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M I S S I O N S T A T E M E N T

The purposes of the association are the following:

To coordinate and unify the efforts of manufacturers of synthetic organic colorants to minimize possible impacts of these products on health and the environment.

To achieve these ends by the most economic means without reducing the level of protection of health and the environment.

To encourage harmonization of health and environmental regulations in key geographical areas.

To represent the positions and interests of the manufacturers of organic colorants towards authorities, public institutions and media.

To promote responsible environmental and health risk management during manufacture, transport, use and disposal.

To enhance the recognition of the commitment of ETAD members to responsible behavior with respect to health and the environment.

P R E F A C E F R O M T H E P R E S I D E N T

Dr. Ulrich Ott
Clariant International Ltd.



In 2010 we have seen quite a remarkable recovery in our industries, although economic and financial crisis have not vanished yet. Demand for colorants has developed well and has helped to move our focus away from mere survival mode back to a more comprehensive business perspective.

Corporate Social Responsibility (CSR) is gaining momentum and is leading us away from short-term economic necessities towards long-term sustainability. Since ecological sustainability is a key pillar of CSR with the prime target to enforce and ensure appropriate protection of our environment, managing our businesses with great awareness for environmental protection, sound product stewardship, safe handling, safe application of our products and proper waste management will be an important driver for competitive advantage in the future. It is therefore of great importance that we continue in ETAD with our joint efforts and look for ways to support our members and their downstream users in ecological and toxicological matters.

In order to strengthen ETAD's global footprint we have put a lot of emphasis on making us more visible in India. Our Vice President Ravi Kapoor and our Indian Operating Committee have given great support to establish a good relationship with the Indian Chemical Council and the environmental bureau.

Ecological sustainability will be a key success factor in the chemical industry

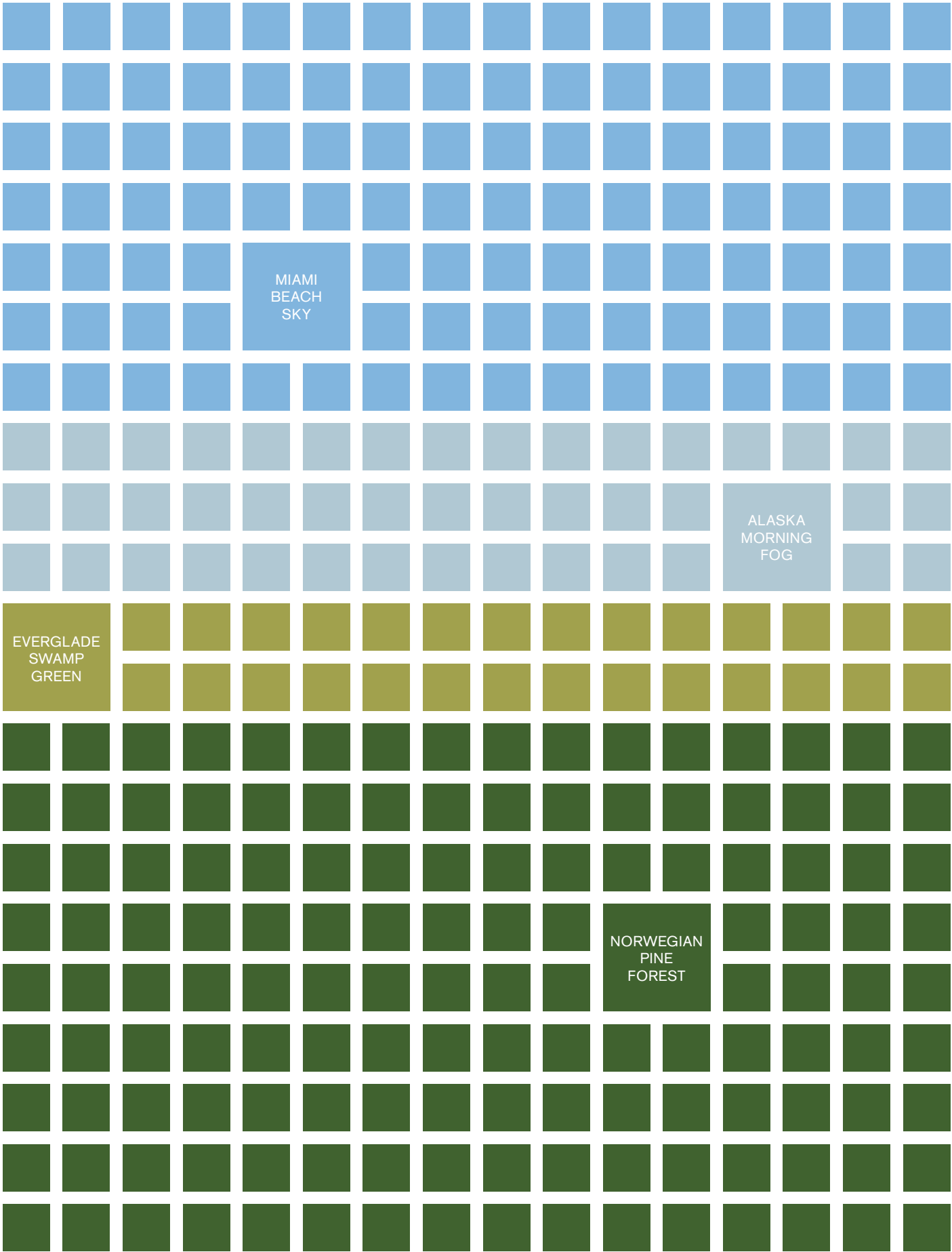
In addition we have successfully reactivated our Japanese Operating Committee.

Another prime focus of the ETAD Board has been to develop ideas on how to broaden our member base and how to increase ETAD's exposure and recognition in the industry.

A great deal of ETAD's efforts was also put in the area of REACH. It has been a major focus for our member companies and they have worked together in SIEFs and consortia and have shared experiences with registration of Phase I substances. As additional support, during 2010 ETAD has continued to work on proposals for use categories, process categories and exposure scenarios based on the Chemical Safety Report template published by ECHA. We have achieved a common approach to ensure consistent information to downstream users.

Last but not least, the debate about nanomaterials is ongoing and, in order to strengthen our position with organic pigments, we have established valuable contacts with EU authorities and the Joint Research Centre of the EU Commission.

There are many more issues our committees have tackled very successfully, from which all our member companies can benefit; detailed reports are available in the corresponding committee sections of this Review. I would like to thank all who have greatly contributed to our achievements, especially the committee chairmen and the experts. Please let me remind that, in order to continue to be a competent, globally well established association with high visibility and reputation, it needs active participation of all member companies in the various projects in our committees.



M E M B E R S H I P

With effect from the 1st January 2011 Albion Colours Limited will trade as Brenntag Colours Limited, following the completed integration into the Brenntag organisation of the product range of Albion Colours. The name change has already been reported in the members list included in this Annual Review.

Mitsubishi Chemical Corporation resigned its membership effective December 31, 2010.

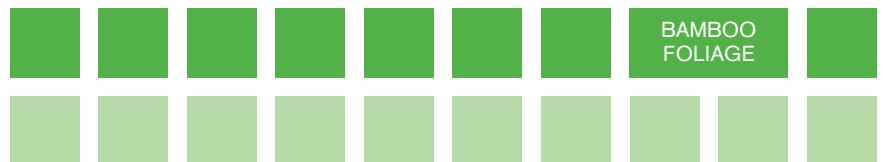
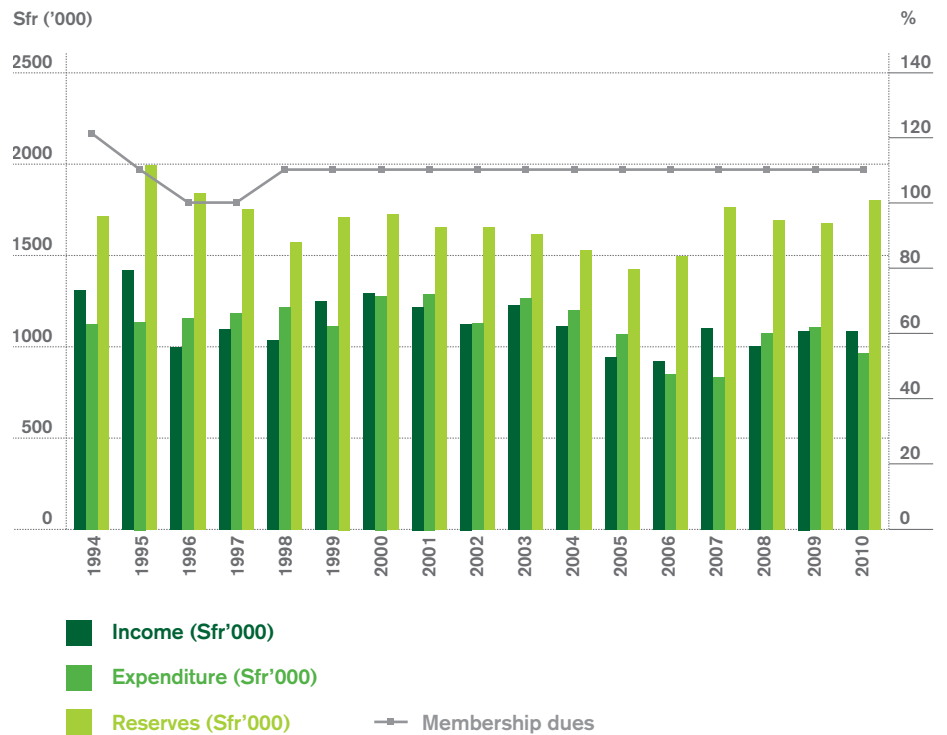
In 2010, Ciba became part of the BASF group as BASF Schweiz AG and started being represented in ETAD by BASF. Toyo Ink Europe, part of the multinational Toyo Ink Group, became represented by its parent company Toyo Ink Japan.

