

The universal PFAS restriction



20 February 2023

Welcome

CAMILLA MARTELLI

Director Public Affairs



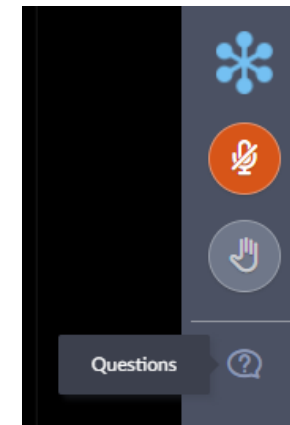
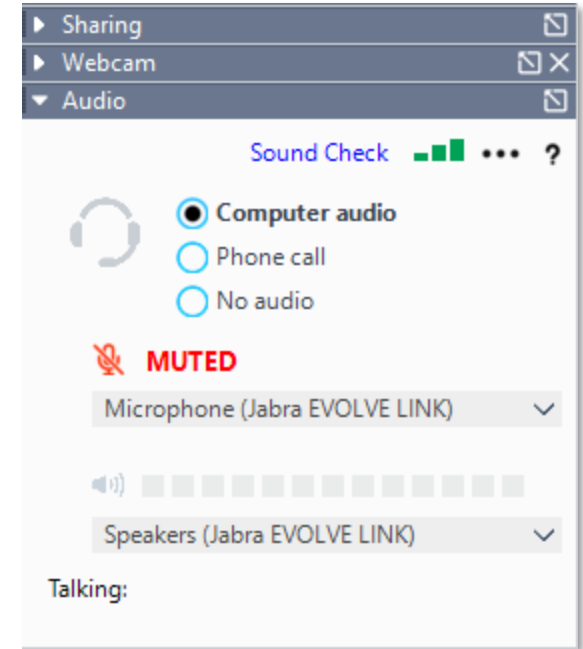
Legal reminder / competition law compliance

- No exchange of information that is not in conformity of competition law.
- Your individual **company's commercial strategy as regards PFAS** should remain **confidential**.
- Please **do not** disclose you company's:
 - ❖ **product portfolio**
 - ❖ **suppliers**
 - ❖ **customers**
 - ❖ **substitution plans**
 - ❖ **planned contribution** to the public consultation on the PFAS restriction proposal
- Cefic provides a collective service to its Members and will refrain from any company-specific advice.



Logistics

- Ensure **computer audio is selected**
- Everyone is **MUTED**
- Please use the questions box to enter your **questions** throughout the webinar
- Questions will be addressed at the end of the webinar
- This session is being recorded for internal purposes. A written summary will be shared afterwards by email



