

A banner image featuring a purple rounded rectangle on the left containing the text "CDX Newsletter" and "Regulatory Update Q4 / 2024". To the right is a photograph of a small, clear glass globe with a green plant growing inside it, set against a blurred green background.

CDX Newsletter

Regulatory Update Q4 / 2024

Dear CDX User,

At CDX, we are more than just a software solution - we are your dedicated partners in navigating the intricate landscape of regulatory compliance. We understand that keeping pace with evolving regulations can be a daunting task, which is why we strive to provide exceptional support to our customers.

Our commitment to your success goes well beyond system enhancements. We regularly host informative webinars featuring industry experts, create comprehensive whitepapers and factsheets, and deliver timely regulatory updates to ensure you stay informed and prepared. Our goal is to equip you with the knowledge and tools necessary to confidently address any regulatory challenges that may arise.

As active members of esteemed organizations such as IAEG, AEM, AIAG, and IPC, we ensure that CDX remains at the forefront of industry requirements. We continuously update essential tools like GADSL, AD-DSL, and RISL to reflect the latest standards. Recently, we have updated HEDSL to version 1.1 and the IAEG PFAS List, demonstrating our commitment to meeting industries needs. Additionally, we have released a new whitepaper entitled "Navigating Canada's PFAS Reporting Requirements", which will assist you in meeting the upcoming January 29, 2025 reporting deadline.

As we enter Q4 2024, we are excited to share a variety of resources designed to keep you informed and compliant with the latest regulatory updates. We hope you find these insights both valuable and engaging.

We wish you an enjoyable reading experience with our Q4 2024 newsletter. If you find the information useful or have any feedback, we would greatly appreciate hearing your thoughts at cdx-info@dxc.com.

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

Thank you,

The CDX Team

Agenda

CDX News.....	3
IAEG PFAS List	3
CDX Implementation of HEDSL Version 1.1	3
New Whitepaper: Navigating Canada's PFAS Reporting Requirements	3
Global.....	4
PFAS: POPRC-20 Reviews Indicative Lists for PFOA and PFHxS Compounds	4
Asia	5
South Korea	5
K-REACH: South Korea's MoE Releases K-REACH Exemption List for Recycled Materials	5
Japan	5
CSCL: Japan Adopts Ban on 138 PFAS Compounds	5
North America	5
United States.....	5
TSCA: EPA Finalizes Revisions to PBT (decaBDE and PIP 3:1) Chemical Regulations	5
TSCA: EPA Finalizes Significant Revisions to PBT PFAS Chemical Regulations	6
PFAS: EPA Proposes Significant Expansion of PFAS Reporting Requirements	6
California	7
Prop 65: California Amends Proposition 65 Warning Options for Acrylamide in Food.....	7
Prop 65: Amendment of Short-Form Warning Requirements.....	7
Maine	8
Draft Rule on CUU of PFAS in Products	8
Michigan.....	9
Packaging: Michigan Proposes Comprehensive Packaging EPR Program	9
Minnesota.....	9
PFAS: Minnesota Takes Steps to Implement PFAS Reporting and Fee Rule	9
Canada.....	10
Canada Unveils New Initiatives to Strengthen Environmental Protection	10
Europe.....	10
European Union	10
ECHA Announces Biocide Stakeholders' Workshop for April 2025	10
EU Deforestation Regulation: One-Year Postponement Formally Adopted	10
Packaging: EU Council Adopts New Regulation on Packaging and Packaging Waste	11
Microplastics: ECHA Launches Consultation on Reporting Requirements	11
REACH SVHC: ECHA to Add Six New Substances to Candidate List in January 2025.....	13
PFAS: ECHA's Updates on PFAS Restriction Evaluation	13
REACH Annex XVII: Lead Restrictions in PVC Products	13
REACH Annex XIV: ECHA Recommends Amending Entry for Dibutyl Phthalate (DBP).....	14
REACH SVHC: ECHA Adds Triphenyl Phosphate	14
CBAM: EU Advances Implementation with New Draft Regulations	15

Ecodesign: EU Proposes New Regulation for Power Supplies and Charging Devices	15
REACH Annex XVII: New Restrictions Proposal on Carcinogens and Reproductive Toxicants.....	16
United Kingdom	16
Packaging: UK Implements Extended Producer Responsibility for Packaging Waste.....	16
CBAM: UK to Implement Carbon Border Adjustment Mechanism	16

CDX News

IAEG PFAS List

The International Aerospace Environmental Group (IAEG) PFAS List ([IAEG-PL](#)) has been successfully implemented in the Compliance Data Exchange (CDX) system. This integration represents a significant advancement in addressing PFAS concerns within the Aerospace and Defense (AD) industry. The IAEG-PL focuses on PFAS identified to be in active use within the AD sector, including substances that may be present in AD products and materials used for maintenance, repair, or overhaul.

The implementation in CDX enables more efficient data collection throughout the supply chain, facilitating comprehensive gathering of information on PFAS presence and usage in production processes. This update aligns with the growing global focus on PFAS regulations and reporting requirements, helping companies comply with established guidelines and positioning them to proactively address PFAS issues. With this integration, AD industry companies can now utilize the IAEG-PL within the CDX system for substance declarations and to support their supply chain efforts.

CDX Implementation of HEDSL Version 1.1

The Compliance Data Exchange (CDX) system has been updated to incorporate the latest version of the [Heavy Equipment Declarable Substance List \(HEDSL 1.1\)](#), effective November 29, 2024. This update is crucial for the Heavy Equipment industry in addressing recent PFAS regulations.

