19 November 2026
SEAC/M/73/2026 DRAFT

Extract of Action points and main conclusions of SEAC-73

Agenda point	
Conclusions / decisions / minority opinions	**Action requested after the meeting (by whom/by when)**
5.2 Restriction Annex XV dossiers	
a) Opinion development on	
1) Universal per- and polyfluoroalkyl substances (UPFAS) restriction proposal – adoption of SEAC opinion	
SEAC rapporteurs presented and SEAC discussed specific updates to the evaluation of general elements and sector-/use-specific aspects of the proposed restriction based on the comments received in the 60-day third-party consultation on the SEAC *draft* opinion. Relevant and substantiated information has generally been reflected in SEAC's evaluation. In several instances, this information enabled the Committee to confirm or strengthen its conclusions. In other cases, it also led to amendments to SEAC's conclusions on certain general elements of the restriction proposal, as well as to its conclusions regarding substitution potential, costs and derogations for specific uses. SEAC agreed on the updates to the evaluation and, consequently, on the conclusions reached, including: • SEAC finds that action to address risks associated with PFAS is required on a Union-wide basis and that a broad restriction under REACH that addresses PFAS as a group is the most appropriate risk management option to do so. • SEAC considers a ban with use-specific derogations where costs to society outweigh the benefits appropriate to ensure proportionality of the restriction. SEAC has evaluated the available information on alternatives, costs and	**Rapporteurs**, together with **SECR**, to do the final editing of the adopted SEAC opinion and to ensure that the supporting documentation – *Background Document* and *Response to comments on the SEAC draft opinion (ORCOM)* – is in line with the adopted SEAC opinion. **SECR** to send the adopted opinion to the Commission and publish it, together with the supporting documentation, on the ECHA website.

benefits to determine which derogations (and derogation periods) are justified to ensure the overall proportionality of a restriction. • Any derogations that SEAC considers justified should be regarded as necessary to ensure that a restriction is proportionate, but not as sufficient on their own. Additional derogations may be required for certain uses in order for a restriction to be proportionate. However, uncertainties in the available information, often due to a lack of sufficiently granular data, as well as unknown or unidentified uses stemming from the broad scope of the proposed restriction, prevent SEAC from specifying such additional derogations. • For the eight additional sectors for which SEAC did not carry out detailed sector-specific evaluations, the Committee recommends that an evaluation of all uses/applications assessed by the Dossier Submitter within these specific sectors is performed as soon as possible. In the interim, SEAC recommends a time-limited derogation for all uses/applications within the scope of these specific sectors until such an evaluation has been performed and an appropriate decision can be made on proportionality. • While SEAC supports, in principle, the risk management measures proposed by RAC for derogated uses, the Committee cannot conclude on their proportionality due to a lack of sufficient information to assess the costs and benefits of these measures. • SEAC finds the "default" 18-month transition period to be generally appropriate, while noting uncertainties with respect to uses for which a conclusion on the need for a derogation beyond the 18-month transition period was not possible. Additionally, SEAC considers that a longer transition period before the reporting requirements, implementation of site-specific PFAS management plans and potential additional conditions take effect could be warranted.	

• SEAC finds that the proposed restriction, including appropriate derogations, is implementable, manageable, enforceable and monitorable, while noting challenges related to its practicality and monitorability. SEAC adopted its opinion by consensus.	
2) Restriction proposal on the use of certain chromium (VI) oxides, oxyacids and salts – adoption of SEAC opinion	
SEAC rapporteurs presented and SEAC discussed specific updates to the evaluation of the restriction proposal on certain chromium(VI) oxides, oxyacids and salts, based on the comments received in the 60-day third-party consultation on the SEAC *draft* opinion. Relevant and substantiated information has generally been reflected in SEAC's evaluation. In several instances, this information enabled the Committee to confirm or strengthen its conclusions. In other cases, it also led to additional or amended SEAC conclusions. SEAC agreed on the updates to the evaluation and, consequently, on the conclusions reached, including: • SEAC finds that action to address risks associated with uses of certain chromium (VI) oxides, oxyacids and salts is required on a Union-wide basis, and that among the risk management options analysed by the Dossier Submitter, a restriction under REACH is the more appropriate one. However, SEAC cannot come to a conclusion on whether a restriction is the most appropriate risk management option overall. • SEAC concludes that the restriction options supported by the Dossier Submitter (RO1 and RO2) can be considered proportionate Union wide measures, provided that SEAC's recommendations regarding the transition period are followed. The two restriction options offer different balances between the expected benefits of reducing exposure and the socio-economic costs of the restriction, with RO1 having minor costs and very limited benefits. SEAC considers that	**Rapporteurs**, together with **SECR**, to do the final editing of the adopted SEAC opinion and to ensure that the supporting documentation – *Background Document* and *Response to comments on the SEAC draft opinion (ORCOM)* – is in line with the adopted SEAC opinion. **SECR** to send the adopted opinion to the Commission and publish it, together with the supporting documentation, on the ECHA website.

RO2 is the option with the highest benefits that is still likely to be proportionate and practical. SEAC further considers that: • If a harmonised LV is preferred by the decision-maker and distributional impacts are factored in by them, a uniform limit of 0.5 µg/m3 (in combination with ELVs of RO2) could also be an appropriate option. • The more stringent RO3 and RAC's proposal (a harmonised LV of 0.1 µg Cr(VI)/m3 for workers in combination with ELVs of RO2 for air and RO3 for water) are likely not proportionate. • Regarding the alternative options (AOs) analysed by the Dossier Submitter, SEAC considers that none of options AO1-AO4 would constitute a more appropriate measure than RO1 or RO2. When it comes to AO5, SEAC considers that providing the option of a maximum release factor as an alternative way to comply in case the ELV cannot be met could be a pragmatic solution to alleviate some difficulties to comply and related costs. On the other hand, it would result in reduced benefits. SEAC cannot conclude on whether it is an appropriate option. • SEAC recommends a transitional period of 36 months for RO1, and longer than 36 months if RO2 or any other option is preferred by the decision-maker. • In agreement with RAC, SEAC also recommends that a guideline be developed to facilitate implementation and enforcement of the restriction. • SEAC finds that the proposed restriction options (RO1, RO2) are generally practical in terms of implementability, enforceability and manageability (while noting some implementability challenges for the ELV in RO2 for some companies). SEAC also considers them monitorable. SEAC concludes that for more stringent options, both practicality and monitorability would be challenging.	

• SEAC considers that there are significant uncertainties related to the impact assessment, which were not sufficiently addressed in the uncertainty assessment. SEAC adopted its opinion by consensus.	