



AGREEMENT OF THE MEMBER STATE COMMITTEE

ON IDENTIFICATION OF ANTHRACENE OIL, ANTHRACENE-LOW

AS A SUBSTANCE OF VERY HIGH CONCERN

**According to Articles 57 and 59 of
Regulation (EC) No 1907/2006¹**

Adopted on 4 December 2009

This agreement concerns

Substance name: Anthracene oil, anthracene-low

EC number: 292-604-8

CAS number: 90640-82-7

Molecular formula: not applicable

Structural formula: not applicable

¹ Regulation (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

Germany presented a proposal in accordance with Article 59(3) and Annex XV of the REACH Regulation (28 August 2009, submission number CC012616-65) on identification of *anthracene oil, anthracene-low* as a substance of very high concern because of its PBT and vPvB properties.

The Annex XV dossier was circulated to Member States on 31 August 2009 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 16 November 2009 and was discussed in the meeting of the Committee on 2-4 December 2009.

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

***Anthracene oil, anthracene-low* is identified as a substance of very high concern because it fulfils the criteria of Article 57 (a), (b), (d) and (e) of Regulation (EC) No 1907/2006 (REACH).**

***Anthracene oil, anthracene-low* does not meet the criteria for identification as a carcinogen according to the criteria of Article 57 (a) in situations where the substance contains less than 0.005 % w/w benzo[a]pyrene (EINECS No 200-028-5) and less than 0.1 % w/w benzene (EINECS No 200-753-7).**

***Anthracene oil, anthracene-low* does not meet the criteria for identification as a mutagen according to the criteria of Article 57 (b) in situations where it contains less than 0.1 % w/w benzene (EINECS No 200-753-7).**

UNDERLYING ARGUMENTATION FOR IDENTIFICATION OF SUBSTANCE OF VERY HIGH CONCERN

Carcinogenicity:

Anthracene oil, anthracene-low is classified as carcinogen (Carc. Cat.2 ; R45) according to 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 1272/2008².

This classification does not apply if the substance contains less than 0.005 % w/w benzo[a]pyrene (EINECS No 200-028-5) and if the substance contains less than 0.1 % w/w benzene (EINECS No 200-753-7).

Mutagenicity:

Anthracene oil, anthracene-low is classified as mutagen (Muta Cat.2; R46) according to 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 1272/2008³.

This classification does not apply if the substance contains less than 0.1 % w/w benzene (EINECS No 200-753-7).

Persistence, Bioaccumulation and Toxicity:

In accordance with the guidance available for assessment of multi-constituent and UVCB substances, the PBT assessment for *anthracene oil, anthracene-low* focuses on the assessment of its PAH-constituents present in concentrations $\geq 0.1\%$ ⁴, such as anthracene (presence 1-6%), fluoranthene (5-15%), pyrene (2-8%) and phenanthrene (10-30%).

An overview on the conclusions drawn on persistence, potential for bioaccumulation and toxicity to human health and/or the environment based on comparison of the data presented for four indicator PAH-constituents of *anthracene oil, anthracene-low* with the PBT/vPvB criteria of Annex XIII of the REACH Regulation is provided

² This corresponds to a classification Carc. 1B; H350 (May cause cancer) in Annex VI, part 3, Table 3.1 of Regulation (EC) No 1272/2008 (list of harmonised classification and labelling of hazardous substances).

³ This corresponds to a classification Muta. 1B; H340 (May cause genetic defects) in Annex VI, part 3, Table 3.1. of Regulation (EC) No 1272/2008 (list of harmonised classification and labelling of hazardous substances).

⁴ Chapter R.11 (PBT assessment) of the guidance on information requirements and chemical safety assessment (ECHA)

in Table 1.

| Table 1: Overview on conclusions on fulfilment of the (v)P-, (v)B- or T-criteria of Annex XIII of the REACH Regulation for the four indicator PAH-constituents of anthracene oil, anthracene low | | | | | |
|---|--------------------|------------------------------|--------------------------------------|---|-------------------|
| Substance | Persistence | Bioaccu- mulation | Toxicity Human health | Toxicity Aquatic Environment | Conclusion |
| Anthracene | vP | B | - | T | PBT |
| Phenanthrene | vP | vB | - | - | vPvB |
| Fluoranthene | vP | vB | - | T | PBT/vPvB |
| Pyrene | vP | vB | - | T | PBT/vPvB |

Based on the data available, it is concluded that two PAH-constituents present in *anthracene oil, anthracene-low* in concentrations equal to or above 0.1% are to be considered as both vPvB and PBT substances. These are fluoranthene and pyrene. Phenanthrene fulfils the vPvB criteria, but not the PBT criteria. Anthracene fulfils the PBT criteria, but not the vPvB criteria.

Conclusion:

Anthracene oil, anthracene-low is classified as carcinogen (Carc. Cat.2, R45) according to Annex VI, part 3, Tables 3.2 of Regulation (EC) No 1272/2008 unless its content of benzo[a]pyrene is less than 0.005 % (w/w) and its content of benzene is less than 0.1 % (w/w).

Anthracene oil, anthracene-low needs to be considered as a mutagen (Muta. Cat.2, R46) in accordance with Annex VI of Regulation (EC) No 1272/2008, unless its content of benzene is less than 0.1 % (w/w).

Anthracene oil, anthracene-low needs to be considered as a substance with both vPvB and PBT properties because of the above conclusions on the vPvB and PBT properties of its constituents anthracene, fluoranthene, pyrene and phenanthrene. It is concluded that *anthracene oil, anthracene-low* is a substance containing at least 18% of PAH-constituents with vPvB and/or PBT properties.

Reference:

1. Support Document *Anthracene oil, anthracene-low* (Member State Committee, 4 December 2009)