Our Speakers

MARLEEN PAUWELS

Executive Director – Halogens Industry Sector



STEVEN VAN DE BROECK

Director REACH & Chemicals policy



CAMILLA MARTELLI

Director Public Affairs



Moderator



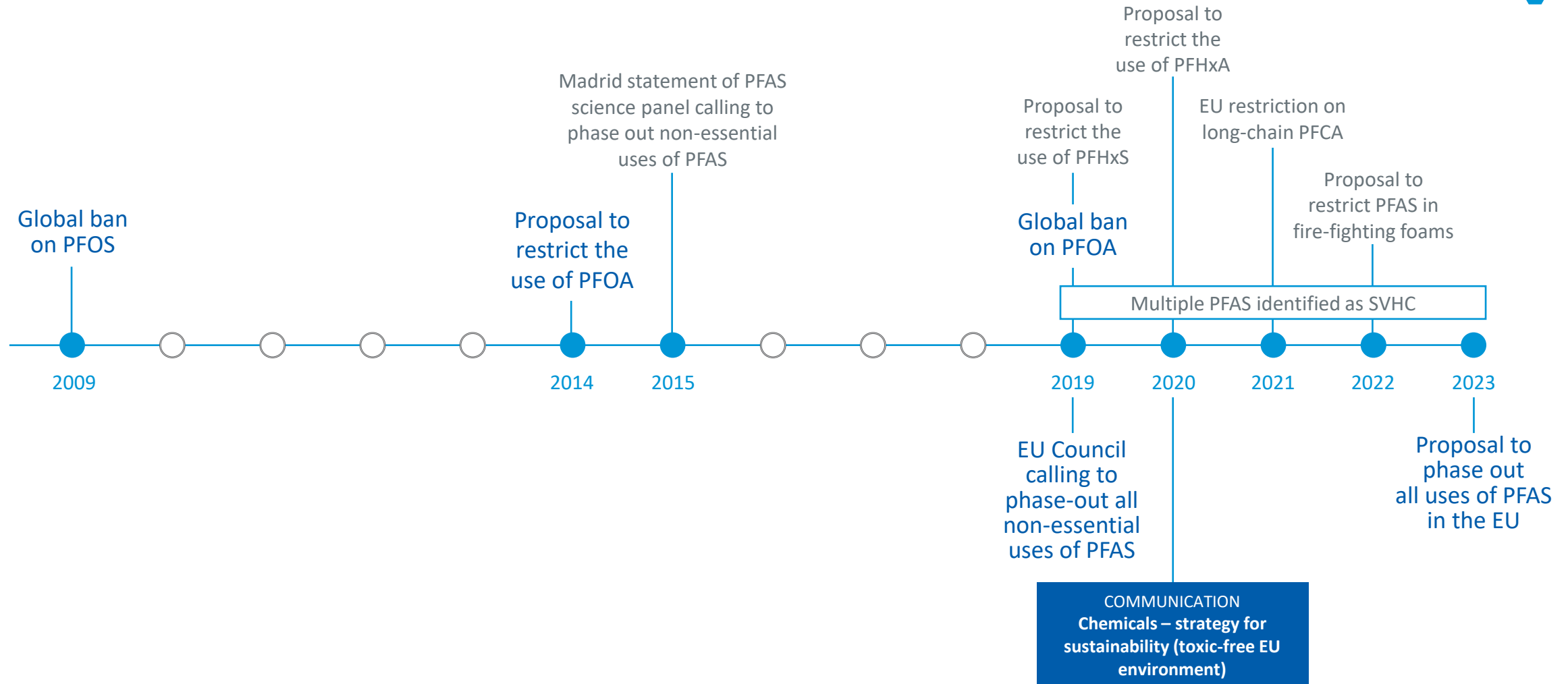
Setting the scene

STEVEN VAN DE BROECK

Director REACH & Chemicals policy



The U-PFAS restriction – the pinnacle of regulatory action on PFAS



5 Member States kicked off the preparation of a universal PFAS restriction

 **The Netherlands**

- medical devices and pharma
- food contact material
- production of fluoropolymers
- waste and recycling

 **Germany**

- chrome plating
- consumer mixtures
- transport

 **Sweden**

- textiles, leather, apparel
- cosmetics and personal care products

 **Norway**

- F-gases
- ski waxes
- applications within oil, gas and mining

 **Denmark**

- lubricants
- construction products



Media attention



ENDS
EUROPE

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Blog: Hulk actor Mark Ruffalo is angry... about 'forever chemical' PFAS

When Mark Ruffalo joined a panel at the European Parliament around 10 film cameras were there to catch it. The auditorium quickly became standing room only, for an audience of cross-party MEPs, environmental groups and business representatives. Such attention on REACH annexes takes a Hollywood a-list.

by Laura Cole



POLITICO

Flanders fights over blame for dangerous chemical pollution

'Many were aware, but nobody took action,' the opposition alleges of government knowledge of **PFAS** dangers.

RIVM: te veel schadelijke stoffen (Pfas) in voedsel en drinkwater

Via voedsel en het drinkwater krijgen Nederlanders te veel Pfas binnen, stoffen die gezondheidsschade kunnen geven. Dat blijkt uit onderzoek van het Rijksinstituut voor Volksgezondheid en Milieu (RIVM).



