

CDX Newsletter

Regulatory Update Q3/2024

Dear CDX Users,

At CDX, we are not just a software solution. We are your *partners* in navigating the complex world of regulatory compliance. Our team of experts is dedicated to equipping you with the knowledge and tools needed to stay ahead of evolving regulations. Let's dive into what we've prepared for you in Q3 2024.

Upcoming Webinar: Understanding PFAS Regulatory Frameworks Across EU, UK, and US

We're thrilled to invite you to our upcoming webinar on July 25th, 2024, from 4:00 PM to 5:00 PM CET. Our panel of experts will provide a comprehensive overview of the current and evolving PFAS regulatory landscape in the EU, US, and UK. This webinar is crucial for businesses and professionals across various industries, as PFAS substances are used extensively in numerous applications, from textiles and food packaging to electronics and firefighting foams across different jurisdictions. Secure your spot now - full agenda and registration portal are available [here](#).

PFAS Declarable Substance List

As a reminder to those who haven't had the chance to utilize it yet, we've released our PFAS Declarable Substance List. This comprehensive compilation, curated from various global governmental PFAS lists and national inventories, is a valuable resource for all our subscribers. The list significantly streamlines your compliance efforts by narrowing down the scope of data collection from a daunting 15,000 to a more manageable 3,000 substances. If you haven't explored this tool yet, we encourage you to do so. Our upcoming webinar will delve deeper into how we maintain and evaluate this data, providing you with an exclusive opportunity to ask questions directly to our expert team. Don't miss this chance to optimize your PFAS compliance strategy with our tailored resources.

Introducing the PFAS DSL Query List

In response to upcoming regulations like the EU Corporate Sustainability Due Diligence Directive (CSDDD) and the already enforced German Supply Chain Act, we've developed the PFAS DSL Query List. This tool enhances our PFAS Declarable Substance List by providing a set of critical questions designed to ensure comprehensive data collection regarding PFAS presence, utilization in production processes, and adherence to established OECD guidelines. This structured approach facilitates a thorough assessment of PFAS in your supply chain, enabling informed decision-making and proactive management.

Remember, this newsletter is just one way we keep you updated. Our webinars, expert consultations, and continuous CDX enhancements are all part of our commitment to your compliance success in an ever-changing regulatory landscape.

Thank you,

Your CDX Team

Agenda

Asia

China

[China Bolsters Consumer Protection with New Regulations \(proposed\)](#)

Japan

[PFAS: Japan Restricts PFOA and PFOA-Related Compounds \(consultation\)](#)

Singapore

[Postponed Ban on Hazardous Substances to Align with Stockholm Convention \(proposed\)](#)

[PFAS: Phase Out PFAS-Containing Fire-Fighting Foams by 2026 \(published\)](#)

Vietnam

[Draft Amendment to Law on Chemicals Notified to WTO \(amendment\)](#)

India

[India Tightens Regulations on Plastic Waste Management \(amendment\)](#)

Oceania

Australia

[Australia Proposes Stricter Regulations for Dechlorane Plus and UV-328 \(consultation\)](#)

North America

United States

[PFAS: EPA Designates PFOA and PFOS as Hazardous Substances Under Superfund Law](#)

California

[Further Modifications to Prop 65 Short-Form Warning Regulations \(proposal amendment\)](#)

Maine

[Maine Bans PFAS in Food Packaging \(enacted\)](#)

[Phased Product Bans and Reporting Reforms \(enacted\)](#)

Colorado

[PFAS: Phase-Out Plan \(enacted\)](#)

Canada

[Canada Launches Federal Plastics Registry to Combat Plastic Pollution \(released\)](#)

Europe

European Union

[Eco-Design Requirements with New Sustainable Products Regulation \(publish\)](#)

[Research needs for regulating hazardous chemicals](#)

[ECHA CHEM: REACH registration data alignment with latest IUCLID format \(released\)](#)

[ECHA Expands Candidate List with New Reproductive Toxicant \(amendment\)](#)

[PFAS: RAC and SEAC Conclude on Four Sectors \(update\)](#)

[REACH Annex XVII: New EU Limits on D4, D5, and D6 Chemicals \(amendment\)](#)

[EU Commission Seeks Input on F-gas Reporting Format \(consultation\)](#)

[ECHA Expands Scope of Chromium \(VI\) Restriction Proposal \(proposal amendment\)](#)

[EU Proposes Restriction on Dechlorane Plus Flame Retardant \(consultation\)](#)

[RoHS: Exemption for Cadmium \(amendment\)](#)

[Northern Ireland](#)

[EPR Reporting Requirements for Packaging Waste \(amendment\)](#)

[Great Britain](#)

[UK REACH: Proposed Changes to Streamline Chemical Regulations \(consultation\)](#)

[Switzerland](#)

[Expansion of Sustainability Reporting Obligations \(proposal\)](#)

Asia

China

China Bolsters Consumer Protection with New Regulations (proposed)

In a significant move to enhance consumer rights, China's State Council has unveiled [new regulations set](#) to take effect on July 1, 2024. The "Regulations on the Implementation of the Consumer Rights Protection Law" aims to address a range of consumer concerns, including environmental claims and product safety.

