Compliance & Risks

Forever Chemicals, Finite Timelines: Managing PFAS Reporting and Compliance Across Borders

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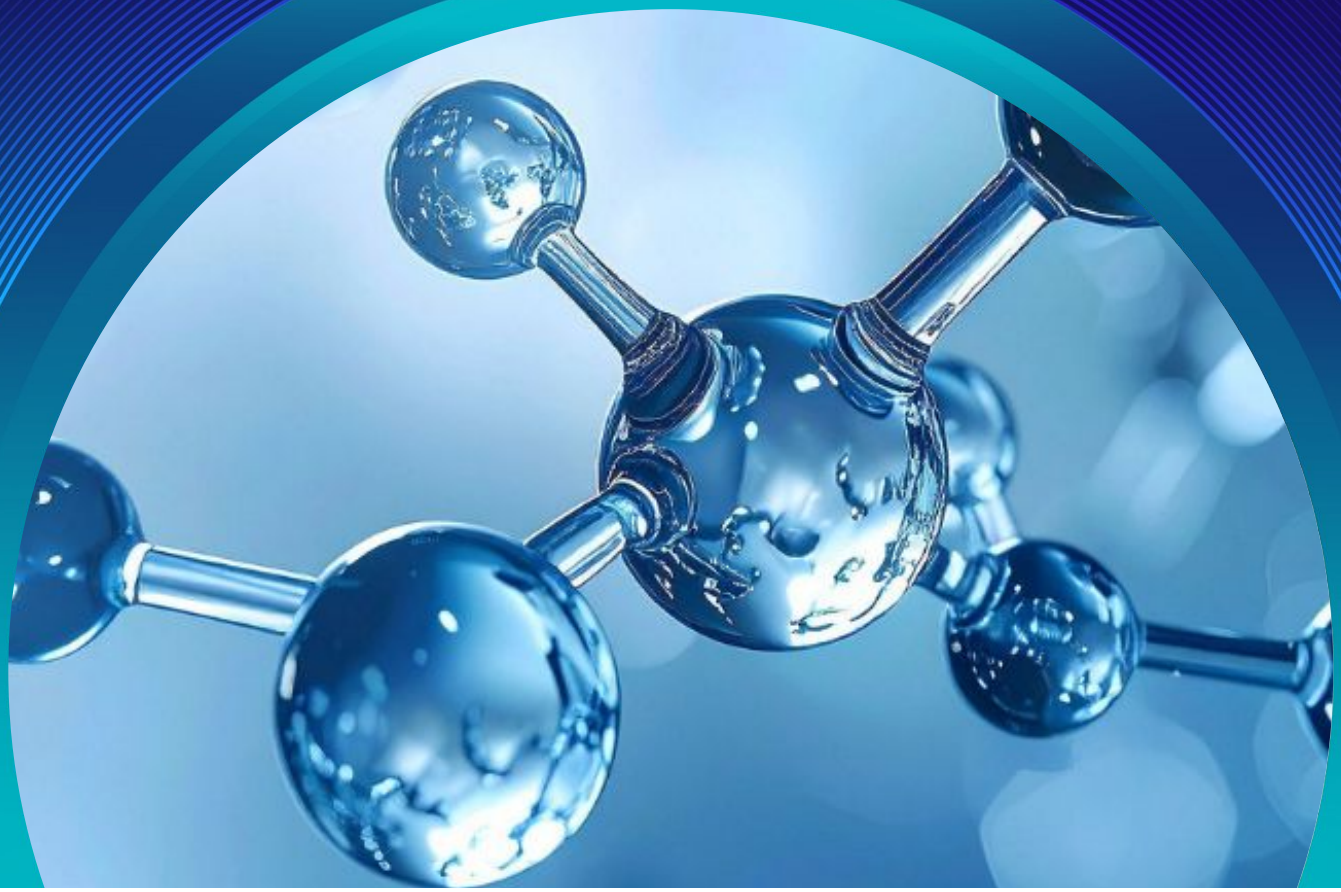

22nd April 2026

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Table of Contents

Forever Chemicals, Finite Timelines: Managing PFAS Reporting and Compliance Across Borders

01 Introduction

02 The PFAS Challenge

03 Hidden in Plain Sight

04 The Definition Problem

05 Europe in Motion

06 The Next EU Wave

07 America’s Split Screen

08 Canada’s Phased Approach

09 The UK’s Direction

10 The Readiness Imperative

11 Webinar Q&A

12 Conclusion

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Cathy Phillips has been helping companies figure out where they have PFAS in their products, and what to do about it, since 2016. She has helped manage REACH in businesses since 2008. She is a technical expert on global environmental compliance, product and chemical safety, covering legislation such as EU & UK REACH, RoHS and its equivalents, WEEE, GHS / CLP, POPs, F-Gas, Proposition 65 TSCA, and global PFAS regulations. She also works across product safety on Eco-design, Critical Raw Materials and Rare Earth Elements (CRM-REE) and conflict minerals.

Cathy has worked with companies from many diverse sectors, including maritime, defence, aerospace, energy, rail, nuclear, food technology, medical equipment and consumer goods. She has expertise in managing compliance across large multinationals through to small specialist companies.

