

General Court Ruling on the identification of BPA as endocrine disruptor for the environment

PlasticsEurope statement on decision to appeal BPA judgment

In 2018, PlasticsEurope filed a legal action against the decision of the European Chemicals Agency (ECHA) to identify bisphenol A (BPA) as a substance of very high concern (SVHC) on account of it being an alleged endocrine disruptor for the environment (Case T-207/18). The case was dismissed by the General Court on 16 December 2020.

In its judgment, the General Court set several precedents which, if not reversed, may unduly affect the European plastics industry and its value chains. PlasticsEurope considers that the judgement is legally flawed and based on a misrepresentation of the evidence.

PlasticsEurope is concerned that as a result of this precedent, substances risk being regulated based on unreliable data and an incomplete assessment of the available dataset under REACH. If upheld, the judgment would undermine the principle of scientific excellence which underpins the EU's highly successful regulatory model, and severely affects the entire European plastics value chains by placing our industries in a situation of continuous uncertainty. This will hamper ongoing investments and solutions and the capacity of the industry to deliver on its commitment to safe and circular plastics.

For these reasons, and as the representative of the European plastics industry, PlasticsEurope has decided to appeal the judgment on this exemplary BPA case in accordance with European law and the principle of scientific excellence.

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About PlasticsEurope

PlasticsEurope is the pan-European association of plastics manufacturers with offices in major cities capital of Europe. For over 100 years, science and innovation has been the DNA that cuts across our industry. With close to 100 members producing over 90% of all polymers across Europe, we are the catalyst for the industry with a responsibility to communicate transparently with other stakeholders and deliver solutions which are safe, circular and sustainable. We are committed to implementing long-lasting positive change.

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