



**MSC/M/10/2009 Final
Adopted on 22nd February 2010
by written procedure**

Final Minutes

**Minutes of the 10th Meeting of the Member State Committee (MSC-10)
2-4 December 2009**

I. Summary Record of the Proceedings

Item 1 - Welcome and Apologies

The Chair of the Committee, Ms Anna-Liisa Sundquist, opened the meeting and welcomed the participants to the 10th meeting of the Member State Committee (MSC).

For this 10th meeting, apologies were received from four MSC members. Three of them had notified the Chair as to their proxies (for the full list of attendees and further details see Part II of the minutes).

Item 2 - Adoption of the Agenda

The Agenda was adopted as proposed by the Secretariat (SECR), with deletion of those substances from item 8 that had been agreed via written procedure. The Chair proposed to include two information items under AOB: one regarding the survey on satisfaction of members with the work of SECR and organisation of meetings and another regarding a short progress report on data security issues. The final Agenda is presented in Part III to these minutes.

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

No conflicts of interest were declared in respect to any Agenda point of the meeting.

Item 4 – Adoption of the draft minutes of the MSC-9

As an introduction, SECR explained that as regards the draft minutes for confidential sessions of the MSC-9 meeting, two versions of minutes for those items were drafted. The Chair clarified that confidential parts of the minutes will be made available, after adoption, only on the CIRCA site for members, whereas otherwise the minutes of the meeting will be published normally. The draft minutes of MSC-9 were then adopted without comments.

The action points from the MSC-9 meeting were referred to by SECR. All points had either been carried out or were to be covered at this meeting.

Item 5 - Administrative Issues

No administrative issues were reported for information. However, under this item members were asked to check that all their contact details were still up-to-date.

Item 6 - Seeking agreement in reference to evaluation work (closed session)

This item was held in closed session but after concluding the item it was reported on in an open session:

SECR provided an oral report to the stakeholder observers on the outcome of the testing proposal draft decision discussions and agreement seeking. The MSC agreed unanimously on a testing proposal from ECHA, after slightly modifying the amended draft decision referred to it in October. The MSC agreed that the registrant should carry out four tests: tests for viscosity, long-term aquatic toxicity, repeated dose toxicity and reproductive toxicity. One of the tests originally proposed by the registrant (dissociation constant) was rejected by the MSC as one MSCA had considered that the test on that end-point was not necessary and consequently the registrant proposed to withdraw the test as the data in their view can be predicted by applying a quantitative structure-activity relationship analysis.

Thorough discussion on the registrant's proposal to use read-across from another substance, instead of testing the repeated dose toxicity and reproductive toxicity, took place during the meeting. The MSC agreed, after an exchange of views on the basis of scientific arguments and the requirements of REACH, that these tests are necessary. The conclusion of the discussion was that the registrant had not provided sufficient justification for the read across and that the hazards of the registered substance could therefore not be concluded on that basis.

This first testing proposal case also triggered an intensive discussion at the MSC meeting on the scope of testing proposal examination and how in-depth ECHA should carry it out.

ECHA will then finalise its decision in accordance with the Committee's unanimous agreement after the meeting.

Although grateful to receive a summary of the discussions held in closed session, comments from some of the observers of the stakeholder organisations indicated disappointment for them not being allowed to take part in the detailed analysis and discussions of the evaluation cases. As a response to this the Chair explained that the final decision on the access of the stakeholder observers to the discussions on evaluation cases has not yet been taken.

Item 7 – Outcome of written procedures

SECR reported back on written procedure that took place starting 17 and closing on 27 November 2009 for seeking agreement on six substances proposed to be identified as Substances of Very High Concern (SVHC). For those substances, the MSC had agreed in the MSC-9 meeting that they were to be addressed via written procedure, mainly based on the type of comments received. The substances were:

- Acrylamide
- 2,4-Dinitrotoluene
- Diisobutyl phthalate
- Lead chromate molybdate sulphate red (C.I. Pigment Red 104)
- Lead sulfochromate yellow (C.I. Pigment Yellow 34)
- tris(2-chloroethyl)phosphate

Following the written procedure all of these substances were unanimously identified as SVHCs meeting the criteria referred to in Article 57 (a), (b) or (c) of REACH.

