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BeST contribution to call for evidence on new product priorities for Ecodesign for Sustainable Products

Introduction

In the frame of the Ecodesign for Sustainable Products Regulation (ESPR), the European Commission has launched a call for evidence on the new category products to be targeted with priority as well as on a set of identified horizontal measures.

BeST's comments

Considering the above, BeST submits the following observations:

- **Conducting socio-economic impact assessments**

The end-use and intermediary products identified by the European Commission in the frame of the tentative list of products to target under the ESPR is extensive and would impact several industrial sectors in the EU. It is, therefore, important that a socio-economic impact assessment is conducted to determine benefits and drawbacks of the proposed measures.

- **Understanding the link between raw materials and the durability of products**

When introducing regulatory measures impacting the use of raw materials in specific product categories, a clear understanding of the properties of these materials and their contribution to the performance and durability of the products that contain them is of vital importance. Indeed, in absence of this, regulatory measures will produce unintended and regrettable consequences with potential substitution of safe materials with less-performing materials and higher negative impact on the environment and human health. As an example, the addition of 2% maximum of beryllium in copper considerably increases the performance and durability of copper as conductive material in electrical and electronic equipment (EEE) essential for transportation and communication means, as well as in safety applications and in medical devices.

- **Risk instead of hazard**

The ESPR specifically targets substances of concern based solely on their hazard classification. While many raw materials have hazard classifications, their unique and unmatched properties make them the best suited materials to achieve the desired performance and longevity of products. When considering regulatory measures applicable to these materials, a risk-based approach is the efficient streaming tool to use where both hazard and exposure are considered: Risk = Hazard x Exposure. On the contrary, the use of a hazard-based approach would jeopardise the performance of the products by promoting the phasing out of materials that are used safely based solely on their hazard classification.

- **Avoiding a 'one-size fits all' approach**

Ecodesign measures on recyclability and post-consumer recycled content cannot be applied to all commodities and/or products indistinctively. Indeed, these need to be tailored to the specific characteristics of the commodity targeted to achieve the desired impact and avoid unintended and regrettable consequences. In the case of beryllium, where very small amounts of the material are present in end-applications, recovering and recycling actions are not technically nor economically feasible. On the other hand, beryllium added at very low contents has a key role in allowing the recycling of other raw materials like magnesium-containing alloys.

- **Supporting industry**

The regulatory frameworks put in place should avoid needlessly overburdening industry. Non-regulatory measures should therefore be preferred. Only when this is not possible, regulatory measures that are consistent and coordinated should be implemented.

Conclusions

BeST encourages EU policymakers to coordinate and develop regulatory and non-regulatory frameworks able to support EU societal-wellbeing and industry competitiveness.

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Beryllium Science & Technology Association

About BeST

The Beryllium Science and Technology Association (BeST) represents the manufacturers, suppliers and users of beryllium metal, beryllium containing alloys and beryllium oxide ceramics in the EU market. BeST has the objective of promoting sound policies, regulations, science and actions related to the safe use of beryllium and to serve as an expert resource for the international community on the benefits and criticality of beryllium applications. It is also the objective of BeST to promote good practices in the workplace to protect workers handling beryllium containing materials.

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