A key focus of the regulations is combating "greenwashing" - the practice of making misleading environmental claims. Companies will be encouraged to disclose accurate environmental information about their products and services, with penalties for false claims.

The regulations also cover product safety, advertising standards, and consumer data protection. While specific penalties for false environmental claims are not detailed, consumers can report suspected violations to market administration authorities.

This regulatory update demonstrates China's commitment to modernizing its consumer protection framework, adapting to evolving market practices and consumer expectations in an increasingly digital economy.

Japan

PFAS: Japan Restricts PFOA and PFOA-Related Compounds (consultation)

In response to the decision made at the 9th Conference of the Parties to the Stockholm Convention on Persistent Organic Pollutants in 2019 to add Perfluorooctanoic acid (PFOA), its salts and PFOA related compounds to its scope for elimination, the Japanese government has revised the Order for Enforcement of the Act on the Regulation of Manufacture and Evaluation of Chemical Substances. Key changes:

- PFOA isomers or their salts and PFOA related compounds shown in Table 1 will be designated as Class I Specified Chemical Substances, prohibiting their manufacture, import and use (with some exceptions) and the import of products containing these substances (Tables 2 and 3).
- The revision aims to prevent environmental pollution by chemical substances that could pose a risk to human health or interfere with the population and/or growth of flora and fauna.

- The designation of PFOA isomers or their salts as Class I Specified Chemical Substances will enter into force around August 2024, while the designation of PFOA related compounds and the addition of prohibited import products will take effect around December 2024.

Source: [IAEG WG9 Newsletter](#)

Singapore

Postponed Ban on Hazardous Substances to Align with Stockholm Convention (proposed)

In a recent regulatory update, Singapore has announced a delay in implementing its ban on three hazardous substances: Decchlorane Plus, UV-328, and methoxychlor. Initially slated for May 12, 2024, [the National Environment Agency \(NEA\) has revised the effective date to February 26, 2025](#). This adjustment aligns with the Stockholm Convention's timeline, which stipulates that amendments enter into force one year after official notification. The substances, listed as persistent organic pollutants (POPs) in Annex A of the Stockholm Convention, were globally agreed upon for [elimination in May 2023](#), with some specific exemptions. This postponement allows industries additional time to adapt to the upcoming restrictions on manufacturing, importing, and exporting these chemicals and products containing them.

PFAS: Phase Out PFAS-Containing Fire-Fighting Foams by 2026 (published)

In a significant move towards environmental protection, Singapore's National Environment Agency (NEA) has [announced plans to phase out fire-fighting foams containing per- and polyfluoroalkyl substances \(PFAS\) by January 1, 2026](#). This decision, outlined in a recently published circular, primarily targets perfluorooctanoic acid (PFOA), perfluorooctane sulfonic acid (PFOS), and perfluorohexane sulfonic acid (PFHxS), all of which are listed under the Stockholm Convention on Persistent Organic Pollutants. The phase-out will prohibit the import and use of fire-fighting foams containing these substances above specified threshold limits. Companies are advised to work with NEA-licensed Toxic Industrial Waste Collectors to dispose of non-compliant foams. This regulatory update aligns Singapore with global efforts to reduce the environmental impact of persistent organic pollutants.

Vietnam

Draft Amendment to Law on Chemicals Notified to WTO (amendment)

Vietnam has taken a significant step towards modernizing its chemical management framework by notifying the World Trade Organization (WTO) of its intention to adopt an amended Law on Chemicals. [The draft amendment](#), which represents a substantial overhaul of the country's primary chemical regulation, is slated for adoption on May 1, 2025, with an expected implementation date of May 1, 2026. The proposed changes to the Law on Chemicals include the addition of a new chapter and 24 articles, expanding upon the 2007 version. This revision aims to address identified shortcomings and align Vietnam's chemical regulations more closely with global standards.

WTO members have been given a 60-day window from the notification date of April 16, 2024, to submit their comments on the proposed draft. This period, ending on June 15, 2024, provides an opportunity for international stakeholders to contribute to the development of Vietnam's chemical regulatory framework.