Fig. 1 – Growth and changing regional composition of the ETAD membership



ETAD is a non-profit association. The operating expenses are recovered mainly by means of payments by the ETAD members. In 2010, total income was SFr. 1'085'000 compared with total expenditure of SFr. 962'000, resulting in a net profit of SFr. 123'000.

Fig. 2 – Summary of income / expenditure 1994-2010





The 36th Ordinary General Assembly of ETAD was held at the Hilton Hotel, Munich on May 21, 2010.

Out of the current ETAD membership of 34 companies, 15 were present or represented by proxy. Of the current total vote entitlement of 67 votes, 41 votes were represented at the meeting (61%).

The minutes of the 35th Ordinary General Assembly 2009 and the Annual Report 2009 were approved unanimously. The General Assembly also approved unanimously the report of the Treasurer and chartered accountants (PriceWaterhouseCoopers AG) and the budget for 2010, as presented by Dr. Hochstein. Due to the financial situation it was possible to avoid any increase in membership costs for the fourteenth successive year.

36TH GENERAL ASSEMBLY

As is customary, the Board proposal for its composition for 2010/2011 was presented to the Assembly. There were no additional nominations in response to the invitation by ETAD Legal Counsel, Dr. Uebersax, and the Board was elected unanimously as follows:

President

Dr. Ulrich Ott

Clariant International Ltd.

Vice President

Mr. Ravi Kapoor

Heubach Colour Pvt. Ltd.

Treasurer

Dr. Bernd Hochstein

BASF Schweiz AG

Dr. Davor Bedekovic

Huntsman Advanced Materials
(Switzerland) GmbH, Textile Effects

Mr. Peter Krummeck

Sun Chemical A/S

Dr. Jürgen Schmiedl

BEZEMA AG

The President, Dr. Ulrich Ott, brought to the attention of the participants a series of challenges presented by the Board during the 35th General Assembly in Basel and described the specific activities carried on to address them.

In the framework of a global enhancement of ETAD's role and visibility, ETAD members had been asked about their perception of the benefits and services offered by the association. The results of this internal survey clearly showed that the offered services are evaluated quite positively and that the companies wish for ETAD to increase its external recognition as main reference for health, safety and environment in the colorants industry and as a "quality brand" down the supply chain.

At the same time an ETAD office in India was established. Dr. Ott pointed out that a revitalization of the other regional committees is also necessary and has already started.

In addition, he reminded to the member companies' representatives the benefits deriving from the affiliation to ETAD and summarized the main activities of the Pigment Operating Committee, the Regulatory Affairs Committee and the European Operating Committee. As regards the latter, the President remarked that the definition "European" does not reflect any longer either the international composition or the scope of the committee, and communicated the decision to change the name into Dyes Operating Committee (DOC) in analogy to the POC.

By closing the General Assembly 2010, Dr. Ott called attention to the ETAD focus for the year 2010. As emphasized in the preface of the Annual Report 2009, ETAD has to challenge continually its

own effectiveness in representing the interests of its member companies, while at the same time remain truthful to the principles expressed by the Code of Ethics. Keeping in mind those general guidelines, ETAD will especially work on the following projects:

- Support the ETAD office in India and intensify activities
- Activate the Brazilian and reactivate the Japanese Operating Committee
- Intensify cooperation with CPMA in the US
- Assist companies to meet the first REACH registration deadline
- Improve the Value Chain Communication and enhance cooperation with issuers of standards
- Broaden ETAD membership, with the development of the new membership categories "Candidate of ETAD" and "Associate membership for DUs"

Furthermore, the President announced the intention of the Board to organize an annual extended Board meeting with the participation of the chairmen from all regional committees, in order to enhance further the communication and the coordination of activities throughout ETAD.

At the end of the proceedings, Dr. Hofherr, ETAD's Executive Director, addressed Dr. Büttler and Dr. Brandt, retiring from their positions as member of EOC and chairman of POC, respectively, and thanked them for their long and productive contribution to ETAD's activities.

DYES

formerly European
Operating Committee (EOC)

OPERATING

COMMITTEE

(DOC)

In 2010 the European Operating Committee changed its name to Dyes Operating Committee in order to describe more appropriately both its member representation and the content of its work, focused on the global changes in the regulatory, scientific and industrial field which are of concern for the dye-producing member companies of ETAD.

Europe

The regulation requiring the highest amount of resources in 2010 has again been REACH. A key aspect for DOC has been to analyze the practicality of the use descriptor system suggested by TEGEWA. For a rapid response to this question a specific REACH working group was designed, which upon completion of this task was consequently suspended until further issues will surface.

The candidate list of REACH was continuously monitored for its consequence on the dyes industry. Especially the information of the German BfR to propose sensitizers as possible candidates was proactively responded to by ETAD upon the committee's request.

The committee also directly provided information to ECHA as ETAD was contacted and asked for data on different substances and intermediates of interest for dyes. In these cases it was possible to assist ECHA in the creation of reports which reflect the state-of-the-art of current industrial processes in Europe, in particular as regards safety issues.

North America

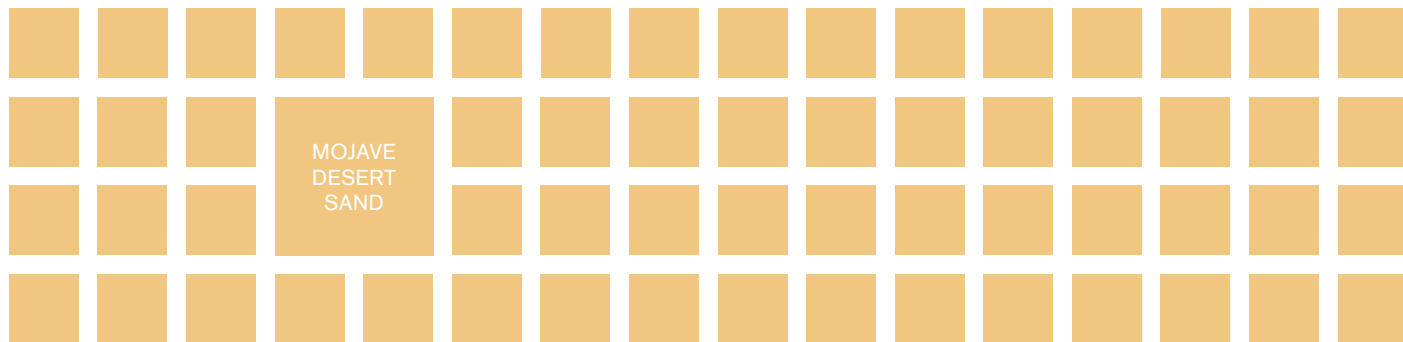
Environment Canada continuously releases new lists of substances to be screened for their impact on the public health. Through the input of the DOC the activities of ETAD NA are targeted to avoid any negative precedent cases with negative effect on other regulations, e.g. REACH.

By the same process the action plan of EPA USA for benzidine dyes was directly addressed by ETAD NA. Under the constant monitoring of DOC, it was assured that the phase-out work carried out in the past is correctly evaluated and corroborates the conclusion that no further action from the authorities is needed, since the current status does not contribute to any significant amount to human exposure to these substances in the US.

Asia

New regulations or updates of existing ones have arisen in major markets like Korea, China and Taiwan. Beside national specific regulation and inventories, a general trend to the introduction of GHS or GHS-like programs is developing. Because of the modular principle of GHS, it was extremely important to clarify which parts of the system are supposed to be implemented in each country and whether any additional requirements or local adaptations have to be taken into account by the preparation of the corresponding documentation.

Furthermore, due to the language barrier in these countries, it was crucial for the DOC member companies to be able to utilize the resource of their global subsidiaries for the interchange of information on the status of the regulations, on its implementation status and, first of all, a reliable translation.



Retailers and brands

Beside the legislative bodies the second most important source of regulations for the dyes industry is coming from retailers and brands, therefore any new standard is distributed among DOC members for agreement on the necessity for action.

During 2010 IKEA was contacted in order to offer ETAD's assistance for their azo dyes test method; the resulting very positive communication appeared to be very beneficial for future issues, where DOC will be able to discuss further amendments to their standards possibly already in the draft version.

Furthermore, new aniline limits and severe extraction conditions for PCP released by Triumph in its standard triggered an ETAD-initiated meeting where the retailer clarified the rationale behind his choice of a clearly over-cautious testing. Although the meeting helped to outline the approaches of both parties to the issue, Triumph decided to keep its standard in the current form; however, the now established open contact with ETAD will possibly allow a preliminary discussion on future introductions to their standard.

As a quite relevant standard issuer as regards textiles, GOTS is jointly addressed with TEGEWA. In 2010 ETAD was invited to take part to the revision of the standard, which had been open to external comments and proposal from interested parties. The specific input on colorants submitted by ETAD/TEGEWA was incorporated into the first draft of the revised standard, which will be open to further comments till end of January 2011. After this date, the technical committee of GOTS will follow up with all contributions.

