

Latest updates on Per- and Polyfluorinated Substances (PFAS) in Europe

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European Union

Progress update on the Universal PFAS restriction proposal – The European Chemicals Agency (ECHA), in collaboration with the five national authorities that submitted the PFAS restriction proposal, has issued an update on the progress of the proposal. This update indicates a refined approach that could allow certain uses of PFAS to be exempt from a complete ban, provided specific conditions are met. Further, ECHA states in the update that feedback from the public consultation process has brought to light previously unidentified uses of PFAS. These uses will either be incorporated into existing sector assessments or lead to the creation of additional sectors as necessary. Newly identified uses include sealing applications, technical textiles, printing applications, and other medical applications.

The update clarifies that the development of opinions by the Risk Assessment Committee (RAC) and the Socio-Economic Analysis Committee (SEAC) will continue into 2025. However, no specific timeline or estimate has been provided for when these opinions will be delivered. A second public consultation will be conducted following SEAC's draft opinion. This will allow third parties to submit relevant socio-economic information for consideration in the final opinion.

EU political leadership on PFAS – In the hearing before the European Parliament that led to his confirmation as Executive Vice-President, Stéphane Séjourné emphasized the need to address procedural delays in regulating hazardous substances. He advocated, among other measures, for reviewing governance frameworks to streamline restrictions under the REACH regulation. Séjourné has also expressly committed to banning PFAS in personal products, cosmetics, and technical clothing, while adopting a zero-tolerance policy for their presence in baby bottles and diapers. However, he has been non-committal on industrial uses, emphasizing the concept of “essential use.” Discussions on whether this principle will be enshrined in law are expected during the forthcoming REACH regulation revision.

EU Member States'

France – France has introduced an updated decree on PFAS emissions from incinerators, effective as of November 10. Key updates include:

- Operators are now responsible for submitting emissions data, although they may delegate this task to external laboratories.
- Reporting timelines have been extended to two weeks after receipt of results, offering greater flexibility.
- Environmental concerns have been addressed by requiring that trace PFAS concentrations below quantification limits be recorded, rather than classified as “non-quantified.”

Despite these advancements, efforts to legislate further PFAS restrictions in France have faced political setbacks. An ecological group’s attempt to revive a widely supported 2023 bill was rejected or met with abstention during bipartisan discussions.

Nicolas Thierry, a proponent of stricter PFAS legislation, plans to reintroduce the bill in February, reflecting the ongoing political challenges in addressing environmental health risks despite earlier broad consensus.

Other

United Kingdom – The UK Department for Environment, Food, and Rural Affairs (Defra) is assessing a range of potential policy options to reduce PFAS manufacturing, use, and emissions. This analysis is conducted under the UK Chemicals Stakeholder Forum’s PFAS working group and includes stakeholder-driven ideas.

It is important to note that these discussions represent early-stage policy analysis and do not indicate a commitment by the UK government to implement any specific measures at this time. Nevertheless, the focus remains on fostering the transition to safer alternatives and mitigating PFAS-related risks.

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