

Fifth law amending the Chemicals Act^{1, 2}

of 29 March 2026

The Bundestag has adopted the following act:

Artikel 1

Amendments to the Chemicals Act

The Chemicals Act, as amended by the promulgation of 28 August 2013 (BGBl. [Federal Law Gazette] I p. 3498, 3991), as last amended by Article 1 of the Act of 16 November 2023 (BGBl. 2023 I, No 313), is amended as follows:

1. The table of contents is amended as follows:

a) The wording relating to Section 2b is replaced by the following wording:

“Section 2b
Implementation of Regulation (EU) 2024/573”.

b) The wording relating to Sections 12i to 12k is replaced by the following wording:

“Section 12i Additional obligations to Chapter III of Regulation (EU) 2024/573

Section 12j Additional obligations to Chapter IV of Regulation (EU) 2024/573

Section 12k Additional obligations for pre-charged equipment and products

Section 12l Powers to issue statutory instruments”.

c) The wording for Section 17 is replaced by the following wording:

“Section 17 Prohibitions and restrictions; Power to issue statutory instruments”.

d) The following wording is inserted after the wording relating to Section 23:

“Section 23a Temporary prohibitions”.

e) The wording for Section 24 is replaced by the following wording:

“Section 24 Enforcement in the field of national defence”.

¹ This Act serves to implement

- Regulation (EU) 2024/573 of the European Parliament and of the Council of 7 February 2024 on fluorinated greenhouse gases, amending Directive (EU) 2019/1937 and repealing Regulation (EU) No 517/2014 (OJ L 2024/573, 20.2.2024) and
- Regulation (EU) 2024/590 of the European Parliament and of the Council of 7 February 2024 on substances that deplete the ozone layer, and repealing Regulation (EC) No 1005/2009 (OJ L 2024/590, 20/02/2024).

² Notified in accordance with Directive (EU) 2015/1535 of the European Parliament and of the Council of 9 September 2015 laying down a procedure for the provision of information in the field of technical regulations and of rules on Information Society services (OJ L 241, 17/9/2015, p. 1).

2. Sentence 1 of Section 3 is amended as follows:

a) Points 7 to 9 are replaced by the following Points 7 to 9:

1. “Producer:
a natural or legal person or any other association of persons who manufactures or obtains a substance, mixture or a product or manufactures equipment;
2. Importer:
a natural or legal person or other association of persons who brings a substance, mixture, product or equipment within the scope of this Act;
3. placing on the market:
the supply or making available to third parties; the introduction within the scope of this Act shall be deemed to be placing on the market;’.

b) In Point (10), after the wording “Remove,” the wording “Release,” is inserted.

3. Section 12i is amended as follows:

a) In the heading, the wording “No. 517/2014” is replaced by “2024/573”.

b) Paragraphs 1 and 2 are replaced by the following Paragraphs 1 and 2:

(1) “ It is prohibited,

1. to purchase products and equipment that have been placed on the market in breach of Article 11(1) read in conjunction with Annex IV of Regulation (EU) 2024/573, as amended on 7 February 2024, or
2. to store or empty containers that are subject to the prohibition set out in Article 11(1) read in conjunction with Annex IV, point 1, of Regulation (EU) 2024/573, as amended on 7 February 2024.

Sentence 1 does not apply if the actions in question are carried out for the purpose of returning or disposing of the goods.

(1) Any person who supplies third parties with products or equipment that are not subject to a prohibition referred to in Article 11(1)(1) read in conjunction with Annex IV to Regulation (EU) 2024/573 as amended on 7 February 2024 because they had already been placed on the market before the prohibition date referred to in Annex IV to Regulation (EU) 2024/573 shall provide the purchaser with a written or electronic declaration containing the following information upon delivery:

1. the name and address of the transferor,
2. a written confirmation that the product or equipment had already been placed on the market for the first time before the prohibition date set out in Annex IV to Regulation (EU) 2024/573 as amended on 7 February 2024 and
3. Identifying features of the product or equipment that enable the product or equipment to be unambiguously linked to the declaration.”

c) Paragraphs 5 and 6 are replaced by the following Paragraph 5:

(1) “ The submission of the declaration referred to in Paragraph 2 to the competent authority shall give rise to the presumption that there has been no infringement of Article 11(1)(3) of Regulation (EU) 2024/573.”

