

ECHA proposal under REACH Regulations¹

Restriction proposal on the use of lead gunshot in or over wetlands

Dear Sir or Madam,

We the undersigned European scientists, human health and veterinary professionals with expertise in the toxic effects of lead ammunition on health of people and wildlife are writing to you to:

1. Applaud the European Commission's initiative and the substantial body of work, including extensive stakeholder consultations, undertaken by the European Chemicals Agency (ECHA) to produce their [restriction proposal on the use of lead gunshot in or over wetlands](#);
2. Agree with the [opinion](#) that the use of lead gunshot for shooting in or over wetlands requires restriction, as proposed by ECHA and adopted by its scientific committees;
3. Urge the Commission, Member States, European Parliament and REACH Committee to support this important restriction proposal in the form proposed by ECHA which harmonises restrictions across all wetlands in Europe;
4. Encourage the European Commission to request ECHA to prepare a proposal for further measures to restrict the use of all lead ammunition and anglers' lead weights; noting the recent [ECHA Annex XV Investigation Report](#) which reviewed this issue and found "sufficient evidence of risk to justify further measures".

In advance of this broader future action, to hasten resolution of this long-standing problem we encourage Member States to take advantage of the option set out in the current 'wetland' restriction proposal (noting some Member States such as Netherlands and Denmark phased out all use of lead gunshot in all habitats more than 20 years ago):

"Member States may, on grounds of human health protection and environmental protection, impose more stringent measures than those set out in paragraphs 1 and 2." [Paragraphs 1 and 2 being a restriction on the use of lead gunshot in or over wetlands and its possession in wetlands].

ECHA's scientific committees also [recognise the value of that wider approach](#) in aiding enforcement: *"Considering practicality and enforcement possibilities... a restriction covering all use of lead gunshot (i.e. a total ban) would be the most appropriate measure."*

The risks posed to human and wildlife health by lead ammunition are documented by an overwhelming body of scientific evidence. This prompted the publication in 2014 of a [Scientific Consensus Statement](#) by health professionals and scientists in Europe to reduce and eventually eliminate the release of all lead-based ammunition to the environment, in order to protect human and environmental health. This statement followed a similar [statement in 2013 by, primarily North American, scientists](#). Only the replacement of all lead ammunition, with the readily available non-toxic alternatives, will adequately control the risks.

¹ REACH is a European Union regulation concerning the Registration, Evaluation, Authorisation & restriction of Chemicals. ECHA is the European Chemicals Agency.

References and/or links to the extensive body of scientific evidence supporting this letter including health advice to consumers of lead-shot game meat and relevant international agreements can be found in the Appendix to this letter.

This open letter is being produced as a [freely available document](#). As scientists and health professionals working in various relevant disciplines our motivation is to promote appropriate use of the large body of evidence available in support of initiatives that benefit the health of people, wildlife and the environment.

We, the undersigned scientists, are a group of 54 professionals from 17 European Countries (15 EU and 2 EFTA countries).

Yours faithfully,

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APPENDIX TO SCIENTISTS' LETTER IN SUPPORT THE ECHA RESTRICTION PROPOSAL ON THE USE OF LEAD GUNSHOT IN OR OVER WETLANDS

This Appendix provides a summary of the issue and references to (i) evidence, (ii) consumer guidance on game meat consumption, and (iii) relevant policy initiatives.

LEAVING A TOXIC LEGACY: why lead ammunition needs to be replaced

Due to its high toxicity and public health problems caused by it, most releases of lead into the environment in Europe are now subject to strict regulations. However, shooting activities annually release tens of thousands of tonnes of lead ammunition into the European environment creating an on-going and *accumulating* toxic legacy. This environmental contamination results in the deaths of approximately a million swans, ducks and geese per year and large numbers of terrestrial birds and raptors which are exposed when they eat ammunition or ammunition fragments either directly from the environment or in the flesh of their prey. Lead poisoning affects the welfare of even larger numbers of animals and has negative effects on the population size and trend of some bird species.

Lead ammunition also presents risks to human health. Bullets and gunshot frequently leave behind tiny lead fragments, invisible to the naked eye, as they pass through a shot animal. This often results in high lead concentrations in the meat of game animals destined for human consumption, presenting risks to the health of people that frequent eat wild game. It is established that lead derived from remnants of ammunition in game meat is absorbed by humans. This is of particular concern for young children and women of pregnancy age because the development of the nervous system is very sensitive to the effects of lead. Even small increases in blood lead in children are associated with decreased IQ and academic performance later in life. Food safety and health agencies in several EU countries have produced advice recommending that these sensitive groups should avoid eating game shot with lead ammunition, and that other people should limit their consumption.

