

Restrictions on the marketing and use of perfluorooctane sulfonates

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The committee adopted the report by Carl SCHLYTER (Greens/EFA, SE) amending - under the 1st reading of the codecision procedure - the proposed directive on restrictions on the marketing and use of perfluorooctane sulfonates (PFOS):

- the title was amended so that the directive would also apply to perfluorooctanoic acid (PFOA), which has a similar structure and toxicity to PFOS,
- PFOS should not be placed on the market or used as a substance or constituent of preparations in a concentration equal to or higher than 0.005% by mass (as opposed to 0.1% by mass proposed by the Commission). Nor should it be placed on the market in articles or parts thereof in a concentration equal to or higher than 0.005% by mass in a homogenous material that cannot be mechanically disjointed into different materials. These two conditions would apply to PFOA three years after the directive's entry into force;
- the proposed derogations for certain products using PFOS should be time-limited: 8 years for photoresists or anti-reflective coatings for photolithography processes; 6 years for industrial photographic coatings applied to films, papers or printing; and 10 years for hydraulic fluids for aviation. These time-limited derogations may be extended on a case-by-case basis if no safer alternatives have become available;
- the proposed derogations for mist suppressants for chromium plating and for fire-fighting foams were deleted, but the committee proposed that fire-fighting foams may be used up to 18 months after the directive's entry into force;
- the committee proposed a tighter definition of controlled closed systems ("where the concentration of PFOS released into the environment and the workplace is less than 1g per kg of the PFOS used in the system processes") and imposed a time-limit of six years;
- Member States should establish inventories of uses of PFOS and PFOA on their own, in preparations or in articles, and take steps to prevent discharges, emissions and loss of PFOS and PFOA from the inventoried products.