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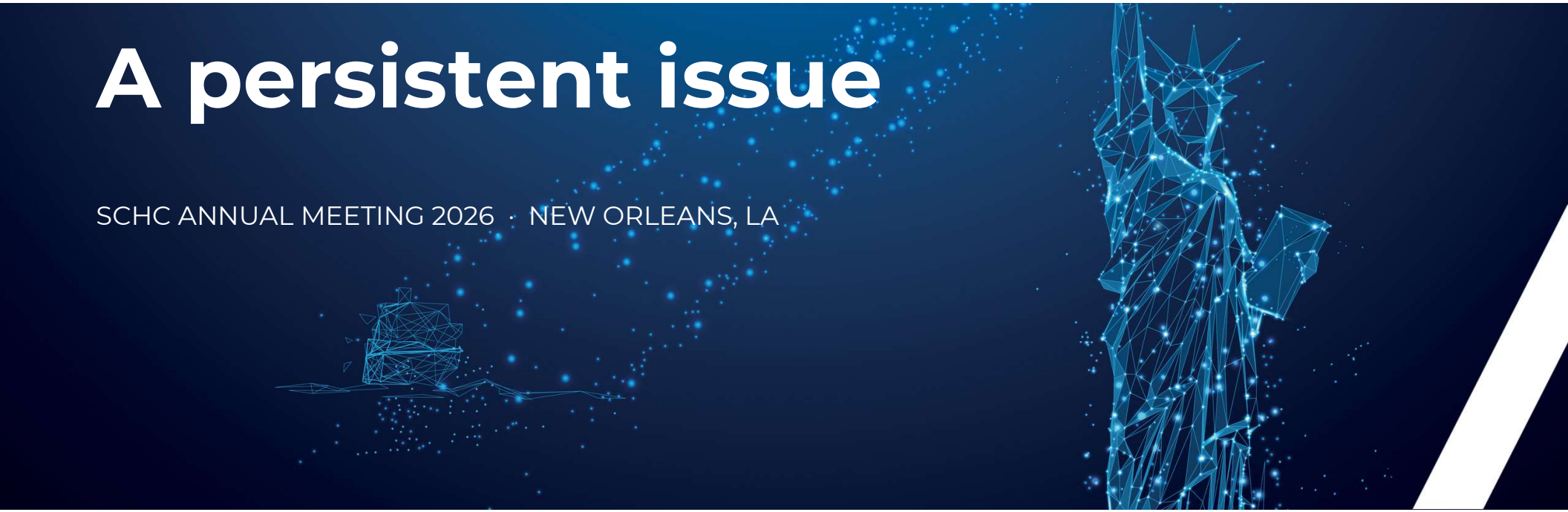
PFAS

A persistent issue

SCHC ANNUAL MEETING 2026 · NEW ORLEANS, LA



"PERSISTENT" WORKS ON TWO LEVELS

The molecules persist in the environment.

The regulatory problem persists because

PFAS is a **chemical** class, **not a hazard class**.

Everything we will look at today has to answer the same question first:
what counts as a PFAS? Each one answers it differently — and none of them answers it with toxicological data.

Persistence drives everything else

C–F It is the strongest single bond in organic chemistry

M It is a matter of mobility, not just bioaccumulation

S Regrettable substitution

Conclusion regulators drew: assess the class, because assessing 10,000 substances one at a time is not a plan.

What is a PFAS

why the answer differs by jurisdiction

Same question, three different answers

Each jurisdiction builds the criterion differently. The comparison is between constructions, not counts.

EUROPEAN UNION — RESTRICTION

–CF3 or –CF2–

Two explicit qualifiers: the carbon must be methyl or methylene, and carry no H, Cl, Br or I.

OECD-based > 10,000 substances in the dossier

US FEDERAL — TSCA 8(a)(7)

R–(CF2)–CF(R')R"

Three structures description that define the scope.

