**Committee for Socio-economic Analysis (SEAC)**

**Response to comments on the SEAC draft**

**Opinion**

**on the Annex XV dossier proposing**

**restriction on**

**Cadmium and its compounds**

**(in Artist paints)**

**EC number: 231-152-8**

**CAS number: 7440-43-9**

**9 March 2015**

Comments on the SEAC draft opinion

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| **Ref.** | **Date/Name/Org.** | **Comments** |
| 137 | **Date/Time:** 2015/01/16 16:01  **Name confidential: No** | **Comments on the SEAC draft opinion:**  Hello, I am writing as an artist to explain the impact of Cadmium pigments on my work. I use acrylic, water color and oil paints with the Cadmium pigment and I use these pigments every day. I believe I could not acheive the same results in my paintings wtihout them. I consider Cadmium red and Cadmium yellow my primary colors and mix every flesh tone with them. As a painting instructor, all my painting students have them in their palette as well. Artists, I find, are some of the most careful stewards of their materials. Paints are expensive and we use all of it on the canvas or paper, very little of it is wasted! I use my cadmiums to the end of the tube, always and squeeze only what is necessary for the painting session onto my palette. I even seal and freeze my paints if I am unable to finish my painting in one session so that I do not waste paint. My washing out of pigments in the sink is very limited, as I try to use all the paints on the canvas. The proposed ban on Cadmium has already affected me personally here in the U.S. as the cost of the paint has skyrocketed reaching almost $40 per 7 ounce tube! Many art stores have the paint in locked cabinets. I respectfully request that you do not ban the Cadmiums from artitsts. A good plan for safe disposal of the paint is what is necessary, not a prohibition. | |
| **SEAC Rapporteurs response:**  Thank you for your comment. It is important that professional as well as hobby artists are aware of possible environmental risks associated with paints. Public consultation revealed that there are techniques to avoid almost completely the transfer of pigments to the waste water. | |
| 142 | **Date/Time:** 2015/01/22 14:06  **Type:** Academic institution  **Organization name:**  University of the Arts, Academy of Fine Arts  **Country:** Finland  **Name confidential: No** | **Comments on the SEAC draft opinion:**  Dear Sir or Madam  Inorganic pigments have always been the most important and the most valued colors on artist's palette.Cadmium pigments replaced once other inorganic yellows and reds with less desired properties. Today they still have their strong position in fine art painting because there are no other pigments with similar properties available.  They can not be replaced with organic substitutes without loosing a crucial part of artist's tool.  They also have a special status when pigments are studied in the Academy of Fine Arts because we all know that we still need them even though they are harmful to the enviroment and living organism.  Painting students at the Academy of Fine Arts have an obligatory painting material course where they study quite in details also pigments and dyes. Teaching is much based on material chemistry, so students really get to know what they are using.  Health and safety questions, protection of the enviroment and user's responsibility are all important and current themes which really interrest young people.  Cadmium containing paints for artists are very expensive. Paint will mostly be placed into the painting support and the tubes are opened or squeezed carefully.  Brushes are cleaned in the following way:  1. brush is wiped with paper so most of the paint remains come into dry waste  2. oil paint brushes are washed in a separate jar filled with cheap food oil, by rubbing against a metal net  the same is done with acrylic paint, just water is used  Heavy pigment particles will sink into the bottow of the jar. This sediment is separated and collected in a bigger container which is delivered to hazardous waste facility.  These are the tools artist can also use in their own studios later.  Cadmium based pigments cover important shades from cold lemon yellow to deep strong red.Organic pigments, mostly from the azo group are offered to replace cadmium pigments. Organic and inorganic pigments have some important and significant differences in fine art painting.  Hiding power is far better with cadmium pigments compared with organic substitutes. So they are the only proper possibility to create really strong color layers onto others, even darker shades.  Another important property is the particle size which is normally much bigger in inorganic pigments. It affects into the feeling of paints viscosity. Bigger particles create proper mass in the paint and makes it easier to handle. This is very important e.g. in tempera painting.  