



Dr. Sharon McGuinness
Executive Director
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Subject: Request to Reconsider European Union proposal to list Octamethylcyclotetrasiloxane (D4), Decamethylcyclopentasiloxane (D5) and Dodecamethylcyclohexasiloxane (D6) in Annex B to the Stockholm Convention on Persistent Organic Pollutants

August 10, 2023

Dear Dr. McGuinness,

The U.S. Chamber of Commerce appreciates this opportunity to comment on the European Commission's proposition to nominate D4, D5, and D6 as Persistent Organic Pollutants (POPs) under the Stockholm Convention. As the world's largest business federation, we represent an extensive network including state and local chambers and small businesses, to leading industry associations and major corporations, including those with international headquarters.

As business leaders supporting sustainable growth, we agree with the Commission's commitment to environmental protection and responsible chemical use. At the same time, D4, D5 and D6 are essential inputs to a wide range of supply chains – including medical devices, automotive, semiconductors, consumer products, and a wide range of other industries. Their inclusion under the Stockholm Convention could hinder the manufacture, use, and trade of silicone polymers – chemistries of low concern and pivotal components in numerous supply chains. In the automotive sector, for example, they provide heat resistance and chemical stability vital for engine seals, electric vehicle power units, and lithium-ion batteries, among other components. They significantly contribute to reducing CO2 emissions and enhancing safety standards. The potential listing of D4, D5, and D6 in the Convention would significantly limit these beneficial uses.

There are similar challenges to other critical industries. For buildings, silicones are critical in achieving energy efficiency performance and breathability of glass facades. In solar PVs, silicones protect back electronics (potting gels) and micro-invertors, as well as play a key role in the assembly and mounting of modules. Silicone is also a critical element for necessary applications to extend the life of older panels when their back sheets are damaged.

The proposal to nominate D4, D5, and D6 runs counter to EU and U.S. endeavors to foster resilient and sustainable supply chains, protect human health and the environment, and preserve



manufacturing competitiveness. Lack of access to these materials may significantly impact production and undermine economic growth in the EU and globally, without achieving the desired environmental results.

We have reservations about the soundness of POPRC and COP science-based discussions concerning this nomination. We question the credibility of the non-peer-reviewed long-distance transport assessment referenced in the Annex and recommend waiting for peer-reviewed data from ongoing Antarctic observations before making any definitive decisions.

If D4, D5, and D6 are integrated as POPs, it could disrupt global trade, production, and accessibility of silicones, adversely affecting European green value chains. We urge the European Commission to withdraw its proposal pending a comprehensive legal, socio-economic, and scientific evaluation. Even a nomination under Annex B (restriction) could lead to D4, D5, and D6 being listed under the Convention's Annex A (prohibition).

We welcome the opportunity to engage the Commission in further dialogue to ensure the rationale for the proposed designation of D4, D5, and D6 as POPs under the Stockholm Convention is grounded in sound science. Thank you for your consideration of our views.

Sincerely,

Marjorie Chorlins
Senior Vice President, Europe
U.S. Chamber of Commerce