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amending Annex XVII to Regulation (EC) No 1907/2006 of the European Parliament and of the Council concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH) as regards lead in gunshot

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to 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 ([1]), and in particular Article 68(1) thereof,

Whereas:

(1) Annex XVII to Regulation (EC) No 1907/2006 lays down restrictions on the manufacture, placing on the market and use of certain dangerous substances, mixtures and articles. Entry 63 of that Annex contains restrictions with respect to lead (CAS No 7439-92-1, EC No 231-100-4) and lead compounds ('lead'), including a restriction on lead in gunshot in or around wetlands that was introduced by Commission Regulation (EU) 2021/57 ([2]).

(2) Lead is classified under Regulation (EC) No 1272/2008 of the European Parliament and of the Council ([3]) as very toxic to aquatic life, and toxic for reproduction, due to its adverse effects on fertility and the development of the nervous system of the foetus and the child, leading to permanent damage and intelligence quotient (IQ) loss. No safe lead-concentration threshold has been identified under which lead has no ill effects on human health. Lead is also associated with an increased risk of cardiovascular, kidney and central-nervous-system diseases in adults. Moreover, exposure to lead can have a range of acute and chronic toxicological effects, including death, in animals, particularly in birds ([4]).

(3) The Union and its Member States are Contracting Parties to the Convention on the Conservation of Migratory Species of Wild Animals ([5]) (CMS). The Preventing Poisoning Working Group (PPWG) developed Guidelines to Prevent the Risk of Poisoning to Migratory Birds ('Guidelines'), which were adopted in 2014 by CMS Resolution 11.15. The Guidelines recommend both the phasing-out of the use of lead in ammunition across all habitats and the phasing-out of the use of lead in fishing weights in areas where migratory birds have been shown to be particularly at risk of lead poisoning.

([1]) OJ L 396, 30.12.2006, p. 1, ELI: http://data.europa.eu/eli/reg/2006/1907/oj.

([2]) Commission Regulation (EU) 2021/57 of 25 January 2021 amending Annex XVII to Regulation (EC) No 1907/2006 of the European Parliament and of the Council concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH) as regards lead in gunshot in or around wetlands (OJ L 24, 26.1.2021, p. 19, ELI: http://data.europa.eu/eli/reg/2021/57/oj).

([3]) Regulation (EC) No 1272/2008 of the European Parliament and of the Council of 16 December 2008 on classification, labelling and packaging of substances and mixtures, amending and repealing Directives 67/548/EEC and 1999/45/EC, and amending Regulation (EC) No 1907/2006 (OJ L 353, 31.12.2008, p. 1, ELI: http://data.europa.eu/eli/reg/2008/1272/oj).

([4]) The Committee for Risk Assessment (RAC) and the Committee for Socioeconomic Analysis (SEAC), *Background document to the Opinion on the Annex XV dossier proposing restrictions on Lead in shot*, p. 3, https://echa.europa.eu/documents/10162/28acf817-61a6-3ca6-4e85-a71ef0e07740.

([5]) https://www.cms.int/en/convention-text.

(4) On 16 July 2019, the Commission asked ([6]) the European Chemicals Agency ('the Agency'), pursuant to Article 69(1) of Regulation (EC) No 1907/2006, to prepare a dossier ('the Annex XV dossier') to address the concerns regarding human health and the environment posed by lead in (i) ammunition, including gunshot used in terrains other than wetlands and bullets used both in wetlands and in terrains other than wetlands; and (ii) fishing tackle. The mandate did not extend to uses of ammunition for indoor shooting, or to uses by the police, the military and other security forces.

(5) On 24 March 2021, the Agency published its Annex XV dossier ([7]) in which it concluded that lead in ammunition and fishing tackle poses a risk to the environment and human health, in particular to vulnerable populations such as children, that is not adequately controlled and needs to be addressed on a Union-wide basis. With regard to the risk to the environment, the ingestion by birds and other animals of unrecovered lead-based ammunition ('lead ammunition'), lead-based sinkers ('lead sinkers') and lead-based lures ('lead lures') from hunting, sports shooting and fishing activities results in the poisoning and frequent death of animals. Furthermore, lead accumulation at sports-shooting ranges can result in the leaching of lead-polluted surface water into local watercourses and may affect groundwater, potentially poisoning people, livestock and wildlife. The Agency also concluded that there are human health risks associated with consuming the meat of animals killed with lead ammunition, particularly for children aged seven years and younger, or when making lead ammunition or sinkers or lures at home.

