Ad-Hoc open BCR Meeting – PFAS Restriction - 28/02/2023 in FPS premises

1. Please fill in this questionnaire if you want to present a topic during the Ad-Hoc PFAS meeting :

The document should be send back before 13th March 2023 to: [redacted]@health.fgov.be and Cc: [redacted]@health.fgov.be

It will help us to frame the agenda and organize the discussion on this large restriction.

2. Your presentation should be shared with the Authorities ([redacted]@health.fgov.be and Cc: [redacted]@health.fgov.be) no later than the 20th March 2023 . The presentation should be maximum 5 slides (the time allowed to each stakeholders will be 10 min max).

3. The final agenda will follow before the meeting including a Teams link to follow the discussion remotely. Registration is mandatory, not registered stakeholders will not be admitted in the room or online.

Questionnaire to send back to the BCR secretariat before the 13 March 2023

- Do you have remarks on the scope (definition of the PFAS ?)

  The proposal and definition of PFAS does not differentiate between persistent and hazardous. Furthermore, there is no differentiation between REACH exempted substances and chemical substances with an active REACH registration. These registered substances have been evaluated on their (eco)toxicity and (hazardous) properties. There is invested both extensive time and financing in the identification of the possible hazards. Therefore, the restriction should take in account suspicious properties rather than to group based on the chemical structure only.

- Please indicate your sector and describe briefly the Restriction impact/influence on your sector.

  Ferro Performance Pigments Belgium is part of the color solutions division of Vibrantz, a company active in the chemical sector with five thousand employees and over 11.000 customers worldwide. The Belgium entity is active in the pigment industry (manufacturing, import, export). This restriction will impact the active pigment market by targeting specific pigments with the definition of PFAS (e.g. Pigment Red 242, Pigment Yellow 128 and Pigment Yellow 154). Pigments are used for their coloristic properties and should have a high durability to maintain their color. The development of such durability is key for every pigment producer. This assists the manufacture of durable products, needed for the development of a sustainable future. Moreover, colors do have their importance in creating safety in different industries and public infrastructure (e.g. application in traffic, industry to attract attention for dangerous parts, PPEs (Personal Protection Equipment), etc.) Besides safety, other applications like informative texts on (food)packaging are also accomplished using colored paints/inks. The transition to alternatives that maintain the necessary properties to guarantee sustainability, dispersibility, etc. will take time. Therefore, all pigment manufactures need to collaborate closely with each customer in order develop suitable substitutions. These customers, often paint/ink formulators highly depend on the use of versatile pigments like Pigment Yellow 154. Their formulations and tinting systems are fully optimized to deliver custom made solutions for a broad application field. Many formulators have (automized) tinting systems that rely on the versatility of the used paint/inks. Changes in pigment or binder system are difficult because the formulations are built with many years of development. By substitution of one component (e.g. the pigment), the whole formulation and tinting systems need to be adapted. Therefore, the impact of the restriction does go beyond the pigment industry. Large part of the ink and paint industry will be impacted, and by that every industry using paints or inks (e.g. packaging, industrial coating, etc.) will have shortage of suitable coloring systems.

- Do you have specific remarks on the restriction text and its exemptions.
  ➔ Are you concerned by an exemption?

  Pigments under the definition of PFAS should be derogated to allow smooth transition for pigments producents, but also for paint/ink formulators and other manufacturers further downstream. There should be sufficient time to investigate and develop suitable alternatives, seen the importance of colors for some critical factors like safety (depicted above).

  ➔ If yes, is the timing foreseen reasonable for your sector?

  The development for suitable alternatives for targeted pigments will take three years at least. The research and development on the combination of each binder system (application depended) and suitable pigment can take up to six months (each) in a first stage. The candidate substitution systems will then be tested on weather resistance in outside conditions, which is the main application of these pigments. This is done at first by testing in accelerated conditions, taking several months. Once a suitable candidate system is found, actual outside exposure tests (typical more than 6 months) are conducted. Knowing this process is depended on the success rate of every step and needs to be done for every application (group), timing is expected to be ± 5 years.

  ➔ Have you conducted an alternative assessment that indicates that the proposed timing is reasonable or not?

  The information about the timing is obtained by evaluating substitution projects done in the past. These projects involve the request of one client to substitute one specific pigment for varied reasons (e.g. higher color strength, better compatibility with binder system, higher weather resistance, etc.). This timing is expected to be an absolute minimum because now entire color indices needs to be substituted for all applications and clients.