



Fire Industry Association

Leading Excellence in Fire Since 1916

Submission to:

**European Chemicals Agency (ECHA)
Committee for Socio-Economic Analysis (SEAC)**

Concerning:

**Consultation related to the Annex XV Restriction Proposal on
per- and polyfluoroalkyl substances (PFAS).**

18 September 2023

Submitting organisation

The Fire Industry Association (FIA) is the United Kingdom's largest trade body related to fire protection matters representing well over 1000 companies (from small to the largest multi-nationals) involved in fire protection for residential, commercial and industrial applications in the UK, Europe and indeed worldwide. As such we primarily represent the interests of our members, but also try to encompass those of their customers and end users.

Position Statement and Concerns

We wish to make clear that we are supportive of the ECHA's aim to reduce unnecessary exposure of the public and general environment to persistent PFAS compounds, particularly those known to be toxic (including potential breakdown compounds). However, we believe a blanket restriction applicable to all PFAS usage is unwise and may lead to many negative outcomes, particularly so if extended derogation periods are unavailable.

Article 68(1) REACH provides that substance(s) can be restricted only if they pose an unacceptable risk to human health or the environment. This unacceptable risk must be positively demonstrated by conducting a risk assessment that follows the conditions of Annex XV to REACH (and by cross-reference of Annex I and Annex XIII). Such risk assessment comprises hazard identification and characterisation, exposure assessment and risk characterisation.

By grouping all various PFAS substances together and restricting them as a single class, the proposed PFAS Restriction Proposal would restrict numerous PFAS substances that have not been risk-assessed and for which no unacceptable risk has been demonstrated, in breach of Article 68(1) REACH.

The extent of the problems that our industry will encounter should a blanket restriction be introduced can be illustrated by looking at these two examples.

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The first example (out of thousands of products) relates to a device used in literally millions of homes, commercial and industrial premises, namely a smoke detector.

Most of the component parts which make up a smoke detector either incorporate a PFAS chemical or use one at some stage during the manufacturing process.

Circuit boards may use PFAS chemicals during manufacture and then also rely on them to provide effective protective coatings for difficult environments.

Components such as semiconductors, capacitors and optics all utilise PFAS chemicals, as does the insulation often used on wiring and terminations.

Even the plastic moulding for the detector may incorporate a PFAS as it will typically be required to offer certain flame retardant properties.

The PFAS used in these applications are generally fluoropolymers, which are generally not mobile in the environment, nor bio-accumulative or toxic. Other submissions to the ECHA consultation by those parties representing the Fluoropolymers Product Group (FPG) manufacturers directly using such compounds can provide more detailed information on these PFAS.

However, a specific consideration for such components used in Fire Detection Systems is that any single change will generally require the product to be re-submitted for certification, often by numerous Notified Bodies, before being allowed back on to the market. Such a process can take more than a year and cost tens of thousands of Euros over and above the redevelopment effort of sourcing new components, changing manufacturing processes and likely product redesign.

Please consider that an average size fire protection system will utilise tens or sometimes hundreds of different products that will be affected by this proposed PFAS Restriction.

Alternative chemical solutions can almost certainly be sourced for many, although probably not all product manufacturing and application requirements. However, to do so we as an industry and of course our suppliers, certainly need sufficient time to transition.

The second example relates to clothing used in the Personal Protective Equipment (PPE) sector, supplied as protective equipment for fire service personnel and those working in hazardous areas. The entire supply chain of PPE from raw material, textile weaving, coating and lamination are already working towards alternative solutions alongside the global standards committees however, there are several challenges in finding solutions which will meet the same level of protection.

For example, Durable Water Repellent's are crucial in protecting firefighters from liquid threats such as water, oils/fuels, and chemicals. Currently, removing PFAS dramatically decreases the resistance from oil and chemicals to an unacceptable level, lower than the current European Standards. Additionally, the inclusion of all fluoropolymers in a blanket



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restriction could be deemed as excessive as the fluoropolymer PTFE (which is fundamental in the breathability and chemical protection of a firefighting garment) has been confirmed to meet the 13 OECD criteria for polymers of low concern: those deemed to have insignificant environmental and human health impacts.

A firefighter's PPE is their last line of defence and is constructed based on meticulous risk assessment. It is important to acknowledge the trade-offs and that removing all PFAS could be detrimental to the thermal stability, durability, breathability, and repellence of dangerous substances resulting in firefighters being exposed and vulnerable.

We recently as an industry experienced a real-world situation, caused by the UK's exit from the EU, requiring most of our products to be re-certified for continuity of product approvals. This proved to be a rather chaotic logjam of applications for the thousands of products involved via the relatively small number of specialist Notified Bodies in the UK and across Europe.

However this was simply a paperwork exercise in most cases, but still took almost two years! The changes generated by the PFAS Restriction will be significant and also require re-assessment by the specialist test and certification bodies spread across Europe.

We strongly recommend you take these practical implications into consideration, particularly for life safety related products where third-party certifications are demanded. In view of both the certification challenges and the safety aspects mentioned we request that the fire protection sector and its associated products be granted exemption, or the longest possible derogation period, from implementation of the proposed restriction largely due to the very real potential risks rapid introduction may cause. Although additionally there are likely to be very significant economic costs linked to the changes a blanket restriction will bring, our primary concerns relate to life safety implications if many of our fire protection products are effectively banned from the market with no near-term replacements available, potentially reducing fire safety for EU citizens.

We would be pleased to provide additional background and advise further if requested. We also wish to endorse the views expressed in the Position Paper issued by Orgalim, dated 31st August 2023, titled "Orgalim position and recommendations on the proposed PFAS restriction".

For and on behalf of the
Fire Industry Association

Barry Thompson

Chair / Lead Member
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