stakeholders, a code of conduct setting out the basic rules of participation and a declaration of confidentiality has been established by ECHA. The subject of confidentiality was highlighted as requiring special attention by stakeholders. The Executive Director encouraged all stakeholders to seriously consider whether there is a real need to mark comments confidential, and at the same time when there are confidential elements to documents, he asked stakeholders to fully respect the confidentiality declaration.

The Executive Director also noted that this meeting was the first occasion when members would discuss proposals for the identification of substances of very high concern (SVHC). He thanked the Committee for its work thus far for establishing effective and practical working procedures and encouraged members to combine their expertise and sound decision making in order to draw up the candidate list.

#### ***1b Attendees***

Apologies were received from four members. The list of attendees is given in Part II of the minutes. Three members of the Committee prevented from participating in the meeting had notified their proxies. The Chair welcomed the observers from stakeholder organisations and the OECD to the meeting.

### **Item 2 - Adoption of the Agenda**

The Agenda was adopted without changes. The final Agenda is attached to these minutes.

### **Item 3 - Declarations of conflicts of interest to the items on the Agenda**

No conflicts of interest were declared specific for any agenda point of the meeting.

The Chair informed participants who were attending for the first time that they must provide a declaration of confidentiality to the Secretariat at the beginning of the meeting.

## **Item 4 - Adoption of the draft minutes of the MSC-3**

### ***4a Adoption of draft minutes***

The draft minutes of MSC-3 were adopted without comment. The Chair reminded the Committee that the adopted minutes would be published on the ECHA website.

### ***4b Action points***

The action points from the last meeting were reviewed by the Secretariat and all had been carried out or were to be covered at this meeting.

## **Item 5 - Administrative Issues**

### ***5a Reimbursement***

The Chair reminded participants that the Secretariat would be collecting travel documents for the purposes of reimbursement in accordance with the rules of procedure (RoPs).

### ***5b Annual declarations***

The Chair informed members that their annual declarations of interest had been published on the ECHA website, but with the signatures of members obscured.

## **Item 6 – Outcome of written procedures**

### ***Reporting back on written procedures***

The Chair explained an urgent written procedure had been launched on 8 September and by its close on 12 September, 17 favourable responses had been received and one comment on the general scope of the written procedure without indicating agreement or disagreement. In accordance with the RoPs, any member who does not comment within the response period is considered to have given tacit agreement.

The following conclusions were drawn: Triethyl arsenate was identified, without further discussion, as a substance of very high concern (SVHC) as no comments were provided on identification. Agreement was to be sought on the identification of nine CMR substances and two possible PBT/vPvB substances by a further written procedure. This took place between 18 September and 1 October. The substances were:

### **CMR:**

- 4,4' – Methylene dianiline
- Bis(2-ethylhexyl)phthalate
- Dibutylphthalate
- Benzlbutylphthalate
- Cobalt dichloride
- Lead hydrogen arsenate
- Diarsenic trioxide
- Diarsenic pentoxide
- Sodium dichromate;

### Possible PBT/vPvB

- Short chain chlorinated paraffins (SCCP)
- Bis(tributyltin) oxide (TBTO).

Following the written procedure all of these substances, with the exception of SCCP, were unanimously identified as SVHCs meeting the criteria referred to in Article 57 of REACH. In the case of SCCP, technical problems had been experienced by one stakeholder attempting to submit comments, and therefore the Chair decided to withdraw SCCP from the written procedure and seek agreement on its identification at this meeting. The Chair also noted the typographical error in the document launching the written procedure where the substance had been incorrectly listed as sodium dichromate dehydrate.

The Chair concluded 11 substances would be placed on the candidate list and the response to comment documents (RCOM) for each would be published on the ECHA website later in October, with a link to the corresponding support documents.

Identification of the following five substances was to be sought at MSC-4:

- SCCP
- HBCDD
- Anthracene
- Cyclododecane
- Musk Xylene.

The Chair thanked members for their timely responses during the written procedure and for their useful comments.

#### ***Discussion on substances addressed in written procedure***

As there was a unanimous agreement on all substances addressed in the written procedure there was no need for further discussion.