India

India Tightens Regulations on Plastic Waste Management (amendment)

As of July 18, 2024, India has taken significant steps to address plastic pollution through recent amendments to its waste management rules. On March 14, 2024, the Ministry of Environment, Forest and Climate Change (MOEFCC) [introduced the Plastic Waste Management \(Amendment\) Rules 2024](#), which came into effect immediately.

The new regulations expand the scope of Extended Producer Responsibility (EPR) to include a wider range of entities involved in plastic production and distribution. Manufacturers of compostable or biodegradable plastics now face stricter requirements,

including mandatory certification from the Central Pollution Control Board before marketing their products. The rules also introduce new labeling standards for biodegradable plastics, specifying degradation timeframes and environments.

Notably, the amendments redefine key terms such as "importer," "manufacturer," and "producer" to encompass a broader range of activities related to plastic packaging. This change aims to create a more comprehensive framework for managing plastic waste throughout its lifecycle.

While small and medium-sized enterprises may be exempt from certain EPR obligations, they are still required to register on the centralized portal and declare their plastic packaging categories.

Oceania

Australia

Australia Proposes Stricter Regulations for Dechlorane Plus and UV-328 (consultation)

The Australian Department of Climate Change, Energy, Environment and Water (DCCEEW) has [initiated a public consultation](#) on the proposed listing of Dechlorane Plus and UV-328 under Schedule 6 of the Industrial Chemicals Environmental Management Standard (IChEMS) register. This proposal, opened for comments until 5pm (AEST) Monday, 13 May 2024, aims to significantly restrict the use of these persistent organic pollutants (POPs). If approved, the manufacture, import, export, and use of these substances would be prohibited from July 1, 2026, with limited exceptions for research, trace contamination, and disposal. This move aligns with the recent addition of these chemicals to the Stockholm Convention on POPs due to their environmental persistence and bioaccumulation properties. Additionally, the consultation includes proposals for classifying melamine, boric acid, and β -alanine under lower-risk schedules of the IChEMS register.

North America

United States

PFAS: EPA Designates PFOA and PFOS as Hazardous Substances Under Superfund Law

In a significant move to address the growing public health crisis posed by "forever chemicals," the U.S. Environmental Protection Agency (EPA) has designated two widely used per- and polyfluoroalkyl substances (PFAS) as hazardous substances under the [Comprehensive Environmental Response, Compensation, and Liability Act \(CERCLA\), also known as the Superfund law](#).

The final rule designates perfluorooctanoic acid (PFOA) and perfluorooctanesulfonic acid (PFOS) as hazardous substances, enabling the EPA to compel polluters to pay for investigations and cleanups of these harmful chemicals. This action builds on the agency's recently finalized drinking water standards to protect communities from PFAS contamination and represents the latest step in the Biden-Harris Administration's comprehensive strategy to tackle the PFAS crisis.

By listing PFOA and PFOS as hazardous substances, the EPA can now use its powerful Superfund enforcement tools to hold polluters accountable and ensure they bear the costs of remediating PFAS-contaminated sites, rather than burdening taxpayers. This designation will also trigger reporting requirements for releases of these chemicals, allowing for faster identification and cleanup of contamination.

California

Further Modifications to Prop 65 Short-Form Warning Regulations (proposal amendment)

On [June 14, 2024, the California Office of Environmental Health Hazard Assessment \(OEHHA\) released](#) a new set of proposed modifications to the Proposition 65 "short-form" warning regulations. This latest revision, open for public comment until June 28, 2024.

Key modifications in this proposal include:

- Extending the implementation timeline for revised short-form warning content from two years to three years, addressing industry concerns about insufficient time for compliance.
- Reverting to the original regulation text for most internet and catalog warning content, eliminating the previously proposed requirement for warnings at both point of sale and product delivery.
- Introducing a 60-day grace period for internet retailers to update their online short-form warnings during the three-year implementation period, starting from when they receive a warning or written notice of new warning content

These changes aim to address some of the concerns raised by industry stakeholders while maintaining OEHHA's core objective of requiring specific chemical disclosure in short-form warnings.

Maine

Maine Bans PFAS in Food Packaging (enacted)

On April 18, 2024, the Maine Board of Environmental Protection [approved a final rule to prohibit the use of per- and polyfluoroalkyl substances \(PFAS\)](#) in certain types of food packaging sold in the state. This regulation, which will go into effect on May 25, 2026, aims to protect public health and the environment by eliminating the use of these persistent chemicals in food contact materials.

The new rule, established under Maine law [32 MRS 1733 \(3-B\)](#), directs the Department to initiate major substantive rulemaking to prohibit the use of PFAS in food packaging after determining that safer alternatives are available. The regulation covers a range of [food packaging items](#). The prohibition does not apply to food or beverage manufacturers with less than \$1 billion in annual national sales, providing an exemption for smaller businesses.

