

PFAS under pressure: a landscape of regulatory initiatives in Europe

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Introduction

The regulatory landscape for per- and polyfluoroalkyl substances ('PFAS') is rapidly shifting, with a multiplication of regulatory and stakeholder initiatives.

At the heart of this evolution is the EU Generic PFAS restriction proposal. The restriction process which began in 2023 is of unprecedented magnitude. Covering around 10,000 PFAS with uses ranging from consumer ones to highly sensitive applications, it impacts all industries. After significant delays, the process reached a critical milestone in March 2026 with the issuing of opinions from the European Chemicals Agency's ('ECHA') Risk Assessment Committee ('RAC') and the Socio-Economic Assessment Committee ('SEAC'). These will shape the decision-making of the European Commission in the final framing of the restriction. Overall, while favourable to the restriction, the two opinions reveal the limitations inherent in the regulation of such a broad and diverse group of substances.

Parallel to these central EU efforts, divergent strategies are emerging across the continent. In the United Kingdom, a patchwork of different regimes is forming, with a substance-by-substance approach to PFAS risk management.

In parallel with those broad approaches, sectoral initiatives are taking shape, both at the regulatory and stakeholder levels. The textiles sector is in this regard a revealing example.

This article examines the ambitions and the realities faced by such initiatives, and the complexity these can be expected to bring for the industry in the coming years.

EU Generic Restriction Proposal: the ECHA's committees' views highlight important information gaps

In a process subject to unprecedented delays and complexities, the EU PFAS generic restriction has hit a new milestone, with the issuing of the opinions of the two Committees of the ECHA on 26 March 2026.

The EU Generic PFAS Restriction Proposal ('the Proposal') was issued in 2023 by five Dossier Submitters (namely, Denmark, the Netherlands, Norway, Germany and Sweden). The Proposal was unique in its magnitude, with thousands of substances potentially falling within the scope of the sought-after total ban.

Since then, the ECHA's RAC and SEAC have been working on the elaboration of their opinions, which will feed into the Commission's drafting of the final restriction measure.

With a hitherto record number of comments submitted during the public consultation conducted on the Dossier, the elaboration of the opinions was subject to substantial delays. On 2 March 2026, the RAC adopted its final opinion ('the RAC Opinion')¹ on the proposed restriction, followed shortly after on 10 March 2026 by the SEAC, which agreed on its draft opinion ('the Draft SEAC Opinion').² The latter was submitted for public consultation and will be amended in the months to come.

The RAC Opinion: emissions acknowledged as a proxy for risk

The RAC Opinion broadly supports the use of a generic restriction, accepting high persistence as the only common point combined often – but not systematically – with other hazards that differ from one PFAS to another, including ecotoxicity, mobility, bioaccumulation, long-range transport and global warming potential.

In this regard, the RAC accepts a grouping approach based on a common property, namely persistence, that is not in itself liable to trigger a hazard classification. It even directly acknowledges a lack of homogeneity of hazards within the group, including the existence of PFAS of low toxicity. However, it considers that this does not mitigate the fundamental issue posed by their extreme persistence, which leads to accumulation over time and the potential to exceed (eco)toxicological thresholds due to cumulative exposure. The Opinion in this sense appears to build on the precedent of the Microplastics Restriction.³

The risk of so-called regrettable substitution therefore appears as a major element supporting the generic restriction, since it is by essence uncertain and is detached from the actual individual risk represented by each substance. Such a use of grouping appears questionable given the objective of restrictions under REACH, namely a risk-management mechanism destined to situations where no other measure is found adequate or sufficient.

1 Committee for Risk Assessment (RAC) Opinion on an Annex XV Dossier proposing restrictions on Per- and polyfluoroalkyl substances (PFAS), 2 March 2026.

2 Committee for Socio-economic Analysis (SEAC) [Draft] Opinion on an Annex XV Dossier proposing restrictions on Per- and polyfluoroalkyl substances (PFAS), 10 March 2026.

3 Commission Regulation (EU) 2023/2055 of 25 September 2023 amending Annex XVII to Regulation (EC) No 1907/2006 of the European Parliament and of the Council concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH) as regards synthetic polymer microparticles, OJ L 238, 27.9.2023, pp 67–88.

Consequently, the RAC considers that PFAS shall be treated as non-threshold substances, whereby releases are taken to be a proxy for risk and should therefore be minimised.

The RAC's drawing back from demonstrating the existence of an actual and substance-specific risk is even more striking in the case of degradable PFAS. While the Dossier Submitters had proposed to exclude certain sub-groups of PFAS on account of their full degradability, the RAC considers that there is insufficient evidence to exclude those sub-groups from the scope of the restriction. In practice this means that certain PFAS will be banned even though they do not display any persistence, and are thus removed from the rationale supporting the restriction in the first place.

Similarly, the main concerns identified on fluoropolymers revolve around their emissions of non-polymeric PFAS during production and at waste stages. The proposed ban would seek to limit those externalities rather than respond to eventual toxicity concerns on the fluoropolymers themselves.

