

JBCE'S POSITION ON THE PROPOSED RESTRICTION OF DECHLORANE PLUS UNDER EU POPS REGULATION

INTRODUCTION

As a cross-sector association with member companies operating across various industries and stages in the supply chain (electronics, chemicals, polymers, automotive, machinery, semiconductors, wholesale trade, precision instruments, pharmaceuticals, steel, non-ferrous metals, textiles, ceramics, and glass products), JBCE welcomes the opportunity to contribute to the consultation regarding the Dechlorane Plus.

KEY MESSAGES

JBCE understands that the proposed restriction of Dechlorane Plus under the EU POPs Regulation aligns with the goal of achieving “a zero-pollution ambition for a toxic-free environment” as outlined in the “*Chemicals Strategy for Sustainability - Towards a Toxic-Free Environment- (CSS)*”. JBCE agrees with and supports the concept and objective of protecting human health and the environment. In order to achieve this goal effectively, we would like to highlight some issues regarding specific exemptions and the alternatives throughout the supply chain, reflecting the positions and concerns of various JBCE member companies in different affected sectors.

Specific exemptions for spare parts

JBCE urges the European Commission to reflect on the specific exemptions¹ included in the Stockholm Convention Decision SC-11/10 for Dechlorane Plus in the EU POPs Regulation to facilitate the international distribution of goods and to extend the effective life of existing products including spare parts.

In particular, we strongly recommend adding “outdoor power equipment” and “instruments for analysis, measurements, control, monitoring, testing, production and inspection”, which have long lifetimes in the “specific exemptions for spare parts” section in the Annex.

Specific exemptions for spare parts in the Annex	JBCE's amendment
(i) land based motor vehicles;	(i) land based motor vehicles;
(ii) marine, garden and forestry machines;	(ii) marine, garden, forestry and outdoor power equipment;
(iii) Missing number	
(iv) aerospace, space and defence applications;	(iv) aerospace, space and defence applications;

¹ <https://www.pops.int/Portals/0/download.aspx?d=UNEP-POPS-COP.11-SC-11-10.English.pdf>

(v) medical imaging applications;	(v) medical imaging applications;
(vi) radiotherapy devices and installations. where dechlorane plus was initially used in their production, until the end of their service life or until 31 December 2043, whichever comes earlier.	(vi) radiotherapy devices and installations. where dechlorane plus was initially used in their production, until the end of their service life or until 31 December 2043, whichever comes earlier.
	(vii) instruments for analysis, measurements, control, monitoring, testing, production and inspection.

The realistic transition period for substitution needs to be carefully considered for each sector and its sub-sectors. Below is an example of the steps and realistic timelines for material substitution in Electric and Electronic Equipment (EEE).

[Example of EEE]

STEP0	Development of alternative chemicals	(No period)
STEP1	Testing of alternative materials	1-2 years
	Reliability test: performance test of the product	1-2 years
STEP2	Device design change	0.5-1 year
	Change the production line /buy new production equipment	1-2 years
	Create Technical Documentation	0.5 year
	Training at the production site	a few months
	Production management (information to customers)	0.5-1 year
	Third-party certification	1 year without clinical trial a few years or more with clinical trial

Once an alternative substance has been found, it will still be necessary to demonstrate whether the final products, after design changes, have the same level of performance, safety, durability, and robustness. A sufficiently long transition period must be provided to avoid socio-economic disruption.

In particular, a longer transition period is needed for specialised equipment, not only for medical imaging applications but also for analysis, measurement, control, monitoring and testing production, and inspection. These devices have longer lifetimes and design cycles than B2C EEE and therefore require a longer transition period. In fact, this is why the RoHS Directive provides longer transition periods for these products than for other B2C EEE. These devices contribute to society through, for example, diagnostics, measurement of hazardous chemicals, environmental monitoring (e.g., air pollution, water quality), and safety monitoring (e.g., fire warning, product safety).

If “outdoor power equipment” and “instruments for analysis, measurements, control, monitoring, testing, production and inspection” are not included in the "specific exemptions for spare parts", the lifetime of these products will be shortened. As a result, the waste volume of these products will increase rapidly, which is undesirable from a circular economy perspective and may negatively impact the EU.

ABOUT JBCE

Founded in 1999, Japan Business Council in Europe (JBCE) is a leading European organisation representing the interests of over 100 multinational companies of Japanese parentage active in Europe. Our members operate across a wide range of sectors, including information and communication technology, electronics, chemicals, automotive, machinery, wholesale trade, precision instruments, pharmaceutical, textiles, and glass products.

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EU Transparency Register: [68368571120-55](https://ec.europa.eu/transparency/regexp1/index.cfm?do=entity.entityDetail&entityId=68368571120-55)