(6) The Agency estimated that, if the current releases of lead from shooting and fishing in the Union continue, approximately 876 000 tonnes of lead will be released into the environment over the next 20 years. This will place at least: (i) 135 million birds at risk of poisoning from the ingestion of lead-based gunshot ('lead gunshot'); (ii) 14 million birds at risk of poisoning from the ingestion of lead via the consumption of food; and (iii) 7 million birds at risk of poisoning from ingestion of sinkers and lures. In addition, the Agency estimated that, each year, about 13,8 million individuals from hunters' families, including 1,1 million children aged seven years or younger, are vulnerable to lead exposure from game meat.

(7) Against this background, the Agency proposed a restriction of lead in ammunition and certain fishing tackle which included, inter alia, a restriction on the placing on the market and use of lead in a concentration of equal to or greater than 1 % in gunshot, and a restriction on the use of lead in a concentration of equal to or greater than 1 % in projectiles other than gunshot (such as bullets and airgun pellets). Moreover, the Agency proposed imposing information obligations on retailers of those products and labelling obligations on ammunition suppliers. The proposed restriction is intended to reduce lead emissions by approximately 630 000 tonnes over the 20 years following its introduction. This would be a reduction of 72 % compared with a situation without the proposed restriction. The restriction would also prevent IQ loss in about 7 000 children in the Union per year, leading to a welfare saving of roughly EUR 70 million per year.

(8) In its Annex XV dossier, the Agency concluded that alternative ammunition for hunting (such as steel and bismuth gunshot, and copper and brass bullets): (i) are widely used; (ii) are technically feasible; (iii) are comparable in price with lead ammunition; and (iv) have better human health and environmental hazard and risk profiles than lead ammunition. On sports shooting with gunshot, the Agency found that it would be feasible to substitute steel for lead while maintaining a comparable performance, but that such a shift would require the approval of the relevant international sports-shooting federations. By contrast, alternatives for lead-based bullets ('lead bullets') and lead-based airgun pellets ('lead pellets') in sports shooting were not found to perform as well as lead. The Agency noted that lead is currently difficult to replace in certain applications, such as small-calibre centrefire ammunition, rimfire ammunition, airgun ammunition, ammunition for muzzle-loading rifles, full metal jacket bullets and open tip match bullets.

([6]) https://echa.europa.eu/documents/10162/17233/rest_lead_ammunition_COM_request_en.pdf.

([7]) European Chemicals Agency, *Annex XV Restriction Report – Lead in outdoor shooting and fishing*, 24 March 2021, https://echa.europa.eu/documents/10162/da9bf395-e6c3-b48e-396f-afc8dcef0b21.

(9) The Agency recommended to defer the entry into application of the restrictions on other articles within the scope of the Annex XV dossier and the information and labelling obligations. This would allow operators to adapt to the new rules and put in place the necessary risk management measures. The Agency proposed a five-year transitional period for the ban on placing on the market and use of gunshot for hunting. It proposed a deferred application period for the ban on the use for hunting of large-calibre and small-calibre projectiles other than gunshot of 18 months and five years respectively.

(10) The Agency suggested a derogation from the ban on the use of lead bullets for sports shooting, on condition that specific risk management measures are implemented at sports shooting ranges and no agricultural activity takes place there. The Agency also did not support optional derogations from the ban on the placing on the market and the use of lead gunshot in sports shooting. The Agency supported a ban on the use of lead gunshot for sports shooting, but also included the derogations as optional and assessed their costs and benefits in the event that the Commission did not consider such a ban appropriate and required an assessment of the impact of allowing the continued use of lead gunshot for sports shooting under conditions that would minimise the identified risks to human health and the environment. The conditions for the optional derogation included: (i) the licensing of sports shooters by Member States; (ii) the authorising of sports-shooting ranges by Member States; (iii) frequent recovery of more than 90 % of the lead gunshot discharged in the shooting range; (iv) the presence of strict measures for the protection of water from lead contamination, and remediation from such contamination; (v) a ban on any agricultural activity in the shooting range; (vi) records of compliance with conditions (iii) to (v); (vii) the labelling of cartridge packaging and of individual cartridges with warning statements; and (viii) a requirement on Member States to report to the Commission the number of licensed users, authorised shooting ranges and quantity of lead gunshot used on their territory.