## **Item 7 – Seeking agreement on the Annex XV proposals for SVHC**

### ***7a Presentation of the procedure***

ECHA gave an overview of the 3-step procedure for the authorisation process. In step 1 the MSC is responsible for seeking agreement on the identification of SVHC within a specific timeline. ECHA will subsequently include the substances which have been identified as SVHC in the candidate list of substances for eventual inclusion in Annex XIV. In the case of the 5 substances for discussion at this meeting, the deadline for the MSC to reach an agreement on identification was 15 October 2008. In step 2 the Commission takes a decision whether the substances on the candidate list shall be placed on the list in Annex XIV and subsequently, step 3, the Commission is taking decisions on applications for authorisations.

ECHA emphasised that the current meeting only concerns the first step of the authorisation procedure. ECHA pointed out that the MSC is not expected to introduce new arguments on the identification of SVHC or consider any other identification criteria than those referred to in Article 57 of REACH. Identification according to articles 57(d)-(e) required the corresponding Annex XIII criteria to be met. Identification is a process voted by unanimity in which four outcomes are possible: 1) the MSC finds agreement on identification of a substance as SVHC; 2) there is an agreement that there is lack of sufficient information to identify the substance as a SVHC; 3) there is an agreement that the substance is not a SVHC; and 4) MSC cannot agree on the identification of a substance as a SVHC and the dossier with the MSC opinion will be transferred to the Commission for decision making.

### ***7b Discussion and seeking agreement on the Annex XV dossiers for SVHC based on the comments received***

#### ***7bi Alkanes, C10-13, Chloro (SCCP)***

##### ***Introduction and response to comments***

The dossier was introduced by ECHA on behalf of the UK REACH Competent Authority (CA). ECHA explained that SCCP is proposed as a SVHC that fulfils the criteria of article 57 (d) of REACH. The proposal had been made on 26 June and then made available to the Member States and interested parties for comments on 30 June. The commenting period had ended on 15 August and the dossier was referred to the MSC on 15 September for agreement on the identification.

The justification for the proposal was based upon persistence (P) simulation studies that indicated the substance met the criteria of very persistent (vP), with a half-life in fresh water or marine sediment (DT50) >180 days; bioaccumulation (vB) with a bioconcentration factor (BCF) in fish > 5000; and the toxicity criterion (T) with a long-term no-observed effect concentration (NOEC) < 0.01 mg/l. There was also supplementary evidence of persistence and bioaccumulation from environmental monitoring.

Comments had been received from Member State Competent Authorities (MSCA)s, industry, NGOs and individuals on the properties of the substance and on its manufacture and use. All of these were noted by the UK to have been useful but did not have a significant impact on their proposal that the substance be identified as a PBT substance.

##### ***Discussion on the support and agreement documents***

There was discussion on the comparison with criteria in Annex XIII of REACH. A member requested clarification whether the SVHC identification was to be based upon just one of the criteria referred to in article 57(d)-(e) of REACH or whether several could be the legal basis for the identification. In this case, the MSC unanimously agreed that since both the criteria referred to in 57 (d) and (e) were fulfilled; both could be used as the basis for the identification. Accordingly, the support document conclusion of the PBT and vPvB assessment and the summary of the evaluation as well as the agreement document were to be amended to reflect this dual legal base.

### ***Identification of SVHC***

The MSC agreed unanimously in accordance with article 59(8) of REACH that SCCP is identified as a SVHC (PBT/vPvB) because it fulfils the criteria referred to in article 57(d) and (e) of REACH. The Chair confirmed the agreement would be published on the ECHA website after final editing. SCCP will be included in the candidate list by ECHA with a link to the agreed Support Document after final editing.

### ***7bii Hexabromocyclododecane and all major diastereoisomers identified (HBCDD)***

#### ***Introduction and response to comments***

The dossier was introduced by the SE REACH CA. HBCDD was proposed as a SVHC that fulfils the criteria of article 57 (d) of REACH. SE presented the proposal, which had been circulated by ECHA to the MSCAs and to interested parties for comments on 30 June 2008. The dossier was referred to the MSC on 15 September for agreement on the identification.

The justification for the proposal was based upon studies that indicated the P criteria were met with a DT50 of >120 days in soil and sediment. The B and vB criteria were met on the basis of a BCF of >5000 and the T criteria with a NOEC < 0.01 mg/l.

