Authorisation to use chromium trioxide under the REACH Regulation
CEIR position paper on the SEAC Opinion on the substitution plan for Use 3

Brussels, 20 December 2021

CEIR - the European Taps and Valves Industry Association - has carefully read the opinion on the substitution plan for Use 3 (functional chrome plating with decorative character) prepared by the ECHA Committee for Socio-economic Analysis (SEAC), adopted on 9 June and subsequently posted on the ECHA website.

It very much regrets its content, in which SEAC considers the substitution plan presented by the CTACSub's consortium as 'non-credible'.

CEIR's industry gathers via its 13 national associations and 12 direct company members a large number of European manufacturers in the field of taps, valves, fittings, actuators, and hoses, representing a production value of over €11 billion, of which €6.5 billion for the sanitary taps and valves, the most concerned of its three sub-sectors by the use 3 of chromium trioxide. As an example, in Italy, the sector employs over 33,000 people directly, in Spain around 8000 people directly and 16.000 indirectly and in Sweden some 40,000.

At this stage of the procedure, CEIR would like to recall the following:

1. Faucet manufacturers represented by CEIR can be divided into two categories:
   - *Those subcontracting chromium plating (a large majority)*
   - *Those having their own surface treatment line (a few very large companies in Europe).*

   A large majority of the faucets manufacturers are not direct downstream users, yet very impacted by any substitution plan, which should consider the specificities of the products using this surface treatment. Even companies with their own surface treatment plant are typically subcontracting too, due to the fact that they cannot chrome plate all parts.

2. At present, in the sanitary tapware sector, the most advanced alternative technology to the use of hexavalent chromium is chromium 3 electroplating. However, the main ingredient of this process, boric acid, is on the SVHC Candidate List. Due to this, chromium 3 electroplating seems unlikely to be a long-term alternative.

3. Regarding other alternative processes, although they exist, these are costly and not yet available at a large scale. (e.g., Physical Vapour Deposition plating, which is not as durable nor resistant)

   As a result, many sanitary tapware manufacturers are trapped since they do not use hexavalent chromium themselves, they cannot have the status of "downstream user" and therefore cannot apply for an authorisation per Article 56 of the REACH Regulation.

More details are given in our contribution paper on Substitution Plan for Use 3 dated June 2020 (see annex).

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The rejection of the authorisation of chromium trioxide will affect surface treatment companies, which are often small companies and do not have the financial means to apply for an authorisation or even to invest in a risky upgrade of their installations to switch to a solution that is technically lacking and uncertain over time.

When chromium plating process will be outsourced outside EU, it is highly likely that pre-manufacturing steps like casting, milling, polishing, etc …will be also outsourced (this will affect around 30 to 40% of the European workforce). Other scenarios are not very probable because different suppliers would be impacted at other stages of production (polishing companies for example).

As a result of these changes, which will make the supply chain much more complex, companies will be less flexible, e.g., introduction of new products, as they will have to increase their stocks, and the variety of products on the market will be greatly reduced. We estimate this reduction between 20% and 50%. Global transportation is becoming more and more difficult too, with shortages in containers and truck drivers which might not only be the result of the COVID-19 pandemic

Eliminating the use of chromium trioxide in the EU will not stop its use worldwide. Instead, the application will only be forced to move to other countries without our high environmental and worker protection standards. We regret that this is going to happen only due to the political will and not on the basis of problems with the handling of chromium trioxide itself.

Finally, such a decision will have a considerable impact on the environmental footprint of our products, not only in terms of transport, but also in relation to the energy used to produce them, as the energy mix in countries where relocation will most likely occur, such as China, is mainly based on coal combustion.

Attachment: CEIR letter to SEAC, June 2020

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