

2022 ANNUAL REPORT



ETAD®

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PREFACE

Dear Friends of ETAD,



After five years as a member of ETAD's Board, this is my first preface as President of our association after my election during the last General Assembly. The most positive aspect during those days in Freiburg was that we could meet face to face again after a long time of pandemic and lockdowns.

In light of the ongoing difficulties presented by the pandemic, as well as – depending on where you live and work – supply chain disruptions, creeping inflation, steep increases in raw material costs, grain and fuel shortages, armed conflict, and natural disasters, industry is once again faced with challenging times.

The collaboration within our association and our team spirit will become more and more important for the future of our colourants business. The European Green Deal with all its initiatives, e.g., the Chemicals Strategy for Sustainability, and ambitious timelines will be challenging for the whole chemical industry. Upcoming CLP and REACH revisions may have an impact on our substance registrations or may trigger classifications of product. Outside EU, ETAD member companies must manage existing and planned REACH-like registrations as well as important changes in national regulations worldwide.

ETAD is an association of leading organic pigment and dyestuff manufacturers, with a pool of member company experts whose knowledge is very much needed in discussions with other stakeholders. ETAD's efforts and the dedication of its members will assure that our association maintains its reputation as representative of responsible, ethical, and safety-conscious organic colourant manufacturers.

I would like to end this foreword by thanking Dr. Fois, Dr. Xie, Dr. Mrass and Ms. Geary for the great work they have accomplished in the past year and thank them in advance for what needs to be done in the future.

Ulrich Veith

Dear all,

2022 was another uncommon year for our association, and I am very glad of the fact that we were able to keep our usual pace in all the activities and projects.

We will need to continue in the same spirit, since 2023 is not going to be less generous of topics affecting our products: many long-term initiatives worldwide need to be monitored, commented, and discussed to avoid strong negative repercussions on our industry.

Our most precious resource is the competence and expertise ETAD companies can bring to the discussion on new regulatory or para-regulatory proposals.

Thus, I thank all you ETAD members for the constant input you provided.

It has also become more and more apparent that many current issues have a heavy vertical impact on whole value chains involving colourants; here, ETAD existing communication network with other associations is a more than ever needed tool to address common topics in a coordinated way. Through our policy of open and collaborative communication we were able to clarify some crucial issues for our products, and similar exchanges will continue in 2023.

The concluding thanks in this preface go to the Board, which supported our work in Basel with very good input and ideas, and to Heidi, Stefka and Gecheng for their help and efficiency in all big and small tasks of our daily office activities.

My last thoughts are to remember Dr. Rudolf Anliker, ETAD's Executive Director from 1977 to 1991, who passed away in November 2022. We included a short obituary in this annual report.

My best regards and wishes for a serene and fruitful year to you all,



Pierfrancesco Fois

48TH ORDINARY GENERAL ASSEMBLY

The 48th Ordinary General Assembly of ETAD was held on May 13th, 2022, in Freiburg/Germany. Since Dr. Ehrenberg could not attend the General Assembly, the Vice President Dr. Ulrich Veith opened the proceedings by welcoming the attendees. Out of the current ETAD membership of 33 companies, 18 were present or represented by proxy. Of the current total vote entitlement of 92 votes, 70 votes were represented at the meeting (73%).

The participants approved unanimously the minutes of the 47th Ordinary General Assembly 2021 as well as the Annual Report 2021.

The Treasurer Mr. Roentgen presented the summary of the financial report for 2021 which had been sent to all member companies. In 2021, total income was SFr. 922'000 compared with total expenditure of SFr. 922'000, resulting in a profit of SFr. 0. Mr. Roentgen remarked that the actual profit was notably below the budgeted one, due, on the one hand, to the missing fees from a member company (which had to leave ETAD for this reason) and, on the other hand, to the higher investment of the association in projects. ETAD is, in any case, a non profit association, and has a solid liquidity reserve to buffer losses, if needed. This financial report was approved unanimously.

PriceWaterhouseCoopers AG were appointed auditors for the 2022 accounts with the unanimous approval of the General Assembly.

Before the election of the new Board, upon demand by Dr. Veith, the Assembly granted the members of the Board the release for 2021 with no votes against and no abstentions.

Due to Dr. Ehrenberg and Dr. Grimm leaving the Board, there were some changes to the existing composition and roles within, including the proposal of Dr. Elena Schramm (CHT Switzerland AG) as a new member. There were no additional nominations in response to the invitation by ETAD Legal Counsel, Dr. Olano. The Board was elected unanimously with a new President and a new Vice-President.

Dr. Fois presented to the Assembly ETAD's highlights for 2021 and main goals for 2022. Some activities continued from last year, in particular the advocacy on the sensitizers proposal, as well as the different projects and discussions with national authorities on nanomaterials, suspected CMRs dyes (in Taiwan), and printing inks (Germany). The internal analytical projects on Co(II) in complex dyes and Cr(VI) came forward as well, but the main topic requiring extensive actions was, as expected, the European Green Deal, including, e.g., the proposals for REACH and CLP revision, the "essential uses" concept, the proposed MOCS definition (more than one component substances).

Due to its general and expected strong impact on the chemical industry, activities on the Green Deal (including its specific component "Textile Strategy") will continue to be the main focus on 2022. Another relevant topic, along with the ones mentioned above, will still be the participation in the different ZDHC groups where the colorant industry is providing its input.

Dr. Roentgen presented the Board proposal for the Budget 2022. An increased income is expected due to the improved economic situation after the Covid years; however, considering the fees loss in 2021, a "worst case loss" entry was also introduced. The budget foresees a total profit of SFr. 7'000 and, reflecting the increase in advocacy activities already witnessed in 2021, includes a substantially investment on the items "Projects" and "Consultancy". The Budget 2022 was approved unanimously. No change in the membership fees was proposed for the current year.

