



To: Members of the REACH Committee

Brussels, 23 February 2024

Dear Madam/Sir,

We, as representatives of civil society, are writing regarding the REACH Committee meeting that will take place on 29 of February 2024.

We would like to make some comments to the attention of the Committee with regard to:

- The discussion and possible vote on the draft Commission Regulation amending Annex XVII to Regulation (EC) No 1907/2006 (REACH) as regards undecafluorohexanoic acid (PFHxA), its salts and PFHxA related substances, and
- The absence of a proposal from the Commission restricting the use of lead in ammunition for hunting, outdoor sports shooting and in fishing.

1) The restriction of PFHxA

We are as a principle in full support of the proposal to ban PFHxA, considering its active and wide use across sectors. The placing on the market and use of PFHxA in both industrial and consumer applications contributes to uncontrolled releases into the air, water and soil. Germany well documented in its initial proposal that increase of exposure of humans and the environment to these very persistent substances is not only unavoidable in the future but also hardly reversible unless further releases are prevented.

There is no doubt the PFHxA restriction is a much-needed regulation and we thus welcome the Commission's proposal following up on Germany's initial proposal.

We would like however to share our reservations regarding the Commission's decision to exclude industrial uses from the restriction. We would like to encourage the Committee to request the Commission that reductions in the scope of future restrictions are minimal, adequately justified, and the precautionary principle is followed when assessing uncertainties.

This would set an important precedent for future regulations of harmful chemicals and minimise the quantity of PFAS that continues to be emitted into the environment. Given the high persistence of this chemical, the narrowing down of the scope may have significant impacts on the reduction of the risk posed by PFHxA.

2) The restriction of the use of lead in ammunition for hunting, outdoor sports shooting and in fishing.

We would like to share our concern with the Members of this Committee about the delays to the Commission's draft amendment to REACH Annex XVII regarding a restriction on lead in outdoor shooting and fishing.

ECHA made a proposal to address the estimated 44, 000 tonnes of lead annually released from projectiles as well as fishing sinkers and lures for outdoor activities, and its committees rendered an opinion supporting the proposal in March 2023. Unfortunately, no follow up proposal nor a timeline for the discussions has been put forward by the Commission since that publication. This delay puts at significant risk domestic animals and wildlife, as well as people. It also sheds a bad light on the leadership role that the EU has taken in international forums discussing this issue, for example at the recent Convention on Migratory Species COP14.

We would like to strongly encourage the Committee to urge the Commission to release the draft restriction and start discussions as soon as possible.

Yours faithfully,

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