

Helsinki, 30 March 2023

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PvdZ/pv

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Subject: Conformity check of the Annex XV PFAS Restriction Report Proposal for PFASs

Dear [REDACTED],

I write in reply to your email of 14 March 2023 concerning the conformity check of the Annex XV restriction report proposal for U-PFAS. As you may be aware, RAC agreed on the conformity of the proposal on 15 March and SEAC did so on 10 March. The proposal was found to conform with the requirements of Annex XV of the REACH Regulation.

The document you submitted to ECHA on 8 March 2023 was not considered by RAC, or earlier by SEAC, in the context of the conformity check for the reasons outlined in our previous email of 14 March. Furthermore, in ECHA's view this case did not merit the exceptional shortening to seven days of the 10 day deadline set out in the RAC Rules of Procedure on grounds of urgency. The concerns you raise in your document can be submitted and duly considered as part of the consultation process under Article 69(6) of the REACH Regulation which opened on 22 March and runs until 25 September.

Moreover, ECHA is organising an online information session on 5 April from 11:00 to 13:00 Helsinki time. During the session, experts from ECHA and the five national authorities will explain the restriction process, the content of the proposal and how to participate in the consultation. They will also respond to questions from the participants. More information can be found at the following link: <https://echa.europa.eu/-/echa-seeks-input-on-proposed-pfas-restriction>

As regards accreditation for participation in RAC, note that law firms do not meet the criteria to be accepted as accredited stakeholders (<https://echa.europa.eu/about-us/partners-and-networks/stakeholders/how-to-become-an-accredited-stakeholder-organisation>) The rules for admitting observers from accredited stakeholders such as CEFIC to RAC are set out in this document: <https://echa.europa.eu/documents/10162/17091/admission-of-stakeholder-organisations-as-observers-en.pdf/51298e6b-1dda-4e23-88c3-7b96a6fc3e73?t=1622536575278>

I trust this explanation of ECHA's process is satisfactory. We would encourage you to participate in the consultation process which is the appropriate route for your views to be submitted and considered.

Yours sincerely,

[e-signed]¹

Peter van der Zandt
Director of Risk Management

Cc: [REDACTED], [REDACTED], [REDACTED] – Fieldfisher

¹ As this is an electronic document, it is not physically signed. This communication has been approved according to ECHA's internal decision-approval process.