



Consumer products

HCT-202411-04

## EU releases updated draft of restrictions and exemptions for PFOA

On November 9, 2024, the EU released a draft revision of the POPs Regulation to update the restrictions and exemptions for PFOA. Stakeholders can submit feedback from November 8, 2024 to December 6, 2024. The updates to the draft are as follows:

In Annex I, Part A, the table, the entry 'Perfluorooctanoic acid (PFOA), its salts and PFOA-related compounds', the fourth column is amended as follows:

(1) in point 3, the second sentence is deleted;

(2) the following points 4a and 4b are inserted:

'4a. For the purposes of this entry, Article 4(1), point (b), shall apply to any individual PFOA-related compound or combination of PFOA-related compounds equal to or below 10 mg/kg (0,001 % by weight) where they are present in fire-fighting foam and fire-fighting foam concentrate for liquid fuel vapour suppression and liquid fuel fire (Class B fires) already installed in systems. This limit value shall apply until ... [OP: please insert date=3 years after the date of entry into force of this Regulation].

4b. For the purposes of this entry, Article 4(1), point (b), shall apply to any individual PFOA-related compound or combination of PFOA-related compounds equal to or below 10 mg/kg (0,001 % by weight) where they are present in fluorine-free fire-fighting foams and originate from fire-fighting equipment which has undergone cleaning in accordance with the best available techniques.'

(3) in point 6, the date '4 July 2025' is replaced by '3 December 2025';

(4) in point 10, the second sentence is deleted;

(5) the following point 11 is added:

'11. Articles containing PFOA, its salts and PFOA-related compounds already in use in the Union before or on the date of expiry of the relevant exemption laid down in points 5 (a) to (d) may continue to be used'.





Current regulations	Draft revision
<p>1. For the purposes of this entry, point (b) of Article 4(1) shall apply to concentrations of PFOA or any of its salts equal to or below 0,025 mg/kg (0,0000025 % by weight) where they are present in substances, mixtures or articles.</p> <p>2. For the purposes of this entry, point (b) of Article 4(1) shall apply to concentrations of any individual PFOA-related compound or a combination of PFOA-related compounds equal to or below 1 mg/kg (0,0001 % by weight) where they are present in substances, mixtures or articles.</p> <p>3. For the purposes of this entry, point (b) of Article 4(1) shall apply to concentrations of PFOA-related compounds equal to or below 20 mg/kg (0,002 % by weight) where they are present in a substance to be used as a transported isolated intermediate within the meaning of Article 3 point 15(c) of Regulation (EC) No 1907/2006 and fulfilling the strictly controlled conditions set out in Article 18(4)(a) to (f) of that Regulation for the production of fluorochemicals with a carbon chain equal to or shorter than 6 atoms. <a href="#">This exemption shall be reviewed and assessed by the Commission no later than 25 August 2023.</a></p> <p>4. For the purposes of this entry, Article 4(1), point (b), shall apply to concentrations of PFOA and its salts equal to or below 1 mg/kg (0,0001 % by weight) where they are present in polytetrafluoroethylene (PTFE) micropowders produced by ionising irradiation or by thermal degradation as well as in mixtures and articles for industrial and professional uses containing PTFE micropowders until 18 August 2023. All emissions of PFOA during the manufacture and use of PTFE micropowders shall be avoided and, if not possible, reduced as far as possible. The limit of 1</p>	<p>1. For the purposes of this entry, point (b) of Article 4(1) shall apply to concentrations of PFOA or any of its salts equal to or below 0,025 mg/kg (0,0000025 % by weight) where they are present in substances, mixtures or articles.</p> <p>2. For the purposes of this entry, point (b) of Article 4(1) shall apply to concentrations of any individual PFOA-related compound or a combination of PFOA-related compounds equal to or below 1 mg/kg (0,0001 % by weight) where they are present in substances, mixtures or articles.</p> <p>3. For the purposes of this entry, point (b) of Article 4(1) shall apply to concentrations of PFOA-related compounds equal to or below 20 mg/kg (0,002 % by weight) where they are present in a substance to be used as a transported isolated intermediate within the meaning of Article 3 point 15(c) of Regulation (EC) No 1907/2006 and fulfilling the strictly controlled conditions set out in Article 18(4)(a) to (f) of that Regulation for the production of fluorochemicals with a carbon chain equal to or shorter than 6 atoms.</p> <p>4. For the purposes of this entry, Article 4(1), point (b), shall apply to concentrations of PFOA and its salts equal to or below 1 mg/kg (0,0001 % by weight) where they are present in polytetrafluoroethylene (PTFE) micropowders produced by ionising irradiation or by thermal degradation as well as in mixtures and articles for industrial and professional uses containing PTFE micropowders until 18 August 2023. All emissions of PFOA during the manufacture and use of PTFE micropowders shall be avoided and, if not possible, reduced as far as possible. The limit of 1 mg/kg (0,0001 % by weight) shall apply only to manufacture, placing on the market and use of PFOA</p>





