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Stakeholder Consultation on Exemption Review under Directive 2011/65/EU, B-2016

Dear Mrs. Dollhofer,

please find attached our position regarding the exemption review under Directive 2011/65/EU

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"

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

Yes, we support this

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

Not relevant

2. Environmental / health protection / consumer safety considerations

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

In our view, there´s no further comment neccesary

2.2. 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, we don´t know about any health effects when using recycled PVC.

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

We refer to the Cadmium derogation as a similar case.

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

We fully agree with the applicant´s assessment

2.5. 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.

We think the lead content in recyclates intended to be used in PVC windows being around 1% w/w or lower. In specific and single cases this amount can reach around 2% w/w.

2.6. Do you support the applicant's conclusion that:

"The use of recycled PVC has a strong positive environmental impact by closing the loop towards a circular economy, by reducing the use of 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.

We totally agree. The today´s existing controlled loop scheme to collect and to recycle used PVC windows amounts to about 10% all over Europe. It means that new PVC windows contain - as an average - around 10% recycled PVC. As the production of one ton of PVC results in the emission of 2 tons of CO2 equivalents, and, supposing an annual production of 700.000 tons of PVC window profiles in EU, carbon emission of an equivalent of 140.000 tons can be saved every year.

2.7. Is it possible to quantify any environmental impact?

The positive influence of lowering the Global Warming Potential (GWP) by using recyclates has been proven by specific sensitivity analysis in Environmental Product Declarations for PVC windows.

(source: https://epd-online.com/PublishedEpd/Detail/9185)

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)."*

3.1. Can you support this statement with further relevant data?

Corresponding data are mentioned under answer 2.6.

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?

We do not see any adverse impact by granting the exemption.

Kind regards

Wallfried Herzog
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Head of Technology
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