



Chemie
Pharma
Schweiz

European Commission
DG Environment, Unit G4
Consultation Directive 2002/95/EC
B-1049 Brussels

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Zürich, 7. Juli 2004
Dr. Paul Vesel

SGCI comments to stakeholder consultation on possible amendment of the Annex to Directive 2002/95/EC

Dear Sirs

The Swiss Society of Chemical Industries (SSCI) is an umbrella association of the Swiss chemical and pharmaceutical Industry dealing with economic policy. Its objective is to promote and protect the interests of the chemical and pharmaceutical industry, and it represents the industry to the public, government agencies and international organisations. At present, the Society has some 200 member-companies.

The Swiss Society of Chemical Industries welcomes the stakeholder consultation for the purpose of a possible amendment of the Annex to Directive 2002/95/EC by the European Commission.

We herewith submit comments to the substance listed under point 4.1 of the Consultation Document, Deca-BDE.

Over the past 10 years, the potential risks to the environment and or human health of the flame retardant Deca-BDE have been analysed by an EU risk assessment process according to Regulation 793/93/EEC.

We understand that the competent authorities of the EU Member States have agreed to close the Deca-BDE risk assessment in May this year without any restrictions. We trust that the conclusion of this science based assessment will serve as a basis for the future debate on the use of Deca-BDE and hence be applied with regard to the

exemption of Deca-BDE from the RoHS Directive. Not least in view of the future European chemical policy under the new system of Registration, Evaluation and Authorisation we believe that it will be critical to not to undermine the credibility of any risk assessment processes.

Yours sincerely,

SGCI Chemie Pharma Schweiz
Swiss Society of Chemical Industries



Dr. B. Moser
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Swiss Society of Chemical Industries (SSCI) comments to Commission Stakeholder Consultation on DECA-BDE Exemption from the RoHS Directive



General Arguments:

Alternative to Deca-BDE exist and are used, however:

- Different substances are used for different applications, in contrast to Deca-BDE which is used in a large number of applications
- Alternatives are not always available:
In certain plastic resins like HIPS, ABS, and PBT, there are currently no cost-effective alternative flame retardants which can provide good flame retardancy and good mechanical properties.
- Higher quantities of alternative FRs are often necessary for the same applications:
In order to achieve the same level of fire protection compared to brominated flame retardants, higher quantities of alternative flame retardants often need to be used. And there are practical limits how much flame retardant can be added to a material before it unduly affects the material's integrity and strength.
Not only does this place a more important potential burden on the environment (in terms of an increased level of plastic additive manufactured and transported), but costs are also often enhanced.
- Other FRs may not in all cases provide the same level of fire safety:
Deca-BDE is the most effective flame retardant available today to prevent fire in its applications. It helps meet the highest levels of fire safety in public places all over Europe.
- No other FRs have undergone and passed a risk assessment:
Risk assessments of other FRs are still on-going or have not started yet. The toxicology and environmental effects of alternative flame retardants are relatively poorly understood. Indeed, no flame retardants have been more thoroughly tested than Deca-BDE.

Further Advantages of Deca-BDE:

- Deca combines fire safety & recyclability:
Deca-BDE is necessary for certain plastics to meet the highest levels of fire safety. The long experience with Deca-BDE and its continued evolution and use, means that plastics containing Deca-BDE will be part of the waste flow, in particular that of WEEE. The EU should encourage this waste to be recycled and recovered rather than enforcing its disposal through regulatory bans.
- Plastics containing deca have superior recyclability:
Certain plastics with Deca-BDE can be and are already recycled because of their comparative stability in the recycling process
Several studies concluded that plastics containing Deca-BDE was superior to other plastics in terms of recyclability and can be recycled five times.

- Recycling of deca complies with the strict dioxin/furan emission limit values: Plastic containing deca-BDE meets the strict PBDD/F limit values of the German "Dioxin Ordinance" in the recycle if recycling is carried out according to standard health and safety practices.
Flame retardant materials like Deca-BDE burn less, producing just a third of the toxic gases and a quarter of the heat of unprotected appliances. Concerns over dioxin and furan formation during incineration have been addressed by the advanced incinerator technology now available and required under EU legislation.
- Plastics containing deca demonstrate good energy recovery
- Plastics containing deca is fully compatible with metal recycling
- Closing the bromine loop is technically possible:
APME has concluded ¹ that feedstock recycling of plastics from WEEE is one potential option and is an environmentally sound method for recovering HFR plastics. Tests have been carried out on a commercial scale successfully. The bromine industry has undertaken a feasibility study to determine the economic and technical viability of bromine recovery from plastics containing BFRs. This closes the bromine loop, ensuring the sustainability of bromine production

Conclusion:

- Deca-BDE has undergone a risk assessment proving its safety for the environment and human health.
The EU risk assessment process was designed to provide the regulator with a scientific process by which to assess individual chemical substances. Being science-based, it took 10 years to amass and analyse scientific data on Deca-BDE.
- This risk assessment which was concluded on 26 May 2004 should serve as a basis for a decision on the use of Deca-BDE in electrical & electronic equipments.
- The risk assessment process is a highly important procedure which must not be preempted. This is a point of principle which would otherwise undermine the Risk assessment process and the upcoming REACH policy.