(11) The Agency indicated that the restriction should not apply to indoor shooting, uses by police and the military, and uses for security purposes, as indicated in the Commission request to the Agency of 16 July 2019, as well as uses related to testing, development, research and investigation.

(12) Following the public consultation on the Annex XV dossier, the Agency revised ([8]) its initial proposal to take into account the comments received during the consultation. In particular, it proposed an increase in the permissible concentration limit for lead in projectiles other than gunshot containing copper or copper alloys from less than 1 % to less than 3 % by weight. This was proposed to allow the continued use of alternative ammunition made of brass (a copper alloy), which currently contains up to 3 % lead. The revised Annex XV dossier also included additional derogations for seal hunting with bullets and for hunting with full metal jacket bullets, under certain conditions.

(13) Only a limited number of Member States currently have national provisions in place that prohibit the use of lead in hunting and outdoor shooting to reduce lead emissions and exposure. The Annex XV dossier demonstrated that Union-wide action to address the risk associated with lead in ammunition is necessary to ensure a harmonised level of protection across the Union.

(14) On 2 June 2022, the Agency's Committee for Risk Assessment (RAC) adopted an opinion pursuant to Article 70 of Regulation (EC) No 1907/2006 with respect to the Annex XV dossier. In its opinion, RAC concurred with the Agency's conclusion that the use of lead ammunition, including gunshot, in hunting and outdoor shooting poses a wide range of risks to both human health and the environment. RAC concluded that the restriction proposed by the Agency would be the most appropriate Union-wide measure to address the identified risks.

(15) RAC strongly supported a shorter transitional period than the five years proposed by the Agency for the restriction on the use of gunshot in hunting because the use of lead gunshot in wetlands is already regulated in the Union as a whole and because the shorter the transitional period is, the less lead is released into the environment.

([8]) The Committee for Risk Assessment (RAC) and the Committee for Socio-economic Analysis (SEAC), *Background Document to the Opinion on the Annex XV dossier proposing restrictions on lead in outdoor shooting and fishing*, p. 20, https://echa.europa.eu/documents/10162/14c4fceb-31b4-aea2-a9b5-75cdccf8013f.

(16) RAC did not support the optional derogations for the placing on the market of lead gunshot and for the use of lead gunshot for sports shooting. It considered that the enforcement of the proposed restriction, as well as the restriction on lead in gunshot in or around wetlands introduced by Regulation (EU) 2021/57, would increase in complexity if those optional derogations were introduced. However, should those derogations be granted, RAC indicated that it would support the suggestion by the Agency's Committee for Socio-Economic Analysis (SEAC) that their scope should be limited to shot sizes between 1,9 and 2,6 mm.

(17) RAC supported the labelling and information requirements proposed by the Agency for lead ammunition. However, RAC recommended avoiding confusion by increasing the lead concentration limit that would trigger the requirements from 0,3 % to 1 % by weight, so as to align it with the concentration limit that triggers the ban on placing on the market and use.

(18) On 1 December 2022, RAC adopted a supplementary opinion, at the request of the Agency's Executive Director and in accordance with Article 77(3), point (c), of Regulation (EC) No 1907/2006 ([9]). This opinion reassessed RAC's evaluation of a specific dataset concerning the presence of lead in game meat and the human intake of game meat provided by the European Food Safety Authority. RAC reiterated its conclusion that there is a moderate to high risk from exposure to lead in game meat for children in hunter families but that risks for adults are likely to be low.

(19) On 2 December 2022, SEAC adopted an opinion pursuant to Article 71(1) of Regulation (EC) No 1907/2006. It concluded that the proposed restriction would be the most appropriate Union-wide measure to address the identified risks as concluded by RAC, provided that the conditions are modified as proposed by SEAC. The conclusion takes into account the proportionality of the socioeconomic benefits of the measure to its socioeconomic costs.

