Dear ECHA,

As requested by you, a response to your proposal from the Stichting Gezond Water (Healthy Water Foundation SGW). This will not surprise you, because all the information from this response has already been emailed / telephoned to your employees and / or introduced via a CfE or in the round table conference on November 18, 2020.

**I Inability to assess on which positions / opinions of ECHA are based.**

In the proposal, positions are frequently taken by ECHA, indicating which Call for Evidence (CfE) they are based on. Usually only the number of this CfE is indicated, occasionally also the name of the submitting organization. SGW has asked about the content of the CfE but they are not made available. This makes it impossible for anybody to respond substantively to the positions adopted by ECHA. That is not transparent. In addition, all information about CfE / comments indicates that contributors should be aware of the risks of the contribution, such as publicity. In view of the above, SGW requests ECHA to adjust the restriction proposal in this regard. For example, by placing a list of submitters with (reference to) the content, such as for the scientific sources, or by removing all CfE and the statements based on those CfE from the proposal.

In addition, ECHA did not use the input from the CfE, the most obvious example of which is the specific information requested by ECHA on alternatives to fish lead (Annex p. 521). In at least three CfE reference is made to specific alternatives based on iron and water-degradable biopolymer. However, nowhere in the proposal, nor in the market research carried out by ECHA, alternatives based on it are mentioned. Iron alternatives are also not included in the proposal. Since, as indicated above, the content of the inserted CfE is not accessible, even if specifically requested, it is not possible to judge whether this is more often relevant. Such a working method is not appropriate for a public body, neither towards the contributors of the CfE nor towards the person who is asked to respond to the proposal. All the more so since ECHA indicates that it collects further and up-to-date information on use in the CfE (explanation 178 Annex p. 521). In 3.i -vi, ECHA discusses the desired information about the alternatives which is sought with the CfE.

SGW cannot speak on behalf of others, but the Dossier Submitter has in any case not approached SGW for an explanation of the CfE entered. The secretary of SGW did, however, frequently communicate with ECHA staff by email and telephone about fishing leads and alternatives in the Netherlands. A lot of additional information has also been sent and provided in this.

**II Not involving stakeholders.**

ECHA was asked which stakeholders are involved in this proposal. This cannot be deduced, or not fully, from the present proposal. For example, the largest producer of alternatives to fish lead in the Netherlands, Loodvrijvissen/Modified Materials, cannot be found in the proposal. But the VLIZ report mentioned several times goes into the suitability of these weights in detail. This while other alternative weights are mentioned such as Pallatrax Stonzes and UFO. There is also the impression that only parties directly associated with lead, such as sport fishing organizations and producers, have been approached, but not organizations involved in environmental and / or animal protection such as Green Peace (pers. communication Will McCallum Greenpeac 30 april 2021) , environmental or bird protection organizations, etc.

**III Replacement of lead with alternatives.**

As is known, lead is a Substance of Very High Concern and reprotoxic category 1a (Annex p. 427). This means that its use can only be allowed if there are no alternatives and then under strict conditions (National ZZS policy in the Netherlands.) This proposal does not address the prevention of unnecessary use and loss of ZZS lead, as the use of fish lead is allowed for at least 3 or even 5 years, while it is also indicated that weights of lead can be replaced by already available, obtainable and economically and technically feasible alternatives (eg XV p. 217.) The additional cost for an angler with completely lead-free fishing is, according to ECHA, only 3% (30 euros) of the annual budget (eg XV p. 299, 308 .)

The proposal discusses the (in) suitability of alternatives (including XV p. 309, Annex p. 462.) ECHA can give a possible advice on waste materials as an alternative and discusses the unsuitability of non-lead zinc alternatives, tin or copper, although the assignment for this proposal is lead. Astonishing for SGW is that in alloys and sinterings, for example, the use of carcinogenic material such as nickel, or copper, or tin or zinc. High density polymers (made of polypropylene, polyethylene, polyamide?) are also described as alternatives to fish lead. This is an unsuitable substitute (even though it may be less harmful than the use of lead.) Because ECHA indicates that accumulation and contamination occurs in all fish, attention to the composition of alternative weights is necessary (eg XV p. 293.). After all, the alternatives of stone, water-degradable biopolymer with iron and full iron weights, which are now also known to ECHA, are all good alternatives to lead, which do not contain any water-hazardous or toxic substances for humans and animals. It is surprising that ECHA has not included in the proposal the alternatives of iron and PHA suggested by several CfE and to employees (among other things Annex p. 258, Appendix D.4.2.1.) Therefore, SGW requests ECHA to be included in the proposal that metals and other substances may only be used in alternatives for fishing weights that cannot harm humans, the environment, birds and / or (aquatic) organisms. Only iron remains of the metals, and of the plastics only water-degradable (bio) polymers.

SGW wonders why ECHA has not mentioned the ban on the use of stainless steel in America and in Belgium for sport fishing (Annex p. 259.)