mg/kg (0,0001 % by weight) shall apply only to manufacture, placing on the market and use of PFOA and its salts where they are present in PTFE micropowders that are transported or treated for the purpose to reduce the concentration of PFOA and its salts below the limit of 0,025 mg/kg (0,0000025 % by weight).

5. By way of derogation, the manufacturing, placing on the market and use of PFOA, its salts and PFOA-related compounds shall be allowed for the following purposes:

- (a) photolithography or etch processes in semiconductor manufacturing, until 4 July 2025;
- (b) photographic coatings applied to films, until 4 July 2025;
- (c) textiles for oil- and water-repellency for the protection of workers from dangerous liquids that comprise risks to their health and safety, until 4 July 2023;
- (d) invasive and implantable medical devices, until 4 July 2025;

6. By way of derogation, the use of PFOA, its salts and PFOA-related compounds shall be allowed in fire-fighting foam for liquid fuel vapour suppression and liquid fuel fire (Class B fires) already installed in systems, including both mobile and fixed systems, until 4 July 2025, subject to the following conditions:

- (a) fire-fighting foam that contains or may contain PFOA, its salts and/or PFOA-related compounds shall not be used for training;
- (b) fire-fighting foam that contains or may contain PFOA, its salts and/or PFOA-related compounds shall not be used for testing unless all releases are

and its salts where they are present in PTFE micropowders that are transported or treated for the purpose to reduce the concentration of PFOA and its salts below the limit of 0,025 mg/kg (0,0000025 % by weight).

4a. For the purposes of this entry, Article 4(1), point (b), shall apply to any individual PFOA-related compound or combination of PFOA-related compounds equal to or below 10 mg/kg (0,001 % by weight) where they are present in fire-fighting foam and fire-fighting foam concentrate for liquid fuel vapour suppression and liquid fuel fire (Class B fires) already installed in systems. This limit value shall apply until ... [OP: please insert date=3 years after the date of entry into force of this Regulation].

4b. For the purposes of this entry, Article 4(1), point (b), shall apply to any individual PFOA-related compound or combination of PFOA-related compounds equal to or below 10 mg/kg (0,001 % by weight) where they are present in fluorine-free fire-fighting foams and originate from fire-fighting equipment which has undergone cleaning in accordance with the best available techniques.

5. By way of derogation, the manufacturing, placing on the market and use of PFOA, its salts and PFOA-related compounds shall be allowed for the following purposes:

- (e) photolithography or etch processes in semiconductor manufacturing, until 4 July 2025;
- (f) photographic coatings applied to films, until 4 July 2025;
- (g) textiles for oil- and water-repellency for the protection of workers from dangerous liquids that comprise risks to their health and safety, until 4