40 CFR Part 705 · scope revision proposed in 2025

MAINE — 38 M.R.S. §1614

one fully fluorinated C

Neither qualifier appears. "Fully fluorinated" is defined by replacement of hydrogen substituents.

Interpretation not yet settled

Three different constructions of the same question — and the perimeters do not coincide.
None of them is set by toxicological data. Scope is decided upstream of hazard.

Two regulatory logics across the West

CLASS-BASED

EU / EEA

- One restriction, one structural definition, derogations proposed by sector
- Applies regardless of individual substance data
- Single decision point, long lead time

SUBSTANCE-BASED

United States

- Federal action by programme: TSCA, TRI, SDWA, CERCLA
- State product laws move faster than federal
- Multiple decision points, no single perimeter

The EU restriction

From the 2023 dossier to a Commission decision

THE PROPOSAL

Submitted to ECHA on 13 January 2023

13 Jan 2023

proposal dossier submitted

> 10,000

substances in scope

[23]

industrial sectors affected

What makes it unprecedented

- It is the widest restriction ever proposed under REACH, by number of substances and by sectors touched.
- It reaches manufacturing processes, not only products placed on the market.
- **Obligations travel up the supply chain: a non-EU manufacturer is reached through the importer, the only representative or the downstream user.**

Where the real negotiation happens

The universal ban was never the contested part. How long, for which uses, and on what evidence of unavailable alternatives — that is the whole debate.

The logic

- Derogation depends on demonstrated absence of a viable alternative
- Transitional periods scale with the difficulty of substitution
- The burden of evidence sits with industry

- *Socio-economic analysis, public consultation*
- The BAN will apply 18 months after the entry into force, unless there is a derogation for a specific use (5 or 12 years of exemption period).
- *Socioeconomic analysis*

This is where RAC and SEAC did not agree — and that disagreement is the most recent development in the file.

RAC and SEAC reached different conclusions

RAC

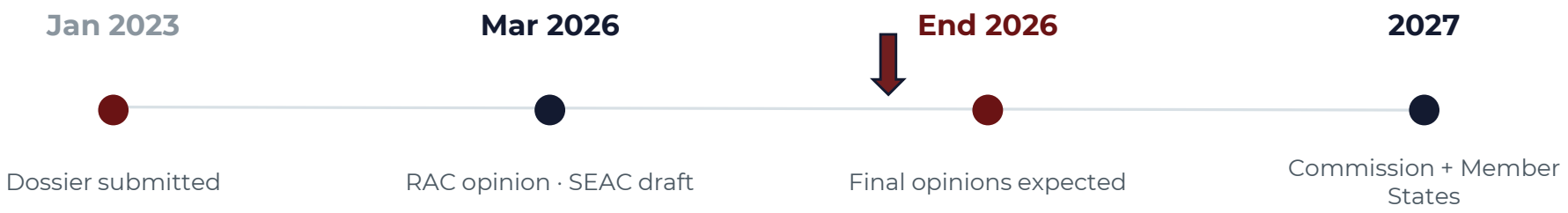
Opinion adopted 2 March 2026

- Supports the universal ban on risk grounds
- Supports only one derogation: PPE and associated impregnating agents, for worker health and safety

SEAC

Draft opinion adopted 10 March, published 26 March 2026

- A full ban is likely not proportionate
- Supports a ban with use-specific derogations; consultation ran to 25 May 2026



What companies face

The gap between the legal text and the shop floor

PRACTICAL CHALLENGES

Internal mapping: the work nobody budgets for

1

Products

Formulations, articles, components sourced from suppliers who may not know either.

2

Processes

Processing aids, coatings, membranes, lubricants — PFAS that never appear in the finished product.

3

Supply chain

Requests that travel three tiers down and come back as 'no intentionally added PFAS' with no data behind it.

- *Filter with PFAS used to filter a substance*
- *Packaging: vials stoppers made of PTFE*
- *APIs that are PFAS*
- *Tip seals consisting of PTFE*

The difficulties are operational before they are legal

1

Data you do not have

Compliance depends on supplier information that often does not exist in usable form.

