

ECHA evaluation on the proposal to restrict the manufacture, placing on the market and use of per- and polyfluorinated substances (PFAS)

European Vending & Coffee Service Association (EVA) comments

19 July 2023

The vending industry is powered by innovation, providing manufacturing jobs and committed to sustainable practices.

There are 4.4 million vending machines in Europe, 65% of which are hot drinks machines.

In Europe, the industry employs more than 85,000 individuals directly. 98% of the 10,000 vending operators - who maintain and stock the machines on a daily basis - are SMEs and family businesses.

300 million Europeans rely on the sector at least once a week for refreshments on-the-go, with vending machines dispensing 95 million food and beverage items every day – all in a sales area of less than 2m². Europe-wide the industry revenue is over €16 billion.

The EVA would like to state its support for fair policies that can lead to a more sustainable use of products and resources, and would like to point to a range of voluntary measures the European industry has already taken to transform itself into more efficient retail channel. Huge efforts for example have been taken over the last 15 years by vending machine manufacturers to considerably reduce energy consumption of machines as well as to initiate carbon-reducing projects. Vending machines are built on a modular basis which allows vending machine operators to easily repair or replace parts when required, meaning the machine lifespan can be significantly extended. Various legislative measures over recent years, such as Regulation EU 2019/2024 and Regulation EU 517/2014, introduce various energy consumption limits, sustainable resource requirements, and low Global Warming Potential (GWP) refrigerants.

With regards to refrigerants, European refrigerated vending machine manufacturers have replaced high GWP refrigerants with hydrocarbon (HC) and carbon dioxide (CO₂) alternatives. Hydrofluoroolefins (HFOs) have also been considered as an alternative, but these on the whole have not been adopted by EVA machine manufacturer members. We are aware that in other significant vending regions worldwide, such as Japan or North America, HFOs are seen as a more favourable option to both HC and CO₂ choices. We understand that HFOs would however fall under any restriction of PFAS, potentially limiting an alternative refrigerant for the industry going forward.

The restriction proposal

PFAS have properties such as repelling water and oil, being resistant to heat, chemicals, not absorbing light, and are widely used in water repellents, surface treatment agents, emulsifiers, fire extinguishers, coatings and others, and in a wide range of industrial applications such as semiconductors and batteries.

The EVA notes that the restriction proposal treats PFAS as one class. By grouping all various PFAS together and restricting them as a single class, the proposed PFAS restriction may risk limiting numerous PFAS that have not been risk-assessed and for



European Vending & Coffee Service Association (EVA) aisbl

44 rue Van Eyck, 1000 Brussels, Belgium

Tel.: +32 (0)2 512 00 75

@vending-europe.eu - www.vending-europe.eu

which no unacceptable risk has been demonstrated. The restriction aims to covers approximately 10,000 substances with very diverse physical, chemical and biological properties and behaviour.

On a general note, the wide range of areas where PFAS are used are also relevant for the European Green Deal, which aims to make the EU climate neutral by 2050. The proposed blanket Restriction of all PFAS for all uses, including uses that are critical to the European Green Deal, could hamper the achievement of European Green Deal objectives.

In terms of alternative substances to PFAS, the EVA has some concerns as to the potential lack of developed and tested alternatives. As many suppliers to vending machine manufacturers are based outside of the Union – primarily in Asia – it will take some time and some verification processes to ensure suppliers can provide PFAS-free components for the uses that are required in vending machines, especially with regards to food contact materials. Indeed, our understanding is that only around 200 PFAS can currently be screened by testing labs, which raises the question of how a possible restriction of 10,000 substances could be effectively enforced.

The EVA notes that in a proposed revision of the Food Contact Materials legislation, a potential restriction of PFAS is being considered in food packaging.

Impact of PFAS restriction on the vending industry

During recent meetings of technical experts within the EVA, it was clear that many components and materials used within the vending industry could potentially contain a range of PFAS. While the most obvious examples are understood, the full extent of the content of components is currently in the process of being clarified by vending machine equipment manufacturers and with their suppliers. There is also the need for manufacturers to discuss further the topic with suppliers, and also in some cases to inform them that a PFAS restriction is being considered in the EU.