(20) SEAC supported RAC's view that, for the restriction on the use of lead gunshot in hunting, a transitional period significantly shorter than the five years proposed by the Agency would be justified because there is insufficient evidence that increasing the production volumes of alternative ammunition to replace lead gunshot in hunting would require five years. The available information supported the argument that the volumes of lead gunshot used for hunting could be replaced sooner. Substantive and credible evidence to reach a conclusion on the specific length of the transitional period was not available to SEAC, so it considered that the minimum period required to ensure the smooth transition to alternatives would be 18 months.

(21) In order to make it easier to enforce the ban on the use of lead gunshot while hunting, SEAC recommended a ban on the carrying of such gunshot while hunting or as part of going hunting.

(22) In order to maximise the effectiveness of the proposed restriction, SEAC suggested limiting the optional derogations for lead gunshot for sports shooting to shot sizes between 1,9 and 2,6 mm because those are the shot sizes used for that activity.

(23) Regarding the ban on the use of lead ammunition in muzzle loaders or other historic firearms, SEAC noted that non-lead alternatives are not yet available for use in historic firearms. It nevertheless considered that a conclusion on whether a derogation for that use would be justified on the basis of cultural values, as had been suggested during the public consultation, would not be possible due to a lack of information on the socioeconomic impacts of such a derogation.

([9]) The Committee for Risk Assessment (RAC), *Request by the Executive Director of ECHA under Article 77(3)(c) of REACH to prepare a supplementary opinion on the restriction dossier on lead in outdoor shooting and fishing*, 1 December 2022, https://echa.europa.eu/documents/10162/e0a5c108-a7ed-dbd3-67ce-d00a6470d8ce.

(24) SEAC did not have sufficient information to reach a conclusion as to whether the cost of providing information at the point of sale as proposed by the Agency and supported by RAC would be fully justified, or whether other educational measures could more effectively influence purchasing behaviour. SEAC agreed with RAC that the same concentration limit of 1 % by weight proposed for restricting the placing on the market and use of lead ammunition should also apply to labelling and information requirements in order to avoid confusion and assist enforcement. SEAC considered that enforcement in the field would be more effective if individual lead gunshot cartridges were identified by means of markings or colour coding. However, it did not have sufficient information to conclude on the technical feasibility, the costs involved and the practicality of such markings or colour coding.

(25) The Forum for Exchange of Information on Enforcement ('Forum') was consulted in accordance with Article 77(4), point (h), of Regulation (EC) No 1907/2006. Its recommendations were taken into account.

(26) On 27 February 2023, the Agency submitted the opinion of RAC and SEAC ([10]) to the Commission.

(27) Taking into account the Annex XV dossier, the opinion of RAC and SEAC, the socioeconomic impact and the availability of alternatives, the Commission considers that there is an unacceptable risk to the environment and human health stemming from the use of lead ammunition, in particular gunshot, and lead fishing tackle. That risk needs to be addressed on a Union-wide basis. It is therefore appropriate to introduce a restriction on the placing on the market and use of such ammunition and fishing tackle. However, to reduce complexity and increase legal clarity, the Commission considers that the restriction on lead ammunition and lead fishing tackle as proposed in the Annex XV dossier, covered by the opinions of RAC and SEAC and assessed in the Forum advice should be adopted by the Commission by means of two separate regulations.

(28) The restriction of lead in ammunition should apply to ammunition with a lead concentration equal to or greater than 1 % by weight. That is the concentration limit laid down in the restriction in entry 63 of Annex XVII to Regulation (EC) No 1907/2006 for lead in gunshot in or around wetlands, in order to prevent a significant toxicity danger to migratory birds and other wildlife and to their habitats. Moreover, it is considered that the 1 % concentration limit is sufficient to address the identified risk and can be readily achieved by producers of alternatives, given that some of those alternatives are likely to contain lead as an impurity.