We have known about the effects of lead on wild birds for over a century, and the risks to people for several decades. Initial controls on the use of toxic lead gunshot for shooting waterfowl, requiring its replacement with 'non-toxic' alternative gunshot, happened in the USA more than 30 years ago. A wide variety of alternatives are available and a few European countries required the use of non-toxic gunshot decades ago; e.g. Denmark banned all uses of lead gunshot in 1996. In many countries, current restrictions relate specifically to wetlands and wetland birds, but across the EU controls are inconsistent, compliance is patchy, and restrictions do not adequately control the risks.

The extent of lead poisoning of wetland birds, the need for harmonised responses across EU Member States, and the need to fulfil obligations under the Agreement on the Conservation of African-Eurasian Migratory Waterbirds (AEWA), drove the European Commission to ask the European Chemicals Agency (ECHA) to prepare a report proposing a restriction on lead gunshot in wetlands. ECHA's scientific committees (RAC² and SEAC³) reviewed all of the evidence and adopted (in June 2018) the proposal and opinion that lead gunshot requires restriction in or over wetlands. The proposal is subject to several months of internal Commission scrutiny before being voted upon by the EU REACH Committee and considered by the Council of Europe and European Parliament before adoption into law.

² [ECHA's Committee for Risk Assessment \(RAC\)](#).

³ [ECHA's Committee for Socio-Economic Analysis \(SEAC\)](#).

While we hope and anticipate that this proposal will become law, a restriction on lead gunshot in wetlands alone will not sufficiently reduce risks to human consumers, terrestrial birds, raptors and the environment; it should be seen as a first step towards the replacement of all lead ammunition with non-toxic alternatives. At the request of the Commission, ECHA has recently published an [Annex XV Investigation Report](#) on the evidence of impacts of lead ammunition in terrestrial environments which recommends that measures are needed to regulate the use of lead ammunition in terrestrial environments in addition to those proposed for wetlands.

It is hoped that Member States will act upon this and mitigate the unnecessary ongoing exposure of European citizens and wildlife to lead ammunition.

KEY REFERENCES

(i) Summaries and reviews of key evidence

EUROPEAN CHEMICALS AGENCY (ECHA). Adopted Opinions on Restriction Proposals. Lead compounds – shot. EC Number: 231-100-4; CAS Number: 7439-92-1. Restriction report, opinions of ECHA Committees and consultation responses available at: <https://echa.europa.eu/previous-consultations-on-restriction-proposals/-/substance-rev/17005/term>. Consensus comments from a group of 45 scientists to the restriction report can be found under reference 1802, 'Comments submitted to date on restriction report' updated 21.12.17

ECHA Annex XV Investigation Report (ECHA/PR/18/14). ECHA identifies risks to terrestrial environment from lead ammunition. The European Chemicals Agency (ECHA) recommends that measures are needed to regulate the use of lead ammunition in terrestrial environments in addition to those proposed for wetlands. <https://echa.europa.eu/-/echa-identifies-risks-to-terrestrial-environment-from-lead-ammunition>

DELAHAY, R.J. & SPRAY, C.J. (Eds.) 2015. Proceedings of the Oxford Lead Symposium. Lead Ammunition: understanding and minimising the risks to human and environmental health. Edward Grey Institute, The University of Oxford, UK. 152pp. Available at: <http://oxfordleadsymposium.info/proceedings/>

LEAD AMMUNITION GROUP (LAG). Reports, correspondence, meeting minutes and resources available at: <http://www.leadammunitiongroup.org.uk/>

SCIENTISTS CONSENSUS STATEMENT 2014. Wildlife and Human Health Risks from Lead-Based Ammunition in Europe: A Consensus Statement by Scientists. Available at: <https://www.zoo.cam.ac.uk/research/groups/conservation-science/European-Statement>

BELLINGER et al. 2013. Health Risks from Lead-Based Ammunition in the Environment - A Consensus Statement of Scientists. Available at: <https://cloudfront.escholarship.org/dist/prd/content/qt6dq3h64x/qt6dq3h64x.pdf?t=mk1eni>

(ii) Risk assessments by government agencies and advice on the consumption of game shot with lead ammunition

SPAIN: AESAN 2012. Report of the Scientific Committee of the **Spanish Agency for Food Safety and Nutrition** (AESAN) in relation to the risk associated with the presence of lead in wild game meat in Spain. AESAN-2012-002. Report approved by the Scientific Committee on plenary session February 22th, 2012. Available at:
http://www.aecosan.msssi.gob.es/AECOSAN/docs/documentos/seguridad_alimentaria/evaluacion_riesgos/informes_cc_ingles/LEAD_GAME.pdf

FRANCE: ANSES 2018. AVIS de l'Agence nationale de sécurité sanitaire de l'alimentation, de l'environnement et du travail relatif au "risque sanitaire lié à la consommation de gibier au regard des contaminants chimiques environnementaux (dioxines, polychlorobiphényles (PCB), cadmium et plomb)". Avis de l'ANSES Saisine n° 2015-SA-0109. ANSES 14 Rue Pierre et Marie Curie, 94701 Maisons-Alfort Cedex. Available at:
<https://www.anses.fr/fr/content/consommation-de-gibier-sauvage-agir-pour-r%C3%A9duire-les-expositions-aux-contaminants-chimiques>
Also available in [English](#).

