PRESS RELEASE

Chemicals Strategy for Sustainability
paving the way for a toxic-free environment

Brussels, 16 October 2020 – *'The European Commission's Chemicals Strategy for Sustainability is a landmark towards a more sustainable chemicals policy which will enable the green and digital transition, accelerating the shift to a more circular economy, reducing consumer, vulnerable groups and workers' exposure to hazardous chemicals. Addressing potential contradictions between chemicals and circular economy policies will be key, as well as an effective implementation and enforcement of the announced initiatives under the Chemicals Strategy'*, **said Markus Wiesner, EFIC President**

Sustainable and safe chemicals are essential to deliver the European Green Deal goal of creating a toxic-free environment. Chemicals must be safe and sustainable from the production to their end of life. Challenges posed by hazardous chemicals must be overcome by minimising and substituting substances of concern and phasing out the most dangerous ones. Innovation is essential and sustainable solutions must be made largely available to enable a more circular economy and reduced exposure to consumers, vulnerable groups and workers.

One of the backbones of a circular economy is keeping materials and products in the loop for as long as possible. This means that secondary raw materials must be safe. For secondary materials to be safe, substances of concern must be minimised and efficiently tracked in the supply chain. Two approaches may be needed in this context: one for existing products, ensuring an efficient control of substances, and another for tomorrow's products. For tomorrow's products, the solution is a more circular design, minimising the presence of substances of concern from the production phase. This will support a cleaner circular economy and enable more products and materials to be safely reused, repaired, re-manufactured or recycled, circular loops which European furniture manufacturers promote.

'The upcoming sustainable product policy framework has a large potential to minimise the presence of substances of concern in products and to provide solutions for situations in which unwanted chemicals may be needed to comply with certain requirements' said Gabriella Kemendi, EFIC Secretary General.

One example is chemical flame retardants, used by furniture or textile manufacturers to comply with out-dated flammability standards in European countries (both for domestic and non-domestic furniture). The Alliance for Flame Retardant Free Furniture[1] launched by EFIC advocates for EU-wide action against these chemicals and for a harmonisation of flammability requirements to a level where toxic flame retardants are not needed.

The Chemicals Strategy rightly points to a growing number of different hazardous chemicals in human blood and body tissue, including flame retardants. As the Alliance has identified, apart from being harmful for human health (children, workers and firefighters at high risk; the latter group especially due to increased fire toxicity) and showing no proven fire safety benefit, the use of toxic flame

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[1] https://safefurniture.eu/

retardants counteracts circularity objectives[2] [3]. They are not compatible with circular design principles and bring concerns during their production, use and end-of-life. The Alliance aims at ensuring that legislation and requirements balance three aspects: fire safety, chemical safety and circularity.

Clear rules are needed under the upcoming sustainable products initiative to identify substances that may be used during production, including evaluating the possibility to formulate a list of chemicals which undermine recyclability with the goal of forbidding their use in the production phase – when possible – or at least to limit concentrations to adequate levels. In this context, it is important to remember that for some substances there are no alternatives on the market that can be used with the same purpose/functionality/result.

'It is also important to mention that circular economy and chemical legislation should be aligned, avoiding contradiction. The current conflict between 'non-toxic products' and the 'resource-efficient circular economy' must be addressed, avoiding that steps taken at substance level can bring obstacles to the recycling sector, said Omar Degoli, Chair of EFIC Circular Economy WG and Environmental Adviser at FederlegnoArredo.

The European furniture industries welcome initiatives speeding up regulatory action by extending the 'generic approach to risk management' ensuring that consumer products, including furniture, do not contain chemicals that cause cancers, gene mutations, affect the reproductive or the endocrine system or are persistent and bioaccumulative. The initiative to group chemicals can be beneficial before the generic approach to risk assessment is fully implemented.

One 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 the market although others from that class may have been restricted. This is not sustainable for the furniture industry, which is already embracing circular practices. Grouping of substances should follow a risk-based approach.

*Apart from strengthening chemical policies, implementation and enforcement throughout the whole single market and, in particular, at the EU external borders are essential. Imported goods from third countries, including those purchased online, are subject to the same rules as EU products. Compliance for all products must be enforceable and controlled by market surveillance and customs authorities. This is especially important to ensure compliance with for instance REACH, CLP and sustainable product design. The announced approach to zero tolerance to non-compliance, measures under the new Regulation on market surveillance and the EU Customs Union, but also Member States increasing their enforcement capacity will be key, s*aid Robin Ljungar, vice-chair of EFIC Circular Economy WG and Sustainability Manager at TMF.

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[2] https://safefurniture.eu/resources/studies/
[3] Alliance position paper April 2020