(29) The Commission took note of the RAC and SEAC opinion that the transitional period for the restriction on the use of lead gunshot in hunting should be shorter than the five years proposed by the Agency, but not shorter than 18 months. Taking into account the current geopolitical situation, which has changed significantly compared to that prevailing when RAC and SEAC adopted their opinions, the Commission cannot be certain that sufficient production volumes of alternative ammunition to replace lead gunshot in hunting will be available even within the five-year transitional period proposed by the Agency. It therefore considers a seven-year transitional period for the application of the restriction on the placing on the market and use of lead gunshot for hunting to be appropriate. The Commission also considers that the definition of gunshot should include pellets which can be discharged from a shotgun but should not include slugs, which should be excluded from the scope of the restriction.

(30) The Commission concurs with SEAC that a ban on carrying lead gunshot while hunting or as part of going hunting is necessary in order to facilitate enforcement of the restriction on ammunition containing a concentration of lead equal to or greater than 1 % by weight.

(31) The Commission acknowledges the SEAC conclusions that a restriction of lead bullets for hunting and sports shooting is proportionate and that alternatives to lead are available for hunting, in particular for centrefire bullets with calibres equal or larger than 5,6 mm. However, the Commission notes that bullets, including lead bullets, are the main ammunition used for defence purposes, and that the SEAC analysis of the possible impact of restricting lead bullets on the Union's defence capabilities was carried out in a radically different geopolitical context. Since the SEAC opinion was finalised in December 2022, international developments highlighted the need for the Union to strengthen its defence readiness and defence capacity in response to growing threats. In 2025, the Commission

([10]) The Committee for Risk Assessment (RAC) and the Committee for Socio-economic Analysis (SEAC), *Opinion on an Annex XV dossier proposing restrictions on lead and its compounds*, 2 December 2022, https://echa.europa.eu/documents/10162/2c82ef18-ce5d-4b4f-8ff0-002932154acc.

presented a strategy to achieve defence readiness by 2030, through a White Paper for European Defence ([11]) and the ReArm Europe Plan, with the aim to quickly and significantly increase the Union's defence investments and defence capabilities. The strategy included, among other things, actions supporting the strategic stockpiling of bullets, including lead bullets, and ensuring sufficient industrial capacity for the timely replenishment of ammunition in case of need. Against this background, and following discussions with the Member States during the decision-making process, the Commission considers it appropriate and necessary to exclude bullets from the scope of the restriction to prevent any potential impact, however small, on the production of lead bullets. Limiting the scope of the restriction to lead gunshot will still ensure a high level of protection of human health and the environment from exposure to lead. Based on the Agency's estimates, the expected lead emission reduction from prohibiting the use of lead bullets for hunting and outdoor sports shooting is 8 232 tonnes over 20 years. This is much less than the expected lead emission reduction from prohibiting the placing on the market and use of lead gunshot, i.e. 558 000 tonnes over 20 years. Excluding bullets from the scope will therefore only have a minimal effect on the overall effectiveness of the restriction.

(32) The Commission does not consider it justified that airgun pellets used for hunting or sports shooting be subject to this restriction. Alternatives to lead airgun pellets are available only in low quantities, lack precision and cost up to four times more than lead airgun pellets. In addition, both the Agency and RAC agreed that a restriction on lead pellets used in airguns would only marginally reduce lead emissions. It would also not decrease risks to people because lead airgun pellets are mostly used to kill pests that are not eaten, so there is no Union-wide risk to humans from ingesting lead fragments from airgun pellets.

(33) The Commission agrees that a complete ban on the placing on the market and use of lead gunshot for sports shooting as proposed by the Agency and supported by RAC and SEAC would make enforcement easier. However, the Commission notes that such a ban could affect Member States' possibility to host the Olympic Games and other international competitions in which the use of lead is mandatory. It would also prevent athletes from training with lead gunshot in Member States. The Commission considers that a switch to alternative ammunition (such as steel shot) in sports shooting could be feasible in the long-term. However, similarly to the case of lead gunshot for hunting, it is unclear whether sufficient production volumes of alternative ammunition to replace lead gunshot for sports shooting will be available within the five-year transitional period proposed by the Agency. The Commission therefore considers that the application of the restriction on the placing on the market and use of lead gunshot for sports shooting should be deferred by seven years.

