

**OPINION OF THE MEMBER STATE COMMITTEE
ON THE DRAFT ANNUAL
COMMUNITY ROLLING ACTION PLAN UPDATE
COVERING THE YEARS 2021-2023**

According to Articles 44 and 45 of
Regulation (EC) 1907/2006¹

Adopted on 10 February 2021

OPINION

MSC is of the opinion that the substances included in the draft annual CoRAP update for the years 2021-2023 listed in the Annex should be prioritised for further evaluation. There are grounds for considering that these substances may constitute a potential risk to human health and/or the environment. To clarify the concern and inform risk management, generation of new information may be required.

¹Regulation (EC) No 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH), establishing a European Chemicals Agency, amending Directive 1999/45/EC and repealing Council Regulation (EEC) No 793/93 and Commission Regulation (EC) No 1488/94 as well as Council Directive 76/769/EEC and Commission Directives 91/155/EEC, 93/67/EEC, 93/105/EC and 2000/21/EC

BASIS FOR THE OPINION

According to Article 44 of Regulation (EC) No 1907/2006 (REACH) the Agency compiles a draft Community Rolling Action Plan (CoRAP) for a period of three years based on agreed selection criteria². The Member State Committee (MSC) provides an opinion on it, and ECHA adopts the CoRAP update on the basis of this opinion.

The MSC used the draft CoRAP update 2021-2023 and associated justification documents developed by MSCAs as the basis for its opinion on the inclusion of the substances listed.

MSC notes that the draft CoRAP update 2021-2023 contained altogether 63 entries with 58 of them for evaluation in 2021-2023 and five to be withdrawn. Of these 58, 50 substances are divided for evaluation in 2022 and 2023, 8 being planned for evaluation in 2021.

The list contains three substances newly allocated to Member States. From the 58 substances for evaluation in 2021-2023 currently included in the draft CoRAP update published on 8 December 2020, the respective MS postponed the evaluation of 28 cases to later years mainly to await the arrival of new information. The designated evaluating Member States considered withdrawing of 5 cases as, based on new information or changes of circumstances, evaluation was of low priority or unnecessary.

The MSC assessed for each substance the following question:

- Does the concern fulfil the agreed selection criteria?
- Does the concern given in the draft CoRAP update match with the justification stated in the justification document?
- Which of the selection criteria are fulfilled?
- If Article 45(5) is used as legal basis to propose the substance, does the justification document describe a risk based concern?
- Are there any inconsistencies in the justification document which may prevent inclusion of the substance in the CoRAP update?

The MSC verified that the agreed selection criteria are met for the new entries. For the remaining entries the MSC has provided an opinion in the past and considers this as still valid. In its assessment MSC did not identify any reason for not including all the substances in the

² The selection criteria to prioritise substances for Substance Evaluation can be found on the ECHA website on: https://echa.europa.eu/documents/10162/13628/background_doc_criteria_ed_32_2011_en.pdf/67441c3c-75be-4ecd-992e-b90ab2041805

CoRAP update. The draft CoRAP update table (Annex) includes the MSC conclusion for every new substance on whether or not the substance should be selected for substance evaluation.

PROCESS FOR ADOPTION OF THE OPINION

MSC nominated the rapporteur at MSC-71 to draft its opinion. On 4 November 2020 ECHA secretariat requested MSC to provide an opinion on the draft CoRAP update. The MSC discussed the draft opinion at MSC-72, and the opinion was adopted at MSC-73 on 10 February 2021.

ANNEX

Table of substances representing the draft CoRAP update 2021-2023 including criteria used for the proposal (grounds for concern/selection criteria met), legal basis and conclusion of MSC on application of selection criteria.