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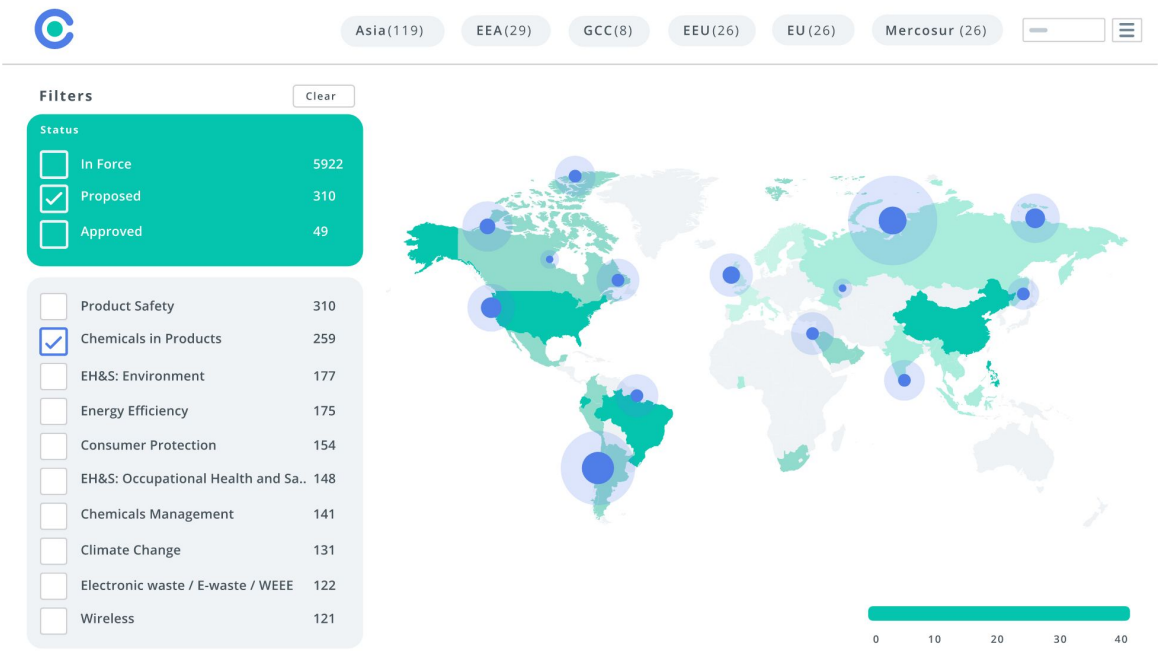

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01. Introduction

PFAS regulation is entering a more demanding phase across major markets.

In Europe, the United States, Canada, and the UK, businesses are facing a mix of existing restrictions, new reporting requirements, proposed measures, and shifting policy direction. The challenge is no longer just awareness. It is practical readiness. Companies need to know where PFAS are present, understand how different markets define them, identify where obligations already apply, and prepare for the next round of restrictions and reporting requirements.

That challenge is made harder by two realities. First, PFAS are used across a broad range of products, materials, and industrial applications, which means exposure often sits deeper in products and supply chains than businesses initially expect. Second, regulation is not moving in one uniform direction. Some measures are already in force, some are proposed, some are under consultation, and some are developing through use-by-use or state-level approaches. The result is a compliance environment that rewards early visibility, disciplined monitoring, and clear internal decision-making.

This guide, based on our recent webinar "PFAS Regulations: Are You Ready for What Comes Next?" brings those issues together in one practical narrative.

It examines where PFAS are commonly found, why definitions matter, what is already in force in Europe, what the next EU restriction may mean, how the United States is splitting between federal reporting and state action, how Canada is progressing through a use-by-use model, what the UK's direction suggests, and what businesses should be doing now to reduce exposure and improve readiness.

This guide was originally published on the 21st April 2026. Further regulatory developments may have occurred after publication.

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02. The PFAS Challenge

PFAS regulation is no longer a single-jurisdiction issue that can be monitored from a distance.

It is developing across multiple major markets at the same time, through restrictions, reporting requirements, consultation exercises, and broader legislative change.

Europe, the United States, and Canada remain central to the picture, while the UK is also moving forward through its own more selective path. For businesses operating internationally, that means compliance can no longer be managed through one static interpretation of PFAS risk.

Companies need to understand not only what is changing, but how those changes differ by market and how quickly they could affect products, supply chains, and commercial decisions.

The pace of change is also part of the problem. Some obligations are already in force. Some remain at proposal stage. Some are tied to specific consultation windows. Others are developing through state-level or phased approaches.

That makes PFAS difficult to manage through reactive compliance alone. Businesses are being pushed toward a more active model, one that depends on forward visibility, structured monitoring, and enough internal evidence to act before every legal detail is final.

In practice, that means understanding what is already regulated, what is likely to be regulated next, and what may be required where continued use is still possible.

Another defining feature of the PFAS challenge is that it extends well beyond chemicals manufacturers.

PFAS can sit in products, factories, articles, manufacturing aids, and specialist applications, which means exposure can affect importers, assemblers, downstream manufacturers, and brand owners just as easily as original substance producers.

The consequence is a broad compliance burden that touches design, procurement, legal, EHS, product compliance, and supply chain management at the same time.

03. Hidden in Plain Sight

A major reason PFAS is so difficult to manage is that these substances are found across an unusually wide range of applications.

