

Position Paper on the EU Universal PFAS Restriction Proposal

British Chamber of Commerce EU & Belgium



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1. Introduction

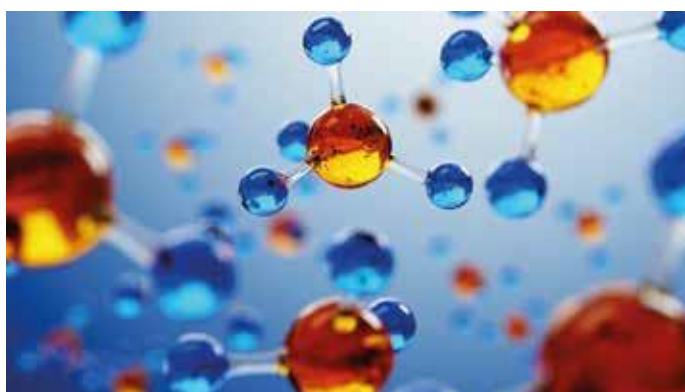
The British Chamber of Commerce | EU & Belgium represents businesses from across the globe with a stake in EU-UK economic relations. Bringing cross sectoral perspectives, we fully understand the need to regulate PFAS (Per- and polyfluoroalkyl substances). However, given the importance of some of these materials to the EU-UK economy, key strategic technologies and their supply chains, the need for a more proportionate and practicable EU Universal PFAS (UPFAS) Restriction has become an important point of concern.

2. Position

- In developing the UPFAS restriction, BritCham urges particular consideration be given to Europe's competitiveness and open strategic autonomy objectives, and the potential negative impact of the proposal on strategic sectors of the economy e.g. semiconductors, electric vehicles, hydrogen, heating and cooling, and healthcare. Reflecting the current geopolitical context, the impact of the restriction on Europe's defence and security should also not be ignored.
- BritCham urges the EU to fully consider the critical role that advanced materials like fluoropolymers play in strategic technologies, and the negative signal that the disproportionate restriction proposal is already having on their security of supply, related investment and, by extension, technologies strategic to Europe. Materials within the scope of the restriction are subject to fierce global demand, to which Europe is particularly exposed.
- Legal clarity for PFAS and uses which are important to Europe's strategic agenda are vitally important for the reasons mentioned above. A clear and predictable regulatory timeline, that does not project too far forward without clarity as to entry into force, is urgently needed to enable business planning.
- The restriction should include a comprehensive evaluation of the true potential for substitution and alternatives. There has been considerable discussion about the potential to substitute but given the significant implications of poorly managed change, we urge the EU to pay particular attention to this point. Not least, it should ensure detailed assessment of the risk profile of alternatives, carefully analyse performance trade-offs and their direct and indirect consequences e.g. larger lifecycle footprint, and the ability to manufacture alternatives at scale without increasing Europe's exposure to security of supply issues.
- The restriction should be founded on a risk-based differentiation between PFAS, which considers them not just on the basis of structure but also properties and behaviour. The restriction should regulate PFAS in a comprehensive, risk-based manner to ensure proper protection of human health & the environment. This will be possible through robust weight of evidence evaluation of all relevant science as well as transparent legislative and regulatory processes. In parallel, we ask that supporting regulatory measures related to emissions control and end of life be considered to address concerns where they exist e.g. in relation to PFAS manufacturing.

3. Proposal

BritCham calls on the EU to urgently reconsider the PFAS restriction proposal in its current form. We urge the EU to propose a more pragmatic, risk-based, targeted approach that provides legal certainty to enable the ongoing use of those materials which are safe and strategic for the EU-UK economy and our closely integrated value chains.



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