

Brussels, 14 April 2020

To: [REDACTED] ECHA
Cc: [REDACTED] ECHA
[REDACTED] DG GROW
[REDACTED] DG ENV

Re: Request for postponing the deadlines of ECHA's public consultation on the restriction proposal on undecafluorohexanoic acid (PFHxA), its salts and related substances

Dear [REDACTED],

The leading producers of fluorotelomers in Europe,¹ values the opportunity to provide comments to the ongoing public consultation on Germany's restriction proposal on undecafluorohexanoic acid (PFHxA), its salts and related substances (hereafter 'PFHxA restriction proposal') that opened on 25 March 2020. This is a priority for us to help ECHA's committees assess PFHxA-related uses, their alternatives and the socio-economic impacts of the restriction proposal on the fluorotelomer industry, including downstream users, and society at large.

However, in the wake of the major pandemic crisis that Europe and the world are currently facing due to Covid-19, we are very much concerned about the tight deadlines that have been set to provide comments to the public consultation on the PFHxA restriction proposal. The first deadline of 13 May 2020 is especially very close and may not allow all relevant stakeholders the necessary time to provide appropriate feedback. We are therefore urging ECHA

¹ Represented companies are AGC Inc., Daikin Industries, Ltd., Dynax Corporation, and Johnson Controls, Inc.

to postpone the deadlines to provide comments for the PFHxA restriction proposal's public consultation by at least one month (but preferably 2 months), and in particular due to the following reasons:

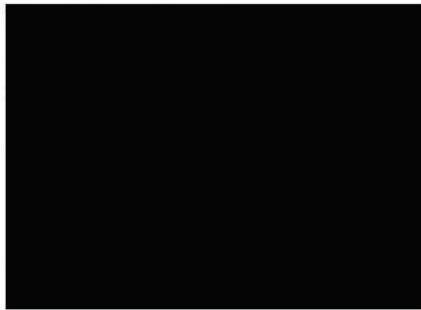
- **Relevant stakeholders, including those in the fluorotelomer production industry and other critical resources for the work on the REACH PFHxA restriction proposal, are affected by Covid-19.** This includes most employees in charge of compiling evidence in key areas for ECHA's evaluation such as uses, emissions, toxicology, alternatives, socio-economic impacts. Many relevant stakeholders may be on sick leave until further notice. Others are working from home without the full complement of resources that would ordinarily be available and many with additional responsibilities. Furthermore, some staff have even been required to take mandated furloughs during which they are not permitted to work because they are not being paid. This considerably complicates the internal process of producing and gathering input to the public consultation, as it often requires close coordination between several companies' departments as well as external dialogue with stakeholders in the downstream sectors. We also would like to point out that the global scale of this COVID-19 crisis, including restrictions posed in Asia (e.g., Japan) and North America (e.g., the U.S.), additionally make the above-said efforts very challenging, since the European industry is closely linked with these regions.
- **Stringent contingency measures have been in place in most European countries, including the temporary closure of a number of production sites. This makes the communication with downstream users and the full supply chain much more difficult.** For a number of downstream users, plant shutdowns have led to lay-off for operational reasons until further notice. In this context, communication to downstream users, which is of utmost importance to get precise information on PFHxA-related applications, cannot take place.
- **Finally, Covid-19 is causing delay in the delivery of various studies and reports regarding risk aspects, alternatives and socio-economic implications.** Without such materials being ready for use in due time, we are concerned that there will be a lack of evidence-based input to the public consultation, which is critical, in particular for the assessment of exemption requests.

In order to ensure that each relevant stakeholder having interest in the PFHxA restriction proposal can provide sufficient input, we urge ECHA to postpone the deadlines to provide comments to the public consultation on the PFHxA restriction proposal by at least one month. Our current main concern is on the first deadline of 13 May 2020. This deadline is very

difficult to give meaningful comments in the current circumstances and should be at least extended to 15 June 2020 (13 June is a Saturday) but preferably until 13 July 2020. This tentative date should also be reconsidered in light of future developments associated with Covid-19.

Kreab, on behalf of the leading producers of fluorotelomers in Europe, would like to thank ECHA for its consideration and remain available to discuss the timetable and its practical implications.

Yours sincerely,



[REDACTED] on behalf of AGC Inc., Daikin Industries, Ltd., Dynax Corporation, and Johnson Controls, Inc.

[REDACTED] KREAB

[REDACTED]