

Persistent organic pollutants

2021/0340(COD) - 04/10/2022 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 534 votes to 25, with 66 abstentions, a legislative resolution on the proposal for a regulation of the European Parliament and of the Council amending Annexes IV and V to Regulation (EU) 2019/1021 of the European Parliament and of the Council on persistent organic pollutants (POPs).

The proposal aims to **revise Annexes IV and V of Regulation (EU) 2019/1021 (POPs Regulation)** to ensure their alignment with international obligations, in particular the Stockholm Convention whose main objective is to protect human health and the environment from persistent organic pollutants.

The European Parliament's first reading position under the ordinary legislative procedure amends the proposal as follows.

Stricter limits for POPs

The proposed concentration limits should be in line with the precautionary principle as laid down in the Treaty on the Functioning of the European Union and should aim to eliminate, as far as possible, the release of POPs into the environment. These limits should also take into account the broader objective of achieving a zero pollution ambition for a non-toxic environment.

The changes introduced in Annexes IV and V of the POPs Regulation are as follows:

- PBDEs (a group of brominated flame retardants)

The concentration limit for the sum of these substances in waste is set at **500 mg/kg**. In view of the declining concentrations of PBDEs in certain wastes as a result of the restrictions on the placing on the market and use of PBDEs, and in the light of potential developments in sorting and analytical methods in this area, the limit value should be lowered to **350 mg/kg** three years after the entry into force of the Regulation and to 200 mg/kg five years after its entry into force.

- Perfluorooctanoic acid (PFOA)

The concentration limit is set at **1 mg/kg** for PFOA and its salts and **40 mg/kg** for the sum of PFOA-related compounds. The Commission will review this concentration limit and adopt, if appropriate, a legislative proposal to lower this value at the latest five years after the date of entry into force of the Regulation.

- Perfluorohexane sulphonic acid (PFHxS)

The Regulation introduces a limit for the synthetic chemical compound perfluorohexane sulphonic acid (PFHxS), following its inclusion in the Stockholm Convention in 2022.

The concentration limit is set at **1 mg/kg** for PFHxS and its salts and **40 mg/kg** for the sum of PFHxS-related compounds. The Commission will review this concentration limit and adopt, if appropriate, a legislative proposal to lower this value at the latest five years after the date of entry into force of the Regulation.

- Dioxins and furans (PCDD/PCDF and dl-PCB)

The limit for dioxins and furans is set at **5 g/kg**. The Commission will review this concentration limit and adopt, if appropriate, a legislative proposal to lower this value at the latest five years after the date of entry into force of the Regulation.

A value of **10 g/kg** will apply to fly ashes from biomass units for heat and power production containing or are contaminated by PCDD/PCDF and dioxin-like PCBs until one year after the date of entry into force of the Regulation. The value of 5 g/kg will apply to fly ashes from biomass units for heat and power production, starting one year + one day after the date of entry into force of the Regulation.

A value of **15 g/kg** will continue to apply for ashes and soot from households that contain or are contaminated with PCDD/PCDF until 31 December 2024. For ashes and soot from private households that contain or are contaminated with PCDD/PCDF and dioxin-like PCBs, the value of 5 g/kg will apply from 1 January 2025.

- Hexabromocyclododecane

The Commission will review the concentration limit of **500 mg/kg** and adopt, if appropriate, a legislative proposal to lower it to a value not exceeding **200 mg/kg**, at the latest five years after the date of entry into force of the Regulation.

Waste classification

The Commission will assess whether Directive 2008/98/EC and/or Decision 2000/532/EC should be amended to recognise that waste containing any persistent organic pollutants exceeding the concentration limits specified in Annex IV to Regulation (EU) 2019/1021 is to be **classified as hazardous**, and, if appropriate, based on that assessment and not later than 36 months after entry into force of this Regulation, should put forward a legislative proposal to amend Directive 2008/98/EC or a proposal to amend Decision 2000/532/EC, or both, accordingly.