Due to the lack of demand from end users, the unwillingness of lead producers to develop alternatives, and the lack of will on the part of the retailer to offer alternatives (e.g. XV p. 319), the availability of alternatives is limited. All parties involved in fishing lead, including sport fishing organizations and government, place responsibility for fishing lead with others, but do not take responsibility themselves. All this inhibits the willingness to switch to alternatives, which also keeps the prices for alternatives high. Only a ban on the sale and use of fish lead can change this (eg XV Table 3.3, p. 323.) Therefore SGW calls for replacement of the fish lead by suitable alternatives through a direct ban on the marketing and use of fish lead. The fish lead that can no longer be used must be disposed of as hazardous waste to a recognized collector.

**IV Cost of fishing lead left in the water.**

The proposal calculates a cost of € 193 for a kilo of lead contamination in the water (Table 1.3.) SGW wonders where that amount is based on and points again to the study that was carried out into the environmental costs per kilo of lead contamination on behalf of the order of the Ministerie van Infrastructuur en Milieu (Infrastructure and the Environment) by CE Delft, handboek Milieuprijzen 2017 (Environmental Prices Handbook 2017.) The environmental costs for lead varies from € 3,967 till € 6,596 per kilo. Apart from the fact that fish lead is scattered all over the water bottom and therefore cannot actually be removed, the cost picture presented by ECHA for the fish lead is far too low. The costs for the lead in the water are much higher than indicated by ECHA.

Even though the proposal deals with the differences in bioaccumulation between different types of organisms (Annex B.4.3.1. Bioaccumulation in water), not all sensitive organisms have been included. In the calculations of the costs of the fishing lead, only the birds are actually considered, for example the costs for lead in mussels or other shellfish for human consumption are not mentioned. The costs / consequences for the entire aquatic production following the effects of lead on plankton are not mentioned, let alone included. As a result, the cost of the fishing lead in the water is underestimated.

**V Transition periods of 3 and 5 years for the industry.**

Lead (fishing weights) has been in ECHA's attention since 2015. As also included in the proposal, the EFTTA indicated in June 2015 that the industry and retail would be free of lead by 2020 at the latest due to the promised development of alternatives (Annex p. 511.) In 2021, however, the industry still has (practically) nothing developed. ECHA is now rewarding this inactivity by proposing long transition periods (among other things Annex p. 229.) SGW thinks that is incredible, inactivity of the lead industry should not be rewarded in such a way. The industry is now even asking for a contribution towards the costs of developing alternatives and ECHA is honoring this with the proposal for a fee on fishing licenses and a contribution for the transition costs for the European industry (eg XV p. 324.) Realizes ECHA that these long transition periods only slow down the development of alternatives? After all, there is no demand for alternatives as long as lead can be sold, so that by this the development of alternatives is only slowed down instead of accelerated. ECHA confirms this when it is indicated that fishermen will only buy alternatives when the term has expired (Annex p. 493.) Instead of putting alternatives on the market, the industry is actually encouraged not to bring alternatives to the market in order to maximize lead profits. As a result, such long transition periods have a slowing down instead of a stimulating effect. Due to the long transition times, producers do not introduce developed alternatives to the market, in order to give the competition no insight into the possibilities and to maximize the profit from the sale of lead.

ECHA indicates that a ban on sales of lead fish to shops and producers would most likely mean a closure of European lead fish lead producers and a loss of retail business. That is why transition periods are proposed that allow the development of alternatives and capacities. The fishing lead is a side issue for lead producers, not a main activity (personal communication from Lemer to SGW at the EFTTA fair in Amsterdam), and retailers are switching to other fish weights that are more than sufficient available, as shown in the ECHA inventory. That is not a change in activities for the retail sector, it is only selling other weights.

Compared to the direct ban on the trade and the use of plumb line, Sgw is noticeable that there are no differences with the other fishing weights of lead, for plumb lines there are even far fewer alternatives available, namely one (putty) (among other things Annex p. 218), while there are more than 1000 alternatives for small and large weights (Appendix D. Fish lead market research ECHA 2020.) So why are transition times of 3 and 5 years used for the weights and none for lead lines? SGW thinks that is unequal treatment and competition distortions. That is why SGW proposes a direct ban for all lead weights, as well as for plumb lines and the lead release systems. For the direct prohibition of lead release systems, however justified, it also applies that there is no alternative available and therefore that the producer has no possibility to adapt the production process. That is why the proposal for a complete and direct ban on the fishing weights (small, large weights, plumb lines) and the lead release system is done by SGW.

It is incomprehensible that a longer transition period is proposed for the larger weights. Because fewer molds are required for the larger weights and these molds are less complex, the costs for replacement (per kilo) are lower. In addition, due to price increases and inflation, the costs for replacement in euros will increase by waiting longer. In addition, this distorts competition, the producers of smaller weights are given less time than those of larger weights to implement the same transition.

