

From: [REDACTED]
To: [REDACTED] (ENV)
Subject: Discussion with Chemours

Dear [REDACTED],

Thank you so much for being available to discuss about the topics and questions I mentioned in my emails from June 17 and June 23. I copied the questions into this invite so that we can look at one document while we are discussing.

I am very much looking forward to our virtual meeting.

Best regards,

[REDACTED]

Questions related to Commission Delegated Regulation (EU) 2020/784 and the Restriction addressing the same substances:

Is it correct to assume that product exports from the EU to countries outside the EU are not covered by this regulation after it comes into force on 4 July 2020? For example,

* For an already manufactured product warehoused in the EU that contains a regulated substance above the threshold. Is it correct to assume that export to non-EU countries of this material is allowed under this regulation after 4 July 2020?

* In the future, product manufacture within the EU may not always yield products that meet the threshold requirements of this regulation. It is correct to assume that export to non-EU countries of this material is allowed under this regulation after 4 July 2020?

Customers and downstream users are reaching out to us asking for clarity which regulation will apply from 4 July 2020 onwards? The preamble to Commission Delegated Regulation (EU) 2020/784 states under (10): "The restriction on PFOA, its salts and PFOA-related compounds in Annex XVII to Regulation (EC) No 1907/2006, which the Commission now plans to delete, would normally start to apply on 4 July 2020." To date, we have not seen that this regulation has been deleted. There are a number of differences between these regulations. Can you please provide guidance which of the two regulations will come into force on 4 July 2020?

Can you please provide guidance how to interpret "Specific exemption on intermediate use of other specification" No. 3 in Commission Delegated Regulation (EU) 2020/784? The text states: "For the purposes of this entry, point (b) of Article 4(1) shall apply to concentrations of PFOA-related compounds equal to or below 20 mg/kg (0,002 % by weight) where they are present in a substance to be used as a transported isolated intermediate within the meaning of Article 3 point 15(c) of Regulation (EC) No 1907/2006 and fulfilling the strictly controlled conditions set out in Article 18(4)(a) to (f) of that Regulation for the production of fluorochemicals with a carbon chain equal to or shorter than 6 atoms. This exemption shall be reviewed and assessed by the Commission no later than 5 7 2022." Is it permissible under this regulation to use 3,3,4,4,5,5,6,6,7,7,8,8,8-tridecafluorooctyl methacrylate (EC Number: 218-407-9, CAS Number: 2144-53-8) with a PFOA-related compounds concentration of equal to or below 20 mg/kg (0,002 % by weight) as a transported isolated intermediate within the meaning of Article 3 point 15(c) of Regulation (EC) No 1907/2006 and fulfilling the strictly controlled conditions set out in Article 18(4)(a) to (f) of that Regulation for the production of side-chain fluorinated polymers? It is my understanding that this use is permissible under "The restriction on PFOA, its salts and PFOA-related compounds in Annex XVII to Regulation (EC) No 1907/2006".

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