Inorganic pigments also have better and more trustable light fastness which makes them more liable in professional artists use. In aquarelle technique for instance paint layers are very thin and without binders protection.  Lightfast pigments makes it possible to have many hundred years old paintings hanging on the walls of artmuseums.  It would be a really strange and unpredictable situation loosing such key colors like cadmium reds and yellows.  Fine art painting is just not spreading the paint, it's visual expression and that means that the appearance and behavior of materials is essential.  Should you have any questions, please let me know. This is a very important issue for the whole field of fine art painting and painting conservation.  Best regards  Malla Tallgren  Lecturer in painting materials and techniques  Conservator  Academy of Fine Arts, Helsinki | |
| **SEAC Rapporteurs response:**  Thank you very much for the detailed and technical information shared via Public Consultation, on the differences in fine art painting between organic and inorganic pigments and on the methods used for cleaning brushes.  We recognize that information on possible environmental risks and proper residues treatment in painting is essential and therefore appreciate that these topics are covered in the education of artists. | |
| 152 | **Date/Time:** 2015/01/26 16:40  **Type:** Industry or trade association  **Organization name:**  EurEau  **Country:** Belgium  **Name confidential: No**  **Attachment:** | **Comments on the SEAC draft opinion:**  Today, cadmium originating from hobby and artist paints, is already 10 % of the total cadmium in the urban wastewater of Stockholm and consequently also 10% of the total cadmium content in the sludge of Stockholm (reference Sörme Lindqvist Söderberg 2003). Cadmium from hobby and artist paints is today one of the biggest single sources of cadmium in the sludge in Sweden. The same development can be expected in many other Member States. EurEau´s conclusion is that there is a need to further reduce cadmium in the urban wastewater and that there is a strong need for restrictions on cadmium in hobby and artist paints. To restrict cadmium in hobby- and artist paints is probably one of the most sustainable and least complicated measures to reduce cadmium to the European wastewater treatment plants – and therefore also to the receiving waters of Europe. | |
| **SEAC Rapporteurs response:**  Thank you for your comment. The cited reference (correct citation: Sörme, L., Lindqvist, A. and Söderberg, H. (2003) ´Capacity to Influence Sources of Heavy Metals to Wastewater Treatment Sludge', Environmental Management Vol. 31, No. 3, pp. 421-428) indicates indeed that Cd in artists paints is 10 % of all sources. Largest source is car washing (30%) and unknown sources (39%). Even food has a share of 9%. The estimations in the article are not supported by measurements at the sources. According to the calculations of the dossier submitter based on a release factor to the waste water of 5 % , the share of Cd in artists paints is 1.5% (110 kg in a total of 7400 t). SEAC considers the release factor of 5 % used by the Dossier Submitter to be uncertain. As well, the value of 1 % from the Chemical Safety Reports from the Lead registrants could be used, as long as no measurements on the release exist.  The attached statement “The cost of Cd for urban waste water treatment plants” does not provide new information. However, it clearly shows that the management of sewage sludge is not a problem which can be solved with a restriction proposal under REACH addressing only one of the numerous pollutants in sewage sludge. Sewage sludge contains also other heavy metals than Cd and pharmaceutical residues. Sludge incineration and subsequent treatment of the ash, i.e. removal of heavy metals, is only one option for an improved sludge treatment. There are technologies in operation where phosphorous can be recovered even in the waste water treatment plant. Alternative sludge treatment processes are investigated in the EU-funded research project P-Rex, see <http://p-rex.eu/>). It is out of scope of this commenting round to discuss the cost figures provided in the attachment. | |
| 157 | **Date/Time:** 2015/01/30 14:27  **Name confidential: No** | **Comments on the SEAC draft opinion:**  Having submitted a long set of comments to the original proposal, I consider that the draft opinion is balanced and wise. However I believe that more needs to be done to improve measures and practice in artists, to protect the environment. I have posted an article explaining this on my blog at http://eclecticlight.co/2015/01/25/cadmium-blues/, and have now made my own proposals for voluntary actions in the UK at http://eclecticlight.co/2015/01/30/cadmium-blues-2-proposals/ I welcome discussion, and hope that we can make real progress in the future. Thank you.  Howard Oakley. | |
