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# Lead in ammunition for outdoor shooting and in fishing – questions and answers



See also frequently asked questions about the proposed restriction [online](#)

## Proposed restriction

### 1. What is the proposed restriction about?

The European Commission requested ECHA to prepare a REACH restriction proposal on the use of lead in ammunition for outdoor shooting and in fishing in July 2019. ECHA submitted its proposal in January 2021.

In summary, the proposal is the following:

#### 1. Lead in hunting, sports and other outdoor shooting:

- sale and use of **lead gunshot**: ban after a five-year transition period. As current rules of international competitions specify the use of lead ammunition for certain disciplines, ECHA presents - as an option for the decision-maker - a derogation for use of lead gunshot for sports shooting by licensed individuals only under strict conditions, i.e. when releases to the environment are minimised.
- use of **lead in bullets and other projectiles**:
  - for hunting: ban after a five-year transition period for small calibre bullets and 18 months for large calibre bullets. The technical feasibility of alternatives to small calibre lead bullets should be reviewed before the ban enters into force. Derogations for using lead in bullets for seal hunting and in full metal jacket bullets. For seal hunting, the user needs permission from the Member State to hunt seals. Use of full metal jacket bullets also needs to be allowed in the relevant Member State.
  - for sports shooting: use can continue if releases to the environment are minimised within a five-year transition period. This means that sports shooting ranges are equipped either with trap chambers or 'best practice' sand traps.

#### 2. Lead in fishing:

- ban on the sale and use of **lead sinkers and lures** (with transition periods depending on weight: ≤ 50 g three years; > 50 g five years)

- immediate ban on the sale and use of **lead fishing wire**
- immediate ban on the use of lead sinkers when the **sinker is deliberately released** (lead 'drop off' techniques).

The full restriction proposal can be read [here](#) (go to *RAC & SEAC (draft) Background document (and annexes)* to see the updated document).

Check [here](#) the key updates made to the original proposal as a result of ECHA's analysis of the comments submitted during the six-month stakeholder consultation.

## 2. How is a restriction proposal built?

ECHA, at the request of the European Commission or an EU Member State, can propose restrictions if they find that the risk from the manufacture, placing on the market or use of a substance needs to be addressed throughout the EU.

A restriction proposal is built on a thorough, scientific and objective investigation of the matter. Public calls for evidence are organised to gather information from the market and scientific community as well as to collect experiences from EU and non-EU countries.

The proposed restriction will be opened for a six-month consultation when anyone can send in their comments and evidence. The proposal may be updated based on the scientific input received. [More](#)

## Committee opinions

### 3. What is the role of ECHA's scientific committees?

The role of the committees for Risk Assessment (RAC) and for Socio-Economic Analysis (SEAC) is to evaluate the strengths and weaknesses of the proposed restriction. The two opinions of the committees contribute to the decision of the European Commission.

RAC gives its opinion on whether the proposed restriction is appropriate in reducing the risks to the environment and to people's health, whereas SEAC gives its opinion on the socio-economic impacts, i.e. benefits and costs to society, associated with the proposal.

RAC and SEAC form their opinions based on the information in the restriction proposal and the comments received during the consultations. The committees also take into account advice from the Enforcement Forum on the enforceability of the proposed restriction.

### 4. What are the key points of the opinions of the Committee for Risk Assessment (RAC)?

RAC adopted its opinion on the proposed restriction in its May/June 2022 meeting. The committee considers that the proposed restriction is the most appropriate EU-wide action to address the identified risks to people, wildlife and the environment. It recommends some modifications to the European Commission, that will – together with the EU Member States – decide on the restriction:

- **Shorter transition period for using lead gunshot for hunting:** RAC considers that a five-year transition period to ban lead in gunshot for hunting, as proposed by ECHA, is not necessary and that substitution can take place sooner. This takes into account that the use of [lead gunshot in wetlands is already regulated](#) in the EU. The shorter the transition period, the less lead that will be released into the environment.
- **Labelling of ammunition and fishing sinkers containing lead and information to consumers at point of sale:** RAC recommends that the same concentration threshold

of 1 % weight by weight (w/w) used for restricting the use and placing on the market of lead ammunition should also apply to the labelling and information requirements. Having the same concentration would ease enforcement of the restriction. ECHA originally proposed a threshold of 0.3 % w/w as a trigger for the labelling obligation.