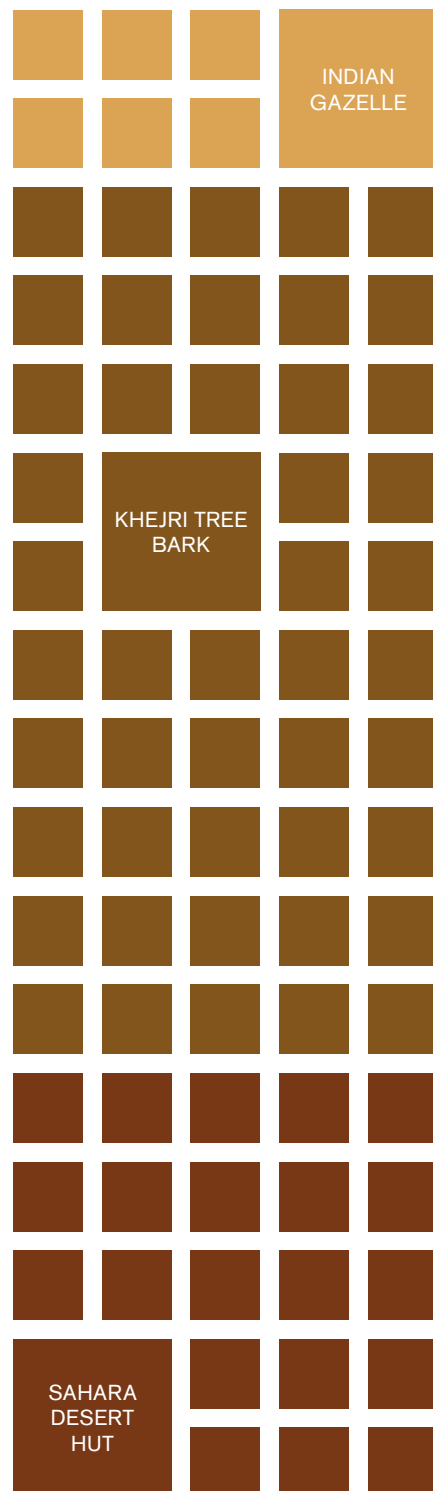
Nanomaterials

Although the discussion about nanomaterials resulted to be of no concern for the dyes industry, the public discussion and the regulatory development were nevertheless followed in order to provide guidelines on the wording to respond to questions arising from the customer base.

Institutes

In 2009 ETAD started a two-year project with the German Information Network of Departments of Dermatology (Informationsverbund Dermatologischer Kliniken, IVDK) aimed to assess the frequency and specific causing agents of dyes-induced contact dermatitis in Germany. IVDK undertook the role of collecting suspect dyed garments from their patients, whereas ETAD accepted to carry on the analytical part of the project. However, by the end of 2010 still no cases had been reported which could be correlated to the presence of sensitizing dyes in textiles.

As agreed upon with IVDK in the study description, ETAD will continue to support the project till end of spring 2011, after which date the project will be closed. Even if by then still no cases of colorant-induced allergy will have been reported, the status of the project will be summed up by IVDK in an official statement, since the lack of results is a confirmation of the conclusions ETAD reached in its previous similar project extended to several countries worldwide.



PERMITTING COMMITTEE (POC)

A review of the POC annual reports over the past few years shows the attention and time that has been given to REACH, from the formation of a sub-committee, through to a trial consortium and then the formation of real consortia.

This year was no exception. REACH and all its related activities dominated the thoughts and resources of the POC members, as well as their teams. Seven REACH consortia for pigments, based on ETAD preparatory work and lead by ETAD member companies, successfully registered 38 substances and, with this initial hurdle behind us, the attention shifted to the phase II substances. Details on the ETAD REACH activities can be found on our web site www.etad.com.

At the same time, POC continued to monitor international legislation and regulations for their potential impact on pigments business and, if possible, input into their development, paying special attention to the topics outlined in the following sections.

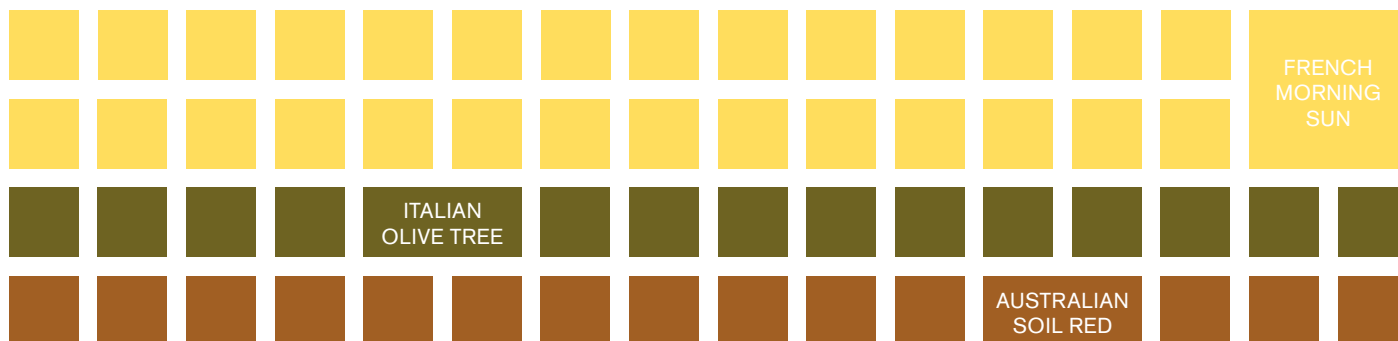
The nano issue

Media, regulators and academics as well as industry from all across the world contribute to the vast amount of literature on this topic. The primary particles of many organic pigments lie within the currently accepted definition of nanosize, but one of the urgent needs is a clear definition for regulatory purposes of what constitutes a nanomaterial; only when this has been agreed can the precise impact on pigments be assessed. Since the beginning of the authorities' interest for this issue POC members have been involved in various groups contributing to the development of a definition; furthermore, ETAD input into the public consultation of the proposed EU definition and took part in discussions with the Joint Research Council of the EU in an ad hoc meeting organized by Eurocolour. On behalf of POC, ETAD also approached several national regulatory bodies in order to reach a mutual understanding of the respective point of view on the issue and to provide them with accurate information on the specific properties of pigments.

Chlorine

The discussion on risk and benefit of chlorine-chemistry continues. POC in conjunction with the German Masterbatch association contributed to the information letter "Chlorine-containing colorants in masterbatches" to address concerns of their customers about the use of chlorine-containing pigments in food packaging.

Also in relation to this topic, the EU Directive on "Restriction of Hazardous Substances in Electric and Electronic Equipment" 2002/95/EC was revised last year. One of the amendments proposed to add "organochlorines and organobromines" to the list of "priority substances", which would severely limit the use of certain pigments. The rationale for this proposal was that during incineration, especially under poor conditions, dioxins and PCBs might be formed. POC participated to the specific CEFIC team which was successful in its lobbying action against the inclusion of a priority list in this re-cast directive. However it is still possible that in a later revision organohalogenated compounds could be introduced, therefore POC will keep monitoring the situation and will continue to gather information.



Pigments for toys

The new Toys Safety Directive 2009/48/EC contains significantly more stringent chemical purity requirements for pigments than the earlier directive 88/378/EEC which it replaces. As a consequence, almost all of the EN 71 standards have to be revised and updated to reflect these new requirements. Since 2009 POC companies have committed their experts to work on the task groups formed to accomplish this goal, and during 2010 they have had the possibility to contribute with their knowledge on pigments not only as regards specific toys applications (e.g. finger paints), but also in the more general discussion on heavy metals (the now called "elements" in the new Directive). As the test methods development has only just begun, the prescribed deadline of 20 July 2013 for the delivery of chemical standards is a very tight schedule.

Food contact

The ETAD staff continues to work with EuPIA to ensure that the POC members' substances are on the positive lists in the Swiss Ordinance regarding inks printed on the non-food contact side of food packaging. Furthermore, a direct communication with the Swiss authorities was established in order to ensure quick information exchange on the status of the official list. This is particularly useful since the authorities' goal is to revise and update their list regularly, accordingly to the actual state-of-the-art.

Seven REACH consortia for pigments, based on ETAD preparatory work and lead by ETAD member companies, successfully registered 38 substances

A similar food packaging ink draft ordinance has recently been published by Germany and is being monitored by POC.

A revision process for food contact standard was also started by the Bureau of Indian Standards (BIS) three years ago, but the new document is not yet in its conclusive form. Over the past months ETAD staff and POC members have been working with IOC (the Indian Operating Committee of ETAD) to ensure that BIS profits of the revision process to produce a standard in line with globally accepted criteria. In particular ETAD has assisted by providing the necessary information to allow the colorants list to be updated and has recommended the addition of purity requirements.

Analytical work

During 2010 the experimental part of the new ETAD primary aromatic amine method was concluded, since the simplified procedure tested internally by POC members satisfied the crucial requirements of reproducibility and recovery rates. The method is now being scrutinized by Solvias AG for its robustness and its fitness.

