

ECHA PROPOSES RESTRICTION ON SUBSTANCES CONTAINING POLYCYCLIC AROMATIC HYDROCARBONS (PAHS) IN CLAY TARGETS FOR SHOOTING¹

Summary

The proposed restriction aims at preventing the release of polycyclic aromatic hydrocarbons (PAHs) into the environment from the use of clay targets for shooting.

Clay targets (also known as clay pigeons) are flying (saucer-shaped) targets used by sports shooters and small game hunters to practice. They are produced using binders such as coal tar pitch, high temperature (CTPHT), petroleum pitch or other types of resins.

CTPHT was included in Annex XIV of REACH (the Authorisation List) due to its carcinogenic, persistent, bioaccumulative and toxic (PBT), and very persistent and very bioaccumulative (vPvB) properties (Commission Regulation (EU) No 2017/999). These properties are due to the presence of PAHs.

In 2019, ECHA received two applications for authorisation for the use of CTPHT as a binder in clay targets for sports shooting. The Committees for Risk Assessment (RAC) and for Socio-economic Analysis (SEAC) evaluated these applications and concluded that the continued use of CTPHT in clay targets would lead to a risk to human health and the environment through the release of several hundred tonnes of PAHs per year.

Several alternative substances to CTPHT are currently used as a binder for clay targets in the EU. While generally they have lower concentrations of PAHs than CTPHT, many of the alternatives also contain PAHs. Alternatives with very low PAH-content and PAH-free alternatives are also available.

Even if no review periods for the use of CTPHT would be granted, an EU-wide risk has been identified due to the release of PAHs from the use of clay targets, which equally applies to clay targets containing CTPHT imported into the EU, and to those produced with PAHs-containing alternatives. In order to ensure a high protection of human health and the environment in the EU and avoid regrettable substitution, the Commission requested ECHA on 2 July 2021 to prepare an Annex XV restriction dossier on substances containing PAHs in clay targets for shooting.

Based on the available information on alternatives, and the costs and effectiveness of different restriction options, considering several concentration limits of PAHs in clay targets, ECHA proposed to restrict the placing on the market of clay targets containing more than a 0.005% by weight of the sum of the concentrations of 18 indicator polycyclic aromatic hydrocarbons (PAHs).

The consultation on this proposed restriction will start on 22.12.2021 and end on 22.06.2022.

¹ The information note has been prepared based on the Annex XV report prepared by ECHA.

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When responding to the consultation, stakeholders should ensure that they are referring to the most recent version of the Annex XV report and any annexes (i.e. those published alongside the consultation).

Respondents are also encouraged to take into account when certain aspects of the proposal are planned to be discussed in the committee's plenary meetings (see table below) and time their submissions accordingly (multiple submissions are possible throughout the consultation).

	Committee	
Plenary meeting of the Committee (timing)	Risk Assessment Committee (RAC)	Socio-Economic Assessment Committee (SEAC)
1 (2.5 months after PC starts)	Verify the proposed scope. Conclude on hazard and hold preliminary discussion on exposure/risk.	Verify the proposed scope. Conclude on costs of the proposed restriction and hold preliminary discussions on its benefits.
2 (5.5 months after PC starts)	Conclude on exposure/risk and hold preliminary discussion derogations.	Conclude on benefits and hold preliminary discussions on proportionality and derogations.
3 (8.5 months after PC starts)	Finalise the-derogations. Finalise the opinion plus justification text and adopt the final opinion.	Conclude on proportionality and derogations. Finalise the opinion plus justification text and agree the draft opinion.
4	Not relevant.	Conclude on issues raised during the SEAC draft opinion consultation. Adopt the final opinion.

Information on the hazards of the substance(s) and the costs of the proposal would make the most impact if submitted **by month two** and exposure/risk, benefits and derogations **by month four** of the consultation. This early submission would also allow the information to be considered at the appropriate time. This timing takes into account that stakeholders have access to the dossier much earlier than in the past, as it is pre-published around two weeks after submission or more than six weeks in advance of the start of the consultation.

It is possible to submit more than one consultation response during the six month period so please take this into account when deciding when to submit information.

How to submit a comment in the consultation

Firstly please read the consultation guidance that describes the relevant information that should be submitted. It is available here:

https://echa.europa.eu/documents/10162/13641/public_consultation_guidance_en.pdf/7c4705d5-ad01-43ed-a611-06f1426a595c.

When you are ready to make your comments, click on the appropriate link on the ECHA website. Please be aware that it is not possible to save your submission and come back

to it, so you should already have your comments prepared in an attachment or saved in some other format in advance.