Phased Product Bans and Reporting Reforms (enacted)

Maine has recently passed legislation ([LD 1537](#)) that significantly amends its laws on per- and polyfluoroalkyl substances (PFAS) in products. The new law establishes a phased approach to banning the sale of various PFAS-containing products while scaling back previous reporting requirements. Key provisions include a series of deadlines for prohibiting the sale of products with intentionally added PFAS:

- January 1, 2026: Ban on cleaning products, cookware, cosmetics, and several other consumer goods
- January 1, 2029: Prohibition on synthetic turf and certain outdoor wear
- January 1, 2032: Ban on most remaining unprohibited goods, with some exceptions
- January 1, 2040: Final phase-out for product categories omitted from the 2032 deadline

The legislation also provides broad exemptions for certain product categories, including semiconductors, firefighting foams, and federally regulated medical devices. This law represents a significant shift in Maine's strategy to address PFAS pollution, balancing environmental concerns with industry needs by providing a more gradual phase-out timeline and specific exemptions. The Maine Department of Environmental Protection is expected to provide further guidance on implementation, including criteria for "Currently Unavoidable Use" determinations, by mid-summer 2024.

Colorado

PFAS: Phase-Out Plan (enacted)

Colorado has taken significant steps to increase protections against perfluoroalkyl and polyfluoroalkyl chemicals (PFAS) with the passage of [SB24-081](#). Effective May 1, 2024, this legislation introduces a phased approach to banning the sale and distribution of various products containing intentionally added PFAS chemicals. Key provisions include:

- Beginning January 1, 2025, certain outdoor apparel intended for extreme or extended use in severe wet conditions must carry a disclosure stating the presence of PFAS chemicals.
- By January 1, 2026, the sale and distribution of non-medical cleaning products, cookware, dental floss, menstruation products, and ski wax containing PFAS chemicals will be prohibited.
- As of January 1, 2028, the disclosure requirement will be repealed, and the sale and distribution of medical floor maintenance products, textile articles, outdoor apparel for severe wet conditions, and commercial food equipment containing PFAS chemicals will be banned.
- Additionally, the installation of artificial turf containing PFAS chemicals on any property in the state will be prohibited starting January 1, 2026.

These measures aim to further safeguard the environment and public health by limiting exposure to these harmful chemicals.

Canada

Canada Finalizes Expanded Restrictions on Mercury-Containing Products (finalized)

[The Canadian government has finalized regulations](#) that will significantly broaden restrictions on mercury-containing lamps and other products. Effective June 2025, amendments to the 2015 Products Containing Mercury Regulations will eliminate several existing exemptions. [The changes target products that now have viable mercury-free alternatives, including most types of fluorescent lamps for general lighting.](#) Screw-base and pin-base compact fluorescent lamps, as well as straight and non-linear fluorescent lamps, will be prohibited from manufacture and import by the end of 2025. A two-year transition period allows for replacement lamps in some categories, with sales bans following in 2030. The amendments also introduce new restrictions on mercury catalysts in polyurethane manufacturing and prohibit several other mercury-containing products no longer used in Canada.

Canada Launches Federal Plastics Registry to Combat Plastic Pollution (released)

Environment and Climate Change Canada (ECCC) has introduced [the Federal Plastics Registry](#) as part of its strategy to address plastic pollution and promote a circular economy. On April 20, 2024, ECCC published [a notice](#) in the Canada Gazette, Part I, under section 46 of the Canadian Environmental Protection Act, 1999 (CEPA), mandating the creation of a comprehensive plastic data inventory. This registry will require various entities involved in the plastic lifecycle to report annually on the quantity and types of plastic they handle. Affected parties include resin manufacturers, service providers, and producers of plastic products.

The registry aims to collect standardized, country-wide data on plastics from production to end-of-life, enabling informed decision-making and measurement of pollution prevention strategies. Reporting requirements will be phased in, starting with specific product categories for the 2024 calendar year, including packaging, electronic and electrical equipment, and single-use or disposable products. The first reporting deadline is set for September 29, 2025, with the registry's IT system expected to be accessible in the latter half of 2024.

Entities handling less than 1000 kg of plastic products or packaging annually are exempt from reporting. ECCC is developing guidance documents to assist companies with compliance. The collected information must be retained for three years from the submission date. This initiative marks a significant step in Canada's efforts to reduce plastic waste and pollution by 2030.

Europe

European Union

Eco-Design Requirements with New Sustainable Products Regulation (publish)

The European Commission has recently published a groundbreaking regulation on [Eco-Design requirements for sustainable products \(ESPR\)](#), significantly expanding the scope of the previous Eco-design Directive. This new regulation encompasses a wide range of physical products placed on the EU market, including components and intermediate products, with certain exceptions such as food, medicinal products, and vehicles.

