



2025/843

15.7.2025

COMMISSION DELEGATED REGULATION (EU) 2025/843

of 5 May 2025

amending Annex I to Regulation (EU) 2019/1021 of the European Parliament and of the Council as regards UV-328

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) 2019/1021 of the European Parliament and of the Council of 20 June 2019 on persistent organic pollutants ⁽¹⁾, and in particular Article 15(1) thereof,

Whereas:

- (1) Regulation (EU) 2019/1021 implements the commitments of the Union under the 2001 Stockholm Convention on Persistent Organic Pollutants ⁽²⁾ ('the Convention') and under the Protocol to the 1979 Convention on Long Range Transboundary Air Pollution on Persistent Organic Pollutants ⁽³⁾ ('the Protocol').
- (2) Annex A to the Convention contains a list of chemicals. Each Party to the Convention is required to prohibit the chemicals on the list and/or take the legal and administrative measures necessary to eliminate their production, use, import and export.
- (3) The Conference of the Parties to the Convention has, pursuant to Article 8(9) of the Convention, decided in its eleventh meeting held from 1 to 12 May 2023 to amend Annex A to the Convention to include UV-328 in that Annex with specific exemptions. The Union supported the inclusion of UV-328 in Annex A with specific exemptions as stipulated in Council Decision (EU) 2023/1006 ⁽⁴⁾.
- (4) Part A of Annex I to Regulation (EU) 2019/1021, which contains a list of the substances listed in the Convention and in the Protocol as well as substances listed only in the Convention, should therefore also be amended to include UV-328.
- (5) UV-328 is included in Annex XIV to Regulation (EU) No 1907/2006 of the European Parliament and of the Council ⁽⁵⁾, with a latest application date on 27 May 2022 and a sunset date on 27 November 2023. No application for authorisation was submitted. In absence of an authorisation under Regulation (EU) No 1907/2006, UV-328 cannot be used in the EU, but it can still be imported in articles.
- (6) ECHA held a call for information from 31 May to 18 August 2023. The comments submitted support the need for the specific exemptions included in Decision SC-11/11 of the Conference of the Parties to the Convention, such as for land-based motor vehicles, mechanical separators in blood collection tubes, polarizers, photographic paper and for spare parts.

⁽¹⁾ OJ L 169, 25.6.2019, p. 45, ELI: <http://data.europa.eu/eli/reg/2019/1021/oj>.

⁽²⁾ OJ L 209, 31.7.2006, p. 3, ELI: <http://data.europa.eu/eli/convention/2006/507/oj>.

⁽³⁾ OJ L 81, 19.3.2004, p. 37, ELI: <http://data.europa.eu/eli/prot/2004/259/oj>.

⁽⁴⁾ Council Decision (EU) 2023/1006 of 25 April 2023 on the position to be taken on behalf of the European Union at the eleventh meeting of the Conference of the Parties to the Stockholm Convention on Persistent Organic Pollutants as regards the proposals for amendments of Annex A to that Convention (OJ L 136, 24.5.2023, p. 55, ELI: <http://data.europa.eu/eli/dec/2023/1006/oj>).

⁽⁵⁾ 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, p. 1, ELI: <http://data.europa.eu/eli/reg/2006/1907/oj>).

- (7) To allow the import of certain articles containing UV-328 until this substance is fully substituted, certain specific exemptions included in decision SC-11/11 should be granted in the Union for a duration of five years as regards the placing on the market of UV-328 in certain articles and the use of such articles containing UV-328. This concerns the following articles: mechanical separators in blood collection tubes, triacetyl cellulose film in polarisers and photographic paper. Exemptions should also be granted for articles in land-based motor vehicles. Land-based motor vehicles include cars, motorcycles, agricultural and construction motor vehicles and industrial trucks, including motor vehicles covered by Regulations (EU) 2018/858 ⁽⁶⁾, (EU) No 167/2013 ⁽⁷⁾ and (EU) No 168/2013 ⁽⁸⁾ of the European Parliament and of the Council.
- (8) Furthermore, exemptions should be granted for the following articles coated with mixtures containing UV-328: land-based motor vehicles, engineering machines, rail transportation vehicles, and large steel structures with heavy-duty coatings. In addition, in line with decision SC-11/11, an exemption for the placing on the market and use of spare parts for certain applications where UV-328 was initially used in their production should also be granted.
- (9) Article 3 of Regulation (EU) 2019/1021 prohibits the manufacturing, placing on the market and use of substances listed in Annex I to that Regulation whether on their own, in mixtures or in articles. In this regard, it should be clarified that articles that contain UV-328 and that are produced or placed on the market under an exemption laid down in Annex I to that Regulation and that were already in use on the expiry date of the relevant exemption, are allowed to continue to be used after that date.
- (10) Information has been provided through the public feedback mechanism that many aircrafts that are to be delivered to EU airlines in the next 5 years and spare parts for such aircrafts contain UV-328. To avoid serious consequences for EU airlines, an exemption that allows continued delivery of such aircrafts and spare parts for aircrafts should be granted.
- (11) To reinforce the application and enforcement in the Union of Article 3(1) of Regulation (EU) 2019/1021, a limit value should be set for UV-328 occurring as an unintentional trace contaminant in substances, mixtures or articles. To allow laboratories to improve the accuracy of relevant analytical methods and to ensure their uniform and adequate application, the unintentional trace contaminant limit should be set at 100 mg/kg at the entry into force of this Regulation, at 10 mg/kg two years after the entry into force and at 1 mg/kg four years after the entry into force.
- (12) Regulation (EU) 2019/1021 should therefore be amended accordingly,