The integration of HEDSL 1.1 into CDX streamlines the reporting process for companies dealing with PFAS substances, aligning with Canada's new reporting regulations. This update facilitates easier compliance with the January 29, 2025 reporting deadline set by Environment and Climate Change Canada (ECCC).

New Whitepaper: Navigating Canada's PFAS Reporting Requirements

In November 2024, we released whitepaper titled "[PFAS Reporting Requirements in Canada: What Businesses Need to Know](#)." This comprehensive resource is designed to streamline the reporting process and enhance understanding of the requirements within the CDX Team. It's important to note that the reporting requirements set by Environment and Climate Change Canada (ECCC) extend beyond Canadian businesses. Companies outside of Canada are also affected, particularly if they manufacture, import, or sell products containing PFAS in Canada.

As the January 29, 2025 reporting deadline approaches, this whitepaper serves as a valuable tool to facilitate compliance for all businesses, regardless of their location. The document provides clear insights and guidance to help navigate the complex compliance landscape effectively. We're pleased to announce that this essential resource is available free of charge, offering accessible support to ensure all businesses operating in the Canadian market can adhere to these crucial PFAS regulations.

Global

PFAS: POPRC-20 Reviews Indicative Lists for PFOA and PFHxS Compounds

The Persistent Organic Pollutants Review Committee (POPRC) held its 20th meeting from September 23-27, 2024, at the Food and Agriculture Organization headquarters in Rome, Italy. During this meeting, the committee provided comments on the indicative lists of perfluorooctanoic acid (PFOA), its salts, and PFOA-related compounds, as well as perfluorohexane sulfonic acid (PFHxS), its salts, and PFHxS-related compounds.

These lists were developed following the decisions at the 9th and 10th Conference of the Parties to amend Annex A of the Stockholm Convention, listing these substances for elimination. The updated lists, available in Excel format, include both covered and non-covered substances, along with detailed chemical information such as structural data.

The review of these lists is crucial for the implementation of the Convention, as Parties are required to take measures to eliminate the production and use of chemicals listed in Annex A. However, specific exemptions for use or production may apply to Parties that register for them.

This development represents another step in the global effort to address the challenges posed by persistent organic pollutants, particularly focusing on per- and polyfluoroalkyl substances (PFAS). For more information on the POPRC-20 meeting and its outcomes, click [here](#).

Proposal to List PXDDs and PXDFs as Persistent Organic Pollutants

During the same event, Secretariat introduced another proposal to the Stockholm Convention on Persistent Organic Pollutants, this time to list polyhalogenated dibenzo-p-dioxins (PXDDs) and polyhalogenated dibenzofurans (PXDFs) in Annex C. This proposal aims to address the unintentional production of these substances, particularly during the production of brominated flame retardants or in fires where such flame retardants are present.

The scope of the proposal includes polybrominated dibenzo-p-dioxins, polybrominated dibenzofurans, and their mixed brominated/chlorinated counterparts. These substances can form unintentionally in thermal processes, especially when materials containing brominated flame retardants are heated or burned.

PXDDs and PXDFs have been detected in various environmental and biological media, including air, soil, sediments, and even in consumer products like children's plastic toys made from recycled materials containing brominated flame retardants. The proposal concludes that these substances meet the screening criteria for persistence, bioaccumulation, long-range environmental transport, and adverse effects as outlined in Annex D of the Stockholm Convention.

The POPs Review Committee (POPRC) will evaluate this proposal at its next meeting in October 2025. If agreed upon, it will move to the next stage of drafting a Risk Management Evaluation. This process underscores the ongoing efforts to protect human health and the environment from persistent organic pollutants on a global scale.

To read more about the POPRC-20 meeting and its outcomes, click [here](#).

Asia

South Korea

K-REACH: South Korea's MoE Releases K-REACH Exemption List for Recycled Materials

Effective October 10, 2024, South Korea's Ministry of Environment (MoE) has published [a list of 446 substances](#) eligible for K-REACH registration exemptions when produced using recycled materials. This applies to existing substances already registered using non-recycled materials for over three years. The list includes chemical names, registration IDs, CAS numbers, registration dates, and tonnage bands. For unlisted substances, companies should check registration status via the chemical information processing system. This initiative aims to promote sustainable practices and reduce regulatory burdens for recycled materials in chemical production.

Japan

CSCL: Japan Adopts Ban on 138 PFAS Compounds

On November 15, 2024, Japan officially adopted the [Ministerial Ordinance No 4](#) banning 138 Perfluoroalkyl and Polyfluoroalkyl Substances (PFAS) under the Chemical Substance Control Law (CSCL). This follows the draft proposal jointly issued by three Japanese ministries on September 9, 2024. Full substance list can be found [here](#).

The adopted ordinance designates these PFAS compounds as Class I Specified Chemical Substances, prohibiting their manufacture, import, and use. This decisive action aligns with Japan's commitment to environmental protection and public health, particularly in controlling persistent organic pollutants (POPs).

The ban will take effect on January 10, 2025, giving companies a short transition period to adjust their practices. Affected industries are urged to swiftly find alternatives and modify their product formulations to ensure compliance with these new regulations.

This landmark decision places Japan among the leading countries taking strong measures against PFAS, reflecting a growing global trend towards stricter control of these persistent chemicals.

