

## EURATEX input on polychlorinated biphenyls

January 2024

EURATEX would like to provide feedback on the draft Commission Delegated Regulation amending Regulation (EU) 2019/1021 as regards the persistent organic pollutants polychlorinated biphenyls, which was discussed at the POPs Competent Authorities meeting at the end of November 2023<sup>1</sup>.

While the draft includes changes to the previous version<sup>2</sup> as regards to organic pigments, the limit values proposed are unworkable and would have strong negative impact on the textile industry.

### Lack of alternatives

As stressed in the EURATEX previous letter to the Commission and Competent Authorities in November 2023, key pigments such as PV 23, PR254, PB15, PB15:3, PG7, PG36, PR221, PY93, PY95, PY110, PY138 would be affected by this POPs measure. As textile industry, we need to comply with standards for example for light-fastness, rubbing-fastness, water-/washing-fastness, correct shade in different kinds of light (day/evening/natural, artificial bulb or neon tube), and sufficient reduction of infra-red.

Currently the alternative pigments usually lose their colour fastness within a few weeks. To develop suitable alternative pigments, it takes the industry several years, including testing, to substitute.

EURATEX raised strong concerns on the POPs measure already when the previous proposal by the Commission put forward the limit for concentrations of PCB equal to or below 10 mg/kg (0,001% by weight). However, we are stunned that the new proposal by the Commission has set the limit equal to or below 0.1 mg/kg (0,00001% by weight), where even 10 mg/kg was not feasible for us to meet.

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<sup>1</sup> 29th Hybrid Meeting of the Competent Authorities for the implementation of Regulation (EU) 2019/1021 of the European Parliament and of the Council on Persistent Organic Pollutants

<https://ec.europa.eu/transparency/expert-groups-register/screen/meetings/consult?lang=en&meetingId=50757&fromExpertGroups=1656>

<sup>2</sup> 28th Hybrid Meeting of the Competent Authorities for the implementation of Regulation (EU) 2019/1021 of the European Parliament and of the Council on Persistent Organic Pollutants

<https://ec.europa.eu/transparency/expert-groups-register/screen/meetings/consult?lang=en&meetingId=48302&fromExpertGroups=1656>

## **Loss of business**

As outlined in EURATEX letter from November, the pigments in question are used in many textile articles, such as different textiles with camouflage printing for the military sector, truck tarpaulins, membranes for textile architecture (membrane structures such as roofs and facades at airports, railway stations, sports stadiums), modular structures, i.e. large tents/warehouses, external sun protection textiles, military tents, renewable energy/gas storage systems for biogas plants and in the leather sector (automotive artificial leather, contract artificial leather, technical artificial leather). As for camouflage prints for the military, special standards need to be fulfilled as regards the elimination of infra-red emissions from the person wearing the textiles.

The prohibition of substances of these pigments would necessitate the industry to develop entirely new pigment sets and formulate each colour shade from scratch. The ability of suppliers to provide pigments in the specified shades, especially with the required colour stability, remains unclear. Pigment stability, particularly facilitated by halogens, contributes to longevity and, therefore, sustainability.

Furthermore, since the pigments in the finished product are not banned, a notable competitive disadvantage emerges for European companies. This would force the relocation of production to third countries, a financially burdensome option for small and medium-sized enterprises (SMEs) and resulting in job losses.

For example, one textile company based in the EU reported that if this POPs measure would be adopted in its current form, then 75% of their business activities would be affected as pigments are very central and indispensable for their products. This would result in loss of product around 4500 tonnes, and a loss of approximately 38 million euros per year. While this example is representing data of one company and not the textile industry as a whole, it is clear that the impact of this POPs measure would threaten the existence of the company.

## **A way forward**

As outlined above, the Delegated Regulation in its current form would have strong negative consequences to the textile industry. EURATEX therefore urges the Commission to conduct a thorough impact assessment and to propose technically feasible limit values and proper transitional periods to ensure that industry would have time to find suitable alternatives.

EURATEX and its members remain at the disposal of the Commission and Member States' authorities to ensure that this POPs measure is designed to be effective while not bringing unwanted consequences.