Declaration and Appeal to prevent an EU ban of lead in ammunition and fishing weights

Dear officers and EU representatives,

In recent years, EU intentions calling for a **total ban on lead-based ammunition and lead fishing weights** have been published. This initiative comes from the European Commission, which commissioned ECHA (European Chemicals Agency) to collect information on the effects of lead in ammunition and lead fishing weights with the aim of restricting both in the near future. In its investigation report (published in September 2018), ECHA recommended the called for more regulation, claiming that the use of lead in ammunition and fishing weights poses an unacceptable risk to the environment and human health. We point out that ECHA's conclusions are imperfect, biased and evidently misleading. We contend that their conclusions are mainly based on assumptions taken out of context with certain conclusions lacking research/evidence. Further, some data sources and references cannot be verified. We highlight in Appendix 1 of this document some overly exaggerated concerns about the use of lead.

A ban on the use of lead shot for hunting over important (and visible) wetlands is already implemented in 23 EU Member States, however a proposal for a total ban on lead in ammunition and fishing weights is currently being prepared by ECHA. We are concerned that adequate substitutions for lead in both ammunition and fishing weights do not exist. We believe that a lead ban, resulting in its replacement by inadequate materials will have very negative consequences, for example, increased risk for hunters due to the tendency of non-lead projectiles to ricochet more than lead, a poorer killing effect, which will result in greater suffering of game animals, increased wearing of firearms, etc. Another question would be the major threat to both army and police forces in EU Member States, unless reasonable exemptions from a lead ban are implemented, including on market effects of a lead ban.

Restriction proposal on all lead in ammunition and fishing weights:
Therefore, for the above reasons, we, the representatives of more than 1,25 million EU citizens, urge the concerned EU institutions and officers, to prevent a total ban on lead ammunition and lead fishing weights. We particularly appeal to the European Commission (DG ENVI, DG GROW), European Parliament, and representatives of the Council of the EU.

Restriction on use of lead shot over wetlands:
While we respect activities towards phasing out lead shot for waterbird hunting over visible/important wetlands, we wish to highlight that the current wetlands restriction proposed by the EC under REACH is flawed because it:

i) extends the definition of a wetland in an overly complicated way;
ii) introduces unworkable buffer zones at the EU level;
iii) bans being in possession of lead (while not using it), which would mean in practice a total ban on lead shot outside of wetlands.
iv) Proposes a very short transition period.

We welcome the European Commission's health and environmental protection initiatives, and we respect the need to regulate, when there is no other way. However, any regulation must be justified and proportional and it should not create more overall harm than good. With regard to any new regulation, it is necessary to clearly identify and justify its reasons, necessity as well as its positive and negative impacts. It is unlikely, though theoretically possible, that the ban on lead ammunition could slightly improve human health. However, it is practically and physically certain that it will greatly affect the safety and performance of shooting/hunting activities due to reduced lethality, unwanted rebounding of lead substitutes, resulting in injuries and potential deaths. It is theoretically possible that a ban of lead ammunition and lead fishing weights could have a beneficial effect on the health of waterbirds. However, it is worrying to proceed in such a manner, when there has been no examination into the impacts of the alternative metals on human health and the environment.

The obvious problem is that the forthcoming lead bans cannot be effective nor respected, if they are created with theoretical data, without taking into account the practical data as well as sufficient wide-ranging discussions by professionals and the general public, and without the knowledge of safety, economic, environmental and other impacts.

We are ready to provide any further information and studies, and we are ready to participate in consultations and discussions any time.

We are submitting this declaration on behalf of all the organisations mentioned; thus also on behalf of more than 1,25 million EU citizens:

