

My opinion

With the recognition of the ideal of a non-toxic and pollution-free environment, EU chemical regulations are rapidly evolving, becoming increasingly preventive, moralistic and therefore unhinged. Proposed restrictions on thousands of different substances under the “all PFAS” label, through the broadest chemical ban ever, illustrate these trends.

The PFAS proposals run counter to science-based risk regulation, violate the law and hinder innovation and investment in the EU. One of the most thorny issues associated with the PFAS proposal involves the unscientific use of the “grouping approach,” which throws all subgroups of PFAS substances onto the same pile based solely on common structural parts, without considering hazard, risk, and exposure profiles. Another serious flaw is equating persistence (which is just a pejorative way of describing persistence) with risk or even harm. The combination of persistent hazard recognition and broad open grouping amplifies and increases the adverse effects of PFAS restrictions.

The proposal not only makes a mockery of science-based regulation of chemical risks, but also sets aside fundamental safeguards set out in the REACH regulation and implemented by EU law. In essence, grouping based solely on structural similarity reflects dogmatic thinking guided by the precautionary principle and the naturalistic fallacy (“Only biodegradable is good”). The main purpose of this article is to explain that the proposal is neither scientifically based nor meets the applicable legal requirements.

The PFAS proposal targets more than 10,000 different substances, treating known desirable properties, durability, and unknown potential hazards that must be prevented at all costs, regardless of the risks associated with the withdrawal of the substance and the widespread introduction of alternatives. However, an unfounded interpretation from a few harmful PFAS substances (such as PFOS and PFOA) to all PFAS substances will lead to overly broad, unnecessary and disproportionate regulations.