4. Section 12j is amended as follows:

a) The heading is replaced by the following heading:

“Section 12j

Additional obligations to Chapter IV of Regulation (EU) 2024/573”.

b) Sentence 1 of Paragraph 1 is replaced by the following sentence:

“It is prohibited to make hydrofluorocarbons, as referred to in Group 1 of Annex I to Regulation (EU) 2024/573, as amended on 7 February 2024, which are placed on the market in violation of the requirements of Article 16(1)(2) of Regulation (EU) 2024/573, as amended on 7 February 2024, available to third parties, to transfer them to third parties or to acquire them.”

c) Paragraph 2 is amended to read as follows:

a%6) In the wording before Point 1, the wording “as defined in Article 2(2) of Regulation (EU) No 517/2014” is replaced by the wording “as defined in Group 1 of Annex I to Regulation (EU) 2024/573, as amended on 7 February 2024”.

b%6) Point 2 is amended to read as follows:

a%7%7) In letter (a), the wording “Article 16 or 18 of Regulation (EU) No 517/2014” is replaced by “Article 17 or 21 of Regulation (EU) 2024/573, as amended on 7 February 2024”.

b%7%7) Letter (b) is replaced by the following Letter (b):

a) “ that, for the substances or mixtures, there is a specific exception to the quota obligation for placing on the market, in accordance with Article 16(2) or (4) of Regulation (EU) 2024/573, as amended on 7 February 2024 or”.

d) Paragraph 3(1) is replaced by the following sentence:

“Any person who obtains hydrofluorocarbons according to Group 1 of Annex I to Regulation (EU) 2024/573 for use or supply to third parties from a supplier from another Member State of the European Union without receiving a declaration from that supplier in accordance with Paragraph 2 shall ascertain the information referred to in Paragraph 2.”

e) Paragraph 5 is amended as follows:

a%6) In the sentence 1, the wording “Article 12(6) of Regulation (EU) No 517/2014” is replaced by the wording “Article 12(7) of Regulation (EU) 2024/573”.

b%6) In the Sentence 2(2), the words “Article 12(6) of Regulation (EU) No 517/2014” are replaced by the words “Article 12(7) of Regulation (EU) 2024/573”.

- f) In Paragraph 7(2), the words "Article 15(1)(2) of Regulation (EU) No 517/2014" are replaced by the words "Article 16(1)(2) of Regulation (EU) 2024/573".
- g) The following Paragraph 8 is inserted after Paragraph 7:

(1) " Paragraph 2, Paragraph 3(2) and Paragraph 4 shall not apply to dispensing by filling a product or an equipment for the intended final use."

- 5. After Section 12j, the following Section 12k is inserted:

"Section 12k

Additional obligations for pre-charged equipment and products

It shall be prohibited to make available to or supply to third parties products and equipment placed on the market in breach of Article 19(1) of Regulation (EU) 2024/573 as amended on 7 February 2024. Sentence 1 shall not apply if, prior to the supply or release, the relevant quantity of the supplied hydrofluorocarbons is covered by authorisations for the use of quotas in accordance with Article 21(2)(1) or Sentence 1 of Article 21(3) of Regulation (EU) 2024/573, as amended on 7 February 2024. Any person who supplies or dispenses products or equipment in accordance with the second sentence must notify the competent authority and ensure that the authorisations for the use of quotas may not be reused for the placing on the market of pre-filled products and equipment."