Czechia:
LIGA LIBE, Czech Republic, NGO representing rights of 303 000 keepers of firearms license in the Czech Republic and 200 000 petitioners petitions dedicated against disarmament,
CZECH ANGLERS UNION (ČESKÝ RYBÁŘSKÝ SVAZ z. s.), Czech Republic, NGO having 250 000 members,
MORAVIAN ANGLERS UNION (MORAVSKÝ RYBÁŘSKÝ SVAZ z. s.), Czech Republic, NGO having 74 000 members,
THE CZECH-MORAVIAN HUNTING UNION (ČESKOMORAVSKÁ MYSLIVECKÁ JEDNOTA z. s), Czech Republic, NGO having 62 000 members,
UNION OF SOLDIERS-IN-RESERVE OF CZECH REPUBLIC (SVAZ VOJÁKŮ V ZÁLOZE ČESKÉ REPUBLIKY, z. s), Czech Republic, NGO representing reserve soldiers
CZECH SHOOTING FEDERATION (ČESKÝ STŘELECKÝ SVAZU, z. s.), Czech Republic NGO, representing sport shooters,
BRNO BURGHERS SHOOTING CORPS (BRNĚNSKÝ MĚSTSKÝ STŘELECKÝ SBOR, z. s.), Czech Republic, NGO representing shooters
THE UNION OF OFFICERS AND WARRANT OFFICERS OF THE ARMY OF THE CZECH REPUBLIC (SVAZ DŮSTOJNÍKŮ A PRAPORČÍKŮ ARMÁDY ČESKÉ REPUBLIKY, o. s.), Czech Republic, NGO representing army officers - this union is already a century old civic association with a professional relationship with the Armed Forces of the Czech Republic; it is a nationwide organization and a member of the European Confederation of Former Fighters based in Paris supported by the European Union

Declaration coordinator contacts:
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LIGA LIBE
CIVIL LIBERTIES·LEGAL GUNS-RELATED AFFAIRS


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ČESKÝ RYBÁŘSKÝ SVAZ


MORAVSKÝ RYBÁŘSKÝ SVAZ


ČESKOMORAVSKÁ MYSLIVECKÁ JEDNOTA


SVAZ DŮSTOJNÍKŮ A PRAPORČÍKŮ ACR


SVZ ČR


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BMSS

Slovakia:
Representing rights over 240 000 members.

SLOVAK HUNTING CHAMBER (SLOVENSKÁ POĽOVNÍCKA KOMORA), Slovakia,
SLOVAK ASSOCIATION OF DYNAMIC SHOOTING (SLOVENSKÁ ASOCIÁCIA DYNAMICKEJ STREĽBY), Slovakia,
SLOVAK SHOOTING FEDERATION (SLOVENSKÝ STRELECKÝ ZVÄZ), Slovakia,
SLOVAK FISHING ASSOCIATION (SLOVENSKÝ RYBÁRSKY ZVÄZ), Slovakia,
ASSOCIATION OF PRECISE SHOOTING SLOVAKIA (ASOCIÁCIA PRESNEJ STREĽBY SLOVENSKA), Slovakia,
SLOVAK ASSOCIATION OF WESTERN SHOOTING (SLOVENSKÁ ASOCIÁCIA WESTERNOVEJ STREĽBY), Slovakia,

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Appendices:

1) Lead in ammunition

2) Lead in fishing weights

Appendix 1: LEAD IN AMMUNITION

- The basic argument about 'lead in nature' needs to be seen in the context that lead is a natural element that occurs quite commonly and abundantly in the earth crust in billions of tonnes. The sheer presence of lead therefore does not equate to the toxicity of lead in its surroundings because it is mostly stable in the environment. In addition, the lead content in the earth's crust is far greater than would be expected by its location in the periodic table of elements. The reason for this is that lead isotopes are the final product of radioactive decay lines of uranium and thorium and lead content in the Earth's crust is increasing every second of every day. It is apparent that even a immediate global ban on all lead cannot stop the laws of physics from releasing lead in nature by natural radioactive decay. The Earth will continue to produce millions of tonnes of lead (far more than it is used by hunters, shooters and anglers).

- The laws of physics show that alternatives to lead are harder/lighter metals. Therefore, according to physical laws, non-lead projectiles ricochet more than lead. In hunting, non-lead ammunition will cause an increase in the number of accidents and serious injuries by ricochets. Hunted game-animals will suffer more and for a longer period when hit by lighter/harder non-lead projectiles, hence the killing effect is slower.

- Outside of wetlands, lead from projectiles remains stable and will not release (dissolve) into the environment. This is proven by archaeological finds of lead projectiles up to 600 years old that are covered with a solid oxidation layer. These did not exhibit a loss of their original mass, dimension and shape from the moment they were left on the battlefield after being fired. According to archaeologists, lead artefacts are among the best-preserved metal objects. Logically, this means that lead is not 'dissolving', even for centuries. These facts are further proven, for example, by 4000+ year old Cycladic lead sculptures and discoveries of lead crosses and lunnitsa ornaments on which a finely embossed decoration was preserved in detail. Well-preserved lead projectiles are also found on various European battlefields. Another example includes the thousand-year old lead anchors from sunk ships are also well preserved even in aggressive sea water.

