

JBCE'S POSITION ON THE DRAFT SCIENTIFIC DOSSIER (ANNEX D) FOR AN EU PROPOSAL FOR THE LISTING OF D4, D5 AND D6 IN ANNEX B TO THE CONVENTION

INTRODUCTION

Being a cross-sector association with member companies operating in different industries and stages in the supply chain (electronics, chemicals, polymer, automotive, machinery, semiconductor, wholesale trade, precision instruments, pharmaceutical, steel, nonferrous metal, textiles, ceramics, and glass products), JBCE welcomes the opportunity to contribute to the discussion regarding the draft scientific dossier (Annex D) for an EU proposal for the listing of D4, D5 and D6 in Annex B to the Convention.

KEY MESSAGES

On a general note, JBCE understands that the draft scientific dossier for D4, D5 and D6 is in line with the target of having “a zero-pollution ambition for a toxic-free environment” which was proposed in the “Chemicals Strategy for Sustainability - Towards a Toxic-Free Environment (CSS)”. However, despite agreeing with and supporting its concept and purpose to protect human health and the environment, we would like to point out that the currently proposed restriction raises various issues which need to be addressed in terms of scientific reasoning and socio-economic impact, as highlighted by various companies across different impacted sectors represented by JBCE.

Our main points of concern are listed below.

- Silicone polymers made from raw materials including D4, D5 and/or D6 with special properties such as excellent heat resistance, low thermal conductivity, thermal stability, electrical insulation, gas permeability, non-stickiness and oil resistance are widely used in a variety of industries all over the world. The products which use silicon polymers (i.e. EV batteries, coatings, lubricants, cables, solar cell connectors, sensors, PV panels, LED lighting, medical devices, food contact materials as well as analytical and measurement equipment) are necessary applications to reach the goals of the European Green Deal, to protect human health and foster innovation, they therefore play a very important role in society.
- JBCE is seriously concerned that POPs nomination of D4, D5 and D6 will lead to strict restrictions on the production, use, and trade of silicone polymers. In particular, in electrical and electronic equipment (EEE), the components and the parts using silicone polymers are the key technologies enabling the special performance and the products' reliability. The manufacturers of EEE would have to find alternative substances if silicone polymers were to become subject to restrictions under Annex B to the convention.

However, finding alternative substances with the same special properties as silicone polymers would be extremely difficult. Even if a potential alternative substance for silicone polymers could be identified, it is not given that it could become a real and viable alternative in final products. It would still need to be proven whether the final product shows the same level of performance after the design change. It needs to be considered that many industrial sectors of course must comply with chemical and environmental regulations, but in addition also with sector-specific stringent product-related regulations as well as performance and safety standards.

- JBCE urges ECHA to carefully consider the risk assessment about the release of D4, D5 and D6 to environmental media from all the applications using silicone polymers and the socio-economic analysis if silicone polymers become subject to restrictions under Annex B to the convention. Furthermore, we believe that setting specific derogations for the applications using silicone polymers similar to the ones in the Stockholm Convention decision for UV-328¹ should be considered.

ABOUT JBCE

Founded in 1999, Japan Business Council in Europe (JBCE) is a leading European organization representing the interests of 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.html)

¹ <https://www.pops.int/TheConvention/ConferenceoftheParties/Meetings/COP11/tabid/9310/Default.aspx>