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JEMA comment to the Restriction report on Per- and polyfluoroalkyl substances (PFAS)

JEMA would like to express the gratitude of having the opportunity of stating our comment to the Restriction report on Per- and polyfluoroalkyl substances (PFAS).

<https://echa.europa.eu/restrictions-under-consideration/-/substance-rev/72301/term>

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The Japan Electrical Manufacturers' Association (JEMA) consists of major Japanese companies in the electrical industry including: power & industrial systems, home appliances and related industries. The products handled by JEMA cover a wide spectrum; from boilers and turbines for power generation to home electrical appliances. Membership of 180 companies, <http://www.jemanet.or.jp/English/>

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1. Introduction

The REACH Regulation has been carrying out the great role of contributing to human health and Environment by reducing the exposure risk of hazardous substances. We fully understand the importance of the REACH Regulation which shall be respected and have been contributing to the REACH goal through our technologies. We would like to continue to respect the REACH goal of reducing human health risk and the environment risk with EU.

2. Comment Basis

This comment is prepared from the view point of Infrastructure Equipment which has the special feature and the role for social service.

- We have already expressed the general comment on the Restriction report on PFAS with other Industry Associations in Japan.

We have the responsibility of supplying our reliable specialist equipment to support the social infrastructure and of taking action to realize REACH goal. The reliability of specialist equipment is so important that we can have the social service. In case some defects would be happen , there becomes some possibility of unstable power supply or transportation system which seems to be critical to the society.

In consideration of both responsibilities , the most important issue is the reasonable time schedule in consideration of “Technical Development” and “Regulation Deployment”.

If this is missing , there is some possibility of causing the social service problem.

Based on the above , we have been carefully watching the new regulations which affect our products , and we have prepared our comment.

3. Our fundamental position

We can understand the restriction report on PFAS and in consideration of technical aspect , adequate exemptions and enough preparation period shall be necessary and shall be critical to have the coming social service.

And the counter measures not only for chemical risk but for global warming are strongly requested as urgent. In this energy transition there is the key of technical development. So it is also important to remove the obstacle factor for technical development for the society.

4. Our concerns on the restriction report on PFAS

1) Too wide regulated chemical scope

There seems to be too many chemicals of organic Fluorine.

In case chemicals can not be specified by EC number or CAS number , it is so difficult to judge if the product includes PFAS or not for the final assemble company. To judge it , the investigation shall be reached to material supplier through the supply chain , and without the chemical identification number the information sharing could be difficult.

The practical approach may be carried out by each company by company. It is very important the market competition shall be carried out under the same rule. If the fairness can not be kept , this could cause the market confusion.

2) Technical evaluation for the substitute

This evaluation can not be carried out uniformly and the reason is describing below.

There are several stages of the evaluation ; material stage , parts stage , component stage and the final assemble product of specialist equipment stage.

From the final product point of view , we shall focus on fluoropolymer and fluorine rubber which may be used in products widely.

In material stage there may be substitutes and we can find the substitutes have a big variation of the characteristic such as heat resistance and so on.

Supplier of parts shall study the characteristics in details and the requested specification on the parts and make the decision to adopt or not , and if necessary the reliable test shall be carried out.

Supplier of components can start the technical evaluation and reliable test after the parts supplier evaluation.

Specialist equipment for social service supplier can have substitute candidate after the series of evaluations in the supply chain.

The requirement on the equipment from the social service shall be confirmed carefully and based on this requirement the substitute judgement will be done. In case the performance trouble affect the society deeply , if the reliability evaluation is not sufficient , there is the possibility the society could have the suffering.

To avoid it the substitute judgement level could be higher.

For example of the equipment for cutting the high current , in case some defect , there is some possibility this kind of infrastructure functionality loss could cause some trouble in the society.

Technical substitute evaluation shall be carried out from the view of the requirement on the equipment.

5. Feature of specialist equipment to support social service

1) Long supply chain 2) Small quantity and variety 3) Long product life

1) Long supply chain

To carry out the technical development of substitute , there are so many stages ,which means it will take a longer period. If some could be skipped , there is some possibility the equipment could not have the requested reliability.

2) Small quantity and variety

There are so many suppliers for specialist equipment for social service in the supply chain globally. For each supplier , it is not easy to carry out the product development if the sufficient return can not be expected to the investment because of the small amount.

The specialist equipment has the different feature from other consumer equipment and information technology equipment.

And this feature means the supply amount itself to the EU market is so small directly.

