

Position Paper

Coatings need preservatives

Preservatives are becoming increasingly unavailable for paints

- The European paint, printing ink and artist colours' industry and millions of coated products are facing a significant challenge over the future availability of preservatives.
- Waterborne coatings need preservatives to prevent the growth of microorganisms in the paint can and on the end products.
- Without preservatives, there will be an increase in wasted product and a need for more frequent repainting. This directly contradicts the EU's green and circular ambitions.
- Today, only a handful of preservatives remain for industry and the situation is expected to deteriorate further.

Why are preservatives disappearing from the market?

- A critical part is the implementation of the EU Biocidal Product Regulation (BPR), which is the mechanism that regulates preservatives.
- Since the BPR entered into force, a very complex system has developed and as a consequence, manufacturers of preservatives rarely bring new preservatives to the market.
- At the same time, there is a safety review mechanism that is reducing the number of existing preservatives that can be used.
- The second key issue is that packaging and labelling legislation also contributes to the reduction of available preservatives.
- When substances receive a harmonised classification (CLH process of the CLP Regulation), specific concentration limits can be set. These limit values can result in a ban for the use in consumer products, such as paints.
- Together the BPR and CLP regulation can eliminate all options to effectively preserve our products in the next few years.

Are preserved paints and varnishes safe?

- Preserved waterborne paints are safe when used as prescribed by the supplier.

Are there alternative products available?

- Under the current BPR process, there have been very few new preservatives and we do not see suitable products under development.
- For specific applications (for example matt indoor paint), certain paints have become available without preservatives.
- However, these are not without drawbacks. These paints require extra care due to their high pH-levels and have to be manufactured in a very costly, hygienic setting and are not transferable to general applications.

What can be done?

Short-term suggestions:

- **Shift to a broader impact assessment for every substance evaluated under the BPR Safety Review Programme**
All remaining alternatives should undergo a joint impact assessment. If the impact assessment discovers no available alternatives, the continued use should be allowed.
- **Risk management measures need to be based on an overall risk assessment instead of a simple alignment with the CLH process.**
The CLH process uses intrinsic hazards, such as skin sensitizing properties, to define concentration limits and require the use of warning labels. However, this does not constitute a safety limit addressing an identified risk. In contrast, the BPR requires an evaluation based on an overall risk assessment and therefore should not be simply aligned with the hazard classification limit of the CLH. Instead, a proper risk assessment needs to be performed to identify appropriate risk management measures.
- **Allow risk assessment at the product authorisation stage**
When risk assessment is conducted at product level, the assessment takes a holistic view on the product which is most appropriate. It also prevents artificial limitation as when applied at the earlier substance approval.

Long-term suggestions:

- **Make the BPR fit for purpose**
Reports¹ have already demonstrated the need to revise the BPR. They highlight a systemic lack of resources in the Member States, a significant delay in the Safety Review Programme & very limited innovation on new active substances.
- An in-depth evaluation of the BPR is scheduled for 2025 which can be the basis for further action. Given the apparent shortcomings, the preparation for the BPR revision should start as soon as possible in order to bring the review forward.
- The BPR processes should be independently reviewed by experts in the Fit for Future Platform that helps the EU Commission to simplify EU laws and to reduce related unnecessary costs.

Coatings have intrinsic sustainability credentials since they protect and extend the lifetime of surfaces and products. In addition, the coatings industry has a long-standing commitment towards sustainability. One of the most significant developments these last years is the shift from solvent borne to water borne coatings. This shift is positive but is only made possible by introducing or increasing the levels of preservatives contained in the coatings: the offset from an environmental perspective remains however positive.

We call on the European Commission, the European Chemicals Agency and the Member States to take the necessary steps to ensure the continued availability

¹ (COM(2021) 287 final)

of preservatives for paints, printing inks and artist colours. We strongly believe that if the experts from the different authorities work together on this issue, a solution can be found that ensures a high level of consumer and environmental protection while maintaining efficient preservation. We welcome any cooperation and will provide further information on demand.