

Translation / Original: German

VdMi Position on the restriction proposal for PFAS

Per- and polyfluorinated alkyl substances (PFAS) are industrially produced chemicals which, due to their special technical properties, are used in numerous industrial processes but also in consumer products. They are characterized by their high durability but also their low biodegradability. As a result, concerns have arisen that these substances could accumulate in the environment and in humans and cause damage. Some of the identified PFAS compounds that cause such problems are already regulated and thus largely withdrawn from use. The currently available restriction proposal under REACH is now intended to extend this to many other substances in one fell swoop.

The current restriction proposal for PFAS under REACH, Annex XVII was submitted by Germany and the Netherlands. Sweden, Norway, and Denmark support the proposal. It aims to restrict all substances that have one or more perfluorinated methyl or methylene groups (-CF₃ or -CF₂-). This group of substances includes overall more than 4700 different compounds.

Not all substances covered by this broad PFAS definition have the same properties, are not equally persistent, bioaccumulative or mobile. Due to the immense breadth of the definition, some smaller molecules are also included that do not have the typical properties in the focus of the restriction. This also includes some pigments.

In contrast to PFAS, pigments are not used because of their low biodegradability, but because of their coloristic color properties. These pigments also do not fall under the polymer definition and are therefore fully registered under REACH. Detailed data on the degradability, a complete hazard and risk profile are available. In product-specific applications such as in cosmetics or food contact materials, further studies and exposure assessments are also required in order to obtain approval for use in these products. Depending on the data available, specific requirements or limit values are set in order to rule out any risk to people or the environment if necessary.

It is not justified that such very well investigated and safely used substances should now be banned from the market by the general restriction proposal for PFAS. The data situation must be clearly distinguished from polymers that are currently not yet covered by REACH. Additionally, detailed and specific information on hazards and exposure is available. From VdMi's point of view, this blanket restriction of the entire PFAS substance group is therefore not appropriate in its current version and should therefore be rejected.

The PFAS definition should only specifically cover substances that have undesirable properties. This cannot be tied to a single functional group alone. In addition, substances that are already recorded under REACH and for which detailed data is available and, if necessary, specific measures are in place, should not be included. Furthermore, if there are additional application-specific evaluations or explicit approvals for certain products in which all properties of the substance have already been included, this should not be ignored.

Furthermore, there are also other regulatory activities on PFAS on-going which are important for global trade. For example, US EPA intends to implement a reporting obligation for PFAS.¹ To keep the different obligations and communication with customers but also with the public comprehensive and transparent, a globally harmonized definition would be preferable.

¹ See also [EPA homepage](#).

Therefore, VdMi promotes

- Refining of the PFAS definition so that only substances with undesired properties are affected
- No blanket restriction for substances registered under REACH for which comprehensive data and if necessary specific measures exist
- No restriction of substances with explicit authorization for specific applications
- Globally harmonized definition for PFAS

Contact:

Verband der Mineralfarbenindustrie e. V.
Dr. Heike Liewald

liewald@vdmi.vci.de

The Verband der Mineralfarbenindustrie e. V. represents German manufacturers of inorganic (e. g. titanium dioxide, iron oxides), organic and metallic pigments, fillers (e. g. silica), carbon black, ceramic and glass colours, food colorants, artists' and school paints, masterbatches and products for applied photocatalysis.