



2026/55

17.3.2026

COMMISSION DELEGATED REGULATION (EU) 2026/55

of 17 December 2025

amending Regulation (EU) 2017/852 of the European Parliament and of the Council as regards mercury-added products subject to manufacturing, import and export prohibitions

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) 2017/852 of the European Parliament and of the Council of 17 May 2017 on mercury, and repealing Regulation (EC) No 1102/2008 ⁽¹⁾, and in particular Article 20 thereof,

Whereas:

- (1) In accordance with Article 5 of Regulation (EU) 2017/852, the export, import and manufacturing in the Union of the mercury-added products set out in Annex II to that Regulation is prohibited as from the dates set out in that Annex. The prohibition does not apply to products that are essential for civil protection and military uses and products for research, calibration of instrumentation, or for use as a reference standard.
- (2) The Minamata Convention on Mercury ('the Convention') was concluded by the Union by Council Decision (EU) 2017/939 ⁽²⁾ and entered into force on 16 August 2017. Article 4(1) of the Convention prohibits the export, import and manufacturing of mercury-added products listed in Part I of Annex A to that Convention after the phase-out date specified for those products. Article 4(8) of the Convention requires the Conference of the Parties to the Convention ('COP') to review Annex A to the Convention no later than five years after the date of its entry into force.
- (3) The COP, at its fifth meeting, held from 30 October to 3 November 2023, adopted Decision MC-5/4 ⁽³⁾ amending Part I of Annex A to the Convention by including five mercury-containing lamp categories as well as batteries, very high accuracy capacitance and loss measurement bridges and high frequency radio frequency switches and relays in monitoring and control instruments with a maximum mercury content of 20 mg per bridge switch or relay, except those used for research and development purposes, and cosmetics to that Annex, and specifying applicable phase-out dates. That Decision was supported by the Union by means of Council Decisions (EU) 2022/549 ⁽⁴⁾ and (EU) 2023/2417 ⁽⁵⁾.
- (4) In order to align Regulation (EU) 2017/852 with Decision MC-5/4, it is necessary to include the following mercury-added products in Part A of Annex II to that Regulation: very high accuracy capacitance and loss measurement bridges and high frequency radio frequency switches and relays in monitoring and control instruments with a maximum mercury content of 20 mg per bridge, switch or relay, except those used for research and development purposes.
- (5) Regulation (EU) 2017/852 should therefore be amended accordingly,

⁽¹⁾ OJ L 137, 24.5.2017, p. 1, ELI: <http://data.europa.eu/eli/reg/2017/852/oj>.

⁽²⁾ Council Decision (EU) 2017/939 of 11 May 2017 on the conclusion on behalf of the European Union of the Minamata Convention on Mercury (OJ L 142, 2.6.2017, p. 4, ELI: <http://data.europa.eu/eli/dec/2017/939/oj>).

⁽³⁾ Decision MC-5/4: Amendments to annexes A and B and the feasibility of mercury-free alternatives for manufacturing processes listed in annex B, 23 November 2023.

⁽⁴⁾ Council Decision (EU) 2022/549 of 17 March 2022 on the position to be taken on behalf of the European Union at the second segment of the fourth meeting of the Conference of the Parties to the Minamata Convention on Mercury as regards the adoption of a Decision to amend Annexes A and B to that Convention (OJ L 107, 6.4.2022, p. 78, ELI: <http://data.europa.eu/eli/dec/2022/549/oj>).

⁽⁵⁾ Council Decision (EU) 2023/2417 of 23 October 2023 on the position to be taken on behalf of the European Union at the fifth meeting of the Conference of the Parties to the Minamata Convention on Mercury as regards the adoption of a decision to amend Annexes A and B to that Convention (OJ L, 2023/2417, 6.11.2023, ELI: <http://data.europa.eu/eli/dec/2023/2417/oj>).

HAS ADOPTED THIS REGULATION:

Article 1

Annex II to Regulation (EU) 2017/852 is amended as set out in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on the third 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, 17 December 2025.

For the Commission
The President
Ursula VON DER LEYEN

ANNEX

In Part A of Annex II to Regulation (EU) 2017/852, the following entry 2a is inserted:

Mercury-added products	Date from which the export, import and manufacturing of the mercury-added products are prohibited
'2a. Very high accuracy capacitance and loss measurement bridges and high frequency radio frequency switches and relays in monitoring and control instruments with a maximum mercury content of 20 mg per bridge, switch or relay, except those used for research and development purposes	31.12.2025'