The Chair concluded that those six substances would be placed on the candidate list. In addition, the Chair informed that lead chromate, as already indicated in the

previous meeting, will be placed on the Candidate List without involvement of the MSC.

The Chair informed the MSC that for those substances agreed via written procedure, agreements, support documents and Response to comments-tables (RCOMs) will be published on ECHA website after the meeting. RCOMs will be identified as documents prepared by the CAs.

As a conclusion, the Chair thanked members for their responses during the written procedure. As there was a unanimous agreement on all substances addressed in the written procedure there was no need for further discussion on these substances.

Item 8 – Seeking agreement on the Annex XV proposals for identification of SVHC

Discussion and seeking agreement on the Annex XV dossiers for SVHC based on the comments received

The Chair introduced the item by drawing the attention of the MSC to the need to have general discussion on whether to use data presented after the closure of the public consultation. In the short discussion many arguments speaking against accepting late data were identified, and it was concluded that the MSC will only accept data which is received before the end of the public consultation.

The MSC then proceeded to discuss each of the eight substances and the related documents individually.

Coal tar pitch, high temperature

Introduction and response to comments

The dossier was introduced by SECR, presenting the proposal on Coal Tar Pitch, High Temperature, prepared by ECHA at the request of the Commission.

The proposal had been made on 31 August 2009 and then made available to the Member States and interested parties for comments on 31 August 2009. The commenting period had ended on 15 October 2009 and the dossier was referred to the MSC on 16 November 2009 for seeking agreement on the identification.

The identification of the substance as a SVHC was done on the basis of the constituents with PBT and vPvB properties in line with the approach recommended in the guidance for PBT assessment, as well as on the basis of the classification of the substance as carcinogenic.

The introduction covered also the main comments received and how they had been taken into account in the Support Document. It was explained that the support document had been modified in parts which were commented on during consultation, and that responses to the comments received are provided in the Response to comments-table.

Discussion on the documents and identification of SVHC

Coal Tar Pitch, High Temperature is a UVCB substance (Unknown or Variable composition, Complex reaction products or Biological materials). It was explained that the substance as such is proposed to be identified as SVHC although the

identification as a PBT and vPvB substance is based on constituents representing these PBT/vPvB-properties. The same principle (i.e. identification of a substance as SVHC based on the properties of its constituents) applies to Anthracene oil substances.

One of the meeting participants drew the attention to different guidance documents that are not fully in line with each other regarding the cut-off limit of 0.1 % for PBT constituents leading to recognition of a complex substance as a SVHC. The Committee took note of this remark.

The data basis of the Coal Tar Pitch, High Temperature proposal was supported by the MSC. After minor modification of the supporting documentation the MSC agreed unanimously in accordance with Article 59(8) of REACH that Coal Tar Pitch, High Temperature is identified as a SVHC because it fulfils the criteria referred to in Article 57 (a), (d) and (e) of REACH. The Chair confirmed the agreement would be published on the ECHA website with the agreed Support Document after final editing. Coal Tar Pitch, High Temperature will be included in the candidate list by ECHA.

Anthracene oil

Anthracene oil, anthracene-low

Anthracene oil, anthracene paste, distn. lights

Anthracene oil, anthracene paste, anthracene fraction

Anthracene oil, anthracene paste

Introduction and response to comments

The five dossiers were individually introduced by an expert from the German REACH CA. The proposals had been made on 28 August 2009, and were then made available to the Member States and interested parties for comments on 31 August 2009. The commenting period ended on 15 October 2009 and the dossier was referred to the MSC on 16 November 2009 for agreement on the identification.

The justification that all these substances meet the PBT and/or vPvB criteria is based on PBT and/or vPvB properties of their constituents.

Many comments had been received during public consultation on the proposals, with several general comments supporting the proposals. Many technical comments were implemented by the dossier submitter and as such led to some amendments in the draft Support Document. Several specific comments and comments on the justification had also been received. Responses to all the comments were provided by the German REACH CA on the RCOM-tables.

Discussion on the documents and identification of SVHC

The data basis underlying the proposal to identify anthracene oil as PBT and vPvB substance was supported in the discussion. In addition, the MSC considered that the basis for the identification should include the classification of the substance as a carcinogen, with the same conditions as applicable for classification of the substance in Regulation (EC) No 1272/2008. The text in the Support Document and the draft agreement was modified accordingly.