Perfluorerade kemikalier kopplas till missfall



Chemical Watch

an **enhesa** company

H&M, Coop Denmark back call to end PFAS use

06 February 2020

Companies join ChemSec initiative to address substance group

EURACTIV

Harmful 'forever' chemicals widespread in EU fast food packaging, warns new report



CHEM Trust @CHEMTrust · Aug 11

Harmful chemicals **#PFAS** have been found in the environment all-round the globe, even the 🐻 arctic 🌐 CHEM Trust are excited about the prospect of a 🍷 restriction on **#PFAS** ! in Europe, 🇪🇺 with action being taken to ban the group of chemicals. chemtrust.org/news/pfasban/



Drivers behind regulatory action on PFAS



1. Media attention
2. PFAS are omnipresent in the environment
3. The number of sites potentially emitting PFAS has been estimated to be approximately 100 000 in Europe*
4. The annual health-related costs related to PFAS are estimated to 52-84 billion EUR for all Europe*
5. Societal pressure



90% Europeans are worried about the impact of chemicals on the environment*

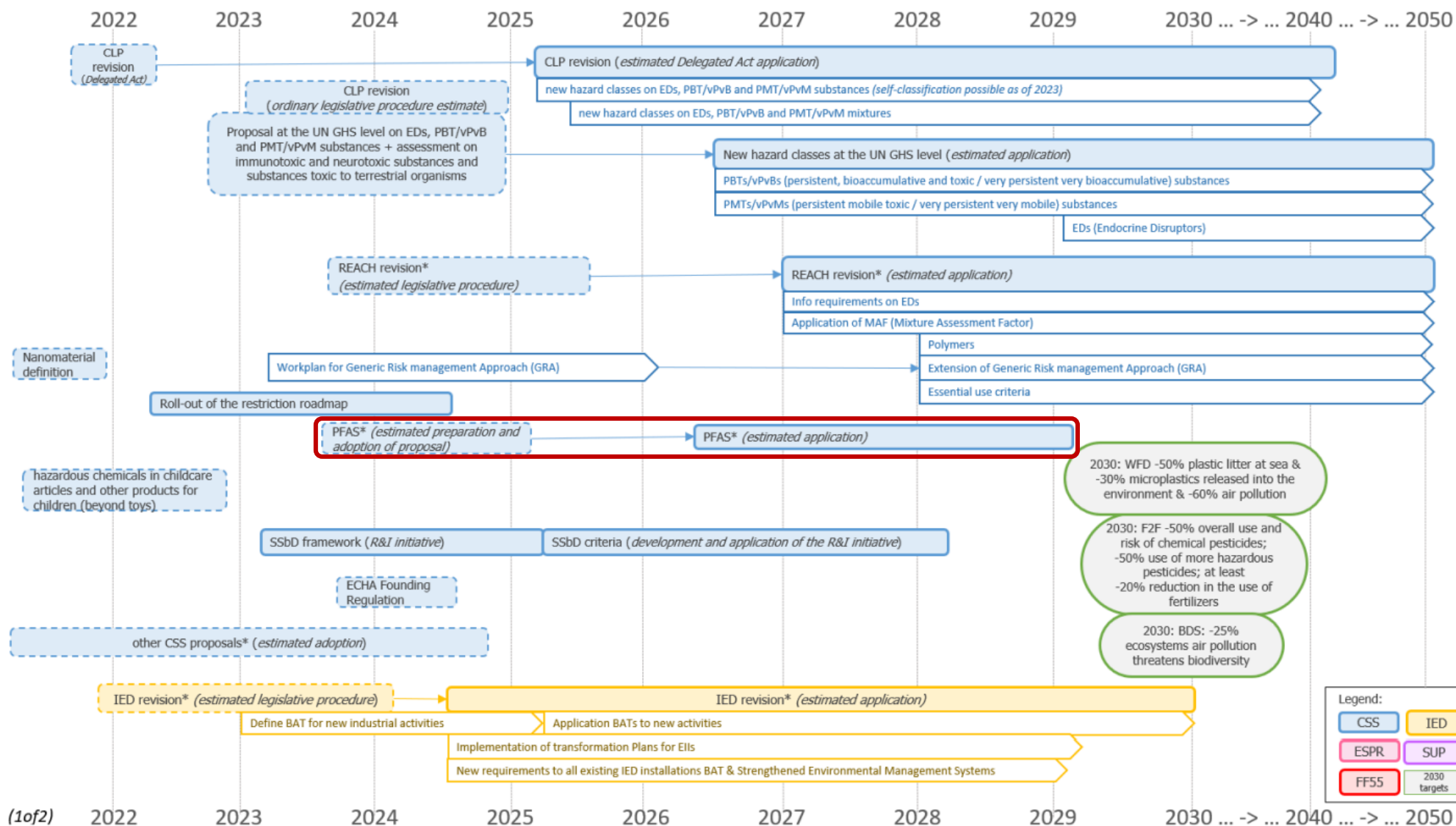


84% Europeans are worried about the impact of chemicals present in everyday products on their health*



