

Meeting on PFAS

Umweltministeriums Baden-Württemberg

Brussels, 27 June 2023

Participants Baden-Württemberg

[REDACTED] (Min. of Environment) and [REDACTED] (State Institute for the Environment) gave a presentation. Around 20 other participants.

DG GROW

[REDACTED]
[REDACTED]

Notes:

Introduction by Min of Environment on PFAS and the proposed restriction by DE, NL, DK, SE, NO. PFAS examples of uses that require discussion are lithography optics, seals, medical devices, proton exchange membranes etc.

State Institute for Environment continues on enforcement. There are three main issues :

- Analytical methods:
 - o targeted analysis are only available for about 40 PFAS (out of 10.000 PFAS), there is a CEN standard EN 17681 for PFAS in textiles and textile articles, but not many others reference standards; the standards describe limitations related to polymers (side chain fluorinated polymers)
 - o total fluorine; the total fluorine content can be measured, but there is no possibility to check if the claim on non PFAS fluorinated of a company is correct.
- Substance definition: not totally clear which substances are included. It would be helpful if there is a list or an overview of borderline cases or a list of substances determined to be non-PFAS. DG GROW referred to the OECD definition which indicate the groups of substances, however no complete list. For PFHxA, there is a non-exhaustive list on ECHA's website. ECHA might also be able to provide a list of used/registered PFAS substances
- Borderline to other restriction entries and other regulations
 - o Para 9. Other PFAS restrictions and also F-gas regulation

So far, Commission always removed PFAS entries from Annex XVII of REACH, once included in the POP regulation (based on agreement in the Stockholm convention). It might be an option to exclude PFOS/PFOA from the UPFAS restriction since they are already regulated through POP regulation. To be seen in due time. Same for F-gases, to be seen.

Brief reaction from GROW on the issues regarding PFAS raised. Also indicating the dossier is currently under assessment by RAC and SEAC. Commission is at this moment an observer.

Some more reflection on the general restriction process and the role of the Commission. On the one hand there a need for firm action on PFAS pollution, on the other hand PFAS are also needed for important technologies.

In REACH revision, enforceability is also important topic and strengthening the role of Forum is being discussed. Important to note that it would be strange if we should not be able to ban substances if they cause a risk, if there is no analytical methods. We had similar discussion on CMRs.

Some further discussion on political pressure to act and stimulating substitution.