It is astonishing for SGW that ECHA puts the interests of the 13 fish lead producers in the EU (among other things XV p. 301, Annex p. 492) more important than the IQ drop of a million children, the health damage of 23 million anglers (each hand contact with lead leads to absorption into the body), the health damage of the staff in 15,000 shops, the health damage of the 2.3 million self-casting anglers, the poisoning of 127 million birds by lead, the soil and water pollution by the fishing lead, the consequences of the accumulation of lead in the water food chain, and the contamination of household waste with SVHC by lead waste and lead slag (floating layer on molten lead).

In the assessment made by ECHA, the economic interests of 3 international and 10 local fish lead producers (Annex table D.4-23 page 491) with low-quality work for approximately 100 people outweigh the IQ loss of a million young children. These children suffer from this for the rest of their lives. Those children have a transition period of much longer than 3 or 5 years, namely the rest of their lives. For the 127 million birds poisoned by lead, the transition period is limited to a few weeks during which they die a miserable death. The transition periods for the other health damage from lead are also much longer than those for the lead industry. The same for environmental pollution.

Therefore SGW asks ECHA to equalize all transition periods with a direct ban on the use and marketing of fishing weights of lead, plumb lines and lead release systems.

In the proposal it has been stated several times that lead is a substance for which there is no threshold value for humans (among other things Annex page 485). This means that contact with lead, which always leads to absorption in the body (Annex page 238,) must be prevented. After all, any lead is too much. That is why SGW is asking the ECHA for a restriction proposal without a transition period, because every extension of the lead use leads to unwanted and, moreover, unnecessary lead absorption.

Several restriction proposals have been made by ECHA. SGW wanted to compare this with the proposal for lead. The ECHA helpdesk was therefore asked to provide an overview of the transition periods used in other restriction proposals: "Unfortunately, there is no overview of the transition periods and must be viewed per SVHC." That's why this anthology of SSH:

• PCB / PCTs 8 months (times related to EiF as much as possible.)

• Chloroethylene 18 months.

• Bromoacetic acids 18 months.

• Skin sensitizing substances. A lot of substances that are used in textile and leather have the potential to induce ACD. Mainly affects some of the people who wear these clothes. Very big and difficult transition for the industry. 36 months.

• Calcium cyanamide, a fertilizer in agriculture, for farmers, alternatives provide substantially increased costs, not a human risk. Limited dose-dependent risk to water and soil. 36 months.

• Formaldehyde and formaldehyde releasers are widely used in industry (wood, laminate, floors) and as raw material in chemical industry, harmful to public health, 12 months.

• Lead used in PVC as a stabilizer for 24 months. Subsequently, a ban on the incineration of PVC because of the lead in it (in the Netherlands) was introduced.

• Limitation for lead shot in hunting over wetlands. This lead does not cause a drop in IQ and behavioral disturbances in young children. The human risks of self-casting as well as the direct hand contact of the users or shop staff with the lead are not relevant here. 2 years.

• Pthalates toxic reproduction, mouthing, ingestion and dermal contact. Technical feasible alternatives are available at similar prices. 3 years.

• Intentional uses of microplastics. Plastics are associated with longterm persistence in the environment and are very resistant to (bio) degradation. Replacement by biodegradable plastics is given as an option to solve this problem. Plastics have diverse technical functions and are used in various consumer, professional and agricultural functions. 1.5 to 6 years depending on application. Some countries have shorter times.

• Undecafluorhexanoicacid, its salts and related substances. Not dangerous for humans, although the long-term risks are uncertain, only persistent. Many and specific applications difficult to replace. 18 months.

• Diapers Fabrics in the nappies pose a risk to babies This limitation of many substances gives manufacturers and retailers 24 months.

The conclusion of this anthology is that the period of three and five years for fish lead is unimaginably long, especially if the adjustments that are required from the producers according to ECHA, is taken into account. Three years time to switch to another metal in the same process is insane, let alone 5. When the risks to humans are involved, the periods are also improbably long. Because ECHA does not mention all effects on humans clearly enough, here again, 1 million children per year with IQ loss and behavioral disorders, risk for 2.3 million home lead melters and the children in the immediate vicinity of those home melters, pregnant women, persons working in fishing shops, kidney disease, cardiovascular problems and even cancer. Everything is simply passed over to give the 3 international and 10 local lead producers more time for the transition than they themselves indicated to need in 2015 (lead-free in 2020.) The countless birds and other animals in which the lead accumulates, the millions lead-poisoned birds, water, soil and household waste contaminated with lead, everything is put aside to give the 13 companies extra time to finally make the alternatives they have already promised to make much earlier. And that for an industry that makes SVHC and actually no longer has a right to exist in 2021, especially if they indicate that they do not have the resources and facilities to innovate.

