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# **PFCA PROJECT**

## **Results, experiences and challenges**

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# The PFCA Project

- Forums\* pilot project on enforcement of restrictions of PFCAs and related substances focusing on cosmetic products
- On the initiative of KemI, based on the tips received
- Main aim of the project
  - -Enforcement of the legal requirements by setting a harmonized approach and establishing common enforcement methods for checking such obligations
  - Reduce impacts on the environment by the identification of non-compliant products and the adoption of the enforcement measures aiming at risk reduction

\*The Forum for Exchange of Information on Enforcement (Forum) is an ECHA body that coordinates a network of authorities responsible for the enforcement of the REACH, CLP, and PIC, POP and Biocidal Product regulations in the EU, Norway, Iceland and Liechtenstein.



## The PFCA- Project Contd.

- Planning phase of the project started from march - oct 2023
- The operational phase from Nov 2023-april 2024
- Last date for reporting of the inspections was 20/5
- Reporting phase 1-31 May 2024 and June-Oct 2024- analysis and report
- 13 countries participated

# The legal requirements controlled

- Restrictions of Perfluorooctanoic acid (PFOA), its salts and PFOA-related compounds as per the POPs- regulation (Article 3.1 and Annex I) came into force 4 July 2020
- Restrictions of PFCA (Perfluorocarboxylic acids) according to the article 67 and entry 68 in the Annex XII to the REACH-regulation, came into force 25 February 2023
- Controlled, as per the Forum Manual, also two siloxanes- (Octamethylcyclotetrasiloxane, D4 and Decamethylcyclopentasiloxane, D5) which are restricted according to the entry 70 in the REACH-regulation

# The concentration limits for the PFOA restriction in the POPs Regulation (Article 4 and annex 1)

<b>Substance</b>	<b>Limit value for unintentional trace contaminant (UTC)</b>
Perfluorooctanoic acid (PFOA) and its salts	0,025 mg/kg (0,0000025 % by weight) where they are present in substances, mixtures, or articles.
Any individual PFOA-related compound or a combination of PFOA-related compounds	1 mg/kg (0,0001 % by weight) where they are present in substances, mixtures, or articles.

# The relevant concentration limits for the PFCA restriction (entry 68 of Annex XVII to REACH)

<b>Substance</b>	<b>Limit value</b>
C9-C14 PFCAs and their salts	25 ppb for the sum of C9-C14 PFCAs and their salts where they are present in substances, mixtures or articles.
C9-C14 PFCA-related substances	260 ppb for the sum of C9-C14 PFCA-related substances where they are present in substances, mixtures or articles.

## The relevant concentration limits for the PFCA restriction (entry 70 of Annex XVII to REACH)

<b>Substance</b>	<b>Limit value</b>
Octamethylcyclotetrasiloxane (D4) and Decamethylcyclopentasiloxane (D5)	0,1 % by weight of either substance in wash-off cosmetic products

# Our method of checking of the cosmetic products



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Checked products on different online stores, marketplaces and cosmetic shops in central Stockholm

Checked for five substances (PFAS) with their INCI names according to the project manual

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One product bought per restricted substance from the online stores/shops for each company

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Checked the ingredients lists on the package of the products bought and took pictures

# Enforcement actions



- Written inspection notice as our first step
  - Most of the companies respond to the written letter and removed the products from the website immediately.
  - Some companies didn't answer to our inspection notice.
- Administrative order- ban on selling of products which contained Perfluorononyl dimethicone
- Criminal complaints- products containing Perfluorononyl dimethicone and products containing D5

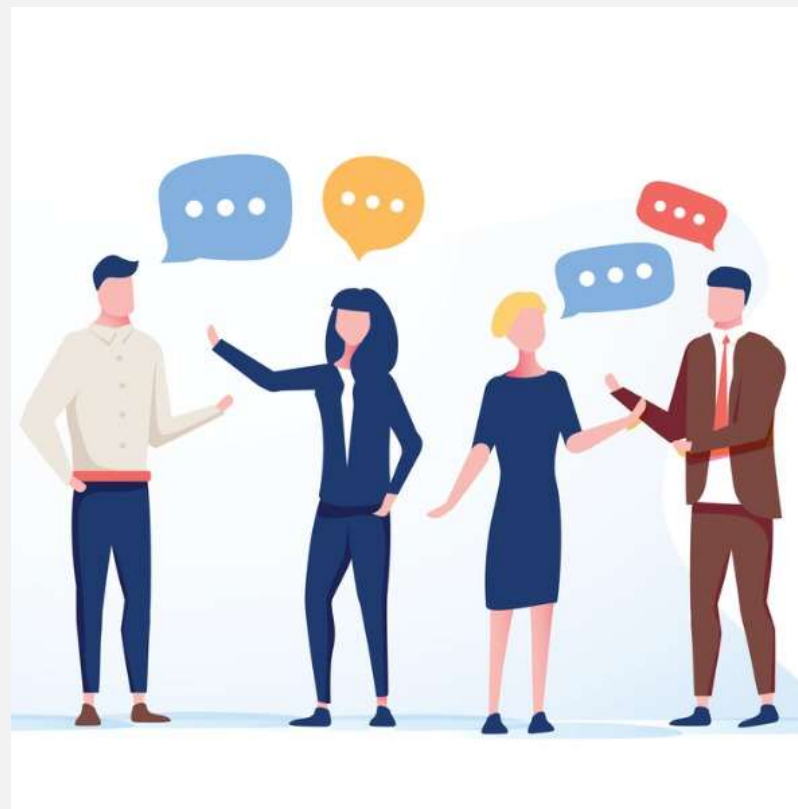
# Results of the project

- About 672 products checked and 47 companies
- 46 enforcement cases started - 9 cosmetic shops, 34 online stores and 4 marketplaces
- 172 non-compliant products (26%) and 32 companies (68%)
- 77 non-compliant products – Restrictions of PFOA in the POPs regulation and restrictions of PFCA in the Reach regulation
- 95 non-compliant products- restrictions of siloxanes (D4 & D5) in the Reach- regulation
- 1 administrative order
- 15 criminal complaints (those cases products have been bought in and the substance present on the ingredients lists)



# Experiences & Challenges

- Forums project manual was very helpful and our own inspection guide
- Checking of products in two steps
- Controlled the non-compliant products on different web shops-efficient
- Often ingredients lists available on the online shops not updated
- Help needed from the PFAS experts at Kemi
- Very good project for introducing new inspectors



## Experiences & Challenges Contd.

- ❖ No access to the cosmetic database as we wished.
- ❖ Different definitions for placing on the market in Cosmetic regulation and Reach- & POPs regulations
- ❖ Better to explain to the companies in the inspection notice that the restrictions apply for companies in the whole supply chain, no exceptions for distributors
- ❖ Some companies found it difficult to get an answer from their suppliers, so the companies decided to take away the products

## Experiences & Challenges Contd.

- ❖ A few companies argued that the non-compliant products were placed on the market before the restrictions entered into force and could still be sold
- ❖ Reporting EU-survey – checks per company/store and every non-complaint product
- ❖ Great interest from the medias- because of non-compliant products distributed of famous companies
- ❖ Follow-up project- Analysis of cosmetic products to confirm the concentration of the substance-a future project

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# Thank you!