

NOTIFICATION

The following notification is being circulated in accordance with Article 10.6

1. Notifying Member: <u>EUROPEAN UNION</u> If applicable, name of local government involved (Article 3.2 and 7.2):
2. Agency responsible: European Commission Name and address (including telephone and fax numbers, email and website addresses, if available) of agency or authority designated to handle comments regarding the notification shall be indicated if different from above: European Commission EU-TBT Enquiry Point Fax: +(32) 2 299 80 43 E-mail: mailto:eu-tbt@ec.europa.eu Website: http://ec.europa.eu/enterprise/tbt/
3. Notified under Article 2.9.2 [X], 2.10.1 [], 5.6.2 [], 5.7.1 [], other:
4. Products covered (HS or CCCN where applicable, otherwise national tariff heading. ICS numbers may be provided in addition, where applicable): Presence of dimethylfumarate (DMF) in articles
5. Title, number of pages and language(s) of the notified document: Draft Commission Regulation amending Annex XVII to Regulation (EC) No 1907/2006 of the European Parliament and of the Council on the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH) (4 pages, in English).
6. Description of content: The draft Regulation proposes the prohibition of the use of DMF in articles or parts thereof, in concentrations greater than 0.1 mg/kg as well as the placing on the market of articles or parts thereof containing DMF in concentrations greater than 0.1 mg/kg. It makes permanent an existing temporary prohibition adopted under Directive 2001/95/EC on general product safety.
7. Objective and rationale, including the nature of urgent problems where applicable: The use of DMF as a biocide is not authorized in the EU. The objective of the draft Commission Regulation is to reduce the exposure for humans to DMF contained in imported articles. The draft Commission Regulation will make permanent the current prohibition imposed by Decision 2009/251/EC of 17 March 2009 requiring Member States to ensure that products containing the biocide dimethylfumarate are not placed or made available on the market (notified to the WTO under references G/TBT/N/EEC/258, G/TBT/N/EEC/258/Add.1, G/TBT/N/EEC/258/Add.2, and G/TBT/N/EEC/258/Add.3).

8. Relevant documents:	
- Regulation (EC) No 1907/2006 of the European Parliament and of the Council on the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH) (OJ L 396, 30.12.2006, p.1)	
http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2006:396:0001:0849:EN:PDF	
- The compiled opinions of the Committees for Risk Assessment (RAC) and Socio-economic Analysis (SEAC):	
http://echa.europa.eu/doc/restrictions/background_doc_seac_rac_dmfu.pdf	
- The background document to RAC and SEAC opinions on DMF:	
http://echa.europa.eu/doc/restrictions/background_doc_seac_rac_dmfu.pdf	
9. Proposed date of adoption:	March 2012
Proposed date of entry into force:	March 2012 (As a ban on DMF exists since March 2009, no transition period has been deemed necessary.)
10. Final date for comments:	60 days from date of notification.
11. Text available from: National enquiry point [], or address, telephone and fax numbers, e-mail and web-site addresses, if available of the other body:	
European Commission EU-TBT Enquiry Point Fax: + (32) 2 299 80 43 E-mail: mailto:eu-tbt@ec.europa.eu	
The text is available on the EU-TBT Website : http://ec.europa.eu/enterprise/tbt/	
http://members.wto.org/crnattachments/2011/tbt/EEC/11_2966_00_e.pdf	