**General comments and answers to specific information requests**

**Specific information requests:**

1. The Dossier Submitter assessed the risks and socio-economic impacts of the proposed restriction based on the available information on uses of 2,4-DNT in articles. Please provide (i) information on any other sectors or uses that may be affected by the proposed restriction that were not already assessed by the Dossier Submitter or (ii) additional information to refine the existing assessment of sectors or uses presented by the Dossier Submitter.
   * Type of use (professional worker uses or consumer uses);
   * Technical function of 2,4-DNT in the use;
   * Quantities of 2,4-DNT per use;
   * Information on the impacts of the proposed restriction (costs and benefits to society, including industry and SMEs). Please refer to Annex XVI of REACH for an overview of the elements that should be included in an impact assessment
2. The Dossier Submitter assumes the existence of alternatives to 2,4-DNT in Annex XV report and explains that alternatives must already be in use in the EU because there seems to be no manufacture nor uses of articles containing 2,4-DNT. This was partially confirmed in the Annex XV consultation regarding seat belt pretensioners (see RCOM). Please provide any available information on alternatives to 2,4-DNT:

* Identity of alternatives
* Technical and economic feasibility of the existing alternative substances or technologies,
* for which uses alternatives are not available and/or the performance of alternatives are not considered adequate
* information on any challenge expected for switching to these alternatives
* risk profiles of the existing alternatives compared to 2,4-DNT

1. The Dossier Submitter assumes the existence of methods to sample and analyse articles containing 2,4-DNT and explains that such methods already exist in the EU. Please provide any available on:

* Analytical and sampling methods (standardised, media, etc) - specifically regarding sample preparation from articles
* Costs associated with the analytical and sampling methods

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| Ref. | Date/Type/Org. | Comments |
| 1029 | Date/Time:  2022/08/15 12:59  Type:  BehalfOfAnOrganisation  Org. type:  Industry or trade association  Org. name:  <redacted>  Org. country:  Belgium  Company name confidential:  Yes  Attachment:  <redacted> | General Comments:  <redacted> maintains that a Restriction for automotive applications is unwarranted as there is no risk to occupants, workers or the environment. If required to substitute 2,4-DNT in automotive applications then an exemption is required until January, 2027. To maintain occupant and pedestrian safety for older vehicle applications, an unlimited exemption for legacy service parts is required. |
| SEAC Rapporteurs response:  Thank you for your comment. On the basis of the information supporting these derogation requests, SEAC finds the time-limited derogation for MGGs to be justified. An unlimited derogation of 2,4-DNT uses in spare parts seems not justified on the basis of the information provided. Instead SEAC considers that a 36-month derogation period also for this use will minimise any major economic impact. Concerning the information on risk, SEAC notes that this is out of the remit of SEAC and that RAC already concluded on risk. |

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| 1030 | Date/Time:  2022/08/15 17:11  Type:  BehalfOfAnOrganisation  Org. type:  Industry or trade association  Org. name:  ASD - AeroSpace and Defence Industries Association of Europe  Org. country:  Belgium | General Comments:  ASD welcomes the opportunity to comment on the SEAC draft opinion on 2,4-DNT.  First, ASD wishes to thank RAC and SEAC for maintaining the general derogation from the restriction proposal with regard to explosives and ammunition in No. 2. As mentioned during previous consultations, the substance is still used in the EU based on Defence Exemptions issued under Art. 2 (3) of the REACH regulation, and articles containing 2,4-DNT are still being used for the production of ammunition. Therefore, ASD welcomes the addition of No. 4 (on continued use of articles already on the market prior to the EiF) in the restriction proposal.  However, ASD is worried by the change of wording in the derogation on ammunition (No. 2 point b). The former restriction proposal of 24 June 2021 read “Ammunition used for military use”. The new proposal of 3 June 2022 reads “Ammunition intended for use, in accordance with national law, by the armed forces or the police”. This new wording seems to suggest that there are (national) laws that list certain ammunition types as being useable by military or police forces. Yet, this is not the case: the police and armed forces purchase on the market whichever type of ammunition they are interested in at the moment of purchase; and there is law (or any other kind of regulation) that would specify which ammunition types are used by military no national / police forces, and which ammunition types are not. In multiple cases, ammunition types used by police or military forces are the same as the ones used in sports, leasure or other acitivies; and both police and armed forces are free to change the ammunition types they use at any time. ASD therefore feels that the current wording will lead to misunderstandings, or even preclude the derogation from being applied (since there are no national laws, as required in the wording). ASD proposes to use the following wording instead: “Ammunition used by the armed forces or the police”.  ASD also wishes to draw attention to the added wording in section b in Number 5, on the definition of explosives. The old proposal did not contain any such definition. The new proposal reads as follows: “explosives mean the materials and articles considered to be explosives in the United Nations recommendations on the transport of dangerous goods and falling within Class 1 of those recommendations, with the exception of pyrotechnic articles. Pyrotechnic articles include ammunition”. ASD believes this wording to be confusing for two reasons: first, pyrotechnic articles are explosives under the UN classification, and taking them apart in a definition is therefore odd. Second, it is confusing that ammunition is specifically singled out as not falling under the definition of explosives (and thus not benefitting from the derogation), when it has an own subparagraph in No. 2 b. The wording makes the reader feel like going back and forth on the same topic.  ASD assumes that SEAC and RAC wish to achieve by this choice of wording that pyrotechnic articles and ammunition for consumer uses are in the scope of the restriction. ASD believes that one could achieve this same purpose, while adding clarity, by changing the wording as follows: in 2. a write “explosives, except for pyrotechnic articles and ammunition”, and in 2. b write “Ammunition as used by the armed forces or the police”, and in 5 b write “explosives mean the materials and articles considered to be explosives in the United Nations recommendations on the transport of dangerous goods and falling within Class 1 of those recommendations”. |
| SEAC Rapporteurs response:  SEAC thanks ASD for the clarifications provided on the potential misunderstandings and for the suggested modifications to the scope of the restriction. However, SEAC would like to remind that the final wording of the scope is in the remit of the Commission. |