

Brussels, 14 November 2005

Sweden Draft Ban under EU Scrutiny as Unjustified Barrier to Trade

On 8 November 2005, the Swedish Government announced its intention to propose a restriction on the flame retardant Deca-BDE in Sweden limited to textile, furniture and cable applications. This restriction would not include automotive or electrical and electronic equipment applications.

EBFRIP deplores this unilateral initiative by Sweden as it ignores the EU's scientific assessment of Deca-BDE which, after 10 years and the evaluation of some 588 studies, concluded that there were no human or environmental risks posed by the continued use of Deca-BDE. As a result of that risk assessment the European Commission recently exempted Deca-BDE from being further regulated under the RoHS Directive on electric and electronic equipment. The EU risk assessment did not identify any risk from the use of Deca-BDE in the textile, furniture and cable applications targeted by the Swedish proposal. By targeting a highly tested chemical, the Swedish government is encouraging the use of less tested alternatives and in so doing is contradicting the basic principles of the proposed REACH Regulation on chemicals.

Separately, the Swedish government has announced recently that it is planning a study to seek to justify a ban on two other brominated flame retardants, HBCD and TBBPA, on the grounds that EU chemicals policy is moving too slowly. The irony is that it is Sweden itself which is in charge of the EU chemicals assessment of HBCD.

The European Commission will be notified of the Swedish proposal for a partial ban on Deca-BDE so that its legality can be reviewed according to EU internal market rules. Considering the lack of scientific justification for such a proposal, EBFRIP firmly expects that the Swedish proposal will not be allowed by the EU authorities. A similar proposal by Norway was recently the subject of EU objections.

The brominated flame retardant producers and user industries in Europe are committed to reducing emissions of Deca-BDE to the environment and, with the support of EU Authorities, have launched a voluntary programme to do so.