Dr. Veith announced that the next General Assembly and related committees' meetings will take place in Torino, Italy. Dr. Veith thanked all the participants to the GA, as well as the ETAD staff for their work during the year and the preparation of the GA meeting. He then congratulated the newly elected Board.

Dr. Veith, reflecting on the association objectives presented during the Assembly, emphasized the importance of ETAD's work and the necessity for all companies to keep working together: there are more and more all-encompassing developments which need a joined effort and a good coordination.

THE NEW BOARD

Dr. Ulrich Veith	<i>President</i>
Ms. Carole Mislin	<i>Vice President</i>
Mr. Georg Roentgen	<i>Treasurer</i>
Dr. Yoshitaka Koshiro	

Dr. Elena Schramm
Dr. Mehmet Emre Şener
Mr. Jashvant Sevak



MEMBERSHIP

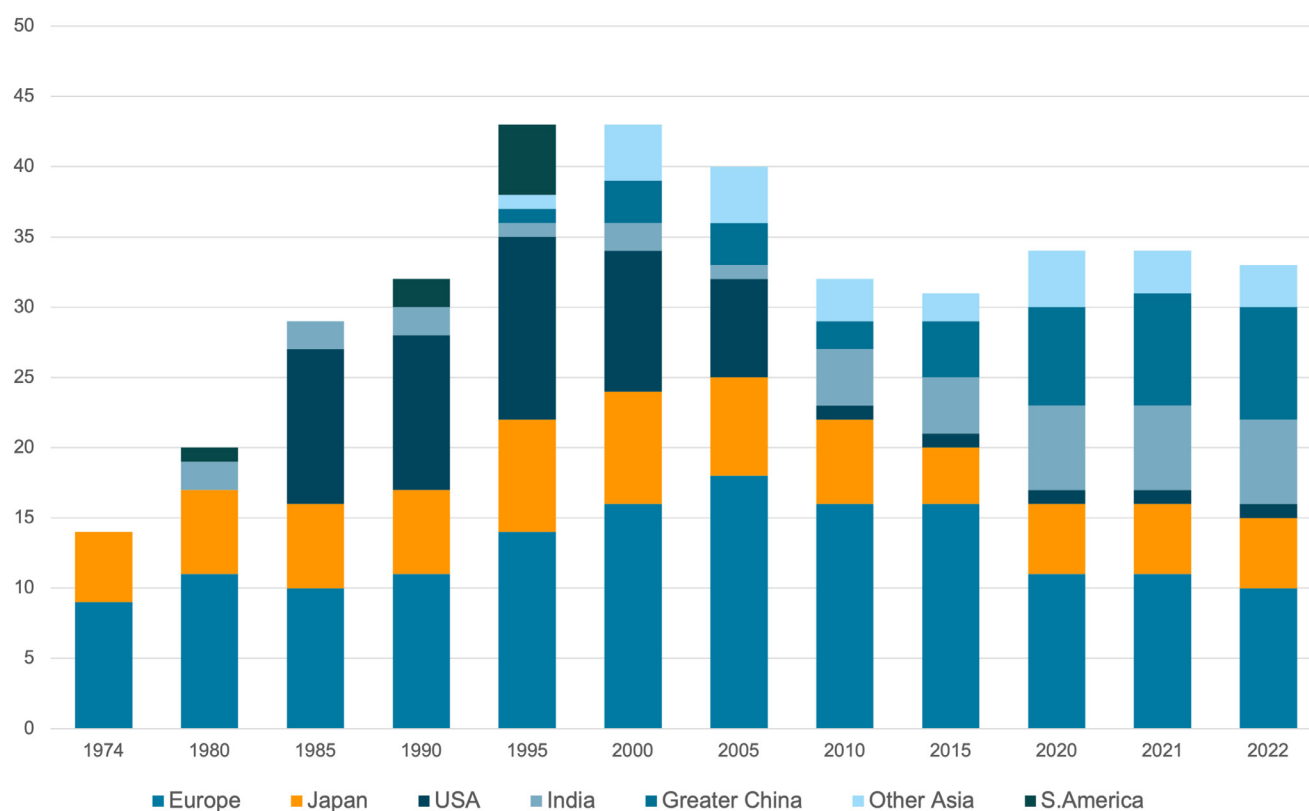


Fig. 1 – Growth and changing regional composition of the ETAD membership

In early 2022, Clariant completed the sale of its pigments business to the Heubach Group, also already an ETAD member.