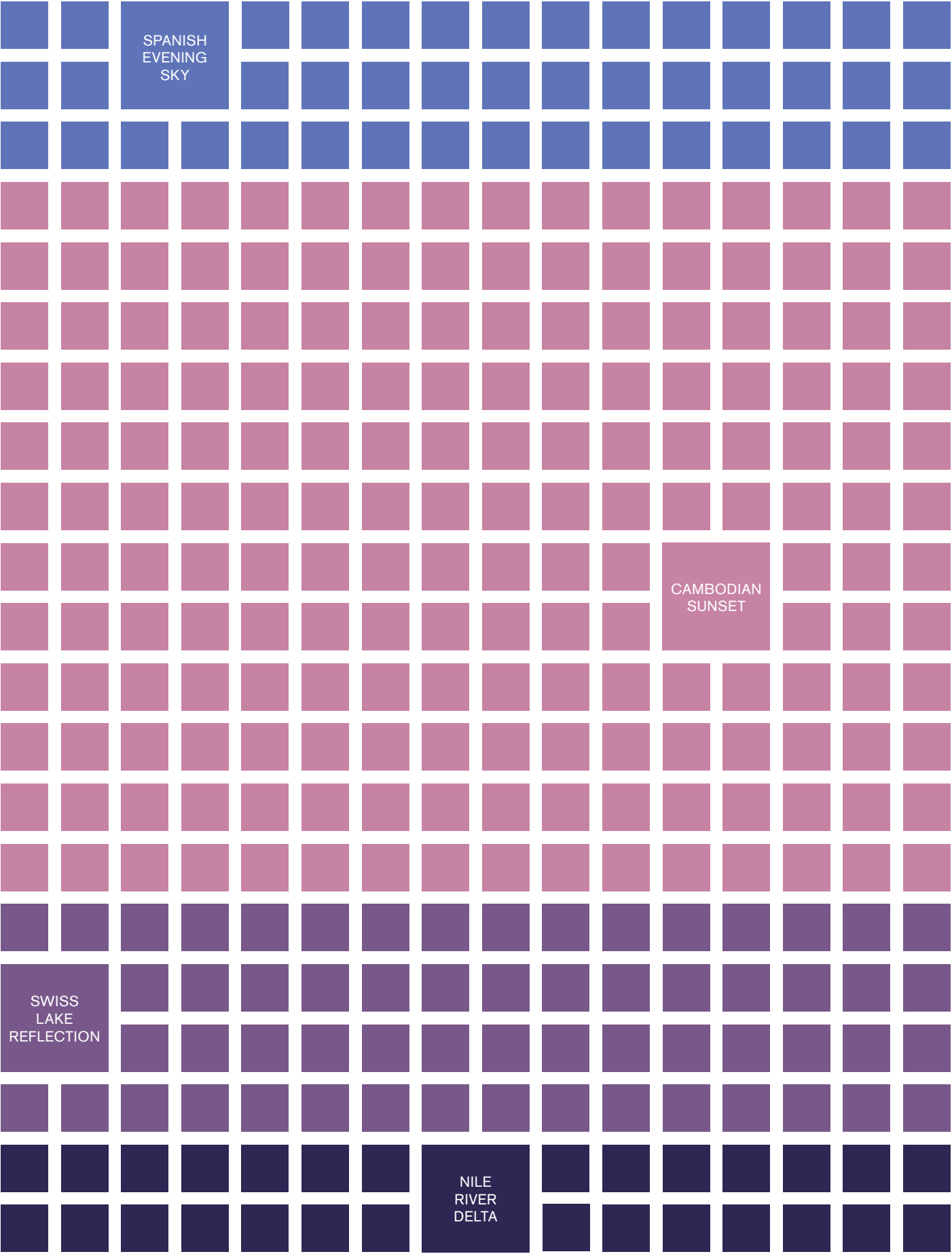
Personal

Dr. Karl Brandt, the POC chairman for the last two years, has had to resign from this position as a result of work commitments.

Dr. Erwin Dietz, a long standing and active member of POC, has retired.

We thank both members for their contributions to POC and Dr. Dietz for all his work on the REACH front.

Currently POC meetings are being chaired in rotation by the members.



SPANISH
EVENING
SKY

CAMBODIAN
SUNSET

SWISS
LAKE
REFLECTION

NILE
RIVER
DELTA

R E G U L A T O R Y A F F A I R S C O M M I T T E E (R A C)

The Regulatory Affairs Committee met three times in 2010.

Business concentrated on the key remits:

- Monitoring world-wide chemical control regulations
- Ensuring awareness of new regulatory requirements
- Interpreting regulatory requirements
- Assessing the potential impact on the colorants industry

The key objectives were maintained i.e. to provide:

- A fast information flow and updates on chemical control regulations
- The promotion of awareness of regulatory requirements
- An information exchange platform.
- Prioritization and problem solving in compliance issues

RAC members invested time in discussing ways to improve the efficiency of the committee. One of the most important aspects of RAC is the exchange of ideas and information and comparison of progress regarding developing legislation. RAC members have lost important regional information sources in recent years and it was considered vital to find new reliable sources of information. This will be looked at closely during 2011. Due to changes in committee membership RAC members agreed that the monitoring responsibilities should be re-examined to fill gaps. A region based proposal has been accepted and the monitoring responsibilities re-assigned.

REACH

The Textile Descriptors developed by ETAD and TEGEWA with the input of other interested parties in the textiles value chain have been established. The tools are contributing to the evaluation of substances. Practical results using the tools will provide suitable models for substances in the second registration phase. Crucial is the comparison of exposure scenarios developed for specific applications and the ability to define class-related exposure scenarios for general reference. RAC is now closely studying the exposure scenario inclusion in the extended safety data sheet.

Collaboration with regional committees

RAC has made proposals for a closer coordination and exchange of information with the regional committees. This especially applies to developing legislation, product stewardship and proactive contacts with the authorities.

REACH ECHA Review of Annex VIII Upgrade Submissions

RAC examined the recently issued draft decisions on three Annex VIII upgrades submitted in 2009 by ECHA. A review of ECHA's comments was made to identify the focus of the dossier reviews. The aim of the review was to identify ECHA's approach as such information could be useful for ensuring that future dossier submissions fully meet ECHA's requirements and are accepted without the need to supply follow up information.

Classification and labelling inventory REACH Articles 112-114

Open questions on the submissions were submitted to VCI, and a comprehensive answer was received which clarified many open issues. The main issues covered were confidentiality and the ensuing problems of harmonization i.e. with respect to group submissions, variants and consensus. ECHA requires harmonization but no time table has been set. Priority will be given to e.g. CMR substances and inhalatory sensitizers. For all remaining substances Article 41 is relevant and states that the submitting entities must strive for harmonization.

OECD QSAR toolbox

The toolbox analyses structures against various profiles. Data gaps are identified and filled from available sources including IUCLID5. Thus missing test data and potential read across structures can be identified. In the case of Acid dyes the results were disappointing because of a lack of data for these structures in the system. To obtain an adequate response from the system, data needs to be added initially for a few similar structures. The application may be useful for REACH. It was agreed that the work being carried out by ETAD should continue. A meeting will be organised between ETAD and member company toxicologists to exchange experiences and identify ways of progressing the work.

Commercial Product Register Briefs

Existing documents including those updated, in the past, separately and on a different template were consolidated. The Briefs are coordinated with CEFIC GER. The target to bring CEFIC and ETAD documents to the same updated status was met.



ETAD maintained its office in Washington, DC during 2010 to represent the dyes industry to government agencies, liaison with other industry, respond to inquiries from the media and public, and coordinate with the global ETAD office in Basel. The North American member companies continued to focus on core activities to minimize costs and emphasized networking and information exchange relating to regulatory issues and other environmental, health and safety related initiatives that impacted the dyes industry in the United States and Canada.

Regulatory developments in the United States

The North American member companies of ETAD monitored a number of regulatory developments that seemed particularly relevant to the dyes industry, including the following:

- Escalation of the debate among politicians, industry, and the public on possible TSCA reform measures.
- Announcement by EPA of a chemical action plan to address risk management priorities for benzidine and benzidine congener dyes.
- Proposed plans by EPA for expanding the reporting requirements for the Toxics Release Inventory (TRI).

- Continued debate about introducing more stringent chemical site security mandates including, among other provisions, requirements for inherently safe technology.
- Expected publication by EPA of final TSCA Section 4 test rules on the second and third groups of HPV orphan chemicals. The first test rule on HPV orphans had been published in 2006.
- Continuation by EPA of its endocrine disruptors screening program with plans to expand to a second batch of candidate substances for screening.

Regulatory developments in Canada

Under Canada's Chemicals Management Plan, the authorities published 12 priority batch lists of highest priority substances identified in the categorization and screening of its chemical inventory, the Domestic Substances List (DSL). For each batch of chemicals, manufacturers and importers were given six months to submit hazard assessment and exposure information which would be pertinent to subsequent screening risk assessments leading to recommended management and control steps. In 2010 ETAD submitted additional information on two colorants included in Priority Batch 12.

