European Semiconductor Industry Association

Brussels, 15 August 2025

ESIA Position on REACH Revision

The European Semiconductor Industry Association (ESIA), representing the European leadership in semiconductor research, design, and manufacturing, would like to underscore the need to consider the need of downstream users of chemicals in the targeted revision of REACH.

Semiconductors are the core of Europe's clean and digital transitions. From automotive and industrial automation to telecommunications, aerospace, defence and healthcare, Europe's future hinges on a robust and innovative semiconductor ecosystem.

ESIA's Recommendations for the REACH Revision

No dynamic links between the list of substances of concern (SoCs) and REACH provisions.

ESIA calls on the Commission to avoid any REACH provisions relying on a dynamic link with the list of SoCs. According to Cefic, between 12 000 and 23 000 substances meet the "substances of concern" criteria of the Chemicals Strategy for Sustainability as of March 2024[1]. REACH provisions that were designed to manage small risks from small groups of substances like substances of very high concern (SVHCs) would become extremely difficult to handle should a larger number of substances fall under the scope.

Avoid integration of horizontal DPP requirements under Article 33 of the REACH Regulation

During the CARACAL meeting held over 3-4 July, the German representative suggested integrating supply chain communication on the presence of SVHCs in articles under a horizontal DPP. Such a measure was not foreseen by the Chemicals Strategy for Sustainability, and ESIA warns against any changes to the Article 33 reporting requirements that would not have been thoroughly discussed with industry stakeholders under the various consultations held between 2021 and 2025 under the general REACH revision process.

Align definition of "substances of concern" across legislation (see Annex)

[1] https://cefic.lademo.be/policy-matters/innovation/ecodesign-for-sustainable-products-initiative/

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ESIA would like to take advantage of the REACH revision proposal to call on the EC to harmonise the definitions of "substances of concern" across legislations to facilitate its implementation by stakeholders, specifically in the ESPR, the Taxonomy technical screening criteria and the European Sustainability Reporting Standards (ESRS)[2].

Improve data collection on presence of substances in complex articles for industrial use (e.g., machine-tools) during restriction process

ECHA is working on an assessment of regulatory needs (ARN) for a group of substances covering the following UV-absorbers: UV-326, UV-329, UV-234, UV-P. The ARN may feed into a REACH restriction covering, among other things, those 4 substances.

There are no known uses as yet for those substances in semiconductors. However, with the ban of UV absorber UV-328 under the POPs Regulation, we fear suppliers of semiconductor manufacturing equipment may have started using one of several of those 4 substances as alternatives.

Semiconductor manufacturers supply chains are currently investigating the potential presence of the 4 substances in semiconductor manufacturing equipment (e.g.,coaters/developers, plasma etch systems, thermal processing systems, single wafer deposition systems and cleaning systems used in wafer processes, as well as wafer probers used in testing processes) .

The above example shows that it would help if the Commission could facilitate data collection targeting suppliers of manufacturing device (i.e., machine-tools and other types of instruments for production) in any restriction processes targeting the placing on the market of substances in articles for industrial uses, to ensure a fair share of the screening burden between the upstream and downstream segments of the supply chains.

Any restriction on the placing on the market of substances in articles should come with careful screening of the consequences of said restrictions in supply chains. Policy-makers should reflect on how to improve data collection mechanisms across supply chains as regards the presence of substances that are not listed as SVHCs in complex articles in the context of restriction proposals/restriction intentions – as the types of reporting requirements applying to mixtures via the safety data sheets are not available for articles.

Restriction procedure - systematic use of upfront analysis of the best regulatory path to control the risks

ESIA concurs with the comments submitted by SEMI on the need to establish the risk management options analysis (RMOA) or assessment of regulatory needs (ARN) as mandatory exploratory step before the submission of a restriction intention or the issuance of an EC mandate for ECHA to develop a restriction on (a) particular use(s) of a substance or group of substances.

[2] As supplemented by Commission Delegated Regulation (EU) 2023/2772 supplementing Directive 2013/34/EU of the European Parliament and the Council as regards sustainability reporting standards

Annex: definition of SOCs across legislations

Chemicals Strategy for Sustainability (14 Oct. 2020)	"These include, in the context of this strategy and related actions, primarily those related to circular economy, substances having a chronic effect for human health or the environment (Candidate list in REACH and Annex VI to the CLP Regulation) but also those which hamper recycling for safe and high quality secondary raw materials."
ESPR (13 June 2024)	"substance of concern" means a substance that: (a) meets the criteria laid down in Article 57 of Regulation (EC) No 1907/2006 and is identified in accordance with Article 59(1) of that Regulation; (b) is classified in Part 3 of Annex VI to Regulation (EC) No 1272/2008 in one of the following hazard classes or hazard categories: i. carcinogenicity categories 1 and 2; ii. germ cell mutagenicity categories 1 and 2; iii. reproductive toxicity categories 1 and 2; iv. endocrine disruption for human health categories 1 and 2; v. endocrine disruption for the environment categories 1 and vi. persistent, mobile and toxic or very persistent, very mobile properties; vii. persistent, bioaccumulative and toxic or very persistent, very bioaccumulative properties viii. respiratory sensitisation category 1; ix. skin sensitisation category 1; x. hazardous to the aquatic environment — categories chronic 1 to 4; xi. hazardous to the ozone layer; xii. specific target organ toxicity — repeated exposure categories 1 and 2; xiii. specific target organ toxicity — single exposure categories 1 and 2; (c) is regulated under Regulation (EU) 2019/1021 (POPs); or (d) negatively affects the reuse and recycling of materials in the product in which it is present
Taxonomy Regulation (including climate and environmental delegated acts – 4 June 2021 and 25 June 2023)	No definition of "substance of concern" – though the term occurs in the technical criteria on several occasions.

	However, Art. 13(1) of Taxonomy Regulation specifies that an economic activity shall qualify as contributing substantially to the transition to a circular economy, where that activity *"[…]* *(e) substantially reduces the content of hazardous substances and substitutes substances of very high concern in materials and products throughout their life cycle, in line with the objectives set out in Union law, including by replacing such substances with safer alternatives and ensuring traceability; […]."*
REACH Regulation	No definition as yet, but potential inclusion on targeted revision of REACH
European Sustainability Reporting Standards (ESRS), as amended by Directive (EU) 2022/2464 (CSRD), as supplemented by delegated regulation (EU) 2023/2772 (31 July 2023)	An SoC is defined as "a ***substance*** that: i. meets the criteria laid down in Article 57 and is identified in accordance with Article 59(1) of Regulation (EC) No 1907/2006 of the European Parliament and of the Council [(32)]; ii. is classified in Part 3 of Annex VI to Regulation (EC) No 1272/2008 of the European Parliament and of the Council [(33)] in one of the following hazard classes or hazard categories: — carcinogenicity categories 1 and 2; — germ cell mutagenicity categories 1 and 2; — reproductive toxicity categories 1 and 2; — endocrine disruption for human health; — endocrine disruption for the environment; — Persistent, Mobile and Toxic or Very Persistent, Very Mobile properties; — Persistent, Bioaccumulative and Toxic or Very Persistent, Very Bioaccumulative properties; — respiratory sensitisation category 1; — skin sensitisation category 1; — chronic hazard to the aquatic environment categories 1 to 4; — hazardous to the ozone layer; — specific target organ toxicity, repeated exposure categories 1 and 2; — specific target organ toxicity, single exposure categories 1 and 2; or iii.. negatively affects the re-use and recycling of materials in the product in which it is present, as defined in relevant Union product-specific ecodesign requirements."