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**COMMISSION IMPLEMENTING DECISION**

**of 19.6.2025**

**granting an authorisation under Regulation (EC) No 1907/2006 of the European  
Parliament and of the Council to AD International BV for a use of sodium dichromate  
in the context of a review**

(Only the English text is authentic)

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THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EC) No 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH), establishing a European Chemicals Agency, amending Directive 1999/45/EC and repealing Council Regulation (EEC) No 793/93 and Commission Regulation (EC) No 1488/94 as well as Council Directive 76/769/EEC and Commission Directives 91/155/EEC, 93/67/EEC, 93/105/EC and 2000/21/EC<sup>1</sup>, and in particular Article 64(8) thereof,

Whereas:

- (1) Sodium dichromate is listed in Annex XIV to Regulation (EC) No 1907/2006 and uses of that substance are subject to the authorisation requirement in Article 56(1), point (a), of that Regulation.
- (2) On 14 April 2020, the Commission, in Commission Implementing Decision C(2020) 2084<sup>2</sup>, granted an authorisation to Brenntag UK Ltd., Henkel AG & Co. KGaA and AD International BV for certain uses of sodium dichromate. For the use in formulation of mixtures intended exclusively for uses REACH/20/5/3, REACH/20/5/4, REACH/20/5/5, REACH/20/5/6, REACH/20/5/7 and REACH/20/5/8, AD International BV ('the applicant') was assigned authorisation number REACH/20/5/2. The expiry of the review period referred to in Article 60(9), point (e), of Regulation (EC) No 1907/2006 for that authorised use of sodium dichromate was set at 21 September 2024.
- (3) On 17 November 2022, the applicant submitted a review report in accordance with Article 61(1) of Regulation (EC) No 1907/2006 for authorisation for a use of sodium dichromate. The use for which authorisation was sought is the formulation of mixtures intended for supply for authorised uses.
- (4) The European Chemicals Agency sent the opinions<sup>3</sup> on the review report adopted by its Committee for Risk Assessment (RAC) and its Committee for Socio-economic

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<sup>1</sup> OJ L 396, 30.12.2006, p. 1, ELI: <http://data.europa.eu/eli/reg/2006/1907/oj>.

<sup>2</sup> Commission Implementing Decision of 14 April 2020 partially granting an authorisation for certain uses of sodium dichromate under Regulation (EC) No 1907/2006 of the European Parliament and of the Council (Brenntag UK Ltd and others). <https://ec.europa.eu/docsroom/documents/40845>

<sup>3</sup> <https://echa.europa.eu/documents/10162/0ca57732-da5d-b4ff-6111-4eaf1892686e>

Analysis (SEAC) to the Commission pursuant to Article 64(5), second subparagraph, of Regulation (EC) No 1907/2006. On 20 December 2024, the Commission received the opinions.

- (5) In its opinion, RAC concluded that it is not possible to determine a derived no-effect level for the carcinogenic and mutagenic properties of sodium dichromate in accordance with Section 1.4 of Annex I to Regulation (EC) No 1907/2006 and that therefore sodium dichromate is a substance for which it is not possible to determine a threshold for the purposes of Article 60(3), point (a), of that Regulation. As a result, Article 60(2) of Regulation (EC) No 1907/2006 does not apply to sodium dichromate and an authorisation may therefore only be granted with respect to that substance under paragraph 4 of that Article.
- (6) In its opinion, RAC concluded that the risk management measures and operational conditions described in the review report are appropriate and effective in limiting the risk to human health posed by the use of sodium dichromate described in the review report. However, RAC expressed concerns regarding the lack of fit test of respiratory protective equipment. Consequently, in order to further minimise the exposure of workers to hexavalent chromium (Cr(VI)), the toxic component of sodium dichromate, RAC recommended imposing additional conditions for authorisation. Moreover, in order to address shortcomings in exposure and emissions estimates and to corroborate the appropriateness and effectiveness of the risk management measures and operational conditions in place, RAC recommended imposing additional monitoring arrangements for both occupational exposure to Cr(VI) and environmental release of it, as specified in the monitoring arrangements.
- (7) Having evaluated RAC's assessment, the Commission agrees with its conclusion and recommendations. Nevertheless, the Commission notes that the estimated excess cancer risk values for indirectly workers are higher than for workers performing activities directly associated with the mixing process or the maintenance. Although the Commission acknowledges that those values are conservative estimates of the most likely excess risk values taken for the purpose of carrying out a risk-benefit analysis, it considers it appropriate to impose as condition for authorisation a specific occupational exposure monitoring programme to validate the appropriateness and effectiveness of the risk management measures and operational conditions in place to ensure that exposure to Cr(VI) of workers who are not performing activities directly associated with the mixing process or the maintenance, is reduced to as low a level as is technically and practically possible.
- (8) In its opinion, SEAC concluded that the societal costs of not granting an authorisation are higher than the monetised risk to human health arising from the use of sodium dichromate described in the review report. The Commission, having evaluated SEAC's assessment, concurs with that conclusion and considers that the applicant has demonstrated that the benefits of the continued use described in the review report outweigh the risk to human health arising from that use.
- (9) For an alternative to be suitable it needs to be safer, available, and technically and economically feasible. Where suitable alternatives are available in the Union, but not technically or economically feasible for the applicant or its downstream users, the applicant is required by Article 62(4), point (f), of Regulation (EC) No 1907/2006 to submit a substitution plan.
- (10) In its opinion, SEAC noted that there is no function per se provided by sodium dichromate in the use applied for (formulation of mixtures). Such mixtures are