Identified uses include firefighting foam, chemical and biological resistant PPE, bacteria and virus resistant fabrics, dirt resistant fabrics, waterproof fabrics, stain resistant fabric treatments, flexible plastics, cable and wire insulation, conduit systems, hydraulic fluids, gaskets, seals, hoses, valves, tubes, sealants, flexible joints, pipe and tank linings, batteries, shock absorbers, bushes and bearing surfaces, circuit board films, conformal coatings, semiconductor chips, cleaning fluids for microelectronics, and semiconductor manufacturing aids.

That breadth matters because it means PFAS can be present both in finished products and in operational environments. They may be part of materials selected for harsh environments, part of site infrastructure, part of sealing and fluid systems, or part of electronic and semiconductor applications. In complex articles especially, PFAS may be present in the product and used in manufacture but are invisible. Most PFAS won't be on safety data sheets (SDS) or in product documents.

Businesses cannot assume PFAS exposure is limited to a narrow set of obviously fluorinated uses.

The practical implication is that PFAS readiness starts with mapping. A company cannot make confident decisions about reporting, customer communication, derogations, substitution, or future restrictions unless it first knows where PFAS are used in its own operations and products.

Identification is the foundation for every later compliance step.

04. The Definition Problem

PFAS regulation is complicated not only by where these substances are used, but by the fact that different jurisdictions do not define them in exactly the same way.

The OECD definition covers any substance that contains at least one fully fluorinated methyl or methylene carbon atom.

The UK definition covers any substance that contains at least one fully fluorinated methyl group, or two or more contiguous perfluorinated methylene groups.

The EU definition follows the OECD definition but excludes substances that only contain specified structural elements. The US definition is based on three listed structural sub-structures.

For business, that is not an abstract technical issue. It changes scope. A product screened one way for one market may not be screened correctly for another. A supplier response that works for one jurisdiction may not be enough for another.

Even within the United States, alignment with the federal definition cannot be assumed across all states. That is why businesses need to be clear about the market they are assessing and where the goal posts sit for PFAS in that jurisdiction.

This is also why PFAS cannot be managed through generic restricted substance lists alone.

Candidate List status and list-based screening can help reveal part of the picture, but they do not tell businesses everything they need to know about PFAS content across products and supply chains.

Without clarity on definition and scope, it becomes much harder to know what needs to be reported, restricted, justified, or redesigned out.

05. Europe in Motion

Europe already has substantial PFAS controls in force.

Under the POPs framework implementing the Stockholm Convention, PFOS has been banned since 2009, PFOA, salts and related compounds have been banned from 4 July 2020, and PFHxS, salts and related compounds have been listed and banned from 2023.

Long-chain PFCAs were added to the convention in May 2025. The scope is broad: manufacture, placing on the market, and use are prohibited except for narrow exemptions, and the rules apply to products and waste containing listed PFAS above threshold limits.

REACH adds another active layer.

Annex XVII restrictions already apply to C9-C14 PFCAs, their salts and precursors, and to PFHxA, its salts, and related substances. These restrictions affect manufacturers, importers, and distributors in areas such as textiles, leather, paper, and cosmetics.

Firefighting foams are also a major live issue, with PFAS at or above 1 mg/L prohibited for placing on the market or use in most applications from 23 October 2025, subject to transition periods that vary by sector and use.

Europe is therefore not waiting for a future universal restriction before acting. Significant PFAS controls are already operating now.

The Candidate List is another important part of the picture.

PFAS already appearing there include PFOA, C9-14 PFCAs, PFHxS, PFHpA, PFBS, and HFPO-DA. Where an article contains more than 0.1% w/w of an SVHC, Article 33 notification duties apply immediately.

At the same time, the broader PFAS picture remains incomplete because the number of PFAS on the SVHC list is increasing, but the vast majority are still not on it.

Candidate List compliance matters, but it does not by itself reveal the full extent of PFAS in products or supply chains.

06. The Next EU Wave

The next major European development is the proposed PFAS restriction under REACH.

The updated background document published in June 2025 incorporates an additional eight sectors compared with the initial document.

The proposal covers a universal ban with an 18-month transition period, includes manufacture, placing on the market, and use, and covers nearly all remaining uses of PFAS that are not already regulated.

Derogations are described as being available for five or twelve years, with some derogations for an unlimited period of time.

This is where evidence becomes critical. The SEAC consultation is intended to cover all sectors and the full scope of the restriction, including PFAS manufacturing, and only socio-economic aspects will be considered. Since the last consultation, an additional eight use groups have been brought in.
That means businesses need to understand where their own products and uses fit, whether within the original groupings or newer areas where evidence may still be limited.

Companies that expect a use to qualify for continued treatment or derogation need to be ready to explain why.

The likely direction is not simply ban versus no ban. It is restriction plus transition plus derogation plus potentially stronger control measures where use continues. For some use sectors, additional risk control measures may be implemented beyond the derogation itself. That points to a future where the question is not only whether a PFAS use survives, but under what conditions, for how long, and with what controls around emissions and exposure.

The proposed derogations also show how differentiated the next phase could become.

Examples identified include 13.5-year derogations for military applications, lubricants and lubricant additives for industrial and professional uses, batteries, filtration and separation of air and other gases excluding general HVAC ventilation, semiconductor manufacturing and photonics, and industrial use in machinery applications; 6.5-year derogations for fluorinated gas in mobile air conditioning and transport, hard chrome plating, and coatings on displays and lenses; and a 20-year derogation for spare parts or until the end of the product's service life.

