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FEAD Feedback on Commission Delegated Regulation draft on persistent organic pollutant hexabromocyclododecane (HBCDD)

FEAD, the European Federation for Waste Management and Environmental Services, representing the private waste and resource management industry across Europe **welcomes** the Commission's Delegated Regulation draft on the persistent organic pollutant hexabromocyclododecane (HBCDD).

Hexabromocyclododecane belongs to a group of brominated flame retardants whose use is not currently permitted except for HBCDD in EPS articles already in buildings before February 2018 and HBCDD in XPS articles already in use in buildings before June 2016.

It has been mostly used in polystyrene insulation materials (EPS) and extruded polystyrene (XPS), in textiles, packaging materials (EPS), such as back-coatings of curtains and upholstery fabrics or in plastic housings¹ or high-impact polystyrene (HIPS) for electrical and electronic applications. HBCDD also occurs in recycled plastics and plastic products in concentrations from a few mg/kg up to more than one thousand mg/kg.

FEAD totally understands and **supports** the Commission's concern about the undesirable presence of the restricted brominated flame retardants in children's toys, food contact articles and polystyrene packaging in new applications of recycled polymeric material.

Therefore, **we welcome both measures proposed** and amending Part A of Annex I of the POPs Regulation, firstly on the general Unintentional Trace Contaminant (UTC) value lowered from 100 mg/kg to 75 mg/kg and secondly on maintaining the value of recycled polystyrene at 100 mg/kg in the production of EPS and XPS insulation material for use in buildings or civil engineering works which will be subjected to revision by 1 January 2026.

We believe that taking into account the use of recycled polystyrene in EPS and XPS is useful to let our sector gradually adapt to the proposed limits. Our sector handles materials that might contain legacy substances and the most cost-effective way to get rid of those substances is to phase them out as soon as possible. In the meantime, we need visibility and predictability to choose the best treatment option and ensure safe material loops in accordance with regulatory thresholds.

It is, therefore, important to maintain this approach: future revisions should strike the right balance between fostering a more circular economy and protecting human health.

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¹https://www.umweltbundesamt.de/sites/default/files/medien/421/publikationen/faq_hbcd_en_17.pdf