North America

United States

TSCA: EPA Finalizes Revisions to PBT (decaBDE and PIP 3:1) Chemical Regulations

On November 19, 2024, the U.S. Environmental Protection Agency (EPA) [published a final rule revising the regulations for decabromodiphenyl ether \(decaBDE\) and phenol, isopropylated phosphate \(3:1\) \(PIP \(3:1\)\) under the Toxic Substances Control Act \(TSCA\)](#). This rule, set to take effect on January 21, 2025, addresses implementation issues and aims to further reduce potential exposures to humans and the environment.

Key revisions include:

The establishment of a 0.1% by weight limit for unintentionally present decaBDE and PIP (3:1) in products and articles. This de minimis threshold applies when the substances were not intentionally added.

For decaBDE, the EPA has extended the compliance date for wire and cable insulation in nuclear power generation facilities. New workplace protection requirements and recordkeeping for certain activities involving decaBDE have been implemented, along with a prohibition on releases to water during manufacturing, processing, and distribution.

Regarding PIP (3:1), the EPA has narrowed exclusions for lubricants and greases to aerospace and turbine engine uses. New phase-in prohibitions have been introduced, including a 15-year phase-out for new parts in heavy motorized machinery and a 30-year phase-out for replacement parts. The rule also provides new exclusions for use in wire harnesses and electric circuit boards.

The EPA has added a 10-year compliance deadline extension for processing and distribution of PIP (3:1) in manufacturing equipment, including the semiconductor industry. This extension also covers new heating, ventilation, air-conditioning, refrigeration, water-heating equipment, power generating equipment, laboratory equipment, and commercial electronic equipment.

The revisions require the use of personal protective equipment (PPE) for domestic manufacturing and processing of PIP (3:1) and certain PIP (3:1)-containing products and articles. Additionally, the rule mandates the use of engineering controls and PPE for using PIP (3:1) as an intermediate processing aid in manufacturing cyanoacrylate adhesives.

These changes will significantly impact various industries, including electronics, semiconductors, automotive, and nuclear sectors. Companies worldwide exporting to the U.S. must ensure compliance with these new regulations, as they affect any organization manufacturing, importing, or selling products containing decaBDE or PIP (3:1) in the U.S. market.

TSCA: EPA Finalizes Significant Revisions to PBT PFAS Chemical Regulations

The EPA finalized amendments to the new chemicals procedural regulations under TSCA. The final rule ensures that new per- and polyfluoroalkyl substances (PFAS) and other persistent, bioaccumulative, and toxic chemicals are always subject to the full, robust safety review process prior to manufacture by eliminating their eligibility for a low volume exemption (LVE) or low release and exposure exemption (LoREX). Existing regulations allow EPA to grant safety review exemptions for the manufacturing of chemicals with low production quantities, environmental releases or human exposures. These exemptions allow the chemicals (which historically have included some PFAS) to undergo a shorter review instead of the full, robust review prior to manufacture.

This final rule is effective January 17, 2025. This action furthers to address the impacts of "forever chemicals" and PBTs with potential for human exposure. Industries must adapt to more stringent pre-manufacture notification (PMN) submissions and be aware of less exemptions due to LVE and LoREX options in case of PFAS and PBTs.

PFAS: EPA Proposes Significant Expansion of PFAS Reporting Requirements

On October 8, 2024, the U.S. Environmental Protection Agency (EPA) [published a proposed rule to substantially expand the reporting requirements for per- and polyfluoroalkyl substances \(PFAS\) under the Toxics Release Inventory \(TRI\)](#). This proposal aims to add 16 individually listed PFAS and 15 PFAS categories, representing over 100 individual PFAS, to the TRI list of toxic chemicals subject to reporting under the Emergency Planning and Community Right-to-Know Act (EPCRA) and the Pollution Prevention Act (PPA).

Key aspects of the proposed rule include:

- Addition of new PFAS and PFAS categories to the TRI list.
- Reclassification of certain individually listed PFAS into chemical categories.
- Designation of all described PFAS as chemicals of special concern.
- Introduction of category reporting, allowing facilities to submit a single form for a category that accounts for all member chemicals.

The proposed categorization approach is particularly significant for companies using PFAS in their production and manufacturing processes. Under this system, reporting thresholds would apply to the entire category rather than individual substances. This change may result in more frequent threshold exceedances, as the combined quantities of multiple substances within a category would be considered.

The EPA has proposed a reporting threshold of 100 pounds for manufacturing, processing, and otherwise use of each individually listed PFAS and PFAS category. This threshold is consistent with previously set PFAS TRI reporting requirements and reflects their designation as chemicals of special concern.

Companies will need to adapt their reporting practices to account for these new categories and associated substances when calculating their limit values. This may require a more comprehensive assessment of PFAS use throughout their operations.

This proposal represents a significant step in the EPA's ongoing efforts to address PFAS contamination and increase transparency regarding their use and release into the environment. If finalized, these changes would take effect for the 2025 reporting year, with the first reports due by July 1, 2026.

California

Prop 65: California Amends Proposition 65 Warning Options for Acrylamide in Food

On October 15, 2024, the Office of Environmental Health Hazard Assessment (OEHHA) has finalized amendments to Title 27, California Code of Regulations 25607.2(b), providing additional safe harbor warning options for businesses regarding acrylamide exposure from food products. These new regulations are set to take effect on January 1, 2025.

For more detailed information on the new safe harbor warnings for acrylamide exposure in food, please visit the [OEHHA website](#).

