

**Swedish Forest Industries position on TRIS notification 2019/520/DK**

The Swedish Forest Industry supports to ban marketing of food contact materials of paper and board where perfluoro and polyfluoroalkyl substances (PFAS) have been used.

The Swedish Forest Industry is very concerned of what the proposed legislation will achieve. The target of the ban is to reduce the risk of Danish consumers' exposure to PFAS. The ban although only concerns paper and board intended for food contact materials, which is a very small part of the consumers daily exposure to products. In addition, this ban is only for one nation. When substances are harmful and banned, it should be equally banned for all sectors. Realistic transition periods could be an alternative if necessary. The Swedish forest industry has phased out PFAS from the materials intended for food contact materials.

The Swedish forest industry urge that **restrictions and ban of chemicals allowed in the internal market should be handled on by EU and not by individual nations**. An example is the initiative in December 2019, when the Netherlands, Denmark, Luxemburg and Sweden informed the Environment Council of the EU the intention of creating an EU PFAS action plan .

<https://data.consilium.europa.eu/doc/document/ST-15039-2019-INIT/en/pdf>

The Swedish forest industry find the proposal of following text formulated in a way opened for interpretation. Depending on the interpretation, the ban can cause different level of playing field for virgin and recycled materials.

*"The Order will however allow the placement on the market of food contact materials made of cardboard and paper where perfluoroalkyl and polyfluoroalkyl substances (PFAS) have been used, for example from inks or reused cardboard and paper, but only if a functional barrier is used in the material to prevent the substances migrating into the food"*

Does the text imply that

- PFAS are allowed to be intentionally used in the recycled paper and printing inks, i.e. by printing recycled paper with ink containing PFAS, and that barriers must be used if this is the case? This interpretation allows PFAS to be added and to contaminate the forest industry's recycling system.
- the use of recovered paper and board as a raw material in paper and board manufacturing is considered as equal to intentional use of PFAS? If such substances are present in the raw material even at trace levels as non-intentionally added contaminants and that barriers must be used if this is the case.  
This interpretation does not differentiate "non intentionally added substances" (NIAS) in recycled paper, i.e. impurities, reaction products or degradation products, and "intentionally added substances" (IAS). This way of handling substances will lead to the need of a functional barrier for all recycled paper. This is not in line with the EU transition to a circular economy where we should simplify the recycling processes.

One way of clarifying the proposed text is to ban marketing products of food contact materials of paper and board where perfluoro and polyfluoroalkyl substances (PFAS) have been intentionally added. Impurities, reaction products and degradation products are not within the scope of intentionally added substances.

The Swedish forest industry urge for standardised and verified methods for analysis of PFAS in order to control and know if there are PFAS in products. The available methods today analyse the total amount of fluorine without regard to the origin of the fluorine. This lack of interpretation and verification causes trade restrictions, especially since fluorine is naturally occurred in the raw material wood therefore also in recycled paper.