

Finnish Textile & Fashion Association's views on the U-PFAS Restriction Proposal

Finnish Textile & Fashion Association supports the goal of the restriction proposal to cease the emissions of PFAS substances to the environment. We, however, are concerned, that the wide overarching ban of substances and articles with unique properties would affect all business sectors in the EU and create severe uncertainty for future and unfair competitive situation for EU companies.

Focus on the wide PFAS restriction should be on consumer products

The European textile and apparel industry represents 160 000 companies with diverse manufacturing - clothing, home textiles and specialized applications such as technical and medical textiles and personal protective equipment (PPE). For technical, medical and PPE applications fluorinated substance finishing is critical to fulfil the highest degree of safety and performance standards imposed by public or private customers (e.g., EU legislation, national, EN and ISO standards).

C6 chemistry is currently the only technically feasible and available alternative to already restricted C8 that can deliver water, oil, dirt, and chemical repellence even though there are certain limitations compared to C8. Additional properties of resistance to viruses and bacteria make the chemistry essential for medical textiles. Research evidence shows that shorter chain fluorinated chemistry and non-fluorinated alternatives cannot fulfil those requirements.

Textile industry companies need to ensure that their products meet the high safety and product standards, for example for protection against soaking, blood, aerosols such as infectious agents, oil, chemicals, liquid hazardous substances, NBC warfare agents. This is particularly important for medical textiles, personal protective equipment, and technical textiles. The C6 chemistry ensures a water, oil and dirt repellent function and thus significantly extends the service life of the products and thus results in resource-saving handling.

This restriction should mainly focus on PFAS uses for consumer products, where the requirements are mainly focused on water repellent properties, which, to some extent, can be achieved by alternative treatments.

**Wider derogations are needed to maintain
competitiveness for the EU companies and value chains**

Personal Protective Equipment, PPE

PPE is needed to minimize exposure to hazards that cause injuries and illnesses, which may result from contact with chemical, radiological, physical, electrical, mechanical, or other hazards. Some examples of PPE equipment requiring fluorochemistry include fire-fighters, military and police suits, bullet proof vests, mountain rescue services, protective equipment for work in different industries, protective gloves, to name a few.

The final opinion of the European Chemicals Agency (ECHA) on the undecafluorohexanoic acid (PFHxA), its salts and related substances restriction already acknowledges the diversity of the textile sector. The Committee for Socio-economic Analysis (SEAC) supports a non-time limited derogation for certain products under the PPE Regulation (Regulation (EU) 2016/425). Such derogation is crucial to maintain a high degree of safety for critical uses of PPE for which fluorochemistry (mainly C6) is the only feasible alternative. PPE is meant to protect the wearer regardless of whether the use is professional or private.

Finnish Textile & Fashion Association advocates for the following derogation ***“Personal protective equipment intended to protect users against risks as specified in Regulation (EU) 2016/425 of the European Parliament and of the Council, Annex I, Risk Category I, II and III.”***

In conclusion, when it comes to PPE, the protection of the wearer is a priority and PPE is designed to keep the user safe. Until suitable alternatives are available, we ask for a derogation for all three PPE categories to ensure that the European textile industry can continue to produce PPE.

Clothing specifically designed for armed forces, emergency workers and maintenance of law and order

Apart from the above-mentioned PPE, which is governed by the PPE Regulation, it is also fundamental that a specific derogation is granted to textile products specifically designed for armed forces and the maintenance of law and order and other emergency response workers.

The need for this separate derogation was also supported by SEAC in the PFHxA restriction, where the Committee proposed the exemption with the following wording:

“PPE specifically designed for armed forces and in the maintenance of law and order and protective clothing specifically designed for armed forces and in the maintenance of law and order or other emergency response workers.”

The military and the authorities have a very high demand for protective clothing (e.g., gloves for the military, emergency gear, combat suits and much more) and protective equipment, which means that equipment with C6 chemistry is unavoidable. There are no known equivalent alternatives to C6 that can meet the same technical specifications for protection when handling with liquid hazardous substances, pesticides, fuel, pathogens of infections, NBC warfare agents, etc. The technical specifications are required in the public tenders and are based on the technical performance specifications and the standards of the military and the authorities.

Technical textiles

There are many very specific technical textiles applications ranging from outdoor uses to high-performance membranes in automotive, medical and construction applications. Technical textiles are textile fibres, materials and support materials which meet for example lightness, resistance, reinforcement, filtration, fire-retardancy, conductivity, insulation, flexibility, absorption requirements.

Technical textiles include the following sub-groups:

1. Agrotech: agriculture, forestry, and fishing
2. Buildtech: building and construction
3. Clothtech: functional components of shoes and clothing
4. Geotech: geotextiles and civil engineering
5. Hometech: components of furniture, floor coverings

6. Indutech: filtration and other products used in industry
7. Medtech: hygiene and medical
8. Mobiltech: transport construction, equipment and furnishing
9. Oekotech: environmental protection
10. Packtech: packaging and storage
11. Protech: personal and property protection
12. Sporttech: sports and leisure

The proposal by the Dossier Submitters acknowledges the term technical textiles, but the examples that are given are very limited.