Prop 65: Amendment of Short-Form Warning Requirements

On December 6, 2024, the California Office of Environmental Health Hazard Assessment (OEHHA) announced significant changes to the Proposition 65 "short-form" warning regulations. These amendments, which took effect on January 1, 2025, aim to make the warnings more informative for consumers while providing businesses with additional options and flexibility. Industries and companies producing, distributing, or selling products in California that may expose consumers to chemicals known to cause cancer, birth defects, or reproductive harm (>10 employees) are impacted.

Key changes include:

- **Chemical Identification:** Short-form warnings must now specify at least one Proposition 65-listed chemical for which the warning is being provided.
- **Extended Implementation Period:** Businesses have a three-year transition period, until January 1, 2028, to comply with the new short-form warning content requirements.
- **Food Product Warnings:** The amendments explicitly allow the use of short-form warnings for food products, with a specific hyperlink to www.P65Warnings.ca.gov/food.
- **New Warning Options:** Businesses can now use "CA WARNING" or "CALIFORNIA WARNING" in addition to the standard "WARNING" label.
- **Retailer Accommodation:** During the three-year implementation period, retailers have a 60-day grace period to update online short-form warnings after receiving notice from a manufacturer.
- **Specialized Warnings:** New tailored safe harbor warnings have been introduced for passenger or off-highway motor vehicle parts and recreational marine vessel parts. OEHHA determined that warnings for chemicals from these parts carry unique challenges and unpredictable exposures. A

general warning for the parts, combined with a recommendation that consumers practice good industrial hygiene is now mandatory, even in the case that chemicals are not be accessible to consumers, for example, if the chemical is in an internal component to which the consumer may never be exposed. Requirements for Label content are defined in respective newly added articles. Note: "Passenger or off-highway motor vehicle part" means any part offered for sale or transferred to a consumer for installation in or service on a "passenger" or "off-highway motor vehicle", but shall not include packaged service chemicals, tires, parts containing asbestos, carpeting, upholstery including fillings and coverings, textiles, or fabrics.

- Passenger vehicles are: Motor vehicles for person transport (including housecars)
- Off-highway motor vehicles: Includes motorcycles, snowmobiles, dune buggies, ATVs, and recreational off-highway vehicles. The scope refers only to those vehicles that are considered consumer products.

These changes reflect OEHHA's efforts to address concerns about the overuse of short-form warnings and to ensure that consumers receive more specific information about potential chemical exposures. Businesses using Proposition 65 warnings should review these amendments carefully to ensure compliance by the 2028 deadline. For more detailed information, please visit the [OEHHA website](#).

Maine

Draft Rule on CUU of PFAS in Products

The Maine Department of Environmental Protection is proposing a new rule to establish criteria for currently unavoidable uses (CUU) of intentionally added PFAS in products and to implement the sales and prohibitions and notification requirements (relevant for a manufacturer with > 100 employees) for products containing intentionally added PFAS but determined to be a CUU. Manufacturer of products with intentionally added PFAS, which are sold or offered or distributed for sale in Maine (unless an exemption is eligible), are affected.

A **notification** must include:

- Description of the product.
- Purpose for which PFAS are used, identity and amount of each PFAS used.
- For product components for which the Department has previously received notifications, which are used in more complex products containing the reported components, the manufacturer of the more complex product shall either report PFAS in the product including its components or refer to the supplier's submitted notifications for the product components and any PFAS in the remainder of the product.

Relevant Exemptions (non-exhaustive list):

- A motor vehicle or motor vehicle equipment regulated under federal motor vehicle safety standards, as defined in 49 U.S.C. § 30102(a)(10), and any other motor vehicle, including an off-highway vehicle or specialty motor vehicle, such as an all-terrain vehicle, side-by-side vehicle, farm equipment or personal assistive mobility device. But the exemption, under this subsection does not apply to any textile article or refrigerant that is included in or as a component of such products.
- A watercraft as defined in 32 M.R.S. § 13001(28), or a seaplane. The exemption does not apply to any textile article or refrigerant that is included in or as a component part of such products.
- A semiconductor, including semiconductors incorporated into electronic equipment, and equipment and materials used in the manufacture of semiconductors.

Proposals for CUU determinations may be submitted by manufacturers individually or collectively. For initial currently unavoidable use proposals, the requester shall submit the information in this section no later than 18

months and not earlier than 36 months prior to the applicable sales prohibition. A CUU proposal must, at a minimum, contain:

- Description of the type of product.
- Explanation of why the availability of PFAS in the specific product is essential for health, safety or the functioning of society. This may include or take the form of a description of the negative impact that would be caused by the unavailability of PFAS for use in the product and the subsequent unavailability or unsatisfactory performance of the product.
- A description of how the specific use of PFAS in the product is essential to the function of the product.
- A description of whether there are alternatives for this specific use of PFAS which are reasonably available including: a list of federal regulations, other State of Maine rules, and regulations of other states which the product described is subject to by reason of containing intentionally added PFAS.

Michigan

Packaging: Michigan Proposes Comprehensive Packaging EPR Program

Michigan's [House Bill 5902](#) proposes a comprehensive extended producer responsibility (EPR) program for packaging, potentially making Michigan the sixth state to adopt such a measure. The bill requires producers to register with a state-approved packaging reduction organization within a year and sets ambitious targets for packaging reduction and recycling. These include a 10% packaging reduction after two years, increasing to 50% after a decade, and recycling rate targets of 30% within five years, rising to 70% within twelve years.

