



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR INTERNAL MARKET, INDUSTRY, ENTREPRENEURSHIP
AND SMES
DIRECTORATE-GENERAL FOR ENVIRONMENT
The Directors-General

Brussels
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Subject: European rail stakeholders' associations – briefing on PFAS

Dear [REDACTED]

Thank you for your emails dated 21 February 2024 addressed to the Cabinet of Vice-President Šefčovič and to the Cabinet of Commissioner Breton, in which you express your deep concerns on the PFAS restriction proposal. Vice-President Šefčovič and Commissioner Breton have asked us to reply on their behalf.

We highly appreciate your active contribution to the third-party consultation organised by the European Chemicals Agency (ECHA).

At this point in time, the European Commission cannot take position with regard to the restriction dossier as submitted by Germany, the Netherlands, Denmark, Sweden and Norway, due to the ongoing process of preparation of the opinion of the scientific committees of ECHA. In line with the applicable procedural rules, the Commission will wait to receive the opinion of the European Chemicals Agency's Committees before finalising its restriction proposal.

Pollution from PFAS (per-and polyfluoroalkyl substances) is a serious human health and environmental concern, considering the large number of cases of soil and water contamination across Europe, including drinking water. At the same time, PFAS are used in certain critical applications, for example in the European rail sector. For some of these applications, the Commission is aware that there may currently be no suitable alternatives available on the market. Under the current REACH Regulation, derogations from restrictions can be granted based on an assessment of risk, availability of alternatives and socio-economic impacts. Therefore, the Commission envisages derogations for critical uses where no alternatives are currently available. For those derogated uses, risk management measures will be needed in order to minimise emissions to the environment through the entire life cycle.

Our services remain at your disposal in case you wish to receive additional clarifications or information.

Yours sincerely,

(e-signed)
Kerstin Jorna
DG Internal Market, Enterprise,
Entrepreneurship and SMEs

(e-signed)
Florika Fink-Hooijer
DG Environment