Comments had been received from MSCAs, industry, NGOs and individuals. Noteworthy were the comments from industry that some of the conclusions in relation to the persistence studies should be based on the half lives obtained for soil and sediment without temperature corrections. In addition, the kinetics from one persistence study were not considered relevant due to unrealistically high test concentrations.

#### ***Discussion on the support and agreement documents***

There was a lengthy discussion around comments from industry in relation to study temperature and test concentrations for the persistence studies, and on the presentation of the experimental data in the support document related to concentrations measured in human breast milk. The industry representative suggested to consider Article 57(f) as the legal basis instead of Article 57(d). A member of the Committee also questioned the fertility study available in the document and the classification proposed by Sweden. As this was not agreed in the risk assessment and an Annex XV dossier for harmonised classification and labelling for HBCDD has been submitted by Sweden on this same issue, it was decided to delete the section and to replace it by mentioning only that and Annex XV dossier for harmonised C&L was submitted.

It was agreed that the support document should explain the re-calculation of the half-lives from 20°C to 12°C. It was explained that this is normal practice (and described in the guidance documents) in order to have half-lives which represent environmental conditions. It was also agreed that the wording of the support document should explain that the variation of results observed in the half-lives in sediment was due to different test concentrations.

Regarding the section dealing with concentrations measured in the breast milk the conclusion of the risk assessment was added.

There was discussion on the comparison with criteria in Annex XIII of REACH and in particular whether the support and agreement documents should reflect that

HBCDD meets the criteria for vB as well as B. After discussion there was a consensus that vB should also be referred to in both documents.

### ***Identification of SVHC***

The MSC agreed unanimously in accordance with article 59(8) of REACH that HBCDD is identified as a SVHC (PBT) because it fulfils the criteria referred to in article 57(d) of REACH. The Chair confirmed the agreement would be published on the ECHA website after final editing. HBCCD will be included in the candidate list by ECHA with a link to the agreed Support Document after final editing

### ***7biii Anthracene***

#### ***Introduction and response to comments***

The dossier was introduced by the DE REACH CA. DE explained that anthracene is proposed as a SVHC that fulfils the criteria of article 57 (d) of REACH and it was also mentioned that there is evidence anthracene has properties to fulfil the criteria for vPvB. Following discussion at other fora for previous legislation, the document was now proposed under REACH, circulated by ECHA to MSCAs and made available to interested parties on 30 June 2008. The dossier was referred to the MSC on 15 September for agreement on the identification.

The justification for the proposal was based upon persistence studies that indicated the substance met the P criteria. In addition, some biotic degradation studies suggested the vP criteria could also be met, including a soil field study where the DT 50 was 7.9 years and reports of half lives up to 210 days in aerobic sediment mineralisation studies. Studies of the bioaccumulation have resulted in the B criterion, and possibly the vB criterion, being fulfilled with BCFs in the range of 900 – 6000; and aquatic chronic toxicity studies have yielded NOECs from 0.0012 mg/l (fish, algae) to 0.002 mg/l (daphnia), indicating the T criterion is fulfilled.

Many comments had been received on the proposal including from industry which had not challenged the identification as a SVHC but did not support the vB status. One MSCA had pointed out that one of the environmental studies had been carried out at a temperature that was not environmentally relevant and subsequently this had been removed from consideration.

#### ***Discussion on the support and agreement documents***

There was an overall consensus regarding the proposal for identification of anthracene as a PBT substance. However, there was discussion on the evidence that anthracene fulfils some of the article 57 (e) criteria. It was concluded a consistent approach should be taken with this substance as for others when additional criteria referred to in article 57 are met. On this basis it was agreed to refer in addition to the fulfilment of the criteria for P, B and T to the fulfilment of the vP criterion.

