

JBCE'S POSITION ON THE PROPOSED RESTRICTION OF UV-328 UNDER EU POPS REGULATION

INTRODUCTION

Being a cross-sector association with member companies operating in different industries and stages of 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 UV-328.

KEY MESSAGES

JBCE understands that the proposed restriction of UV-328 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. To achieve this goal effectively, we would like to highlight our positions regarding specific exemptions, concentration limits and the applicable start date which reflect the opinions and concerns of JBCE member companies in various affected sectors.

1. Specific exemptions for spare parts

JBCE welcomes the specific exemptions for spare parts proposed in Annex I of the UV-328 proposal.

2. Specific concentration limit of UV-328

Concerning the specific concentration limit of UV-328 occurring as an unintentional trace contaminant (UTC), a default value of 10 ppm was proposed during the Public Consultation which was carried out in August 2023. However, the draft delegated regulation and its annex indicate that concentrations of UV-328 equal to or less than 1 mg/kg (0,0001 % by weight = 1 ppm) shall apply where they are present in substances, mixtures or articles. JBCE would welcome the inclusion of the justification for reducing the specific concentration limit from 10 ppm to 1 ppm in the guidance.

JBCE would also like to state, as we indicated in our answer¹ to the Public Consultation, that in its view, the specific concentration limits mentioned above would be inappropriate. A large number of parts are used in electrical and electronic equipment (EEE), and it is necessary to

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https://jbce.org/images/positions/Environment_and_Energy/JBCE_Position_Paper_Consultation_on_the_draft_screening_report_for_the_four_phenolic_benzotriazoles_in_articles_17August2023.pdf

check the UTC for each part through a complex and lengthy global supply chain. In addition, the detection limits for UV-328 in resins range from 50 ppm (0.005 %) to 100 ppm (0.01%) using the solvent extraction GC-MS method and pyrolysis GC-MS (Py/TD-GC-MS). Therefore, taking these factors into account, a specific concentration limits of 1,000 ppm (0.1%) would be more appropriate.

3. Considering the applicable start date

For EEE which are not covered by the specific exemption for spare parts, the six months until the applicable start date (26 February 2025) is a tight timeframe for companies to process parts' inventories and make substitutions. This would prohibit the placing on the market and use of spare parts containing UV-328, which risks drastically shortening the lifetime of many end-use products.

Therefore, JBCE urges the European Commission to consider a sufficient grace period for the applicable start date in the EU.

ABOUT JBCE

Founded in 1999, Japan Business Council in Europe (JBCE) is a leading European organisation representing the interests of over 105 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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