* https://ec.europa.eu/environment/pdf/chemicals/2020/10/SWD_PFAS.pdf

Regulatory actions on PFAS in an already challenging regulatory framework



The restriction proposal seeking to phase out PFAS

Choice between two regulatory options

Starting point is a BAN

- manufacturing, use and placing on the market of PFAS
- placing on the market of mixtures and articles containing PFAS at:
 - 25 ppb for one non-polymer PFAS
 - 250 ppb for the sum of non-polymer PFAS
 - 50 ppm for all polymeric PFAS

Regulatory option 1

no derogations and
a transition period of
18 months

Regulatory option 2

- use-specific, time-limited derogations:
18-m transition period,
plus additional 5-y or 12-y
derogation period
- some time-unlimited, more
general derogations

↑
Preferred option



ANNEX XV RESTRICTION REPORT

PROPOSAL FOR A RESTRICTION

SUBSTANCE NAME(S): Per- and polyfluoroalkyl substances (PFASs)

IUPAC NAME(S): n.a.

EC NUMBER(S): n.a.

CAS NUMBER(S): n.a.

CONTACT DETAILS OF THE DOSSIER SUBMITTERS:

BAuA
Federal Institute for Occupational Safety and Health
Division 5 - Federal Office for Chemicals
Friedrich-Henkel-Weg 1-25
D-44149 Dortmund, Germany

Bureau REACH, National Institute for Public Health and the Environment (RIVM)
Antonie van Leeuwenhoeklaan 9
3721 MA Bilthoven, The Netherlands

Swedish Chemicals Agency (KEMI)
PO Box 2,
SE-172 13 Sundbyberg, Sweden

Norwegian Environment Agency
P.O. Box 5672 Torgarden
N-7485 Trondheim, Norway

The Danish Environmental Protection Agency
Tolderlandsvej 5
5000 Odense C, Denmark

VERSION NUMBER: 1

DATE: 07.02.2023

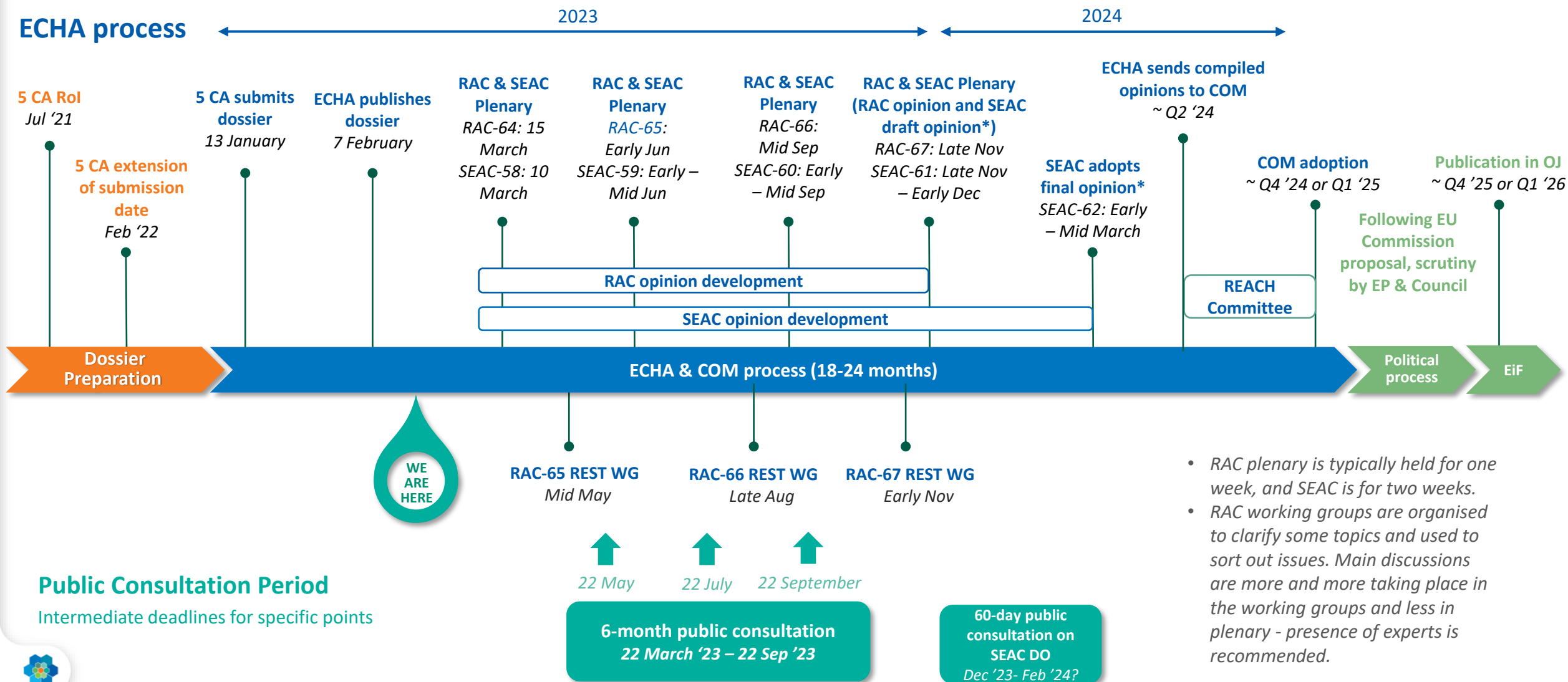
Some key features of the restriction proposal