### ***Identification of SVHC***

The MSC agreed unanimously in accordance with article 59(8) of REACH that anthracene is identified as a SVHC (PBT) because it fulfils the criteria referred to in article 57(d) of REACH. The Chair confirmed the agreement would be published on the ECHA website after final editing. Anthracene will be included in the candidate list by ECHA with a link to the agreed Support Document after final editing

## ***7biv Cyclododecane***

### ***Introduction and response to comments***

The dossier was introduced by the FR REACH CA. FR explained that they had originally proposed cyclododecane as a SVHC that fulfils the criteria referred to in article 57 (d) of REACH on 26 June 2008. It was circulated by ECHA to MSCAs and made available to interested parties on 30 June 2008. Comments had been received from three MSCAs, and one of them did not support the identification of cyclododecane as a SVHC since the substance only met the P and T on the basis of so-called 'screening criteria', rather than the criteria as laid down in Annex XIII. This MSCA had therefore proposed that further information would be needed to decide on the identification of the substance as SVHC. FR therefore had proposed in the draft Support Document submitted to the MSC for agreement on 15 September on the identification of cyclododecane with the legal base of article 57(f).

Concerning the P criteria, FR reported that some degradation has been observed using adapted strains of microorganisms and that the substance is not expected to hydrolyse based on information on similar compounds. For the T criteria, a predicted acute L(E)C50 value had been derived from QSARs of less than 0.1 mg/l. In addition, an acute test on fish showed no toxicity up to the solubility limit. The justification for meeting the B and vB criteria was from studies in which the substance had shown a high bioaccumulation potential, a BCF of 13,700 in fish.

### ***Discussion on the support and agreement documents***

There was overall consensus that insufficient information was available to identify cyclododecane as a SVHC on the basis of its PBT properties. On this basis the support and agreement documents should reflect the lack of information to decide if the substance was or was not identified as a substance of very high concern, but nevertheless note that the criteria for B and vB had been fulfilled.

### ***Identification of SVHC***

The MSC agreed unanimously in accordance with article 59(8) of REACH that it is currently not possible to justify the identification of cyclododecane as a substance of very high concern under Article 57. The Chair confirmed the agreement would be published on the ECHA website after final editing and that it would not be included in the candidate list. The adopted Support Document after final editing would also be published on the ECHA website.

## ***7bv 5-Tert-butyl-2,4,6-trinitro-m-xylene (musk xylene)***

### ***Introduction and response to comments***

The dossier was introduced by the NL REACH CA. NL explained that musk xylene is proposed as a SVHC that fulfils the criteria of article 57 (e) of REACH. A proposal in accordance with article 59(3) of REACH was presented on 30 June 2008 and circulated by ECHA to MSCAs and made available to interested parties. The dossier was referred to the MSC on 15 September for agreement on the identification.



The justification for the proposal was based upon persistence studies that indicated the substance met the P and vP criteria with a DT50 biodegradation in sea water > 150 days. Re-assessment of the available bioaccumulation data in fish indicated that the vB and B criteria are being fulfilled as reliable studies showed a wide range of BCFs, among which values above the vB criterion of 5,000 l/kg. However, with respect to the T criteria, most of the studies resulted in NOEC values > 0.01 mg/l, thus indicating the T criteria were not fulfilled.

Comments had been received on the proposal, including comments from industry that photolysis would play a significant role in the degradation of musk xylene. However, the basic proposal for identification on the basis of article 57(e) remained unchallenged.

#### ***Discussion on the support and agreement documents***

It was agreed that photolysis cannot be taken into account in the assessment of the persistence as no agreed methods and criteria for the use of photolysis degradation are presently available. The comments challenging identification of musk xylene as a vP had already been reviewed in the context of the previous Community legislation and conclusion of the experts had been that the substance fulfils the vP criteria. There was a consensus regarding the proposal for identification of musk xylene as a vPvB substance. After discussion there were some additions to the support document to provide further discussion on the quality of the bioaccumulation studies and to make reference to the risk assessment report from previous Community legislation.

#### ***Identification of SVHC***

The MSC agreed unanimously in accordance with article 59(8) of REACH that musk xylene is identified as a SVHC (vPvB) because it fulfils the criteria referred to in article 57(e) of REACH. The Chair confirmed the agreement would be published on the ECHA website after final editing. Musk xylene will be included in the candidate list by ECHA with a link to the agreed Support Document after final editing

## **Item 8 – Feedback from other ECHA bodies and REACH CA-meeting**

### ***8a ECHA Management Board Meeting***

ECHA reported on the meeting of the Management Board that had taken place on 24-25 September. A new Chair, Dr Thomas Jakl from Austria had been elected following the resignation of the previous Chair, Mr Jukka Malm in August.

