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MEMORANDUMVia E-Mail

DATE: February 23, 2009

TO: Firm Clients and Friends

FROM: Bergeson & Campbell, P.C.

RE: ECHA Publishes First Public Consultation on Harmonized Classification and Labeling

On February 23, 2009, the European Chemicals Agency (ECHA) published on its website the first public consultation on a proposal to harmonize the classification and labeling of two chemical substances -- epoxiconazole and diantimony trioxide -- as requested by the Swedish authorities. In the case of epoxiconazole, the Chemical Abstracts Service (CAS) Number 106325-08-0 is no longer used; typically CAS Number 135319-73-2 is used while CAS Number 133855-98-8 is still recognized by the U.S. Environmental Protection Agency. The relevant CAS Number for diantimony trioxide (antimony trioxide) is 1309-64-4. The ECHA Press Release is available at http://echa.europa.eu/doc/press/pr_09_02_cl_consultation_20090223.pdf.

The dossiers submitted by the Swedish authorities are available at http://echa.europa.eu/consultations/harmonised_cl_en.asp. At this time, ECHA's Committee for Risk Assessment (RAC) is accepting comments on each of the individual dossier's proposed classification and labeling. Comments may be submitted via the same link prior to **April 9, 2009**.

Pre-registrants, registrants, and downstream users of these substances under the European Union's Registration, Evaluation, Authorization and Restriction of Chemicals may wish to review the Swedish proposal, consider how the proposal will affect existing and planned future activities regarding these substances, and submit detailed comments to the RAC on any items of concern, explaining the reasons for the concern.

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We hope this information is helpful. As always, please call if you have any questions.