Vending machines can contain more than 1000 individual components. From analysis of the bill of materials contained in a typical vending machine, EVA technical experts have identified the likely risk of PFAS being present in components as follows:

Category	% of parts
High risk of PFAS being present	41%
Low risk of PFAS being present	38%
No risk of PFAS being present	16%
Potential risk of use of polymerisation aid (eg: mould release agent or catalyst)	5%



In terms of components with a high risk of PFAS being present, the main component categories as well as the rationale for being high risk are as follows:

Part type description	Rationale
Labels	Potentially used in a coating on the label.
Wiring looms / power cords	Thermal/electrical properties expected or possible coating
Pumps	Thermal/electrical properties expected or possible coating
Valves	Thermal/electrical properties expected or possible coating
PTFE tubing	Used in composition
High temp / pressure hoses	Thermal and performance properties
PCB assemblies / Electrical components	Thermal/electrical properties expected or possible coating
Connectors	Thermal/electrical properties expected or possible coating
O-rings	Thermal/electrical properties expected or possible coating
Cardboard packaging materials	If present it's expected to be at a contamination level only.
Plastics for fire protection / hot parts	Thermal and performance properties
Lacquers, coatings & paints	Thermal and performance properties
Tapes and adhesives	Thermal, adhesion and performance properties
Insulation foams	Thermal and performance properties

It must be acknowledged that a full detailed process takes some time and that while all efforts are being undertaken to investigate the extent and usage of PFAS within the vending industry before the consultation deadline – and as such as supplementary response may yet be provided – as it stands the EVA has insufficient information and data on whether and which alternatives to PFAS containing components currently exist.

Initial research on alternatives

With regards to professional coffee machines – a category that makes up almost 2/3 of the European industry - the use of hoses for the transport of liquid foodstuffs (water, coffee, milk, etc.) has already been identified as potentially problematic in terms of alternatives. Manufacturers may need some support here in finding alternative materials.

Vending machine manufacturers have over the last decade taken great strides to improve the energy efficiency and sustainability of machines. Indeed, legislative requirements such as EU 2019/2024 place energy consumption targets on refrigerated vending machines. The EVA is somewhat concerned how the potential and unknown impact of replacing certain components could impact the overall machine sustainability; one example of this being UV LED lights.



We note in Annex XV of the proposed restriction, the ECHA acknowledges in Annex E.2.11 that there is, *"inconclusive evidence on whether technically feasible alternatives exist for components using PFAS (PEDM, Silicon, wire insulation, etc)"*. This recognition is deeply concerning to the EVA, as the full impact on components should be first understood before a blanket restriction should be considered. Certain critical components can be key to guarantee the safety and durability of a product, and it is important that an assessment can be done properly so that real socio-economic costs to customers are well understood.

Timing

The EVA understands that once ECHA has finalised its opinion, the EU Commission is expected to make a decision in 2025 on how and when to regulate, most likely through an extension to REACH. With any measure anticipated to be implemented in perhaps 2027, the EVA is somewhat concerned as to the relatively short deadline any legislative restriction may entail, particularly as vending machine manufacturers are only investigating now the extent of PFAS within components and have to source unknown, or potentially more expensive PFAS-free alternatives. This is a process that will take time, especially where no alternatives currently exist. We would also outline a period of 24 months minimum is normally needed to determine, test and evaluate a new component before its introduction (especially for food contact materials). Even when and where alternatives exist - and these have been thoroughly tested - there can be a significant lead time before a component can be directly replaced in the manufacturing process.

Conclusion

As an industry, we will continue work into investigating specifically which components contain PFAS and which alternatives on the market currently exist. EVA Members are proactively requesting more information from their suppliers on this topic.

The EVA as an organisation is not against a future restriction of PFAS, but would call on ECHA to understand that the full impact of any restriction on our sector is not yet known. In addition, the estimated timescales that are being contemplated are in our view simply not practical to fully understand the impact of such a policy change on our industry.

We trust that you find these comments useful as part of your evaluation.