A discussion had taken place on the 2009 Work Programme and the 2009-2012 Multi Annual Work Programme which will be posted on ECHA website for public consultation. The Management Board has also invited the Committees and Forum to report on their work on a regular basis. The Management Board also decided in accordance with its rules of procedure to admit observers from the EEA EFTA countries as the membership of these countries in the Management Board requires review of the EEA Treaty.

### ***8b Fifth REACH Competent Authorities Meeting***

The Chair reported on the Fifth Meeting of the REACH Competent Authorities that had taken place on 25-26 September. Agenda items of interest were in relation to Annexes XI.3 (exposure based waiving rules), XIII (criteria for PBT and vPvB) and XV (dossiers) of REACH. Modification of Annex XI.3 has already been favourably voted by the Regulatory Committee with scrutiny and the scrutiny period of couple of months by the European Parliament started. For Annex XIII, three options for the review were being discussed in a sub group which had met in September. A new draft for revision of Annex XIII suggested by the Commission was to be subject to a written procedure by the CAs.

ECHA proposed to organise a workshop to support Member States in preparing Annex XV dossiers for the identification of SVHC. Issues for consideration included: timelines for handing in dossiers, deciding the best instrument for risk management (authorisation or restrictions), scope of the Annex XV dossiers and other aspects that have been raised in the context of the comments on Annex XV reports. The ECHA workshop to discuss the issues would probably be held in January 2009.

## **Item 9 - AOB**

### *i Press Release*

A draft press release was prepared for information and the core message was presented by the Chair. Some comments provided by the members were promised to be taken forward by the Chair.

### *ii Plan for meetings in 2008*

Tentative meeting dates for 2008 were presented as follows.

MSC-5            4 - 5 November

MSC-6            16 - 18 December (starting in the afternoon on 16 December)

## **Item 10 - Adoption of conclusions and action points**

The conclusions and action points of the meeting (in Annex IV) were adopted after discussion.

### **Modification to the Meeting Length**

On account of faster than anticipated progress with the agenda, the meeting ended on 8 October.

## II List of attendees

<u>Members</u>	<u>Representatives of the Commission</u>
ANGELOPOULOU Ioanna (EL)	BINTEIN Sylvain (DG ENV)
BÖHLEN Elmar (DE)	ROZWADOWSKI Jacek (DG ENTR)
CAMILLERI Tristan (MT)	SOBANSKA Marta (DG JRC)
COSGRAVE Majella (IE)	
DEIM Szilvia (HU)	<b><u>ECHA staff</u></b>
DUNAUSKIENE Lina (LT)	AJAO Charmaine
FAIRHURST Steve (UK)	BALOGH Attila
FAJFAR Simona (SI)	BROERE William
FERREIRA MARQUES Jeanine (BE)	DANCET Geert
FLODSTRÖM Sten (SE)	DE COEN Wim
GEUSS Erik (CZ)	DE BRUIJN Jack
KORENROMP René (NL)	DEMI Rosella
KYPRIANIDOU-LEODIDOU Tasoula (CY)	FABJAN Evelin
LUDBORZS Arnis (LV)	FURHMANN Anna
LULEVA Parvoleta Angelova (BG)	GRADZKA Agnieszka
MARTIN Ester (ES)	KOSKINEN Marjo
MIHALCEA-UDREA Mariana (RO)	HOLLINS Steve
PISTOLESE Pietro (IT)	HUOTELIN MEYER Tuula
RAUTALAHTI Katariina (FI)	LEPPER Peter
REIERSEN Linda (NO)	MALM Jukka
RUSNAK Peter (SK)	MUNN Sharon
STESSEL Helmut (AT)	PEDERSEN Finn
TYLE Henrik (DK)	RUOSS Jürgen
VESKIMÄE Enda (EE)	SUNDQUIST Anna-Liisa
WELFRING Joëlle (LU)	TISSIER Chryste
	VAHTERISTO Liisa
	YLÄ-MONONEN Leena

### Replacements

BAILLY Guillaume replacing MOREAU E (FR)  
 BARANSKI Boguslaw replacing MAJKA J (PL)

### Proxys

LULEVA Parvoleta Angelova (BG) acting as a proxy of MAJKA J (PL)  
 MARTIN Ester (ES) acting as proxy of MOREAU E (FR) and PALMA M (PT)