Technical textiles with a fluorine-carbon finish are used in many industries, especially when increased ambient temperatures, reduction of frictional resistance or chemical inertness require it. They are therefore often irreplaceable by alternatives in the wide range of applications due to the requirements. They are used for the efficient and resource-saving manufacture of products, as well as for increasing service life and reliability. Fluorinated chemicals thus make a decisive contribution to the durability and safety of products. They also provide protection against hazardous liquids, radioactive dust, infection/aerosols, fire, UV-radiation, etc.

Finnish Textile & Fashion Association advocates for a general technical textiles' derogation. However, to ensure that textiles, which do not need PFAS finishing would not receive an exemption from the restriction, the following wording is proposed:

“Derogation for technical textiles, according to the definition of the European Economic and Social Committee¹, with one or both following properties:

a) Repellent to liquids with a minimum surface tension of 27.5 (mN/m) according to ISO 14419

b) Oil number 3 or better is required according to a corresponding product standard”

¹ Technical textiles. European Economic and Social Committee. Reference: CCMI/105-EESC-2012-1966, <https://www.eesc.europa.eu/en/our-work/opinions-information-reports/opinions/technical-textiles>

Medical textiles

Although the Dossier Submitters have considered medical devices and medical textiles, the current proposed derogations are very limited. Here, we would like to show support to the SEAC opinion on PFHxA, where the Committee supported the following wording:

Woven, knitted and nonwoven medical textiles as specified in Medical Device Regulation (EU) 2017/745 of the European Parliament and of the Council with a minimum performance requirement of >20 cm hydrostatic head according to EN 13795

It is relevant for surgical fabrics such as surgical drapes and gowns to provide effective barrier characteristics and the ability of the fabric to prevent splashes of fluid and droplets, possibly carrying viable micro-organisms, penetrating the fabric under mechanical pressure. Accepted test method for evaluating barrier characteristics to liquid penetration is EN 13795-1:2019 with a minimum performance requirement of >20 cm hydrostatic head throughout the lifecycle of the medical device.

Alternative products such as silicones, waxes and oils cannot achieve these effects, i.e. the fat-repellent properties. There is a certain rejection, but it is not sufficient to fulfil the necessary functions. There is also a risk that oils or waxes will impede the textile's ability to breathe. Breathable materials are an important contribution to operations.

From our point of view, a derogation for all medical textiles, regardless of their material properties (woven, non-woven and others), is necessary. For example, reusable surgical textiles must be equipped with C6 chemistry so that they meet the standards of the Medical Devices Regulation and the PPE Regulation. This finish ensures the breathability of the textile, thanks to which both the surgeons sweat less, and the patients have better thermoregulation, which is essential for their blood coagulation.

Impact for the recycling industry

It is to be expected that post-consumer waste used for textile recycling may contain PFAS impurities and that the use of fibres from post-consumer recycled materials will then no longer be possible. Here, too, longer transition periods are necessary so that industrial-ready technologies for the elimination of PFAS residues can be developed.

Transitional period and review clauses

As there is a strong need to continue to use PFAS substances in the above-mentioned use cases, we advocate for the **maximum transitional period**.

The list of exemptions should remain open ended. It should be possible to extend the list of exemptions or transition period, if no alternatives, which provide overall comparable or increased safety for the application is found and important value chain might be otherwise lost in the EU.

Also, the conclusions of the SEAC opinion under the PFHxA restriction must be considered, where derogations did not have a time limit. In relation to this, we propose clear review clauses in the restriction to ensure that alternatives would be actively sought out for and until they are readily available, these vital uses will still be granted a derogation.

If there are no suitable alternatives available and the research and development has not advanced enough to have an objective timeline, we propose both gathering further data on the use of PFAS and a clear review clause where the Commission would make further decisions based on new scientific information. That would ensure proper monitoring as well as limiting the use once suitable alternatives have been made available.

Proposed review clause:

“From (entry into force + 36 months), the Commission shall carry out a review on technical textiles and PPE related derogations in the light of new scientific information, including the availability of alternatives for articles benefitting from the derogation and proposing amendments if indicated by the outcome of the review.

If the Commission concludes that there is still need for these derogations this review shall be carried out every three years.”

No test methods available for U-PFAS restriction

For textiles, there is currently no test method that can measure the thousands of PFAS compounds within the U-PFAS restriction scope and provide a reliable test result. The current test methods cover only a few polyfluorinated and perfluorinated substances.

That is why it is difficult to prove that textiles are PFAS-free because there are so many compounds involved. However, a PFAS restriction requires a valid and cost-effective test method that can measure the wide range of PFAS compounds; on the one hand, so that the restriction can be executed and, on the other hand, so that companies can prove their compliance with the restriction.

Support for R&D

The substitution of PFAS is a time-consuming and costly research and development process so that a sufficiently good performance of a textile product can be achieved with an alternative hydrophobic agent. Substitution without R&D funding is currently not possible.