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Dear Edward,

Persistent Organic Pollutants (Amendment) (No.3) Regulations 2025 – additional information

Thank you for your letter from 14 May confirming Scottish Parliament's agreement for devolved matters to be included in the Persistent Organic Pollutants (Amendment) (No.3) Regulations 2025.

I note your concerns about the potential impacts of these POPs. I can confirm it is the intention of UK and Devolved Governments to reinstate the prohibitions for UV-328 and Dechlorane Plus, together with necessary exemptions as soon as possible.

There is currently not an explicit timeline in place for a future SI to effect this change, because an assessment of what critical sectors might require for targeted and appropriate exemptions is needed. Scottish Government officials will continue to engage with UK Government to provide certainty on this. Once the issue is more clearly understood, the prohibitions will be reinstated and will provide for any specific (and time-limited) exemptions through this further legislation.

With regards to the EU's position, it has not yet implemented the prohibition for the POPs UV-328 or Dechlorane Plus. On UV-328, the EU has recently published a new draft delegated act prohibiting the substance, though it is unclear when this might be implemented. The EU issued a notification of non-acceptance (so called "opt out") for UV-328 and this remains in place. The EU has not issued a notification of non-acceptance for Dechlorane Plus. UK Government does not have a timeline as to when the prohibition of this substance will be implemented, nor what exemptions may be included. We understand from the MedTech industry that the EU has not yet reached a decision on whether there will be any specific exemptions for Member States.

I had previously agreed to update the Committee on the outcome of the Stockholm Convention conference of the parties meeting on an additional exemptions for the POP UV-328. As the changes that the No.3 Regulations introduce makes this update superfluous, I

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propose that I instead further update the Committee when the UK's position on "opting back in" for these two POPs is clearer.

I hope the information I have provided in this letter answers the Committee's questions satisfactorily.

Yours sincerely,

GILLIAN MARTIN

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