intended exclusively to serve subsequent uses as authorised under Regulation (EC) No 1907/2006. Therefore, SEAC did not consider the analysis of alternatives to be relevant. The Commission, having evaluated SEAC's assessment, agrees with SEAC's conclusion and considers the condition that there are no suitable alternative substances or technologies to be fulfilled.

- (11) Therefore, having regard to the conditions laid down in Article 60(4) of Regulation (EC) No 1907/2006, it is appropriate to authorise the use of sodium dichromate described in the review report, provided that the risk management measures described in the chemical safety report are applied, and that the operational conditions described therein, as well as the conditions set out in this Decision, are fulfilled. However, in order to ensure clarity, the description of the use authorised by this Decision should be: "Formulation of mixtures exclusively intended for uses authorised under Regulation (EC) No 1907/2006".
- (12) The Commission has based its assessment on all relevant scientific evidence available, as assessed by RAC and SEAC, and, after having carried out a detailed examination, has concluded on the basis of a sufficient amount of material and reliable information. Nevertheless, additional scientific evidence would allow the Commission to perform its assessment on a more robust or broad evidentiary basis in the future. Hence, it is appropriate to require the authorisation holders to generate and include additional information about exposure and emissions in the review report.
- (13) In its opinion, SEAC recommended that the review period referred to in Article 60(9), point (e), of Regulation (EC) No 1907/2006 be set at 12 years. The Commission agrees with that recommendation, considering the relevant elements from RAC's and SEAC's assessments and, in particular, RAC's conclusion that the risk management measures are appropriate and effective in limiting the risk and SEAC's conclusions on the socio-economic benefits and costs of the continued use of the substance.
- (14) The language used to describe the risk management measures and operational conditions in the application for authorisation may be different from the official language of the Member States where the use takes place. Therefore, in order to facilitate supervision and enforcement of compliance with the authorisation, it is appropriate to require the authorisation holders to submit, upon request, a brief summary of those risk management measures and operational conditions to the competent authority of that Member State in an official language of that Member State.
- (15) This Decision does not affect the obligation of the authorisation holders to ensure that the use of a substance does not adversely affect human health or the environment, having regard to the principle set out in Article 1(3) of Regulation (EC) No 1907/2006. Furthermore, this Decision does not affect the obligation of the authorisation holders under Article 60(10) of that Regulation to ensure that the exposure is reduced to as low a level as is technically and practically possible or the obligation of the employer under Article 4(1) and Article 5 of Directive 2004/37/EC of the European Parliament and of the Council<sup>4</sup> to reduce the use of carcinogens, mutagens or reprotoxic substances at the place of work, in particular by replacing

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<sup>4</sup> Directive 2004/37/EC of the European Parliament and of the Council of 29 April 2004 on the protection of workers from the risks related to exposure to carcinogens, mutagens or reprotoxic substances at work (Sixth individual Directive within the meaning of Article 16(1) of Council Directive 89/391/EEC) (OJ L 158, 30.4.2004, p. 50, ELI: <http://data.europa.eu/eli/dir/2004/37/oj>).

those substances, in so far as is technically possible, and to prevent workers' exposure to a risk to their health or safety. This Decision does not affect the application of Union law in the area of health and safety at work, in particular Council Directives 89/391/EEC<sup>5</sup>, 92/85/EEC<sup>6</sup>, 94/33/EC<sup>7</sup>, 98/24/EC<sup>8</sup> and Directive 2004/37/EC, or any national binding occupational limit values which may be stricter than the applicable limit values under Union law.