GERMANY: BfR 2011. **Federal Institute for Risk Assessment**, Germany. Lead fragments in game meat can be an added health risk for certain consumer groups. 19th September 2011. Available at:
https://www.bfr.bund.de/en/press_information/2011/32/lead_fragments_in_game_meat_can_be_an_added_health_risk_for_certain_consumer_groups-127610.html
Analysis recently published as: Gerofke, A., Ulbig, E., Martin, A., MuÈller-Graf, C., Selhorst, T., Gremse, C., Spolders, M., Schafft, H., Heinemeyer, G., Greiner, M., Lahrssen-Wiederholt, M. and Hensel, A. (2018) Lead content in wild game shot with lead or non-lead ammunition - Does "state of the art consumer health protection" require non-lead ammunition? *PLoS ONE* 13(7): e0200792. Available at: <https://doi.org/10.1371/journal.pone.0200792>

UK: FOOD STANDARDS AGENCY 2012. Advice to frequent eaters of game shot with lead. 9th October 2012. Available at:
<https://www.wired-gov.net/wg/wg-news-1.nsf/0/383189517AC14B5680257A9200489B5F?OpenDocument>

SWEDEN: NFA 2012. **National Food Agency**. Lead in Game in Sweden. Available at:
<https://mobil.bfr.bund.de/cm/343/lead-in-game-in-sweden.pdf> Lead in Game Meat – Swedish National Food Agency Report 18-2014 English summaries of chapters. Available at:
<https://basc.org.uk/wp-content/uploads/2014/10/NFA-report-English-summary-2.pdf>

NORWAY: VKM 2013. Opinion of the **Panel on Contaminants of the Norwegian Scientific Committee for Food Safety** (VKM). Risk assessment of lead exposure from cervid meat in Norwegian consumers and in hunting dogs. Available at:
<https://vkm.no/download/18.1b70ef9115d3ac37645e3fa4/1501682717201/cbfe3b0544.pdf>

(iii) Relevant resolutions of international agreements

UN CONVENTION ON MIGRATORY SPECIES (CMS) RESOLUTION 11.15 – PREVENTING POISONING OF MIGRATORY BIRDS. Adopted at COP11 in 2014. The [guidelines](#) adopted by this Resolution call for Parties to phase-out the use of lead ammunition across all habitats by November 2017. While this target has not yet been met, various steps have been made towards this, including the establishment of the CMS Lead Task Group at CMS COP12 in 2017. CMS Resolution 11.15: (Rev.COP12). Available at: https://www.cms.int/sites/default/files/document/cms_cop12_res.11.15%28rev.cop12%29_bird-poisoning_e.pdf

AFRICAN-EURASIAN MIGRATORY WATERBIRDS AGREEMENT – RESOLUTION 1.14 (AEWA 1999) which agreed that “Parties shall endeavour to phase out the use of lead shot for hunting in wetlands by the year 2000.” The need to address lead shot poisoning was a key issue during the negotiation of AEWA in the early 1990s. The final Agreement text agreed in 1995 called on Parties to “... endeavour to phase out the use of lead shot for hunting in wetlands by the year 2000.” Since then, while the exact nature of the target has changed as deadlines have passed, the goal has remained – i.e. that use of lead gunshot in wetlands should be eliminated. **UNEP/AEWA/MOP1/RES. 1.14:** Available at: <http://www.unep-aewa.org/en/document/phasing-out-lead-shot-wetlands>

INTERNATIONAL UNION FOR THE CONSERVATION OF NATURE (IUCN) – WCC 2016 RESOLUTION 82, adopted in 2016. This Resolution calls for action from the IUCN Director General and Commissions along with governments and all IUCN member organisations to work towards the phase out of lead ammunition. A specific focus was placed on reducing risks to waterbirds that ingest shot directly while feeding and scavengers exposed to lead shot and bullets in carrion. Available at: [IUCN World Congress 2016 Resolution 82](#)

THIRD MEETING OF THE UN ENVIRONMENT ASSEMBLY (UNEA) – RESOLUTION UNEP/EA.3/Res.4 UNEA3 meeting in Nairobi in December 2017, adopted this resolution on Environment and Health which calls for member States and the Executive Director to raise awareness of the dangers to the environment of lead in ammunition, and to encourage research regarding alternatives. Available at: <https://papersmart.unon.org/resolution/uploads/k1800154.english.pdf>