

### **1. Scope / wording and relevant category of the exemption request**

The applicant has requested an exemption for “Cadmium and Lead used for windows and doors, being manufactured out of plastic window profiles containing recovered PVC, in case these windows and doors may be equipped or retrofitted with electric and/or electronic devices”

a. Do you agree with the scope of the exemption as proposed by the applicant?

Answer: Yes as far as the substances lead and cadmium are concerned.

Plastic: there are various types of plastic, but in this case it is about uPVC.

b. Please suggest an alternative wording and explain your proposal, if you do not agree with the proposed exemption wording.

As far as applications are concerned should the scope not be enlarged to “window & door frames and related building products”. With related building products we refer to roller shutters, roller shutter boxes, louvre shutters,..... Roller shutters and louvre shutters are in most cases produced by the same manufacturer as window & door manufacturers and also profiles are extruded by the major window profile producers

### **2. Environmental / health protection / consumer safety considerations**

Do you have any comments with respect to the applicant’s assessment of environmental, health and consumer safety issues?

No comments. We have never been confronted environmental, health or consumer safety issues related to the final products assembled from our profiles.

In the past we used Pb-based stabilisers in our virgin dryblend recipees. No precautionary measures had to be taken during the extrusion, assembling and use phase of our products. At regular moments blood tests were done, but none of them showed any results exceeding locally valid, critical levels. We never used BaCd based stabilisers (to my knowledge this was rather common practice in Germanic countries)

Studies from the EC around 2000 have shown that in the use and end-of-life phase (landfilling) Pb and Cd is not leaching out of the product.

Do you know about possible health effects of Cd/Pb contained in recycled PVC, which are no longer permitted in virgin PVC to protect the health of different actors?

No such cases are known.

Do you have any comments regarding the environmental and health requirements as per the REACH Regulation?

Pb and Cd containing uPVC recyclate is “grey zone” in REACH. It is rather the Waste Frame Directive which is a barrier to reuse Pb and Cd containing uPVC recyclate.

Do you have any comments regarding the applicant's assessment of impacts and benefits?

The derogation will be necessary to implement the circular economy programme to which the EC has committed.

The derogation will maintain uPVC as an affordable material for highly energy efficient windows, doors and shutters.

Would you be able estimating the amount of Cd and Pb in recycled PVC-U profiles of electronic doors and windows which is placed on the market in the EU every year? Please indicate figures if yes.

Cd or Pb content in recycled uPVC profiles from electronic doors and windows will not differ from traditional windows and doors.

Question is if it is a correct approach to look at Cd and Pb content of every single component, rather than evaluating the Pb and Cd content of the final product.

Do you support the applicants conclusion that: *"The use of recycled PVC has a strong positive environmental impact by closing the loop towards a circular economy, by reducing and optimizing the use of fossil based raw materials and by reducing the primary energy demand in the extrusion process and thus aims to achieve low carbon manufacturing"*.

Please argue why or why not. (the text corrections in track changes speak for themselves)

Is it possible to quantify any environmental impact?

We have no hard figures calculated but the use of recycled material has a lower CO2 footprint than the use of virgin material

### **3. Socio-economic impacts of substitution**

Please provide comments regarding the socio-economic impact of substitution as applicable.

Do you support the following statement of the applicant regarding socio-economic benefits of recycled PVC: *“The reuse of PVC waste, however, has a proven socio-economic benefit in particular with regard to decarbonisation, circular economy, competitiveness and raw material availability. For instance, the today’s ratio of around 16% recovered PVC used in PVC profiles reduce primary energy demand by approximately 8% (source: “Environmental Product Declaration for double-glazed PVC Windows, § 6.3 Sensivity concerning the use of recycled PVC (source: <https://epd-online.com/PublishedEpd/Detail/9185>).”*

Can you support this statement with further relevant data?

*We have no evidence that contradicts the above.*

If you don’t agree to this statement, could you provide relevant data?

Please feel invited to provide data regarding the total negative environmental, health and consumer safety impacts caused by substitution, as well as data regarding the total environmental, health and consumer safety benefits of exemption.

### **4. Any comments on potential adverse impacts on innovation in case of granting the exemption?**

*In case of no derogation this will have a major negative impact on the recycling of postconsumer uPVC products, which will then have to be landfilled or incinerated whereas mechanical recycling is the best alternative.*

*In case of no derogation the industry will stop developing innovative materials or products that partly contain recycled content, needed for the circular economy.*

*Innovation is needed to prevent the EU market from being flooded with Pb- or BaCd containing windows, doors and shutters imported from outside the EU (China, Russia, etc.)*