The ESPR adopts a holistic approach to product sustainability, focusing on the entire lifecycle and introducing new requirements to promote circular economy principles. Key aspects include durability, reusability, upgradability, reparability, resource efficiency, and recycled content. The regulation also mandates disclosure of environmental information, including CO2 footprint and substances of concern, through digital product passports tailored to specific product groups.

Implementation details for various product categories will be outlined in delegated acts, with companies granted an 18-month transition period after each product-specific regulation comes into force. The first delegated act is expected by July 2025. Notably, the regulation introduces comprehensive information requirements for substances of concern, which encompass a broader range of materials than the previously defined substances of very high concern.

The Commission is set to release a work plan by March 2025, prioritizing product groups for upcoming regulations. Initial focus areas include textiles, furniture, tires, detergents, and information technology products. Manufacturers are advised to begin preparing for data collection along their supply chains in anticipation of these new requirements.

Guiding criteria and principles for the essential use concept in EU legislation

Lately the Commission has adopted guiding criteria and principles for what would constitute an essential use of the most harmful chemicals under EU regulations. A communication document ([LINK](#)) aims to offer guidance on decision-making regarding the justified use of most harmful substances from a societal perspective and provides industry and investors predictability regarding the manufacturing of products crucial for the green and digital transition in the EU. It is a concrete outcome of the Chemicals Strategy for Sustainability (CSS) and part of the European Green Deal, aiming to enhance human and environmental health protection by faster eliminating the most harmful substances while allowing time to phase out essential uses of these chemicals.

Criteria for essential use:

A use of a most harmful substance is essential for society if the following two criteria are met:

1. The use must be necessary for health, safety, or critical societal functioning.
2. No acceptable alternatives are available.

Key terms underpinning the essential use include (not exhaustive):

Most harmful substances have one or more of the following hazard properties:

- Carcinogenicity Cat. 1A and 1B

- PBT
- vPvB
- Endocrine disruption Cat 1 (human health or environment)

The use is necessary for health or safety if the use and the technical function of the substance in that use is necessary in order to:

- Prevent, monitor, or treat illness and similar health conditions
- managing health crises and emergencies

Critical for societal functioning if the use and the technical function of the substance in that use are critical in order to:

- Provide resources or services that must remain in service for society to function (e.g. ensure supply of energy and critical raw materials)
- managing societal risks and impacts from natural crises and disasters
- protect and restore the natural environment

Acceptable alternatives must provide comparable performance with lower chemical risks.

These criteria apply to various substance uses, such as processing, formulation, and production. While not legally binding unless included in specific legislation, industries should familiarize themselves with these concepts and prepare for potential legislative actions. Of special interest is the concept of "essential use" in the context of PFAS restrictions in the EU and might be a key element to eliminate all non-essential uses of PFAS. For more information have a look at the [Q&A document](#), also published by the EU Commission.

Research needs for regulating hazardous chemicals

ECHA published a map of its key research needs and areas in 2023, aligning them with the areas identified in the EU's Chemicals Strategy for Sustainability. The report was currently updated and now gives more detailed information on the areas where scientific research is needed to protect people and the environment from hazardous chemicals. Therefore, ECHA has further detailed its view on research needs regarding the further development of new approach methods, and methods to identify and regulate bioaccumulative substances. Key areas of regulatory Challenge are:

Provide protection against most harmful chemicals: In particularly focusing on identifying and understanding their effects on the immune, neurological, and endocrine systems. ECHA highlights the importance of developing test methods and toxicological understanding to improve risk management and regulatory action.

Addressing Chemical pollution in the environment: One key element is the development of new approach methods (NAMs) to manage the risks, including in vitro and in silico methods for assessing chemical hazards and their effects (e.g. for bioaccumulation). Additionally, there is a need to monitor specific substances like linear and cyclic siloxanes.

Shifting away from animal testing: ECHA aims to minimize and ultimately eliminate animal testing without compromising human health or environmental protection. To achieve this, new approach methods (NAMs), such as in vitro and in silico methods, need to be developed to replace in vivo testing.

Improved availability on chemical data: While the EU has gathered extensive information for risk assessment and protection of human health and the environment, gaps remain, particularly for polymers and nanomaterials. Improved analytical methods are essential to accurately assess restricted chemicals and those requiring authorization, which is crucial for efficient chemical management.

ECHA CHEM: REACH registration data alignment with latest IUCLID format (released)

On July 3rd, [ECHA CHEM](#), the European Chemicals Agency's new public chemicals database, was updated to align with the IUCLID 6.8 format. This update not only enhances the dossier view but also introduces a new functionality that allows users to download tables listing all registrants and registration numbers. These improvements are part of ECHA's ongoing efforts to provide more accessible and comprehensive chemical data to the public.