FINANCES

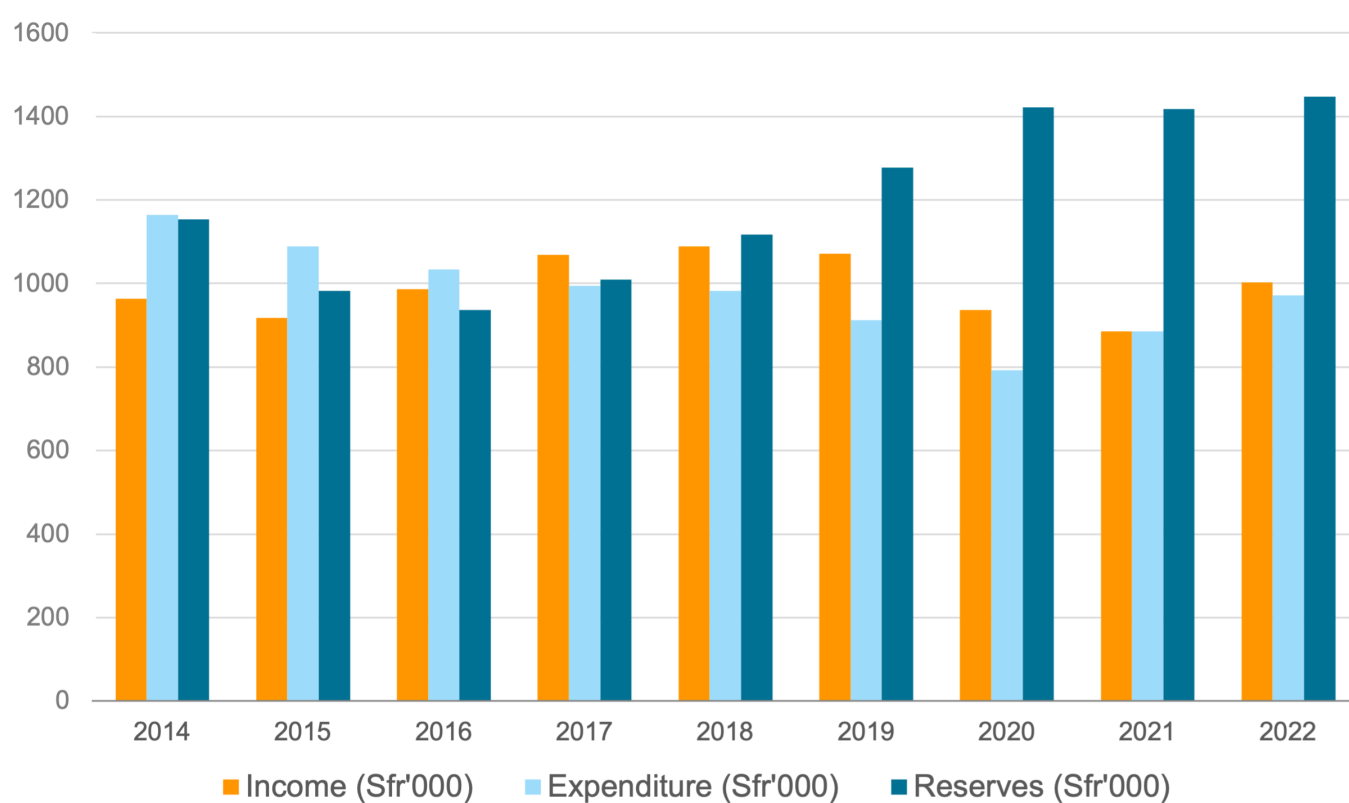


Fig. 2 – Summary of income / expenditure 2000 – 2022

ETAD is a non-profit association. The operating expenses are recovered mainly by means of payments by the ETAD members. In 2022, total income was SFr. 1'002'000 compared with total expenditure of SFr. 973'000, resulting in a profit of SFr. 29'000.

COMMITTEES

Regional Committees

ETAD North America (ETAD NA)

ETAD North America furthers the efforts of the North American dye manufacturing industry as an authoritative information source on properties of organic dyes.

Key activity areas:

- Input on draft regulations
- Education and training in all phases of handling dyes
- Collaboration with the US government on exposure reduction projects
- Research on the safety and biological behavior of dyes
- Cooperative research with industry, government, and academia on environmental fate and impact of dyes

Chinese Operating Committee (ChOC)

The ChOC is the reference for all ETAD member companies on colorant-related issues concerning ecology, health and safety arising in China.

Key activity areas:

- Collaboration with the China Dyestuff Industry Association
- Distribution of information on topics affecting non-Chinese members importing or manufacturing in China
- Cooperation with Chinese authorities on environmental fate and impact of colorants
- Enhancement awareness of ETAD among new potential members

Indian Operating Committee (IOC)

The IOC focusses on interaction with the Indian government, particularly stressing the regulatory aspect and playing an active role in deciding and framing policy.

Key activity areas:

- Establish links with Indian national and regional authorities to be involved in the process of chemical legislation
- Inform members about regulatory developments and organize coordinated response
- Collaborate with national groups and associations
- Assistance to member companies on product safety issues and regulations

Japanese Operating Committee (JOC)

The JOC addresses colorant issues relating to environmental and health in Japan, and regularly updates ETAD on specific Asian colorant-related activities.

Key activity areas:

- Monitoring of Asian colorant-related regulatory developments
- Encouraging the scientific understanding of the possible health and environmental effects of colorants
- Development of management systems for potentially hazardous substances
- Cooperation with customers associations of the textile dyeing and printing industries

Taiwanese Operating Committee (TOC)

The TOC focuses on collaboration with Taiwanese regulatory bodies in all policy and legislation-making processes which impact the local colorant industry.

Key activity areas:

- Cooperate with Taiwanese national authorities in the creation of chemical legislation
- Inform members about regulatory developments and organize coordinated response
- Collaborate with the Taiwanese Dye and Pigments Manufacturers Association
- Assist member companies on product safety issues and regulations

Sector Committees

Dyes Operating Committee (DOC) and Pigments Operating Committee (POC)

The DOC and the POC address, respectively, global dye and pigment issues, in particular considering their impact on the whole value chain and deciding on corresponding actions.

Key activity areas:

- Representation of member company interests in colourant-related topics
- Development of scientific data on possible health and environmental effects of colorants
- Cooperation with authorities, brands/retailers, consumers associations and issuers of standards
- Harmonization of regulatory requirements worldwide which affect colourants manufacturing and applications
- Publication of informative material on dyes/pigments

Regulatory Affairs Committee (RAC)

The RAC is ETAD's monitoring committee as regards worldwide regulatory changes, corresponding compliance and practical impact on colourants.