| **SEAC Rapporteurs response:**  Thank you for your comment. We appreciate your effort to disseminate information on proper cleaning methods for brushes. | |
| 158 | **Date/Time:** 2015/02/02 11:02  **Type:** International NGO  **Organization name:**  EurEau  **Country:** Belgium  **Name confidential: No**  **Attachment:** | **Comments on the SEAC draft opinion:**  Today, cadmium originating from hobby and artist paints, is already 10 % of the total cadmium in the urban wastewater of Stockholm and consequently also 10% of the total cadmium content in the sludge of Stockholm (reference Sörme Lindqvist Söderberg 2003). Cadmium from hobby and artist paints is today one of the biggest single sources of cadmium in the sludge in Sweden. The same development can be expected in many other Member States. EurEau´s conclusion is that there is a need to further reduce cadmium in the urban wastewater and that there is a strong need for restrictions on cadmium in hobby and artist paints. To restrict cadmium in hobby- and artist paints is probably one of the most sustainable and least complicated measures to reduce cadmium to the European wastewater treatment plants – and therefore also to the receiving waters of Europe | |
| **SEAC Rapporteurs response:**  Please see our answer to the comment 152. | |
| 159 | **Date/Time:** 2015/02/02 12:30  **Type:** Industry or trade association  **Organization name:**  […]  **Country:** Austria  **Name confidential:** Yes | **Comments on the SEAC draft opinion:**  “Today, cadmium originating from hobby and artist paints, is already 10 % of the total cadmium in the urban wastewater and consequently also 10% of the total cadmium content in the sludge. Cadmium from hobby and artist paints is today one of the biggest single sources of cadmium in the municipal sludge. The same development can be expected in many other Member States. […]´s conclusion is that there is a need to further reduce cadmium in the urban wastewater and that there is a strong need for restrictions on cadmium in hobby and artist paints. To restrict cadmium in hobby- and artist paints is probably one of the most sustainable and least complicated measures to reduce cadmium to the European wastewater treatment plants – and therefore also to the receiving waters of Europe.” | |
| **SEAC Rapporteurs response:**  Thank you for your comment. We provided a detailed answer to the comment 152 which is almost identical to yours. | |
| 162 | **Date/Time:** 2015/02/03 16:45  **Type:** Industry or trade association  **Organization name:**  Finnish Water Utilities Association  **Country:** Finland  **Name confidential: No** | **Comments on the SEAC draft opinion:**  Today, cadmium originating from hobby and artist paints, is already 10 % of the total cadmium in the urban wastewater of Stockholm and consequently also 10% of the total cadmium content in the sewage sludge of Stockholm (reference Sörme Lindqvist Söderberg 2003). Cadmium from hobby and artist paints is today one of the biggest single sources of cadmium in the sewage sludge in Sweden. The same development can be expected in many other Member States. There is a need to further reduce cadmium in the urban wastewater and there is a strong need for restrictions on cadmium in hobby and artist paints. To restrict cadmium in hobby- and artist paints is probably one of the most sustainable and least complicated measures to reduce cadmium to the European wastewater treatment plants– and therefore also to the soil and receiving waters of Europe. | |
| **SEAC Rapporteurs response:**  Thank you for your comment. We provided a detailed answer to the comment 152 which is almost identical to yours. | |
| 164 | **Date/Time:** 2015/02/03 21:45  **Type:** Industry or trade association  **Organization name:**  Swedish Water & Wastewater Association  **Country:** Sweden  **Name confidential: No**  **Attachment:** | **Comments on the SEAC draft opinion:**  Summary  Today, cadmium originating from hobby and artist paints, is already 10 % of the total cadmium in the urban wastewater of Stockholm and consequently also 10% of the total cadmium content in the sludge of Stockholm (reference Sörme Lindqvist Söderberg 2003). Cadmium from hobby and artist paints is today one of the biggest single sources of cadmium in the sludge in Sweden. The same development can be expected in many other Member States. EurEau´s conclusion is that there is a need to further reduce cadmium in the urban wastewater and that there is a strong need for restrictions on cadmium in hobby and artist paints. To restrict cadmium in hobby- and artist paints is probably one of the most sustainable and least complicated measures to reduce cadmium to the European wastewater treatment plants – and therefore also to the receiving waters of Europe.  To be able to fulfil the requirements in the Water Framework Directive (WFD) regarding Good Chemical status and the Environmental Quality Standard (EQS) of the Priority Substance (PS) cadmium, it is necessary to also work to decrease the inflow of cadmium to the wastewater treatment plants. Since 10% of the cadmium originates from hobby and artist paints, a restriction of these paints will, in a very cost effective way, also reduce the flow of cadmium from wastewater treatment plants by 10 %. | |