The legislation establishes a Packaging Reduction Fund to administer the program and support related initiatives. It exempts producers with annual gross revenue under \$1 million or those using less than 1 ton of packaging material annually. Notably, the bill bans nearly 20 toxic substances in packaging and mandates additional bans every three years. To ensure compliance, it establishes oversight mechanisms, including an Office of Inspector General.

While environmental advocates support the bill, some business groups express concerns about potential operational disruptions and increased costs. Global companies should closely monitor these developments, as they could significantly impact packaging practices in Michigan if passed.

Minnesota

PFAS: Minnesota Takes Steps to Implement PFAS Reporting and Fee Rule

The Minnesota Pollution Control Agency (MPCA) is making significant strides in addressing the presence of per- and polyfluoroalkyl substances (PFAS) in consumer products. On November 18, 2024, [the MPCA issued a request for comments](#) on planned rules governing the reporting of PFAS in products and associated fees.

This initiative aims to establish a comprehensive program for collecting information about products containing intentionally added PFAS, as mandated by Minnesota Session Law - 2023, Chapter 60, H.F. No. 2310. Under the new regulations, manufacturers of products sold, offered for sale, or distributed in Minnesota that contain intentionally added PFAS must submit detailed information to the MPCA by January 1, 2026. This information includes a brief product description (including UPC or SKU), the purpose of PFAS in the product and its components, the amount of each PFAS (identified by CAS RN ®), manufacturer contact information, and any additional information requested by the commissioner.

The reporting requirement is designed to be a one-time submission, with updates necessary only when there are significant changes or upon MPCA request. To cover implementation costs, the MPCA is authorized to establish fees payable upon reporting. The fee structure may be based on products reported, number of PFAS reported, and/or amounts of PFAS reported. The MPCA aims to have the final rules adopted by January 1, 2026.

Canada

Canada Unveils New Initiatives to Strengthen Environmental Protection

On October 5, 2024, the Government of Canada released three significant documents to implement the 2023 amendments to the Canadian Environmental Protection Act (CEPA). These documents included:

- [Draft Implementation Framework for the Right to a Healthy Environment](#)
- [Proposed Plan of Priorities](#)
- [Proposed Watch List Approach](#)

The Proposed Plan of Priorities outlined substances to be prioritized for assessment of toxicity or potential toxicity. It encompassed 14 specific substances and 18 chemical groups, including fluoropolymers, organic flame retardants, and 6PPD. Additionally, a new Watch List was introduced, featuring substances not currently classified as toxic but potentially concerning if exposure conditions change.

By June 2025 at the latest, Canada will publish a final Plan of Priorities that specifies:

- The substances to which priority should be given in assessing whether they are toxic or capable of becoming toxic.
- Activities or initiatives related to assessing, controlling, or otherwise managing the risks to the environment or human health posed by substances (particularly those of high risk).
- Activities or initiatives to promote the development and timely incorporation of scientifically justified alternative methods and strategies in the testing and assessment of substances to replace, reduce, or refine the use of vertebrate animals.

Companies operating in Canada should monitor substances on both the Priority and Watch Lists and prepare for potential future regulations. The government sought public input on these proposals until December 4, 2024, providing an opportunity for stakeholders to participate in the consultation process.

While no immediate action is required, these initiatives signal Canada's strengthened approach to chemical management. Companies should stay informed about these developments and prepare for possible regulatory changes in the future.

Europe

European Union

ECHA Announces Biocide Stakeholders' Workshop for April 2025

The European Chemicals Agency (ECHA) has announced a significant [event for professionals in the biocides industry](#). The Biocide Stakeholders' Workshop is scheduled for April 29-30, 2025, in Helsinki, Finland. This hybrid conference will focus on the Biocidal Products Regulation (BPR) and offer both in-person and online participation options.

The workshop aims to bring together a diverse group of participants, including regulatory authorities, industry representatives, and scientific experts from across Europe.

EU Deforestation Regulation: One-Year Postponement Formally Adopted

On December 18, 2024, the Council of the European Union [formally adopted the regulation postponing the application of the EU Deforestation Law \(EUDR\)](#) by one year. This decision marks a significant development in the implementation of the EU's efforts to combat global deforestation.

The EUDR will now start to apply on December 30, 2025, instead of the original date of December 30, 2024. This regulation covers commodities and products derived from cattle, wood, cocoa, soy, palm oil, coffee, and rubber. The delay aims to provide more time for third countries, member states, operators, and traders to fully prepare for their due diligence obligations and ensure compliance with the deforestation-free requirements.

It's important to note that the EUDR has been in force since June 29, 2023, but its provisions were set to be applied from December 30, 2024. This amendment changes only the application date, not the substance of the regulation.

The postponement follows a series of events in the last quarter of 2024. On October 2, the European Commission proposed the 12-month delay in response to concerns raised by various stakeholders. The Council agreed on its position for the postponement on October 16, and on December 3, the Council and European Parliament reached an agreement on the targeted amendment.

The regulation will now be signed and published in the Official Journal of the EU, entering into force before the end of 2024. This postponement provides additional time for affected parties to prepare for compliance, aiming to ensure a smooth and effective implementation of the EUDR's rules to combat deforestation in global supply chains.