The MSC agreed unanimously in accordance with Article 59(8) of REACH that Anthracene oil is identified as a substance of very high concern because it fulfils the criteria of Article 57 (a), (d) and (e) of Regulation (EC) No 1907/2006 (REACH). In

addition, it was agreed that Anthracene oil does not meet the criteria for identification of a carcinogen in situations where it contains less than 0.005 % (w/w) benzo[a]pyrene.

As regards the other anthracene oil derivatives on the Agenda of the meeting, the MSC reviewed the documentation, including the Support Documents, and took note of the RCOMs. Similarly as for the anthracene oil, the MSC supported the identification of ‘Anthracene oil, anthracene-low’; ‘Anthracene oil, anthracene paste, distn. lights’; ‘Anthracene oil, anthracene paste, anthracene fraction’ and ‘Anthracene oil, anthracene paste’ as SVHCs. The MSC considered that the identification should not only cover the PBT/vPvB-properties of these substances but should also consider the classification of those substances as carcinogens and mutagens, with the same conditions as applicable for classification of the respective substances in Regulation (EC) No 1272/2008. The text in the Support Documents and the draft agreements were modified accordingly.

After the discussion and introduction of the proposed changes, the MSC agreed unanimously in accordance with Article 59(8) of REACH that

- Anthracene oil, anthracene-low,
- Anthracene oil, anthracene paste, distn. lights
- Anthracene oil, anthracene paste, anthracene fraction and
- Anthracene oil, anthracene paste

are identified as substances of very high concern because they fulfil the criteria of Article 57 (a), (b), (d) and (e) of Regulation (EC) No 1907/2006 (REACH).

It was further specified in the agreements that in situations where the above mentioned substances contain less than 0.005 % w/w benzo[a]pyrene and less than 0.1 % w/w benzene, the condition for identification as a carcinogen according to the criteria of Article 57 (a) is not met. In situations where the substance contains less than 0.1 % w/w benzene, the condition for identification as a mutagen according to the criteria of Article 57 (b) of REACH is not met.

As a conclusion, the Chair confirmed that the agreements would be published on the ECHA website with the agreed Support Documents after final editing. Following the agreed identification of Anthracene oil; Anthracene oil, anthracene-low; Anthracene oil, anthracene paste, distn. lights; Anthracene oil, anthracene paste, anthracene fraction and Anthracene oil, anthracene paste will be included in the candidate list by ECHA.

Aluminosilicate Refractory Ceramic Fibres and Zirconia Aluminosilicate Refractory Ceramic Fibres

Introduction and response to comments

The two dossiers were introduced by an expert from the German REACH CA. Aluminosilicate Refractory Ceramic Fibres and Zirconia Aluminosilicate Refractory Ceramic Fibres were both proposed as SVHCs that fulfil the criteria of Article 57(a) of REACH. The difference in the chemical composition of these two subtypes of Refractory Ceramic Fibres (RCFs) covered by the index number 650-017-00-8 in Annex VI, part 3, table 3.2 of Regulation (EC) No 1272/2008 was the justification for the submission of two separate proposals, whereas the classification of RCFs due to the carcinogenic properties, as covered by the above mentioned index number, was the actual basis for the identification as a SVHC.

The proposals had been made on 28 August 2009 and were then made available to the Member States and interested parties for comments on 31 August 2009. The commenting period ended on 15 October 2009 and the dossiers were referred to the MSC on 16 November 2009 for seeking agreement on the identification.

Many comments had been received during the public consultation period, several of which were actually questioning the current classification of RCFs. Divergent views were also provided on the approach taken in the dossiers to describe different substances rather than making straightforward reference to the entry in Annex VI of the Regulation (EC) No 1272/2008 (CLP-Regulation). With the agreed classification in place at the Community level, the main emphasis in the amendment of the dossier based on the comments received was put on the adequate and accurate identification of the substances.

Discussion on the documents and identification of SVHC

In order to enable identification of the two fibre types in absence of CAS- or EC-numbers, the MSC supported a specification of their chemical composition in the underlying documentation (Support Document, Agreement).