These producers, who now even indicate that they have no (resources for) innovation, are well aware of the problems for the environment and human health. They've had decades to adjust their processes, but instead of taking action to make their product safer, in 2014 they successfully lobbied against restrictions on lead in consumer products. The fishing lead was excluded. This now seems to be repeated in view of ECHA's current proposal.

Considering the difficulties associated with other constraints in the production chain (lack of alternatives, changing entire production process and the costs involved) and the times proposed by ECHA for this, the proposal is 3 to 5 years for switching to a single other metal, as indicated by ECHA, is sickly. It does not take 3 let alone 5 years, for a transition which can be done within a few months.

SGW proposes to ECHA to shorten the transition time to the time needed for the EU to make a decision on this. That is a period of more than 18 months. SGW proposes that the ban on the sale and use for and of the fishing lead take effect immediately after the EiF. In view of the present proposal, it is already clear to the industry that something must finally be done, making it possible for that industry to make profits longer with making fish lead at the expense of human health and the environment is not necessary at all.

**VI Risk to shop staff and neighbour’s children of self-founders/melters.**

SGW estimates that there are around 15,000 fishing tackle shops in the EU. Unpackaged lead is sold in many if not all stores. Store personnel in these stores have frequent hand contact with lead. In the proposal, ECHA indicates that every hand contact with lead leads to the absorption of lead into the body. As is known to ECHA, SGW has asked the competent authority in the Netherlands for attention for this. SGW wonders why ECHA did not pay any attention to this aspect in the proposal, it is also a risk of fish lead for the health of the shop staff. SGW therefore proposes to ECHA this Risk Management Measure (RMM): Avoid unprotected hand contact with lead for employees in shops by either not selling unpackaged lead or by wearing gloves when handling unpackaged lead. This RMM can take effect immediately after EiF, but it is even better before that.

ECHA indicates that pouring lead yourself leads to health damage to family members (Annex page 490.) SGW asks why the neighbour ‘s children were not included. The lead smoke not only settles in the garden of the foundry, often also in the terrrain of the neighbours. The distribution of lead smoke was discussed in a CfE, also in the report The Toxic Truth.

**VII ECHA is lacking any information about lead casting at home.**

On websites, publications and in news sections of various municipalities in the Netherlands, the risks of fishing lead and lead casting have been discussed. This text can be found on the website of the municipality of Rotterdam:

*Fish lead*

*In the Netherlands, fishing lead is cast by 20,000 to 50,000 anglers themselves. These home casters pour approximately 400,000 kilos of fish lead per year. During this pouring a large amount of lead vapor is released, this lead vapor deposits in the space where the casting is done, in the immediate vicinity of the foundry or further away if extraction is used. It is not recommended to melt lead yourself at home. Flyer Let op Lood (Watch out for lead, - PDF (2.6M) (Flyer added in a separate document)*.

It is not true that ECHA is lacking any information about lead casting at home. Self-casting has been discussed in several CfE. In a CfE, the emissions of lead from home casting were discussed even with research results of the lead in the air filter, in the environment and in the clothing of the caster/melter. In the research of medicine students of the Erasmus University, anglers were questioned about the self-casting of lead. This research is also known to ECHA and is mentioned in the proposal. The Unesco and Pure Earth report, The Toxic Truth, also discusses emissions from lead melting and the consequences for those involved, especially children. However, ECHA has not included this report in the proposal. Data can also be found in the literature.

The text from the Annex on pages 238 and 239 also gives the impression that information is known to ECHA about home casting of lead. ECHA's estimates of the percentage of anglers who cast their own lead vary from 5 to 10% ic 1.15 to 2.3 million anglers (among other things Annex table 4-21, Newsletter ECHA) and that approximately 30% of the fish lead comes from DIY production (among other things Annex table 4-21 page 487.)

An aspect of home casting that often remains unmentioned, also in the ECHA proposal, is the floating layer on the molten lead that is released during melting. This floating layer consists mainly of lead oxides, these lead oxides are more harmful than lead. The lead slag is not disposed of as hazardous or chemical waste, but usually goes into the household waste. This makes it an unnecessary source of SVHC (ZZS in Dutch) in the household waste, which, together with the fish lead that got into the household waste, returns to the bottom via the chimney or via the ash (from the incinerators) (Annex page 485.)

**VIII Fee on the sale of fishing licenses.**

ECHA proposes a fee on the fishing licenses in order to facilitate the industry in the transition to alternatives to lead. SGW thinks this is a strange proposal. Firstly, according to the proposal, the number of fishermen who need a license to fish is about half of the recreational fishermen. Only half of the anglers will contribute to the development of the alternatives. Furthermore, this is a financial burden on the angler which will not encourage him / her to fish lead-free. SGW proposes to introduce a new fishing license that is cheaper than a normal one, an IK VIS LOODVRIJ (I FISH LEAD FREE!) fishing license. This is a positive way to profile lead-free fishermen. The financial incentive used for this stimulates lead-free fishing. Second, SGW wonders why the industry that has not done anything should be financially facilitated. The few producers who have already developed alternatives are disadvantaged by this, as they have not received a contribution for the developmental costs. And by allowing lead for so much longer, their competitive position is weakened, as long as lead is allowed to be sold there is no demand for alternatives. That is why many developed alternatives are no longer on the market, there is no demand!

