

Subject: Concerns Regarding the Swift Prohibition of PFAS

We understand the concerns surrounding persistent substances and their accumulation over time. However, we consider the use of the ECHA process for a rapid ban of "substances of very high concern" in the EU to be questionable.

This approach contrasts sharply with other global regions (US& China), where substance bans are typically enacted following proven harm. The Eu-Strategy jeopardizes our competitiveness and risks driving away technologically advanced companies, which we consider our crown jewels.

It appears that the ban on PFASs was considered by five countries (Netherlands (NL), Germany (D), Norway (NOR), Sweden (S), and Denmark (DK)) mainly because of the persistence and feared accumulation of these substances over time. Jumping to conclusions without a solid basis cannot be justified. Persistence is not necessarily synonymous with harmfulness or toxicity, but rather implies a time horizon that can be compared to permanence.

For the PFAS family, which according to the status comprises about 10,000 chemical substances, harmful effects have been proven for only about 2% of the 10,000 substances. This raises questions about proportionality.

The procedure used is intended to quickly ban "substances of very high concern" according to Article 68 of the REACH Regulation. If it is used to ban an entire family at this low level of proven harmful substances, we consider this to be legally contestable.

It is important to recognize that PFAS materials play an essential role in several applications, including renewable energy generation, electromobility, communications, and smart energy use. Without PFAS, achieving a carbon-neutral economy will be significantly more difficult or impossible.

The consequences of such a ban are even far more reaching. Notably, NL has made substantial investments in companies like ASML, while Germany has provided billions in subsidies to INTEL and TSMC, aiming to attract them to our region, only to potentially impose work restrictions later.

The German Federal Environmental Agency has suggested in recent presentations (2023 Sept. 06 Fraunhofer IZM, Berlin AK-RKU) that there may be alternatives to the use of PFAS in semiconductor manufacturing. This is in contradiction to the very detailed elaboration of the SIA ([semiconductors.org](https://www.semiconductors.org)), which offers precise explanations for download.

This glaring contradiction raises concerns about the consistency of our regulatory decisions.

Providing substantial subsidies to companies like INTEL and TSMC and subsequently imposing bans on their operations within the EU, including Germany, seems counterproductive.

The United Kingdom could potentially benefit from BREXIT if many affected companies strategically choose to establish a presence in Europe, specifically in regions that do not enforce this regulation.

In conclusion, while we acknowledge the importance of addressing environmental concerns, we urge a more balanced and evidence-based approach to regulating PFAS. Rushing into bans without conclusive proof of harm could have adverse economic consequences and hinder our progress towards a sustainable future.