After the exact wording was developed and accepted, the MSC agreed unanimously in accordance with Article 59(8) of REACH that Aluminosilicate Refractory Ceramic Fibres is identified as a SVHC because it fulfils the criteria referred to in Article 57(a) of REACH. Similarly, the MSC agreed unanimously in accordance with Article 59(8) of REACH that Zirconia Aluminosilicate Refractory Ceramic Fibres is identified as a SVHC because it fulfils the criteria referred to in Article 57(a) of REACH. For both substances concentration ranges for the main constituents and the definition for the dimension (fibre geometry) are provided in the Agreement and Support Document as the two conditions that need to be fulfilled for this identification.

Similarly as for the other substances identified as SVHC, the Chair concluded that after final editing, the agreements would be published on the ECHA website with the agreed Support Documents and RCOM-tables. As a consequence of the agreed identification of Aluminosilicate Refractory Ceramic Fibres and Zirconia Aluminosilicate Refractory Ceramic Fibres as SVHCs, these substances will be included in the candidate list by ECHA.

In the closing remarks for this item the Chair acknowledged the thorough work and cooperation of the MSC during this SVHC identification process.

Item 9 – Work related to prioritisation and inclusion of substances in Annex XIV

Status report on ECHA's plans for the 2nd draft recommendation for Annex XIV and preparation for refinement of ECHA's prioritisation approach using members' contributions

As an introduction to the item, an outline of ECHA's plans for the 2nd recommendation was presented in broad terms to the MSC, emphasising the time and resources needed to gather information for substances placed on the candidate list with the view to have adequate supporting information available for the possible priority setting. It is still under consideration if ECHA should wait for further

information from registration dossiers due to the lack of substantial amount of information for a number of substances.

As regards preparation for refinement of ECHA's prioritisation approach SECR briefly presented the room document on comments and responses by ECHA on priority setting for inclusion of candidate substances in Annex XIV and the main considerations for the proposal as to how to go forward after the reflections received from the members. The MSC took note of ECHA's responses on the comments submitted by the MSC members. As next steps in further development of ECHA's prioritisation approach SECR proposed 1) Development of a scoring approach for the Article 58(3) criteria, 2) Evaluation of pertinence of addition of further prioritisation criteria and 3) Investigation whether refinement/modification of regulatory effectiveness criteria is necessary. These were supported by the meeting.

Following the meeting, ECHA will update its documentation on the prioritisation approach based on the comments received, including the comment from a member that had not yet been included in the room document, and provide it well in time for the MSC-11 meeting, first for written consultation/commenting, followed by a meeting discussion in April.

During the discussion a member expressed a need to have adequate time for national discussions and hence the time provided for MSC members to comment on draft documents should be reflecting this.

Item 10 – Update on provisional work plan

SECR briefly reviewed the main upcoming issues and their implications for the future work of the MSC as regards the tasks originating from dossier evaluation (compliance checks for registration dossiers, pending notified substances and testing proposals for non-phase-in and phase-in substances). The MSC was provided an overview on the number of dossiers subjected for formal compliance check until the time of the meeting and the number and type of concluded cases. Similarly SECR provided an overview on the number of received dossiers with testing proposals, their status and expected deadlines. As such the work on dossier evaluation is continuing with increasing intensity due to the upcoming first registration deadlines. Based on the estimations made at the time of the meeting and the time needed for different process steps it could be expected that one or two evaluation draft decisions may be presented for discussion at the MSC meeting in April 2010 depending whether proposals for amendments by MSCA's will be introduced. Further draft decisions will be sent to the registrants in early 2010, which then, if commented by the CA's, might end up to the MSC process, for discussion in the June meeting.

As regards the provisional meeting calendar for 2010, SECR announced that the meeting scheduled for February 2010 is cancelled because no evaluation cases can be available for the MSC in February, and the next meeting of the MSC will take place 27-28 April 2010 as originally planned.

Item 11 – Report from other ECHA bodies

There were no issues to be reported under this Agenda item.

Item 12– IUCLID 5 training (closed session)

The item was held in closed session as the registration dossier that was used as an example during the training session included confidential information. The first presentation given by SECR about IUCLID 5 was a basic introduction to IUCLID 5 with information about the organisation of data in IUCLID, how to look and review an IUCLID 5 dossier and how to search data with the built-in query function and filtering systems. The presentation was followed by a live demonstration of use of different functionalities of IUCLID 5 with a real case dossier. During the demonstration members were provided advice, e.g. as how to search and review testing proposals and how to best benefit from different functionalities while fulfilling their tasks.