SGW thinks a better idea is a fee on the sale based on the damage from used fish weights of lead. For example, pass on the environmental costs for lead of € 3,967 - € 6,596 per kilo to the angler according to the Handboek Milieuprijzen 2017 drawn up by CE Delft for the Ministry of Infrastructure and the Environment. This means that lead sales are taxed on the one hand and the polluter pays principle is applied on the other. An additional advantage is that the price difference between lead and lead-free is hereby reduced, which is also an incentive to fish lead-free. Another advantage of this is that the angler realizes the consequences of fishing with lead. As an example for this, the disposal fee for shooting with lead in Finland can be used (Annex p. 512.) By the way, this Finnish example is not the only one. The fact that ECHA does not consider a contribution to the costs of the polluter to be sufficient because not all of the EU will want to implement this (Annex p. 514) is a strange argument for SGW, because every contribution reduces the unnecessary contamination with fish lead.

**IX Desirability of an alternative to DIY fish weights.**

The proposal indicates that it is desirable to offer an alternative to home casting / DIY (among other things XV p. 293, 302), and also that high density polymers are unlikely for DIY production. This is a fairly oversimplified point of view, as the DIY processing of polymers has grown rapidly with recent 3-d printing developments. This technique can also be used for fish weights. In addition, SGW points ECHA to Modified Materials BV, which has developed a technique that is particularly suitable for DIY production. The materials used for these weights are missing from table 2-38 (XV p. 294.) The acceptance of the prohibition is also increased by an alternative to DIY, which also reduces the expected increase in DIY in lead (eg XV, p. 214). The capacity of the DIY home production is also very easy and cheap to expand and is a solution fort he lack of production capacity in the EU.

Because, as ECHA indicates, a ban on DIY is not possible, there is a need for an alternative for these DIY producers. Especially if that alternative can be made with many of the same materials and is simple. Advantages are no health damage such as IQ loss of children and behavioral disorders, kidney diseases, miscarriages, cardiovascular disorders, movement restrictions, infertility, high blood pressure or cancer due to self-melting, pouring and contact with lead. And it can absorb part of the limited production capacity of the EU producers. The effects of this on the environment and birds are sufficiently indicated elsewhere.

**X Development of alternatives by fish lead producers only with other metals.**

Taking the view that alternatives to fish lead can only be sought by fish lead producers in other metals, ECHA shows a very limited view of these companies (XV p. 295.) In addition, it is presumptuous to focus only on the existing lead industry and also only wanting to make a contribution for their innovation costs. As a result, ECHA more or less excludes innovations from non-lead producers, even though there are many opportunities there. For example, the Stonzes from Pallatrax mentioned by ECHA are not from the lead industry. Likewise, the weights of loodvrijvissen/ Modified Materials BV, Het Juiste Vislood and Rock-bottom Fishing Stones not mentioned by ECHA do not come from an existing lead producer. In this way, the contribution for the innovations that ECHA wants to grant to the lead producers via the fee on the fishing permits does not reach the companies that need them most (eg XV p. 215.). These companies operate in a market. where there is no level playing field, as indicated by stakeholders in the meeting of 18 November 2020. SGW would like to see ECHA change this instead of strengthening it, and asks ECHA to pay attention to this.

**XI Not enough production capacity.**

The proposal indicates that there is not enough production capacity and that long transition periods should be used to increase this (XV p. 299.) This is a typical chicken egg discussion. In addition, it must be taken into account that most fish lead is not produced in the EU but is imported. So there is in any case not enough production capacity in the EU to serve the market! Why is there no production capacity for alternatives? Because there is no producer who is wiling to invest in capacity when there is no demand or prospect of demand in the short term. If there was sufficient demand for alternatives to fish lead, there would have been production capacity for a long time. Precisely because of the lack of demand, a number of producers have already/ had to stop making alternatives for lead. Costs a lot, but no income, you cannot keep that up for long. The producers that still exist are not primarily driven by profit, like the lead producers. These producers have green / environmentally conscious motives that make them persevere in this business-economically unsustainable situation. But the transition periods that ECHA now advocates do not make the situation any easier for these producers, on the contrary. In the proposal, ECHA confirms that there is no incentive for the lead industry and retail to develop or market alternative weights, but will maintain this due to the long transition periods.

If a restriction on sales and use comes into view, current producers of alternatives can expand production capacity responsibly. They are denied this possibility by ECHA with the current proposal. That is a shortsighted and irresponsible approach according to SGW. That is why SGW asks ECHA to adjust the proposal for the transition period to no transition period. The consequences for people and the environment are sufficiently indicated in the proposal. SGW is astonished that this view of the development was not taken into account by ECHA, although it was discussed with / the ECHA pointed out in the preparation.

