

Voluntary Industry Commitment

for the supply of Trichloroethylene in metal cleaning applications

Frequently Asked Questions

What is the background of the Voluntary Industry Commitment?

Trichloroethylene is a Priority Substance for consideration under the European Union's Existing Substances Regulation (EC/793/93) and was classified as carcinogen Cat. 2 with the label R45 in 2001. The producers of Trichloroethylene, including Dow, have worked proactively with the EU authorities to develop a voluntary industry-wide commitment to:

- ensure adequate control of risks related to the use of Trichloroethylene in metal cleaning applications identified in the EU Risk Assessment.
- safeguarding the long-term sustainable use of Trichloroethylene in closed systems for metal cleaning, in order to benefit from its outstanding cleaning performance.

What is the Voluntary Industry Commitment about?

The European Solvent Emissions Directive (VOC Directive) provides a consumption threshold for Trichloroethylene of 1 mt/year for surface cleaning. Authorities of the Member States are responsible for ensuring compliance with the VOC Directive by 31 October 2007. Users consuming less than 1 mt of Trichloroethylene per year are therefore exempted from the strict control measures. The producers of Trichloroethylene agree that such a situation needs to be corrected, and have therefore implemented the Voluntary Industry Commitment to only supply Trichloroethylene to users of closed cleaning equipment.

The European producers, who are all members of the European Chlorinated Solvent Association (ECSA) commit – in line with the principles of Responsible Care® – to phase out sales of Trichloroethylene for open metal-cleaning systems by no later than 31 December 2010. The goal is to complete the conversion of all metal cleaning applications from open to closed cleaning equipment within this timeframe.

Who has signed the Voluntary Industry Commitment?

The charter has been signed by **all** European producers of Trichloroethylene, in order to apply the best possible Product Stewardship principles throughout the entire supply chain.

What action needs to be taken by distributors?

The distributor needs to inform users with a solvent consumption of less than 1 mt/year about the Voluntary Industry Commitment and its importance for metal cleaning with Trichloroethylene. In addition, the distributor requires users to sign the Declaration of Awareness and the Declaration of Conformity and keep these declarations on file.

What is the aim of the 'Declaration of Awareness'?

The target group for the 'Declaration of Awareness' is customers with a solvent consumption of less than 1 mt/year.

These declarations state the customer's awareness, such that he acknowledges that after 31 December 2010 he will not be supplied with Trichloroethylene unless he confirms that he will use Trichloroethylene for metal cleaning only in approved closed cleaning equipment, as defined in Part 4 of the European Standard EN 12921. These 'Declarations of Awareness' need to be signed by the users by 31 December 2007, in order to be able to make use of the full transition time up to the end of 2010 with a continued supply of Trichloroethylene for metal cleaning.

What is the aim of the 'Declaration of Conformity'?

The target group for the 'Declaration of Conformity' is customers with a solvent consumption of less than 1 mt/year. From 31 December 2010 onwards, the distributors will only supply Trichloroethylene for metal cleaning to users that have signed a 'Declaration of Conformity', confirming that the product will only be used in approved closed systems.

The 'Declaration of Conformity' can be returned by all customers using Trichloroethylene in approved closed cleaning equipment at any time within the transition period until 31 December 2010. As the progress of the Voluntary Industry Commitment is monitored and reported to the European Commission, we strongly recommend that distributors encourage their customers to sign and return the 'Declaration of Conformity' as soon as possible.

If after 31 December 2010 a customer still refuses to sign the declarations, or if there is evidence that the requirements have not been met; then we would expect our distributor to cease the supply of Trichloroethylene for metal cleaning to the customer in question.

How is REACH (the new European chemical policy) affected?

REACH is a new EU regulatory framework for chemicals management. Under the new system called REACH (Registration, Evaluation and Authorisation of Chemicals), producers and importers of chemicals will be required to submit data regarding hazards, use, exposure and risks for substances manufactured or imported in quantities of more than 1 mt per year.

Compliance with the best possible Product Stewardship principles along the entire supply chain will help the producer's preparations for the implementation of REACH, and should position them favourably to obtain authorisation for the continued use of Trichloroethylene through adequate risk management. Failure to successfully implement the Voluntary Industry Commitment may result in legislative measures being imposed on the suppliers and users of Trichloroethylene.

How is the fulfilment of the Voluntary Industry Commitment controlled?

The distributors will monitor the progress made by their customers towards implementation of the Voluntary Industry Commitment and will provide the producers with consolidated data. ECSA will submit a summary of the data to the European Commission.

What is meant by closed cleaning equipment?

Closed cleaning equipment for degreasing and cleaning of metals with solvents is described in the European Standard EN 12921-4. The attached technical factsheet summarises the features of this technology, which has been widely implemented and regarded as state-of-the-art in Europe for many years.

How can the risks associated with handling, storage, transport and disposal of Trichloroethylene be successfully addressed?

Dow firmly believes that it needs both components – closed cleaning equipment, as well as safety container systems for the safe handling, storage, delivery and return of solvents – in order to aim at a sustainable future for Trichloroethylene in metal cleaning.

SAFECHEM is committed to meeting the demands of Responsible Care® and ESAD and will therefore, in conjunction with its responsible distribution partners, switch from supplying Trichloroethylene in drums to using the SAFE-TAINER™ system.

How will the customer benefit from Best Practices in the solvent cleaning process?

Analytical services, solvent maintenance, stabilisation and solvent consultancy are all examples of SAFECHEM's service elements safeguarding and optimising the cleaning process. The use of MAXICHECK™ test kits for solvent monitoring and the re-stabilisation with MAXISTAB™ stabilisers lead to an increased lifetime of the solvent. Closed cleaning equipment with internal solvent recovery reduces the amount of waste sent to specialist waste treatment companies and recycling companies.

How are other solvents affected?

For any solvent classified as a Carcinogenic, Mutagenic or Reprotoxic substance (CMR), control of human exposure to these substances is vital. In the context of metal cleaning applications, we believe this is best achieved by ensuring that solvents are only used in closed cleaning equipment in combination with safety container systems. Such control measures are important not only for Trichloroethylene, but also for some solvents marketed as alternatives (for example, solvents based on n-propyl bromide, which is also a CMR substance).

How can sub-distributors be integrated into the Voluntary Industry Commitment?

The Voluntary Industry Commitment aims to apply best possible Product Stewardship principles throughout the entire supply chain, and therefore sub-distribution must be included by the distributors in the same way as it is expected for end-users. It is therefore the distributor's duty to inform his sub-distributors about the Voluntary Industry Commitment and to control the fulfilment of the initiative.

If you have any questions relating to the Voluntary Industry Commitment, please contact our sales organisation, or Mr. Ferdinand Pree, on + 49 211 4389-317.



SAFECHEM Europe GmbH
Georg-Glock-Straße 3 • D-40474 Düsseldorf
Tel.: +49 211 4389-300 • Fax: +49 211 4389-389
www.safechem-europe.com • service@safechem-europe.com

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