Item 13 – Any other business

Annual survey

SECR explained that in ECHA's Work Programme for 2010, surveys will be used as a means to verify how well ECHA's own objectives for its different activities are met. With this in mind, it is very important for SECR to know how members of the Committees and the Forum perceive the support provided by SECR, both in terms of organisation and content of meetings as well as the overall transparency in terms of Committee processes. The SECR was therefore preparing to launch a satisfaction survey in the three Committees and in the Forum with questions targeted for each Committee and Forum. The survey would be sent out in December 2009 or in the beginning of 2010. A survey would also be sent with questions targeted to the observers. Answers can be provided anonymously. Members were encouraged to respond to the questionnaire.

Short progress report on data security issues - Distribution of confidential information to members

SECR gave a short oral update on the status of the document on the interim arrangements for members and their advisers, and invited experts, of the MSC, RAC and SEAC regarding their access to confidential information uploaded to Circa under REACH and CLP. The members were thanked for providing the comments on the document and it was stated that the MSC will be informed once a decision in ECHA is made as further work of members, experts and advisers concerning confidential documents will be affected by it. As already provided in their written commenting some members reiterated their dissatisfaction with ECHA's data security policy that they find is causing problems for their practical work.

Item 14 – Adoption of conclusions and action points

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

II. List of attendees

<u>Members</u>	<u>Representatives of the Commission</u>
ANGELOPOULOU, Ioanna (EL)	BINTEIN Sylvain (DG ENV)
BÖHLER, Elmar (DE)	HANSEN Bjorn (DG ENV)
COSGRAVE, Majella (IE)	ROZWADOWSKI Jacek (DG ENTR)
DEIM, Szilvia (HU)	
DOUGHERTY, Gary (UK)	<u>Observers</u>
DRUGEON, Sylvie (FR)	ANNYS, Erwyn - CEFIC
DUNAUSKIENE, Lina (LT)	LEENAERS, Joeri - EUROMETAUX
FAJFAR, Simona (SI)	MUSU, Tony – ETUC
FLODSTRÖM, Sten (SE)	Owen, David - ECETOC
GEUSS, Erik (CZ)	TAYLOR, Katy - ECEAE
HEISKANEN, Jaana (FI)	VAN VLIET Lisette - HEAL
KORENROMP, René (NL)	<u>ECHA staff</u>
LUDBORZS, Arnis (LV)	BALOGH, Attila
LULEVA, Parvoleta (BG)	BRAUNSCHWEILER, Hannu
MARTIN, Esther (ES)	BROERE, William
MIHALCEA-UDREA, Mariana (RO)	BERNASCONI Roberta
PISTOLESE, Pietro (IT)	DE BRUIJN, Jack
REIERSON, Linda (NO)	FEDTKE Norbert
RUSNAK, Peter (SK)	GRADZKA, Agnieszka
STESSEL, Helmut (AT)	KNIGHT, Derek
TYLE, Henrik (DK)	KORJUS, Pia
WELFRING, Joëlle (LU)	KOSKINEN, Marjo
VANDERSTEEN, Kelly (BE)	KOULOUMPOS, Vasileios
VESKIMÄE, Enda (EE)	LEBSANFT, Jörg
	LEPPER, Peter
	LEFEVRE, Remi
	MALM, Jukka
	MÜLLER, Birgit
	NAUR, Liina
	SEERY, Benjamin
	SUNDQUIST, Anna-Liisa
	VAHTERISTO, Liisa
	YLÄ-MONONEN, Leena

Replacements

NUNEZ, Maria do Céu (PT) replacing PALMA, Maria do Carmo Ramalho Figueira

BARANSKI Boguslaw (PL) replacing MAJKA, Jerzy

Proxy's

ANGELOPOULOU, Ioanna (EL) also acting as proxy of KYPRIANIDOU-LEODIDOU, Tasoula (CY),

MARTIN, Esther (ES), also acting as proxy of PALMA, Maria do Carmo Ramalho Figueira (PT)