Key activities areas:

- Monitoring and reporting on worldwide developments of chemical control regulations
- Ensuring awareness of new regulatory requirements affecting colorants among member companies
- Providing advice on interpretation of the regulatory requirements
- Constant updating of the ETAD Guidance Document



PROJECTS

Development of ETAD Method 231: Determination of Cr(VI) traces in water-soluble and water-insoluble dyes

In 2022, the ETAD companies organised an internal validation of the two proposed procedures included in the final draft of the method. It was clearly identified that crucial steps of the method are the extraction and the filtration procedure, thus the technical discussion on these parts should be very well described in the method, allowing the correct performance also by external laboratories with less experience with chromium complex dyes.

Development of a procedure for measurements of free Co(II) in cobalt complex dyes

For the possible separation Co(II) and Co(III) via complexation, available literature on possible ligands was surveyed, and it was found that there are no suitable commercial ligands showing sufficient difference in the absorption maxima which could allow the differentiation between the two cobalt forms. ETAD worked on a feasibility study with one possible commercial ligand together with the Laboratory for dyes synthesis at University of Jena and the results showed that that it would be necessary to identify another ligand apply to the UV-Vis and HPLC procedures.

Additionally, suitable masking ligands have to be determined which would ensure 100% conversion of the corresponding Co(II) and Co(III) initial complexes for the quantification of the two cobalt species. End of 2022, ETAD commissioned the synthesis of new possible complexation ligands and the related Co(II) and Co(III) complexes to a laboratory for organic synthesis; depending on the results the further steps of the method development will be decided by the ETAD Analytical Task Group.

Azo dyes and their potential cleavage products

During the last meeting of Textile and Leather Expert Group of the German Federal institute for Risk Assessment, ETAD and TEGEWA presented their strategy proposal for the data evaluation of the low tonnage band dyes. These dyes were divided into two sub-groups: 1-10 tonnes/year and 10-100 tonnes/year. The spot check on the available data of around 20 dyes belonging to each of these groups showed similar data situation compared with the high tonnage bands. Additionally, the associations worked on the data collection and evaluation of the available testing results of selected priority aromatic amines as possible cleavage products of azo dyes.



The information of dyes is also relevant for the weight-of-evidence approach.

ETAD will continue to underline the importance of this approach, considering the information on dyes and amines together as a basis for an evaluation of the mutagenicity of potential cleavage products.

Release of amides from printed food contact materials

ETAD received the final report on an in vitro mutagenicity study performed on a suspected harmful amide released from printed FCMs. The conclusion was that “Based on the results obtained, it is concluded that NDPA does not induce micronuclei in human lymphocytes after in vitro treatment”.

The test results were shared with BfR, which had started the discussion on this possible issue and remained in constant communication with the associations. The BfR reviewed the data and agreed that their statement on the hazard from the amide could be changed.

New ETAD project on the size distribution of dyes particles

ETAD started a new project to improve the information on the size distribution of dyes in powder form. The first aim of the project is to determine whether it is possible to perform particle size distribution measurements of powder samples of dyes via SEM and/or TEM.

Since the sample preparation is critical for the outcome of measurement, as a first step of the project, ETAD organised a feasibility study for the optimisation of the sample preparation procedure and first evaluation of the sample stability at the UK National Physical Laboratory. Based on the results, the next steps will be discussed with the member companies.

Project: “Dyes Migration from dyed textiles“

In 2022, the chemical industry completed its contribution to the current phase of the migration project – sample preparations of dyes and dyed/printed fabrics, selected by the German Federal institute for Risk Assessment. An update by BfR, especially on the current status of the analytical part of the study – a procedure for migration measuring and first results, is expected during 2023.





REGULATORY HIGHLIGHTS

Europe

Revised definition of nanomaterials

On 10th June 2022, the European Commission published the revised definition of nanomaterials, which replaces the initial definition from 2011. The changes will not significantly affect the scope of identified nanomaterials. In particular, ETAD noticed that the status of organic pigments will remain unchanged.

Public consultation on the revision of REACH

ETAD submitted a contribution to the public consultation on the revision, underlining the importance of not turning away from the risk-based approach for evaluating chemicals and their applications. An additional, important aspect for the chemical industry in the EU is for REACH to have a uniform enforcement within the EU and strict application to all imports.

Essential uses concept

End of November, the consultancy (WSP), which is developing the EU essential use concept presented to the EC a summary of its report, proposing criteria that would severely limit the number of permitted uses of the most harmful chemicals based on health and safety considerations: only uses upon which “health and safety are dependent” should be considered as ‘necessary’, qualifying for exemptions from bans. Uses which provide “a low level of benefit or convenience”, should not be deemed necessary. Uses upon which the functioning of society is “dependent” should be regarded as ‘critical’.

This concept could become especially critical for colorants. ETAD and Eurocolour provided their comments to the concept and started collecting examples of possible essential uses for colorants. An additional problem at this stage of the discussion is that the definition of essential uses is linked to the “most hazardous substances” and there is no final definition for this group.

CLP revision

In September 2022, the European Commission published a draft delegated regulation introducing new hazard classes to the system established in the CLP regulation. The proposal would go beyond the most recent revision of the UN GHS, which is especially worrying for the chemical industry: Divergence from GHS must be avoided to ensure comprehensive hazard communication worldwide.

In principle, every deviation from GHS may result in severe complications in worldwide trade, which is a crucial issue for affected companies. Additionally, the new proposed classes are actually a combination of properties, which are relevant for a proper risk assessment but should not be considered as “hazard classes”. ETAD provided its comments during the corresponding consultation.

