



19 June 2023

(23-4157)

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Committee on Technical Barriers to Trade

Original: English

### NOTIFICATION

The following notification is being circulated in accordance with Article 10.6

<b>1. Notifying Member:</b> <u>EUROPEAN UNION</u> <b>If applicable, name of local government involved (Article 3.2 and 7.2):</b>
<b>2. Agency responsible:</b> European Commission <b>Name and address (including telephone and fax numbers, email and website addresses, if available) of agency or authority designated to handle comments regarding the notification shall be indicated if different from above:</b> European Commission, EU-TBT Enquiry Point, Fax: +(32) 2 299 80 43, E-mail: <a href="mailto:grow-eu-tbt@ec.europa.eu">grow-eu-tbt@ec.europa.eu</a> Website: <a href="http://ec.europa.eu/growth/tools-databases/tbt/en/">http://ec.europa.eu/growth/tools-databases/tbt/en/</a>
<b>3. Notified under Article 2.9.2 [X], 2.10.1 [ ], 5.6.2 [X], 5.7.1 [ ], 3.2 [ ], 7.2 [ ], other:</b>
<b>4. Products covered (HS or CCCN where applicable, otherwise national tariff heading. ICS numbers may be provided in addition, where applicable):</b> Textiles and leather in consumer products, paper and cardboard used as food contact materials, mixtures for consumer use, cosmetic products and some firefighting foams applications containing undecafluorohexanoic acid (PFHxA), its salts and PFHxA-related substances.
<b>5. Title, number of pages and language(s) of the notified document:</b> Draft Commission Regulation amending Annex XVII to Regulation (EC) No 1907/2006 of the European Parliament and of the Council as regards undecafluorohexanoic acid (PFHxA), its salts and PFHxA-related substances; (7 page(s), in English), (3 page(s), in English)
<b>6. Description of content:</b> This draft Regulation would introduce a new entry to Annex XVII to Regulation (EC) No 1907/2006.  It would prohibit the use of undecafluorohexanoic acid (PFHxA), its salts and PFHxA-related substances for textiles and leather in consumer products, paper and cardboard used as food contact materials, mixtures for consumer use, cosmetic products and some firefighting foams applications.
<b>7. Objective and rationale, including the nature of urgent problems where applicable:</b> to limit releases of PFHxA and prevent its accumulation into the environment, with possible contamination of resources fundamental for human life (such as drinking water); Protection of human health or safety; Protection of the environment

**8. Relevant documents:**

Regulation (EC) No 1907/2006 of the European Parliament and of the Council on the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH Regulation):

<http://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1423064258789&uri=CELEX:32006R1907>

[Registry of restriction intentions until outcome - ECHA \(europa.eu\)](http://echa.europa.eu)

**9. Proposed date of adoption:** Fourth quarter of 2023.

**Proposed date of entry into force:** 20 days from publication in the Official Journal of the EU. The restriction on the use of the indicated products containing PFHxA specify transitional periods of:

- 18 months for its use in firefighting foams used for training and for testing and for municipal fire services,
- 24 months for textiles and leather for consumer clothing and footwear, paper and cardboard used as food contact materials, mixtures for the general public and cosmetic products,
- 36 months for other consumer textiles and leather, including upholstery,
- 5 years for concentrated fire-fighting foams for civil aviation.

**10. Final date for comments:** 60 days from notification**11. Texts available from: National enquiry point [ ] or address, telephone and fax numbers and email and website addresses, if available, of other body:**

European Commission,  
EU-TBT Enquiry Point,  
Fax: + (32) 2 299 80 43,  
E-mail: [grow-eu-tbt@ec.europa.eu](mailto:grow-eu-tbt@ec.europa.eu)

The text is available on the EU-TBT Website : <http://ec.europa.eu/growth/tools-databases/tbt/en/>

[https://members.wto.org/crnattachments/2023/TBT/EEC/23\\_10391\\_00\\_e.pdf](https://members.wto.org/crnattachments/2023/TBT/EEC/23_10391_00_e.pdf)

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