



Dow Europe GmbH
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Switzerland

Potential Submission of Trichloroethylene (TRI) to Authorisation

Information Letter No. 2:

Identification of TRI as Substance of Very High Concern (SVHC) and addition to the Candidate List

Dear Valued Customer,

The purpose of this letter is to continue our efforts to keep you updated on

- the activities by the European Chemicals Agency (ECHA) concerning the potential authorisation of TRI under REACH,
- the steps which Dow is taking to help secure ongoing availability for customers who use this product in a responsible manner.

Background

In a letter sent out in April 2010, we have informed you that TRI had been proposed, together with 7 other substances, for identification as SVHC.

After public consultation, and following an unanimous agreement of the EU Member State Committee (MSC), the 8 proposed substances, including TRI, were confirmed to fulfil the SVHC criteria and on June 18, 2010 ECHA has added them on the Candidate List. The Candidate List now contains 38 substances in total.

Next step

The next step will now be the **prioritisation or de-prioritisation** of the identified SVHC **for inclusion or not** into Annex XIV of REACH. Annex XIV is listing the substances which will be finally submitted to authorisation. Only when TRI has been officially included into Annex XIV, the authorisation process will start.

The decision by ECHA on prioritisation of TRI for inclusion into Annex XIV can earliest be expected for summer 2011. If ECHA indicates to prioritise TRI, from this point in time it is expected that it will take about an additional year until the official inclusion of TRI into Annex XIV becomes effective. As of then authorisation requests for non-exempted uses can be submitted. From the date of publication of TRI as part of Annex XIV it will take a minimum of 3 years until the provisions of Annex XIV become active.

Dow's position and support of TRI remains unchanged

Since TRI is not used in articles or consumer products the inclusion of TRI into the Candidate Lists does currently not mean any change for customers.



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As already emphasised in the letter sent in April, Dow and its subsidiary SAFECHEM Europe GmbH (SAFECHEM) will continue to promote the long-term sustainable use of TRI in applications where risks can be properly controlled, especially when alternatives would pose higher risks or are not available and the use of TRI is found indispensable. Dow and SAFECHEM are continuing to be fully committed to the safe use of TRI with adequate risk control installed. Therefore, Dow and SAFECHEM will

- continue to present the facts for a safe use of TRI to ECHA and Member States and
- continue to support the implementation of proper risk management tools.

The implementation of the TRI charter as well as our discussions with authorities provides us with confidence to achieve a positive outcome of the authorization process, respective to achieve either exemptions from authorization or authorization of relevant applications.

Many thanks for your continued confidence in Dow and SAFECHEM. We will continue to keep you informed of new developments.

A handwritten signature in black ink that reads "P. Angelov".

P. Angelov
(Marketing Executive, Europe/IMEA, Dow Europe GmbH)

References to "Dow" or the "Company" mean The Dow Chemical Company and its consolidated Subsidiaries unless otherwise expressly noted.