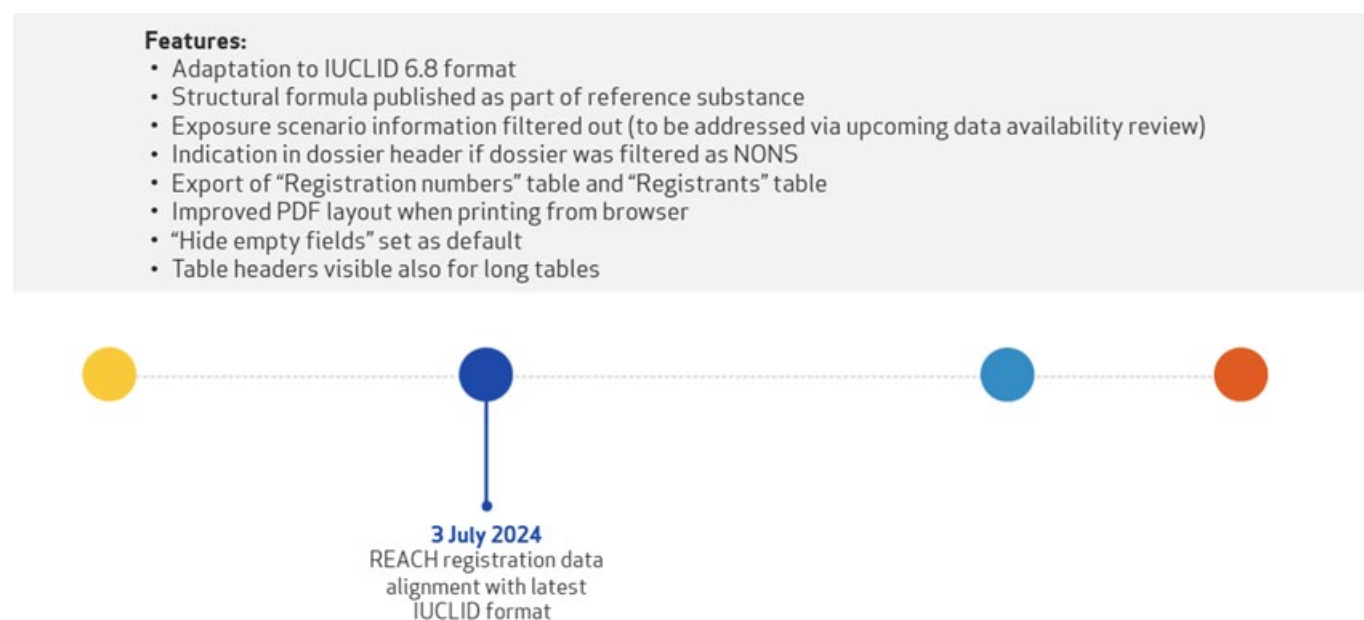


Figure 1. Timeline for ECHA CHEM incremental development.

ECHA Expands Candidate List with New Reproductive Toxicant (amendment)

The European Chemicals Agency (ECHA) has recently [updated its Candidate List of Substances of Very High Concern \(SVHC\)](#), adding bis(α,α -dimethylbenzyl) peroxide due to its toxic effects on reproduction. This addition brings the total number of entries on the list to 241. Commonly used as a flame retardant, this substance is now subject to stricter regulatory scrutiny. Companies utilizing this chemical must now manage associated risks and provide safety information to customers and consumers. The inclusion also triggers notification requirements for importers and producers of articles containing the substance above a 0.1% concentration threshold.

Substance name	EC number	CAS number	Reason for inclusion	Examples of uses
Bis(α,α -dimethylbenzyl) peroxide	201-279-3	80-43-3	Toxic for reproduction (Article 57c)	Flame retardant

Figure 2. Entries details added to the Candidate List on 27 June 2024.

PFAS: RAC and SEAC Conclude on Four Sectors (update)

The European Chemicals Agency's (ECHA) Committees for Risk Assessment (RAC) and Socio-Economic Analysis (SEAC) have made significant progress in evaluating the proposal to restrict per- and polyfluoroalkyl substances (PFAS) in the EU. In their [June meetings](#), RAC and SEAC provisionally concluded on four sectors that could be impacted by the proposal, including consumer mixtures, cosmetics, ski wax, metal plating, and the manufacture of metal products. The committees also discussed the scope and hazards of PFAS, highlighting their persistence and potential risks to the environment and human health.

This topic has been covered in depth on [the Safer Chemicals Podcast](#), where host Adam Elwan interviewed RAC Chair Roberto Scazzola and SEAC Chair Maria Ottati to discuss the committees' work on the PFAS restriction proposal. The podcast episode provided insights into the extensive input from various sectors and the diverse perspectives and challenges involved in this complex regulatory process.

