NOTICES FROM MEMBER STATES

Communication from the Commission pursuant to Article 67(3) of Regulation (EC) No 1907/2006 of the European Parliament and of the Council on the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH) [1]

(2009/C 130/03)

Existing and more stringent national provisions notified according to the Treaty that the Netherlands may maintain until 1 June 2013 in relation to the restrictions on the manufacture, placing on the market and use of certain dangerous substances, mixtures and articles listed in Annex XVII of Regulation (EC) No 1907/2006

Designation of the substance, of the group of substances or of the mixture in Annex XVII of REACH	More stringent national provisions	Authorised by the Commission
31. (a) Creosote; wash oil CAS No 8001-58-9 EC No 232-287-5 (b) Creosote oil; wash oil CAS No 61789-28-4 EC No 263-047-8 (c) Distillates (coal tar), naphthalene oils; naphthalene oil CAS No 84650-04-4 EC No 283-484-8 (d) Creosote oil, acenaphthene fraction; wash oil CAS No 90640-84-9 EC No 292-605-3 (e) Distillates (coal tar), upper; heavy anthracene oil CAS No 65996-91-0 EC No 266-026-1 (f) Anthracene oil CAS No 90640-80-5 EC No 292-602-7 (g) Tar acids, coal, crude; crude phenols CAS No 65996-85-2 EC No 266-019-3 (h) Creosote, wood CAS No 8021-39-4 EC No 232-419-1 (i) Low temperature tar oil, alkaline; extract residues (coal), low temperature coal tar alkaline CAS No 122384-78-5 EC No 310-191-5	— Prohibition of the placing on the market and use of creosote-treated wood for applications involving contact with surface water or groundwater (irrespective of the composition of the coal tar distillate). — Prohibition of the placing on the market for reuse or the reuse of old treated wood in applications involving contact with surface water or groundwater if it is removed from the existing place of application (irrespective of the composition of the coal tar distillate). — Prohibition of the placing on the second-hand market for reuse of old wood treated with substances and mixtures which contain: — Benzo[a]pyrene at a concentration of 0,005 % or more by weight, and — Water-extractable phenols at a concentration of 3 % or more by weight [1].	Commission Decisions 1999/832/EC [2], 2002/59/EC [3] and 2002/884/EC [4]

[1] 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/EEC and Commission Regulation (EC) No 1488/94 as well as Council Directive 76/769/EEC and Commission Directives 91/155/EEC, 93/67/EC, 93/105/EC and 2000/21/EC (OJ L 396, 30.12.2006, p. 1).

Designation of the substance, of the group of substances or of the mixture in Annex XVII of REACH	More stringent national provisions	Authorised by the Commission
42. Alkanes, C_{10}–C_{13}, chloro (short-chain chlorinated paraffins) (SCCPs) EC No 287-476-5 CAS No 85535-84-8	Restriction on the use of short-chain chlorinated paraffins: — as flame retardants in rubber, plastic or textiles; — as plasticisers in paints, coatings or sealants ([5]).	Commission Decision 2007/395/EC ([6])

([1]) Decree on Coatings Containing Polycyclic Aromatic Hydrocarbons under the Chemicals Substances Act [Besluit PAK-houdende coatings] (Staatsblad 1996, No 304), as last amended by the Decree of 8 February 2003 (Staatsblad 2003, No 104).
([2]) OJ L 329, 22.12.1999, p. 25.
([3]) OJ L 23, 25.1.2002, p. 37.
([4]) OJ L 308, 9.11.2002, p. 30.
([5]) Decision of 3 November 1999 laying down rules prohibiting the use of short-chain chlorinated paraffins. Staatsblad 1999, No 478.
([6]) OJ L 148, 9.6.2007, p. 17.