### Experts presenting dossiers

ANDERSON Lars (SE)  
 ANDRES Sandrine (FR)  
 BIEGEL Annegret (DE)  
 De KNECHT Joop (NL)

### Experts and advisers to MSC members

AHTIAINEN Jukka (adviser to RAUTALAHTI K)  
 ATTIAS Leonello (expert for PISTOLESE P)  
 BECHER Georg (expert for REIERSON L)  
 BIWER Arno (expert for WELFRING J)  
 FEEHAN Margaret (expert for COSGRAVE M)  
 KOZMIKOVA, Jana (expert for GEUSS E)

LONDESBOROUGH Susan (adviser to RAUTALAHTI K)  
NAUR Liina (adviser to VESKIMÄE E)  
PECZKOWSKA Beate (expert for MAJKA J)  
SCIMONELLI Luigia (adviser to PISTOLESE P)  
TRAAS Theo (adviser to KORENKOMP R)

**Apologies**

EINARSDOTTIR Gunnlaug (IS)  
MAJKA Jerzy (PL)  
MOREAU Emmanuel (FR)  
PALMA Maria do Carmo Ramalho Figueira (PT)

**Observers**

ANNYS Eryvn (CEFIC)  
DIDERICH Bob (OECD)  
HAIAMA Nadia (Greenpeace)  
HOLLNAGEL Heli (CEFIC)  
REINIKE Ninja (WWF)  
THEW Michelle (ECEAE)  
TSIFOUTIS Vasileios (FECC replacement)

### III Final agenda



7 October, 2008  
ECHA/MS-4/2008/A/04 Agenda

## **Final Agenda** **Fourth meeting of the Member State Committee**

7-9 October 2008  
Katajanokan Kasino,  
Laivastokatu 1,  
00160 Helsinki, Finland

**7 October: starts at 9:00**  
**9 October: ends at 14:00**

**Item 1 – Welcome and Apologies**

**Item 2 – Adoption of the Agenda**

MSC/A/04/2008  
*For adoption*

**Item 3 – Declarations of conflicts of interest to items on the Agenda**

**Item 4 – Adoption of the draft minutes of the MSC-3**

MSC/M/03/2008/  
*For adoption*

**Item 5 – Administrative Issues**

*For information*

**Item 6 – Outcome of written procedures**

- Reporting back on written procedures
- Discussion on substances addressed in written procedure where necessary

Document ECHA/MSC-4/2008/41

Room document ECHA/MSC-4/2008/42 on the outcome of the written procedure on identification of SVHC

*For information and discussion*

**Item 7 – Seeking agreement on the Annex XV proposals for SVHC**

- 7a) Presentation of the procedure
- 7b) Discussion and seeking agreement on the Annex XV dossiers for SVHC based on the comments received

- Alkanes, C10-13, Chloro (SCCP)  
Documents ECHA/MSC-4/2008/38-40
- Hexabromocyclododecane (HBCDD)  
Documents ECHA/MSC-4/2008/29-31
- Anthracene  
Documents ECHA/MSC-4/2008/32-34
- Cyclododecane  
Documents ECHA/MSC-4/2008/35-37
- 5-Tert-butyl-2,4,6-trinitro-m-xylene (Musk xylene)  
Documents ECHA/MSC-4/2008/26-28

*For discussion and agreement*

**Item 8 – Feedback from other ECHA bodies and REACH CA-meeting**

*For information*

**Item 9 – AOB**

Press Release after the meeting

**Item 10 – Adoption of conclusions and action points**

## IV MSC-4 MAIN CONCLUSIONS & ACTION POINTS

7-8<sup>th</sup> October 2008

(Adopted at the MSC-4 meeting)

