

ANNEX XVII TO REACH – Conditions of restriction

Restrictions on the manufacture, placing on the market and use of certain dangerous substances, mixtures and articles

Entry 23
Cadmium
CAS No 7440-43-9
EC No 231-152-8 and its compounds

Conditions of restriction
<p>For the purpose of this entry, the codes and chapters indicated in square brackets are the codes and chapters of the tariff and statistical nomenclature of Common Customs Tariff as established by Council Regulation (EEC) No 2658/87 (*).</p> <p>1. Shall not be used in mixtures and articles produced from the following synthetic organic polymers (hereafter referred to as plastic material):</p> <ul style="list-style-type: none">— polymers or copolymers of vinyl chloride (PVC) [3904 10] [3904 21]— polyurethane (PUR) [3909 50]— low-density polyethylene (LDPE), with the exception of low-density polyethylene used for the production of coloured masterbatch [3901 10]— cellulose acetate (CA) [3912 11]— cellulose acetate butyrate (CAB) [3912 11]— epoxy resins [3907 30]— melamine-formaldehyde (MF) resins [3909 20]— urea-formaldehyde (UF) resins [3909 10]— unsaturated polyesters (UP) [3907 91]— polyethylene terephthalate (PET) [3907 60]— polybutylene terephthalate (PBT)— transparent/general-purpose polystyrene [3903 11]— acrylonitrile methylmethacrylate (AMMA)— cross-linked polyethylene (VPE)— high-impact polystyrene— polypropylene (PP) [3902 10] <p>Mixtures and articles produced from plastic material as listed above shall not be placed on the market if the concentration of cadmium (expressed as Cd metal) is equal to or greater than 0,01 % by weight of the plastic material.</p> <p>By way of derogation, the second subparagraph shall not apply to articles placed on the</p>

market before 10 December 2011.

The first and second subparagraphs apply without prejudice to Council Directive 94/62/ EC (**) and acts adopted on its basis.

By 19 November 2012, in accordance with Article 69, the Commission shall ask the European Chemicals Agency to prepare a dossier conforming to the requirements of Annex XV in order to assess whether the use of cadmium and its compounds in plastic material, other than that listed in subparagraph 1, should be restricted.

2. Shall not be used or placed on the market in paints with codes [3208] [3209] in a concentration (expressed as Cd metal) equal to or greater than 0,01 % by weight.

For paints with codes [3208] [3209] with a zinc content exceeding 10 % by weight of the paint, the concentration of cadmium (expressed as Cd metal) shall not be equal to or greater than 0,1 % by weight.

Painted articles shall not be placed on the market if the concentration of cadmium (expressed as Cd metal) is equal to or greater than 0,1 % by weight of the paint on the painted article.

3. By way of derogation, paragraphs 1 and 2 shall not apply to articles coloured with mixtures containing cadmium for safety reasons.

4. By way of derogation, paragraph 1, second sub paragraph shall not apply to:

— mixtures produced from PVC waste, hereinafter referred to as 'recovered PVC',

— mixtures and articles containing recovered PVC if their concentration of cadmium (expressed as Cd metal) does not exceed 0,1 % by weight of the plastic material in the following rigid PVC applications:

- (a) profiles and rigid sheets for building applications;
- (b) doors, windows, shutters, walls, blinds, fences, and roof gutters;
- (c) decks and terraces;
- (d) cable ducts;
- (e) pipes for non-drinking water if the recovered PVC is used in the middle layer of a multilayer pipe and is entirely covered with a layer of newly produced PVC in compliance with paragraph 1 above.

Suppliers shall ensure, before the placing on the market of mixtures and articles containing recovered PVC for the first time, that these are visibly, legibly and indelibly marked as follows: ' Contains recovered PVC ' or with the following pictogram:



In accordance with Article 69 of this Regulation, the derogation granted in paragraph 4 will be reviewed, in particular with a view to reducing the limit value for cadmium and to reassess the derogation for the applications listed in points (a) to (e), by 31 December 2017.

5. For the purpose of this entry, 'cadmium plating' means any deposit or coating of metallic cadmium on a metallic surface.

Shall not be used for cadmium plating metallic articles or components of the articles used in the following sectors/applications:

(a) equipment and machinery for:

- food production [8210] [8417 20] [8419 81] [8421 11] [8421 22] [8422] [8435] [8437] [8438] [8476 11]
- agriculture [8419 31] [8424 81] [8432] [8433] [8434] [8436]
- cooling and freezing [8418]
- printing and book-binding [8440] [8442] [8443]

(b) equipment and machinery for the production of:

- household goods [7321] [8421 12] [8450] [8509] [8516]
- furniture [8465] [8466] [9401] [9402] [9403] [9404]
- sanitary ware [7324]
- central heating and air conditioning plant [7322] [8403] [8404] [8415]

In any case, whatever their use or intended final purpose, the placing on the market of cadmium-plated articles or components of such articles used in the sectors/applications listed in points (a) and (b) above and of articles manufactured in the sectors listed in point (b) above is prohibited.

6. The provisions referred to in paragraph 5 shall also be applicable to cadmium-plated articles or components of such articles when used in the sectors/applications listed in points (a) and (b) below and to articles manufactured in the sectors listed in (b) below:

(a) equipment and machinery for the production of:

- paper and board [8419 32] [8439] [8441] textiles and clothing [8444] [8445] [8447] [8448] [8449] [8451] [8452]

(b) equipment and machinery for the production of:

- industrial handling equipment and machinery [8425] [8426] [8427] [8428] [8429] [8430] [8431]
- road and agricultural vehicles [chapter 87]
- rolling stock [chapter 86]
- vessels [chapter 89]

7. However, the restrictions in paragraphs 5 and 6 shall not apply to:

- articles and components of the articles used in the aeronautical, aerospace, mining, offshore and nuclear sectors whose applications require high safety standards and in safety devices in road and agricultural vehicles, rolling stock

and vessels,

— electrical contacts in any sector of use, where that is necessary to ensure the reliability required of the apparatus on which they are installed.

8. Shall not be used in brazing fillers in concentration equal to or greater than 0,01 % by weight.

Brazing fillers shall not be placed on the market if the concentration of cadmium (expressed as Cd metal) is equal to or greater than 0,01 % by weight.

For the purpose of this paragraph brazing shall mean a joining technique using alloys and undertaken at temperatures above 450 °C.

9. By way of derogation, paragraph 8 shall not apply to brazing fillers used in defence and aerospace applications and to brazing fillers used for safety reasons.

10. Shall not be used or placed on the market if the concentration is equal to or greater than 0,01 % by weight of the metal in:

- (i) metal beads and other metal components for jewellery making;
- (ii) metal parts of jewellery and imitation jewellery articles and hair accessories, including:

- bracelets, necklaces and rings,
- piercing jewellery,
- wrist-watches and wrist-wear,
- brooches and cufflinks.

11. By way of derogation, paragraph 10 shall not apply to articles placed on the market before 10 December 2011 and jewellery more than 50 years old on 10 December 2011.

(*) OJ L 256, 7.9.1987, p. 42.

(**) OJ L 365, 31.12.1994, p. 10