New ecodesign for sustainable products regulation (ESPR)

By the end of June, the Commission had carried out a call for feedback on its ESPR proposal for adoption of the review of the existing Ecodesign Directive. Any organisation placing goods for sale on the European market, whether they are based within or outside Europe, will be required to comply with the requirements of the regulation.

A series of impact assessments are planned, given the fact that product-specific measures will be decided based on corresponding data. The regulation is expected to be ready by mid-2023.

Several industry groups, including ETAD, have insisted that the ESPR should not overlap with existing legislation on chemicals management, such as REACH and CLP. Part of the ESPR would allow it to restrict chemicals in specific products for sustainability reasons, while existing EU chemicals legislation only allows a restriction to be placed on a chemical for safety reasons.

Call for evidence on skin sensitiser in consumer mixtures

By the end of September, France, Ireland and Germany had requested interested parties to submit information related to skin sensitising substances in consumer mixtures. The information gathered would be used to assess the need for regulatory actions on skin sensitisers in consumer mixtures.

Upon analysis of the call for evidence, ETAD's companies concluded that no action was needed from the colorant industry: for colorant preparations used down the supply chain, the information on their sensitizing properties, if any, are already available to customers through the SDS. Customers of the chemical industry are the ones who must provide this information further down the supply chain (or directly to the survey in case they are already manufacturing mixtures for consumer uses).

Presence of cobalt in toys

In July, the EC and its Scientific Committee on Health, Environmental and Emerging Risks (SCHEER) published their Preliminary Opinion on the safety of the presence of cobalt in toys, proposing much lower limits. However, ETAD companies confirmed that Co-based dyes are not relevant for toys textiles, and that even the presence of cobalt impurities due to the use of mordant dyes (mentioned in the document) is not a known issue for modern dyes.

EU POP Regulation 2019/1021 - HCB amendment

The EC amended Annex I of the POPs Regulation, setting an unintentional trace contaminant limit of 10 mg/kg for hexachlorobenzene when it is present in substances, mixtures or articles. Before that, ETAD provided input to this amendment, by proposing a limit value of 50 mg/kg for PG 7 and PY 138 as well as 100 mg/kg for TCPA. Unfortunately, ETAD's proposal was not accepted since the information provided was "still limited and the claims insufficiently substantiated".

Swiss printing ink legislation

Swiss authorities have indicated they are preparing new printing ink legislation that will no longer include a list of non-evaluated substances. The consequence of this change is that the use of these substances will be only allowed under self-control if they are not CMR and do not migrate into food at levels above 10 ppb. The new regulation is scheduled to come into force in mid-2023. ETAD will follow these developments and is considering the specific impact on organic pigments used in this application.

Germany

The German PIO entered into force on December 8th, 2021, with a foreseen phase-in period of four to five years (until the end of 2025 and 2026), depending on the new provisions entering into force.

In 2022, the Commission communicated to have already started working on outlining options for a possible future approach towards food contact materials at EU level as part of an Impact Assessment.

Despite the technical complexity of regulating FCMs, the Commission nevertheless expect that an EU legislative proposal for a new approach will be forthcoming before the end of the transition period in the German ordinance on printing inks.

UK

The UK's Department for Environment, Food and Rural Affairs (DEFRA) agreed to propose legislation for a three-year extension of current UK REACH submission deadlines for each tonnage band. The extra three years would allow DEFRA to develop a data registration model that will provide less protection for the UK than that afforded to the EU by improvements it has in the pipeline. The UK government will create a statutory instrument to push this, and the registration submission extension, through Parliament before summer 2023.

Turkey

During 2022, the Turkish Ministry of Environment, Urbanisation, and Climate Change continued to work on the KKDIK details, with the aim of facilitating the registration of chemicals before the December 2023 deadline. Only a low number of registrations has been received.

An important updated requirement referred to the possibility of submitting part of the required data in English, and a delay in the listing of Turkish importers might also be considered.

The costs related to data sharing are an additional point of discussion. Another issue around data sharing is that Turkish registrants are ultimately responsible for submitting the relevant data but, if this is prepared by a third party, they would have no control over whether it is fit for registration.

Eurasian Economic Union

Members of the Eurasian Economic Union (EAEU) missed a key deadline for the proposed technical regulation on the safety of chemical products. The expected adoption date for the already delayed regulation – also known as Eurasia-REACH or TR EAEU 041/2017 – is now 30 December 2023.

Meanwhile, the implementation dates of three classification and labelling standards outlined in the draft regulation have also been discussed. These 'general requirements' standards are:

- GOST 30333: chemical safety passport;
- GOST 32419: classification of chemical products; and
- GOST 31340: warning labelling of chemical products.

Initially expected to be adopted in spring last year, GOST 30333 is now likely to enter into force on 30 December 2023, while the other two standards are slated for a 1 January 2023 entry into force.

South Korea

The most relevant updates to the Korean REACH in 2022 were:

- In August, the definition of existing substances was expanded to include isomers of existing substances; hydrates or anhydrides of an existing substance; and reaction products consisting of two or more existing substances.
- Updated guidelines for registering of reaction products were published End of October.

Also in October, South Korea's National Institute of Environmental Research (NIER) consulted on whether to disclose names and CAS numbers of 347 new chemical substances registered under K-REACH which had been covered by CBI protection.