Packaging: EU Council Adopts New Regulation on Packaging and Packaging Waste

On [December 16, 2024, the Council of the European Union formally adopted a new regulation on packaging and packaging waste](#), replacing the existing Packaging Directive 94/62/EC. This regulation aims to reduce packaging waste, promote reuse and recycling, and minimize the environmental impact of packaging materials across the EU.

The regulation is expected to be published in the Official Journal of the EU by the end of 2024 and will become applicable 18 months after publication. Key provisions will take effect on January 1, 2030, with additional targets set for 2040.

- The new rules require up to 65% recycled content in single-use plastic bottles by 2040.
- Packaging weight and volume must be reduced, and unnecessary packaging eliminated.
- The use of harmful substances like PFAS in food contact packaging is restricted.
- All packaging must be recyclable by 2030, with some exceptions.
- There are mandatory reuse targets for sectors like beverages and transport packaging.
- Member States must reduce packaging waste per person by 5% by 2030 and 15% by 2040 compared to 2018 levels.
- Producers are responsible for the entire lifecycle of packaging, including collection and recycling costs.
- These changes aim to create a circular economy and lessen the environmental impact of packaging waste.

Companies in the packaging supply chain will need to adapt their practices to comply with these new requirements in the coming years, marking a new phase in sustainable packaging in the EU.

Microplastics: ECHA Launches Consultation on Reporting Requirements

The European Chemicals Agency (ECHA) has [opened a public consultation](#) on the implementation of reporting requirements for certain derogated uses of synthetic polymer microparticles under the REACH

microplastics restriction. This consultation, which runs from December 18, 2024, to January 20, 2025, aims to gather input from stakeholders on ECHA's proposal for implementing these reporting requirements.

This consultation is a crucial step in refining the implementation of the microplastics restriction, which was adopted by the European Commission on September 25, 2023. The restriction aims to reduce the release of intentionally added microplastics into the environment, with certain uses being subject to reporting requirements rather than outright bans.

Entry 78 of Annex XVII of the REACH Regulation sets out reporting requirements for certain uses of synthetic polymer microparticles (SPM) exempted from the prohibition of placing on the market. SPMs are solid polymers meeting two criteria:

- (1) they are present in particles forming at least 1% by weight or create a continuous coating; and
- (2) at least 1% of these particles are ≤ 5 mm in size or ≤ 15 mm with a length-to-diameter ratio >3

Exclusions apply to naturally occurring unmodified polymers, degradable polymers, highly soluble polymers (>2 g/L), and polymers lacking carbon in their structure.

Manufacturers, industrial users, and suppliers must report (by 31 May each year) annual emissions of synthetic polymer microparticles (SPM) starting from 2026 or 2027, depending on use. The requirements cover an estimate of the quantity of SPM released annually to the environment for each of the following uses, including transportation (not an exhaustive list):

- Use at industrial sites (4a)
- Medicinal products and veterinary medicinal products (4b)
- Food additives (4d)
- In vitro diagnostic devices (4e)
- SPM contained by technical means (5a)
- SPM which are modified during use in such a way that the polymer no longer falls within the scope of the restriction (5b)
- SPM which are permanently incorporated into a solid matrix during intended end use (5c)

Starting from 2026, manufacturers of SPM and industrial downstream users (DUs) using SPM at an industrial site (4a) will report estimated emissions of SPM from their own use, including during transportation, according to paragraph 11. They will report estimated emissions per legal entity, indicating the site(s) where the emissions take place.

Starting from 2027, suppliers of products containing SPM for the uses 4b, 4d or 4e, or 5a, 5b or 5c, that place those products on the market, will report - in addition to their own estimated emissions according to paragraph 11 if applicable - the estimated downstream SPM emissions occurring until the product is disposed of as waste (e.g. the estimated downstream emissions from distributors, including retailers, and end users), including from transportation, according to paragraph 12.

Estimated SPM emissions need to be reported per use, selecting from predefined categories such as plastic manufacturing due to manufacture or use of pellets, flakes and powders, industrial uses, or consumer/professional uses (e.g., medicines or diagnostic devices). Reporting entities may need to provide information under multiple categories.

The detailed reporting requirements cover various aspects, including picklists for defining the use, polymer identity, emissions, and applicable derogations. Multiple options can be selected, and details like emission estimates (both during use and transport), specific derogations, and industrial site information must be reported.

REACH SVHC: ECHA to Add Six New Substances to Candidate List in January 2025

The European Chemicals Agency (ECHA) [has announced the addition of six new substances of very high concern \(SVHCs\)](#) to the Candidate List, set to take effect in January 2025. This decision follows the December meeting of ECHA's Member State Committee (MSC), where significant progress was made in identifying and evaluating potentially harmful chemicals. The six substances to be added to the Candidate List are:

- Octamethyltrisiloxane (EC 203-497-4, CAS 107-51-7)
- O,O,O-triphenyl phosphorothioate (EC 209-909-9, CAS 597-82-0)
- Reaction mass of: triphenylthiophosphate and tertiary butylated phenyl derivatives (EC 421-820-9, CAS 192268-65-8)
- Perfluamine (EC 206-420-2, CAS 338-83-0)
- Tris(4-nonylphenyl, branched and linear) phosphite
- 6-[(C10-C13)-alkyl-(branched, unsaturated)-2,5-dioxopyrrolidin-1-yl] hexanoic acid (EC 701-118-1, CAS 2156592-54-8)

The MSC also reviewed the prioritisation approach for substances to be included in the Authorisation List. This review is crucial in determining which substances may face stricter regulations in the future.

