

April 27<sup>th</sup>, 2023

## Global PFAS Chemical Regulations and Required IMDS Actions

Per- and polyfluoroalkyl substances (PFAS) are a broad class of different chemicals receiving increased public attention. Due to its unique and high-performance properties and limited alternatives this diverse family of over 10,000 chemical substances (which includes fluoropolymers and fluoroelastomers) is used throughout the automotive industry across a broad range of applications. Automotive applications that use PFAS are especially used in future technologies required for the intended decarbonization of the transport sector. They include high-performance electronics, high-voltage traction batteries, fuel cells, fuel and brake hoses, air conditioning systems, and gaskets.

However, current automotive parts are affected as well e.g., combustion engines and textiles.

This group of chemicals is under global scrutiny because PFAS are highly persistent, increasingly detected as environmental pollutants, and some are linked to negative effects on human health. For example, the U.S. Environmental Protection Agency (US EPA) and some U.S. states have proposed, passed, and enacted laws and regulations to assess and examine PFAS chemicals. They require disclosure of PFAS used in products and prohibit the use of PFAS in products. Within the European Union, five countries have issued a proposal on a broad PFAS restriction, as early as in 2025. Similar actions are under way in the UK, Canada, and other regions.

These international and country-specific efforts are intended to address the associations between PFAS and their potential effects on human health and the environment.

As automotive manufacturers, we are committed to protecting the health of our employees and every person who drives our vehicles, the communities in which we operate, and to minimizing, as much as possible, any impact into the environment.

In this context, automotive industry associations are committed to partnering with key stakeholders on pragmatic and effective solutions to PFAS challenges. These include collaboration on deep and full identification on materials and parts containing PFAS, alternative assessments as well as effective treatment and disposal technologies.

**Automotive manufacturers and suppliers will need to work closely together to develop solutions to comply with these new requirements. Suppliers, if not already aware, should familiarize themselves with these PFAS-related laws, bills, regulatory proposals, and regulations. It takes a long time from sourcing materials to a vehicle coming on the market. Therefore, it is critical that as an entire industry we anticipate the forthcoming regulatory restrictions.**

**To achieve the above objectives, the Global Automotive Declarable Substance List (GADSL) was updated with hundreds of new PFAS including their reporting thresholds. Suppliers should report all PFAS used in their products through IMDS (International Material Data System) and under consideration of the very low GADSL reporting thresholds.<sup>1</sup> Furthermore, existing IMDS data needs to be revisited and updated as soon as possible.**

Please see Appendix A for a non-exhaustive list of laws, bills, regulatory proposals, and regulations.

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<sup>1</sup> If any PFAS substances to be reported are not available in IMDS please request the PFAS substance to be added in the IMDS web application.

## Appendix A – PFAS Laws, Bills, Regulatory Proposals, and Regulations

- United States

- EPA (Environmental Protection Agency)

- a. Toxic Substances Control Act Reporting and Recordkeeping Requirements for Perfluoroalkyl and Polyfluoroalkyl Substances  
(<https://www.regulations.gov/document/EPA-HQ-OPPT-2020-0549-0001>)
    - b. PFAS Strategic Roadmap: EPA's Commitments to Action 2021-2024  
([https://www.epa.gov/system/files/documents/2021-10/pfas-roadmap\\_final-508.pdf](https://www.epa.gov/system/files/documents/2021-10/pfas-roadmap_final-508.pdf))

- State-level Laws

- a. Maine LD 1503 - An Act To Stop Perfluoroalkyl and Polyfluoroalkyl Substances Pollution  
(<https://www.mainelegislature.org/legis/bills/getPDF.asp?paper=HP1113&item=1&snum=130>)
    - b. Colorado HB22-1345 - Perfluoroalkyl And Polyfluoroalkyl Chemicals Concerning measures to increase protections from perfluoroalkyl and polyfluoroalkyl chemicals  
([https://leg.colorado.gov/sites/default/files/2022a\\_1345\\_signed.pdf](https://leg.colorado.gov/sites/default/files/2022a_1345_signed.pdf))

- State-level Bills and Action Plans

- a. New Jersey S3177/A4758 – Establishes requirements, prohibitions, and programs for regulation of PFAS  
(<https://www.njleg.state.nj.us/bill-search/2022/S3177>)
    - b. New Jersey S2145 - Prohibits sale, distribution, and import of certain products marketed as recyclable, unless DEP (Department of Environmental Protection) determines that products are widely recycled  
(<https://www.njleg.state.nj.us/bill-search/2022/S2145>)
    - c. North Carolina DEQ (Department of Environmental Quality) Action Strategy For PFAS  
(<https://deq.nc.gov/media/30108/open>)

- Canada

- a. Prohibition of Certain Toxic Substances Regulations, 2022  
(<https://www.canadagazette.gc.ca/rp-pr/p1/2022/2022-05-14/html/reg2-eng.html>)

- European Union

- a. Overview of Regulations  
(<https://echa.europa.eu/hot-topics/perfluoroalkyl-chemicals-pfas>)
  - b. PFAS draft restriction  
(<https://echa.europa.eu/restrictions-under-consideration/-/substance-rev/72301/term>)

- Stockholm Convention (<http://chm.pops.int>)