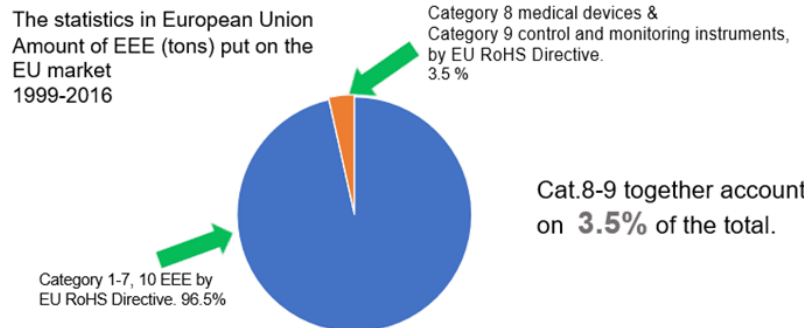
WEEE/RoHS Category 8&9 Equipment supply between 1999 and 2016 was 3.5 % of Total Electrical and Electronic Equipment in EU market

Base on the EU document of Support for the Evaluation of Directive 2011/65/EU

on the restriction of the use of certain hazardous substances in electrical and electronic equipment (Final Report)

<https://op.europa.eu/en/publication-detail/-/publication/5b807311-9d93-11eb-b85c->

Amount of EEE_(tons) put on the market is small



3) Long product life

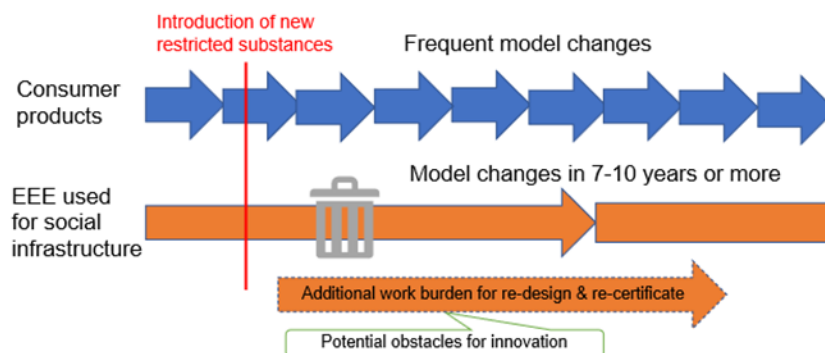
Generally specialist equipment for social service can be used for long period with maintenance of exchanging some parts periodically.

In case the product life is short, the cost which the society takes will be increased.

This long product life means the product model change is not easy for specialist equipment for social service

The below is the just example

Model change cycle is long



We can start the product development and reliability test after completing the reliability evaluation on the substitute in the supply chain and confirming substitute supply ability. Also to the specialist equipment for social service, the technical development shall be proceeded to REACH goal, and the practical approach should be taken in the consideration of the above. Then we have prepared our proposal

6. JEMA Proposal

1) Enough preparation period and adequate exemption shall be necessary

The product development and reliability test can start after completing the reliability evaluation on the substitute in the supply chain and confirming substitute supply ability. Based on the feature of specialist equipment for social service , it takes long period.

In RoHS directive , the special consideration was implemented for infrastructure equipment , which means the enforcement date was 8 – 12 years delay to other electrical and electronics equipment. In consideration of PFAS regulation complexity , to keep social service , the enough period such as 12 years* is necessary as preparation period after the PFAS regulation starts in the market.

*: Review process shall be implemented in the regulation. Periodically the period shall be reviewed with the technical development and the supply chain ability.

2) Spare parts exemption

Specialist equipment for social service can be used for long period with maintenance of exchanging some parts. In the case we can not exchange parts and if the equipment becomes to be out of order , we can not fix it. This means the social service becomes missing and there is the risk for the society.

Same as RoHS , the exemption for parts to the equipment which is put on the market before PFAS regulation start shall be implemented.

3) The facility / product base evaluation

In the case we can not find reliable substitute technically based on the requirement of specification , we need enough preparation period or adequate exemption for the facility / product. And if we can not confirm the supplier ability of providing enough amount , we also need enough preparation period.

This is facility / product base proposal , the list and the evaluation is described in Appendix.

As described in this comment P 3 , Infrastructure equipment has the feature of “Long supply chain” , “Small quantity and variety” and “Long product life” , so it is so difficult to prepare the exclusive product list on the PFAS restriction proposal.

*: To have the information of including PFAS in the product , we shall try to reach the material supplier through the long supply chain, and generally the infrastructure equipment has so many parts that it is not easy to carry out the entire survey.

We are not attaching the exclusive product list but the example of the facility / product list which needs enough preparation period of 12 years or adequate exemption.