

## COMMENTS ON AN ANNEX XV DOSSIER FOR IDENTIFICATION OF A SUBSTANCE AS SVHC AND RESPONSES TO THESE COMMENTS

**Disclaimer:** Comments provided during the consultation are made available as submitted by the commenting parties. It was in the commenting parties own responsibility to ensure that their comments do not contain confidential information. The Response to Comments table has been prepared by the competent authority of the Member State preparing the proposal for identification of a substance of very high concern.

**Substance name:** Diphenyl(2,4,6-trimethylbenzoyl)phosphine oxide

**CAS number:** 75980-60-8

**EC number:** 278-355-8

**The substance is proposed to be identified as meeting the following SVHC criteria set out in Article 57 of the REACH**

**Regulation:** Toxic for reproduction (Article 57c)

### PART I: Comments and responses to comments on the SVHC proposal and its justification

#### General comments on the SVHC proposal

Number / Date	Submitted by (name, submitter type, country)	Comment	Responses
5749 2023/04/03	Epson Europe B.V., Company, Netherlands	Epson has no comment regarding the hazard of the substance and its classification. However, we would like to raise your attention on the timeline of this process. At tis moment the moment their is a registry of intention to have a harmonised classification as Repr 1B, RAC opinion is adopted but this classification is not yet in the Annex VI of CLP. Because the process of identification of as SVHC is running in parallel of the process of the new CLH classification, we would like to suggest that both	Thank you for your comment. The process for harmonised classification and labelling under the CLP Regulation and the process for the identification of substances as SVHCs under the REACH Regulation have different timelines. For the identification of substances as SVHCs, these timelines are specified in the legal text and therefore cannot be changed. As a result, it is not possible to align the date of entry into force of the

		process will be in the same timeline to avoid any confusing communication in the supply chain.	obligations derived from the listing of a substance in the Candidate List and the date of application of the corresponding Commission Delegated Regulation amending, for the purposes of its adaptation to technical and scientific progress, Part 3 of Annex VI to Regulation (EC) No 1272/2008, for the inclusion of the substance in the Annex.
--	--	--	--

### Specific comments on the justification

Number / Date	Submitted by (name, submitter type, country)	Comment	Responses
5740 2023/03/01	Health and Environment Alliance (HEAL), International NGO, Belgium	<p>The Health and Environment Alliance (HEAL) thanks Sweden for its proposal to identify Diphenyl(2,4,6-trimethylbenzoyl)phosphine oxide as a substance of very high concern (SVHC) due to its reprotoxic properties according to REACH article 57(c).</p> <p>Because ECHA's Risk Assessment Committee suggested through a consensus opinion that the substance should be classified as a reprotoxicant category 1B in September 2021 under the CLP regulation (regulation 1272/2008) and that it is included in the 21st ATP to CLP, we consider the proposed SVHC identification to be unequivocal.</p>	Thank you for your support.
5741 2023/03/20	ChemSec, International NGO, Sweden	ChemSec supports the identification of this substance as an SVHC based on its agreed and upcoming classification as Toxic to Reproduction 1B.	Thank you for your support.
5744 2023/03/24	Norway, Member State	The Norwegian CA supports that diphenyl(2,4,6-trimethylbenzoyl)phosphine oxide should be identified	Thank you for your support.

		as a substance of very high concern and should be included in the Candidate List.	
5750 2023/04/03	ANSES, National Authority, France	The harmonised classification Repro 1B (H360Fd) of Diphenyl(2,4,6-trimethylbenzoyl)phosphine oxide fulfils the criteria to identify the substance as an SVHC under article 57(c) and the SVHC identification is supported.	Thank you for your support.
5752 2023/04/03	Germany, Member State	The German CA supports the identification of Diphenyl(2,4,6-trimethylbenzoyl)phosphine oxide as SVHC based on its classification as Repr 1B.	Thank you for your support.

**PART II: Comments and responses to comments on uses, exposures, alternatives and risks**

**Specific comments on use, exposure, alternatives and risks**

<b>Number / Date</b>	<b>Submitted by (name, submitter type, country)</b>	<b>Comment</b>	<b>Responses</b>
--------------------------	---	----------------	------------------

No comments received