The web form contains five main parts:

- Introduction: containing some general information on the restriction and a link to this note and the PC guidance.
- Section 1: Personal information
- Section 2: Organisational information
- Section 3: Non-confidential comments on the proposal - both general comments and information on specific issues (see below). Your responses can be entered directly into the form or through section 4 as an attachment. However, please do not submit the same comments via both means. General comments can be on any aspect of the Annex XV restriction proposal, including on issues related to socio-economic analysis.
- Section 4: Non-confidential attachments can be added here.
- Section 5: Confidential attachments can be added here. Confidential information will only be available to the ECHA Secretariat, the Committees and Member State Competent Authorities. However, if ECHA receives an Access to Documents request, we may come back to you for justifications why the information is confidential. You can also add this information already in the relevant part of the webform.

Once you have finished your submission press the submit button and your comments will be submitted. You will receive a submission number via e-mail and you should refer to this in any communication with ECHA on this issue.

It is not possible for you to retrieve your submission so you may want to take a screen shot, or printed copy for your future reference.

Specific information requests

In addition to the general comments, outlined above, the consultation includes several specific questions to gather information that is considered to be particularly relevant to the evaluation of the proposal, as follows:

1. Information on alternatives: Several low-PAH and PAH-free alternatives have been identified by the Dossier Submitter. However, the extent to which these alternatives are currently used or can be used in the future remains uncertain. Are the identified alternatives used in clay targets? Are there other alternatives that are in use that have not been identified? Which alternatives require further research and development before they can be used? What is the market availability of such alternative binder materials (in tonnes)?
2. Information on the compositions and hazards of substances: The Dossier Submitter highlighted uncertainties related to the compositions of the binder substances used in clay targets that would be affected by the restriction as well as their alternatives. Please provide information on the concentration (% w/w or mg/kg) of the 18 polycyclic aromatic hydrocarbons (PAHs) in the substances, as well as other constituents (including, but not limited to, other PAHs, alkylated PAHs and

heterocyclic polycyclic aromatic compounds), with supporting analytical data.² Please provide information on the hazards of these constituents.

3. Information on technical feasibility of alternatives: please provide information on the required characteristics of the clay targets used for sports shooting competitions, in particular on the requirements of strength and breakability. Based on this information, provide a comparison of the technical feasibility of the alternatives, and in particular on strength and breakability of clay targets manufactured with these alternatives.
4. Information on substitution costs: please provide information on the (one time) costs to manufacturers for converting existing production lines of clay targets to production lines with alternative binders, and an estimate of the transitional time needed for the conversion.
5. Information on existing rules: please provide information regarding rules on allowed clay targets in competitions other than the ones hosted by the International Shooting Sport Federation (ISSF), and national/regional/rules imposed by national sport shooting federations regarding the allowed clay targets within nation/region/competitions under any organisation.
6. Information on costs of risk management measures: please provide information what happens to the clay target fragments after the clay targets have been shot (collection, cost of disposal etc.).
7. Information on the potential cost savings of switching from CTPHT/petroleum pitch targets to 'eco-friendly' targets: Operators of trap and skeet shooting ranges have costs associated with the disposal of clay target waste. What cost savings do you expect from a possible change from the waste category "hazardous waste for disposal by specialised companies" to the category normal commercial waste e. g. "mixed demolition waste" as a result of the future restriction?
8. Information on shooting over water: please provide information if there are clay targets used over water in the EU (shooting from land and from boat over fresh and marine water), and the extent of such activities.
9. Information about the market structure: please provide information on the market structure for clay targets, in particular the elasticity of supply and demand. Could we please get figures on the consumers of clay targets? How many trap and skeet shooting ranges are known in the EU? How many active clay target shooters do we have in the EU?

The final opinions of both Committees are scheduled to be available by 22 December 2022. ECHA will send the joint opinion of the Committees to the European Commission,

² The relevant Guidance for identification and naming of substances under REACH and CLP (http://echa.europa.eu/documents/10162/13643/substance_id_en.pdf) and the Question and answers on Substance Identification (<http://echa.europa.eu/support/gas-support/gas>) can be used to help respond to this request. We would appreciate, in addition, if you could include this information as well as updates of the registration dossiers.

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which will take the decision whether to include the proposed restriction in Annex XVII of the REACH Regulation.

The Dossier Submitter and the Rapporteurs will all respond to the issues raised in the consultation and these responses will be published with the launch of the consultation on the SEAC draft opinion in month nine of the process.