(34) Since the timing of substitution of lead in sports shooting is highly uncertain, a derogation without time limit for this use is justified. As recommended by SEAC, the derogation should be limited to gunshot sizes between 1,9 mm and 2,6 mm, which are the only calibres used in competitions. The derogation should also depend on the presence, in the shooting range where the sports shooting takes place, of appropriate risk management measures, both to ensure lead containment and to limit the release of lead. The Commission considers a transitional period of seven years appropriate for shooting ranges to install the required risk management measures, as they need sufficient time to implement those measures on their grounds, including the time for obtaining the necessary permits and carrying out tendering procedures, where needed. The Commission does not consider it appropriate to include among the mandatory risk management measures the obligation to recover more than 90 % of spent lead gunshot, as the small dimensions of the gunshot and the wide area across which the gunshot is discharged makes such a high recovery rate very difficult to achieve. In addition, the Commission does not consider appropriate the mandatory licensing of users of sports shooting ranges by Member States, which it considers to be too bureaucratic and labour intensive. The Commission nevertheless considers it appropriate to include, as recommended by the Agency the obligation to contain, monitor and, where necessary, treat drainage water (including surface water run-off) from gunshot impact areas and the prohibition of any agricultural use within a shooting range's boundary. The Commission also considers it appropriate to include additional risk management measures intended to ensure a level of protection comparable to that of the measures proposed by the Agency, namely the implementation of: (i) at least two specific lead-containment measures (walls, berms or banks, nets or shot curtains, and surface covering); (ii) pH monitoring and, where necessary, treatment of gunshot-impact areas; and (iii) limiting the use of lead gunshot to members of a sports shooting federation. Outdoor sports shooting ranges should also recover spent lead gunshot at least once

([11]) European Commission. White Paper for European Defence – Readiness 2030, https://commission.europa.eu/document/download/e6d5db69-e0ab-4bec-9dc0-3867b4373019_en?filename=White%20paper%20for%20European%20defence%20–%20Readiness%202030.pdf.

every three years. In addition, they should keep records of the lead gunshot spent and recovered on their premises, and of the persons discharging that gunshot, to facilitate enforcement and allow the monitoring of the effectiveness of the risk management measures to minimise lead emissions. To this end, the outdoor sports shooting ranges should make this information available to the responsible Member State authorities upon their request. The Commission also considers that a review of the derogations for sports shooting after 10 years is needed in order to evaluate the progress made towards achieving a Union-wide switch to alternatives in sports shooting.

(35) The Commission considers it appropriate to allow derogations from the restriction on lead gunshot fired from historic firearms such as muzzle loaders and their modern replicas, because there is no suitable alternative ammunition that would not risk irreparably damaging them. In addition, RAC recognised that their use is limited in volume and that the impact of the derogation on overall risk reduction would therefore be low.

(36) The Commission concurs with RAC and the Agency that a requirement for retailers to display information at physical and online points of sale, as well as on packaging, is justified in order to warn users of the risks of using lead gunshot. However, the statement to be placed on the packaging should be shorter than the one recommended by the Agency, in order to allow it to be placed on small packaging and to reduce the need to place it on fold-out labels, a leaflet or a tie-on tag.

(37) In order to facilitate the smooth and timely implementation of the restriction, and allow members of sports shooting federations to easily identify sports shooting ranges where they can train with lead gunshot, Member States should rapidly make available a list of outdoor sports shooting ranges located on their territory which have implemented appropriate risk management measures to ensure lead containment and limit lead releases to the environment.

(38) This restriction should not apply to uses of lead gunshot which were not included in the Commission mandate to the Agency of 16 July 2019 and the Agency's Annex XV dossier, namely the following uses: (i) indoor shooting; (ii) uses by the police and law enforcement, and other security applications; (iii) military and defence applications; (iv) the protection of critical infrastructures, commercial shipping or high-value convoys; (v) the protection of public buildings and public space; (vi) self-defence; (vii) technical testing and proofing of guns and ammunition; (viii) historical and technical research or investigation; and (ix) testing and development of materials and products for ballistic protection and forensic analysis. For the same reason, the restriction should not apply to the use of lead in primers and wads.

