

This version of the Annex includes changes proposed by Member States, which the Commission services accepted. The highlighted text will be discussed at the REACH committee meeting on 19-20 November. The RCOM addressing the comments received will be uploaded on CIRCABC in the coming week.



Brussels, **XXX**
[...](2019) **XXX** draft

ANNEX

ANNEX

to the

COMMISSION REGULATION (EU) .../... of XXX

**amending Annex XVII to Regulation (EC) No 1907/2006 of the European Parliament
and of the Council concerning the Registration, Evaluation, Authorisation and
Restriction of Chemicals (REACH) as regards diisocyanates**

ANNEX

In Annex XVII to Regulation (EC) No 1907/2006, the following entry is added:

<p>“XX. Diisocyanates, O=C=N-R-N=C=O, with R an aliphatic or aromatic hydrocarbon unit of unspecified length”</p>	<p>1. Shall not be used as substances on their own, as a constituent in other substances or in mixtures for industrial and professional use(s) after [<i>OP, please insert the date corresponding to 2 years after the entry into force of this Regulation</i>], unless:</p> <ul style="list-style-type: none">- the concentration of diisocyanates individually or in combination is less than 0,1% by weight, or- the employer or self-employed ensure that industrial or professional user(s) have successfully completed a training on the safe use of diisocyanates prior to the use of the substance(s) or mixture(s). <p>2. Shall not be placed on the market as substances on their own, as a constituent in other substances or in mixtures for industrial and professional use(s) after [<i>OP, please insert the date corresponding to 18 months after the entry into force of this Regulation</i>], unless:</p> <ul style="list-style-type: none">- the concentration of diisocyanates individually or in combination is less than 0,1% by weight, or- the supplier ensures that the recipient of the substance(s) or mixture(s) is provided with information on the requirements of paragraph 1(b) and includes information on the packaging, visibly separated from the rest of the label information as follows: <i>after [OP, please insert the date corresponding to 2 years after the entry into force of this Regulation]_adequate training required before industrial or professional use.</i> <p>3. For the purpose of this entry, “industrial and professional user(s)” means workers and self-employed workers handling diisocyanates on their own, as a constituent in other substances or in mixtures for industrial and professional use(s) or supervising these tasks.</p> <p>4. The training referred to in paragraph 1(b) shall ensure the control of the dermal and inhalation exposure to diisocyanates at the workplace without prejudice to any existing national occupational exposure limit value and</p>
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any or other appropriate risk management measures already in place at the workplace at national level. Such training ~~should~~ shall be conducted by an expert on occupational safety and health with competence acquired by relevant vocational training. That training shall cover as a minimum:

- (a) the training elements in paragraph 5(a) for all industrial and professional use(s).
- (b) the training elements in paragraph 5(a) and (b) for the following uses:
 - handling open mixtures at ambient temperature (including foam tunnels);
 - spraying in a ventilated booth;
 - application by roller;
 - application by brush;
 - application by dipping and pouring;
 - mechanical post treatment (e.g. cutting) of not fully cured articles which are not warm anymore;
 - cleaning and waste;
 - any other uses with similar exposure through the dermal and/or inhalation route;
- (c) the training elements in paragraph 5(a), 5 (b) and (c) for the following uses:
 - handling incompletely cured articles (e.g. freshly cured, still warm);
 - foundry applications;
 - maintenance and repair that needs access to equipment;
 - open handling of warm or hot formulations (>45°C);
 - spraying in open air, with limited or only natural ventilation (includes large industry working halls) and spraying with high energy (e.g. foams, elastomers);
 - and any other uses with similar exposure through the dermal and/or inhalation route.

5. Training elements:

- (a) general training, including on-line training, on:
 - chemistry of diisocyanates;
 - toxicity hazards (including acute toxicity);

	<ul style="list-style-type: none"> – exposure to diisocyanates; – occupational exposure limit values; – how sensitisation can develop; – odour as indication of hazard; – importance of volatility for risk; – viscosity, temperature, and molecular weight of diisocyanates; – personal hygiene; – personal protective equipment needed, including practical instructions for its correct use and its limitations; – risk of dermal contact and inhalation exposure; – risk in relation to application process used; – skin and inhalation protection scheme; – ventilation; – cleaning, leakages, maintenance; – discarding empty packaging; – protection of bystanders; – identification of critical handling stages; – specific national code systems (if applicable); – behaviour-based safety; – certification requirements for attendees; Certification or documented proof to have completed successfully the training. <p>(b) intermediate level training, including on-line training, on:</p> <ul style="list-style-type: none"> – specific personal protective equipment needed, including practical instructions for its correct use and and its limitations; – behaviour-based aspects; – maintenance; – management of change; – evaluation of existing safety instructions; – risk in relation to application process used; – certification requirements for attendees; Certification or
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documented proof to have completed successfully the training.

(c) advanced training, including on-line training, on:

- any additional certification needed for the tasks that are covered ;
- spraying outside a spraying booth;
- open handling of hot or warm formulations (>45°C);
- Certification or documented proof to have completed successfully the training certification requirements for attendees.

6. The training shall comply with the provisions set by the Member State in which the industrial or professional user(s) operate. Member States may implement or continue to apply their own national requirements for the use of these substances and mixtures, as long as the minimum requirements set out in paragraphs 4 and 5 are met.

7. Manufacturers and importers of diisocyanates on their own or as a constituent in other substances, and importers and manufacturers of mixtures containing diisocyanates shall develop a set of teaching material in an official language of the Member State where the substance(s) or mixture(s) is placed on the market in accordance with the minimum provisions established in paragraph 4 and 5. They shall ensure that training courses based on that training material are available to the recipients of such substances or mixtures taking into consideration the specificity of the products, including composition, packaging, and design.

8. The training shall be renewed at least every five years and- the employer or self-employed shall document the successful completion of the training referred to paragraph 1 (b). For uses of diisocyanates that are not covered by the restriction according to paragraph 1(b) the employer or self-employed shall document the successful completion of the training referred to in that paragraph.

8.9. Member States shall report five years after the entry into force of this regulation to the Commission on:

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| | <ul style="list-style-type: none">(a) the established training requirements and other risk management measures related to the industrial and professional uses of diisocyanates;(b) the number of cases registered per year on occupational asthma and occupational respiratory and dermal disease;(c) national exposure limits for diisocyanates, if there are any;(d) information about enforcement activities related to the industrial and professional uses of diisocyanates. |
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~~9.10.~~ 9.10. Manufacturers, importers, employers and self-employed shall provide information referred to in paragraph 9(a) and 9(b) to the competent authority of the Member State where the use takes place.

~~10.11.~~ 10.11. This restriction shall apply without prejudice to other Union legislation on the protection of safety and health of workers at the workplace.