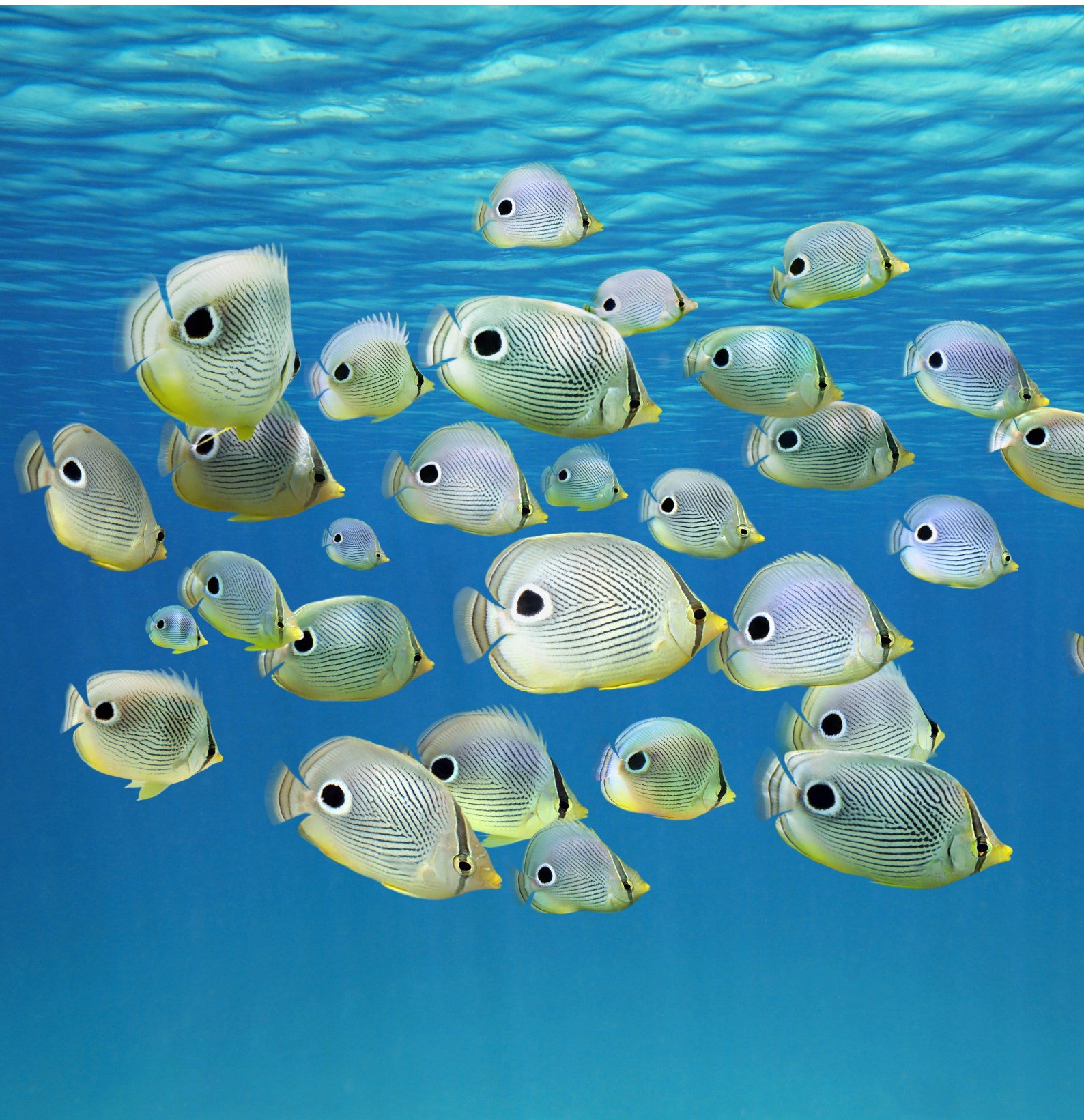
Japan

In 2022, the MHLW worked on further adjustments/restructuring of its provisional positive list for FCMs. Japan's positive list system for FCMs was implemented on 1 June 2020, with a 5-year grace period for unlisted substances used in synthetic resins that have been manufactured/sold in Japan prior to the effective date. The status of such unlisted substances will be cleared in upcoming updates.

As confirmed by ETAD's Japanese members, who monitor closely the developments of such lists, pigments and colouring agents are still not subject to this standard, unless they are used as additives/fillers.

In these cases, they have to be listed (testing has to be submitted and the colorants could be confirmed as compliant).

Japan's Ministry of Health, Labour and Welfare (MHLW) published a cabinet order, requiring 234 substances to comply with mandatory safety data sheets (SDSs) and labelling under the Industrial Safety and Health Act (ISHA) from 1 April 2025. Although the Cabinet Order takes effect on 1 April 2024, it provides a grace period to comply, and will only be enforced a year later.





ACTIVITIES

Nano

Following the introduction of dye-related entries in the French nano inventory and their corresponding listing in the European Observatory for Nanomaterials, ETAD started collecting existing data on dyes from its member companies. During 2022, it was also decided to start an exchange with external experts in nanomaterials characterization to clarify the limits of the general approach to nanomaterials when applied to dyes, particularly considering their solubility properties and the corresponding feasibility of nano-related measurements.

vPvM / PMT substances

In 2022, ETAD continued the refinement of the screening on dyes for their potential properties as very persistent and very mobile (vPvM) or persistent, mobile and toxic (PMT) substances, following the developments in the definition of corresponding criteria in regulatory documents (CLP revision texts) and the results in available literature. ETAD also contacted Netherlands' National Institute for Public Health and the Environment (RIVM), which is particularly active on the subject, in order to start an exchange on the topic. The classification of substances according to their mobility-related properties is expected to become a central part of the CLP revision, and chemical companies need to prepare suitable approaches to address any required updates in their substances' information.

ZDHC

MRSL 3.0

ETAD is part of the MRSL Council, where all amendments to ZDHC MRSL are discussed among representatives from different stakeholders. In version 3.0, along with the discussions on new entries, a complete review of existing entries was carried out, including CAS number specifications as well as methods updates and details. ETAD provided to the Council the input of its member companies on all relevant dye-related substances; this input was accepted by the group and incorporated in the final version, published end of 2022.