- For the vast majority of firearms, there is no adequate substitute for lead by another metal in terms of characteristics and price comparison; e.g. lead used in historical weapons and their replicas is irreplaceable.

- We object to ECHA's and EC's claims that the cost of non-lead "will be low for individual hunters". This is not true, and this can be easily verified by ammunition manufacturers or sellers.

- As part of the general ban on lead, exceptionally high investments would have to be made in construction of different types of bullet traps, catchment areas and new target systems, for each approved shooting range.

- Except for monolithic specialty projectiles, non-lead ammunition will result in major deterioration of ballistic and structural properties of projectile charges of modern firearms. All other available metals (except gold) are usually significantly harder and lighter than lead.

- Lighter and harder substitute metals used for projectiles, especially shotgun steel shot, cause faster wear on gun barrels and have a less effective range.

- Frequently used arguments in favour of steel shot claiming that their lower wounding effect can be compensated by shortening the shooting distance need to be viewed in each hunting context. In most cases, shooting at game at a shorter distance is an unrealistic solution. It is rarely possible to be in a position to choose when to precisely shoot at game, because game species are driven by their instincts, frequently at the greatest possible distance from possible threats, aiming to leave as quickly as possible.

- Rifle bullets made of copper and zinc alloys are more likely to ricochet or change direction in the event of an impact on any type of obstacle, unlike the soft lead projectiles. In terms of wounding effects, non-lead bullets do not have the characteristics of lead bullets. There are major issues related to accuracy for certain calibres for target shooting and a lack of economically feasible and tested alternatives for many rifle calibres.

- Finally, a general ban of lead ammunition will create a situation where "a little devil we have known for centuries would be exorcised by a big devil we do not know at all". Some negative consequences of the use of non-lead will exhibit themselves soon (e.g. injuries from ricocheting projectiles are ongoing), others maybe in a few decades. Limiting the use of lead shot for hunting over wetlands, where lead can get into waterfowl digestive tracts, resulting in toxic effects, is understandable. However, it is already known that some considered replacement metals and their alloys could exhibit negative environmental impacts. For example, zinc can be toxic for fish embryos, copper can be toxic for water life, bismuth can also be toxic and in addition slightly radioactive, steel is highly corrosive, etc. There are already examples of EU policies that tried to replace substances with alternatives without considering consequences that proved to be harmful for environment in the end. If lead ammunition is restricted, who is going to guarantee that one metal is not replaced by another risky metal?

Appendix 2: LEAD IN FISHING WEIGHTS

Lead and its alloys are also used in the fishing sector. High lead density helps to cast tackle and fish-bait far or to keep the bait at the chosen depth with respect to water flow speed using a lead sinker of the correct weight. Lead weights are a means and a fixed part of a fishing rod set up. Losing the weight below the surface cannot be ruled out, but it is never an intention. A snagged lure means financial loss for the angler.

In the Czech Republic, the increase in lead content in fish muscles related to exercising fishing rights is not known. Locally, increased lead content in the bottom sediment was proven only in relation to chemical industry or shipping, where lead forms a major part of ship coatings.

Nevertheless, in order to avoid contamination of the aquatic environment, anglers are already using weights made of alternative materials. Alternatively, lead weights with surface coating is often applied – then the lead core is plastic-coated or rubberized, optionally treated by pouring hot-melt lead to moulding of brass or steel. After such encapsulation, it does not come into contact with the aquatic environment. Where there are no plasticity requirements for weights, other types of metals such as copper, brass or tungsten may be used.

In cases where it is necessary to maintain the plasticity of the weight (small balancing weights – lead pellets for float fishing), lead is irreplaceable. Both anglers and EFTTA (European Fishing Tackle Trade Association) agree on this.

Most alternative weights and ammunition are just another form of negative environmental impact. Copper can also be toxic to aquatic invertebrates, and zinc can be highly toxic to fish fry. These are lighter and harder metals than lead, which can oxidize fast on the surface, and are very noticeable in the water.

Other disadvantages of the alternatives are poor workability and high cost. For example, tungsten has high density, on the other hand is thermally extremely stable (cannot be cast), its powder form agglomerates only under extremely high temperatures. The global reserves of tungsten are limited and therefore it is very expensive. It is not plastic, and as such cannot be used as a substitute for ballast loads pellets.