

From: [REDACTED]
To: [REDACTED]
Subject: RE: Firefighting foams in the marine sector
Date: 17 September 2021 11:19:55
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Dear [REDACTED]

Greetings to Helsinki! I'm just back from a 12 day boating trip to the Netherlands, and fortunately we had exceptional weather (for this rather dull summer this year).

Please see some suggestions included in the text below:

Certain uses of firefighting foams in the civil marine sector are regulated by International Maritime Organisation rules and fall under Directive 2014/90/EU on marine equipment. This directive itself transposes IMO requirements and makes them applicable on vessels flying the flag of an EU Member State. For applying the restriction under REACH on firefighting foams to all sea-going ships calling at EU ports a similar measure at IMO level will be needed.

With regard to your 2nd question, a REACH Restriction would certainly cover ships not engaged in international voyages and inland waterway vessels (as well as the few vessels engaged in international voyages which are still built on EU shipyards). Please note that even the short trip from Finland to Estonia would count as an international voyage.

I hope this helps, [REDACTED]

From: [REDACTED] <[REDACTED]>
Sent: Thursday, September 16, 2021 6:31 PM
To: [REDACTED] (MOVE) <[REDACTED]>
Subject: Firefighting foams in the marine sector

Dear [REDACTED]

I hope you are doing fine and had a nice summer break.

As you know, in our restriction proposal on PFAS-based firefighting foams we will include the marine sector. In this document do not want to enter in the details of the legislative process applicable to EU marine ships but shortly indicate that a REACH restriction is not directly applicable to this sector. I was thinking in using the short below statement:

Certain uses of firefighting foams in the civil marine sector fall under Directive 2014/90/EU on marine equipment. This directive itself transposes IMO requirements and makes them applicable on vessels flying the flag of an EU Member State. A restriction under REACH on firefighting foams in sea-going ships might need to be transposed in other marine-specific EU legislative acts to be applicable.

Is this correct?

Additional question: if I use the wording "restriction of use in ships" would this cover both EU sea-going ships and in-land (non-marine) ships? I would like that the restriction applies to all EU ships (marine and non-marine), so not sure which terminology to use. I guess that for non-marine ships a REACH restriction would be more easily applicable (either directly or via a separate legislative act but not involving international organisations).

Thank you for your feedback,

Best regards,

[REDACTED]

[REDACTED] [REDACTED]

Scientific officer
European Chemicals Agency
PO Box 400 / Telakkakatu 6
00121 HELSINKI, Finland

Tel: [REDACTED]

Mob: [REDACTED]

[REDACTED]

<http://echa.europa.eu/>



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