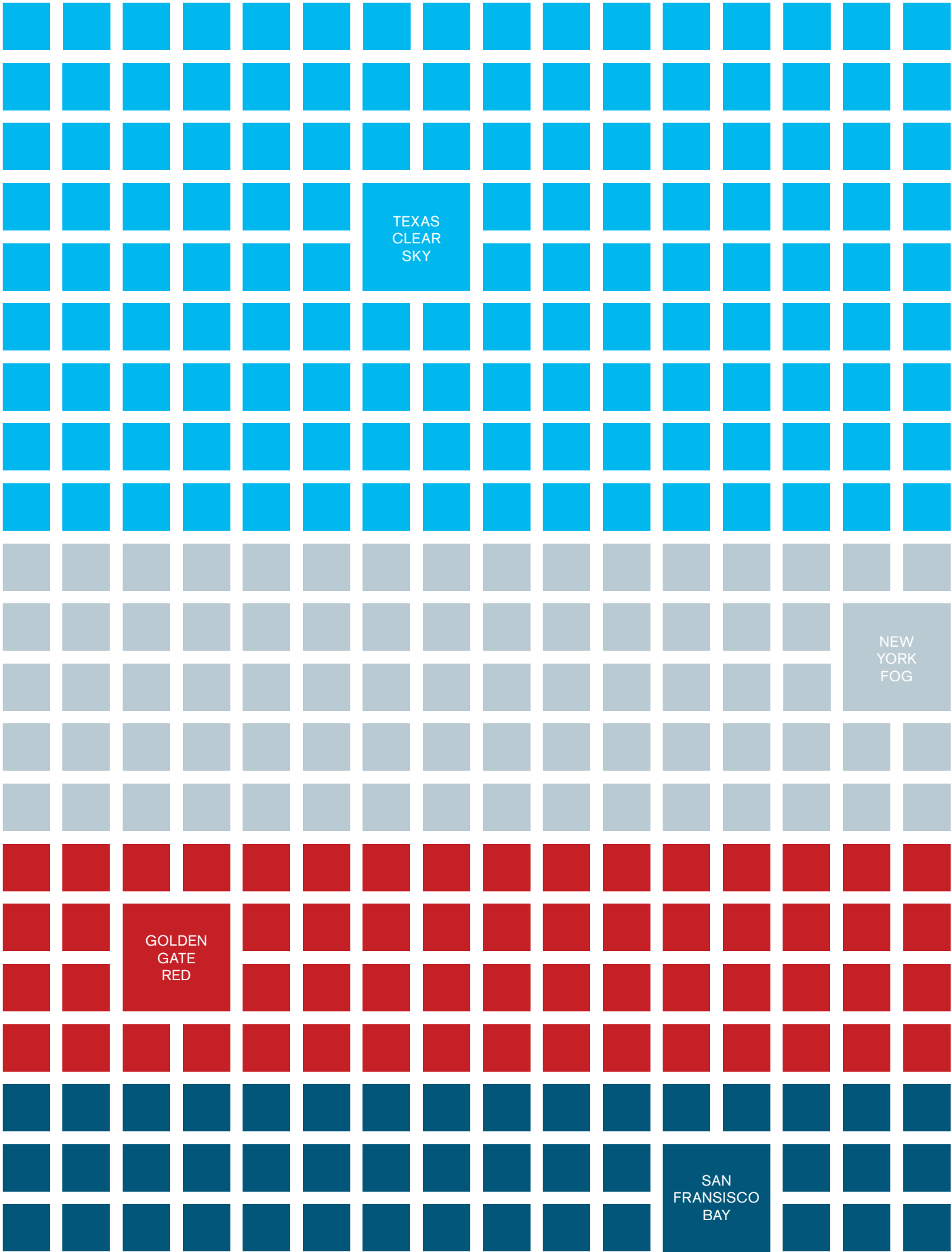
Also in 2010 the results of the Priority Batch 6 risk management decisions were announced. Only two dyes were affected by this announcement, Solvent Red 23 and Acid Red 111. For both, a Significant New Activity (SNAC) was announced but limited to only certain specific uses such as personal care and cosmetics, with other reported uses being excluded. Environment Canada and Health Canada issued a notice of intent

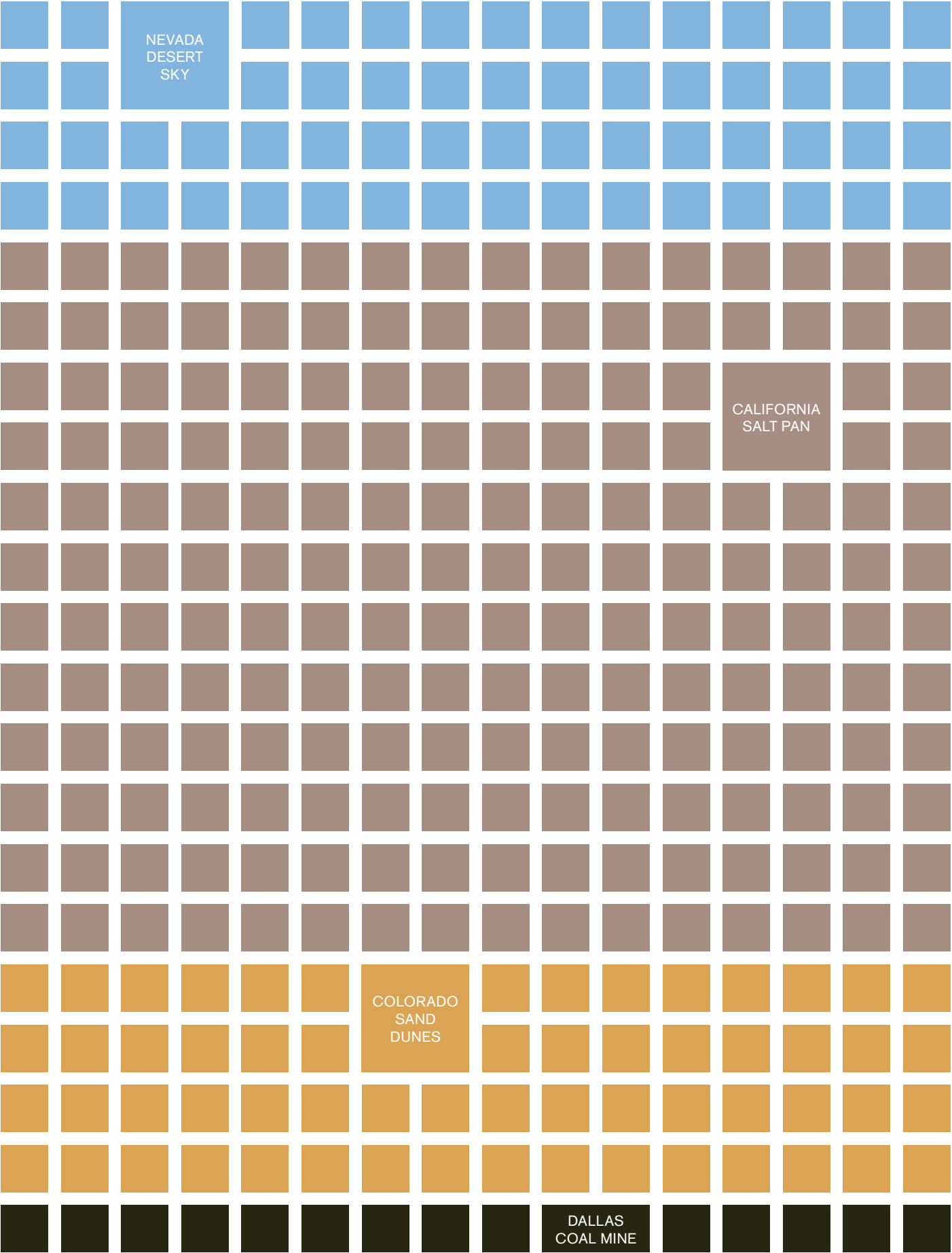
to conduct a class assessment on aromatic azo- and benzidine-based substances. ETAD argued that such an assessment was unnecessary because of all the data ETAD had submitted previously for the priority batches under the Chemicals Management Plan. Nevertheless the Canadian authorities have gone ahead with the planned assessment and are considering the written comments submitted by stakeholders (including those by ETAD) and are planning a grouping approach for studying the substances in the class.

During the last quarter of 2009, Environment Canada announced a socioeconomic, human health, and environmental impact study on the Canadian synthetic dyes and pigments industries. ETAD documented how it had already supplied much of the data being sought in previous submissions to Environment Canada so that further work should not have been necessary. Nothing further was heard from the Canadian authorities in 2010 about this study.

Collaboration with NIOSH/CDC on 2-Methoxy-4-nitroaniline

Personnel from the National Institute of Occupational Safety and Health (NIOSH)/Center for Disease Control contacted ETAD's Washington, DC office to ask for assistance in a study evaluating occupational exposures to 2-methoxy-4-nitroaniline (CAS 97-52-9). Although at one time it had been used as an intermediate in the synthesis of various textile and printing dyes, ETAD North American members confirmed it is no longer used in the U.S. for this purpose.





ANSI Voluntary Sustainable Textiles Standard

The standard, known as the Commercial Furnishings Fabric Sustainability Standard, was voted on by members of the Joint Committee which had responsibility for developing the standard. ETAD, being a member of the Joint Committee, voted against approval because earlier comments and concerns still had not been addressed satisfactorily. Even though various other Joint Committee members also voted negatively, the overall result was approval. The standard is now under review at the next level by the Council of Public Health Consultants where final action is expected in 2011.

National Textile Association collaboration

An updated version of the Voluntary Product Environmental Profile (VPEP) was completed in collaboration with the National Textile Association. US based textile companies require a VPEP for each product from their suppliers to provide a complete environmental, toxicological, and regulatory profile. Development of the VPEP in an electronic format linked to customer and supplier databases was initiated in 2010 and will continue in 2011 subject to funding.

Chemical testing

The Washington office continued to monitor developments in various testing programs that could impact the North American member companies of ETAD including REACH and the US High Production Volume (HPV) program. The second HPV test rule, containing the dye Leuco Sulfur Black 1, was proposed in 2008 and is expected as a final in 2011. To support members' REACH obligations, ETAD's Washington office arranged for the continued storage of raw test data and test materials resulting from earlier toxicology studies of C. I. Fluorescent Brightener 220.

EPA continued its endocrine disruptor screening program with development of a list of approximately 100 additional candidates for screening. This second list had not been released officially by the end of the year but is expected to contain drinking water contaminants, plasticizers, pharmaceuticals, and personal care products, with the issuance of test orders on about 70 initial candidates consisting of pesticide active ingredients and HPV pesticide inert ingredients. No dyes are included in the first tier.

Residual dyes in containers

ETAD continued efforts to develop baseline data on the residual levels of dyes remaining in empty drums. Members were able to take samples and make initial measurements at customer facilities. Preliminary findings showed that residual concentrations were much lower than EPA's default value of 1% used for assessments of new chemicals. Efforts continue to develop more data for use in a robust presentation to EPA.

ETAD membership

The North American members were unanimous in their support for broadening ETAD's membership to include formulators, blenders, and mixers of dyes. Their rationale is that these companies benefit anyway from what ETAD does but are competitors in the market and are obligated to meet the same regulatory, labeling and product stewardship requirements. Therefore as members they would help finance ETAD's activities but at the same time have to meet ETAD's standards and comply with its code of ethics, thereby leveling the playing field. To make membership more appealing to these companies, the North American members were in favor of granting them full access to ETAD data and participation in committees and meetings.