RAC also considers that if a derogation allowing the use of copper or copper alloys containing lead up to 3 % in bullets is implemented – as proposed by ECHA in the updated restriction proposal – then the labelling and information requirements should apply only when lead content is  $\geq 3$  % w/w. This is to support the use of copper-based alternatives which are less hazardous compared to lead bullets.

- **Derogation for lead gunshot in sports shooting:** RAC considers that enforcement of the restriction would be simplified if this derogation was not implemented. This is in line with the preferred restriction option identified by ECHA. However, if the decision maker decides that this derogation is needed, RAC suggests that it should be limited to shot sizes used in sports shooting (between 1.9 and 2.6 mm).

RAC was asked by the European Commission to give a **supplementary opinion** on two datasets of the European Food Safety Authority (EFSA) to assess the risks to human health from the use of lead in ammunition. A three-month consultation on the data was held from 6 July to 6 October 2022. The supplementary opinion was adopted in the Nov/Dec 2022 meeting.

In its supplementary opinion, RAC reiterates the conclusion it made in the previously adopted opinion: there is a moderate to high risk from game meat lead exposure for children (infants and toddlers) in hunter families, and a likely low risk for adults. RAC notes that the EFSA data is likely to underestimate the lead concentration in small game meat, and this may result in an underestimation of the total health impacts in children.

In its original proposal, RAC also highlights a moderate to high risk to pregnant women from eating game meat hunted with lead ammunition. This is still valid as the conclusion is based on other data than EFSA's.

The opinion of RAC is available on [ECHA's website](#). The *supplementary* opinion of RAC on the presence of lead in game meat and the human intake will be available on ECHA's website in early 2023.

## 5. What are the key points of the opinion of the Committee for Socio-Economic Analysis (SEAC)?

SEAC adopted its opinion on the proposed restriction in its November/December 2022 meeting. The committee considers that the proposed restriction is the most appropriate EU-wide measure to address the identified risks to people, wildlife and the environment. SEAC also concluded on the expected benefits and costs to society and considers the proposal to be proportionate. It recommends some modifications to the European Commission, that will – together with the EU Member States – decide on the restriction:

- **Shorter transition period for using lead gunshot for hunting:** SEAC considers that the transition period could be shorter, for example 18 months, instead of five years. The available information suggests that lead gunshot used for hunting could be replaced sooner, as alternatives are widely available on the market in all common gauges, loads and pellet sizes. All major gunshot manufacturers currently manufacture lead-free products. In addition, the supply of steel gunshot can already be expected to increase following the [restriction of lead gunshot in wetlands](#), which starts to apply in February 2023.

Moreover, hunting with lead gunshot significantly contributes to the environmental and human health risks arising from lead. Evidence also indicates that the benefits of a ban

on lead gunshot in hunting are greater than the costs – supporting a phase-out as soon as possible.

- **Derogation for full metal jacket bullets:** SEAC notes that the intention of the proposed restriction is to derogate certain non-expanding lead ammunition that is used for hunting, expressed as derogation for full metal jacket bullets (where Member States allow the use of such bullets). SEAC understands that the proposed derogation was also intended to cover 'open tip match' bullets and, therefore suggests to explicitly mention these types of bullets in the text of the derogation for clarity.
- **Derogation for lead gunshot in sports shooting:** Similar to RAC, SEAC considers that if a derogation for lead gunshot in sports shooting is preferred by the decision maker, it should be limited to the shot sizes used in sports shooting. This means shot sizes between 1.9 and 2.6 mm.
- **Labelling of ammunition and fishing sinkers containing lead and information to consumers at the point of sale:** SEAC agrees with RAC that the same concentration threshold of 1 % weight by weight (w/w) used for restricting the use and placing on the market of lead ammunition should also apply to the labelling and information requirements. SEAC notes that the threshold in the restriction of lead gunshot in or around wetlands is also 1 % w/w. ECHA originally proposed a threshold of 0.3 % w/w as a trigger for the labelling obligation.

