

To customers, business partners and users of PTFE and PTFE-containing gasketing materials and other interested parties (stakeholders)

AK, in June 2022

Foreseen Restrictions on PFAS

Dear Ladies and Gentlemen,

As a result of the ongoing discussions and further increasing questions on the subject of PFAS (per and polyfluorinated alkyl substances) and their proposed restrictions or bans, we, the PTFE-processing and distributing members of "AK Dichtungen", an open work group of renowned gasket experts, would like to inform you, the user of PTFE gaskets and equipment, about the current state of affairs.

Background and Objective

The PFAS restriction process is a joint initiative of Denmark, Norway, Sweden, the Netherlands and Germany, with the participation of the following agencies: Ministry of Environment and Food of Denmark (Environmental Protection Agency), Norwegian Environment Agency, KEMI (Swedish Chemicals Agency), National Institute for Public Health and the Environment (The Netherlands Ministry of Health, Welfare and Sport) and "baua:" (German "Bundesanstalt für Arbeitsschutz und Arbeitsmedizin").

The aim of the initiative is to restrict the use of PFAS = all substances containing at least one fully fluorinated -CF₂ or -CF₃ group (without any H/Cl/Br/I atom attached to it).

According to the definition, not only volatile or soluble fluorochemicals ("substances of high concern") are directly affected by these restrictions, but also all chemically stable fluoropolymers such as PTFE, PFA or FEP - and in consequence also all fluoropolymers used in the chemical, pharmaceutical or food industry, e.g. as high-grade gasketing materials or materials for corrosion protection.

Time Line

Starting in 2020, the participating government agencies carried out preparatory work for the restriction procedure and recorded some uses of fluorochemicals and fluoropolymers. The substitutability of the substances covered should also be taken into account.

However, this was done without taking into account the industrial applications of fluoropolymers to protect equipment, humans and the environment in the above-mentioned industries.

In the following consultations (PFAS regulation: 1st Call for Evidence and 2nd Call for Evidence) as well as in further discussions, this deficiency was pointed out, but the scope of a restriction on fluoropolymers was apparently assessed differently by the implementing governmental agencies, as ultimately the inclusion of these important uses in our industries in the agencies list of uses was rejected.



AK Dichtungen

The Work Circle of Gasket Technology Experts

Currently, the five implementing agencies are preparing the **restriction dossier**. The submission of this dossier to the European Chemicals Agency (ECHA) is scheduled for 15.07.2022.

After checking the conformity, two further public consultations and the corresponding statements by ECHA in the planned time period from September 2022 to September 2023, the PFAS restriction is then planned for 2024 - 2025, according to the German "baua".

Possible Objections for YOU as Affected User

As an interested party and affected industrial user of indispensable PTFE gasketing materials and other fluoropolymers, **you have the possibility to disagree to the planned restriction** of these high quality polymers.

Please take advantage of this opportunity and submit as much **information** as possible **on the indispensability of fluoropolymers** to the above-mentioned government agencies, e.g. by presenting the following aspects:

- quantities required
- substitutability or indispensability of PTFE-containing gaskets (currently estimated at 3000 t/a)
- effects of a restriction on production
- effects of a restriction on environmental protection
- effects of a restriction on operational safety
- impact of a restriction on the feasibility of the energy transition
- economic impacts due to the closure of product lines
- social impacts due to the loss of jobs

Please send your objections to the restrictions of fluoropolymers to the following address of the German agency or one of the agencies indicated:

Bundesanstalt für Arbeitsschutz und Arbeitsmedizin (baua)
Fachgruppe 5.2 „Chemikalienbewertung und Risikomanagement“
Herrn Dr. Carl Dannenberg
Friedrich-Henkel-Weg 1-25
D-44149 Dortmund
Germany
e-mail: chemg@baua.bund.de

For further information please contact the members of the "AK Dichtungen"

References:

Development of restriction proposal for PFAS - Questionnaires and interviews; 23 October 2020; KEMI – Swedish Chemicals Agency

Call for evidence supporting an analysis of restriction options for PFAS; Bundesanstalt für Arbeitsschutz und Arbeitsmedizin

2nd Stakeholder Consultation on a Restriction for PFAS; The competent authorities for REACH of the Netherlands, Germany, Denmark, Sweden and Norway

Präsentation BAuA; 12. Jan. 2022; Dr. Carl A. Dannenberg; Bundesanstalt für Arbeitsschutz und Arbeitsmedizin

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