



Dow Europe GmbH  
Bachtobelstrasse 3  
CH-8810 Horgen  
Switzerland

## Proposal of trichloroethylene as Substance of Very High Concern (SVHC)

Dear Valued Customer,

The purpose of this letter is to provide an update on recent activity by the European Chemicals Agency (ECHA) around trichloroethylene and the steps Dow is taking to help secure ongoing availability for customers who use this product in a responsible manner.

### Background

The ECHA has recently published a list of 8 substances being proposed for identification as Substances of Very High Concern (SVHC). **Trichloroethylene (TRI) has been included in this list.** Examples of commercial products based on trichloroethylene are: NEU-TRI™ E and HI-TRI™ SMG.

In the next steps, the ECHA will have to decide:

1. Whether or not the proposed substances fulfil the criteria of a SVHC and will be added to the Candidate List.
2. Whether or not to prioritise or de-prioritise the identified SVHC for inclusion into Annex XIV (listing substances needing authorisation). This step will involve detailed analysis of the potential risks, and offer additional consultation of interested parties.

Possible outcomes are:

- The substance is de-prioritised<sup>1</sup> and not included in Annex XIV.
- The substance is prioritised for inclusion in Annex XIV but uses, or groups of uses, are exempted from authorisation.
- The substance is prioritised for inclusion in Annex XIV with no uses exempted, meaning all identified uses that are within the scope of the authorisation procedure are subject to authorisation.

### What is Dow's position?

Dow and its subsidiary SAFECHEM Europe GmbH (SAFECHEM) will continue to promote the long-term sustainable use of trichloroethylene in applications where risks can be properly controlled, especially when alternatives would pose higher risks or are not available and the use of trichloroethylene is found indispensable. Examples of indispensable uses of trichloroethylene are cleaning processes to produce safety relevant goods with high quality and reliability (e.g., high precision parts that are used in automotive, aerospace or medicine) where meeting the cleaning requirements is of utmost importance. Not meeting these requirements would pose an undue risk to human health or the environment.

Therefore, Dow and SAFECHEM are continuing to be fully committed to the safe use of trichloroethylene with adequate risk control installed. Dow and SAFECHEM have long been aware that adequate risk management is essential for the continued use of trichloroethylene. For substances which have a threshold for their safe use, the REACH legislation explicitly states that an authorisation has to be granted if the risk is demonstrated to be adequately controlled. Trichloroethylene is one of such substances.

---

<sup>1</sup> e.g., because the identified uses, which are within the scope of the authorisation procedure, are subject to specific Community legislation ensuring that risks are properly controlled.



Dow Europe GmbH  
Bachtobelstrasse 3  
CH-8810 Horgen  
Switzerland

### What steps are being taken by Dow and SAFECHEM?

- Dow sees valid argumentation and justification to get trichloroethylene de-prioritised and not added to the list of substances subject to authorisation (Annex XIV) or to get uses of trichloroethylene exempted from authorisation.

To achieve this, Dow will work closely with ECSA (the European Chlorinated Solvents Association) to give input to the current, as well as future, consultation processes. The basis for our argumentation is that through the Volatile Organic Compounds (VOC) Directive (Council Directive 1999/13/EC as amended) and the trichloroethylene Voluntary Industry Commitment (VIC), product specific risks are adequately controlled thereby justifying de-prioritisation of trichloroethylene or exemption of uses.

- Dow and SAFECHEM will continue to support the implementation of proper Risk Management tools (e.g., closed cleaning systems). Dow and SAFECHEM are strongly committed to the SAFE-TAINER™ system as Best Available Technology (BAT) for safe solvent handling, transfer and storage. We will continue to support CHEMAWARE™ as the internet-based knowledge platform providing users easy access to the most advanced knowledge for safe solvent use and adequate risk control.
- Dow – through SAFECHEM – will continue to support customers in substituting trichloroethylene where feasible by providing professional consultancy and alternative cleaning solutions. Furthermore, SAFECHEM will continue to support the complete implementation of the trichloroethylene Voluntary Industry Commitment, which states that only those customers who use the solvent in enclosed cleaning machines (European Standard EN12921-4) will be supplied with trichloroethylene as of 1<sup>st</sup> January 2011.

### Defending our joint interests

Dow and SAFECHEM invite all concerned downstream users to work with Dow/SAFECHEM to find adequate solutions for proper risk control and to work through their associations and/or together with Dow/SAFECHEM to defend joint interests.

Many thanks for your continued confidence in Dow and SAFECHEM.

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.