



COMMISSION IMPLEMENTING REGULATION (EU) 2026/286

of 10 February 2026

authorising an exemption pursuant to Regulation (EU) 2024/573 of the European Parliament and of the Council, with regard to the use of fluorinated greenhouse gases in certain chillers used for semiconductor manufacturing

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) 2024/573 of the European Parliament and of the Council of 7 February 2024 on fluorinated greenhouse gases, amending Directive (EU) 2019/1937 and repealing Regulation (EU) No 517/2014 ⁽¹⁾, and in particular Article 11(5) thereof,

Whereas:

- (1) As from 1 January 2027, point 7(b) of Annex IV to Regulation (EU) 2024/573 prohibits the placing on the market of stationary chillers that contain or whose functioning relies upon fluorinated greenhouse gases with a global warming potential ('GWP') of 150 or more, for chillers up to and including a rated capacity of 12 kW, except if required to meet safety requirements at the site of operation. In addition, as from 1 January 2027, Annex IV, point 7(d), of that Regulation prohibits the placing on the market of stationary chillers that contain or whose functioning relies upon fluorinated greenhouse gases with a GWP of 750 or more, for chillers above a rated capacity of 12 kW, except if required to meet safety requirements at the site of operation.
- (2) Pursuant to Article 11(5) of Regulation (EU) 2024/573, on 18 July 2025, the German competent authorities submitted to the Commission a request for the authorisation of an exemption (the exemption request) allowing the placing on the market of two types of stationary chillers used to support semiconductor manufacturing whose placing on the market will be prohibited as from 1 January 2027, in accordance with points 7(b) and (d) of Annex IV to Regulation (EU) 2024/573, respectively. The type of chillers concerned are i) stationary chillers with a cooling capacity of less than 12 kW which currently rely on fluorinated greenhouse gases with a GWP of 150 or more, and ii) stationary chillers with a cooling capacity of more than 12 kW operating below – 50 °C which currently rely on fluorinated greenhouse gases with a GWP of 750 or more. These stationary chillers are an integral part of most semiconductor manufacturing plants and essential for controlling the temperature of wafers and critical parts of the equipment during its manufacturing process.
- (3) According to the exemption request, at present, stationary chillers used in semiconductor manufacturing that would comply with Annex IV, points 7(b) and (d) to Regulation (EU) 2024/573, are not commercially available. Despite sustained investment and progress in developing alternative solutions, including CO₂-based and other low GWP alternatives, no solution is currently available that could meet the full set of temperature, safety and performance requirements for all semiconductor applications. The exemption request also argues that due to the complex technical, regulatory and economic constraints the sector faces, it would be unfeasible to complete the transition by the set deadline without jeopardising operational continuity and facing disproportionate costs.
- (4) The Commission has assessed the exemption request and considers that the conditions set out in Article 11(5), points (a) and (b), of Regulation (EU) 2024/573 are fulfilled. The Commission also considers that under such exceptional circumstances, sufficient time should be granted to avoid market disruption in the supply of such essential equipment. The Commission considers that a period of 3 years would be sufficient time to complete the conversion to alternatives while avoiding disproportionate costs.
- (5) The measures provided for in this Regulation are in accordance with the opinion of the Committee on fluorinated greenhouse gases,

⁽¹⁾ OJ L 2024/573, 20.2.2024, ELI: <http://data.europa.eu/eli/reg/2024/573/oj>.

HAS ADOPTED THIS REGULATION:

Article 1

1. By way of derogation from point 7(b) of Annex IV to Regulation (EU) 2024/573, the placing on the market of stationary chillers containing or whose functioning relies upon fluorinated greenhouse gases with a GWP of 150 or more, with a cooling capacity of up to and including 12 kW used to support semiconductor manufacturing is hereby authorised, provided they are labelled pursuant to Article 12(2) of Regulation (EU) 2024/573.
2. By way of derogation from point 7(d) of Annex IV to Regulation (EU) 2024/573, the placing on the market of stationary chillers containing or whose functioning relies upon fluorinated greenhouse gases with a GWP of 750 or more, with a cooling capacity of more than 12 kW operating below – 50 °C, used to support semiconductor manufacturing is hereby authorised, provided they are labelled pursuant to Article 12(2) of Regulation (EU) 2024/573.

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*.

It shall apply from 1 January 2027 to 31 December 2029.

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

Done at Brussels, 10 February 2026.

For the Commission
The President
Ursula VON DER LEYEN