

# Chromium VI Compounds: Impending restriction

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## WVMetalle Contribution to the public consultation of the ECHA on a restriction of certain chromium(VI) oxides, oxyacids and salts

[Wirtschaftsvereinigung Metalle \(WVMetalle\)](#), the German Non-Ferrous Metals Association, represents the German Non-Ferrous (NF) metals industry towards politics and economy to maintain and establish measures at a very high level. Today, WVMetalle has about 625 member companies, including producers and processors of most base and special metals and compounds including cobalt containing alloys and cobalt compounds. WVMetalle is member of the German Industry Association (BDI) and of the European Non-Ferrous Metals Association (Eurometaux).

### **Background**

The authorisation process under REACH aims to ensure that substances of very high concern (SVHCs) are progressively replaced by less dangerous substances or technologies where technically and economically feasible alternatives are available.

Over the years 2013 and 2014 multiple hexavalent chromium substances (hereafter abbreviated by Chrom VI) have been added to the Authorisation list (Annex XIV of REACH) due to their intrinsic properties. Following the addition to the authorisation list, a lot of companies were required to apply for an authorisation to continue or start using and placing chromium substances. The high number of applications challenged ECHA's capabilities to properly assess each authorisation application, leading to multiple delays.

Therefore, the European Commission mandated the ECHA in 2023 to prepare a REACH restriction proposal on hexavalent chromium (VI) substances currently included in the Authorisation List. This mandate was further updated in 2024 to include all other economically relevant chromium (VI) substances such as barium chromate, not yet included in the Authorisation list.

Based on the subsequent assessment, ECHA concluded in April 2025 that an EU-wide restriction is justified and that the restriction would replace the current authorisation requirements under REACH. According to the ECHA the proposed restriction would prevent significant Chrom VI pollution and cancer cases, yielding between €331 million–€1.07 billion in benefits over 20 years depending on restriction option chosen.

As WVMetalle we welcome the opportunity to provide information to the ECHA consultation launched on the 18<sup>th</sup> of June 2025. The document below provides an overview of our position concerning the possible restriction of Chromium (VI) substances, which we submitted on 18.12.2025.

## 1. Use of OELs within a restriction

The reasoning for the limit values chosen within the restriction proposal appears to be influenced by socioeconomics as they refer to a correlated excess cancer risk. This is a such reasonable and comparable to the approach followed by the Advisory Committee on Safety and Health at Work (ACSH) when establishing Binding Occupational Exposure Limit Values (BOELV) for carcinogenic substances. Having in mind that the DG EMPL is on the way to revise the current BOELV of 5 µg Cr(VI)/m<sup>3</sup> in the up-coming seventh wave of updates of the Directive 2004/37/EG (CMR-Directive) in order to lower this value, the restriction proposal for certain chromium(VI) substances seems to duplicate activities in this field. From an occupational health and safety perspective, there should be only one value and the BOELVs are much better known and respected by employers and employees.

In addition, the concept of different limit values for different uses is extremely difficult to justify from a perspective of equality in the occupational context and impractical in the enforcement practice, especially in companies where different uses of the chromium (VI) substances are occurring. Compared to the occupational health and safety context, setting a limit value as proposed with the restriction is prone to miss its target as the necessary contextual risk management measures (RMMs) to reduce the exposure are not addressed. Therefore, of course an analysis of the state of the art methods and tools established to minimise the exposure in the different use categories is needed, following as well the duty to respect the hierarchy of control measures. An example of how this may look like can be found in the German Technical Rule TRGS 561<sup>1</sup>.

We also emphasize on the fact that the BOELV is broader in scope than the proposed restriction and solves in one go all exposure situations, irrespective of the chromium(VI) substance species, irrespective of the use and irrespective of the registration status (intermediate or not).

- *A restriction under REACH focusing on OELs inherently creates overlaps, conflicts and misunderstandings with existing OSH legislation. In the case of chromium (VI) compounds this is especially relevant because of the parallel ongoing revision of the existing BOELV.*

## 2. Scientific basis for the Occupational Exposure limits

The different proposed limit values for the air in the workplace described by in the proposal are based on a rather outdated RAC assessment from 2013. They were derived on (i) human epidemiology data for the respirable particulate fraction, and (ii) linear extrapolation using the meta-analysis by Seidler, Jähnichen et al. (2013) of previous studies on the Baltimore cohort (Park, Bena et al. 2004) and the Painesville cohort (Crump, Crump et al. 2003, Luippold, Mundt et al. 2003) and resulted in an Exposure-Risk Relation for several Chromium compounds where a value of 1 µg Cr(VI)/m<sup>3</sup> corresponds to a risk level of 4:1000.

It is completely overlooked that specifically for this cohorts' updates were published recently that broaden the basis the epidemiological assessment and become therefore much more reliable. Gibb et al.<sup>2</sup> focussed 2015 on the Baltimore cohort and added about 20,000 additional years of work to the assessment. Proctor et al.<sup>3</sup> focussed 2016 on the Painesville cohort and resume that the unit risk for 1 µg/m<sup>3</sup> is between 0,31 and 1,66/1000 which is substantially lower than the risk level derived by RAC

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<sup>1</sup> [BAuA - Technical Rules - TRGS 561 Activities involving carcinogenic metals and their compounds - Federal Institute for Occupational Safety and Health](#)

<sup>2</sup> Gibb HJ, Lees PS, Wang J, Grace O'Leary K. Extended followup of a cohort of chromium production workers. *Am J Ind Med.* 2015 Aug;58(8):905-13. doi: 10.1002/ajim.22479. Epub 2015 Jun 4. PMID: 26041683; PMCID: PMC5008208.

<sup>3</sup> Proctor DM, Suh M, Mittal L, Hirsch S, Valdes Salgado R, Bartlett C, Van Landingham C, Rohr A, Crump K. Inhalation cancer risk assessment of hexavalent chromium based on updated mortality for Painesville chromate production workers. *J Expo Sci Environ Epidemiol.* 2016 Mar-Apr;26(2):224-31. doi: 10.1038/jes.2015.77. Epub 2015 Dec 16. PMID: 26669850; PMCID: PMC4756268.

in 2013. It may be of relevance to know that German AGS (Hazardous Substance Committee) recognize this situation and is already working on a revision of the existing ERR for chromium(VI) substances, which is at the moment identical to the RAC evaluation from 2013.

- *Decisions on new restrictions must be based on actual information. Therefore, the mentioned as well as other recent and relevant scientific data must be taken into account before any conclusion on the heights of workplace limit values within the restriction are established. This is especially important as all calculations on costs within the impact assessments for the restriction are based on the ERR, which seems to be outdated and in light of the more recent data overly conservative as well.*

### 3. Environmental limit values

WVMetalle recognizes the idea of the Commission to address emission to air and water by the restriction proposal. Nevertheless, setting of a fixed value per year and per company that is not only an unusual measure but also creates extremely unfair situations between producers with lower volumes and producers with higher volumes. While small companies will probably easier comply with the suggested absolute amounts, larger companies will often fail to comply, even though all emission sources are assumed to be well below the permit levels based on mass concentration and mass flow. Even companies with very modern cleaning technologies may fail to reach certain limits just because of the total operational period within a given year or because of the amount of produced material.

- *As in occupational health and safety, a concentration based value must be derived for emissions.*

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