



To: Members of the REACH Committee

Brussels, 13 October 2020

Dear Sir/Madam,

We are writing to you regarding the REACH Committee meeting that will take place next week on 19 October. At this meeting discussions with important consequences for environment and health protection are planned in relation to the following elements:

- (1) the amendment of Annex XIV regarding phthalates (agenda point 5)
- (2) the restriction proposal of C9-C14 perfluorocarboxylic acids (agenda point 8)
- (3) the restriction proposal of polycyclic aromatic hydrocarbons in granules and mulches (agenda point 9)

Agenda point 5. Draft Commission Regulation amending Annex XIV to REACH as regards phthalates

Four phthalates (DEHP, BBP, DBP and DIBP) have been recommended for inclusion in Annex XIV of REACH due to endocrine disrupting properties with effects on human health. DEHP has also been recommended due to its effects on the environment.

The EEB, HEAL and CHEM Trust support this inclusion as it will trigger the need for applications for authorisation for uses of the four phthalates in mixtures in lower concentrations (above or equal to 0.1 % w/w (so far the concentration limit has been 0.3 % w/w). Also, this inclusion will trigger the need for applications for authorisation of some uses of DEHP with high consumer exposure potential, such as in food contact materials.

Agenda point 8. Draft Commission Regulation amending Annex XVII to REACH Commission as regards C9-C14 perfluorocarboxylic acids (C9- C14 PFCAs), their salts and related substances

The EEB, HEAL and CHEM Trust support the need to restrict the use, marketing and manufacture of C9- C14 PFCAs considering the compelling evidence of the long-term, costly and detrimental consequences of human and environmental exposure to C9-C14 PFCAs. Both the restriction report and the RAC opinion acknowledge that these substances are released into the environment at every step of the life cycle and via various exposure pathways, persist in the environment, and are very likely to cause severe and irreversible adverse effects on the environment and human health if their releases are not minimised. These chemicals are already ubiquitous in the environment and remediation of soil and water is not only difficult, but also very costly.

As the restriction report further acknowledges, no user of the C9-C14 PFCAs has been identified in the EU, and the availability of fluorine-free alternatives for many sectors is growing. It is therefore clear that all evidence and incentives for a strong restriction proposal are there. Since the primary goal of the proposal is to reduce and eliminate releases of C9-C14 PFCAs and related substances into the environment, the allowed concentration limits should be as low as possible.

More importantly, there is no justification for the currently proposed limits (25 ppb for the sum of C9-C14 PFCAs and their salts or 260 ppb for the sum of C9-C14 PFCA related substances) based on environmental and health implications. Actually, the threshold was established to allow the continued use of C6 fluorinated substances, as C9-C14 PFCA are present as impurities in these PFAS. However, as the EU is already considering the restriction of C6 PFAS (eg. PFHxA), these high thresholds are no longer needed. **Therefore, we ask you to support the significant lowering of the proposed PFCA thresholds to 5ppb in order to fully achieve the intent of this restriction.**^{1,2}

Agenda point 9. Draft Commission Regulation Draft amending Annex XVII to REACH as regards polycyclic aromatic hydrocarbons in granules and mulches used as infill material in synthetic turf playing surfaces and in playgrounds

The EEB, HEAL and CHEM Trust welcome the proposal to reduce EU citizens and environment exposure to carcinogens such as PAH contained in end of life tyres (ELT).

However, in our view this restriction is insufficient to truly protect our health (in particular children's, toddlers' and babies' health) as well as the environment from the risks posed by the toxic chemicals contained in ELT (PAH, phthalates, sulfenamides, guanidines, thiazoles, thiurams, dithiocarbamates, phenolics, phenylenediamines and heavy metals)³.

¹ EEB comments to the C9-C14 PFCA restriction: <https://eeb.org/library/pfca-restriction-report-ngo-comments/>

² EEB comments to PFAS call for evidence: <https://eeb.org/library/pfas-call-for-evidence/>

³ [Car Tire Crumb Rubber: Does Leaching Produce a Toxic Chemical Cocktail in Coastal Marine Systems?](#)

PAHs are non-threshold carcinogens; this means that there is no safe exposure level that can possibly be established. On that basis, it is clear that babies, toddlers and children should not be exposed to these materials at all and recycled tyres should be banned from use in playgrounds, sport pitches, etc. Plenty of safer alternatives exist to avoid recycling hazardous waste tyres and putting them into children's playgrounds, for example grass, organic infill material, wood, etc⁴.

What is more, the restriction is only expected to impact 5% of ELTs. That is because 95% would fall under the proposed limits allowing the continued exposure of children and the environment to PAHs and the cocktail of other hazardous chemicals present in tyres.

For all the reasons stated above, we ask you to support the ban of ELT in playgrounds, sport pitches and other areas where children play - this is to ensure that people and the environment are protected from the toxic chemicals contained in ELT.

Yours Faithfully,



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Also, on behalf of:
The Health and Environment Alliance (HEAL)
CHEM Trust

⁴ <https://www.fidra.org.uk/artificial-pitches/plastic-pitches/solutions/>