

Polyester Powder Resins Manufacturers views on regulation on synthetic polymer microparticles

Executive Summary

Polyesters of manufacture of Powder Coatings fall within the scope of the EU Regulation 2023/2055 on synthetic polymer microparticles but are exempt from restrictions. The exemption applies because these resins are only used at industrial sites and are permanently modified during use.

Key Points:

- Powder polyester resins are derogated (exempt) – no market restrictions apply
- Resin producers will communicate the generic identity of the polymer contained and instructions for use and disposal on e.g. the Safety Data Sheets
- Resin Producers will report estimated losses to authorities as required

On September 25, 2023 the European Commission published Regulation (EC) No 2023/2055 amending Annex XVII to Regulation (EC) No. 1907/2006 of the European Parliament and of the Council concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH) as regards synthetic polymer microparticles. **Polyester Powder Resins Manufacturers (PPRM), a sector group of Cefic, considers all polyester resins for the manufacture of powder coatings to be within the scope of the amended regulation, but derogated by Articles §4a and §5b.**

The issue

According to the regulation, synthetic polymer microparticles are polymers that are solid, and which fulfil both of the following conditions:

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- (a) are contained in particles and constitute at least 1 % by weight of those particles, or build a continuous surface coating on particles.
- (b) At least 1% by weight of the particles referred to in point (a) fulfil either of the following conditions :
 - All dimensions of the particles are equal to or less than 5mm
 - The length of the particles is equal to or less than 15mm and their length to diameter ratio is greater than 3

Polyester polymers contained in powder resins are solid and consist of particles with a least one dimension between 0.1 µm and 5 mm. In light of the above-definition and definitions in § 1, § 2b and § 3 in the Annex of the regulation, we can conclude that all polyester resins for manufacture of Powder Coatings are in scope of the regulation 2023/2055/EC, and can be regarded as synthetic polymer microparticles.

However, restriction on placing on the market is derogated by articles of Annex XVII:

- (§4a) since the **polyesters for manufacture of Powder Coatings are only supplied for use at industrial sites** (and not to professional and consumer users.)
and
- (§5b) as the **polyesters for manufacture of Powder Coatings are molten and permanently modified during intended use.**

Polyester powder resins are manufactured in a dedicated and controlled area, isolated from the surrounding environment to avoid any contamination.

Commitments

1. Although derogated, because our products fall in the scope of (EC) No 2023/2055, we will execute actions needed for annual reporting requirements, wherever applicable.
2. We will communicate the identity of the polymer contained and instructions for use and disposal on e.g. the Safety Data Sheets.

3. PPRM Members are committed to take appropriate measures in order to comply with the required obligations.

For more information, please contact:

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About Cefic:

Cefic, the European Chemical Industry Council, founded in 1972, is the forum of large, medium and small chemical companies across Europe, which provide 1.2 million jobs and account for 14% of world chemicals production.