



EUROPEAN COMMISSION
ENTERPRISE AND INDUSTRY DIRECTORATE-GENERAL
Chemicals, Metals, Forest-based & Textile Industries
Chemicals

Brussels, 16th February 2007
M/402 EN

MANDATE FOR STANDARDISATION

ADDRESSED TO CEN

for

METHODS OF ANALYSIS TO DETECT PERFLUOROCTANE SULPHONATES IN PREPARATIONS, SEMIFINISHED PRODUCTS AND ARTICLES INCLUDING TEXTILE AND COATED MATERIALS.

1. MOTIVATION.

This mandate falls within the scope of European legislation in particular on Directive 76/769/EEC of the Council of 27 July 1976 on the approximation of the laws, regulations and administrative provisions of the Member States relating to restrictions on the marketing and use of certain dangerous substances and preparations including the successive amendments and technical adoption progress.

Directive 76/769/EEC aims to ensure the free circulation of goods on the Internal Market whilst ensuring a high level of protection of human health and the environment.

On December 2005 the Commission published in the Official Journal a proposal for a Directive regarding restrictions on marketing and use of Perfluorooctane sulphonates hereafter PFOS. PFOS comprise a number of substances which are persistent, bioaccumulative and toxic in mammals, in aquatic organisms and other species.

The European Parliament concluded the first reading of the proposal on 25th October with the adoption of an amended text which was a compromise package with the Council. The Council will adopt the final text on 11th December confirming the first reading adoption under the co-decision legislative procedure.

The agreed text imposes certain limit values of PFOS in preparations, semifinished products and articles above which the marketing and use of PFOS will no longer be possible, except for a limited number of exemptions.

In order to monitor compliance of preparations, semi-finished products and articles with these limit values, it is necessary to dispose of the harmonised and validated relevant methods of analysis that can be used by authorities and industry. As now such methods are not currently available, the Commission has committed itself during the co-decision process to issue a mandate to the European Committee for Standardisation (CEN).

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The mandate will in particular seek to create analytical standard methods that will allow to determine whether the limit values of PFOS laid down in the Directive are met or not.

Reference methods would be fixed for determining the content of PFOS in preparations, semifinished products and articles, including textile and coated materials. The establishment of standardised reference methods is of utmost importance to guarantee a uniform application and control of Community legislation in all Member States. Standardised and validated reference methods are an indispensable element in guaranteeing a high level of chemicals safety, and are the references against which other methods can be validated.

2. DESCRIPTION OF THE MANDATED WORK.

The Commission mandates the CEN to produce standards of methods of analysis for the determination of the content of PFOS in preparations as well as in semi-finished products and articles and to ensure that those methods have been validated in order to determine whether the limit values required by the legislation are met or not. These are in particular: 0.005% by mass for PFOS placed on the market or used as a substance or constituent of preparations; 0.1% by mass if PFOS is placed on the market in semi-finished products or articles or parts thereof calculated with reference to the mass of structurally or microstructurally distinct parts that contain PFOS; 1 microgram/m² of the coated material for PFOS in textiles or other coated materials.

3. BODIES TO BE ASSOCIATED

The development of the standards and their validation should be undertaken in co-operation with the Institute for Reference materials and measurements of the EU Commission- DG Joint Research Centre and other stakeholders from industry, universities, authorities, etc. The representatives of industry for the following sector applications such as photographic, photoresists, electroplating, hydraulic fluids for aviation will be invited to take part in the mandated work.

The European apparel and textile organization (EURATEX) and the European consumer's organization (BEUC) may be invited for consultation.

Co-operation with organisations such as ANEC¹, ECOS², NORMAPME³ and ETUI-REHS⁴ should be ensured where relevant.

4. EXECUTION OF THE REQUEST

4.1 CEN will provide the Commission with a detailed work programme and a timetable for the adoption of the standards needed within 3 months of the acceptance of the

1 European Association for the Co-ordination of Consumer Representation in Standardisation

2 European Environmental Citizens Organisations for Standardisation

3 European Office of Crafts, Trades and Small and Medium- Sized Enterprises for Standardisation

4 European Trade Union Institute - Research, Education, Health and Safety

mandate. The European standards will have to be adopted by the dates in the work programme, but in any case no longer than 2 years from submission of the work programme. On these dates, the three linguistic versions (DE, EN, FR) must be available as well as the correct titles in the other official Community languages.

- 4.2 The CEN will keep the Commission informed at least once a year following the submission of the work programme, of the measures taken to execute this mandate and of any difficulties which arise in the process.
- 4.3 Collaborative studies performed in connection with validation are considered an integrated part of the mandate.
- 4.4 The standstill period referred to in Article 7 of Directive 98/34/EC (OJ L 217, 5.8.1998 p.18) shall commence when CEN accepts this standardisation mandate.