(39) Some Member States have national provisions in place for the protection of the environment or human health that prohibit or restrict the use of lead in gunshot that are stricter than those laid down in this Regulation. Requiring those Member States to reduce their existing level of protection from exposure to lead in order to comply with this Regulation might lead to a greater use of lead in those Member States. Such a result would not be compatible with the high level of protection required by Article 114(3) of the Treaty. Member States should therefore be allowed to maintain stricter provisions restricting only the use of lead in gunshot.

(40) In light of the broader provisions on lead in gunshot introduced by this Regulation and in order to give manufacturers and users sufficient time to transition to alternative forms of ammunition, paragraphs 11 to 14 of entry 63 of Annex XVII to Regulation (EC) No 1907/2006 should apply until 7 December 2033.

(41) Regulation (EC) No 1907/2006 should therefore be amended accordingly.

(42) The measures provided for in this Regulation are in accordance with the opinion of the Committee set up under Article 133 of Regulation (EC) No 1907/2006,

HAS ADOPTED THIS REGULATION:

Article 1

Annex XVII to Regulation (EC) No 1907/2006 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, 16 November 2026.

For the Commission
The President
Ursula VON DER LEYEN

ANNEX

'Annex XVII to Regulation (EC) No 1907/2006 is amended as follows:

(1) in entry 63, column 2, the following paragraph 14a is inserted:

	'14a. Paragraphs 11–14 shall apply until 7 December 2033'

(2) in entry 63, column 2, the following paragraphs are added:

	'28. The following uses of gunshot containing a concentration of lead (expressed as metal) equal to or greater than 1 % by weight are prohibited: (a) carrying or discharging gunshot while hunting or as part of going hunting, from 7 December 2033; (b) discharging gunshot while sports shooting outdoors, from 7 December 2033. For the purpose of determining whether a person found with gunshot is carrying it as part of going hunting, regard shall be had to all the circumstances of the case, including that the person found with the gunshot need not necessarily be the same person as the person hunting. 29. Shall not be placed on the market in gunshot in a concentration of lead (expressed as metal) equal to or greater than 1 % by weight, from 7 December 2033. 30. By way of derogation, paragraph 28, point (b), shall not apply to gunshot of sizes between 1,9 mm and 2,6 mm discharged at an outdoor sports shooting range, provided all the following conditions are met: (a) the outdoor sports shooting range has the risk-management measures laid down in Appendix 17 in place by 7 December 2033; (b) the persons discharging such gunshot are active members of a sports shooting federation; (c) the outdoor sports shooting range keeps records of: (i) the estimated weight of such gunshot discharged by active members of a sports shooting federation in that range; (ii) the persons discharging gunshot at that range; (iii) the weight of such gunshot recovered; (d) the outdoor sports shooting range makes the records referred to in point (c) available to the competent authorities upon their request. 31. By way of derogation, paragraph 29 shall not apply to gunshot of sizes between 1,9 mm and 2,6 mm placed on the market for use by active members of a sports shooting federation at an outdoor sports shooting range fulfilling the conditions in paragraph 30. 32. From 7 June 2027, retailers of gunshot containing lead in concentrations equal to or greater than 1 % by weight, shall clearly and visibly display the following information, at the point of sale and in close proximity to the gunshot or, in the case of distance sales, in the distance sales offer: "***WARNING**: this product contains lead which is very toxic to the environment and may damage fertility or the unborn child. The use and sale of lead gunshot for hunting and sports shooting are restricted in the EU from 7 December 2033.* *More information, including on the availability of lead-free alternatives, is available at [www.echa.europa.eu].*"