07. America's Split Screen

The US picture is increasingly defined by a split between federal requirements and state action.

At the federal level, TSCA 8(a)(7) is focused on information gathering and reporting. The scope includes manufacturers and importers into the US, including substances and articles, with reporting tied to each chemical and each year from 2011 to 2022, including where activity has ceased.

The information expected includes PFAS use, production volumes, disposal, exposures, and hazards, based on information known or reasonably ascertainable.

The rule uses a structural definition rather than a chemical list, meaning a wide range of materials can fall into scope if they meet that structural test.

At the same time, the federal position remains unsettled in important respects. Proposed delays would move the reporting upload period to 13 April 2026 through 13 October 2026, with small businesses having until 13 April 2027.

There is also a proposed exemption for PFAS substances and mixtures at 0.1% or lower, and a proposed exemption for PFAS in imported articles. Those proposed changes had not yet been formally implemented in law at the time covered here. That uncertainty matters because it affects what information businesses may need to collect and when they may need to submit it.

State-level action is moving more decisively. Minnesota, Maine, and New Mexico are all associated with a currently unavoidable use model and broader phase-out dates centered on 2032, although the details differ.

Minnesota has already prohibited firefighting foam and food packaging, moved into broader product prohibitions, and established annual reporting requirements beginning in July 2026.

Maine has introduced consumer product prohibitions, reporting linked to currently unavoidable use, and a phased approach toward 2032 and beyond.

New Mexico is planning a comprehensive ban on intentionally added PFAS in 2032 unless the use is currently unavoidable, with information submission beginning earlier.

Across other states such as California, Colorado, Connecticut, and Illinois, additional prohibitions, labelling requirements, and product-specific restrictions are widening the overall compliance burden.

The key takeaway is not uniformity, but momentum. State approaches differ on scope, timelines, and exclusions, but the overall direction is toward more restrictions, more reporting, and more administrative complexity for businesses trying to manage across state lines.

08. Canada's Phased Approach

Canada is progressing through reporting and a use-by-use risk management strategy rather than an immediate blanket ban.

The Reports were due on 29 January 2025 on PFAS in products sold in Canada in 2023. The March 2025 State of PFAS report concluded that a precautionary, class-based approach is needed, and the March 2025 Risk Management Approach recommends adding the class of PFAS, excluding fluoropolymers as defined in that report, to CEPA Part 2 of Schedule 1. Because PFAS are listed on Part 2, prohibitions are to be developed use by use rather than through a universal all-use ban.

The first phase is the prohibition of the use of PFAS in firefighting foams that are not currently regulated, and consultation on risk management has already been completed and is moving forward to restriction.

The second phase was described as targeted uses not yet announced, with consultation anticipated in 2027. That means Canada still requires strong preparation. Reporting has already happened, the regulatory direction has already been set, and future prohibitions will be developed progressively rather than all at once.

For global suppliers, Canada adds another layer of complexity rather than offering a regulatory pause. Businesses still need visibility into where PFAS are present, what purpose they serve, and which uses could be affected next as the next phase is defined.

09. The UK's Direction

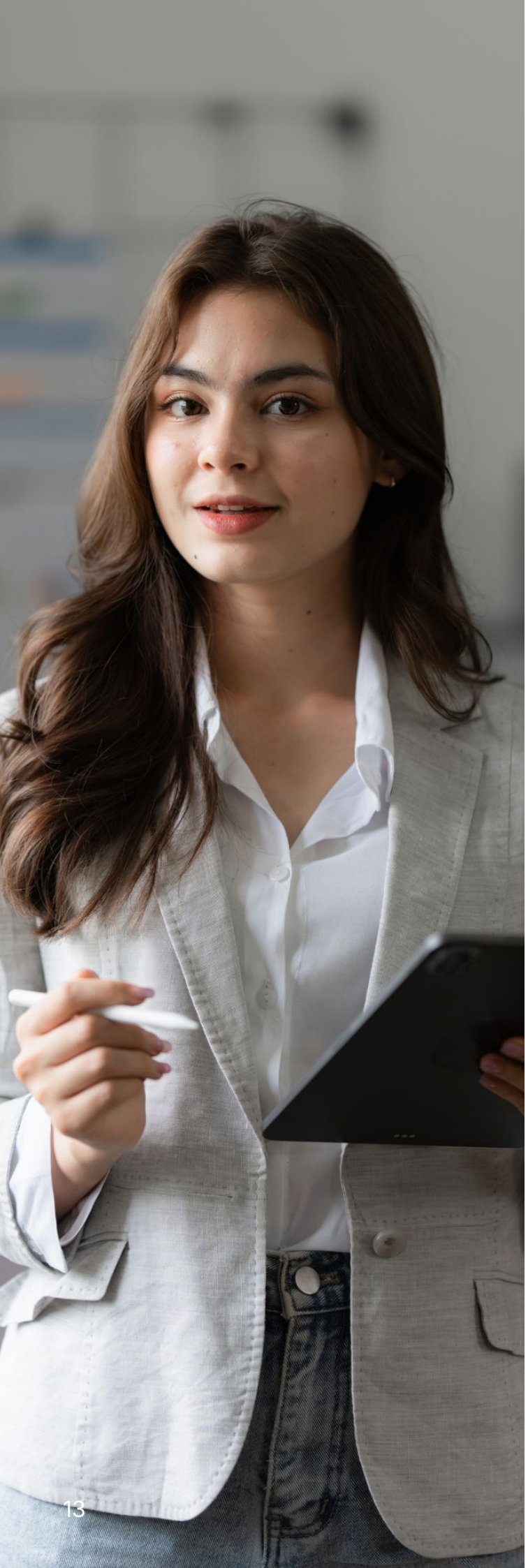
The UK is currently following a more selective path than the broadest European proposals, but the direction of travel still points toward closer alignment with the EU.

