

Consumer products HCT-202403-03

European Commission adopts recommendation to tighten HBCDD limits

On March 21, 2024, the European Commission adopted a revised draft of POPs to tighten HBCDD limits. The next step will be to publish revised regulations in the EU Official Journal to formally update the substance limit. The revised draft was initiated for public consultation from November 28 to December 23, 2023, during which three industry stakeholders submitted feedback and expressed unanimous support for the revised draft.

The revised draft of HBCDD is compared with the current regulations as follows:

Current requirements 1.For the purposes of this entry, point (b) of Article 4(1) shall apply to concentrations of hexabromocyclododecane equal to or below 100 mg/kg (0,01 % by weight) where it is present in substances, mixtures, articles or as constituents of the flame-retarded articles, subject to review

by the Commission by 22 March 2019.

- 2.Expanded polystyrene articles containing hexabromocyclododecane already in use in buildings before 21 February 2018 in accordance with Commission Regulation (EU) 2016/293 and Commission Implementing Decision No 2016/C 12/06, and extruded polystyrene articles containing hexabromocyclododecane already in use in buildings before 23 June 2016 may continue to be used. Article 4(2), third and fourth subparagraphs shall apply to such articles.
- 3.Without prejudice to the application of other Union provisions on the classification, packaging and labelling of substances and mixtures, expanded polystyrene placed on the market after 23 March 2016 in which hexabromocyclododecane was used shall be identifiable by labelling or other means throughout its life cycle.

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- 1.For the purposes of this entry, Article 4(1), point (b), shall apply to concentrations of hexabromocyclododecane equal to or below **75 mg/kg** (0,0075 % by weight) where it is present in substances, mixtures, articles or as constituents of the flame-retarded articles. For the use of recycled polystyrene in the production of EPS and XPS insulation material for use in buildings or civil engineering works, that point (b) shall apply to concentrations of hexabromocyclododecane equal to or below 100 mg/kg (0,01 % by weight). The exemptions laid down in this point (1) shall be reviewed and assessed by the Commission by 1 January 2026.
- 2.Expanded polystyrene articles containing hexabromocyclododecane already in use in buildings before 21 February 2018 in accordance with Commission Regulation (EU) 2016/293 (5) and Commission Implementing Decision No 2016/C 12/06 (6), and extruded polystyrene articles containing hexabromocyclododecane already in use in buildings before 23 June 2016 may continue to be used. Article 4(2), third and fourth subparagraphs shall apply to such articles.
- 3. Without prejudice to the application of other Union provisions on the classification, packaging and labelling of substances and mixtures, expanded polystyrene placed on the market after 23 March 2016 in which hexabromocyclododecane was used shall be identifiable by labelling or other means throughout its life cycle.

Crigind link

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Web: www.hct-test.com Hotline: 400-0066-989 E-mail: hongcai@hct-test.com

Add: Building B,Tianji Industrial Park,