Yet while emissions are seen as the main issue for the RAC, the Opinion acknowledges significant uncertainties due to scarce data. Information on non-regulated PFAS remains limited. The RAC nevertheless considers that emissions are likely to occur across many uses.

Finally, the RAC recommends the adoption of risk management obligations for any derogated use (for example, reporting, risk management plans, communication in the supply chain).

The Draft SEAC Opinion: an assessment marked by uncertainties

The SEAC generally sides with the approach of a grouped restriction, while highlighting that the absence of robust socio-economic impact information across many sectors and sub-uses hampers a proper evaluation of the impacts of the restriction.

The Draft SEAC Opinion thus paradoxically backs up the proposal, while acknowledging the presence of considerable uncertainties, including on central aspects of the restriction, such as its capacity to generate benefits in terms of emission reductions.

Similarly, the SEAC endorses most of the proposed derogations (with the notable exceptions of refrigerants and the general derogation for spare parts), while noting that, in many cases, it was unable to reach definitive conclusions due to significant limitations of the underlying Dossier. It further criticises the methodology used by the Dossier Submitters, which relied solely on the absence of alternatives as a basis for proposing derogations, thus failing to consider costs and benefits alongside technical feasibility. It proposes instead a more nuanced approach based on the availability and feasibility of alternatives, distinguishing between situations where alternatives are foreseeable from those where they are not, and situations where regulatory approval or certification timelines are a limiting factor.

Finally, the SEAC also expresses reservations regarding certain risk management measures proposed by the RAC considering the potential costs and enforceability challenges associated with site-specific PFAS management plans, particularly if extended to all PFAS.

And what now?

The adoption of the two committees' opinions marks a decisive milestone in the PFAS restriction process but also underscores the unprecedented complexity and uncertainty surrounding this initiative. While both the RAC and the SEAC broadly support the principle of a far-reaching grouped restriction, their analyses reveal significant scientific, methodological and practical gaps with the potential to weaken the eventual restriction measure that would result from the process.

A precautionary approach is favoured at the expense of the demonstration of the existence of an actual risk at substance-specific level. At the same time, enforceability concerns are also important, with major analytical and methodological gaps.

Those gaps identified in the two opinions most importantly provide considerable leeway for the Commission, acting as the ultimate decision-maker, which is left to rule on those points of uncertainty in the context of the drafting of the final restriction measure. Should it ultimately consider that PFAS present an unacceptable risk to human health or the environment, it will issue a draft restriction.⁴ As a final step, it will consult Member States' authorities on the draft, first informally via the CARACAL then through comitology via the REACH Committee.

Once the draft measure passes comitology, a scrutiny period by the European Parliament and the Council will follow. A high level of uncertainty thus remains on the final date of adoption of the restriction, although Commissioner Roswall is hoping for the issue of a restriction proposal by the end of 2026.

The regulation of PFAS in the United Kingdom: a substance-specific approach

Unlike the EU, the UK Government is not proposing to regulate PFAS through a generic REACH restriction covering a large group of substances. Instead, a patchwork of different regimes apply to PFAS in the UK, often on a substance-by-substance basis. For example, UK REACH restrictions on specific substances (for example, PFOA and its salts), the environmental permitting regime, drinking water regulations, the contaminated land regime, the persistent organic pollutants regulation inherited from EU membership and health and safety laws all have

4 Article 68(1) of Regulation (EC) No 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH), establishing a European Chemicals Agency, amending Directive 1999/45/EC and repealing Council Regulation (EEC) No 793/93 and Commission Regulation (EC) No 1488/94 as well as Council Directive 76/769/EEC and Commission Directives 91/155/EEC, 93/67/EEC, 93/105/EC and 2000/21/EC, OJ L 396, 30.12.2006, pp 1–849 ('REACH').

implications for PFAS. This patchwork of regimes and voices of multiple competent authorities is increasingly attracting criticism, firstly for creating complexities and uncertainty for businesses, and secondly for lacking in coordination and ultimately not doing enough to tackle the potential harms of PFAS.

We are now seeing a net increase in the number of publications on PFAS both from government and Parliament and an attempt to create a roadmap for future regulation. We would in particular highlight the following developments that show (i) that there is motivation on the part of government to present a coherent and attainable plan but also (ii) the limitations of what is proposed and where further action is being considered.

- (1) In February 2026, the highly anticipated PFAS Plan was published,⁵ which was one of the main commitments of the December 2025 Environmental Improvement Plan.⁶ While the PFAS Plan was intended as a framework document, some critics considered it did not go far enough (in particular, that there were few deadlines for achieving actions).
- (2) In March 2026, the House of Lords held a short but substantive debate on the government's PFAS Plan and its implications.⁷ The discussion highlighted political pressure for accelerated action, the UK's alignment with evolving EU measures, and increasing expectations on industry to transition away from PFAS.
- (3) Shortly thereafter, in April 2026, the House of Commons' Environmental Audit Committee ('EAC') published the findings of its year-long inquiry on addressing risks from PFAS.⁸ The report summarises the conclusions drawn by the EAC and makes recommendations grouped into three areas: preventing PFAS at source, human exposure and risk management, and addressing pollution. Some notable recommendations (that will be considered by the government, in principle within two months) include reforming UK REACH by March 2027 and adopting 'an essential use approach to regulating PFAS, prioritising the rapid restriction of PFAS in non-essential applications'. There are also allusions in the report to alignment with other jurisdictions. The EAC recognises that 'many lessons relevant to the UK are already emerging from studies and regulatory processes across the European Union and beyond'. It recommends that the UK Government 'draw on international best practice and collaborate with established PFAS research programmes to ensure that the UK is fully aligned with and contributing to this global evidence base'.

