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MEMORANDUM

Via E-Mail

DATE: July 6, 2009

TO: Firm Clients and Friends

FROM: Bergeson & Campbell, P.C.

RE: ECHA Risk Assessment Committee Adopts First Opinion on Harmonized Classification

On July 3, 2009, the European Chemicals Agency (ECHA) Committee for Risk Assessment (RAC) agreed by consensus not to support a proposal to classify and label diantimony trioxide (DAT) as a skin irritant throughout the European Union (EU). RAC concluded that the data available are insufficient to justify the proposal. This is RAC's first opinion on harmonized classification and labeling throughout the EU. ECHA will now forward RAC's scientific opinion, as well as supporting evidence and comments received during the public consultation, to the European Commission for a final decision. ECHA's July 6, 2009, press release is available on the Internet at http://echa.europa.eu/doc/press/pr_09_09_first_rac_opinion_20090706.pdf.

According to ECHA's press release, RAC did not adopt the classification of "irritating to skin" due to the presence of other factors in the studies that may have contributed to skin irritation other than DAT. ECHA states that substantial heat and sweat were present in all cases where skin effects were described in workplace observations. ECHA also notes that it was unclear whether DAT was the only chemical substance to which workers were exposed. RAC did recommend that "due consideration be made by the relevant authorities and/or industry to adequately control the risks of any adverse effects to workers who are exposed in hot, sweaty conditions to fumes or dust containing DAT."

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