

EGMF position paper

EGMF comments on a PFAS restriction proposal

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EGMF is the European federation representing major **garden, landscaping, forestry, and turf equipment manufacturers**. Through its 30 European corporate members and 7 National Associations, EGMF represents about 23 million units placed on the European market in 2021, accounting for around 80% of garden machinery, and EGMF members employ over 120,000 people in the EU.

We welcome the opportunity to comment on the Restriction Proposal of Per- and Polyfluoroalkyl substances (PFAS) submitted by the competent authorities for REACH of the Netherlands, Germany, Denmark, Sweden, and Norway which aim to reduce PFAS emissions into the environment and make products and processes safer for people.

The group of PFAS is not a single substance, but a class of substances containing many thousands of individual chemicals. Not all PFAS are classified as “hazardous” under the CLP Regulation, especially the polymers that we use in our equipment. A general restriction based only on the persistence of PFAS would thus contradict the risk-based approach.

PFAS are used for various applications in the garden and outdoor power equipment, such as fuel hoses, injectors, manifolds, gaskets, and fan wheels. **Until appropriate substitutes are found, these substances remain critical to guarantee the durability and safety of our equipment.**

Therefore, this paper aims to share our key observations and asks on the restriction proposal:

- **To further assess the impact of the proposed restriction on specific types of machinery**
- **To grant exemptions for fluorinated polymers that are essential and used for various applications in garden and outdoor power equipment**
- **To grant exemptions for applications and equipment where no appropriate substitute is available, including outdoor power equipment, as well as for spare parts to ensure that products could be repaired and reused and to provide safety products to consumers**
- **To have sufficient time to develop and test alternative substances, as other substances do not offer similar properties in similar extreme climate conditions, thus not ensuring the necessary safety and durability of the equipment.**



The current proposal to implement EU-wide measures covering all PFAS is not feasible in our industry.

Firstly, the group of PFAS is not a single substance, but a class of substances containing many thousands of individual chemicals.¹ Not all PFAS are classified as “hazardous” under the CLP Regulation – especially the polymers that we use in our equipment. A general ban based on the persistence of PFAS only would thus contradict the risk-based approach. We support a risk-based approach instead of moving towards a hazard-based approach (which is the precautionary principle) because the risk-based approach is based on scientific evidence of how the environment and people are affected. As stressed by the [European Commission](#), the precautionary principle may only be invoked in the event of a potential risk and it can never justify arbitrary decisions.

Secondly, an article can only be substituted after the upstream chemical manufacturers have completed its substitution with viable alternatives, based on the needs and standards applied in each sector.

Thirdly, even if there is a potential alternative substance to PFAS is identified, it is not always the case it will become a real and viable alternative. We have to prove that the substitute shows the same level of performance after a design change. Many industries, including the garden machinery sector, have to comply with chemical and environmental regulations, but also with sector-specific stringent product-related regulations as well as performance and safety standards. There are many critical applications in the garden machinery sector for which polymeric PFAS are essential. Therefore, EU-wide measures covering all PFAS would also include polymeric substances, that cannot be replaced.

In the garden and outdoor power equipment sector, polymers are used for various critical applications, such as fuel hoses, injectors, manifolds, gaskets and fan wheels, due to their unique properties. Fluor elastomers are widely used for fuel-carrying parts, such as fuel hoses, for outdoor power equipment operated in cold weather conditions like chainsaws for professionals. Even though fluorinated elastomers are much more expensive than standard elastomers, they are the only class of materials that combine the following technical properties:

- Wide temperature range (chainsaws for professionals are designed to operate in temperatures below -20 °C. At the same time, components must resist to high temperatures, e.g. fuel hoses and manifolds, which connect the fuel supply to the engine, are exposed to very high temperatures, for example, 220 °C).
- Fuel resistance (usage of plasticizers/softeners is not possible, as it would be extracted by the fuel, posing a serious safety risk)
- Mechanical flexibility (metal fuel lines are not possible in chainsaws since machine operation must be ensured in all application positions of the machine, including overhead)

Therefore, fluor elastomers are used due to their properties offering very good low-temperature suitability and high fuel resistance and cannot be easily substituted. Other elastomers do not offer similar properties in similar extreme climate conditions, thus not ensuring the necessary safety and durability of the equipment.

¹ According to the OECD, Per- and polyfluoroalkyl substances (PFASs) are a large group of chemicals widely used in industrial and consumer applications since the 1950s, most usually where extremely low surface energy or surface tension and/or durable water- and oil-repellency is needed, e.g., chromium metal plating, various fire-fighting foams, or for surface treatment of textiles, carpets and papers. PFASs consist of a fully (per) or partly (poly) fluorinated carbon chain connected to different functional groups. (<https://www.oecd.org/chemicalsafety/portal-perfluorinated-chemicals/aboutpfass/>)



When the EU aims to make long-lasting products the norm, the durability of equipment cannot be compromised. The use of fluoropolymer materials, such as tribo-optimized plastics, is essential to manufacture robust and durable products. For example, critical plastic components, such as gaskets, fan wheels and injectors, have to be tribologically optimized due to their application. Without this property, an early failure of the components and thus the machine is to be expected. Today, there is no comparable technical solution for our type of equipment.

Concretely, we would require a substance-specific assessment instead of a general restriction, as well as exemptions for fluorinated polymers and for applications where no appropriate substitute is available, including outdoor power equipment. Moreover, we would require benefitting from indefinite derogation for spare parts to ensure that products could be repaired and reused and to provide safety products to consumers. In line with the 'repaired as produced' principle enshrined in the RoHS Directive, we suggest granting an exemption for 'spare parts for the repair, reuse, updating of functionalities and upgrading of the capacity of equipment placed on the market before (implementation date of this restriction)'.

This exemption will bring substantial benefits to the environment and users. It will enable operators to prolong the lifetime of their products without having to bear any additional costs due to the re-designing, re-testing, and re-manufacturing of spare parts. Ultimately, it prevents additional generation of waste and the unnecessary use of more raw materials.

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The European Garden Machinery Industry Federation – EGMF – has been the voice of the entire garden machinery industry in Europe since 1977. With 30 European corporate members and 7 National Associations representing manufacturers of garden, landscaping, forestry and turf maintenance equipment, we are the most powerful network in this sector in Europe.

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