INDIAN OPERATING COMMITTEE (IOC)

As decided during 2009, IOC concentrated its activities in 2010 on two key points: developing the cooperation between ETAD and the Bureau of Indian Standards (BIS), and starting a broad information platform on waste management and Responsible Care.

After a first introduction of ETAD activities to BIS, the Bureau requested ETAD's assistance in addressing the gap between Indian standards and the European Union standards. Furthermore, specifically for food contact, they recognized the need of having a clear overview on the use of CAS No. and CI No. of colorants in different standards worldwide. This active discussion between IOC and the BIS continued over the course of the first quarter of 2010, and particularly by the long pending Revision of Indian Standard 9833 on food safety the BIS acknowledged IOC's decisive contribution and thanked the committee for its assistance.

During the first IOC meeting in May 2010 it was further agreed that active participation in product safety issues with BIS was a necessity for IOC, in order to provide a meaningful contribution on safety and toxicological topics to the Indian regulations. The issue of lead content in paints was also discussed and it was decided to seek the corresponding official ETAD position.

Since more than 70% of the colorant industry is based in the State of Gujarat with a large number of pigments and dyes manufacturers in the state, it is of key importance that IOC works closely with the Government of Gujarat on product safety, toxicology and waste management issues as well as promotes and fosters Responsible Care in the state and the country.

During 2010 Mr. Ravi Kapoor, chairman of IOC, had a meeting with Mr. M Sahu (Indian Administrative Service), Principal Secretary of the Industries & Mines Department of Gujarat; Mr. Sahu expressed his support for ETAD to get involved in the Vibrant Gujarat summit, which is a leading event in India for promoting and fostering industrial investment in the state. Furthermore, the Government of Gujarat was also interested in collaboration with association of industries for cooperating in areas like ecology, environment and waste management. From this discussion came out the concept of a Round Table Symposium, which was convened by Mr. Ravi Kapoor and held along with the Indian Chemical Council (ICC) in December 2010. The symposium, titled "Responsible Waste Management for Responsible Growth" and chaired by Dr. S. K. Nanda (Indian Administrative Service), Principal Secretary of the Forest & Environment Department of Gujarat, had the purpose to set up a platform to discuss the above issues as well as serve as a beacon for the future activities of ETAD. Dr. Ulrich Ott, President of ETAD, attended together with other Board Members from ETAD, along with Mr. R.

Parthasarathy and Mr. H.S. Karangle, respectively President and Director General of the Indian Chemical Council, and Mr. Deepak Mehta, Managing Director of Deepak Nitrite.

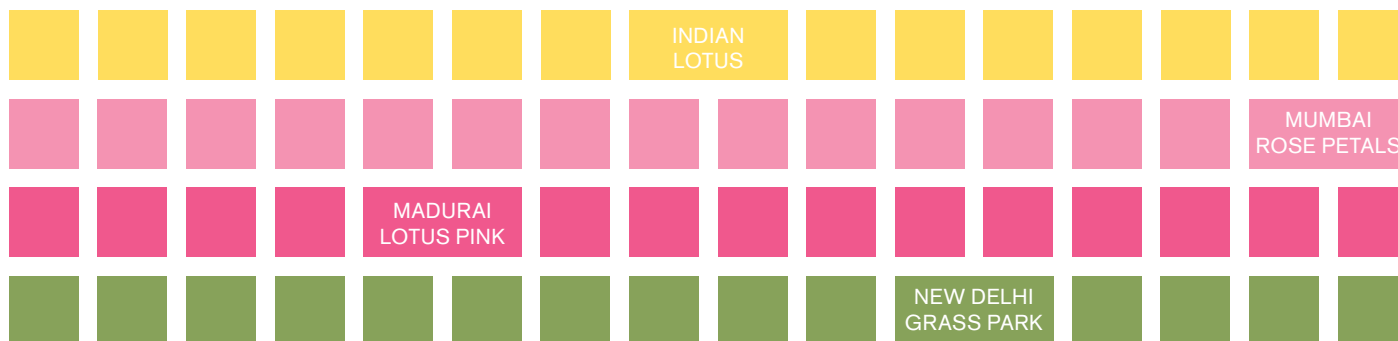
Introductory presentations were made by Dr. Martin Steensen on behalf of ETAD and by Dr. G. Sekharan, Ph.D (Env), Head & Deputy Director of the Environmental Technology Division at the Central Leather Research Institute; Dr. Ott held a presentation outlining the European perspective on waste management.

Brief presentations were also made by

- Mr. Deepak Mehta, Managing Director, Deepak Nitrite Ltd.
- Mr. Yogesh Kothari, Vice President, Indian Chemical Council
- Mr. H.S. Karangle, Director General, Indian Chemical Council
- Dr. Walther Hofherr, Executive Director, ETAD
- Dr. Bernd Hochstein, Treasurer, ETAD
- Mr. Hardik Shah, Member Secretary, Gujarat Pollution Control Board
- Mr. M. R. Gandhi, Scientist, CSIR
- Mr. R. J. Shah, CEO-Dahej, SEZ, Ex-Principal Industry's Advisor

IOC also distributed a booklet on waste management issues, prepared by Dr. S. K. Nanda.

The event was extremely significant for both IOC and ETAD as it firmly established ETAD as a competent reference by Gujarat Government, which was extremely appreciative of the positive role played by the association.



This symposium was also recognized as an official Gujarat State Government Vibrant summit symposium and was minuted as a way forward for the future.

Another particularly important event after the symposium was the formalizing of relationships between ETAD and ICC through the signing of a Memorandum of Understanding by Dr. Ott and Mr. Parthasarathy.

From this point on, building up further co-operation is necessary and an active involvement in issues relating to new waste management technologies is the key for the future.

The symposium was followed the next day by a technical seminar, during which following presentations were made:

- "Key Points CPSIA" by Dr. Pariti (Dystar)
- "Presentation on Purity Requirements for Colourants – BIS" by Mr. Sevak (Heubach)
- "Current Challenges of the Indian Colourant Industry" by Dr. Rahman (Atul)

From the IOC's perspective, the year 2010 began slowly but ended quite satisfactorily with the organization having gained high consideration by both the concerned stakeholders and the Government authorities. The key focus areas were also well addressed, and it is now extremely important to build on the acknowledgement and esteem achieved by ETAD in India.



From left to right: Mr. Y. M. Kothari, Mr. R. Parthasarathy, Mr. Y. P. Saxena (standing), Mr. R. J. Shah, Dr. S. K. Nanda, and Mr. R. Kapoor



From left to right: Dr. U. Ott, Mr. H. S. Karangle, and Mr. R. Parthasarathy

J A P A N E S E O P E R A T I N G C O M M I T T E E (J O C)

The Japan Operating Committee (JOC) was renewed in July 2010, thanks to the strong interest of Japanese ETAD members, and actively restarted its core activities of research and collection of information on regulations related to dyestuffs and pigments in Japan. At the present, six companies have joined as JOC members (see the section Committee Members for details).

JOC objective is to promote member companies to comply not only with Japanese regulations but also with international ones in collaboration with the Japan Dyestuff and Industrial Chemicals Association (JDICA) and with the Japan Chemical Industry Association (JCIA).

JOC activities in 2010 focused on the following points:

JOC reorganization

In the first phase of its reorganization, JOC discussed actual topics and goals in order to plan the future development of its core activities. The first committee meeting of the reorganized JOC was held on September 6th with the participation of ETAD's Executive Director Dr. Walther Hofherr, and specific actions on targeted issues started immediately afterwards.

Japanese Chemical Substance Control Law (CSCL)

On May 20, 2009, the Japanese Government publicly announced the amended Chemical Substance Control Law (CSCL), with an attempt to accomplish the World Summit on Sustainable Development (WSSD) 2020 goal. CSCL employs a risk-based chemical management scheme, thereby systematically prioritizing and assessing industrial chemicals in commerce in Japan. Unlike REACH, CSCL does not require industry to perform any risk assessment: the authorities carry out the regulatory assessment, whereas industry only has to provide the necessary information.

In order to assist other ETAD members by the complexity of the Chemical Substance Control Law, JOC prepared for ETAD a detailed English summary of the most important points of the legislation

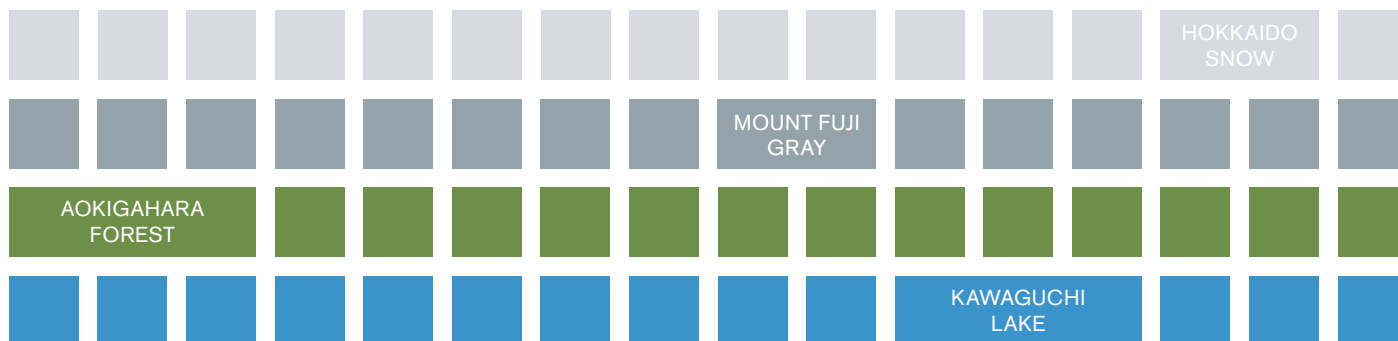
The new CSCL-related provisions have been or will be introduced in a two-phased timeline, with the first phase implementation starting on April 1, 2010. Accordingly to the timeline communicated by the authorities in 2010, the second phase implementation should begin on April 1, 2011.