<p>contained;</p> <p>(c) as from 1 January 2023, uses of fire-fighting foam that contains or may contain PFOA, its salts and/or PFOA-related compounds shall only be allowed in sites where all releases can be contained;</p> <p>(d) fire-fighting foam stockpiles that contain or may contain PFOA, its salts and/or PFOA-related compounds shall be managed in accordance with Article 5.</p> <p>7. By way of derogation, the use of perfluorooctyl bromide containing perfluorooctyl iodide for the purpose of producing pharmaceutical products shall be allowed, subject to review and assessment by the Commission by 31 December 2026, every four years thereafter and by 31 December 2036.</p> <p>8. Use of articles already in use in the Union before 4 July 2020 containing PFOA, its salts and/or PFOA-related compounds shall be allowed. Article 4(2), third and fourth subparagraphs shall apply in relation to such articles.</p> <p>9. By way of derogation, the use of PFOA, its salts and/or PFOA-related compounds shall be allowed until 3 December 2020 in the following articles:</p> <p>(a) medical devices other than implantable ones, within the scope of Regulation (EU) 2017/745 ;</p> <p>(b) latex printing inks;</p> <p>(c) plasma nano-coatings.</p> <p>10. For the purposes of this entry, point (b) of Article 4(1) shall apply to concentrations of PFOA and its salts and/or PFOA-related compounds equal to or below 2 mg/kg (0,0002 % by weight) where they are present in medical devices other than invasive devices and implantable</p>	<p>July 2023;</p> <p>(h) invasive and implantable medical devices, until 4 July 2025;</p> <p>6. By way of derogation, the use of PFOA, its salts and PFOA-related compounds shall be allowed in fire-fighting foam for liquid fuel vapour suppression and liquid fuel fire (Class B fires) already installed in systems, including both mobile and fixed systems, until <b>3 December 2025</b>, subject to the following conditions:</p> <p>(e) fire-fighting foam that contains or may contain PFOA, its salts and/or PFOA-related compounds shall not be used for training;</p> <p>(f) fire-fighting foam that contains or may contain PFOA, its salts and/or PFOA-related compounds shall not be used for testing unless all releases are contained;</p> <p>(g) as from 1 January 2023, uses of fire-fighting foam that contains or may contain PFOA, its salts and/or PFOA-related compounds shall only be allowed in sites where all releases can be contained;</p> <p>(h) fire-fighting foam stockpiles that contain or may contain PFOA, its salts and/or PFOA-related compounds shall be managed in accordance with Article 5.</p> <p>7. By way of derogation, the use of perfluorooctyl bromide containing perfluorooctyl iodide for the purpose of producing pharmaceutical products shall be allowed, subject to review and assessment by the Commission by 31 December 2026, every four years thereafter and by 31 December 2036.</p> <p>8. Use of articles already in use in the Union before 4</p>
---	--





devices. [This exemption shall be reviewed and assessed by the Commission no later than 22 February 2023.](#)

July 2020 containing PFOA, its salts and/or PFOA-related compounds shall be allowed. Article 4(2), third and fourth subparagraphs shall apply in relation to such articles.

9. By way of derogation, the use of PFOA, its salts and/or PFOA-related compounds shall be allowed until 3 December 2020 in the following articles:

(a) medical devices other than implantable ones, within the scope of Regulation (EU) 2017/745 ;

(b) latex printing inks;

(c) plasma nano-coatings.

10. For the purposes of this entry, point (b) of Article 4(1) shall apply to concentrations of PFOA and its salts and/or PFOA-related compounds equal to or below 2 mg/kg (0,0002 % by weight) where they are present in medical devices other than invasive devices and implantable devices.

11. [Articles containing PFOA, its salts and PFOA-related compounds already in use in the Union before or on the date of expiry of the relevant exemption laid down in points 5 \(a\) to \(d\) may continue to be used.](#)

Original link: [Chemical pollutants - limits and exemptions for perfluorooctanoic acid \(PFOA\)](#)

## HCT SOLUTION:

HCT has a wide range of testing areas and convenient service channels to help companies evaluate the regulated special chemical substances in their products so that your products meet the standards of the corresponding countries and international organizations.

