



Position on the proposal for REACH restriction on PFHxA

Date : 20th of February 2024

The European Safety Federation (ESF), representing suppliers of Personal Protective Equipment (PPE), mainly for use in professional setting, takes the opportunity to express some concerns and makes some suggestions for the current proposal for the amendment of Annex XVII of Regulation (EC) 1907/2006 as regards undecafluorohexanoic acid (PFHxA), its salts and PFHxA-related substances.

We welcome the proposed exemption for certain types of PPE category III, which indeed is needed to be able to continue to place these PPE on the market providing the necessary protection for their users.

However, we want to make a few observations that ask for further clarification.

- The term 'general public' is used in the proposal, however, without a definition of the term 'general public'. This lack of definition will lead to different interpretations and thus legal uncertainty for economic operators as well as users/consumers.
- Not all PPE of category III are included, while e.g. oil repellence is of essential importance for e.g. equipment protecting against cuts by hand-held chainsaws or similar. Therefore we would suggest to extend the exemption to all PPE of category III, and even category II (see e.g. the current discussion in the PPE Expert Group on the categorisation of protection against cuts from different types of motorised hand-held cutting devices, but also visibility clothing where an oil repellent finish allows less ecological burdensome maintenance and prolongs the lifetime of the garments). The protection against cutting is an example of PPE that are commonly also used by consumers, e.g. for gardening work.
- At the same time, the PPE excluded from the Regulation (EU)2016/425 also need to be considered, in particular those PPE designed for use by the armed forces or in the maintenance of law and order and those for exclusive use on seagoing vessels or aircraft (see Article 2.2. (a) and (d) of the PPE Regulation. If those PPE have the same functionality as those that for which the PPE Regulation applies, the exemption should also be applicable in the same way.

We are aware that other trade associations, such as ETSA and Euratex made similar observations and shared them with you.

About ESF:

The European Safety Federation (ESF) was founded in 1991. National organisations each representing the manufacturers and suppliers of PPE (Personal Protective Equipment) in their country decided to group and unite the European manufacturers, importers, distributors and service providers of PPE and to represent them at government level of the European Union and other European institutions and instances.

Today, ESF represents over 700 companies, of which at least 70% are SMEs. The members of ESF and the enterprises that affiliated to the national federations (that are a member of ESF) are dedicated and committed to provide compliant CE certified and high-quality PPE. Moreover, they link quality and service by giving expert advice and assistance in the process of risk assessment and analysis as well as training and advice in all aspects related to PPE. Supporting a safety conscious way of life is a common interest to all of us.

As all citizens (be it as employee, as self-employed or in his/her free time) use PPE to protect him/her against risks for his/her health or safety, the ESF members have an essential role in the protection of the population.

ESF is registered in the EU Transparency Register (91447653655-65) and is a member of the PPE Expert Group of DG GROW.