May 14, 2021

RE: Public Consultation on CLH for BIT 1,2-Benzisothiazol-3-(2H)-One (BIT) CAS Number 2634-33-5; ACA Comments

The American Coatings Association (ACA)[1] appreciates the opportunity to comment on the classification of BIT. ACA supports the comments submitted by the European Council of Paint, Printing Ink and Artists' Colours Industry (CEPE). We both support the harmonized classification proposed by the authorities in Spain for BIT, which is based on the strict application of the Classification, Labelling and Packaging (CLP) criteria to the latest BIT data.

Effective preservatives are essential for in-can preservation of coatings prior to use. BIT is one of the few remaining effective in-can preservatives and has historically been used in Europe to protect waterborne coatings. BIT is used at concertation's below the specific concentration limit (SCL) of 0.05% (500 ppm), with no evidence of induction of skin sensitisation from its presence in coatings. Setting a lower limit could have severe consequences (increased spoilage for example) under the Biocidal Products Regulation for consumer use of treated articles (including paints), by misrepresenting hazards associated with paint and coatings products and confusing consumers.

We support CEPE's call for careful examination of data leading to induction of skin sensitization from which a sound SCL can be set. In summary, ACA supports the harmonized classification proposed by the authorities in Spain for BIT.

Please let me know if you have any questions regarding our comments.

Sincerely,

/s/

[redacted]
Vice President, Health, Safety and Environmental Affairs
American Coatings Association

[1] The American Coatings Association (ACA) is a voluntary, nonprofit trade association working to advance the needs of the paint and coatings industry and the professionals who work in it. The organization represents paint and coatings manufacturers, raw materials suppliers, distributors, and technical professionals. ACA serves as an advocate and ally for members on legislative, regulatory, and judicial issues, and provides forums for the advancement and promotion of the industry through educational and professional development services.