



**Canadian Vehicle
Manufacturers' Association**
Association canadienne
des constructeurs de véhicules

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Mr. Rolph Payet
Executive Secretary
Secretariat of the Stockholm Convention
International Environment House 1
11-13, Chemin des Anemones
CH 1219 Chatelaine
Geneva, Switzerland

Subject: Invitation to review and provide comments on the draft document relating to the recommendation on listing of decabromodiphenyl ether (commercial mixture, c-decaBDE) in Annex A to the Convention

Dear Mr. Payet:

The Canadian Vehicle Manufacturers' Association (CVMA) representing FCA Canada Inc., Ford Motor Company of Canada, Limited, and General Motors of Canada Company appreciates the opportunity to comment on the draft document prepared by the intersessional working group on decaBDE. We also appreciate the additional time provided to us to submit our comments. Our comments are provided from a North American context and address several paragraphs in the draft document.

The draft document needs to recognize the regulatory drivers related to the elimination of decaBDE in new vehicles. Many automakers have concentrated their efforts to eliminate decaBDE in products manufactured to meet expected regulatory actions in various jurisdictions. Efforts are ongoing around the world but they may not have been progressing equally in every jurisdiction. At this point in time, some manufacturers have eliminated decaBDE from new vehicle production while others continue to do so. If a prohibition is contemplated, then it is important to note, for North American vehicle manufacturers', the earliest implementation date that could be considered is 2021.

CVMA appreciates that the POPRC discussions on decaBDE has recognized the service and replacement parts exemption request from the automotive industry. While we understand the desire to further define and narrow uses of spare parts, we remain concerned that this is being contemplated. Flame retardants are only used in applications where there is a risk of ignition or to slow down the propagation of a thermal event therefore by definition all uses are critical to ensure occupant safety. The auto industry in North America and elsewhere have already taken steps to phase-out of decaBDE, an effective flame retardant, and continues to do so for new vehicles and where possible for current production vehicles.

Limiting vehicle service and replacement parts for consumers should not be the objective of this work. As servicing of vehicles is part of industry business, steps are taken to ensure that parts are available (as originally designed) to meet market demands and consumer expectations. The

industry, where possible, will seek out alternatives but this may not be feasible or practical. It should be noted that there are significant differences in how vehicles and parts are approved globally. In North America, automakers are required to self-certify each part whereas in Europe vehicle manufacturers undergo Type Approvals. Service and replacement parts containing decaBDE are expected to undergo a natural decline as the on-road fleet turnover progresses. Service or replacement parts should be available to consumers when they are needed. The number of parts maintained in inventory depends on expected consumption and future ability to manufacture. Parts are produced in response to market demand using original tools, materials and production processes. If a service part cannot be manufactured to the original specification, it must be redeveloped at extremely higher costs which may impact availability of parts and cost for the consumer. Our January 31, 2016 letter provides further details regarding service and replacement parts for the auto industry. The draft document needs to accurately reflect this information as it was provided in earnest to address the request for information from the Stockholm Convention Secretariat.

CVMA in 2015 provided information to the Norwegian authority that identified applications where decaBDE was used historically and some of these may still exist; we note that these applications are referenced in the draft intersessional document. We are not in a position or comfortable with identifying which ones would be deemed critical or non-critical from a service and replacement parts perspective as decaBDE was added to prevent fire ignition and/or protect the vehicle occupants. The decaBDE applications identified, as a minimum, should be considered for inclusion in the service and replacement part exemption. We are certain that given turn-over in the vehicle fleet, the quantity would decrease over time.

The Global Automotive Declarable Substance List (GADSL) and IMDS are referenced in the draft document (page 4 and 5). The information as presented is not accurate. For example, the document indicates that decaBDE was listed in GADSL in 2005 “suggesting long-term awareness of the properties of c-decaBDE in the industry. At that time, the decaBDE listing in GADSL was to signal that assessments were underway on the substance and that the auto industry was seeking information on use of decaBDE on a going forward basis. Also, GADSL was not developed by the U.S. Chemical industry but a collaborative effort between vehicle manufacturers (European, North American and Asian vehicle manufacturers), tier suppliers and chemical/plastics industries to communicate and exchange information regarding use of certain substances in automotive products. Further information on GADSL can be found at www.gadsl.org.

Regarding IMDS, the draft document suggests that 58 manufacturers used IMDS. The number reflects the membership as it stands today. In 2005, the number of vehicle manufacturers registered was much lower than today. The document needs to be corrected so that it does not imply that there is solid information on the use of decaBDE for all manufacturers going back over 10 years.

Paragraph 27, the CVMA acronym needs to be corrected. It should be ‘CVMA’ and not ‘CMVA’.

Lastly, we understand that ACEA has provided a response to the intersessional document. We trust that our comments and input will be reflected in the revised document and again appreciate the additional time to comment. CVMA wishes to remain engaged on the decaBDE deliberations. A full exemption for decaBDE containing service and replacement parts is being sought for the reasons outlined above.

CVMA would also appreciate being informed directly on any documents, discussions, potential decisions or other items that may be forthcoming relating to decaBDE. Please feel free to contact me directly should you have any questions.

Yours sincerely,

A handwritten signature in black ink that reads "Yasmin Tarmohamed". The signature is written in a cursive, slightly slanted style.

Yasmin Tarmohamed
Vice-President, Environment, Health and Safety

cc: V. Poter, Environment and Climate Change Canada
J. F. Ferry, Environment and Climate Change Canada
K. Ohno Woodall, Stockholm Convention Secretariat

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