PFAS: ECHA's Updates on PFAS Restriction Evaluation

The European Chemicals Agency (ECHA) [has released important updates](#) on the ongoing evaluation of the proposed restriction on per- and polyfluoroalkyl substances (PFAS) in Europe.

In their November 2024 meetings, ECHA's Committees for Risk Assessment (RAC) and Socio-Economic Analysis (SEAC) made significant progress in evaluating the EU-wide PFAS restriction proposal. They reached provisional conclusions on three key sectors:

- Construction products
- Textiles, upholstery, leather, apparel and carpets
- Food contact materials and packaging

The committees also announced plans to evaluate additional sectors in upcoming meetings. In March 2025, they will discuss applications of fluorinated gases, transport, and energy. Following that, they will focus on lubricants, medical devices, and electronics and semiconductors.

In addition to a full ban or a ban with time-limited derogations, alternative options are being considered. These may allow the manufacture, market placement, or use of PFAS under certain conditions, especially where a ban could lead to disproportionate socio-economic impacts. Relevant sectors include: batteries, fuel cells and electrolyzers. Full progress update on the per- and polyfluoroalkyl substances (PFAS) restriction process can be found [here](#).

REACH Annex XVII: Lead Restrictions in PVC Products

On November 29, 2024, the European Commission adopted a [significant amendment to the REACH Regulation \(EC No 1907/2006\) Annex XVII](#), restricting the use of lead and its compounds in PVC articles.

Key points of the restriction:

- The general ban applies to PVC articles with lead concentrations equal to or exceeding 0.1% by weight of the PVC material.
- This restriction covers both newly manufactured and imported PVC products, as well as those containing recycled materials.

- While the EU industry voluntarily phased out lead stabilizers in PVC by 2015, this regulation aims to address imported products and recycled materials that may still contain lead.
- Certain applications have been granted longer transition periods:
 - o Articles containing recovered flexible PVC are exempted until May 28, 2025.
 - o Specific articles containing recovered rigid PVC (e.g., certain profiles, sheets, and pipes) have a transition period until May 28, 2033, provided the lead concentration remains below 1.5% by weight of the recovered rigid PVC.
- Suppliers of PVC articles containing recovered rigid PVC with lead concentrations at or above 0.1% by weight must label these products accordingly.

The primary goal of this restriction is to reduce human exposure to lead, which can have detrimental effects on the nervous system development, cause chronic kidney disease, and impact blood pressure. By implementing these measures, the EU aims to protect public health while supporting the transition to safer alternatives and promoting responsible recycling practices in the PVC industry.

REACH Annex XIV: ECHA Recommends Amending Entry for Dibutyl Phthalate (DBP)

On November 27, 2024, the European Chemicals Agency (ECHA) [announced its recommendation to amend the REACH Authorisation List \(Annex XIV\) entry for dibutyl phthalate \(DBP\)](#). This follows the identification of DBP as a substance of very high concern (SVHC) due to its endocrine disrupting properties for the environment in December 2023.

Key points:

- The Candidate List entry for DBP has already been amended to reflect this new SVHC identification.
- The proposed amendment to Annex XIV would expand the scope of authorisation requirements for DBP.
- Notably, if approved, uses of DBP in medical devices that were previously exempt would become subject to authorisation requirements.

Companies using DBP, particularly in medical devices, should prepare for potential changes in regulatory obligations. This development highlights the increasing regulatory scrutiny on phthalates and underscores the importance for companies to stay informed and prepared for potential regulatory changes.

REACH SVHC: ECHA Adds Triphenyl Phosphate

On November 7, 2024, the European Chemicals Agency (ECHA) [officially added Triphenyl Phosphate \(CAS No. 115-86-6\) to its Candidate List of Substances of Very High Concern \(SVHC\)](#), bringing the total number of entries to 242. This substance, commonly used as a flame retardant and plasticizer in polymer formulations, adhesives, and sealants, has been identified as having endocrine disrupting properties that can harm the environment.

The inclusion of Triphenyl Phosphate on the SVHC list triggers several obligations for companies under the REACH regulation:

- Suppliers must provide recipients with information on the safe use of articles containing more than 0.1% of the substance.
- Companies must respond to consumer requests for information within 45 days.
- Importers and manufacturers may need to notify ECHA if they export over one ton per year of articles containing more than 0.1% of the substance.
- The substance must be reported to ECHA's SCIP database if present in articles above 0.1%.

Companies dealing with Triphenyl Phosphate should review their products and processes to ensure compliance with these new requirements. This addition to the Candidate List may also lead to future placement on the Authorisation List, potentially requiring companies to seek authorization for continued use.

CBAM: EU Advances Implementation with New Draft Regulations

The European Commission has taken steps towards implementing the Carbon Border Adjustment Mechanism (CBAM) by launching public consultations on two crucial draft implementing acts. These acts lay down rules for the application of [Regulation \(EU\) 2023/956](#), focusing on establishing [the CBAM Registry and procedures for authorizing CBAM declarants](#).

The draft act on CBAM declarant authorization, published on October 30, 2024, outlines the procedures and conditions for authorizing declarants. It includes the format of the application and submission procedures via the CBAM registry. This draft sets the framework for how companies can become authorized CBAM declarants, a crucial step in the CBAM process. The public consultation for this draft concluded on November 27, 2024, allowing stakeholders to provide input on the proposed procedures.