| **SEAC Rapporteurs response:**  Thank you very much for your comment. Please see our reply to comment 152, which appears similar. | |
| 171 | **Date/Time:** 2015/02/05 11:46  **Type:** Industry or trade association  **Organization name:**  International Cadmium Association  **Country:** Belgium  **Name confidential: No** | **Comments on the SEAC draft opinion:**  The International Cadmium Association (ICdA) hereby submits formal comments in the context of the public consultation on “SEAC draft opinion on an Annex XV dossier proposing restrictions on Cadmium and its compounds in Artist’s Paints”.  ICdA and its members welcome the draft opinion issued by SEAC on 26th November 2014 which concludes after reference to the RAC opinion of a negligible risk (= ‘not to be addressed’, according Oxford dictionary) that the proposed restriction on the use of cadmium pigments in artists’ paints is not justified. | |
| **SEAC Rapporteurs response:**  Thank you for your comment. | |
| 175 | **Date/Time:** 2015/02/06 11:39  **Name confidential: No** | **Comments on the SEAC draft opinion:**  According rsc.org 80% of the cadmium produced is used inrechargebale batteries. Cadmium is also used for electroplating of components in aeroplanes and oil platforms. Last are in the sea and I guess Cd will be dissolved in sea water. Also it is used in fertilizers.  To avoid it in colours for artists will have no big impact on environment protection success but on the art of painting which belongs to our cultural development. First target have to be products with really big impact. | |
| **SEAC Rapporteurs response:**  Thank you for your comment. These findings were used in drafting the text for SEAC’s opinion. | |
| 183 | **Date/Time:** 2015/02/06 19:31  **Type:** Industry or trade association  **Organization name:**  CEPE  **Country:** Belgium  **Name confidential: No** | **Comments on the SEAC draft opinion:**  CEPE, the European Council of the Paint, Printing Ink and Artists’ Colours Industry, represents the manufacturers of artists’ paints in Europe. During the earlier public consultation on the Annex XV restriction dossier “Cadmium and its compounds in artists’ paints”, which closed on 19 September 2014, CEPE provided contributions to the written comments submitted by the International Cadmium Association (ICdA).  CEPE hereby submits formal comments to the public consultation on the SEAC draft opinion on the above dossier. CEPE and its members welcome the draft opinion issued by SEAC on 26 November 2014, which concludes that the proposed restriction is not the most appropriate EU-wide measure to address the identified negligible risks. | |
| **SEAC Rapporteurs response:**  Thank you for your comment. | |
| 185 | **Date/Time:** 2015/02/08 19:58  **Name confidential: No** | **Comments on the SEAC draft opinion:**  Nicht nur als bildender Künstler, sondern auch als Europäischer Staatsbürger und Steuerzahler, kann ich nur hoffen, daß es der Europäischen Kommission angesichts eines solchen ganz offensichtlich ökologisch vollkommen wirkungslosen, aber volkswirtschaftlich und kulturell umso schädlicheren Maßnahmenantrags nicht am gesunden Menschenverstand und der notwendigen Unabhängigkeit mangelt, die eine eindeutige und konsequente Zurückweisung dieses unverschämten Antrags gebietet. Die anscheinende Unsinnigkeit dieses Antrags lässt eigentlich nur ein billiges, aber umso schäbigeres Ablenkungsmanöver der Düngemittelindustrie dahinter vermuten. | |
| **SEAC Rapporteurs response:**  Thank you for your comment. SEAC Rapporteurs assume that the producers of mineral fertilizers are aware of the fact that these fertilizers are the main source of Cd in agriculture.  The dossier submitter had the intention to reduce the Cd load in sewage sludge used as fertilizer in agriculture. The dossier was in conformity with the requirements of Annex XV REACH regulation. Therefore the dossier was handled by both scientific committees of ECHA. RAC and SEAC in their opinion and draft opinion respectively, do not support the restriction proposal. Final decision will be taken by the European Commission.  Vielen Dank für Ihren Kommentar. Die Berichterstatter des SEAC gehen davon aus, dass sich die Produzenten von Mineraldüngern bewusst sind, dass ihre Dünger die Hauptquelle von Cd in der Landwirtschaft sind. Die einreichende Behörde des Verbotsantrags hatte die Absicht die Cd Belastung in Klärschlämmen zu reduzieren. Der Antrag genügte den formalen Anforderungen gemäß Anhang XV der REACH Verordnung. Daher wurde der Antrag von beiden Komitees der ECHA behandelt. Die endgültige Entscheidung wird die Europäische Kommission treffen. | |