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PFOA restriction gets green light from REACH Committee

A large majority of EU member states have backed a draft Regulation setting out a proposed restriction on the manufacture and marketing of perfluorooctanoic acid (PFOA).

The restriction, which also covers PFOA's salts and related substances, will come into force three years after the Regulation is published.

However, discussing the proposal at the 7 December REACH Committee meeting, a majority of member states rejected France's proposal to shorten the transition period to 30 months.

The restriction would apply to the use of PFOA, its salts and related substances in the production of or marketing in another substance as a constituent, a mixture, or an article at concentrations above 25 parts per billion (ppb) of PFOA, including its salts; or 1,000ppb of one, or a combination of, PFOA-related substances.

The original proposal from Germany and Norway suggested a 2ppb limit for PFOA. However, Echa's committees for risk assessment (Rac) and socio-economic analysis (Seac) proposed the higher limits that made it into the proposed Regulation. At the time, NGOs accused the committees of "rubber stamping" industry proposals.

At the recent REACH Committee meeting, member states agreed the proposed restriction should apply to latex printing inks and equipment for making semiconductors five years after the date of the Regulation's entry into force.

They also agreed a six-year transition period for its application to:

- textiles for the protection of workers from risks to their health and safety;
- membranes intended for use in medical textiles, filtration in water treatment, production processes and effluent treatment; and
- plasma nanocoatings.

Medical devices other than implantable medical devices will have a 15-year transition period.

Some uses are exempted - these include:

- perfluorooctane sulfonic acid and its derivatives;
- byproducts formed during the manufacture of C6 fluorochemicals;
- implantable medical devices;
- photographic coatings applied to films, papers and printing plates;
- photolithographic processes for semi-conductors; and
- firefighting foams placed on the market before the three-year transition period after entry into force of this Regulation.

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'Meaningless' proposal

The European Environmental Bureau (EEB) said the finally agreed concentration limits render the proposal "meaningless" as they will not reduce global consumption and emissions of PFOA.

"The European Commission's proposal not only undermines the original submission, but also the EU's own proposal for listing PFOA in the UN Stockholm Convention on persistent organic pollutants," said chemicals senior policy officer Tatiana Santos. The EU, she said, should "exert leadership in its own regulatory response to truly protect human health and the environment".

ChemSec senior chemicals advisor Jerker Ligthart said although the proposal covers most of PFOA's uses "some of the delays and exemptions are difficult to understand considering the nature of PFOA as a classified CMR [carcinogenic, mutagenic or reprotoxic] substance. The delay for textiles and printing inks are of particular concern due to the wide dispersiveness of the use."

The European Council and Parliamen will now consider the proposed Regulation before its formal adoption by the Commission, expected by March.