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## **APPLiA comment: TRIS notification on French draft Order on the identification of hazardous substances in waste-generating products**

### **Summary**

On 24th of January 2023, France notified a draft Order on the identification of hazardous substances in waste-generating products that aims to establish the list of hazardous substances within the meaning of Article L. 541-9-1 of the Environmental Code whose level of concern is comparable to substances of very high concern and which are not published on the list referred to in Article 59(10) of Regulation (EC) No 1907/2006.

Today, 233 substances are listed in the Candidate list of REACH (Regulation (EC) No 1907/2006) for substitution at European level. This draft Order establishes a "French SVHC list" that would add additional substances whose level of concern is regarded as comparable to the EU-listed SVHC by the French agency for food, environment and occupational health & safety (ANSES) which already listed 2 additional substances.

Please find below APPLiA's comments in response to the TRIS notification 2023/0026/F.

### **APPLiA comment**

APPLiA would not be in favour of a French list of SVHCs that would deviate from the European one. This would undermine the proper functioning of the Single Market in addition to overlapping with the REACH Regulation already well in place in the European Union.

It is important to ensure that the free movement of goods is not distorted by diverging national initiatives that would lead to confusion and additional administrative burden for manufacturers that already fulfill the requirements established under REACH.



Furthermore, a different national requirement that could ask for labelling and reporting information to manufacturers that are operating across the European Union is simply not workable and could create future barriers and uncertainties for suppliers as the French and European lists would not be the same.

Finally, we would like to emphasise on the ongoing development of the European Ecodesign for Sustainable Products Regulation that is already aiming to regulate a wider set of substances with the ambition to harmonise the information requirements rules across Europe. We will, therefore, call on the French authorities to refrain from establishing a French SVHC list that would undermine the harmonisation efforts across the Member States. Duplication and inconsistency should be avoided.

APPLiA - Home Appliance Europe represents home appliance manufacturers from across Europe. By promoting innovative, sustainable policies and solutions for EU homes, APPLiA has helped build the sector into an economic powerhouse, with an annual turnover of EUR 50 billion, investing over EUR 1.4 billion in R&D activities and creating nearly 1 million jobs.