**XII Difficult to control whether fishing with lead or alternative.**

ECHA unnecessarily offends the (experienced) inspectors when the proposal states that it is difficult even for experienced inspectors to see whether lead is being fished. (Annex p. 506) SGW states that each inspector can be taught in half a day how to determine the differences between lead and alternatives. Lead has a different color and reflection than other metals, although this is not always visible. A first distinction can be made by touch / hearing, lead is relatively soft and therefore sounds dull when tapped, and can easily be deformed with pliers or a knife. Second, the specific gravity can be looked at, there are serious differences between lead and other metals. Third, lead is not magnetic, iron-based weights are. Fourth, it is possible to write with lead and not with other metals. In addition, the angler can be asked what he is fishing with, although he does not always have to give an honest answer. An experienced inspector can probably mention you more easily investigated differences. SGWdoes not understand what this very oversimplified position is based on. Anyway it is not scientifically underlayed at all. Certainly in view of the continuation of the text in the proposal, where it is indicated that the restriction is not enforceable solely on the basis of use (including Annex, page 290.) SGW asks ECHA asks where this statement is based on, as there is no scientifically substantiation given for it. Obviously, a ban on the sale of lead helps, but because there are anglers with hundreds of kilos of stock lead weights and the DIY weights of lead, it will also have to be enforced on the use. Even after extensive communication about the risks of fishing lead, strict enforcement remains necessary. Denmark and England show that only strict enforcement in all links of the chain leads to an effective ban on fishing lead (among other things XV p. 324.) SGW therefore proposes to ECHA a step-by-step enforcement plan **“Is het lood waarmee wordt gevis**t?” (Is lead used for fishing?” to add to the proposal. This step-by-step plan can also be of service to the other inspectors involved with the fishing lead (among other things XV p. 310) for inspecting the fishing spot. For this enforcement, use can also be made of the experience gained with the SUP Directive (EU) 2019/904 (XV p. 311.)

**XIII Unfounded Positions/statements.**

For a number of positions (scientific) substantiation is lacking, SGW therefore requires substantiation of these positions:

The use of drop or system is marginal (XV p. 213.)

The large weights are an essential risk to the health of home casters (e.g. XV p. 229). What is this based on and why are the risks for store employees and the dissolution of the lead stock in the water of an average of 1% per year not included in the ECHA report? The study, conducted and published by Deltares from 2013 to 2018, commissioned by Rijkswaterstaat Water, Verkeer en Leefomgeving, entitled 'Emission of lead to Dutch fresh and saline waters due to loss of fishing lead in recreational fisheries', extensively examines the amount of lead left behind and the solubility of fish lead in the water. SGW is surprised at extending the transition period because, according to ECHA, it will only harm the health of the home casters. The health of millions of people is therefore unnecessarily burdened for years longer, as are the environment and household waste.

ECHA indicates what alternatives to fish lead are made of on the basis of literature, CfE and the ECHA market research (among other things XV page 292.) SGW asks ECHA why the weights of iron and water-degradable biopolymer of loodvrijvissen / Modified Materials are not included in this proposal. In several CfE of which SGW is aware of the content, ECHA has been made aware of these weights, but they are not mentioned. Furthermore, the weights of Het Juiste Vislood and Rock-Bottom Fishingstones were also brought to the attention in CfE, but they are not mentioned in the ECHA market research, while weights of other suppliers are mentioned. That is competition distortion, in an objective approach either no names / manufacturers or all manufacturers / names are mentioned. The websites in which these weights are available have all been online for several (5) years, in addition, these weights are available in fishing tackle shops.

R&D costs for the development of alternatives to lead are EUR 5,000 for local lead producers and EUR 75,000 for global lead producers according to ECHA. (XV p. 295.) It is incomprehensible that for the same development the costs for a locally operating company are 15 times lower than for an internationally operating company. Furthermore, ECHA indicates that lead producers do not have R&D. Can ECHA indicate whether a company will not innovate and / or renew in 2021? Especially if it only produces SVHC.

Compliance costs for retailers are zero because they are seen as normal activities for shops and web shops (XV p. 296, 300.) Providing information and education is a cost item also for retailers. If this false argument is used for the retailers, why is it not also used for the R&D activities for lead producers? Moreover, the Lead producers have already indicated in 2015 that they will switch to lead-free by 2020, how can they do this without R&D?

During the transition period, the enforcement costs for monitoring in the field (administration, research and fieldwork) are assumed to be 55,000 euros per year. This is probably an overestimation because towards the end of the period this will decrease to zero due to compliance (XV p. 297.) 55,000 euro inspection costs for 23 million anglers means 0.0024 € per angler. ECHA indicates that this check is difficult even for an experienced inspector (Annex page 506). In fact, ECHA is hereby indicating that no lead will be checked for non-use. This makes the restriction proposal very unbelievable according to SGW. Certainly when it is also written about early, fast and systematic enforcement, including at fishing spots (XV p. 302.), 55,000 euros for the EU is laughable.