- 6. The present Section 12k is replaced by the following Section 12l:

"Section 12l

Powers to issue statutory instruments

The Federal Government is empowered to do the following via statutory instrument with the consent of the Bundesrat

- 1. to lay down detailed rules on the content, form and transmission of the declaration and the information referred to in Section 12i(2) and Section 12j(2) and (3) as well as on storage in accordance with Section 12i(3) and Section 12j(6),
- 2. to stipulate by whom and in what form the information referred to in Section 12i(2) and Section 12j(2) and (3) must be affixed, in whole or in part, as labelling on containers, products or equipment."

- 7. Section 16f(1)(1) is amended as follows:

- a) Point 2 is deleted.
- b) Points 3 to 10 become Points 2 to 9.

- 8. Section 17 is amended as follows:

- a) The heading is replaced by the following heading:

§ 1“

Prohibitions and restrictions; Power to issue statutory instruments”.

b) Paragraph 1 is amended as follows:

a%6) Point 1(c) is replaced by the following Letter c:

- a) “ may be offered, sold, supplied or purchased only under certain conditions or may be offered only to certain persons, sold or supplied only to certain persons or may be acquired only by certain persons,’.

b%6) Point 2(d) is replaced by the following Letter d:

- b) “ prove the necessary skills and knowledge and take part in refresher courses, including, in particular, arrangements for

a%6) the procedure,

b%6) the requirements for issuing certificates,

c%6) the competence,

d%6) the possibility of delegating responsibilities and tasks to other bodies governed by public law and legal persons governed by civil law or associations of persons and

e%6) the period of validity of the proof,”.

9. The following Paragraph 1a is inserted after Section 19b(1):

“(1a) The period of validity of the certificate referred to in Paragraph 1 shall not exceed three years. If a new application under Paragraph 1(1) is submitted before the expiry of the time limit, the certificate shall remain valid until a decision has been made on the application. The issuing of the certificate may be subject to ancillary provisions.”

10. Section 21 is amended as follows:

- a) In Paragraph 4(1), in the wording before Point 1, the words “, also jointly with experts appointed by them,” are inserted after the word “persons”.
- b) In Paragraph 6a(1), the words “and products” are replaced by the wording “, products and equipment”.

11. In Section 21a(1)(1) and (2)(2), the words “and products” are replaced by the words “, products and equipment”.

12. Section 23(2) is replaced by the following Paragraph 2:

(1) “ The competent regional authority may order, for a period not exceeding three months, that a hazardous substance, a hazardous mixture or a product which can release or contains a hazardous substance or a hazardous mixture, or a piece of equipment, shall not be manufactured, placed on the market or used, or shall be manufactured, placed on the market or used only under certain conditions, in a specific form or for specific purposes, provided that there are indications – in particular a suspicion based on the current state of scientific knowledge – that the substance, mixture, product or equipment poses a significant risk to human life or

health or to the environment. the competent regional authority may extend this deadline by up to one month for good cause. The Sentences 1 and 2 shall also apply where there are indications and in particular a suspicion based on the current state of scientific knowledge for believing that a substance or mixture, a product or a piece of equipment is hazardous. Orders pursuant to the Sentences 1 and 2 may be issued only to the extent permitted by EU law.”

13. After Section 23, the following Section 23a is inserted:

Section 23a

Temporary prohibitions

(1) The competent regional authority may temporarily prohibit any person who repeatedly or seriously infringes Regulation (EU) 2024/573 from using, producing, importing, exporting or placing on the market the following greenhouse gases, products or equipment for a period of up to 36 months:

1. fluorinated greenhouse gases referred to Article 2(a) of Regulation (EU) 2024/573; or
2. products or equipment containing or the functioning of which relies upon fluorinated greenhouse gases.

(2) The competent regional authority may temporarily prohibit any person who repeatedly or seriously infringes Regulation (EU) 2024/590 from using, producing, importing, exporting or placing on the market the following products, equipment or ozone-depleting substances for a period of up to 36 months:

1. ozone-depleting substances referred to under Article 2(a) of Regulation (EU) 2024/590; or
2. products or equipment containing or the functioning of which relies upon, ozone-depleting substances.’

14. Section 24 is amended as follows:

- a) The heading is replaced by the following heading:

§ 1“

Enforcement in the field of national defence’.

- b) Paragraph 2 is replaced by the following Paragraph 2:

(1) “ The Federal Ministry of Defence and the Federal Ministry of the Interior may grant exemptions from the legislation referred to in Paragraph 1 for their areas of responsibility for certain substances, mixtures, products and equipment if this is necessary in the interests of national defence and permitted under EU law.’

15. Section 26 is amended as follows:

a) Paragraph 1 is amended as follows:

a%6) Point 4a is replaced by the following Point 4a:

“4a. contrary to Section 12i(1)(1), acquires a piece of equipment or a product,”.

b%6) Point 4e is replaced by the following Point 4e:

“4e. contrary to Section 12j(1)(1), makes available, supplies or acquires hydrofluorocarbons,”.

c%6) The following Point 4g is inserted after Point 4f:

“4g. contrary to the first sentence of Section 12k(1), provides or delivers a piece of equipment or a product,’.

d%6) In Point 10(b), the words “concerning the production, placing on the market or use of substances, mixtures or products” are deleted.

b) Paragraph 2 is amended to read as follows:

a%6) in the wording before Point 1, the words “of the European Community or” are deleted.

b%6) In Point 3(c), the words “or the use” are replaced by the words “, the use or receipt”.

c%6) In Point 3(e), the words “to service, to collect” are inserted after the words “to reprocess,”.

c) Paragraph 3 is amended as follows:

a%6) After the words “Points 4a, 4b” “, 4e” is inserted.

b%6) After the words “Points 4, 4c, 4f,” “4 g,” is inserted.

d) in Paragraph 5, the words ‘of the European Community or’ are deleted.

16. Annex 2 is amended as follows:

the following sentences are inserted in a new paragraph after the words “(name and address of the GLP Monitoring Authority)”::

“The certificate is valid until... [date of expiry]. If a new application pursuant to the first sentence of Paragraph 19b(1) of the ChemG is submitted before the expiry of the period of validity of the certificate, the certificate shall continue to apply until a decision is taken on the application.”

Artikel 2

Consequential amendments

(1) The Solvent-Containing Paints and Coatings Ordinance of 16 December 2004 (BGBl. I p. 3508), last amended by Article 297 of the Ordinance of 19 June 2020 (BGBl. I p. 1328), is amended as follows:

1. In Section 3(1)(2), after the words “European Union”, the words “or for transit traffic under customs supervision where no working or processing is carried out” are inserted.
2. In Section 4, the following paragraph is inserted after Paragraph 1:

“The first sentence shall not apply where an importer merely carries out a transit operation under customs supervision which does not involve any working or processing.”

(2) The Chemicals Prohibition Ordinance of 20 January 2017 (BGBl. I p. 94; 2018 I p. 1389), last amended by Article 2 of the Ordinance of 13 February 2024 (BGBl. I No. 43) is amended as follows:

In Section 3(3)(1), after the words “of substances, mixtures or products,” the words “in so far as it concerns only transit traffic under customs supervision which does not involve any working or processing, or” are inserted.

Artikel 3

Entry into force

This Act shall enter into force on the day after promulgation.

EU legal acts:

1. Regulation (EU) 2024/573 of the European Parliament and of the Council of 7 February 2024 on fluorinated greenhouse gases, amending Directive (EU) 2019/1937 and repealing Regulation (EU) No 517/2014 (OJ L, 2024/573, 20.2.2024; 2024/90731, 19.11.2024; 2025/90271, 24.3.2025; 2025/90393, 7.5.2025; 2025/90514, 18.6.2025)
2. Regulation (EU) 2024/590 of the European Parliament and of the Council of 7 February 2024 on substances that deplete the ozone layer, and repealing Regulation (EC) No 1005/2009 (OJ L 2024/590, 20/02/2024)