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Federal Minister for the  
Environment, Nature  
Conservation and Nuclear Safety  
Robert-Schuman-Platz 3  
53175 Bonn  
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Brussels, 23 June 2010

**Ref: Possible submission of an Annex XV dossier on Chromium trioxide**

Dear Sir,

We have been informed by Wirtschaftsverband Stahl und Metallverarbeitung (WSM) that the German authorities intend to put forward certain substances for the candidate list for authorisation in the framework of REACH.

As European federations, Orgalime, ACEA and CLEPA have members across EU Member States sharing the problems described below and our members are particularly concerned by the intention to include Chromium trioxide (CAS # 1333-82-0) in your proposal.

Chromium trioxide is classified as a CMR substance (CLP Regulation (EC) No 1272/2008) for which the companies we represent are actively seeking a substitute for certain applications. R&D has made significant advances in this field and these have resulted in many substitutes, as evidenced by the major decrease in consumption of this substance in European countries.

Nevertheless, for some of the sectors represented within our membership, there are several uses of Chromium trioxide for which, to date, R&D has found no technically or economically feasible substitute: chromium plating, chromate conversion layer for powder coatings of aluminium and other metals, sulfo-chromium stripping of ABS plastics, chromic acid anodising, control of bi-metallic welding and ceramography, chromic acid tests of anodic layers. These uses are technically essential to our industries and their withdrawal within the European Union would have serious socio-economic consequences in the various stages of the industrial chains concerned.

We would like to draw your attention to the fact that a risk of delocalisation could very well occur in national industries throughout the European Union.

Regulations described in the working and environmental directives strictly regulate these uses.

Indeed, Chromium trioxide has already been thoroughly evaluated under the Regulation 793/93 on Existing Substances (ESR) which, has now been repealed and replaced by the Regulation (EC) No 1907/2006 on REACH. Risk assessments and risk management measures for limiting risks have been introduced and implemented. The United Kingdom was Rapporteur Country for the Chromium trioxide ESR review, and the resulting Commission conclusions and recommendations of 30 May 2008 were published in the Official Journal of 18 June 2008<sup>1</sup>.

As the European representatives of these industries, we are not convinced about the necessity to submit an Annex XV dossier on Chromium trioxide. We question the need to introduce an Annex XV dossier for a substance that has already been thoroughly investigated and which has undergone extensive R&D work in certain applications in order to replace it.

Yours sincerely,



Adrian Harris

Director General ORGALIME

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**ORGALIME**, the European Engineering Industries Association, speaks for 33 trade federations representing some 130,000 companies in the mechanical, electrical, electronic, metalworking & metal articles industries of 22 European countries. The industry employs some 10.6 million people in the EU and in 2009 accounted for some €1,427 billion of annual output. The industry not only represents more than one quarter of the output of manufactured products but also a third of the manufactured exports of the European Union.

**CLEPA** is the European Association of Automotive Suppliers. 76 of the world's most prominent suppliers for car parts, systems and modules and 27 National trade associations and European sector associations are members of CLEPA, representing more than 3,000 companies, employing more than three million people and covering all products and services within the automotive supply chain. Based in Brussels, Belgium, CLEPA is recognized as the natural discussion partner by the European Institutions, United Nations and fellow associations (ACEA, JAMA, MEMA, etc).

**ACEA**, the European Automobile Manufacturers Association (ACEA), founded in 1991, represents the interests of the fifteen European car, truck and bus manufacturers at EU level. The ACEA members are BMW Group, DAF Trucks, Daimler, FIAT Group, Ford of Europe, General Motors Europe, Jaguar Land Rover, MAN Nutzfahrzeuge, Porsche, PSA Peugeot Citroën, Renault, Scania, Toyota Motor Europe, Volkswagen Group and Volvo Group. The European automotive industry is key to the strength and competitiveness of Europe. The ACEA members provide direct employment to more than 2.3 million people and indirectly support another 10 million jobs. Annually, they invest over €26 billion in R&D, or about 5% of turnover.

<sup>1</sup> O. J. 2008/C152/01 ( <http://eur-lex.europa.eu/JOIndex.do?year=2008&serie=C&textfield2=152&Submit=Search&submit=Search&ihmlang=en>)