During the 60-day consultation on its *draft* opinion, SEAC asked for more information on the impacts related to a requirement to label individual bullets and gunshot cartridges, banning the use of lead ammunition in muzzle loaders or other historic firearms, and restricting lead sinkers and lures that weigh more than 50 grams as well as lead split shots. However, the committee did not receive information that would allow it to conclude on potential impacts related to these aspects and, therefore, did not suggest further modifications to the conditions of the proposed restriction.

SEAC took the conclusions of the RAC supplementary opinion into account when preparing its final opinion.

The opinion of SEAC will be available on ECHA's website in early 2023. It will be in the combined opinion of RAC and SEAC.

## Transparency and independence

### 6. How are stakeholders involved in the restriction process? What about transparency?

Restriction proposals undergo two wide stakeholder consultations to which anyone can contribute. The consultation on the initial proposal (Annex XV report) is six months long. During the consultation, which ran from 24 March to 24 September 2021, 319 comments from different stakeholder groups were received. The non-confidential consultation comments are available on [ECHA's website](#) (go to *Comments on Annex XV report*).

ECHA's scientific committees are obligated to take the comments received into account when assessing the proposal and developing their opinions. There is always a second 60-day long consultation on the draft opinion of SEAC, which allows interested parties to provide additional information on how the proposal may impact society. This consultation took place from 29 June to 29 August 2022. SEAC received 175 comments. The non-confidential consultation comments are available on [ECHA's website](#) (go to *Comments on SEAC draft opinion*).

An additional consultation was held from 6 July to 6 October 2022 on the data from EFSA used by ECHA to assess the risks of lead to human health through game meat consumption. During

this consultation, ECHA received 39 comments. All non-confidential comments received during the consultation are published on [ECHA's website](#) (go to *Comments submitted to date*).

Regular and occasional stakeholders observe the meetings of RAC and SEAC to ensure the transparency of opinion making. More about the committees' procedures: [RAC](#) | [SEAC](#)

## **7. How is it ensured that the two committees give independent opinions?**

The members of the two scientific committees are nominated by EU Member States and appointed by ECHA's Management Board in their personal capacity. The members are not allowed to be given instructions by their nominating or employing Member State and must also declare any conflicts of interest on the proposal. On the other hand, Member States are obliged to support the work of their nominees.

In addition, it is the role of the chairs of the committees to ensure that the evaluation is independent and consistent with other opinions made by the committees. ECHA provides support to the committee members appointed as rapporteurs.

Throughout the evaluation of the proposal, the committees follow an evidence-based scientific approach.

## **Decision**

### **8. Who decides on a potential restriction?**

The European Commission together with all EU countries.

The Commission will start its work on the proposed restriction once it gets the combined opinion of ECHA's scientific committees in early 2023. Only then will the Commission be able to assess whether a restriction is necessary.

If the Commission moves ahead with a legislative proposal to amend the list of restrictions (Annex XVII to the REACH Regulation), it will consult all EU countries through the REACH Committee. The final proposal will be voted upon by all EU countries. Moreover, the European Parliament and the Council will scrutinise the restriction before it can be adopted.

If the restriction is adopted, EU Member States may allow exemptions, when necessary, in the interest of national defence. This is based on Article 2(3) of the REACH Regulation, which states: "*Member States may allow for exemptions from this Regulation in specific cases for certain substances, on their own, in a preparation or in an article, where necessary in the interests of defence.*"

[European Commission's role in the REACH Regulation](#)



**See also frequently asked questions about the proposed restriction [online](#)**

>> [Topical page: Lead in shot bullets and fishing weights](#) <<