- (16) This Decision does not affect any obligation to comply with emission limit values or other requirements set in accordance with Directive 2008/50/EC<sup>9</sup> or Directive 2010/75/EU<sup>10</sup> of the European Parliament and of the Council, nor any obligation to comply with emission limit values set to achieve compliance with the environmental quality standards established by Member States in accordance with Directive 2000/60/EC of the European Parliament and of the Council<sup>11</sup> or the environmental quality standards established in Directive 2008/105/EC of the European Parliament and of the Council<sup>12</sup>. Compliance with the provisions of this Decision does not necessarily imply compliance with any emission limit values or environmental quality standards under any other provisions of Union law, which may include further or more onerous requirements.
- (17) The measures provided for in this Decision are in accordance with the opinion of the Committee established by Article 133 of Regulation (EC) No 1907/2006,

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<sup>5</sup> Council Directive 89/391/EEC of 12 June 1989 on the introduction of measures to encourage improvements in the safety and health of workers at work (OJ L 183, 29.6.1989, p. 1, ELI: <http://data.europa.eu/eli/dir/1989/391/oj>).

<sup>6</sup> Council Directive 92/85/EEC of 19 October 1992 on the introduction of measures to encourage improvements in the safety and health at work of pregnant workers and workers who have recently given birth or are breastfeeding (tenth individual Directive within the meaning of Article 16(1) of Directive 89/391/EEC) (OJ L 348, 28.11.1992, p. 1, ELI: <http://data.europa.eu/eli/dir/1992/85/oj>).

<sup>7</sup> Council Directive 94/33/EC of 22 June 1994 on the protection of young people at work (OJ L 216, 20.8.1994, p. 12, ELI: <http://data.europa.eu/eli/dir/1994/33/oj>).

<sup>8</sup> Council Directive 98/24/EC of 7 April 1998 on the protection of the health and safety of workers from the risks related to chemical agents at work (fourteenth individual Directive within the meaning of Article 16(1) of Directive 89/391/EEC) (OJ L 131, 5.5.1998, p. 11, ELI: <http://data.europa.eu/eli/dir/1998/24/oj>).

<sup>9</sup> Directive 2008/50/EC of the European Parliament and of the Council of 21 May 2008 on ambient air quality and cleaner air for Europe (OJ L 152, 11.6.2008, p. 1, ELI: <http://data.europa.eu/eli/dir/2008/50/oj>).

<sup>10</sup> Directive 2010/75/EU of the European Parliament and of the Council of 24 November 2010 on industrial emissions (integrated pollution prevention and control) (OJ L 334, 17.12.2010, p. 17, ELI: <http://data.europa.eu/eli/dir/2010/75/oj>).

<sup>11</sup> Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for Community action in the field of water policy (OJ L 327, 22.12.2000, p. 1, ELI: <http://data.europa.eu/eli/dir/2000/60/oj>).

<sup>12</sup> Directive 2008/105/EC of the European Parliament and of the Council of 16 December 2008 on environmental quality standards in the field of water policy, amending and subsequently repealing Council Directives 82/176/EEC, 83/513/EEC, 84/156/EEC, 84/491/EEC, 86/280/EEC and amending Directive 2000/60/EC of the European Parliament and of the Council (OJ L 348, 24.12.2008, p. 84, ELI: <http://data.europa.eu/eli/dir/2008/105/oj>).

HAS ADOPTED THIS DECISION:

### *Article 1*

An authorisation is hereby granted in accordance with Article 60(4) of Regulation (EC) No 1907/2006 to the following persons for the following use of sodium dichromate (EC No 234-190-3; CAS No 10588-01-9):

Authorisation number	Authorisation holder	Authorised use
REACH/25/35/0/R1	AD International BV	Formulation of mixtures exclusively intended for uses authorised under Regulation (EC) No 1907/2006

The authorisation is granted subject to the risk management measures and operational conditions described in the chemical safety report<sup>13</sup>, and to the conditions set out in Article 2.