	The information referred to in the first subparagraph shall be in the official languages of the Member State where the point of sale is established or, in the case of distance sales, in the official languages of the Member State where the distance sale is offered, unless the Member State concerned provides otherwise regarding those languages.
	33. Without prejudice to other Union legislation concerning the classification, packaging and labelling of substances and mixtures, suppliers of gunshot containing a concentration of lead (expressed as metal) equal to or greater than 1 % by weight, shall ensure that, from 7 June 2028, the packaging of the gunshot is clearly, visibly and indelibly labelled with the following statement, before placing the gunshot on the market: "***WARNING****: this product contains lead which is very toxic to the environment and may damage fertility or the unborn child*." The statement shall be in the official languages of the Member State where the gunshot is placed on the market unless the Member State concerned provides otherwise regarding those languages. If the statement cannot be placed on the packaging due to the size of the packaging, the statement shall be provided in a fold-out label, or leaflet, or on a tie-on tag.
	34. By way of derogation, paragraphs 28, 29, 32 and 33 shall not apply to the use and placing on the market of gunshot for muzzle-loading guns and historic firearms, including their modern replicas.
	35. The derogations in paragraphs 30 and 31 shall be reviewed by the Commission, based on a report produced by the Agency, after 7 December 2036.
	36. Member States shall make publicly available by 7 December 2034 a list of outdoor sports shooting ranges on their territory having the risk-management measures laid down in Appendix 17 in place in accordance with paragraph 30, point (a).
	37. Paragraphs 28 to 36 shall apply without prejudice to uses of gunshot for the following purposes: (a) indoor shooting; (b) police, law enforcement and other security applications; (c) military and defence applications; (d) protection of critical infrastructure, commercial shipping or high-value convoys; (e) protection of public buildings and public space; (f) self-defence; (g) technical testing and proofing of guns and ammunition; (h) testing and development of materials and products for ballistic protection; (i) forensic analysis; (j) historical and technical research or investigation; (k) primers and wads. For the purposes of point (f), carrying while hunting, or as part of going hunting is not considered self-defence.
	38. Member States may maintain national provisions for the protection of the environment or human health that are stricter than those laid down in paragraphs 28, 30 and 34, provided those provisions fulfil both of the following conditions: (a) they were in force on 7 December 2026; (b) they restrict only the use but not the placing on the market of lead in gunshot.

	Member States maintaining such national provisions shall communicate the texts thereof to the Commission without delay. The Commission shall make those texts publicly available without delay. 39. For the purposes of paragraphs 28 to 38: (a) "gunshot" means pellets used or intended for use in a single charge or cartridge in a shotgun; (b) "shotgun" means a smooth-bore gun, excluding airguns; (c) "carrying" means any carrying on the person or carrying or transporting by any other means; (d) "hunting" means pursuing and shooting at live quarry using a projectile expelled from a gun; (e) "sports shooting" means shooting at any inanimate target with a gun, including practice or other shooting performed in preparation for hunting; (f) "active member" means a person who has a valid membership of a sports shooting federation; (g) "indoor shooting" means shooting that takes place inside a building, in an area that is enclosed by a roof and walls so that there are no emissions of gunshot into the environment; (h) "going hunting" means travelling from a private dwelling or a public building to the place where hunting is performed; (i) "historical firearms" means firearms manufactured before 1 January 1900; (j) "modern replica" means a reproduction of a historical firearm, made with contemporary materials and manufacturing techniques, which closely follows the design and functionality of the original historical firearm.'

(3) the following Appendix 17 is added:

'Appendix 17

Entry 63 – Conditions for the application of the derogation in paragraph 30

This Appendix lays down the risk-management measures that shall be in place for outdoor sports shooting ranges pursuant to paragraph 30, point (a).

Risk-management measures for use of gunshot in outdoor sports shooting ranges

The following risk-management measures shall be present in outdoor sports shooting ranges where gunshot is discharged:

(a) at least two different lead-containment measures, chosen from the following list:

— one or more walls,

— one or more berms or banks made of soil, gravel, sand or other appropriate material,

— one or more nets or shot curtains,

— surface covering of gunshot-impact areas;

(b) recovery of spent lead from shooting at least every three years and upon cessation of activity of the outdoor sports shooting range;

(c) monitoring and, where necessary, treatment of the gunshot-impact areas that do not have surface covering, to ensure that they have a pH of between 6,5 and 8,5, in order to minimise lead migration into soil and water. Compliance with those pH values shall be verified at least once every six months;

(d) containment, monitoring and, where necessary, treatment of drainage water (including surface water run-off) from gunshot-impact areas to ensure compliance with the environmental quality standard for lead specified under Directive 2000/60/EC;

(e) a ban on any agricultural use within the site's boundaries;

(f) records of compliance with the conditions in this paragraph.'