LULEVA Parvoleta Angelova (BG) also acting as proxy of MAJKA Jerzy (PL)

Experts and advisers to MSC members

BIWER, Arno (expert to WELFRING, Joëlle)

FINDENEGG Helene (DE) (expert to BÖHLEN, Elmar)

KOZMIKOVA, Jana (expert to GEUSS, Erik)

LAGRIFFOUL, Arnaud (adviser to DRUGEON, Sylvie)

LEONELLO, Attias (expert to PISTOLESE, Pietro)
LUOMAHAARA, Sirpa (adviser to HEISKANEN, Jana)
LUNDBERGH, Ivar (expert to FLODSTRÖM, Sten)
MOLDOV, Raili (EE) (expert to VESKIMÄE, Enda)
PECZKOWSKA, Beata (expert to MAJKA, Jerzy)
RÁCZ, Éva (expert to DEIM, Szilvia)
SCIMONELLI, Luigia (adviser to PISTOLESE, Pietro)
SKAUG, Vidar (NO)
TRAAS, Theo (expert to KORENROMP, René)

Experts presenting dossiers

FÖST, Ulrich (DE)
PRITZSCHE, Marc (DE)

Apologies:

CAMILLERI, Tristan (MT)
KYPRIANIDOU-LEODIDOU, Tasoula (CY)
MAJKA, Jerzy (PL)
PALMA, Maria do Carmo Ramalho Figueira (PT)

III Final agenda



2 December, 2009
Final Agenda

Final Agenda **Tenth meeting of the Member State Committee**

2-4 December 2009
ECHA Conference Centre
Annankatu 18, in Helsinki, Finland

2 December: **starts at 9:30**
4 December: **ends at 13:00**

Item 1 – Welcome and Apologies

Item 2 – Adoption of the Agenda

MSC/A/010/2009
For adoption

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

Item 4 – Adoption of draft minutes of the MSC-9

MSC/M/09/2009
For adoption

Item 5 – Administrative Issues

For information

Item 6 – Seeking agreement in reference to evaluation work

Closed session

- Discussion and seeking agreement on draft decision on testing proposal

For discussion and agreement

Item 7 – Outcome of written procedures

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

Room document on the outcome of the written procedure on
identification of SVHC

For information and discussion

Item 8– Seeking agreement on the Annex XV proposals for identification of SVHC

Discussion and seeking agreement on the Annex XV dossiers for SVHC based on the comments received

- Coal tar pitch, high temperature
Documents ECHA/MSC-10/2009/084-086
- Anthracene oil
Documents ECHA/MSC-10/2009/069-071
- Anthracene oil, anthracene-low
Documents ECHA/MSC-10/2009/078-080
- Anthracene oil, anthracene paste, distn. lights
Documents ECHA/MSC-10/2009/072-074
- Anthracene oil, anthracene paste, anthracene fraction
Documents ECHA/MSC-10/2009/075-077
- Anthracene oil, anthracene paste
Documents ECHA/MSC-10/2009/081-083
Document ECHA/MSC-10/2009/093[#]
- Aluminosilicate Refractory Ceramic Fibres
Documents ECHA/MSC-10/2009/087-089
- Zirconia Aluminosilicate Refractory Ceramic Fibres
Documents ECHA/MSC-10/2009/090-092

For discussion and agreement

Item 9 – Work related to prioritisation and inclusion of substances in Annex XIV

[#] Document MSC-10/2009/093 is providing additional information to documents MSC-10/2009/069-086

- Status report on ECHA’s plans for the 2nd draft recommendation for Annex XIV
- Preparation for refinement of ECHA’s prioritisation approach using members’ contributions

Room document

For discussion

Item 10 – Update on provisional work plan

- Status report on compliance checks and testing proposals

For information

Item 11 – Report from other ECHA bodies

For information

Item 12 – IUCLID5 training

For information

Item 13 – Any other business

For information

Item 14 – Adoption of conclusions and action points

- Table with action points and decisions from MSC-10

For adoption

IV Main conclusions and action points

MSC-10 MAIN CONCLUSIONS & ACTION POINTS -2-4 December 2009

(Adopted at the MSC-10 meeting)