According to the proposal, concrete can be used for carp fishing on muddy bottoms (Annex p. 259). Apart from what appears to be in CfE 909, which remains unknown to everyone except the petitioner and ECHA, this is nonsense. Concrete weights can be used for any type of fishing except line pinch weights. For example, the UFOs mentioned here by ECHA are also supplied as jig heads. In addition, there are much more suppliers of concrete weights that ECHA has mentioned / included in the proposal. In the Netherlands, for example, Het Juiste Vislood and Woutje Beton.

No high-density polymers have been found in the market research for alternatives to fish weights (Annex p. 259.) SGW is surprised about this error by the ECHA. For example, on the site of Sportvisserij Nederland, such weights can be found, and the entire VLIZ research, “Valt er te zwichten voor loodvrije werpgewichten?”, Is based on it. The website on which these weights are available has been around for more than five years! These weights have also been affixed to ECHA in several CfE. Why has ECHA not used this information?

Indicating that high-density polymers can fall under the microplastics definition is a very oversimplified position. (Annex table C.3-9 page 289) This depends on the polymer used, PE does that but PHA does not, after all, this is a water-degradable biopolymer that does not contribute to the plastic soup. But the water-degradable polymers are not covered in the proposal, there are no according to ECHA, although the reality is different and known to ECHA.

Indicating that high density polymers have an average total impact is not very nuanced, that depends on the polymer (Annex table C.4-4.) A polymer such as PHA, for example, is extracted in wastewater treatment plants or raw material factories from wastewater and therefore has a lower impact than PE . This also applies to the Green House Gases (Annex table 4-6, p. 301) and the total footprint (Annex 4-7, p. 303.)

On page 499, the main sinker function for carp anglers is described as being to keep the hook on the bottom. This is incomplete because carp anglers practice so-called free hook fishing. The bait is then tied to the hook with a thin thread, a so-called hair, and the lead is mainly used to hook the fish. The fish sucks the bait into its mouth, gets scared and swims away and then the hook settles. The fish hooks itself on the weight of the lead. For this so-called pricking of the fish, heavier weights are used than for just keeping the hook on the bottom. Because the relatively heavy weights used pose a perceived risk of the hook tearing out of the mouth of the fish when the fish is its head shaking, lead unloading systems are used. When the fish is on the hook, the lead falls off. The fishing gear used is often sailed to the fishing spot by boat so that the use of heavy piercing weights is also possible. As a result, the loss of lead from the discharge systems is certainly not marginal, as indicated by ECHA (XV p. 213, 501).

The market study of alternatives carried out by ECHA is incomplete if only the tungsten putty is mentioned as a lead-free substitute (Annex p. 508.) A malleable squeeze lead substitute has also been available on the www.loodvrijvissen.nl website for five years. This squeeze lead replacement is based on iron, not tungsten. This replacement for fish lead was also not mentioned in the ECHA market investigation. It is unclear why this existing and available alternative has not been included by ECHA.

How can ECHA include in table D4-31 (Annex p. 515) that fish lead cannot be taken in the mouth because of sharp parts and hooks, while in the proposal it is indicated in several places that fish lead is used in the mouth to put it on the line and poisonings of humans by ingestion of lead are also mentioned. SGW thinks ECHA has been cheated by angling associations in this.

**XIV Willingness of producers, retailers and end users with regard to alternatives.**

There is a lack of interest among end users in lead alternatives (e.g. XV p. 319, Annex p. 489.)

According to SGW, it is a serious form of favoring a limited number of producers of alternative fish weights that these are sometimes mentioned in the proposal with their website and all, while a lot of other producers are not (among other things Annex p. 260). SGW would like to hear how ECHA sees this and what it will do about this form of distortion of competition. Take, for example, the weights of the Austrian Rubig Steel Angler (steel) or the French Aquagram (stones) or other previously mentioned producers of alternatives to fish lead.

It is a question for SGW on which it is based that the lead industry and retail recognize that the developed alternatives to fish lead do not meet the company requirements and policy with regard to the protection of the environment and the social commitment to the environment and the circular economy in general. (Annex p. 489.) After all, if lead producers were concerned about the environment or public opinion about environmental pollution, they would not make or market lead fish weights at all.

