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Wolfhausen, August 2020

## REACH, Annex XVII, 74. Diisocyanates, usage in the EU, REGULATION (EU) 2020/1149

### Customer information

Ladies and Gentlemen,

COMMISSION REGULATION (EU) 2020/1149 of 3 August 2020 amending Annex XVII to Regulation (EC) No 1907/2006 of the European Parliament and of the Council concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH) as regards diisocyanates, has been entered into force.

<https://eur-lex.europa.eu/eli/reg/2020/1149/oj>

One essential point of the amendment relates to the requirements for the distribution and application of diisocyanates “as substances on their own, as a constituent in other substances or in mixtures”. Please consider especially but not exclusively the following excerpt from EU 2020/1149:

74. **Diisocyanates**,  $O=C=N-R-N=C=O$ , with *R* an aliphatic or aromatic hydrocarbon unit of unspecified length
1. **Shall not be used** as substances on their own, as a constituent in other substances or in mixtures for industrial and professional use(s) **after 24 August 2023, unless:**
    - (a) the concentration of diisocyanates individually and in combination is less than 0,1 % by weight, or
    - (b) the employer or self-employed ensures that industrial or professional user(s) have successfully completed training on the safe use of diisocyanates prior to the use of the substance(s) or mixture(s).
  2. **Shall not be placed on the market** as substances on their own, as a constituent in other substances or in mixtures for industrial and professional use(s) **after 24 February 2022, unless:**
    - (a) the concentration of diisocyanates individually and in combination is less than 0,1 % by weight, or
    - (b) the supplier ensures that the recipient of the substance(s) or mixture(s) is provided with information on the requirements referred to in point (b) of paragraph 1 and the following statement is placed on the packaging, in a manner that is visibly distinct from the rest of the label information: “As from 24 August 2023 adequate training is required before industrial or professional use”.

#### **To our customers, who solely receive foamed articles:**

The diisocyanates as substances used for the production of polyurethane (PUR) articles have reacted and the concentration of diisocyanates individually and in combination is less than 0,1% by weight. **No training and no additional labelling is required** (according to points (a) of paragraphs 1 and 2).

**To our customers, who receive chemical components as foam systems or individual liquid polyurethane components:**

Diisocyanate can be present in a concentration of more than 0,1% by weight. For evaluation of the diisocyanate concentration, please refer to section 3 of our safety data sheets. It provides information on whether 0,1% by weight or more diisocyanates are present.

- If our products contain **less than 0,1% by weight of diisocyanates, no training and no additional labelling is required** (according to points (a) of paragraphs 1 and 2).
  
- If our products contain **more than 0,1% by weight of diisocyanates,**
  - we commit ourselves to place the statement indicated under point (b) of paragraph 2 on the packaging by 24 February 2022 at the latest;
  - we shall ensure that you are provided with information on the requirements referred to in point (b) of paragraph 1, also by 24 February 2022 at the latest.
  - Per point (b) of paragraph 1, **you as “the employer or self-employed ensure(s) that industrial or professional user(s) have successfully completed training on the safe use of diisocyanates prior to the use of the substance(s) or mixture(s)” before 24 August 2023.** The elements of this mandatory training depend on the exposure level at the workplaces and are further described in the regulation (see paragraphs 4 and 5).

We kindly ask you to **familiarize yourself with the new regulation in its entirety** and consider what you need to do during the transitional period, **so that we can continue to supply you with products containing diisocyanates beyond 24 August 2023.**

Do you have any further questions regarding REACH? You can always contact us at [reach@foampartner.com](mailto:reach@foampartner.com).

Sincerely,



**Dr. Jens Hasenjäger**  
Head of Global SHEQ  
FoamPartner Group



**Heribert Perler**  
Head of Global R&D  
FoamPartner Group