Current legislation includes restrictions on TDFAs in spray products above 2 ppb, and the UK has implemented the POPs convention so PFOS, PFHxS, and PFOA are restricted, including firefighting foams placed on the market after 4 July 2020.

The stated future plan is to align UK REACH with its closest trading partners, especially the EU, by December 2028, and to consider restrictions on PFAS sub-groups in line with existing EU measures.

The HSE is expected to publish and consult on relevant PFAS in summer 2026, aligned with the strategic approach, with additions to the UK candidate list following the HSE decision-making process within 45 days of consultation closing, expected in autumn 2026.

In practical terms, that suggests increasing convergence with the EU's already regulated PFAS, but not a universal PFAS ban at present. The UK approach remains targeted and subgroup-based rather than broad brush. For businesses operating across both markets, that means the UK still needs its own monitoring and interpretation, even as alignment pressures grow.



10. The Readiness Imperative

The clearest practical message is that businesses need to know the PFAS requirements in their markets and in their supply chains.

That may require substantial digging, more detailed supplier engagement, and in some cases contractual mechanisms to obtain the necessary information. But the reason is straightforward: if a company cannot find where PFAS are, it cannot manage them, and it cannot understand its own business risk. PFAS readiness therefore starts with information, not with legal theory alone.

Once PFAS uses are identified, businesses need to move from visibility to justification. If a company expects to rely on a derogation, it should begin preparing a clear, site-specific management plan that sets out where PFAS are used, what health and safety protections are in place, where waste streams go, what the current state looks like, and what changes may still be needed. Continued use should not simply be assumed. It needs to be justified and supported through an evidence trail and due diligence record.

PFAS also presents a business continuity issue. Additional administrative burden may have a negative sales impact for PFAS-containing parts, and reduced production of PFAS may limit parts and materials availability. Businesses therefore need to assess the risk of continuing to use PFAS, manage that risk, and look seriously at alternatives where possible. The practical action list is clear: respond to the SEAC consultation, collate and record PFAS product and consumable data, comply with reporting and phase-out requirements, research and develop alternatives, redesign to remove the need for PFAS where possible, use PFAS-free alternatives where possible, and keep up to date because legislation is developing rapidly.

It is vital to engage with the regulators if your use of PFAS cannot be substituted in time. They need to understand your unavoidable uses, and the business impact if the PFAS isn't available. Time is running out.

11. Webinar Q&A

During the live webinar, numerous questions were sent in by our live audience. Our webinar presenter, Cathy Phillips provided expert answers to the most popular queries below.

Q1. What is the current regulatory outlook for PFAS in Australia? Given the significant movement from Australian authorities in 2025, which international regulatory path is the country more likely to follow - the Canadian model or the UK approach?

Australia are lagging in regulation of PFAS, no doubt watching to see what happens in the States and EU. The approach is more like UK.

For more information I recommend contacting RINA productregulation@rina.org

Q2. Where alternatives to PFAS exist, do they effectively mitigate other chemical risks, such as those associated with currently unregulated halogens?

That really depends on the function of the PFAS. Some alternatives have different hazards yes, and others share the same attributes but are not yet a regulatory focus. Finding the right alternative can be a minefield.

If you require assistance for your specific requirements please get in touch productregulation@rina.org

Q3. When are exemption filings due for New Mexico PFAS reporting?

New Mexico does not yet have a fixed “exemption filing deadline” for PFAS reporting.

Exemptions (including Currently Unavoidable Use (CUU) determinations and certain statutory exemptions) must be in place before reporting or prohibition dates apply, but the state has not set a standalone exemption-application due date.

Q4. Is the 0.1% w/w concentration limit calculated based on the weight of the specific component or the weight of the total finished product? For example, if a coating containing 0.1% PFAS is applied to a product, resulting in a much lower concentration relative to the total product weight, would that meet compliance thresholds?

U.S. state PFAS bans are not based on a 0.1 % w/w threshold, and they are not averaged over the finished product.

Your “PFAS coating at 1% applied to a product” example does not avoid the ban just because the PFAS is diluted when averaged across total product weight.

Under the EPA proposed TSCA reporting rule, the 0.1 % w/w de minimis threshold is applied to the mixture or article as a whole - not to an individual component or coating.

So yes, in your example:
PFAS coating at 1 % in the coating, but < 0.1 % when averaged over the total finished product weight.

Q5. Are manufacturers required to file PFAS reports in Minnesota annually, or is the filing a one-time requirement? Specifically, if a product has already been registered, must it be re-reported every year if there are no changes to the product or its PFAS content?

Minnesota is not a simple "file once and forget" system, but it is also not a pointless full re-registration every year.