Discussions around 'dynamic alignment' with the EU are likely to continue in light of the negotiations on the UK-EU Sanitary and Phytosanitary Agreement and the announcement in the King's Speech of a European Partnership Bill.⁹ However, it is not clear how this will affect PFAS regulation given the apparent reluctance from government to also introduce a 'blanket' PFAS restriction.

As of June 2026, we are still waiting for the government to publish its response to the EAC recommendations. In the meantime, there continue to be a number of notable studies and regulatory developments.

For example, it has been reported that a local authority, working with the Environment Agency, has closed an allotment in Lancashire, following an investigation under the 'Contaminated Land Regime' ('CLR').¹⁰ This is due to PFOA (Perfluorooctanoic Acid) being present in both shallow soil samples and the vegetable produce grown on site, at levels deemed to pose a potential risk to human health. Under the CLR, local authorities must identify contaminated land in their area, and the relevant enforcing authority must then require those who are responsible for the contamination to remediate it. It has been reported that this is the first time an investigation under the CLR has considered PFAS pollution.

As a further example, the 'most comprehensive study of PFAS in tap water' in England has confirmed widespread presence of PFAS in London's municipal drinking water; although a central finding was that all samples complied with the current regulatory thresholds that apply in England.¹¹ These guidelines from the Drinking Water Inspectorate are due to be converted into statutory limits. This is a significant study, as drinking water is recognised as one of the most common routes of PFAS exposure.

Sectoral initiatives: textiles in focus

Consumer products are at the centre of regulatory initiatives on PFAS. This is particularly the case for textiles, which have been targeted in France, Denmark and the UK.

The Danish ban, which will apply from 1 July 2026, prohibits the presence of PFAS in clothing, footwear and waterproofing agents for clothing and footwear. It targets both consumer use textiles and professional ones, although safety clothing is exempted. Similarly, France has banned from 1 January 2026 the manufacturing, import and placing on the market of shoes, clothing and waterproofing agents containing PFAS, which will be expanded to all textiles from 2030.

This growing pressure, combined with ever-increasing attention from the general public on the topic, has prompted the launch of initiatives in parallel with regulatory approaches.

5 Department for Environment, Food & Rural Affairs ('Defra') 'PFAS Plan: building a safer future together', available at: www.gov.uk/government/publications/pfas-plan.

6 Defra 'Environmental Improvement Plan (EIP) 2025', available at: www.gov.uk/government/publications/environmental-improvement-plan-2025.

7 UK Parliament 'PFAS' (*Hansard* vol. 853: debated on Thursday 5 March 2026).

8 Environmental Audit Committee ('EAC') 'Addressing the risks from Perfluoroalkyl and Polyfluoroalkyl Substances (PFAS)' (2026), available at: <https://publications.parliament.uk/pa/cm5901/cmselect/cmenvaud/852/report>.

9 Prime Minister's Office, 10 Downing Street and His Majesty King Charles III 'The King's Speech 2026', available at: www.gov.uk/government/speeches/the-kings-speech-2026.

10 Wyre Council 'Further steps taken in ongoing multi-agency investigation' (5 March 2026), available at: <https://www.wyre.gov.uk/news/article/601/further-steps-taken-in-ongoing-multi-agency-investigation>.

11 Royal Society of Chemistry 'Occurrence of PFAS in municipal drinking water: a participatory case study in London, UK', *Environ. Sci.: Adv.*, 2026.

On the standardisation side, textile standard OEKO-TEX¹² enables manufacturers to test their materials for the presence of harmful substances. This includes testing for compliance with existing REACH restrictions as well as the implementation of a pro-active ban on the intentional use of PFAS¹³ in any textile, leather, apparel or footwear. This entails targeted testing on legally restricted PFAS (for instance PFOA) as well as a broader detection test relying on the total fluorine content, with a defined limit value.

The stakeholder-based Forever Label Initiative,¹⁴ on the other hand, calls for the introduction of visible labelling on textiles containing PFAS, with a view to supporting informed consumer choice. The campaign seeks the use of communication on physical labels, as well as on companies' websites. Such a proposal would, however, only be relevant in Europe for uses falling outside of the scope of the existing or future bans. Its impact would be highly uncertain, considering that exempted uses target technical textiles that are not intended to be used by consumers.

¹² Information available at: <https://www.oeko-tex.com/en/>.

¹³ OEKO TEX, FAQ, available at: <https://www.oeko-tex.com/en/faq/>.

¹⁴ Information available at : <https://eco-age.com/if-it-lasts-forever-label-it/>.