

ChemSec's position on the REACH restriction on lead in PVC

Allowing this toxic substance goes against the Green Deal.

The European Parliament is about to vote on a resolution on a Commission restriction on **lead (Pb) in PVC**, a chemical that can cause irreversible **neurological damage**, even if the person is only exposed to low doses, and also great harm to the environment. The EU PVC industry has voluntarily phased out the use of lead as a stabilizer since 2015 (in the absence of sufficient legislation) but lead in PVC continues to enter the EU market through imported products.

A restriction is great as it means that imported PVC will have to play by the same rules as “Made in the EU” PVC.

But at the same time, the restriction includes a **derogation for recycled PVC**. So, instead of finally stopping the use of lead in the manufacture of PVC plastic, the proposed restriction will allow for reintroduction of PVC containing lead on the market in great quantities through the recycling route, which totally overturns the good intentions of the restriction.

The **Parliament Resolution on the Green Deal** taken in January with a strong majority, underlines the **importance of developing non-toxic materials cycles and preventing the reintroduction of toxic materials via the recycling route**. This restriction completely contradicts this vision.

Protect business

Today, successful brands and manufacturers have set high circular ambitions. Realising these ambitions means that finding and securing clean (toxic-free) recycled material will be key. They know that accepting material that is unknown, or even known to contain up to 2% lead, is damaging to their brand and therefore a financially unacceptable risk. These companies do not want recycled PVC with lead!

The derogation will make it very difficult for these companies to:

Fulfil their commitments to become circular



Increasingly, companies set ambitious goals to become circular, committing to use certain amounts of sustainable and recycled material. At the same time, these companies also set high standards when it comes to hazardous substances in the material they use. If the presence of lead in recycled PVC makes it impossible for them to find recycled material which fulfils their requirement, this will hamper them in their journey towards true circularity.

Communicate to their supply chain



Setting demands that go beyond legislation is more difficult and costly to set throughout supply chains. Supply chains are increasingly complex and most often include different companies in a multitude of countries, regions and continents. This includes differences in languages and company culture, and it is a well-known fact that legislative requirements are much easier, and more cost efficient, to communicate successfully throughout the complex supply chains.

Ensure that recycled material does not contain lead



The derogation will make it difficult for companies to ensure that their suppliers do not provide them with recycled material that contains lead. If lead contamination in recycled PVC becomes prevailing, companies will have to spend more resources on testing and controls of the supplied recycled material to ensure that it does not contain lead.

Ensure their credibility towards their customers



Allowing for lead in products, intentionally or unintentionally added, will hurt brands and manufacturers. Environmental NGOs, for example, will no doubt increase testing of chemical content in recycled materials. Public campaigns exposing companies to losing brand reputation will have profound consequences on companies.

Recycled PVC will eventually become waste

The ECHA Committees have considered three different routes for dealing with PCV waste containing lead; landfill, incineration or to use it in recycled products. Landfill will be banned 2025 and incineration is not a good alternative. However, the calculations on recycling assume that the recycled product is the end point of destination for this material, when in fact the recycled product too will become waste. PVC cannot be recycled an indefinite amount of times, so eventually, this waste will have to be dealt with some other way. This derogation would indeed prolong the use, but it would also contaminate products and cleaner (more valuable) recycled material in the process.

This does not lead to a sustainable and successful circular economy. The decision process within the Commission must consider these facts when preparing a new proposal.

“Recycled” will no longer be a selling argument

Today, claiming that a product is made from recycled material is a selling argument. If the EU allows for hazardous chemicals in products (to a higher extent than in virgin material), it will eventually make the consumers doubt the safety of recycled products. We already see examples of [toys made from recycled plastic containing brominated flame retardants](#). If these types of findings become regular, consumers will become suspicious of recycled products and this could erode the whole idea of a circular economy.

Allowing for lead in recycled PVC undermines the public trust in recycled products in general and recycled PVC in particular. In light of this, a feature which is particularly problematic with the Commission proposal is that recycled PVC products containing lead should be labelled “recycled PVC”, which indicates that it is a sustainable product.

This proposal related to recycled material is the first in its kind since the Green Deal. The Green Deal specifically supports a toxic-free environment, protecting human health and the environment. The Parliament Resolution on the Green Deal also highlights that toxic chemicals should not be reintroduced on the EU market in consumer products through recycling activities.

Relevant ChemSec publications: [The Missing Piece](#), [Company quotes](#).