

29<sup>th</sup> May 2008

## **Positive conclusions of commercial Deca-BDE EU risk assessment published in EU Official Journal**

EBFRIP welcomes today's publication of the positive risk assessment conclusions for the brominated flame retardant Deca-BDE in the Official Journal (OJ) of the European Communities<sup>1</sup>. This publication is the final formal step in the risk assessment of Deca-BDE, completed in 2004 and updated in December 2007.

The European Commission's Communication on the risk assessment of Deca-BDE confirms that the Member States scientists "have completed the risk evaluation activities with regard to man and the environment" for Deca-BDE and that there are no significant risks to the environment or human health which would justify risk reduction measures. Deca-BDE's risk assessment has probably been the most thoroughly conducted risk assessment to date in the EU, with more than 1,000 scientific studies reviewed.

The additional information required by the final risk assessment consists of a 10-year environmental programme, a 10-year biomonitoring programme and an additional neurotoxicity study. These programmes are currently underway, and in December 2007 the EU Competent Authorities agreed that they are progressing and committed to reviewing these regularly under REACH.

Prior to its publication in the OJ, this Communication received a favourable Opinion from the European Parliament, which recorded 335 votes in favour versus 10 against<sup>2</sup>.

This publication calls into question the basis for restricting commercial Deca-BDE under the EU's RoHS Directive<sup>3</sup>. There is a clear and urgent need to re-establish coherent EU policy-making. Under the RoHS directive, the European Commission "shall evaluate the applications for Deca-BDE as a matter of priority"<sup>4</sup>. In so doing, the European Commission can and should remove the contradiction between the RoHS Directive restrictions and the Deca-BDE's positive EU risk assessment by deleting Deca-BDE from the scope of the RoHS Directive.

The final publication of this risk assessment and the volume of science behind its conclusions will also provide a complete basis for registration of Deca-BDE under REACH.

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<sup>1</sup> <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2008:131:0007:0012:EN:PDF>

<sup>2</sup> [http://www.europarl.europa.eu/RegWeb/application/registre/getDoc?LINK=http%3A%2F%2Fwww.europarl.europa.eu%2FRegData%2Fdocs\\_autres\\_institutions%2Fcommission\\_europeenne%2Fcomitologie%2Fdroit\\_informat ion%2F2008%2FCOM-AC\\_DI%282008%29V000223-01\\_EN.doc&TYPE=ACDI](http://www.europarl.europa.eu/RegWeb/application/registre/getDoc?LINK=http%3A%2F%2Fwww.europarl.europa.eu%2FRegData%2Fdocs_autres_institutions%2Fcommission_europeenne%2Fcomitologie%2Fdroit_informat ion%2F2008%2FCOM-AC_DI%282008%29V000223-01_EN.doc&TYPE=ACDI)

<sup>3</sup> Directive 2002/95/EC of the European Parliament and of the Council of 27 January 2003 on the restriction of the use of certain hazardous substances in electrical and electronic equipment, OJ L37, page 19, 13 February 2003.

<sup>4</sup> Point 10, Annex of the RoHS Directive