



2026/76

14.1.2026

**COMMISSION IMPLEMENTING DECISION (EU) 2026/76**

**of 12 January 2026**

**on the use of ozone-depleting substances as process agents under Article 7(1) of Regulation (EU) 2024/590 of the European Parliament and of the Council, and repealing Commission Decision 2010/372/EU**

*(notified under document C(2026) 12)*

**(Only the Dutch, French and German texts are authentic)**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to 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 <sup>(1)</sup>, and in particular Article 7(3) thereof,

Whereas:

- (1) In view of the responsibilities of the Union under Decision X/14 and subsequent decisions of the Parties to the Montreal Protocol on Substances that Deplete the Ozone Layer, Article 7(1) of Regulation (EU) 2024/590 limits the use of ozone-depleting substances listed in Annex I to that Regulation as process agents.
- (2) Commission Decision 2010/372/EU <sup>(2)</sup> established a list of undertakings' operating installations in which the use of ozone-depleting substances as process agents is to be permitted under certain conditions. Regulation (EU) 2024/590 allows for the continuation of operation of still existing installations.
- (3) The list of companies operating relevant installations should be updated and the maximum quantities used for make-up or consumption and the maximum emission levels should be adjusted taking into account the quantities reported by the companies in recent years and their expected needs in the coming years.
- (4) For reasons of legal clarity, Decision 2010/372/EU should therefore be repealed.
- (5) The measures provided for in this Decision are in accordance with the opinion of the Committee on ozone-depleting substances established by Article 28 of Regulation (EU) 2024/590,

HAS ADOPTED THIS DECISION:

*Article 1*

**Definitions**

1. 'Make-up' means the total quantity of an ozone depleting substance in metric tonnes, whether virgin, recovered or reclaimed, that has not been used in the process cycle before and that is fed newly into the process cycle.
2. 'Emission' means the total quantity of an ozone depleting substance in metric tonnes released into the atmosphere, water or soil during the process agent use and related storage and handling on the site of the installation.

<sup>(1)</sup> OJ L 2024/590, 20.2.2024, ELI: <http://data.europa.eu/eli/reg/2024/590/oj>.

<sup>(2)</sup> Commission Decision 2010/372/EU of 18 June 2010 on the use of controlled substances as process agents under Article 8(4) of Regulation (EC) No 1005/2009 of the European Parliament and of the Council (OJ L 169, 3.7.2010, p. 17, ELI: <http://data.europa.eu/eli/dec/2010/372/oj>).

*Article 2***Permitted process agent uses and threshold for emissions and quantities**

1. The list of undertakings for which the use of ozone-depleting substances listed in Annex I to Regulation (EU) 2024/590 as process agents shall continue to be permitted is established in Annex I to this Decision.
2. Each undertaking listed in Annex I shall only use the substance and the process set out in that Annex.
3. The quantities which may be used annually as make-up and which may be emitted annually by each undertaking shall not exceed the quantities set out in Annex I.

*Article 3***Notification of decommissioning**

In case of decommissioning of the installations concerned, the undertakings listed in Annex I shall, within three months, notify the Commission and the competent authority of the Member State in which the installation was located thereof.

*Article 4***Addressees**

This Decision is addressed to the following undertakings:

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Arkema France SA Esplanade du Général de Gaulle 51  
92800 PUTEAUX La Défense  
FRANCE

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Covestro Deutschland AG  
Kaiser-Wilhelm-Allee 60  
51373 Leverkusen  
GERMANY

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Teijin Aramid BV  
Oosterhorn 6  
9930 AD Delfzijl  
NETHERLANDS

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*Article 5***Repeal**

Decision 2010/372/EU is repealed.

References to the repealed Decision shall be construed as references to this Decision and read in accordance with the correlation table in Annex II.

Done at Brussels, 12 January 2026.

*For the Commission*  
Wopke HOEKSTRA  
*Member of the Commission*

ANNEX I

**Permitted process agent uses and threshold for emissions and quantities <sup>(1)</sup>**

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<sup>(1)</sup> Commercially sensitive – in confidence – not to be published.

## ANNEX II

**Correlation table**

Commission Decision 2010/372/EU	This Decision
Article 1	Article 1
Article 2	Article 2
Article 3	-
Article 4	Article 3
Article 5	-
Article 6	Article 4