### *Article 2*

1. The authorisation is subject to the conditions set out in paragraphs 2 and 3.
2. The authorisation holder shall ensure that relevant workers:
  - (a) are provided with adequate respiratory protective equipment, which is subjected to a fit test prior to its first use;
  - (b) always perform a fit check of the seal of their respiratory protective equipment before starting a relevant task;
  - (c) are adequately supported to undergo the fit tests referred to in point (a) and trained to undertake the fit checks referred to in point (b).
3. Without delay, and at the latest by 19 Decembre 2025, the authorisation holder shall conduct a specific occupational exposure monitoring programme to validate the appropriateness and effectiveness of the risk management measures and operational conditions in place to ensure that exposure to hexavalent chromium (Cr(VI)) of workers who are not performing activities directly associated with the mixing process or the maintenance, is reduced to as low a level as is technically and practically possible. If necessary, additional risk management measures or operational conditions shall be implemented to further reduce exposure to Cr(VI) to a level as low as technically and practically possible. Such measures shall follow the hierarchy of control principles set out in Article 5 of Directive 2004/37/EC.

### *Article 3*

The review period shall expire on 21 September 2036.

The authorisation shall cease to be valid on 21 September 2036 in relation to any authorisation holder who has not submitted the review report in accordance with Article 61(1) of Regulation (EC) No 1907/2006 by 21 March 2035.

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<sup>13</sup> <https://ec.europa.eu/docsroom/documents/64015>

#### Article 4

1. The monitoring arrangements set out in paragraphs 2 to 5 apply.
2. The authorisation holder shall carry out a monitoring programme measuring occupational exposure to hexavalent chromium (Cr(VI)). The programme shall include measurements which shall:
  - (a) take place at least annually, or more frequently if a significant increase of sodium dichromate consumption takes place on site, and shall be sufficiently frequent to capture any potential increase in exposure of workers to Cr(VI);
  - (b) be based on relevant standard methodologies or protocols;
  - (c) ensure a sufficiently low limit of quantification;
  - (d) comprise personal or static inhalation exposure sampling;
  - (e) be representative of all the tasks with possible exposure to Cr(VI), including maintenance tasks, of the operational conditions and risk management measures for each of those tasks, and of the total number of workers that are potentially, directly or indirectly, exposed;
  - (f) be recorded so as to include contextual information about the tasks performed during exposure sampling.
3. The authorisation holder shall carry out a monitoring programme measuring the environmental releases of Cr(VI) to the air. The programme shall include measurements which shall:
  - (a) take place at least annually, or more frequently if a significant increase of sodium dichromate consumption takes place on site, and shall be sufficiently frequent to capture any potential increase in emission of Cr(VI);
  - (b) be based on relevant standard methodologies or protocols;
  - (c) ensure a sufficiently low limit of quantification;
  - (d) be representative of the operational conditions and risk management measures used at the site where the authorised use takes place;
  - (e) be recorded so as to include contextual information associated with each set of measurements.
4. The authorisation holder shall use the information gathered by way of the measurements referred to in paragraphs 2 and 3 to review, at least annually, the appropriateness and effectiveness of the risk management measures and operational conditions in place. While doing so, the authorisation holder shall also review and, if needed, update its assessment of the combined exposure for the different groups of workers and its assessment of the exposure of the general population via the environment. If needed, based on the outcome of those reviews, the authorisation holder shall introduce measures to further reduce to a level as low as technically and practically possible occupational exposure to Cr(VI) and Cr(VI) emissions to the environment. Measures introduced to reduce occupational exposure shall follow the hierarchy of control principles set out in Article 5 of Directive 2004/37/EC.
5. The authorisation holder shall document and maintain the information from the monitoring programmes referred to in paragraphs 2 and 3, and from specific exposure monitoring programme referred to in Article 2 paragraph 3, including the contextual information associated with each set of measurements, as well as the

information on the outcome and conclusions of the reviews and on any measure taken in accordance with paragraph 4, and shall make that information available, upon request, to the competent authority of the Member State where the authorised use takes place.

*Article 5*

If a review report is submitted, it shall include the information referred to in Article 2(3) and Article 4(5).

*Article 6*

Upon request, the authorisation holder shall submit a brief summary of the applicable risk management measures and operational conditions described in the chemical safety report to the competent authority of the Member State where the authorised use takes place. The brief summary shall be drafted in an official language of that Member State.

*Article 7*

This Decision is addressed to:

AD International BV, Markweg Zuid 27, 4794 SN Heijningen, Noord-Brabant, Netherlands.

Done at Brussels, 19.6.2025

*For the Commission*  
*Stéphane SÉJOURNÉ*  
*Executive Vice-President*