CONCLUSIONS / DECISIONS / MINORITY OPINIONS	ACTIONS REQUESTED
4. Minutes of the MSC-9	
The minutes of MSC-9 (confidential and non-confidential version) were adopted without any changes.	MSC-S to upload the minutes on the ECHA website and on CIRCA.
6. Seeking agreement in reference to evaluation work (closed session) Discussion and seeking agreement on draft decision on testing proposal	
MSC modified the amended draft decision referred to the MSC by ECHA on 26 October 2009 and found unanimous agreement on the modified and amended draft decision on 3 December 2009.	<ul style="list-style-type: none"> - MSC-S to upload the final agreement, the finalised draft decision and ECHA's final formal decision for MSC members on CIRCA. - ECHA will prepare a justification letter attached to the decision to the registrant. The letter will be uploaded to CIRCA for MSC members. - The relation between compliance check and testing proposal examination will be further discussed in the MSC-11 meeting.
8. Seeking agreement on the Annex XV proposals for identification of SVHC Discussion and seeking agreement on the Annex XV dossiers for SVHC based on the comments Received	
MSC agreed not to take into account in the agreement seeking procedure on Annex XV proposals any information which is submitted to ECHA after the closing date of the public consultation on the Annex XV dossiers with proposals for identification of SVHC.	
Coal tar pitch, high temperature – unanimously identified as SVHC (carcinogenic and PBT/vPvB substance) because it fulfils the criteria of Art. 57 (a), (d) and (e) of REACH Regulation.	<p>MSC-S to finalise the agreements and Support Documents (SDs) for publication.</p> <ul style="list-style-type: none"> - RCOM tables will be published on ECHA website without any confidential information, making statement that it is a 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. <p>All eight substances will be included in the candidate list.</p> <p>The same procedure will apply also for the following six substances identified in the written procedure:</p> <p>Acrylamide, 2,4-Dinitrotoluene, Diisobutyl phthalate, Lead Chromate Molybdate Sulfate Red, Lead Sulfochromate yellow, Tris (2-chloroethyl)phosphate.</p>
Anthracene oil - unanimously identified as SVHC (carcinogenic and PBT/vPvB substance) because it fulfils the criteria of Art. 57 (a), (d) and (e) of REACH Regulation.	
Anthracene oil, anthracene low - unanimously identified as SVHC (carcinogenic, mutagenic and PBT/vPvB substance) because it fulfils the criteria of Art. 57 (a), (b), (d) and (e) of REACH Regulation.	
Anthracene oil, anthracene paste, anthracene fraction – unanimously identified as SVHC (carcinogenic, mutagenic and PBT/vPvB substance) because it fulfils the criteria of Art. 57 (a), (b), (d) and (e) of REACH Regulation.	
Anthracene oil, anthracene paste, distn. lights - unanimously identified as SVHC (carcinogenic, mutagenic and PBT/vPvB substance) because it fulfils the criteria of Art. 57 (a), (b), (d) and (e) of REACH Regulation.	
Anthracene oil, anthracene paste - identified as	

CONCLUSIONS / DECISIONS / MINORITY OPINIONS	ACTIONS REQUESTED
SVHC (carcinogenic, mutagenic and PBT/vPvB substance) because it fulfils the criteria of Art. 57 (a), (b), (d) and (e) of REACH Regulation.	
Aluminosilicate, Refractory Ceramic Fibres - unanimously identified as SVHC (carcinogenic) because it fulfils the criteria of Art. 57 (a) of REACH Regulation.	
Zirconia Aluminosilicate, Refractory Ceramic Fibres - unanimously identified as SVHC (carcinogenic) because it fulfils the criteria of Art. 57 (a) of REACH Regulation.	
9. Work related to prioritisation and inclusion of substances in Annex XIV	
MSC took note of ECHA's responses on the comments submitted by MSC members.	Based on the comments received, ECHA to update the document on the prioritisation and provide it well in time for the MSC-11 meeting in April 2010.
10. Update on provisional work plan	
MSC meeting previously planned for February 2010 is cancelled. One or two evaluation draft decisions might be expected in the MSC for discussion at the MSC-11 meeting in April 2010.	-
13. Adoption of conclusions and action points	
The conclusions and action points were adopted.	MSC-S will upload the conclusions and action points on CIRCA together with the presentations delivered at the meeting by 8 December.