In the first phase implementation CSCL intends to extend its scope to control non-persistent chemicals. With this change, 100 substances have been designated as Type II or III Monitoring Chemical Substances.

By the second phase implementation, Type I Monitoring Chemical Substances will be simply renamed Monitoring Chemical Substances, while Type II and Type III Monitoring Chemical Substances will be rescinded.

The authorities have screened substances currently in the Type II and Type III categories in order to place them into either of the new categories Priority Assessment Chemical Substance (PACS) or General Chemical Substance (GCS).

In order to assist other ETAD members by the complexity of the CSCL, the members of JOC prepared a detailed English summary of the most important points of the legislation, including exemptions, deadlines and notification process details. Furthermore, they constantly updated ETAD on the status of the first phase implementation, and will continue this monitoring and updating activity during the second phase.



Implementation of GHS in Japan

Starting January 2011, the Japanese Industrial Standard (JIS) 2005 prescribes that MSDS will have to comply with the GHS regulation. JOC member companies have agreed to already begin issuing GHS qualified MSDS during 2010.

Situation of East Asia

The JOC member companies thoroughly discussed the current and upcoming regulatory activities in Eastern Asia and the corresponding information needs. The main concern has been the notification of substances to the Taiwanese authorities for the compilation of a National Existing Chemical Substance List, but the communication of information had to be planned also in sight of the planned implementation of GHS in Taiwan, Korea, China, Indonesia and Singapore.

REACH, CLP and foreign countries' regulations

The overseas laws/regulations have also been a quite relevant topic for JOC members. Particularly important has been the exchange of updated information on practical details on the preparation for REACH registration of substances produced / imported in a volume >1000 tons per year (first phase substances). The CLP notification process, together with other national and international regulations which affect the Japanese industry, has been similarly discussed, with special attention to the practical aspects and the organization of the information flow.

HCB issue in Japan

There has been no significant regulatory progress in Japan on the HCB (hexachlorobenzene) issue during 2010. However, JOC will keep monitoring the topic, since the dialogue between industry and the government on the subject is crucial for the achievement of feasible limits for this impurity.

Nano issue

The discussion on the hazard of nanoparticles has become a significantly important theme even for the pigments and dyestuffs business in Japan. JOC has already started gathering information on the practical approach of Japanese authorities to the subject, in order to provide it to the European ETAD companies as a useful contribution to the current debate.



From left to right: Mr. T. Hori (Dainichiseika), Mr. T. Hamanaka (JDICA), Dr. W. Hofherr (ETAD), Mr. M. Nagaoka (JDICA), Dr. A. Yoshida (Dainichiseika), Mr. N. Koide (Dainichiseika)

INFORMATION AND EXTERNAL ACTIVITIES

Position Papers and Comments

Additional Information on C. I. Disperse Brown 19 (CAS No. 59709-38-5) and Carbon Black, Pigment Black 7 (CAS No. 1333-86-4) (submitted by ETAD NA to Environment Canada for Chemicals Management Plan Priority Batch 12, April 2010)

Chlorine-containing colorants in masterbatches (communication prepared by the German masterbatch association in cooperation with ETAD, June 2010)

Comments on the Notice of Intent for a Class Assessment on Aromatic Azo- and Benzidine-Based Substances published in the Canada Gazette Vol. 144, No. 23, June 2010 (submitted to Environment Canada, August 2010)

Comments for the public consultation on 'Proposal for a Commission definition of the term "nanomaterial"' (submitted to Environment DG, November 2010)

Presentations

"ETAD experience of communication with retailers" (presented at the Value Chain Team Textile Platform, CEFIC, Brussels, February 2010)

"Size Matters – Organic Pigments and the Nano Issue" (presented to the Danish EPA, Copenhagen, February 2010)

"The strange case of Acid Red 114 – An example of necessary multi-level communication" (presented at the Value Chain Team Textile Platform, CEFIC, Brussels, May 2010)

"Organic Pigments and Nano Regulations", by ETAD/BCMA (presented at the meeting with HSE, Bootle, UK, November 2010)

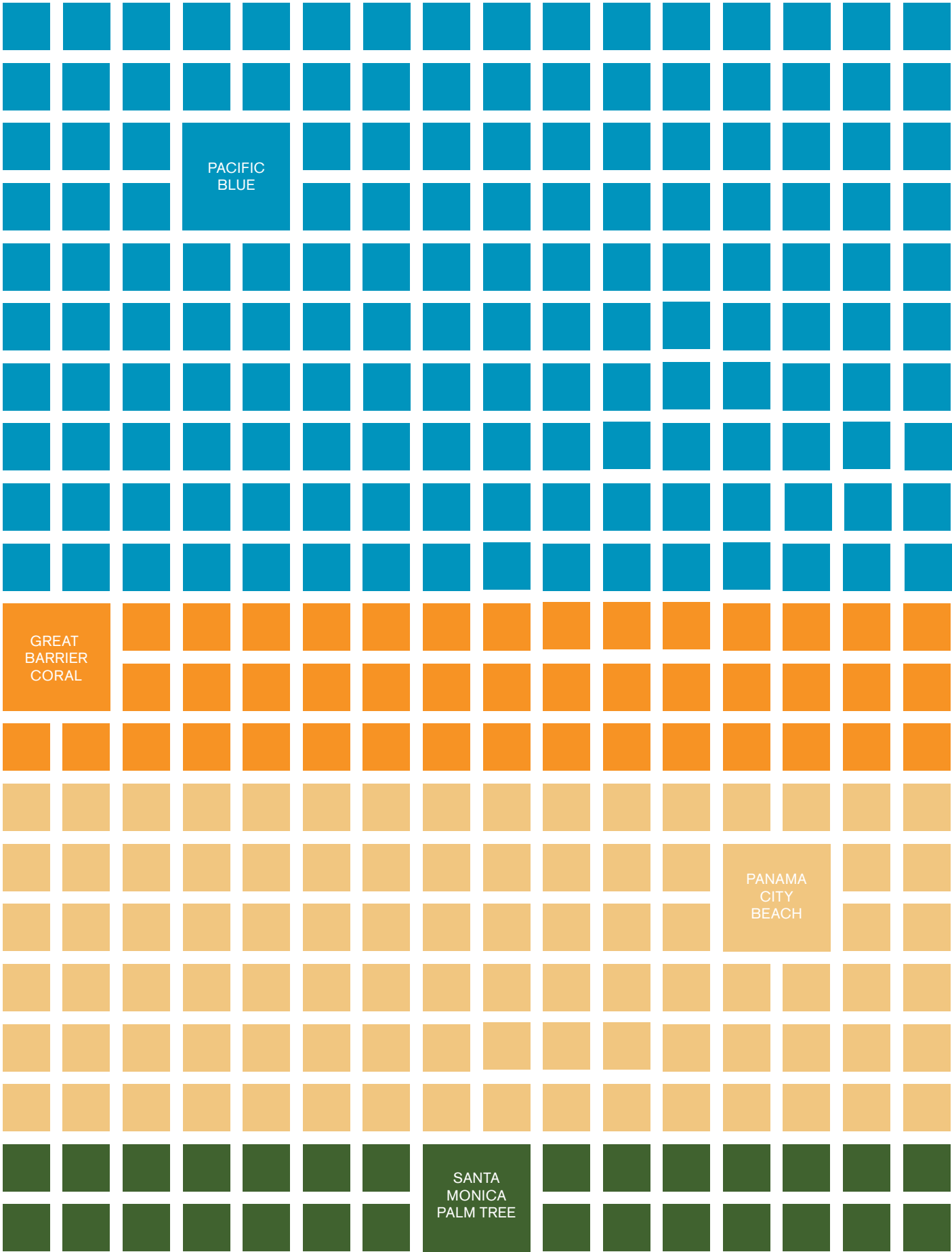
"Comparison of Standards for Textiles and Apparel" (presented at the UNEP/IOMC Event, Geneva, December 2010)

External activities

During 2010, ETAD continued or started its activities in different projects with external groups and associations. The most relevant collaborations included:

- the United Nations Environment Programme (UNEP), where ETAD is participating to the project Chemicals in Products (CiP);
- the CEN Technical Committee 52 / Working Group 5, working on the revision of Toys Standard EN 71-7, where ETAD is providing input on finger paints, heavy metal limits and analytical methods;
- national authorities as well as national / international industry associations involved in the definition, regulation and characterization of nanomaterials;
- the Bureau of Indian Standards (BIS), to which ETAD is providing updated information on current food contact legislation for the revision of the corresponding national standard;
- the GOTS issuers, who invited ETAD to take part to the revision of their textile standard;
- ECHA, which asked ETAD's assistance in the gathering of information about C.I. Basic Violet 3 as well as dye-related intermediates;
- the Japan Dyestuff and Industrial Chemical Association (JDICA), with which ETAD agreed on a constant information update on European and Japanese regulations;
- the Cobalt REACH Consortium, which ETAD assisted in determining the importance of cobalt salts as reagents for the European colorants industry;

Further information can be found in the single committees reports.



B O A R D 2 0 1 0 / 2 0 1 1 C O M M I T T E E M E M B E R S A N D O F F I C E R S

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Dr. Karl Brandt

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Cappelle Pigments n.v.