The provisional conclusions will be finalized once the committees complete their evaluation of the entire restriction proposal and adopt their opinions. The next sectors to be evaluated include textiles, upholstery, leather, apparel, carpets, food contact materials, packaging, petroleum, and mining, with further discussions planned on applications of fluorinated gases, transport, and construction products.

In addition to the PFAS restriction proposal, RAC and SEAC adopted several opinions on harmonised classification and labelling, applications for authorisation, and occupational exposure limits. ECHA is working to deliver the final opinions to the European Commission as soon as possible, ensuring transparency, independence, and high quality in the process.

REACH Annex XVII: New EU Limits on D4, D5, and D6 Chemicals (amendment)

The European Commission has unveiled stringent [new regulations targeting three cyclosiloxanes](#) - D4, D5, and D6 - in a significant move towards environmental protection. These chemicals, commonly found in cosmetics, cleaning products, and various industrial applications, have been classified as Substances of Very High Concern (SVHCs) due to their persistent, bioaccumulative, and toxic properties.

The rules concern the following substances:

- Octamethylcyclotetrasiloxane (D4) (CAS No 556-67-2 / EC No 209-136-7)
- Decamethylcyclopentasiloxane (D5) (CAS No 541-02-6 / EC No 208-764-9)
- Dodecamethylcyclohexasiloxane (D6) (CAS No 540-97-6 / EC No 208-762-8)

Effective June 6, 2026, the use and marketing of D4, D5, and D6 will be strictly limited. The new rules prohibit their presence in concentrations of 0.1% or higher by weight, whether as standalone substances or in mixtures. However, recognizing industry needs, the Commission has granted deferrals for certain applications, with some deadlines extending to 2034. Specific exemptions apply to uses where these chemicals are constituents of silicone polymers or present as residues in silicone-based products, particularly in adhesives, protective coatings, and medical devices.

This regulation amends REACH Annex XVII, entry 70, expanding its scope beyond the previous restrictions on D4 and D5 in wash-off cosmetics to include D6 and cover a broader range of products and uses. Notably, a seven-year transition period has been allocated for medicinal and veterinary products to allow time for finding alternatives. While the EU takes this precautionary approach, it's worth noting that regulatory authorities in Canada, the USA, and Australia have not found these substances to be of concern, highlighting the divergence in global regulatory perspectives on cyclosiloxanes.

EU Commission Seeks Input on F-gas Reporting Format (consultation)

The European Commission has initiated a [public consultation](#) on a draft implementing regulation that will standardize the reporting format for fluorinated greenhouse gases (F-gases) under the recently revised [EU F-gas regulation](#). This consultation, open until June 10, aims to establish a uniform reporting structure for producers, importers, exporters, and specific users of F-gases.

The new reporting requirements, which became effective with the revised F-gas regulation on March 11, 2024, have expanded in scope. They now encompass fluorinated substances with significant global warming potential (GWP) and those likely to serve as replacements for current F-gases. The reports will need to include detailed information on the gases used, equipment containing these gases, and related activities.

This move aligns with the EU's broader efforts to reduce emissions from fluorinated greenhouse gases and support the adoption of more environmentally friendly alternatives. The standardized reporting format will facilitate better monitoring and control of F-gas usage across the European Union.

Following the conclusion of the public consultation, the Commission intends to adopt the final version of the implementing regulation in the third quarter of 2024. This timeline allows for thorough consideration of stakeholder input while ensuring timely implementation of the new reporting standards.

ECHA Expands Scope of Chromium (VI) Restriction Proposal (proposal amendment)

The [European Chemicals Agency \(ECHA\) has announced](#) a significant expansion of its proposed restrictions on chromium (VI) substances under REACH regulations. This development comes in response to an updated mandate from the European Commission, broadening the scope of the original September 2023 request.

Initially focusing on two substances listed on the REACH Authorisation List, the proposal now encompasses at least 12 chromium (VI) compounds. The expanded list includes substances specified in entries 16 to 22 and 28 to 31 of the Authorisation List, as well as other non-listed chromium (VI) substances, notably barium chromate.

To accommodate this wider scope, ECHA has extended the submission deadline for the restriction proposal to April 11, 2025. The agency plans to launch a second call for evidence, seeking information on alternatives to chromium (VI) substances and their applications in various industries.

ECHA hosted a webinar on June 6, 2024, which discussed the main findings from the initial call for evidence and outlined additional data requirements for the chromium (VI) restriction proposal. The recording of this webinar is now available for viewing [here](#).

