

Brussels, 22 November 2023

Subject: POP nomination of D4, D5, D6

Dear Ms. Jorna,
Dear Ms. Fink-Hooijer,

We, the undersigned associations of silicone monomers and polymers users, together with the silicones industry, would like to raise our strong reservations about the Commission's intention to nominate D4, D5 and D6 as persistent organic pollutants (POPs) under the Stockholm Convention.

Impact on the EU's strategic agenda and key industries

The nomination of D4, D5 and D6 as POPs under the Stockholm Convention would put at risk their intermediate use to produce silicone polymers, as well as many applications of silicone polymers. To put this into perspective, over 98% of global production of D4, D5 and D6 is used to make silicone polymers. Please see Annex A for some of the strategic uses of silicone polymers. You will see that silicone polymers are vital for Europe's strategic autonomy, digitalisation, the Green Deal and climate neutrality, as well as for many of the industries that enable the European economy, such as adhesives and sealants, and the wellbeing of its citizens, including healthcare.

The European Commission's POP nomination proposal puts at risk the over 100,000 applications of silicone polymers, whereas we understand the Commission's objective is to only address direct uses in personal care globally, which is less than 2% of uses. Annex B lists several examples of how the scope of nominations under the Stockholm Convention can expand after a Party submits them. Once a nomination proposal is submitted, we are concerned that the European Commission could not simply withdraw it unilaterally, even if the scope were to expand significantly, for example, if intended exemptions for polymer production were not accepted.

Addressing emissions from cosmetics

The silicones industry is in dialogue with the cosmetics sector on the issue of regulating emissions from the cosmetics and personal care sector beyond the European Union. We are convinced that better alternatives could be identified to address these emissions globally, without threatening the vital use of D4, D5 and D6 in the manufacturing of silicone polymers.

The case for an Impact Assessment

The Commission's Better Regulation guidelines (#Toolbox 7) indicate that an impact assessment can be used (1) when the proposal is likely to lead to significant, economic, environmental ... impacts, ...and (2) the Commission has a choice between alternative policy options (page 42, Toolbox). We strongly believe these conditions are met for a potential POP nomination of D4, D5 and D6. So far, no impact assessment on a potential POP listing has been provided. It is crucial, in our view, that such an impact assessment is carried out prior to a potential nomination by the EU.

We remain at your disposal to answer any questions you may have and would propose to meet with you to discuss this critical issue in more in detail.

Yours sincerely,



On behalf of Silicones Europe and the Silicones Europe Downstream User Forum

Detlef Wischer
Chairman of Silicones Europe

On behalf of the undersigned members of Silicones Europe and the Silicones Europe Downstream User Forum:

- ACEA, the European Automobile Manufacturers' Association
- Afera, the European Adhesive Tape Industry Network
- AmCham EU, the American Chamber of Commerce to the European Union
- BDLI, the German Aerospace Industries Association
- BDSV, the Federation of German Security & Defence Industries
- BEM, the German Federal Association for eMobility
- BVMed, the German Medical Technology Association
- CEPE, the European Council of the Paint, Printing Ink and Artists' Colours Industry
- The CHT Group
- CLEPA, the European Association of Automotive Suppliers
- Cosmetics Europe, the Personal Care Association
- Deutsche Bauchemie, the German Association of Manufacturers of Construction Chemical Products
- The Dow Chemical Company
- DuPont de Nemours, Inc.
- EFCC, the European Federation for Construction Chemicals
- Elkem ASA
- EUCTL, European Chemistry for Textile and Leather
- Europacable, the Voice of Europe's Leading Wire and Cable Manufacturers
- Evonik Industries AG
- FEC, the Federation of the European Cookware and Cutlery Industries
- FEICA, the Association of the European Adhesive & Sealant Industry
- FIM, the French Federation of Mechanic Industries
- FINAT, the European Association for the Self-Adhesive Label Industry
- GdW, the Association of the German Housing Industry
- Momentive Performance Materials, Inc.
- Nucleareurope, the Trade Association for the Nuclear Energy Industry in Europe
- PU Europe, the European Voice of the Polyurethane Insulation Industry
- RadTech Europe, the European Association for Energy Curing Technology
- Shin-Etsu Chemical Co., Ltd.
- Solární, the Czech Solar Association
- Spectaris, the German Industry Association for Optics, Photonics, Analytical and Medical Technologies
- The Symbase Group
- T&D Europe, the Voice of Europe's Grid Technology Providers
- Tegewa, the German Platform of Process and Performance Chemistry
- Wacker Chemie AG
- WDK, the Association of the German Rubber Industry
- ZVEI, the Association of the German Association of the Electrical and Digital Industry