- **Scope is very broad**
 - Captures all chemicals with a C-F bond (± 10.000 chemicals)
 - Includes fluoropolymers and F-gases
- **Persistence is key for justifying the restriction in terms of risk**
 - Supporting concerns (mobility, toxicity, ...) vary among PFAS
 - Estimated emissions of about 4.4 million tonnes over 30 years if no action taken
 - Any emission is considered as problematic
- **Derogations are use specific**
- **Derogations are driven by availability of alternatives**
 - Availability of technically and economically feasible alternatives
 - Economy of scale
- **The proposal does not use the essential uses concept**
 - But the logic is appearing



The restriction proposal – indicative timeline



- RAC plenary is typically held for one week, and SEAC is for two weeks.
- RAC working groups are organised to clarify some topics and used to sort out issues. Main discussions are more and more taking place in the working groups and less in plenary - presence of experts is recommended.

* Assuming the earliest possible timeline.

Cefic action plan and call for action

MARLEEN PAUWELS

Executive Director Halogens Industry Sector



First analysis of the U-PFAS restriction proposal



Unprecedented number of substances and applications covered

Derogations based on Calls for Evidence:

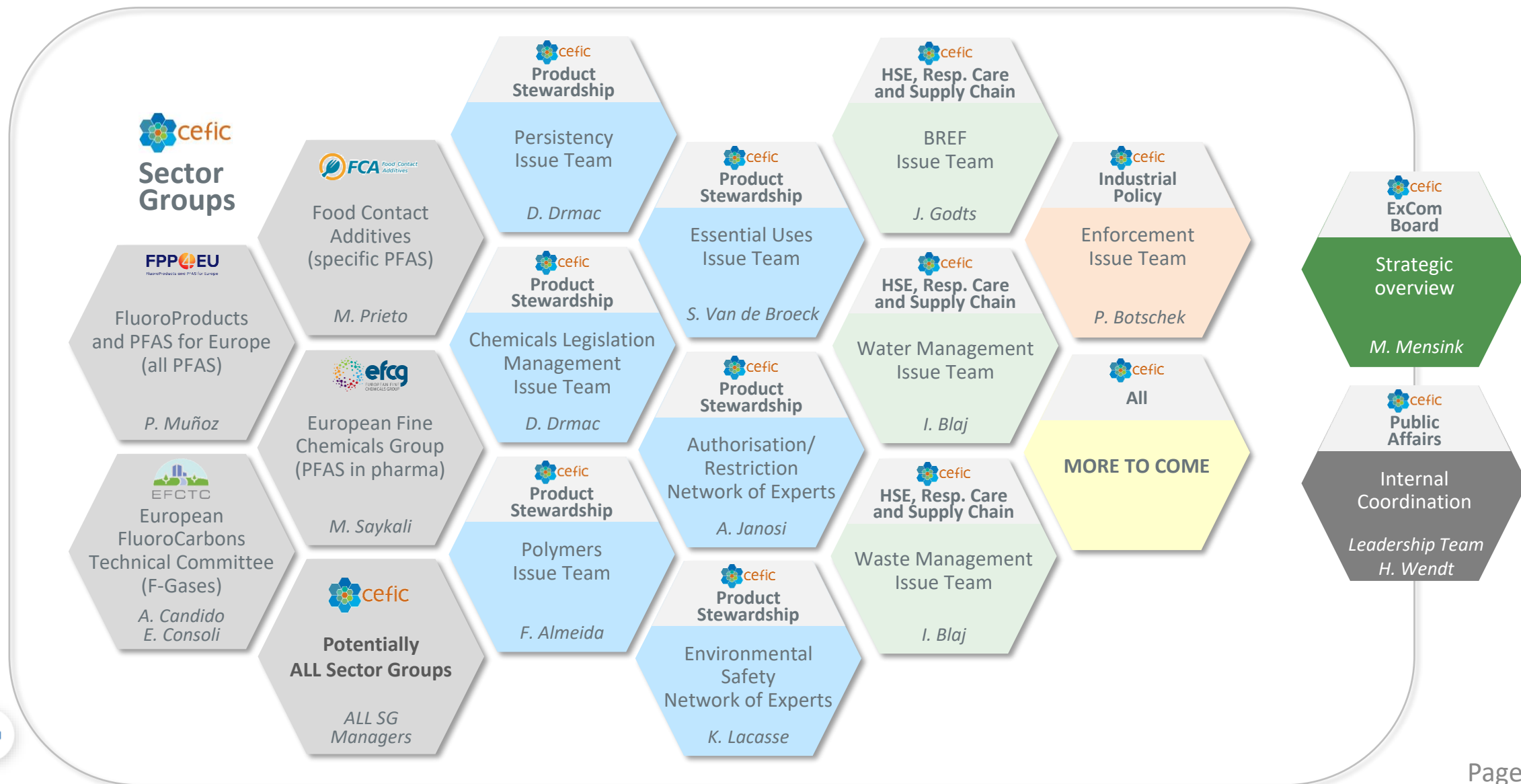
- varying levels of evidence
- key evidence: availability of alternatives and cost impact
- evidence requested from multiple stakeholders, by preference via joint submissions*

Plant production products, biocides and human & veterinary medicines active substances derogated, but **no derogation for intermediates, formulating aids, ...!**



* Competition law should be observed at all times, especially where joint submissions are contemplated. Some data cannot be exchanged between competing entities. Decisions to substitute a substance are for each company to make individually and according to their own decision-making process.

Coordination of Cefic activities on PFAS



Collaboration on PFAS outside Cefic



Illustrative



**Sector
Groups**



FluoroProducts
and PFAS for Europe
(all PFAS)

