

24 May 2012

AGREEMENT OF THE MEMBER STATE COMMITTEE
ON THE IDENTIFICATION OF DIBORON TRIOXIDE
AS A SUBSTANCE OF VERY HIGH CONCERN

According to Articles 57 and 59 of
Regulation (EC) 1907/2006¹

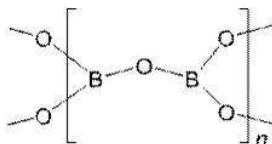
Adopted on 24 May 2012

This agreement concerns

Substance name: Diboron trioxide
EC number: 215-125-8
CAS number: 1303-86-2

Molecular formula: B₂O₃

Structural formula:



¹Regulation (EC) No 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH), establishing a European Chemicals Agency, amending Directive 1999/45/EC and repealing Council Regulation (EEC) No 793/93 and Commission Regulation (EC) No 1488/94 as well as Council Directive 76/769/EEC and Commission Directives 91/155/EEC, 93/67/EEC, 93/105/EC and 2000/21/EC

German CA presented a proposal in accordance with Article 59(3) and Annex XV of the REACH Regulation (24/02/2012, submission number CT007459-22) on identification of *Diboron trioxide* as a substance of very high concern due to its toxic to reproduction properties.

The Annex XV dossier was circulated to Member States on 27 February 2012 and the Annex XV report was made available to interested parties on the ECHA website on the same day according to Articles 59(3) and 59(4).

Comments were received by both Member States and interested parties on the proposal.

The dossier was referred to the Member State Committee on 14 May 2012 and agreed in the written procedure of the Member State Committee with closing date of 24 May 2012.

Agreement of the Member State Committee in accordance with Article 59(8):

***Diboron trioxide* is identified as a substance meeting the criteria of Article 57 (c) of Regulation (EC) 1907/2006 (REACH) owing to its classification as toxic for reproduction category 1B². This classification corresponds to classification as toxic for reproduction category 2³.**

² Classification in accordance with Regulation (EC) No 1272/2008 Annex VI, part 3, Table 3.1 List of harmonised classification and labelling of hazardous substances as amended and adapted to technical and scientific progress by Commission Regulation (EC) No 790/2009, OJ No L 235, p. 1, 5.9.2009.

³ Classification in accordance with Regulation (EC) No 1272/2008, Annex VI, part 3, Table 3.2 List of harmonised classification and labelling of hazardous substances (from Annex I to Council Directive 67/548/EEC), as amended and adapted to technical and scientific progress by Commission Regulation (EC) No 790/2009, OJ No L 235, p. 1, 5.9.2009

**UNDERLYING ARGUMENTATION
FOR IDENTIFICATION OF SUBSTANCE OF VERY HIGH CONCERN**

Toxicity for reproduction:

Diboron trioxide is covered by Index number 005-008-00-8 of Regulation (EC) No 1272/2008 as amended and adapted to technical and scientific progress by Regulation (EC) No 790/2009, as of 1 December 2010, and classified in Annex VI, Part 3, Table 3.1 (list of harmonised classification and labelling of hazardous substances) as toxic for reproduction, Repr. 1B (H360FD: "May damage fertility. May damage the unborn child."). The corresponding classification in Annex VI, part 3, Table 3.2 (the list of harmonised classification and labelling of hazardous substances from Annex I to Directive 67/548/EEC) of Regulation (EC) No 1272/2008 is toxic for reproduction, Repr. Cat. 2 (R60:"May impair fertility." R61: "May cause harm to the unborn child").

Therefore, this classification of diboron trioxide in Regulation (EC) No 1272/2008 as amended and adapted to technical and scientific progress by Regulation (EC) No 790/2009 shows that it meets the criteria for classification as toxic for reproduction in accordance with Article 57 (c) of REACH.

Reference:

1. Support Document *Diboron trioxide* (Member State Committee, 24 May 2012)