EU Proposes Restriction on Dechlorane Plus Flame Retardant (consultation)

The European Commission [has initiated a consultation](#) on a proposed restriction of Dechlorane Plus, a flame retardant recently added to the Stockholm Convention on Persistent Organic Pollutants (POPs). The draft regulation aims to prohibit the manufacture, import, export, and use of Dechlorane Plus in the EU starting April 1, 2025. However, the proposal includes a five-year exemption for specific applications, such as the aerospace and defense industries. Dechlorane Plus, commonly used in electrical wire coatings, automotive products, and electronics, has raised concerns due to its environmental persistence, bioaccumulation potential, and ability to travel long distances. Stakeholders can provide feedback on the proposal until July 24, 2024.

RoHS: Exemption for Cadmium (amendment)

The European Commission (EC) has [adopted a draft directive amending Annex III of Directive 2011/65/EU on](#) the restriction of hazardous substances (RoHS) in electrical and electronic equipment (EEE). The amendment provides exemptions for the use of

cadmium in quantum dots used in LED lighting and displays. Penalties associated with non-compliance with RoHS are determined by the European Union Member States.

Northern Ireland

EPR Reporting Requirements for Packaging Waste (amendment)

Northern Ireland has [introduced changes to its Extended Producer Responsibility \(EPR\)](#) scheme for packaging waste, granting companies a temporary exemption from reporting obligations. Under the new rules, businesses in Northern Ireland that lack sufficient data can delay their reporting until May 1, 2024. However, these companies must then submit a report covering the period from May 1 to June 30 to the Department of Agriculture, Environment and Rural Affairs (DAERA).

The amendments also provide an exemption from recycling obligations until May 2025 for packaging already reported under the existing Producer Responsibility Obligations (Packaging Waste) Regulations. To qualify, companies must submit a voluntary report detailing the proportion of relevant packaging they are required to recycle.

Great Britain

UK REACH: Proposed Changes to Streamline Chemical Regulations (consultation)

The UK government has extended its [public consultation on proposed amendments to UK REACH](#) (Registration, Evaluation, Authorisation and Restriction of Chemicals) regulations. Initially launched on May 16th, the consultation period will now conclude on July 25th, allowing stakeholders additional time to provide input. The proposed changes aim to optimize the transition from EU REACH to UK REACH by reducing business costs while maintaining robust health and environmental safeguards. Key aspects of the consultation include the introduction of an Alternative Transitional Registration model (ATRM), potential modifications to restriction and reporting processes, and measures to further minimize unnecessary animal testing. The government is particularly interested in gathering feedback on these proposals to inform future legislative amendments. Stakeholders are encouraged to review the consultation document, which has been updated to include revised use and exposure information requirements in Annex B, and submit their views before the new deadline.

Switzerland

Expansion of Sustainability Reporting Obligations (proposal)

The Swiss Federal Council has proposed a major amendment to the current disclosure rules in Switzerland ([Link](#) Text in German). Currently, large Swiss corporations with at least 500 employees, CHF 20m balance sheet total and CHF 40m turnover must report on environmental, social, employee, human rights, and anti-corruption risks. The legislation is aligned with international obligations, including the European Non-Financial Reporting Directive.

The proposed amendments further align Swiss reporting with the EU's Corporate Sustainability Reporting Directive (CSRD), lowering thresholds to 250 employees, CHF 25m total assets, and CHF 50m turnover. Companies that reach two of these three thresholds in two consecutive financial years would now be in scope of the reporting obligations, which will particularly be leading to more companies being affected. Exemptions apply for subsidiaries and small companies.

The report must include a broad range of sustainability aspects:

- Environmental factors such as the company's progress towards achieving net-zero greenhouse gas emissions by 2050 to limit global warming to 1.5 C above pre-industrial levels;
- Social aspects, including employee concerns;
- Human rights

- Governance aspects, including measures to combat corruption

Comparable with the CSRD, companies must conduct a double materiality assessment, reporting on impacts of their activities on sustainability issues and impacts of sustainability issues on their business performance. Reports must cover the company's activities as well as its supply chain and business partners. The draft proposes to introduce the obligation to obtain independent, third-party verification for the reported sustainability information.

A key development is the alignment with EU law and allowing Swiss companies to choose between EU standards or other equivalent standards defined by the Federal Council.

These amendments are aimed at improving environmental protection and human health, as well as reducing trade barriers and facilitating trade with the EU. Swiss legislation is further aligning to EU legislation and the harmonization will be advantageous for companies. Currently, this is a proposed draft that has not yet been passed, so there is limited information available on implementation timelines.

If you would like to learn more or discuss how our solutions can help your business grow, please contact the CDX Team at: cdx-info@dxc.com.

Thank you for trusting in CDX!
Your CDX Team



Newsletter has been obtained in collaboration with