The final rule sits in between, and the confusion comes from changes made late in 2025. After the initial filing:

- Annual reports are due each year by 1 February
- They must cover the previous calendar year
- They are update-based, not a repeat of everything

The MPCA explicitly clarified that manufacturers do not need to re-file unchanged products every year

Q6. Is requiring suppliers to regularly and formally certify that their materials are free from substances on both the Restricted Substances List (RSL) and the Substances of Very High Concern (SVHC) list considered a robust enough method for confirming that our products are PFAS-free?

No it isn't. Most PFAS will not be caught this way. The only way to be sure is:

1. Ask SPECIFICALLY if there are PFAS used in the manufacture of the item or present in the item.
2. Test it.

Q7. Which other company than 3M is stating to phase out PFAS?

BASF: by 2028.
Solvay: By 2026, Solvay expects to manufacture nearly all fluoropolymers without fluorosurfactants
Ecolab: Commitment: Publicly stated exit from PFAS manufacture and intentional use in many product lines

Q8. Regarding the proposed exemption for PFAS substances in mixtures at 0.1% or lower: is this threshold calculated based on the weight of the individual article (e.g., a resistor), the specific material (e.g., polycarbonate), or the entire finished product (e.g., a train)?

U.S. state PFAS bans are not based on a 0.1 % w/w threshold, and they are not averaged over the finished product.

Your "PFAS coating at 1% applied to a product" example does not avoid the ban just because the PFAS is diluted when averaged across total product weight.

Under the EPA proposed TSCA reporting rule, the 0.1 % w/w de minimis threshold is applied to the mixture or article as a whole — the resistor.

Q9. What about LATAM in respect of PFAS?

No LATAM country currently has a U.S.-style PFAS-in-products reporting regime (i.e. product-level PFAS declarations for all consumer goods). Regulation today focuses on:

- Specific PFAS (PFOS, PFOA, PFHxS) under the Stockholm Convention, and
- REACH-like chemical inventories (Brazil, Chile, Colombia).

Where reporting exists, it is chemical-based, not product-based.

Q10. From a Food Contact Materials (FCM) perspective, what specific data should be passed along the supply chain as evidence of PFAS compliance? Should manufacturers rely primarily on supplier declarations, or should they expect to provide comprehensive analytical testing reports?

I would expect both supplier declarations and testing reports to be part of the portfolio of evidence you will need. You should expect to need:

- Supplier declarations / certifications
- Formulation disclosures (negative statements)
- Targeted or screening test reports (in defined cases)
- Change-control and traceability records

Routine testing is not universally mandatory, but testing is increasingly expected as corroborative evidence, especially for grease-resistant, fiber-based, or coated materials.

Q11. PFAS is frequently used as a mold release agent, which often leaves residual substances on the surface of finished articles. In a regulatory context, is this considered an 'intentionally added substance'?

That is something for you to debate with the regulator. I would have thought so. If you needed it for mould release and didn't remove it, it is intentionally there.

Q12. (EU) We are currently testing textiles with a water-repellent treatment. Could you please clarify which regulatory requirements we should ensure compliance with? Should the results comply with REACH, POP Regulation, or both?

You will need to comply with all of them.

Q13. Regarding the criteria for 'unavoidable use' of PFAS, do regulators strictly require a technical rationale demonstrating the lack of a viable alternative, or will they also consider socio-economic justifications? For instance, would an exemption be considered if replacing a PTFE seal is technically possible but the cost of testing and implementing the alternative across all applications is economically unfeasible?

In U.S. state PFAS “currently unavoidable use” (CUU) regimes, regulators are not accepting a purely socio-economic rationale on its own. Socio-economic arguments may be considered only secondarily and only in a narrow, supporting role, not as a standalone justification. You must provide evidence that there is no technical alternative.

In the EU, for continued use you really need to provide socioeconomic data in the currently open consultation (closes 25 May 2026).

Q14. In cases where a 13.5-year derogation is granted because no viable alternative exists, is there a formal mechanism to extend that period if no transformative technological changes occur and replacements remain unavailable at the end of the 13-year window?

There is no derogation extension mechanism at the moment no.

Q15. What are the latest regulatory updates and compliance deadlines specifically affecting the textile and apparel industry as of 2026?

Textiles are specifically covered in each of the PFAS legislation. If you require specific information for your product we would be happy to help productregulation@rina.org

Q16. Is the EU going to introduce PFAS testing methodologies?

Many test houses have methodologies for testing all the existing prohibited PFAS and tests for other common PFAS are developing rapidly. I fully expect there to be a suite of standard test methods for many PFAS when the legislation hits.

Q17. Are PTFE-based lubricating greases currently covered by a derogation under the proposed EU REACH PFAS restriction, and if so, what are the specific conditions or time frames for this exemption?

This comes under the EU Lubrication grouping in the currently open consultation: we strongly recommend responding to the consultation in the EU. If you would like assistance feel free to contact productregulation@rina.org

Q18. What about PTFE coatings for eg non-sticking needs in moving parts (plastic or metal)?

This comes under the EU Machinery grouping in the currently open Universal PFAS Restriction consultation: we strongly recommend responding to the consultation in the EU. If you would like assistance feel free to contact productregulation@rina.org

Q19. When is the proposed EPA article exemption anticipated to become a final rule?

