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European Union

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NOTE

From: General Secretariat of the Council
To: Delegations

Subject: EU action to address risks related to PFAS
- Information from the Danish, Luxembourg, Netherlands and Swedish delegations

Delegations will find in the Annex an information note by the Danish, Luxembourg, Netherlands and Swedish delegations on the above subject, to be dealt with under 'Any other business' at the Council (Environment) meeting on 19 December 2019.

EU action to address risks related to PFAS**- Information from the Danish, Luxembourg, Netherlands and Swedish delegations -**

In the Council conclusions of June this year¹, the Council agreed on a number of important issues with a view to further improving chemicals management in Europe, including in relation to the group of poly- and perfluorinated alkylated substances (PFAS)². The Council specifically called on the Commission to develop an action plan to eliminate all non-essential uses of PFAS.

The widespread occurrence of PFAS in the environment, and the growing evidence of their adverse effects on human health, has resulted in increasing concern around the world, from Australia to the USA. In the EU, the large-scale contamination of the soil and drinking water resources, including surface and ground water bodies, has led to significant remediation costs.

Since PFAS are (extremely) persistent, their continued use in products and production processes leads to a further increase in the levels of PFAS and thus to increased risks to health and the environment.

There is a clear need to phase out the use of PFAS in the EU to prevent further release of emissions and contamination. Countries, especially those that have a PFAS-producing or PFAS-processing industry, are invited to take all appropriate measures to reduce PFAS emissions to the environment and remediate contamination from PFAS to the furthest extent possible³.

¹ Towards a Sustainable Chemicals Policy Strategy of the Union – Council conclusions (ST 10713/19) adopted on 26 June 2019.

² Perfluorinated alkylated substances (PFAS) are a large group of synthetic surfactants that are highly effective as water, grease and dirt repellents. PFAS have been applied for a long time to many products, ranging from waterproof clothing, food packaging, fire-fighting foam and ski wax to non-stick coatings for cookware. Emissions during the production, application, product use and waste stages have resulted in the widespread occurrence of PFAS in the soil, sludge and water.

PFAS are highly persistent and their concentrations build up over time. They are also very mobile and extremely difficult to remove. Several substances from this group that were widely used in the past have since been phased out because they have proven to be toxic, in particular for the unborn. This has resulted in substitution with other PFAS, which in turn have come under scrutiny.

³ At a production site in Dordrecht, the Netherlands, the initial annual emission of GenX was 7 000 kg per year. This has been reduced to 140 kg in the current permit for 2019. In the application for a new permit, this will over time be further reduced to only 2 kg per year.

The Netherlands wants to prepare a comprehensive proposal to restrict all uses of and products with PFAS except where essential. The competent authorities in Denmark, Germany, Sweden and Norway, and the ECHA, have indicated their willingness to cooperate.

In view of this restriction, Member States and stakeholders are invited to share information relevant to such a restriction proposal, including information related to health or environmental problems caused by PFAS or costs incurred to avoid or remediate them.

We call on the Commission to follow up on the Council conclusions by formulating additional action to reduce emissions of PFAS to the environment.
