

Sep 14, 2023

PFAS restriction

CPCIF COMMENTS ON THE ANNEX XV

DOSSIER OF THE UNIVERSAL PFAS

RESTRICTION PROPOSAL

Sep 2023

First Submission

CPCIF – China Petroleum and Chemical Industry Federation

1. About CPCIF

China Petroleum and Chemical Industry Federation (CPCIF) is a non-government, not-for-profit organization consisting of companies, institutes, sectional associations and local associations in the petroleum and chemical industry on the voluntary basis. CPCIF was established on April. 28, 2001. Currently it has over 600 direct members—like SINOPEC, CNPC, and also MNCs, which covers 70% operation of China's petroleum and chemical industry and represents all fields of this industry.

2. General Comments

As the world's largest producer and consumer of fluorochemicals, China's research institutes, industry associations and enterprises pay close attention to the restriction proposal on PFASs published by the ECHA on March 22, 2023. CPCIF's member companies believe that this proposal will have a significant impact on the supply chain of various industries worldwide, such as automobiles and medical equipment, etc. We have collected opinions from our members on the possibility of reducing the use of PFASs and alternative technologies, and summarized them below for ECHA's reference.

3. Detailed Comments

3.1 Collect enough data and carefully review hazards and risk assessment data during the review period.

Article 191 (2) and (3), of the Treaty on the Functioning of the European Union (TFEU) stipulates that the environmental policy of the European Union while applying the precautionary principle, must take into account the available scientific and technical data. Different individual PFAS or subclasses of PFASs have different physical, chemical and biological properties. In addition, PFASs have different end-products of degradation in the environment.

It is recommended to refer to Annex XV of the REACH regulation: "Hazards and risks to be addressed by the restriction shall be described on the basis of an assessment of the hazards and risks in accordance with the relevant parts of Annex I , and a chemical safety report should be prepared in the format specified in Part B, based on which the risks to be addressed by the restriction measures in the proposal should be described." The current proposal does not provide sufficient hazard, exposure, and risk assessments for each PFAS or subclasses of PFASs with different physical, chemical, and biological characteristics in accordance with the relevant provisions of REACH.

3.2 Fully consider the Socio-economic impacts.

Article 68 (1) of the REACH regulation stipulates that when adopting new restrictions, "any such decision shall take into account the socio-economic impact of the proposed restriction, including the availability of alternative substances". Due to the significant socio-economic impacts of the PFASs restriction proposal, we recommend

that it should be implemented cautiously and fully evaluated and reflected in the final proposal, to minimize adverse socio-economic impacts. At present, many alternative substances for PFASs have not been identified, and therefore it is impossible to clarify the quantitative impact of the restrictions on the socio-economic impact.

3.3 International harmonization of PFAS definitions and scope

PFAS regulation currently spans Europe, North America, and Asia, with each country recognizing the need for regulation, but with different definitions of the substance.

Currently, the EU has announced to restrict proposal, yet it is not easy to identify which substances are subject to the PFAS proposal in consumer applications. There are limited information on substances (lack of CAS No.) in the proposal . The lack of clarity on the regulated substances puts a great burden on industries that need to respond to regulations quickly.

It is more appropriate for the definition and scope of PFAS to be unified/harmonized internationally and then regulated.

3.4 The derogation for essential use

Take the electric vehicles for example, within limited derogations in given PFAS proposal, it might hinder to achieve clean energy future, hydrogen economy, decarbonized environment by electric vehicles. In fact, PTFE, and fluoropolymers they have the properties protects both internal and external components against temperature extremes, corrosion, fire, and moisture, while simultaneously providing highly desirable electrical properties.

Concerning critical properties which there no PFAS substituted, some further derogations would be granted with appropriate time.

