

EUROBAT COMMENTS ON ECHA'S RECOMMENDATION TO ADD 5 COBALT SALTS TO ANNEX XIV OF THE EU REACH REGULATION (SUBSTANCES SUBJECT TO AUTHORISATION)

EUROBAT, the European Association of Automotive and Industrial Battery Manufacturers, would herewith like to provide comments to the European Chemicals Agency's (ECHA) draft recommendation of substances for inclusion in Annex XIV of the REACH Regulation.

In particular, our comments focus on the proposed inclusion on this list of 5 Cobalt salts:

- Cobalt (II) carbonate (CAS 513-79-1, EC 208-169-4)
- Cobalt (II) diacetate (CAS 71-48-7, EC 200-755-8)
- Cobalt (II) dichloride (CAS 7646-79-9, EC 231-589-4)
- Cobalt (II) dinitrate (CAS 10141-05-6, EC 233-402-1)
- Cobalt (II) sulphate (CAS 10124-43-3, EC 233-334-2)

1° Use of these Cobalt-based substances in batteries

None of the 5 Cobalt salts mentioned above are present as active substances in automotive or industrial batteries placed on the market (such as for example Nickel-Metal Hydride (Ni-MH), Nickel-Cadmium (Ni-Cd), Nickel-Zinc (Ni-Zn), Lithium-Ion (Li-Ion) batteries).

Cobalt (II) dinitrate and Cobalt (II) sulphate are used as intermediates in preparation steps of active substances used in batteries. They are not present in batteries available to industrial or individual users. There is no substitution possible between Cobalt (II) dinitrate and Cobalt (II) sulphate and other Cobalt salts in the production process of batteries.

2° Comments of EUROBAT on ECHA's draft Recommendation

Cobalt is a strategically important raw material, identified as such by the EU Institutions under the Raw Materials Initiative¹.

Most Cobalt salts already have to be sourced outside of the European Union either directly or in mixtures. The battery industry believes that adding Cobalt (II) dinitrate and Cobalt (II) sulphate to Annex XIV of the REACH Regulation will produce adverse effects on the EU-based production of the mixtures it uses for the production of batteries.

We believe it is critical for the security of supply of the European battery industry to ensure that production capacity of the substances we use remains operational in Europe. An authorisation requirement for these substances will not prevent their use, as it is our understanding that they are widely used as intermediates in various industries as is the case in the battery industry, but will surely hamper the production of mixtures in the EU.

In order to allow the future production of mixtures used by the battery industry in Europe, we therefore recommend that Cobalt (II) dinitrate and Cobalt (II) sulphate should not be included under Annex XIV of the REACH Regulation. In any case, the production of mixtures for use by the battery industry should be exempted from authorisation – for example under article 58.2 of the REACH Regulation - since these Cobalt salts are only used as intermediates in battery production.

¹ http://ec.europa.eu/enterprise/policies/raw-materials/index_en.htm