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Mr. Steven Yu Yunbiao

BASF (China) Co., Ltd.

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Mr. Takamasa Sugahara

Sanyo Color Works, Ltd.

Mr. Kikuo Tsuchiya

DIC Corporation

Mr. Kayo Yamada

BASF Japan Ltd.

Mr. Toshiro Yamada

Sanyo Color Works, Ltd.

Dr. Akio YoshidaDainichiseika Color & Chemicals Mfg.
Co., Ltd.

* These lists give membership
as in March 2011

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Regulatory & Scientific Affairs**Dr. Simon Lawrence**

Senior Consultant

Ms. Diana Colombo

Office & IT Manager

Washington**Dr. C. Tucker Helmes**

Executive Director of ETAD North America

Legal Counsel**Mr. W. Richard Bidstrup**Legal Counsel of ETAD North America
Cleary, Gottlieb, Steen & Hamilton**Dr. Hans-Rudolf Uebersax**

Legal Counsel of ETAD International

CODE OF ETHICS

Preamble

The aim of ETAD is to minimize possible negative effects on health and the environment arising from manufacture and use of synthetic organic colorants and to ensure information on the best practicable protection is provided to the purchasers of these products.

To achieve this goal and to promote the image of a responsible and safety minded manufacturing industry, it is necessary that in all aspects related to human and environmental safety, members be encouraged to adhere worldwide to a high ethical standard.

Therefore, at the proposal of the Board, the General Assembly of ETAD approves this Code of Ethics as a key policy of the Association. All ETAD member companies are obliged to comply with this Code of Ethics.

1. Principles of responsible care

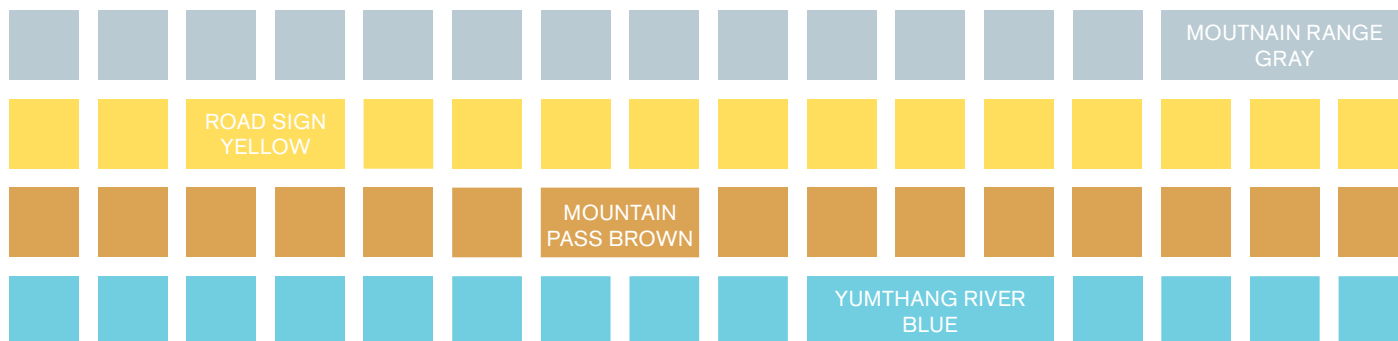
ETAD members are committed to support a continuing effort to improve the industry's responsible management of synthetic organic colorants. Members shall develop, produce and distribute products in a responsible manner which protects human health and the environment from unacceptable risks during manufacture, transport, use and disposal. Specifically, members shall implement a responsible care program in which the member undertakes to manage its business in accordance with the following principles:

- To recognize and respond to any community concerns about synthetic organic colorants and its manufacturing operations;
- To produce only synthetic organic colorants that can be manufactured, transported, used and disposed of safely;
- To make health, safety, employee training, quality assurance and environmental considerations a priority in planning for all products and processes;
- To provide employees, distributors and customers information on the health or environmental effects of synthetic organic colorants and recommend appropriate protective measures to ensure their safe use, transportation and disposal;

- To operate all facilities in a manner that protects the environment and the health and safety of employees and the public;
- To promote research on the health, safety and environmental effects of its products, processes and waste materials;
- To cooperate with public authorities in establishing well-founded environmental, safety and health regulations; and
- To promote these principles of responsible care to others who produce, handle, use, transport or dispose of synthetic organic colorants.

The responsible care program shall fulfil, but not be limited to, the specific obligations described under paragraphs 2-5 below.

ETAD members
are committed to
support a continuing
effort to improve the
industry's responsible
management of
synthetic organic
colorants



2. Product safety policy

It is the policy of ETAD members to take all reasonably practicable steps in order to ensure human and environmental safety in the use of the dyestuffs and organic pigments (synthetic organic colorants), manufactured or distributed by them. Members shall comply worldwide with all applicable laws and regulatory requirements dealing with the safety and the environmental impact of synthetic organic colorants.

ETAD recognizes that the legal requirements for hazard communication differ considerably in various regions where organic colorants are marketed. A primary objective of this Code of Ethics is to ensure that such differences do not deprive customers in countries with less stringent requirements of hazard information which is made available to their counterparts in countries with more comprehensive regulations. To achieve a common high standard of hazard communication ETAD members shall

- fully inform all customers about all known significant hazards;
- adopt policies to assure an equivalent level of hazard communication worldwide concerning their product.

3. Products safety information

3.1. Safety data sheets

Member companies shall ensure that for each of the synthetic organic colorants on their selling range, there is a safety data sheet with an appropriate information content and that it is supplied to all customers.

3.2. Labelling

The EU regulations provide an appropriate basis for classification and labelling of organic colorants.

Where the laws of the country the products are sold to, require more stringent or mandate different labelling, the members shall adhere to such required or mandated labelling. In countries with less stringent requirements the labelling shall be in accordance with the EU system or an equivalent consistent with the policy of achieving a uniformly high standard of hazard communication.

3.3. Education and awareness programs

ETAD members shall endeavour to inform customers of the safe handling procedures best suited to the products involved.

4. Cessation of manufacture and sale of certain hazardous colorants

The manufacture and sale of certain dyes identified as hazardous by regulation or classification by expert bodies is incompatible with ETAD membership. These dyes are referred to in Annexes A and B.

5. Compliance

Member companies shall comply with the Code of Ethics and shall make every effort to ensure that their subsidiaries do so.

Annex A

Azo dyes or preparations of azo dyes used in consumer applications, which contain, or release by reductive cleavage of azo bonds to any of the specified amines*.

Annex B

Individual Dyestuffs*

* The corresponding amines and dyes are listed with the applicable limit values in "Guidance to ETAD Member Companies on the Implementation of the Code of Ethics" which is regularly updated to the current state of scientific knowledge.



Recognition

Recognised by regulatory authorities, customers, and the public as the authoritative source of information on health, safety, and environmental issues relating to organic colorants.

Representation

Represents interests of members and customers to government authorities, the media, other industries, public interest groups, organised labour, academia, and research/testing/consulting organisations.

Harmonisation

Advocates, where regulations are necessary, a harmonisation of the requirements, so that compliance costs are reduced.

Code of Ethics

Encourages members to adhere worldwide to a high ethical standard and promotes image of a responsible and safety-minded manufacturing industry.

Guidance

Provides guidance to ETAD member companies on interpretation of new regulatory requirements and recommends specific measures to implement the ETAD Code of Ethics.

Education and training

Develops and publishes education and training materials pertaining to organic colorants, e.g. for safe handling practices, product stewardship, and pollution prevention.

Research and testing

Cost-sharing of research and testing programs aimed at a better understanding of the health and environmental aspects of dyes and organic pigments.

Information

Responds to inquiries about the colorants' industry, provides information on topical issues and disseminates comments and position papers.

Database

Maintains and makes available to members a computerised database of literature pertaining to the health and environmental aspects of dyes.

CHALK
WHITE

HIMALAYA
ROCKS

BEACH
GRASS
GREEN

NORTH
SEA
BLUE

†
Dr. Hermann Henk
1944-2011

Dr. Hermann Henk started his activity in the area of colorants synthesis at Bayer AG in 1975 as researcher in the field of direct and reactive dyes. A very creative scientist, he developed during his long carrier numerous new patented products and processes.

In 1995 Dr. Henk played a significant role in the foundation of Dystar, where he assumed the position of Director of the newly created Process Development Department. His extraordinary expertise was a very valuable asset also for ETAD, where he was active as vice President in the Board during the years 2000-2001. Furthermore, ETAD remembers him for his positive and practical attitude and his strong support in a period of important changes for the colorant industry worldwide.

ETAD Member Companies

ATUL Limited
India

BASF SE
Germany

BEZEMA AG
Switzerland

Brenntag Colours Ltd.
UK

Cappelle Pigments n.v.
Belgium

Clariant International
Switzerland

Colourtex Industries Ltd.
India

**Dainichiseika Color & Chemicals
Mfg. Co., Ltd.**
Japan

DIC Corporation
Japan

**DyStar Textilfarben GmbH & Co.
Deutschland KG**
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Everlight Chem. Industrial Corp.
Taiwan, R.O.C

Farbchemie Braun KG
Germany

FUJIFILM Imaging Colorants Ltd.
UK

Heubach GmbH
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Huntsman, Materials & Effects
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Jay Chemical Industries Ltd.
India

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Setaş Kimya Sanayi A.S.
Turkey

Sudarshan Chemicals Ind. Ltd.
India

Sun Chemical A/S
Denmark

Synthesia, a.s.
Czech Republic

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TFL Ledertechnik GmbH & Co. KG
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The Ecological
and Toxicological
Association
of Dyes
and Organic
Pigments
Manufacturers

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