

## POSITION PAPER

### Draft Belgian Royal Decree prohibiting the export of certain hazardous substances to non-EU countries

The European Council of Vinyl Manufacturers (ECVM) welcomes the opportunity to comment on the Belgian Royal Decree prohibiting the export of certain hazardous substances to non-EU countries, given that the decree may impact, in the future, substances that are used in the production of PVC. ECVM has two main comments, outlined below.

Firstly, given the ambition of the Chemical Strategy for Sustainability and the work currently being done by the European Commission to propose an export ban, it would be preferable to put in place harmonised EU-level rules rather than national ones. Ideally, this decree should be halted until an EU proposal on an export ban is adopted.

Secondly, on the draft Decree itself, we believe intermediate uses should be excluded from the scope.

As it is, the decree seems focused on active substances for plant protection products and biocides only and not on industrial and intermediate uses. Still, we believe this should be stated explicitly, with intermediate uses excluded from the scope (both for Annex 1 and 3). By referring to all chemicals in Schedule I to the PIC Regulation, the draft decree leaves too much room for interpretation.

On-site isolated intermediates and transported isolated intermediates are not subject to authorisation under REACH, as laid down in Article 2.8 (b) of the REACH Regulation, as they are used to manufacture another substance whereby the intermediate is itself transformed into that other substance. We believe the draft decree is not intending to cover intermediates and ask that it be clearly stated.

In conclusion, ECVM believes that harmonised EU regulation on an export ban would be preferable to national laws. However, should the decree go forward, we firmly believe that intermediate uses should be explicitly excluded from the scope.

#### About ECVM

ECVM represents Europe's six leading PVC resin producers, accounting for around 75% of the PVC resin manufactured in Europe. ECVM is a division of Plastics Europe, the trade association representing plastics manufacturers in Europe. A founding member of VinylPlus®, ECVM is committed to sustainable development and addressing and promoting health safety and environmental best practices over the PVC life cycle.