Perhaps many fishermen are not aware that lead is toxic to the environment and humans (Annex p. 508.) Anyone who dares to claim this(in the Netherlands) in 2021 is beyond any reality, after all reports about the toxicity of lead are very frequent and intense in recent years. In addition to all communication from the sport fisheries about the toxicity of lead (including Hét Visblad every month or the Zeehengelsport, Fishing line, etc.), there is a different message every month about the toxicity of lead: Lead rain at TATA steel IJmuiden. Leaching lead from iron slag. Lead from the gasoline and the reduction of lead pollution in roadsides. Lead contamination in urban areas and soil. Warnings from the GGD about lead. Lead in water pipes. Lead rain from the fire in churches (including Notre Dame in Paris). Ban on the use of lead white. Ban on the use of lead solder. Ban on lead in PVC. Ban on recycling of lead-containing PVC. The Unesco report on lead poisoning of children, etc. etc. No one can seriously claim in 2021 that he is not aware of the toxicity of lead. The literature used by ECHA to support this is from resp. 21, 12 and 7 years ago. It is not surprising for SGW that sport fishing organizations, knowing that there is a ban on lead, continue to promote lead. An organization like Sportvisserij Nederland also continues to organize fishing competitions with lead while at the same time claiming that the lead must be removed. And Sportvisserij Nedrland also refuses to apply for a necessary permit for these lead fishing competitions. Saying and doing is two.

Asking retailers to provide information about lead and lead alternatives as proposed by ECHA (Annex p. 508,) sees SGW as a bad joke. To indicate how toxic fish lead is and then continue to sell it for another five years is laughable.

During the webinar, SGW asked to draw up an advice for the minimum breaking / tensile strength of a fishing line and a weight to be used. In the webinar, ECHA has asked SGW to comment on this. Therefore and with the request to expand this to other lines (braided, dyneema, etc.)

(Mm) Tension (kg) used weight (kg) Nylon Dyneema etc.

0.234 6.5 0.060? X

0.28 8 .1 0.1? X

0.33 9.7 0.125? X

0.28 20.1 0.3 ?? X

In this advice it must also be taken into account that the tensile strength of lines depends on age, older lines have a lower tensile strength. A collection system for old fishing lines has been set up in Belgium.

**XV Current legislation and regulations.**

The PNEC (predicted no effect concentration) for lead in fresh water is 2.4 micrograms dissolved lead per liter (Annex p. 98). One freshwater angler with an average lead loss of 34 grams per year (Annex p. 457) thus potentially brings 14 million liters of water at the PNEC concentration.

The quality requirement from the Besluit Monitoring Kwaliteit Water (Water Quality Monitoring Decree) in the Netherlands based on the KaderRichtlijnWater (WFD) is 1.2 micrograms per liter. The WFD EQS also uses this standard for freshwater from January 2012 (Annex p. 112.)

National ZZS policy for the Netherlands is based on prevention of ZZS emissions through substitution. Use of ZZS as a fishing lead is only allowed if there is no alternative.

In the Netherlands and Belgium, a Waterwet vergunning (Water Actpermit) is required for the use of fishing lead. In the Netherlands, 21 applications for Water Act permits for the use of fishing lead were refused in 2018 because of the damage lead causes to the water system. In the Netherlands, the Brabantse Delta Water Board carried out an assessment for Best Available Technology for sport fishing. The weights of loodvrijvissen / Modified Materials BV have received recognition as BAT. This information is known to ECHA, but it is also not used in the proposal.

In Denmark, a ban on the marketing of fish lead was already introduced in 2005 on the basis of EU legislation.

In America there is a ban on the use of fishing lead, also in Canada the use of fishing lead is not allowed in many places.

In England the use of fishing lead under 28 grams is prohibited.

The proposal states that the WHO guideline for lead in drinking water is 10 micrograms per liter, that proposals are circulating in countries to increase the standard and that the EFSA indicates that with a standard of 2.1 micrograms per liter the intake of lead from drinking water for children and fetuses does not exceed 1 margin of exposure. (Annex p. 98) It is unclear how the relationship is with the WHO position that there is no threshold value for lead. But SGW has the opinion that the every unnecessary and uncontrolled exposure of people, large and small, to fish lead is not necessary at all and must therefore be prevented immediately.

Summarizing:

SGW calls on ECHA to immediately address the uncontrollable risks to human health and in particular the lifelong brain damage of young children, the millions of birds and other aquatic organisms poisoned by lead and the unnecessary environmental pollution associated with the production, sale and use of fish lead. Make this stop immedialtely. It is inhuman and insane to make the economic interests of the 13 lead-producing companies, in which approximately 100 low-quality jobs are involved, more important than the health of man and nature. And to allow this irresponsible behavior of producers, fishing organizations, retail and anglers to continue unnecessarily longer, as ECHA is now proposing.

Once again SGW asks ECHA to reduce the transition periods for fish lead to zero because fishing with lead is an unnecessary source of lead for the environment, environmental animals and humans. Since fishing techniques and materials have been available and available for over 25 years that do not harm humans, animals and the environment.

In addition, SGW asks ECHA to make the proposal transparent and to remove unfair competition from it.

Sincerely,

Ton de Jonge

Chairman

Stichting Gezond Water