For the CBAM Registry, the draft act published on October 31, 2024, establishes a standardized and secure electronic database. This registry will be instrumental in managing CBAM certificates, declarations, and applications. It will contain comprehensive data on authorized declarants, applicants who want to become authorized CBAM declarants, and operators and installations in third countries. This centralized system aims to streamline the CBAM process and ensure transparency. The public consultation for this draft ended on November 28, 2024, providing an opportunity for interested parties to comment on the proposed registry structure.

Both draft acts are set to apply from December 31, 2024. The provisions for authorizing CBAM declarants will take effect from January 2025, while CBAM reporting obligations will become effective from January 2026. This timeline gives businesses and stakeholders time to prepare for the new requirements and adapt their processes accordingly.

Ecodesign: EU Proposes New Regulation for Power Supplies and Charging Devices

The European Commission has proposed a [draft regulation](#) establishing ecodesign requirements for external power supplies (EPS), wireless chargers, battery chargers for portable batteries, and USB Type-C cables. This initiative is part of the EU's commitment [to enhancing energy efficiency and reducing environmental impact](#) under Directive 2009/125/EC.

Key highlights of the draft regulation include limits on standby consumption for wireless chargers, provisions to address energy losses in USB Type-C cables, and the introduction of a 'Common Charger' logo on USB Type-C chargers to indicate interoperability. The regulation also mandates that USB Type-C chargers operate with detachable cables and be clearly marked with their supported power.

To ensure compatibility, EPS must be USB Type-C chargers capable of powering various products not covered by the Radio Equipment Directive. Certain EPS will be exempt from interoperability requirements, including those used in wet conditions and specific power tools.

The draft regulation raises minimum energy efficiency thresholds and introduces performance testing requirements. The proposed adoption date is set for the third quarter of 2025, with implementation expected three years after its entry into force. This regulation reflects the EU's ongoing efforts to promote sustainability in the electronics sector while providing consumers with more efficient charging solutions.

REACH Annex XVII: New Restrictions Proposal on Carcinogens and Reproductive Toxicants

The European Commission has [proposed a draft regulation amending Regulation \(EC\) No 1907/2006](#), which concerns the restriction of carcinogens, germ cell mutagens, and reproductive toxicants (CMR substances). This draft regulation aims to include several newly classified substances within the scope of entries 28 to 30 of Annex XVII to REACH, thereby restricting their market placement and use for supply to the general public.

The proposed changes come in response to the recent harmonized classification of these substances as CMR category 1A or 1B under Regulation (EC) No 1272/2008. The regulation will require that packaging for these substances be labeled as "restricted to professional users", ensuring that consumers are informed about potential risks.

Additionally, the draft introduces a derogation for cumene in specific types of aviation fuels, such as kerosene and aviation gasoline, used in small airplanes flown by non-professional pilots.

The proposed regulation reflects the EU's ongoing commitment to enhancing public health and safety by controlling hazardous substances.

United Kingdom

Packaging: UK Implements Extended Producer Responsibility for Packaging Waste

On December 11, 2024, the UK government officially enacted [the Producer Responsibility Obligations \(Packaging and Packaging Waste\) Regulations 2024 No. 1332](#). This new legislation introduces Extended Producer Responsibility (EPR) for packaging, marking a significant shift in how businesses manage the environmental impact of their packaging materials.

The regulations require producers to take full responsibility for the costs associated with the collection, recycling, and disposal of packaging waste. This approach aims to improve efficiency in waste management and encourage the use of recyclable and reusable packaging options.

Key features of the regulations include mandatory labeling for certain types of packaging to indicate recyclability, specific recycling targets that producers must meet annually, and registration requirements for obligated producers to ensure compliance with their recycling obligations.

Important deadlines under the new regulations include:

- **April 7, 2025:** All obligated producers must register as packaging producers.
- **April 1, 2025:** Producers must report their packaging data for 2024, detailing the type and weight of packaging supplied or imported.
- **Starting in 2025:** Producers will be required to pay Extended Producer Responsibility fees based on their reported packaging data from the previous year.

These regulations are part of the UK government's broader commitment to enhancing sustainability and reducing waste across the country. By holding producers accountable for their packaging, the government aims to drive innovation in packaging design and promote environmentally friendly practices within the industry.

CBAM: UK to Implement Carbon Border Adjustment Mechanism

The UK government has confirmed that a Carbon Border Adjustment Mechanism (CBAM) will be introduced on **January 1, 2027**. This mechanism will impose a carbon price on goods imported into the UK from high-emission sectors, including aluminium, cement, fertilisers, hydrogen, iron, and steel. The aim is to prevent

carbon leakage and ensure that the UK's efforts to decarbonize contribute to a genuine reduction in global emissions rather than simply shifting emissions overseas.

Notably, products from the glass and ceramics sectors will not be included in the initial scope of the UK CBAM. This decision allows both the government and industry more time to address feasibility concerns raised during the consultation process. The government will continue working with these sectors to evaluate their potential inclusion at a later date.

Additionally, the minimum registration threshold for businesses affected by the CBAM has been increased from 10,000 GBP to 50,000 GBP. This means that only businesses importing 50,000 GBP or more of CBAM goods over a 12-month period will need to comply with the regulations.

As the implementation date approaches, businesses in the relevant sectors are encouraged to prepare for compliance with the upcoming requirements of the UK CBAM. Further details and guidance will be provided by the government as part of its commitment to support a sustainable transition in the UK economy. Introduction of a UK Carbon Border Adjustment Mechanism document can be found [here](#).

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.

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