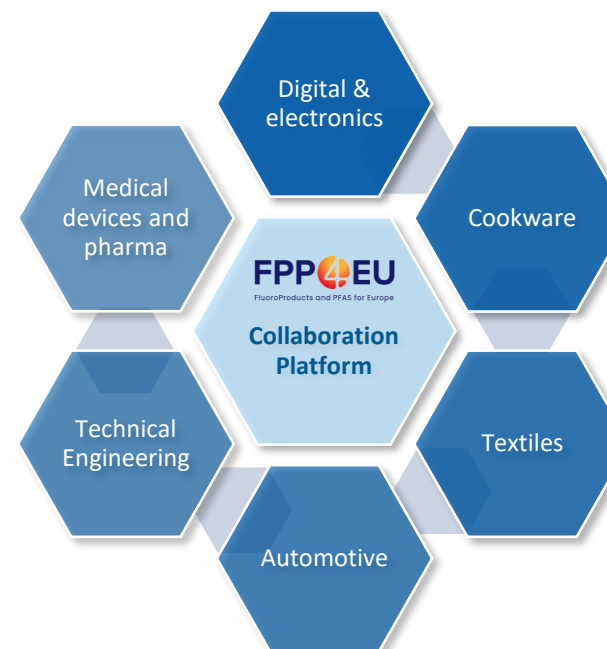
P. Muñoz



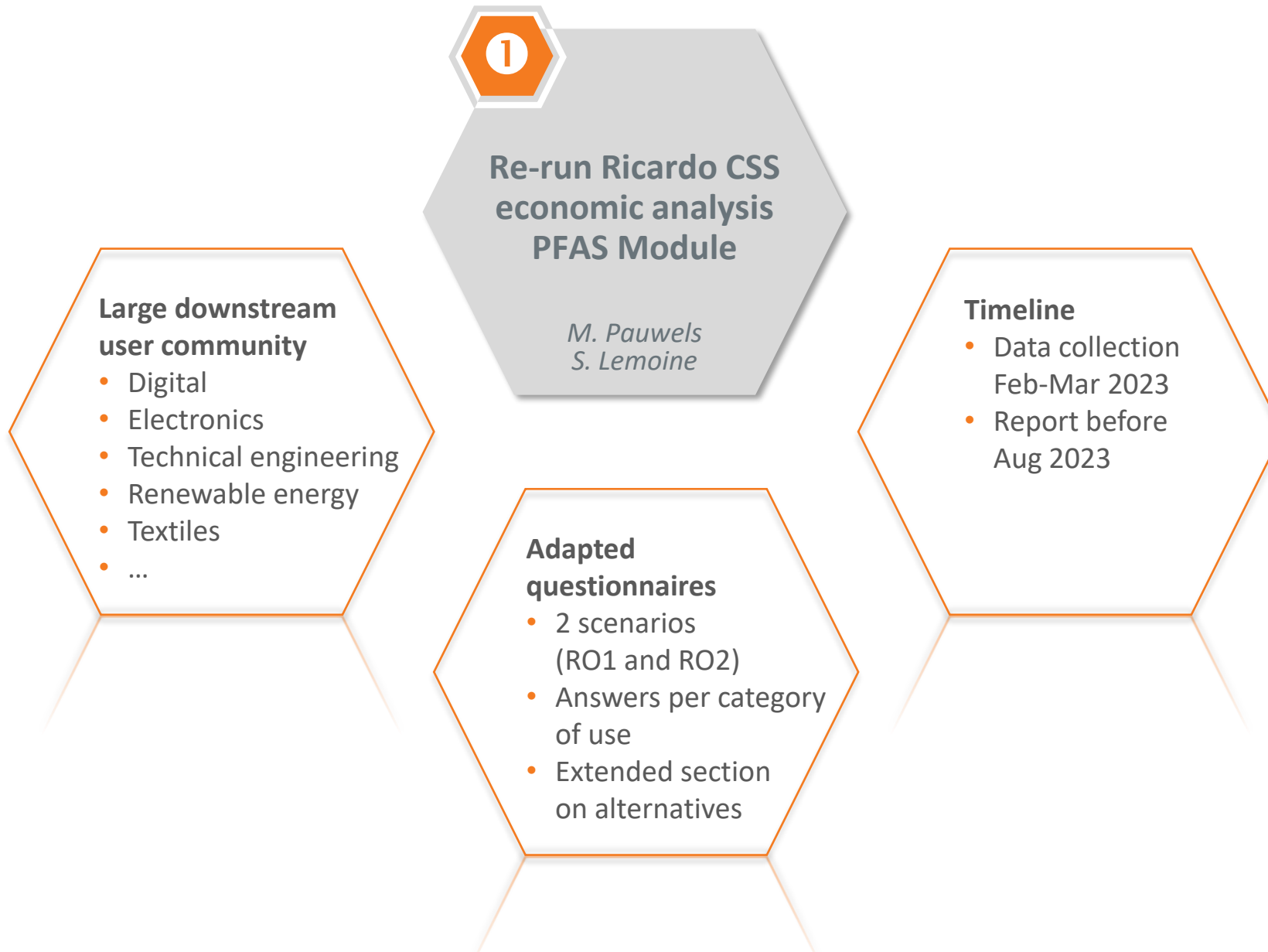
**Public
Affairs**

FPP4EU
Support

*M. Yada
S. Geros*



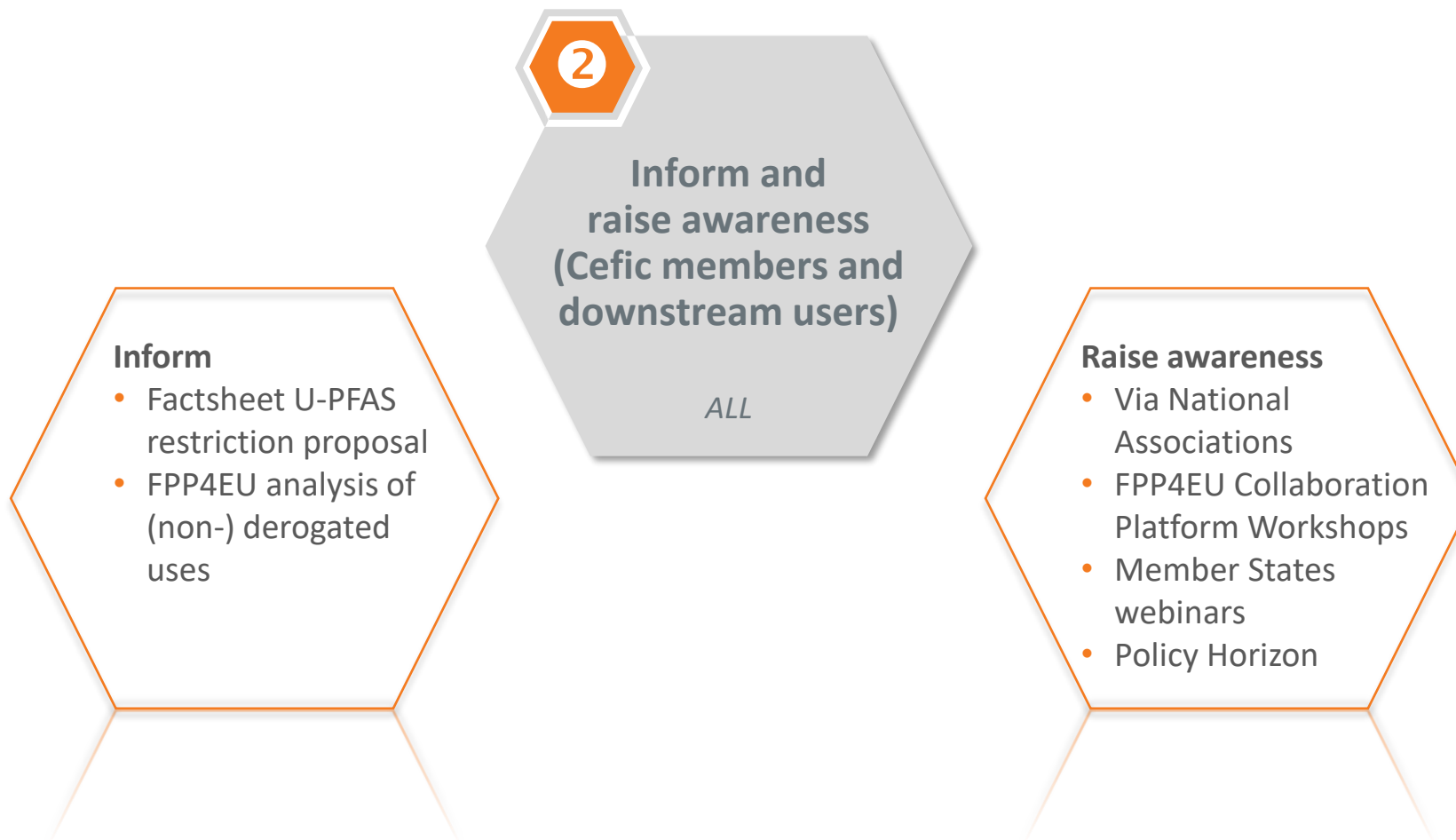
Cefic action plan



Cefic action plan



Cefic action plan



Cefic action plan



Call for action: we invite all companies to...



Analyse

- where the restriction may have an impact (incl. equipment used onsite)
- current emission control measures

Collect data on

- (non-)availability of alternatives to PFAS
- realistic emission control measures

Feed data into public consultations on

- (non-)availability of alternatives
- cost impact*
- initiatives to reduce emissions

Contact us

- on the lengthy and complex process
- on the complex PFAS file

* Cost impact typically includes

- producer surplus losses
- employment losses
- consumer surplus losses
- welfare losses



Contact us



Coordination PFAS file

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REACH restriction process

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Questions and answers



Thank you for your attention