Agenda point	Conclusions / decisions / minority opinions	Action requested after the meeting (by whom/by when)
4. Draft minutes	Draft minutes were adopted.	Minutes will be placed on the ECHA website (SECR /after the meeting).
5. Administrative issues	The declarations of conflicts of interest published on ECHA website – signatures have been removed.	<p>The participants of the meeting who are attending for the first time need to provide the confidentiality declaration to the SECR.</p> <p>Members and invited experts to send the original boarding passes for the (return) flights to the SECR immediately after their return or latest by 16<sup>th</sup> October.</p>
<p>6. Outcome of written procedures</p> <p>Reporting from written procedures</p>	<p>MSC took note of the following:</p> <p>Positive responses from majority of members were received regarding which procedure should be used for agreement seeking for the 16 substances proposed as SVHC. Based on the outcome</p> <ul style="list-style-type: none"> <li>-Triethylarsenate was not referred to the MSC but will be included on the candidate list without its involvement.</li> <li>-Eleven substances were agreed to be addressed via written procedure for an agreement.</li> <li>-Four substances should be discussed in the MSC meeting in October.</li> </ul> <p>Written procedure to seek agreement:</p> <p>All members responded to the written procedure and agreed on the identification of the ten substances</p> <ul style="list-style-type: none"> <li>-benzylbutylphthalate</li> <li>-bis(2-ethyl(hexyl)phthalate) (DEHP)</li> </ul>	<p>SECR to finalise the agreements and Support Documents for publication for the 10 SVHC. Final agreements and SDs to be made available on Circa in substance specific folders, and later on also on the ECHA website.</p>

	<p>-cobalt dichloride  -4,4'-diaminodiphenylmethane  -diarsenic pentaoxide  -diarsenic trioxide  -dibutylphthalate  -lead hydrogen arsenate  -sodium dichromate and bis(tributyltin)oxide (TBTO) as SVHCs.  SCCP was withdrawn from the written procedure and discussed in the meeting.</p>	
<p><b>7. Seeking agreement on the Annex XV proposals for SVHC</b>  <b>a)</b>  Presentation of the procedure</p> <p><b>b)</b>  Discussion and seeking agreement on the Annex XV dossiers for SVHC based on the comments received</p>	<p>When seeking agreement there are basically four options:  1) The MSC finds agreement on identification of SVHC.  2) There is an agreement that there is lack of sufficient information to identify the substance as a SVHC.  3) There is an agreement that the substance is not a SVHC.  4) MSC cannot agree on the identification of the SVHC and the dossier with the MSC opinion will be transferred to the Commission for decision making.</p> <p>MSC will consider only comments on identification of a substance as SVHC in accordance with Article 57.</p> <p>Unanimous agreement was found on the following:  <b>Alkanes, C10-13, Chloro (SCCP)</b> – identified as SVHC (PBT/vPvB substance) because it fulfils the criteria of Art. 57 (d) and (e) of REACH Regulation.  <b>Hexabromocyclododecane (HBCDD)</b> - identified as SVHC (PBT substance) because it fulfils the criteria of Art. 57 (d) of REACH Regulation.</p>	<p>SECR to finalise the agreements and Support Documents for publication. RCOM table will be published on ECHA website without any confidential information, making statement that it is a meeting document of the dossier submitter. Final agreements and SDs to be made available on Circa in substance specific folders, and later on also on the ECHA website.  All the substances except cyclododecane will be included on the</p>



	<p><b>Anthracene</b> - identified as SVHC (PBT substance) because it fulfils the criteria of Art. 57 (d) of REACH Regulation)</p> <p><b>Cyclododecane</b> - it is currently not possible to justify the identification of cyclododecane as a SVHC under Art. 57 of REACH.</p> <p><b>5-Tert-butyl-2,4,6-trinitro-m-xylene (Musk xylene)</b> - identified as SVHC (vPvB substance) because it fulfils the criteria of Art. 57 (e) of REACH Regulation)</p>	candidate list.
<b>8. Feedback from other ECHA bodies and REACH CA-meeting</b>		SECR to keep the MSC informed about the planned time and topics for the workshop to discuss Annex XV proposals (scope, timelines, other risk management options) and other topics closely related to preparation of Annex XV proposals.
<b>9. AOB</b>	<p>Press release after the meeting will list the substances for which agreement has been reached, and which will be added to the candidate list.</p> <p>Tentative meeting dates for 2008</p> <ul style="list-style-type: none"> <li>• 4-5 November (1,5 days)</li> <li>• 16-18 December (start pm of the 16<sup>th</sup>)</li> </ul>	
<b>General</b>		<p>All presentations and room documents to be uploaded on Circa (SECR /by 10/10/08).</p> <p>Conclusions and action points (= this doc) to be uploaded to Circa (SECR /by 10/10/08)</p>