



Questions on the uPFAS proposal

*6 September 2023 | Second Open Ad-Hoc Belgium REACH
Committee (BCR) on uPFAS restriction*

FIPRA

It took about **24 months** for the European Commission to receive ECHA's opinion on the multi-substance/multi-use microplastics restriction proposal.

Is it likely that the similar uPFAS will take the **same amount of time**?

#1



#2

Is there still a **strong commitment** from the European Commission to **phase out all PFAS substances and uses**, or could the scope be reshaped (like for PFHxA)?

The impact of the uPFAS restriction on industry is a lot **bigger than anticipated.**

#3

Is there an appetite from Member States and RAC/SEAC to **rethink the scope** of the uPFAS restriction?

There is an increasing number of **exclusion requests** in the submissions.

#4

Does **SEAC** have a legal mandate to propose an exclusion from the restriction for a specific sector?

If not, what is the **consequence** of requesting such an exclusion?

Given the alarming number of PFAS uses, how to ensure **regulatory compliance** for companies still identifying PFAS in their supply chains when the consultation period has ended or decision taken and **new uses emerge** that will be difficult to substitute by EIF?

#5



#6

What are the consequences
of **unintentionally added** PFAS
in products coming from recycled
materials?

There is a growing awareness of PFAS used in **manufacturing** and other industrial uses.

Is there a possibility to change the scope of the restriction to exclude or derogate manufacturing for a longer period of time?

#7

There are **highly regulated sectors** which lead to longer substitution processes and require market authorisation for new products.

This was not considered in setting the maximum derogation length in the restriction proposal.

Could that lead to longer derogations?

#8

Enforcement of REACH restrictions are challenging already now and some studies show close to 20% **non-compliance**.

Is there a good plan how to deal with difficult to measure PFAS in products during **enforcement** ?

#9

Brussels office

T +32 (0)2 613 2828

Rue de la Loi 227 | 1040 Brussels | Belgium

London office

T [REDACTED] 1700

201 Borough High Street | SE1 1JA London | United Kingdom

fipra.com

