

STATEMENT FOLLOWING ECHA 11TH RECOMMENDATION

Progressing the European Chemicals Agency's (ECHA) recommendation to include lead metal in the REACH Authorisation List would have severe consequences for a broad range of strategically important European industries and applications – including non-ferrous metals manufacturing, lead battery production, automotive, machinery and mechanical engineering industries, the marine sector, aeronautics, space, and defence, healthcare, clean energy – including solar, nuclear and offshore wind – the use of lead in the shielding of ionising radiation, to protect workers, patients, and members of the public, as an alloying agent, and many more for which lead is an essential raw material that does not have any technical or socio-economically viable alternatives.

In many economically and socially important applications the use of lead is not only unavoidable it is essential and extensively regulated. Many products and applications that rely on lead underpin the EU's policy objectives for the twin transitions and for a strategically autonomous, sustainable future.

Lead is a raw material that plays a key role in transportation, electrification, technological diversity, green energy and supply chain security, and to achieving recycling targets. In being sourced predominantly from the recycling of EU waste products it is strategically autonomous and reduces the need to seek critical raw materials from other regions, virtually eliminating any supply chain risks. Lead metallurgy is key to urban mining and the Circular Economy philosophy, and the EU's lead production and recycling technology is world leading. In short, lead plays a significant role in the EU industrial economy.

A move to include lead in the REACH Authorisation List will have the very real effect of stifling innovation and withdrawing investment from those critical EU Industries that still rely on its use.

And for what benefit? The EU already has a comprehensive framework of lead-specific legislation designed to manage risk to human health and the environment. ECHA itself has acknowledged that the minimum requirements to protect worker health appear to be set via the binding limit values for lead, with more stringent values already anticipated under the Carcinogens, Mutagens and Reprotoxic Substances Directive. Moreover, a broad range of product and end-of-life restrictions already strictly regulates the use of lead in automotive vehicles, electronics, consumer goods, and more – uses which represent 90+% of the volume of lead used in the EU.^[1] And data shows that the majority of industrial emissions of lead now result from activities which are NOT in scope of REACH Authorisation.^[2]

REACH Authorisation Listing for lead will simply add unnecessary bureaucratic burden, block investment and is not the best option to improve risk management, stimulate faster substitution, or reduce exposure. It would do little more than create uncertainty which undermines the financial viability of successful European companies. It effectively reduces the productivity and competitiveness of successful EU value chains, potentially opening the door to non-EU competitors that will continue to use lead to manufacture products that still have a societal need.

[1] International Lead Association, First Uses of Lead Metal in the EU.

[2] Arche Consulting Ltd, Pb Emission Inventory for the Environment.

And there are equally unpalatable consequences for the regulator. The complexity of existing value chains means that inclusion of lead metal in REACH Annex XIV would result in an unprecedented number – many thousands – of Applications for Authorisation which would swamp ECHA and its committees, and the Commission’s own REACH Committee and its decision-making process.

Adding lead to the REACH Authorisation List with prior knowledge of these consequences for Industry and regulators makes no sense, especially considering the ongoing review of the REACH regulation that is designed to make it more efficient.

We therefore urge the Commission to reject ECHA’s recommendation, support EU businesses and continue discussions on what could be a more effective and proportionate risk management measure to address any residual concerns with lead exposures.

Statement issued on behalf of the International Lead Association and the Lead REACH Consortium, representing companies in the lead and lead value chain, supported by:

