

FRENCH REPUBLIC

Ministry for the Ecological Transition,
Biodiversity, Forests, Marine Affairs
and Fisheries

**Decree No. of
Decree on risk prevention arising from exposure to per- and polyfluoroalkyl
substances**

NOR: TECP2516597D

Public concerned: *manufacturers, importers, exporters and marketers of cosmetics, wax or textile products and control agents.*

Subject: *Rules for the implementation of prohibitions on the manufacture, import, export and placing on the market of products (textiles, wax, cosmetics) containing PFAS. These prohibitions are laid down in Article L. 524-1 of the Environmental Code. The Decree defines the residual concentration of PFAS substances beyond which the prohibitions apply as well as the list of products that can benefit from an exemption from this prohibition.*

Entry into force: *the provisions of the decree shall enter into force the day after its publication in the Official Journal.*

Application: *this Decree is issued for the application of Articles L. 524-1 and L. 524-2 of the Environmental Code as amended by Article 1 of Act No. 2025-188 of 27 February 2025 on the protection of the population from the risks related to perfluoroalkyl and polyfluoroalkyl substances.*

The Prime Minister,

On the report of the Minister for the Ecological Transition, Energy, Climate, and Risk Prevention,

Having regard to Regulation (EU) 1007/2011 of the European Parliament and of the Council of 27 September 2011 on textile fibre names and related labelling and marking of the fibre composition of textile products and repealing Council Directive 73/44/EEC and Directives 96/73/EC and 2008/121/EC of the European Parliament and of the Council;

Having regard to Regulation (EU) 2016/425 of the European Parliament and of the Council of 9 March 2016 on personal protective equipment and repealing Council Directive 89/686/EEC;

Having regard to Act No. 2025-188 of 27 February 2025 on the protection of the population from the risks related to perfluoroalkyl and polyfluoroalkyl substances;

Having regard to the Environmental Code, in particular Articles L. 524-1, L. 524-2 and L. 521-12 to L. 521-20 thereof;

Having regard to the comments made during the public consultation from XXX to XXX 2025, pursuant to Article L. 123-19-1 of the Environmental Code;

Hereby decrees:

Article 1

After Article D. 523-22 of the Environmental Code, a chapter is added, worded as follows:

“Chapter V: Prohibition of the placing on the market of certain products containing perfluoroalkyl and polyfluoroalkyl substances

'Art. D. 525-1. - For the purposes of this Chapter:

'Perfluoroalkyl and polyfluoroalkyl substances': any substance containing at least one fully fluorinated methyl (CF₃-) or methylene (-CF₂-) carbon atom, with no attached hydrogen, chlorine, bromine or iodine atoms.

'Textile' means any product which, in the raw, semi-worked, worked, semi-manufactured, manufactured, semi-made-up or made-up state, consists exclusively of textile fibres, irrespective of the mixing or assembly process used, as defined in Article 3 (1) (a) of Regulation (EU) No. 1007/2011 of the European Parliament and of the Council of 27 September 2011.

'Placing on the market: means supplying or making available, whether in return for payment or free of charge, to a third party. Import shall be deemed to be placing on the market. '

'Art. D. 525-2. — The products covered by the exception provided for in point 3 of point I of Article L. 524-1 are:

- 1° Personal protective equipment covered by Regulation (EU) 2016/425, as well as personal protective equipment intended for the armed forces, internal security and civil security;
- 2 ° Waterproofing agents intended for the resealing of personal protective equipment referred to in 1 °. '

'Art. D. 525-3. — The products covered by the exception provided for in II of Article L. 524-1 are:

1° Technical textiles for industrial purposes;

2° The following products, where there is no alternative to the use of perfluoroalkylated and polyfluoroalkylated substances:

- i) Personal protective equipment intended to protect the user against risks falling under risk pool III, Annex I, points (a), (c) to (f), (h) and (l), of Regulation (EU) 2016/425;
- ii) Personal protective equipment intended for the armed forces, internal security and civil security, intended to protect them against the risks specified in Regulation (EU) 2016/425, Annex I, risk pool III(a) to (m);
- iii) Sanitary textiles intended for medical uses, including the products used for medical care referred to in 5° of III of Article R. 543-360. '

'Art. D. 525-4. - The residual value provided for in Article L. 524-1(III), enabling the residual concentration value to be fixed in order to reconcile the prohibition of PFAS with the technical realities of detection, corresponds to the value below which the minimum presence of PFAS corresponds to unintentional contamination at the trace state, under the following conditions:

- for any PFAS measured by a targeted analysis, excluding polymers, the threshold is set at 25 parts per billion (ppb);
- For the total PFAS measured as the sum of targeted analyses of PFAS, where appropriate with prior impairment of precursors, but excluding polymers, the threshold is set at 250 parts per billion (ppb);
- For PFAS including polymers, the threshold is set at 50 parts per million (ppm).

These values are intended to be revised in the event of changes in the technical rules laid down pursuant to European Regulations (EC) No. 1907/2006 or (EU) 2019/1021. '

Article 2

The provisions of this Order shall enter into force the day after its publication in the Official Journal of the French Republic.

Article 3

The Minister for Ecological Transition, Biodiversity, Forestry, Sea and Fisheries shall be responsible for the implementation of this Decree, which shall be published in the Official Journal of the French Republic.

Signed on

By the Prime Minister:

Ministry for the Ecological Transition, Biodiversity, Forests,
Marine Affairs and Fisheries,

Agnès PANNIER-RUNACHER