



CHEMTrust

Protecting humans and wildlife
from harmful chemicals

Commissioners Elżbieta Bieńkowska, Karmenu Vella, Vytenis Andriukaitis
and Frans Timmermans
European Commission
DG Internal Market, Industry, Entrepreneurship and SMEs
Communication, Access to Documents and Document Management Unit A1
BREY 07/045
B - 1049 Brussels, Belgium

4th July 2018

Proposed restriction on the ‘four phthalates’ must include use in food contact materials’

Dear Vice-President Timmermans,

Dear Commissioners Bieńkowska, Vella and Andriukaitis,

I am writing to you on behalf of CHEM Trust, an environmental NGO which focuses on chemicals policy, in particular the identification and control of endocrine disrupting chemicals.

The EU is currently close to finalising a REACH Restriction on four phthalate chemicals - DEHP, BBP, DBP, DIBP – all of which are classified as toxic for reproduction class 1B.

CHEM Trust welcomes the fact that the EU is now proposing to restrict these phthalates, but we are very concerned that the proposed restriction excludes the use of these chemicals in food contact materials. This is in spite of the fact that the risk assessment concludes that the majority of exposure to DEHP comes via food, and that a significant portion of the exposure to the other phthalates is via food. Not all this food-based exposure will be due to food contact materials, but DEHP, DBP and BBP are all authorized for use in food contact materials.

The Restriction is being discussed by Member State representatives in REACH Committee next week, which provides an opportunity for the Commission to change its approach.

In CHEM Trust’s view there is no scientific or policy justification for excluding Food Contact Materials from this Restriction. REACH restrictions are permitted to cover FCM uses, and RAC and SEAC state that a restriction is needed due to the risks posed by these chemicals.

It is true that the EU has a separate regulatory system for the regulation of chemicals in food contact materials, but this system is widely acknowledged to be insufficiently protective and

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does not properly regulate chemicals in many food contact materials such as paper, card, inks, glues and coatings¹. CHEM Trust is aware that there are discussions ongoing regarding possible controls on the use of these chemicals in food contact, but we consider that it is more logical, administratively efficient, and likely to be more rapid if these uses are included in the REACH restriction.

These chemicals are proven endocrine disrupters, and RAC and SEAC have decided that they pose risks that need to be controlled through a Restriction. How is it possible to justify a ban on their use in our living rooms when permitting continued use in our kitchen?

The Commission has a responsibility to ensure a high level of protection of human health and the environment, and this should not be jeopardized by split responsibilities around the European Commission, particularly given the ineffectiveness of the system for regulating chemicals in food contact materials.

Please amend the REACH restriction proposal to cover food contact materials

Yours sincerely,



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In view of the public interest in this matter, we intend to make this letter publicly available.

CHEM Trust is a registered charity that works at EU, UK and International levels to protect humans and wildlife from harmful chemicals.

¹ E.g. see <http://www.chemtrust.org/chemicals-packaging-fcm/>