2

Decisions under a moving target

Investment choices have to be made before the final opinions and the Commission decision.

3

Two systems, one organisation

The same team maintains divergent obligations that are not converging.

Start the mapping before the text is final. The data gathering is the long pole, not the legal analysis.

Hazard communication

What actually changes in your SDS and on your label

EU FRAMEWORK

Two tracks, two different clocks

TRACK A

REACH — universal PFAS restriction

- Restricts manufacture, placing on the market and use
- Scope set by structural criteria
- Long negotiation, sector derogations
- Affects whether you can sell at all

TRACK B

CLP — new hazard classes

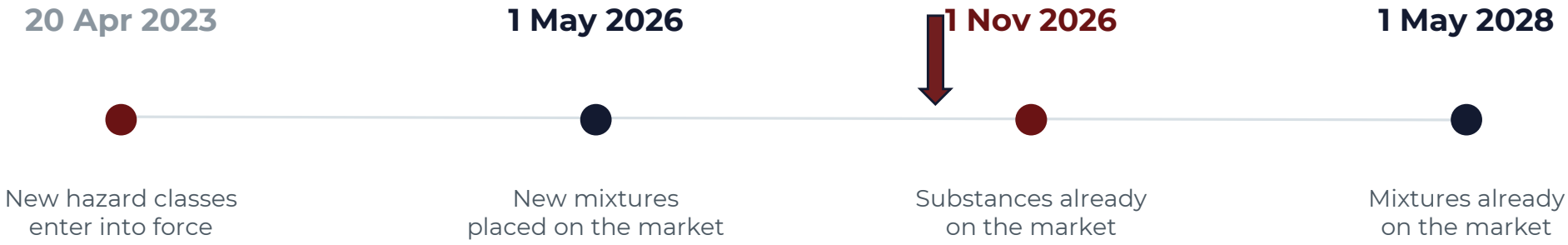
- Adds PMT/vPvM, PBT/vPvB, ED to classification
- Applies to any substance meeting the criteria
- Deadlines already running
- Affects what your label and SDS must say

Most attention goes to Track A. Track B is the one that hits your SDS first.

TRACK B

New CLP hazard classes: the clock is running

PMT / vPvM — persistent, mobile, toxic — is the class most PFAS discussions end up in. No new testing is required: it is an assessment of existing data.



The substance deadline lands three weeks after this meeting. If a PFAS in your portfolio meets the PMT/vPvM criteria, the classification is due now.

What it means for classification and SDSs

EU — CLP

New hazard classes

- PMT/vPvM captures persistence and mobility as hazards in their own right
- No new testing required — assessment of existing data
- Substances already on the market: **1 November 2026**

US — OSHA HAZCOM

No equivalent class

- Persistence and mobility are not hazard classes
- PFAS status handled through other programs
- TSCA 8(a)(7) submissions due **13 October 2026**

Same substance, same dataset, two divergent SDSs — and both deadlines fall within weeks of this meeting.

HAZCOM IMPACT

Where it shows up in the SDS

2 SECTION 2

Hazards identification

New hazard statements with no US counterpart. Signal word and pictogram may change.

3 SECTION 3

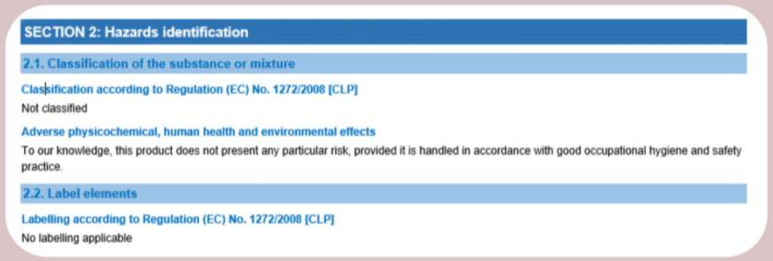
Composition

Disclosure thresholds and identification of PFAS constituents.

