



EUROPEAN COMMISSION

Directorate-General for Internal Market, Industry, Entrepreneurship and SMEs
 Consumer, Environmental and Health Technologies

Directorate-General for Environment
 Circular Economy and Green Growth

Directors

Brussels,
 GROW/D1/MGM/nt
 grow.ddg1.d.1(2018) 692338

Mr Bjorn Hansen
 Executive Director
 European Chemicals Agency
 Annakatu 18 P.O. Box 400
 FI – 00121 Helsinki

**NOTE FOR THE ATTENTION OF
 MR B. HANSEN, EXECUTIVE DIRECTOR OF ECHA**

Subject: D6 - Update to the request to the European Chemicals Agency to prepare a restriction proposal conforming to the requirements of Annex XV to REACH

In accordance with Article 69 (1) of the REACH Regulation, we would like to request ECHA to prepare an Annex XV dossier in view of a possible restriction on dodecamethylcyclohexasiloxane ('D6') (EC number: 208-762-8, CAS number: 540-97-6) as set out below.

The Commission, based on the opinions of RAC and SEAC of 2016, concluded that an unacceptable risk to the environment arises from the presence of octamethylcyclotetrasiloxane ('D4') and decamethylcyclopentasiloxane ('D5'), two substances structurally similar to D6, in cosmetic products that are washed off with water after application and that the risks need to be addressed on a Union wide basis. In accordance with Article 73 (1) of REACH, the Commission has published a Regulation to restrict the use of these substances in EU under the specific conditions described above. The Regulation does not cover leave-on products (as defined in the preamble to Annexes II to VI to Regulation (EC) 1223/2009), products that are not washed-off after use.

On 15 December 2016, the Commission requested to the Agency (Ref. Ares(2017)6305909) to prepare an Annex XV dossier for restriction for D4 and D5 in leave-on cosmetic products and in other consumer or professional products not covered by the recently adopted restriction. In 2017, the PBT Expert Group agreed that D6 fulfils the criteria of Annex XIII of REACH for identification as a vPvB. From the information available to us, D6 is a potential alternative to D4 and D5 in cosmetic products. For all these reasons, the Commission believes that it is more efficient to address the three substances at the same time under one restriction proposal, since they are structurally

[REDACTED]

similar, they are used in the same sectors and they may result in the same unacceptable level of risk for the environment.

Therefore, the Commission would like to ask ECHA to include in the Annex XV dossier under development for D4 and D5, the use of D6 in wash-off and leave-on cosmetic products and in other consumer or professional products. For this purpose, ECHA should enter the relevant intention into the Registry of Intentions within one month of receipt of this note.

The information provided in the RMOA for D6 developed by the UK may serve as a basis for this new restriction dossier. Nevertheless, ECHA will need to collect additional information on the uses of D6 and on the socio-economic impacts of its restriction. For this reason, we consider that the submission of the restriction dossier for D4, D5 and D6 should be postponed from April 2018 to January 2019.

We would appreciate to receive as soon as possible a confirmatory letter from ECHA that our request has been accepted.

(e-signed)
Carlo Pettinelli
DG Internal Market, Industry,
Entrepreneurship and SMEs

(e-signed)
Kestutis Sadauskas
DG Environment

CC: [REDACTED]
[REDACTED]