WVMETALLE

COMMENT ON

The targeted consultation on the harmonized classification and labelling of lead metal (CAS number 7439-92-1) as hazardous to the aquatic environment

WVMetalle would like to give comments on the questions mandated to RAC to review the opinion of 30 November 2018 in relation to the environmental classification of lead metal which concluded that this substance should be classified as Aquatic Acute 1, H400; M=1 and Aquatic Chronic 1, H410; M=10. WVMetalle especially is of the opinion that the same classifications for powder and massive forms of lead is not justified.

WirtschaftsVereinigung Metalle (WVMetalle), the German Non-Ferrous Metals Association, represents the German Non-Ferrous (NF) metals industry towards politics and economy in order to maintain and establish measures at a very high level. Today, WVMetalle has about 670 member companies, including producers and processors of most base and special metals and compounds including lead metal and leaded alloys. WVMetalle is member of the German Industry Association (BDI) and of the European Non-Ferrous Metals Association (Eurometaux).

In general, WVMetalle plea for using all available high-quality information, including the latest update of the lead- and lead compounds registration dossiers. In addition, applying the metal specific guidance as it stands will ensure consistency with other metal dossiers previously assessed for their environmental classification. Taken together, this indicates that a chronic environmental classification of lead metal in massive form is not required.

- For most of the technical aspects of the debate on the environmental classification of lead metal we refer to the comments by the International Lead Association and by Eurometaux which we fully support. We also emphasize that WVMetalle already commented the classification proposal on lead metal by Denmark in 2017. We would like to focus specifically on the correct application of the CLP criteria regarding the environmental hazard classification. Following the guidance this clearly includes a differentiation of the environmental classification entries for the massive and powder form of lead metal.
- Lead metal is a very malleable material and by no means brittle or porous. That is the reason why e.g. lead sheets are used as roofing material where it is easily installed around rough edges and corners. Lead massive materials do not generate abrasives or fine particles. The release of lead ions per surface area clearly shows that larger forms release significantly less than smaller forms (e.g. powders), which was finally the reason for the EU to distinguish the two entries. In addition,

Transformation Dissolution (TD) data for both forms are available and documented, including clearly distinctive dissolution kinetics.

- The current RAC classification proposal for lead metal was based on the single lowest NOEC value for a non-standard species (Lymnaea stagnalis larvae), tested without a standard test protocol and hence not meeting the basic quality criteria. The new study on this species - as shown with the provided robust study summary – concluded that "There were no statistically significant adverse effects ($p < 0.05$) on reproduction, growth, and survival at any of the exposure concentrations tested." Therefore, its use to derive the chronic ERV is invalid for classification and should be withdrawn. This is extremely important as the new snail data conducted according to OECD guidance demonstrates that this species is not the most sensitive. Thus, a review of the chronic ERV for lead is required.
- Lead metal should be assessed separately for the powder and the massive form, powder and massive forms of lead should not be subject of the same classification for hazards to the aquatic environment.
- Although it is not in the center of this consultation, WVMetalle would like to raise the aspect of downstream legislation consequences of the proposed classification. For example, the SEVESO directive and transport regulations are triggering additional requirements which are increasing administrative burdens, costs and measures which are not justified by the intrinsic properties of lead metal, especially when it comes to massive parts.

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