15 SECTION 15

Regulatory information

Restriction entries, authorisation status, national provisions.



SECTION 2: Hazards identification

2.1. Classification of the substance or mixture

Classification according to Regulation (EC) No. 1272/2008 [CLP]

Not classified

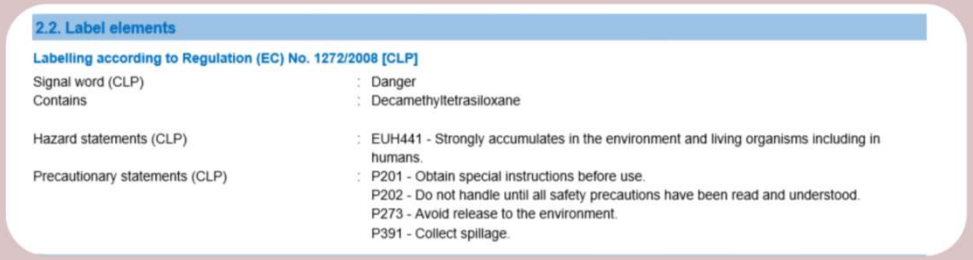
Adverse physicochemical, human health and environmental effects

To our knowledge, this product does not present any particular risk, provided it is handled in accordance with good occupational hygiene and safety practice.

2.2. Label elements

Labelling according to Regulation (EC) No. 1272/2008 [CLP]

No labelling applicable



2.2. Label elements

Labelling according to Regulation (EC) No. 1272/2008 [CLP]

Signal word (CLP)	:	Danger
Contains	:	Decamethyltetrasiloxane
Hazard statements (CLP)	:	EUH441 - Strongly accumulates in the environment and living organisms including in humans.
Precautionary statements (CLP)	:	P201 - Obtain special instructions before use. P202 - Do not handle until all safety precautions have been read and understood. P273 - Avoid release to the environment. P391 - Collect spillage.

HAZCOM IMPACT

One substance, two documents

EU — CLP

- Persistence and mobility are hazard classes in their own right
- Triggers hazard statements, label elements, SDS content
- Applies regardless of PFAS status — the criteria stand alone

US — OSHA HazCom

- No equivalent hazard class for persistence or mobility
- PFAS status is addressed through other programmes, not classification
- The same data set produces a different document

Same substance. Same dossier. Same author. Two divergent SDSs — and that divergence is now structural, not a gap waiting to close.

TAKEAWAYS

Three things to do when you get back

1

Run the scope test

Apply the structural criteria to your portfolio. Do not assume your US determination transfers.

2

Screen for PMT/vPvM

Assess existing data against the new criteria. No new testing required — but the substance deadline is weeks away.

3

Plan for divergence

Treat EU and US SDSs as separate deliverables with a shared data core, not as one document with variants.

Scope is decided before hazard. That is the single sentence worth taking away.

Any questions?

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Chemsafe USA Corp.

Back up slide

PFAS restriction proposal

- BAN on the manufacture, use and placing on the market of **substances** identified as PFAS;

- BAN on the placing on the market of **substances, mixtures and articles** containing PFAS in concentrations equal to or greater than:
  - 25 ppb for a non-polymeric PFAS;
  - 250 ppb for the sum of non-polymeric PFAS;
  - 50 ppm for all polymeric PFAS.

Backup slide -TAKE HOME MESSAGE

Is my substance in scope?

Q1	**Does the structure meet the CF2 / CF3 criteria?**	*Check the structural criteria*
Q2	**Polymer or non-polymer? Fluoropolymer?**	*PFAS definition is based on the substance structure not by the chain lenght*
Q3	**Which use, and is a derogation available?**	*Check the sector and the specific use to find if there are any derogation*
Q4	**Does it independently meet PMT / vPvM criteria?**	*Check the meeting criteria set on CLP]*