

ACEA

1040 Brussel

Brussels, 11 March 2024

Subject: POP nomination of D4, D5, D6

Dear Mr. Van Kemseke
Dear Mr. Canton
Dear Ms. Lesovici

The Automotive industry acknowledges the effort of the COM to phase out hazardous substances. However, ACEA, ACEM, CLEPA and ETRMA respectfully urges the European Commission to conduct a thorough impact assessment before nominating D4, D5, and D6 as persistent organic pollutants (POPs) under the Stockholm Convention. In accordance with the Commission's Better Regulation guidelines (#Toolbox 7), an impact assessment is recommended when the proposal is likely to result in significant economic, environmental, or other impacts, and when alternative policy options are available (page 42, Toolbox). We believe these conditions apply to the potential POP nomination of D4, D5, and D6.

The oversight of an impact assessment could neglect the essential role of D4, D5, and D6 in the intermediate production of silicone polymers, as indicated by our upstream suppliers. These compounds are fundamental building blocks for silicone polymer manufacturing, critical for producing components such as seals, gaskets, adhesives, lubricants, and coatings in the automotive industry and in the tyres manufacturing process. These materials are indispensable for ensuring vehicle safety, reliability, and longevity.

Additionally, we draw attention to the complexity associated with finding viable alternatives. The current regulatory scrutiny on per- and polyfluoroalkyl substances (PFAS) positions them as the only known potential substitutes, in some applications. However, PFAS also present unique challenges, and their adoption without careful consideration could lead to unintended consequences.

ACEA, ACEM, CLEPA and ETRMA maintains its reservation against the hasty nomination of D4, D5, D6 into the Stockholm Convention. Rushing into restrictive measures without a comprehensive impact assessment could inadvertently create new challenges without addressing existing concerns.

We are at your disposal to address any inquiries or provide further information.

Yours sincerely,

On behalf of ACEA, ACEM, CLEPA and ETRMA

(European Automobile Manufacturers Association; European Motorcycle Manufacturers Association; European Association of Automotive Suppliers and European Tyre & Rubber Manufacturers Association)