⁽⁶⁾ Regulation (EU) 2018/858 of the European Parliament and of the Council of 30 May 2018 on the approval and market surveillance of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles, amending Regulations (EC) No 715/2007 and (EC) No 595/2009 and repealing Directive 2007/46/EC (OJ L 151, 14.6.2018, p. 1, ELI: <http://data.europa.eu/eli/reg/2018/858/oj>).

⁽⁷⁾ Regulation (EU) No 167/2013 of the European Parliament and of the Council of 5 February 2013 on the approval and market surveillance of agricultural and forestry vehicles (OJ L 60, 2.3.2013, p. 1, ELI: <http://data.europa.eu/eli/reg/2013/167/oj>).

⁽⁸⁾ Regulation (EU) No 168/2013 of the European Parliament and of the Council of 15 January 2013 on the approval and market surveillance of two- or three-wheel vehicles and quadricycles (OJ L 60, 2.3.2013, p. 52, ELI: <http://data.europa.eu/eli/reg/2013/168/oj>).

HAS ADOPTED THIS REGULATION:

Article 1

Annex I to Regulation (EU) 2019/1021 is amended in accordance with the Annex to this Regulation.

Article 2

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 5 May 2025.

For the Commission
The President
Ursula VON DER LEYEN

ANNEX

In Part A of Annex I to Regulation (EU) 2019/1021, the following entry is added:

Substance	CAS No	EC No	Specific exemption on intermediate use or other specification
'2-(2H-benzotriazol-2-yl)-4,6-di- <i>tert</i> -pentylphenol (UV-328)	25973-55-1	247-384-8	<ol style="list-style-type: none"> For the purposes of this entry, Article 4(1), point (b), shall apply to concentrations of UV-328 equal to or below: <ol style="list-style-type: none"> 100 mg/kg (0,01 % by weight) from 4 August 2025; 10 mg/kg (0,001 % by weight) from 4 August 2027; 1 mg/kg (0,0001 % by weight) from 4 August 2029; where they are present in substances, mixtures or articles. By way of derogation, the placing on the market of UV-328 present in articles and the use of such articles shall be allowed for the following purposes: <ol style="list-style-type: none"> in land-based motor vehicles, until 4 August 2030; in industrial coating for land-based motor vehicles, engineering machines, rail transportation vehicles, and in heavy-duty coatings for large steel structures, until 4 August 2030; in mechanical separators in blood collection tubes, until 4 August 2030; in triacetyl cellulose film in polarisers, until 4 August 2030; in photographic paper, until 4 August 2030; in civilian and military aircrafts, until 4 August 2030; in spare parts for any of the following: <ol style="list-style-type: none"> land-based motor vehicles; stationary industrial machines for use in agriculture, forestry and construction; liquid crystal displays in instruments for analysis, measurements, control, monitoring, testing, production and inspection, other than for medical applications; where UV-328 was initially used in their production, until the end of their service life or 31 December 2043, whichever comes earlier; in spare parts for any of the following: <ol style="list-style-type: none"> liquid crystal displays in devices within the scope of Regulation (EU) 2017/745, and within the scope of Regulation (EU) 2017/746 of the European Parliament and of the Council (*); liquid crystal displays in instruments for analysis, measurements, control, testing, production and inspection;

Substance	CAS No	EC No	Specific exemption on intermediate use or other specification
			<p>where UV-328 was initially used in their production, until the end of their service life;</p> <p>(i) in spare parts for civilian and military aircrafts where UV-328 was initially used in their production, until 31 December 2030.</p> <p>3. Articles containing UV-328 already in use in the Union before or on the date of expiry of the relevant exemption laid down in point 2(a) to (i) may continue to be used.</p>

(*) Regulation (EU) 2017/746 of the European Parliament and of the Council of 5 April 2017 on in vitro diagnostic medical devices and repealing Directive 98/79/EC and Commission Decision 2010/227/EU (OJ L 117, 5.5.2017, p. 176, ELI: <http://data.europa.eu/eli/reg/2017/746/oj>).