Conformance Guidance 2.0

During 2022, ZDHC worked on the update to its Conformance Guidance, aimed to reflect planned changes to ZDHC's conformance structure. All stakeholder groups in ZDHC were asked to provide feedback to the new version of the document; ETAD collected the input of its members as well as the input of the companies in ZDHC's Chemical Suppliers Advisory Group (CSAG), together with the association TEGEWA (co-speaker for the CSAG). The chemical industry identified several points which needed clarification, and the discussion on these points will continue in 2023.

Solvents Task Team

In 2022, ETAD continued its participation in the Solvents Task Team, with the goal of creating a decision tree for solvents used during the textile manufacturing. Different possible versions of the tree were discussed and tested on a list of representative solvents. A first working version of the tool was delivered to ZDHC for further discussion, together with the corresponding evaluation of the solvents.

Formulator to Zero & Chemicals to Zero

As part of the CSAG administrative team and of the CASG Management Team, ETAD participated in the development of the proposal for the chemical supplier leader programme. Its focus will be on chemical formulations and chemical manufacturers, describing the attributes reflecting the engagement of the chemical companies - from product stewardship to sustainability programmes. The first draft was finalized end of 2022 and will be distributed for broader review within the CSAG community beginning of 2023, then submitted to the ZDHC programme team, after any agreed updates. The Chemicals to Zero programme covers the activities of all stakeholders, setting collaborative and contributor-specific goals and defining improved levels of quality of the chemical products beyond the pure MRSL compliance. The “shared responsibility” concept built in the programme should lead to change of the business dynamic not only from a social and environmental perspective (safer chemistry), but also from a daily business perspective (the commercial recognition behind the activities of the responsible chemical suppliers).

GOTS

ETAD participated as a member of the Standard Revision Group to the 7th GOTS revision, which now includes a public consultation on the revision drafts. Some issues identified by the member companies had been communicated by ETAD during the consultation and were discussed in detail in the Revision Group. Most of ETAD's suggestion were reflected in the final decisions, in particular the deletion of Disperse Blue 291 and Disperse Violet 93 from the list of banned allergenic disperse dyes, based on the provided evidence of consumer safety.

Disperse Red 60 “under observation” in the OEKO-TEX standard

In 2022 the colorants Disperse Blue 60 and Disperse Red 60 were included into the list “Substances under Observation” of the OEKO-TEX Standard 100 because of their self-classification as skin sensitizers. The addition of the two dyes in the “under observation” list was based on a report by the Sweden authorities. OEKO-TEX later removed Disperse Blue 60 from the list, as it had been a mistake, but the presence of the Disperse Red 60 needed to be further discussed.

ETAD started an exchange with OEKO-TEX to clarify the choice of substances and the role of the “Substances under observation” list, and it was agreed that Disperse Red 60 did not need special monitoring. ETAD and OEKO-TEX also decided to intensify their communication on dyes topics, in order to plan future changes to the standards on the latest state-of-the-art information.

EU Restriction proposal for sensitizers in textile/leather

With its general ban/restriction approach, the EU Restriction proposal on skin sensitizers was identified since its submission as an inappropriate approach to consumer safety: in particular, the overevaluation of risk, the “dynamic link” concept and the scope covering all CLP substances are seen by the whole textile/leather value chain as extremely problematic aspects. The Commission draft for the restriction, first expected to be ready end of 2021, was still not available end of 2022.

During the year, ETAD remained in contact and organized meetings with relevant actors at regulatory level, including the Cabinet for Environment and the Cabinet for Internal Market. As new important participants from the textile value chain, recyclers joined forces with the industry coalition ETAD is part of. This additional group of interested parties allowed to integrate in the coalition's arguments against the current proposal a further problematic aspect: the adoption of the restriction as it would strongly affect the recycling of textiles (if not make it completely impossible), in clear contradiction with the foreseen role of recycling in the framework of EU's Green Deal. ETAD will continue its advocacy work in 2023 both by DG Grow and DG Environment and at the member states level, in further collaboration with other stakeholders.

H317 substances in Levi's MRSL

Levi's 2022 RSL seemed to introduce a new broad series of restrictions, including a ban all substances classified as H317. ETAD immediately started communication with Levi's expressing its concern for the consequences of this perceived extreme development of the standard. During the exchange with Levi's it was clarified that all the general information on H317 substances in the standard was just meant as general background of the RSL, while the key document for a chemical supplier as regards compliance to Levi's RSL is the LS&Co. CHEMICAL INFORMATION LOG, i.e., compliance with AFIRM's and Levi's specific lists of substances (p. 7-18 of the RSL guidance); no other substances should be checked. ETAD immediately informed its companies about this clarification.

Colorants for materials and products in contact with drinking water

In February, ETAD and Eurocolour received a request from the German Environment Agency (UBA) on information for colorants for materials and products in contact with drinking water. The UBA reported that various colorant manufacturers had difficulties issuing corresponding confirmations for compliance with the requirements for these products. A detailed discussion showed that the crucial issue was the request to colorant manufacturers to confirm that no primary aromatic amines could migrate into water from the material. The associations proposed an amended text of the corresponding guidance to clarify that this compliance cannot be provided by colourant manufacturers but is a responsibility of the manufacturers of the end product. The UBA agreed with the proposal.

EU Green Deal

In 2022, ETAD followed closely the developments of different relevant initiatives under the big umbrella of the EU Green Deal (see section Regulatory Highlights for details). When possible, ETAD also provided feedback as single association, through Eurocolour, or through joint contribution.

