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European Chemicals Agency decision will not impact the safe use of acrylamide

In December 2009, the European Chemicals Agency (ECHA) announced its decision to include acrylamide in the list of substances of very high concern, commonly known as the 'Candidate List'.

This decision was due to be confirmed upon publication of the next update of the Candidate List. However, in the meantime, in the context of a legal action introduced before the EU's General Court in Luxembourg, the President of the Court has ordered the immediate suspension of the ECHA decision. This means that acrylamide cannot be included in the next Candidate List when published, pending resolution of the relevant legal proceedings.

It should be made clear, in any case, that ECHA's decision would have no impact on any of acrylamide's current applications and does not put into question acrylamide's continued safe use. However, ECHA's decision risks causing unnecessary and serious market confusion about this safe and effective intermediate.

Inclusion in the EU's candidate list would be totally inappropriate as all of acrylamide's uses are as an intermediate and such uses are formally excluded from authorisation under REACH.

The EU's 'Candidate List' covers chemical substances which will be subject to authorisation and eventual substitution under the EU's chemical regulation REACH. However, authorisation cannot apply to intermediate substances and in all its uses acrylamide is an intermediate. Given that it is not possible to include acrylamide in Annex XIV for authorisation it cannot be included in the 'Candidate List'. To do so would be an idiosyncrasy with no safety or regulatory benefit. Therefore, PPG has applied to the General Court of the EU for an annulment of the ECHA decision.

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