At the moment, it is very hard to say. The changes brought by the Trump administration are slowing everything down a lot. Its unpredictable.

Q20. Regarding U.S. state-level PFAS reporting requirements, does the legal obligation to report fall upon the importer of record or the third-party distributors within each state?

In almost all U.S. state PFAS reporting regimes, the legal reporting obligation sits with the manufacturer, which is usually defined to include the importer - not with downstream third-party distributors or retailers.

Q21. Is the OECD definition of PFAS currently regarded as the most inclusive and comprehensive definition available? Furthermore, does it encompass the entire universe of PFAS substances, or are there notable gaps or competing definitions used by other regulatory bodies?

Yes - the OECD 2021 definition is the most inclusive and structurally broad PFAS definition in current regulatory and scientific use.

Q22. Is Canada planning on restricting intentionally added PFAS only or contaminants as well?

Canada is planning to restrict both intentionally added PFAS and PFAS present as contaminants - but in different ways and at different stages. It is not limited to “intentionally added only” in the way many U.S. state product laws are.

Q23. Are there any PFAS exemptions for military products in US states?

Yes - some U.S. states do provide limited PFAS exemptions that can apply to military or defense-related products, but these are not blanket “military exemptions”, and they vary significantly by state. If you need support, we would be pleased to help contact productregulation@rina.org

Q24. Under the proposed EU REACH PFAS restriction, how is a 'spare part' formally defined in the context of the 'Repair as Produced' derogations?

The proposal allows continued manufacture and placing on the market of PFAS-containing spare parts, but only in a narrow, conditional, and sector-specific way.

The proposal recognises long service life products (aircraft, industrial machinery, energy systems, transport), need spares to prevent premature obsolescence and disproportionate socio-economic harm.

As a result, specific derogations are envisaged for PFAS-containing spare parts in specific long life products. It won't include consumables, accessories, upgrades or software.

Q25. If a product is made in the EU but sold in certain U.S. states, must it comply with those US states' laws?

It must comply with EU and US state law.

Q26. Are the three primary regulatory scenarios—a full ban versus the two alternative options involving various derogations—still under consideration for the EU REACH PFAS restriction?

There are 3 options:

- Full ban if your use is not derogated.
- Derogated use ban, where the substance can be used in the named application for the time period stated.
- Continued use, where other legislation (such as the pharmacoepia) allows PFAS, with risk management measures in place, until that legislation bans the use.

Q27. Are the eight additional sectors - including medical devices and military applications - included in the current public consultation on the SEAC draft opinion? Furthermore, could you clarify the specific mechanism and requirements for stakeholders to submit formal feedback?

Yes they are: we strongly recommend responding to the consultation in the EU. If you would like assistance feel free to contact productregulation@rina.org

Q28. What are we expecting for the future of fluoroelastomers and polymers in Europe?

This comes under the EU Sealing grouping in the currently open Universal PFAS Restriction consultation: we strongly recommend responding to the consultation in the EU. If you would like assistance feel free to contact productregulation@rina.org

Q29. Why do U.S. state-level regulations primarily target 'intentionally added' PFAS, whereas the proposed EU REACH restriction appears to be agnostic regarding intentionality, focusing instead on total concentration thresholds?

The US and EU have fundamentally different basis for legislation. In the EU, it is wrong to pollute. In the US it is wrong to deliberately pollute.

Q30. What testing do you think will be required for PPWR threshold restrictions? And is the expectation that the producer conduct the testing if packaging provided by supplier? Or is a supplier's DOC reasonable?

The PFAS restriction will apply to ALL USES, and some will be exempted or have a time limited derogation. PPWR will be unaffected.

Q31. Given our focus on footwear protection and care - including impregnation sprays, cleaning foams, and storage accessories - do our products fall within the scope of current or proposed PFAS bans? If so, which specific regulatory categories apply to these items?

Yes, these products fall in scope of PFAS bans where PFAS are intentionally added. They are not marginal or edge cases — they sit in exactly the consumer-product categories regulators are targeting first.

Q32. Can you comment on the labelling requirement in New Mexico? Is this labelling required on all products - even those exempted?

Yes - in New Mexico, PFAS labeling generally does apply even to products that are exempt from bans or reporting.

However, there are limited, specific labeling exemptions, and they are narrower than the product exemptions under the PFAS Protection Act. If you need support, we would be pleased to help contact productregulation@rina.org

Q33. Does Colorado's ban on the sale of cookware containing PFAS starting from 01/01/26 include espresso machines?

YES if intentionally added PFAS in:

- A food-contact surface, or
- A handle of cookware

NO if not.

Q34. Under TSCA proposing for small business maybe being exempt. What is considered a small business? This based on import value or units?

EPA uses corporate annual sales + chemical production/import volume (by weight) to assess business size.

- Total annual sales (company + parent): < USD 120 million, and
- Does NOT manufacture or import > 100,000 lb/year of a given chemical at any single site.

Very small business:

- Total annual sales (company + parent): < USD 12 million

Q35. In regards to Minnesota - are medical devices exempt?

Medical devices, prosthetic and orthotic devices, and products regulated by the U.S. FDA are not subject to Minnesota's PFAS product prohibitions.

Q36. Are medical devices exempt in New Mexico and Canada?

