



European Furniture Industries Confederation

Roadmap consultation

Chemical strategy for sustainability

EFIC feedback

18 June 2020

The [European furniture industries embrace EU circularity objectives](#) and are already transitioning to and promoting circular business models based on reuse, repair, refurbishment and remanufacturing of products. The transition to circularity requires addressing certain challenges already from the production phase. Furniture producers believe in the principles of a circular design, requiring, among others, the responsible use of chemicals of concerns such as hazardous substances.

The European furniture industries welcome initiatives to move towards a zero-pollution ambition for a toxic-free environment, helping to better protect citizens (workers, consumers) and the environment against hazardous chemicals and complementing efforts in the context of the Green Deal and Circular Economy. As the roadmap acknowledges, a) there are gaps and inconsistencies regarding the evidence on the risks posed by chemicals which require policy action and a strengthened regulatory framework on chemicals; b) there are challenges related to the pace and complexity of procedures for assessing and managing chemicals; c) there is a lack of enforcement.

CONSIDERATIONS:

1. Eliminating toxic substances from design phase

It is imperative that toxic substances are removed from the manufacturing cycle from the production phase. This will help to support a cleaner circular economy by enabling more products and materials to be safely reused, repaired, remanufactured or recycled. Harmonisation of requirements at European level could in certain cases constitute a viable solution to remove technical and legal obstacles which lead to the use of chemicals in production when they are not necessarily needed, as the “Case for Flame Retardant Free Furniture” demonstrates (see point 6 below). In addition to this, clear rules are needed on substances that can be used, including evaluating the possibility to formulate a list of chemicals which undermine recyclability to forbid their use in the production phase – when possible – or at least to limit concentrations to adequate levels.

2. Holistic approach on circular economy & resource efficiency vs. chemical content

- Aligning circular and chemical legislation is key to avoid that they are in contradiction. The current conflict between so-called non-toxic products and the resource-efficient circular economy needs to be addressed.
- It is crucial that a coordinated approach is taken at EU level with regard to the classification of hazardous substances and the interface between product, chemical and waste legislation, to avoid that decisions taken at substance level can potentially threaten the circular economy and in particular the recycling of products (example: TiO₂, whose reclassification could have a serious impact on waste classification and recycling possibilities).
- The aim is to avoid that every step taken at substance level can potentially threaten the recycling sector. To this end, we support grouping of chemicals rather than a



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substance-by-substance approach, as grouping of chemicals would speed up regulatory action (see also section 4 below).

- Until the industry has fully transformed from a linear to circular economy there will be a need for transitional regulations based on risk assessment for different product categories to avoid a situation in which reuse and recycling of materials is hampered. A risk-based assessment would be key and the preferred option to address chemical content without hampering circular operations. Another possibility would be to establish a different approach and regulations for furniture products that have already been produced (many years ago when chemical legislation was substantially different to those of today) and furniture that is being produced with circularity principles in mind, containing low or no “dangerous” chemicals. However, this approach could lead to unwanted product classifications (safe vs. unsafe).

3. Traceability of chemicals

- a. Addressing the interface between product, chemical and waste legislation is of utmost importance. Furniture producers are confronted many times with a lack of information on chemicals from suppliers & stringent Regulations, impacting the traceability of chemicals in products and undermining the future treatment of the material, circular loops and waste disposal. Today, it is difficult to run an ex-post assessment as there is no availability of the full list of substances contained in products. Many chemicals pose serious problems for the material flow, including heavy metals, phthalates, soil repellent chemicals or toxic flame retardants, needed in many cases to comply with stringent flammability standards applicable in some European countries. It is imperative to develop intelligent and innovative methodologies to minimise the presence of substances posing problems to health or the environment in recycled materials and to develop practical systems to track information on substances throughout the value chain.
- b. Enhancing the EU market for secondary raw materials is key to increase the competitiveness of recycled materials and their safety, tackling the insufficient information on the presence of substances of concern in products and waste, which hampers recycling and uptake, as well as the imbalance in price, performance and quality between primary and secondary materials.

4. Evaluating efficacy and safety of chemicals

- a. Efficacy and safety of chemicals and products should be evaluated throughout the whole lifecycle of products and total value chain, from material sourcing, design, production, distribution, reuse, refurbishment, remanufacturing to recycling.
- b. The roadmap states that the Commission will review how to better use EU’s agencies to move towards a process of ‘one-substance – one assessment’. This approach will avoid duplication of efforts on the same substance. As stated by Björn Hansen at ECHA’s Safer Chemicals Conference of 2 June 2020) ‘combining the efforts made under separate instruments at different times would lead to a more holistic assessment of chemicals’. The concept of ‘using efforts already made’ is also applicable to addressing groups of chemicals rather than following a substance-by-substance approach. This would speed up regulatory action as ECHA has [recently found](#) without diminishing the positive impact of a specific assessment. One particular example which would benefit from a grouping approach are toxic flame retardants, often used in furniture due to (among others) a remarkably slow implementation of the restriction process of chemicals on a substance-by-substance basis under REACH (EC Regulation 1907/2006), enabling flame retardants from a same class to be put on



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the market although others from that class may have been restricted. This is not sustainable for the furniture industry, who is already embracing circular practices (see point 6 below).

5. Level playing field and equal treatment / market surveillance

Third country producers placing products on the EU market must adhere to the same rules as EU producers, to avoid that EU measures promoting circularity and European producers efforts are counteracted by imports of unsustainably produced / non-circular products entering the EU market (especially relevant is compliance with REACH and CLP and the use and tracking of substances of concern). It is crucial that third country producers importing products in the EU abide by all upcoming EU rules related to circularity (including sustainable product design, information to consumers, etc.). These steps are important if the EU is indeed to become a trendsetter at global level when it comes to the transition to a circular economy. EU ambitions on circularity and chemical safety address needs that go beyond borders and have the potential to lay the groundwork for how other markets around the globe address threats to our environment. The EU has the chance to set a global approach to circularity and chemical safety via international cooperation and standardisation.

6. The case for flame retardant free furniture

The Alliance for Flame Retardant Free Furniture launched by the European Furniture Industries advocates for the removal of toxic flame retardants from furniture, chemicals that are often used by furniture manufacturers to comply with stringent flammability standards in European countries. Apart from being harmful for human health, the use of toxic flame retardants counteracts circularity objectives and are an obstacle to this goal. The use of these chemicals is not compatible with Ecodesign principles, which dictate that harmful substances should be removed from the manufacturing cycle from the design phase. Secondly, the presence of these substances also brings concerns at later stages, namely during use and at end-of-life. Once added, chemicals are almost impossible to separate from many materials, and when possible, the required processes are very inefficient, both from a time and energy-intensity perspective. This jeopardises circular business models based on reuse, refurbishment, remanufacturing, but also recycling practices and ensuring the safety of secondary raw materials. A total value chain approach from material sourcing to production, use and end-of-life, is needed to avoid and remove toxic substances in support of a cleaner and more efficient circular economy. This will mean increasing the quality and durability of furniture and enabling more material to be safely reused or recycled. This would also reduce the risks for health and enhance the competitiveness of the furniture industry, who is already embracing circular practices. This Alliance wants to ensure that legislation and requirements in all markets balance three aspects: fire safety, chemical safety and circularity. To support this agenda, EU-wide action against the use of flame retardants is needed. Improving fire-test standards to be more realistic, effective and to account for fire toxicity is a top priority. Moreover, efficacy and safety of chemicals should be evaluated throughout the whole lifecycle of products, from the crucial design phase to the end-of-life.

See [Alliance website](#) and [April 2020 policy paper](#).
