

## **EFCC Position Paper on the ECHA proposal for a Reach Restriction on Formaldehyde and Formaldehyde releasers**

The release of Formaldehyde from Construction Products including Construction Chemicals Products is formally covered by the EU Regulation 305/2011 (CPR) under Basic Requirements of Construction Works 3 related to “Hygiene, Health and the Environment”. Thereby, essential characteristics like release of Formaldehyde and other dangerous substances are part of the Declaration of Performance, once threshold values have been set through delegated acts.

Moreover, there is no concern for common Construction Products to comply with the proposed emission limit value of 0.124 mg/m<sup>3</sup>. Usually, any potential formaldehyde emissions from Construction Chemicals Products are significantly lower.

Therefore, the application of a further parallel Restriction under REACH for Construction Chemicals Products would be an unnecessary regulatory overlap. Just confirming such a well-known case by requiring double testing would result in useless efforts and additional waste of resources.

The proposed reference test method EN 717-1 is a chamber test method specifically addressed to test wood-based construction products. It is based on a chamber test method for determining formaldehyde emission from panels in a steady state concentration under well-defined conditions. But this standard is not suitable for measuring Formaldehyde emissions from other Construction products such as Construction Chemicals Products (key specifications like loading factors, products sampling, preparation of test specimens are missing).

As far as the release of dangerous substances from Construction products, including Formaldehyde, CEN/TC 351 has developed the standard EN 16516 which looks like the best testing method for the assessment of Formaldehyde releases from Construction products. It has to be considered that EN 16516 is a horizontal test method which needs product-specific adaptation.

Keeping in mind what above mentioned, namely 1) Reach is not the appropriate legal framework; 2) Construction Chemical products show no or very low Formaldehyde emissions and 3) The proposed test method is not suitable for Construction Chemical products, we therefore propose:

- To limit the scope of the proposed restriction and to exclude Construction Chemical products
- In case the scope of the restriction shouldn't be limited, the restriction should be implemented under CPR, thus avoiding overlap / potential double testing

- Whenever measuring Formaldehyde emission from Construction Chemical Products would be requested, appropriate test method should be selected (EN 16516 as a basis)