Subject: Evaluation of Cobalt salts as feed additives versus other types of use.

Brussels, 12.09.2011

Dear Madam, Dear Sir,

On behalf of FEFANA asbl and TREAC EEIG and their Member companies, we would like to make some comments to the ECHA stakeholder consultation on COBALT SALTS.

According to Article 2 §5 and §6 of Regulation (EC) No 1907/2006 (the "REACH" Regulation), "feed additives" are exempted from the scope of REACH Regulation. Cobalt is an essential nutrient for livestock; without which animal welfare could be compromised in some circumstances The use of Cobalt salts used as additive in feedingstuffs are regulated by Regulation (EC) No 1831/2003 (the "Feed Additives Regulation"). Consequently, the provisions of Titles II (REGISTRATION OF SUBSTANCES), V (DOWNSTREAM USERS), VI (EVALUATION) and VII (AUTHORISATION) of REACH Regulation do not apply to the feed additive use of Cobalt salts; as well as to the manufacture of cobalt salts for use as feed additives.

In the frame of Regulation (EC) No 1831/2003, FEFANA asbl initiated the formation of an European Economic Interest Grouping (EEIG) aiming at the re-authorization of Trace elements as feed additives, namely TREAC EEIG, the Trace Elements Authorization Consortium EEIG.

To comply with the requirements of this Regulation, the Members of TREAC EEIG have jointly prepared an application dossier for "Cobalt as feed additive" following the provisions of Art. 10 §2 of Regulation (EC) No 1831/2003. Three cobalt salts have been included in this dossier: (basic) Cobalt carbonate, Cobalt sulphate and Cobalt (di-)acetate. On 29.10.2010, the application dossier of TREAC EEIG was submitted to the European Commission in accordance with Article 7 of Regulation (EC) No 1831/2003. The dossier of TREAC EEIG is currently under evaluation by EFSA together with two other "Cobalt as feed additive" applications.

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During, his assessment of the dossier, EFSA not only evaluates the production processes of the feed additives but also the safety of the Cobalt salts as feed additives:

1) for the target animals,
2) for the consumers of the food products derived from animals having consumed the feed additive,
3) for the users and the workers (i.e. workers who manufacture the cobalt salts, workers who use cobalt salt for preparing premixtures, users of premixtures), and
4) for the environment.

From the above, FEFANA asbl and TREAC EEIG would like to get reinsurance that the evaluation of Cobalt salts made by ECHA will not take into consideration the use of Cobalt salts as feed additives which is evaluated by another regulatory framework.

Sincerely yours,

Didier Jans

FEFANA Secretary general

Manager TREAC EEIG