Yes - medical devices are exempt under New Mexico's PFAS rules, but the exemption is not absolute and does not apply uniformly to all obligations. If you require assistance with this please feel free to contact productregulation@rina.org

No - medical devices are not generally exempt from PFAS legislation in Canada.
Canada's current and proposed PFAS framework explicitly includes medical devices as an in-scope use, although how and when restrictions will apply is phased and not yet fully fixed in binding regulations.

12. Conclusion

PFAS regulation is becoming broader, more detailed, and more fragmented at the same time.

Europe already has significant controls in force and is moving toward a wider proposed restriction. The United States combines federal reporting obligations with aggressive state-level expansion. Canada is progressing through reporting and a phased use-by-use model. The UK is taking a selective approach while signaling closer alignment with Europe. Across all of these markets, the burden on business is moving toward better information, stronger justification, and more disciplined preparation.

For companies, the priority is not simply to track legal change, but to turn that knowledge into action. That means identifying where PFAS are present, understanding how different markets define them, preparing evidence where continued use may need to be justified, and assessing the business risk of delay. It also means recognizing that compliance in this area is no longer a static obligation. It is an ongoing process of visibility, decision-making, and adaptation.

In a landscape defined by fast-moving restrictions, reporting obligations, and diverging jurisdictional approaches, businesses need tools and information that help them stay on top of regulatory changes and their impact worldwide. Early warning alerts, impact probability, and workflow support are directly relevant in an environment where timing, visibility, and cross-functional coordination are increasingly decisive. For organisations trying to protect market access while managing regulatory complexity across multiple regions, the value lies not only in knowing that change is happening, but in understanding what it means, where it applies, and what should happen next inside the business.

Speak with our team to learn more about managing your PFAS compliance, or for help with regulator engagement.

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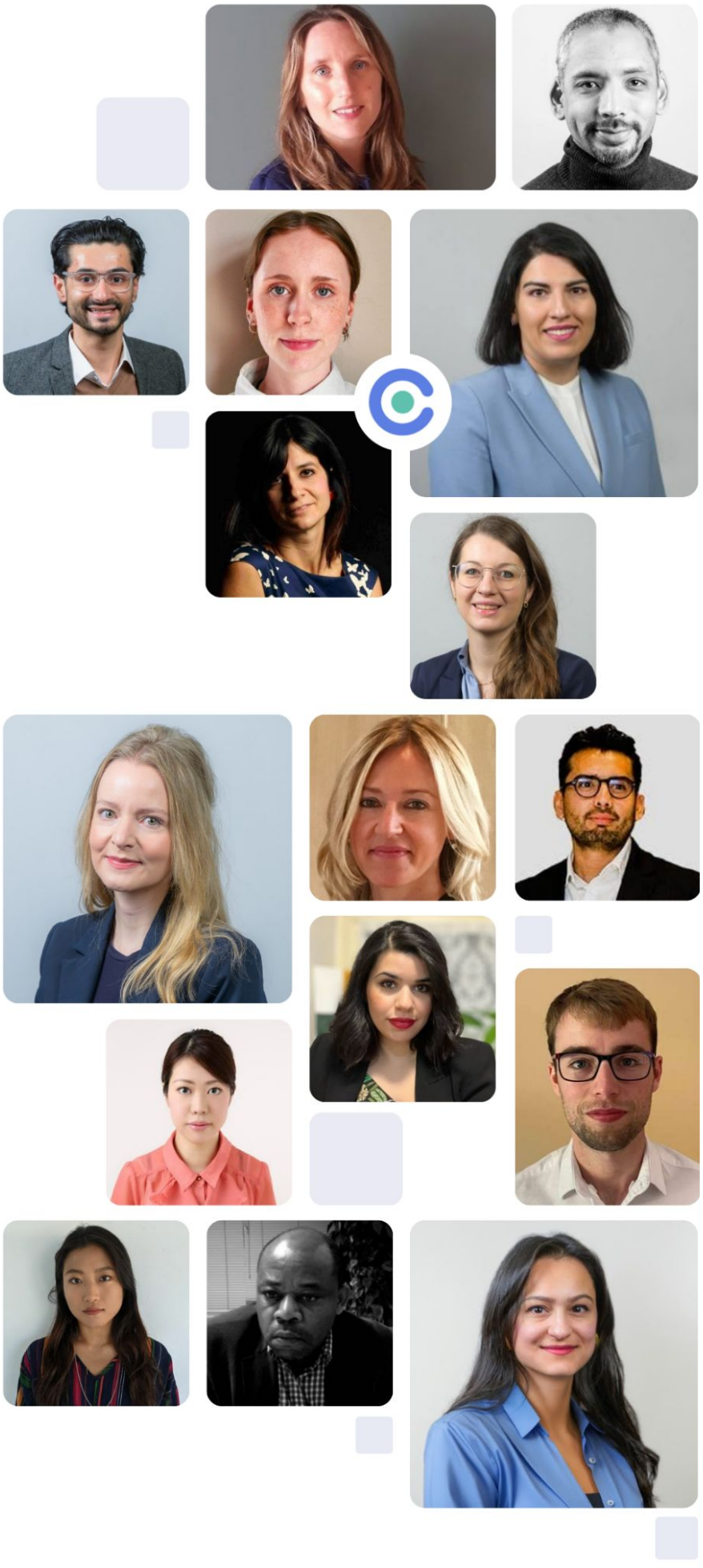

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