In particular:

- A public consultation on the REACH revision run from 20 January 2022 to 15 April 2022. The provided input focused on warning from turning away from the risk-based approach for evaluating chemicals and their applications and from the banning of chemicals without risk assessment, stakeholder participations, and cost-benefit impact assessments. A further point stressed was the importance of carrying out enforcement uniformly within the EU and to all imports.
- Comments submitted on the proposed Regulation for Sustainable Products (ESPR) underlined that sustainability must take into account the ecological, economic and social dimensions within the framework of the entire life cycle, and that pigments already provide a significant contribution to the sustainability of a wide variety of final products.
- Additionally, the ESPR should avoid any duplication or inconsistencies with existing legislations and with other initiatives of the new Chemical Strategy for Sustainability. Therefore, no restriction of substances should take place under the ESPR.
- Additional comments were provided during ETAD's participation in dedicated workshops on the proposed initiatives organised by the EU authorities (e.g., the GRA workshop).

Discussion on the status of dyes in Taiwan

ETAD continued in 2022 the information exchange with the Taiwanese authorities on dyes listed as toxic chemical substances. The two dyes Direct Orange 102 and Reactive Blue 160 were still considered especially hazardous, and ETAD carried out a specific assessment of the hazard of concern, focusing on worker exposure. The assessment showed no particular need of a special labelling for the dyes and, after approval of the Taiwanese Operating Committee, was forwarded to the authorities.

Thailand customs

Member companies reported about customs officers in Thailand, who ask for full disclosure of ingredients of imported products and asked for general advice on the best way to deal with it. ETAD members provided following information: in case the complete disclosure is not feasible due to CBI, a CBI notification via the Department of Industrial Works 'consultation system' is available for Thai importers. Hence, a European exporter should ask its Thai importer(s) to notify DIW in line with this CBI notification rule.

New limit for tetrachlorophenols for ETAD members

In May 2022, based on its companies' feedback ETAD updated its limits for impurities in dyes with a separate limit for tetrachlorophenols. The new agreed limit is 5 ppm.

An updated version of the impurities limits was published on the ETAD website; a corresponding amended version of the Guidance to ETAD Members was also prepared and distributed to the member companies.

PARTNERS

Other associations

ADIF	Asia Dyestuff Industry Federation
Cefic	European Chemical Industry Council
CDIA	China Dyestuff Industry Association
CPMA	Color Pigments Manufacturers Association
EuPIA	European Printing Ink Association
Euratex	European Apparel and Textile Confederation
Eurocolour	European Association of Pigments Manufacturers
ICC	Indian Chemical Council
JDICA	Japan Dyestuff and Industrial Chemical Association
SDC	British Society of Dyers and Colourists
SOCMA	Society of Chemical Manufacturers and Affiliates
TDPIA	Taiwan Dyestuffs and Pigment Industrial Association
TEGEWA	German Association of producers of textile, paper, leather and fur auxiliaries and colourants, and other auxiliaries

National authorities

BAG	Swiss Federal Office for Public Health
BfR	German Federal Institute for Risk Assessment
BIS	Bureau of Indian Standards
BLV	Swiss Federal Food Safety and Veterinary Office
Danish EPA	Environmental Protection Agency
EC	European Commission
ECCC	Environment and Climate Change Canada
Health Canada	
JRC	Joint Research Center - European Commission
Keml	Swedish Chemical Agency
METI	Japanese Ministry of Economy, Trade and Industry
OSHA	Taiwanese Occupational Safety and Health Administration
UBA	German Federal Institute for the Environment
UNEP	United Nation Environment Programme
US EPA	United States Environmental Protection Agency

Standard issuers

AFIRM	Apparel and Footwear International RSL Management
ISO	International Organization for Standardization
CEN	European Committee for Standardization
SNV	Swiss Association for Standardization
GOTS	Global Organic Textile Standard
ZDHC	Zero Discharge of Hazardous Chemicals Group
SAC	Sustainable Apparel Coalition
Bluesign	
EU Ecolabel	
C&A	
H&M	
Levi Strauss	
Migros	
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**These lists give membership as in April 2023*

DR. RUDOLF ANLIKER



25.07.1926 - 28.11.2022

Dr. Anliker was appointed Executive Secretary of ETAD in July 1977 and filled this position until his retirement in 1991. When he started his work at ETAD, the association has practically just had being founded.

At that time, only limited attention was given to the possible effects of colourants due to their eco/toxicological profile, and ETAD started to deal with the different aspects of this topic in a structured and strongly scientific-based way.

Dr. Anliker first published many articles summarizing the state-of-the-art of knowledge about the general safety of dyestuffs, their ecotoxicological assessment and their safe handling, also reporting about the corresponding projects ETAD companies were carrying on to improve the existing information.

As soon as more specific topic emerged (e.g., PCBs in synthetic organic pigments, aniline-based dyes, bioaccumulation of colourants in fish), other targeted publication followed, underlining ETAD's companies' commitment to understand and, whenever necessary, react to any new potential danger to human health and consumer safety.

From this period, we can also mention the creation of ETAD's SDS, a first effort to provide to the users of our products a handy reference about safe use. ETAD's modus operandi was shaped during those years, and we are thankful to Dr. Anliker for preparing such a good working "tool" for his successors.

Even after retiring, Dr. Anliker remained curious about the developments in the colourant industry and kept receiving with pleasure ETAD's Annual Report.

He often took this yearly update as an opportunity to call the Basel office and comment on the reported information, sometimes remarking, with surprise, how many topics were still the same after many years.

He kept this communication just until some weeks before his death; it was quite impressive to feel such a still lively interest in him.

We really have to thank him also for his fidelity to the work of our association, as we rightfully remember him as one of our "founding fathers".



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