

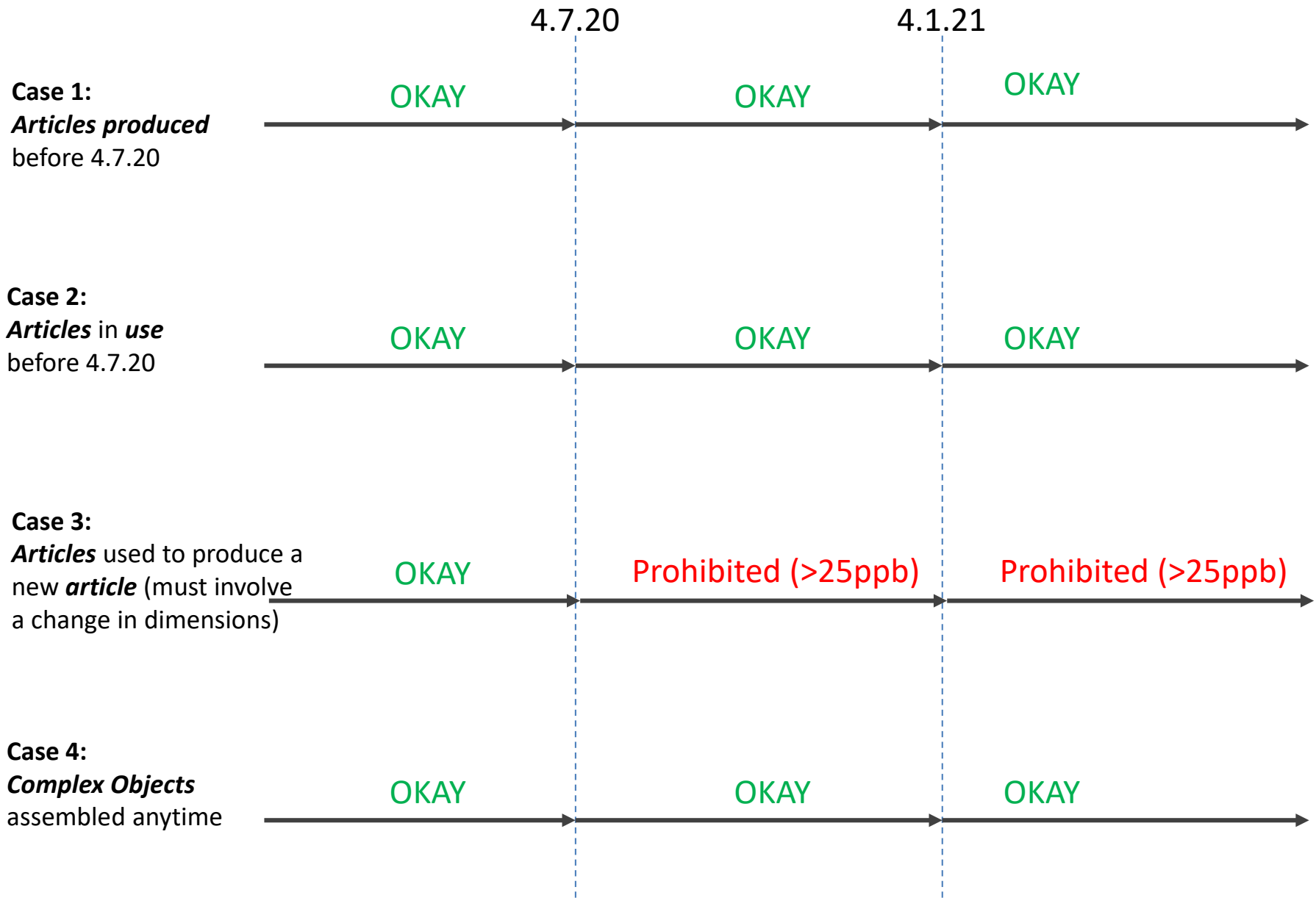
**These slides have been updated following publication of the
COMMISSION DELEGATED REGULATION (EU) 2020/784**

- “In use in the Union” – This means that there is a differentiation between EU produced parts and parts imported in to the EU.
- Imported parts in to the EU cannot take advantage of the 6 month window
- **Parts and vehicles making use of the derogations will need to notify the appropriate Member State if their “Stockpiles” exceed 50kg of PFOA.**
 - Member States may have a different approach to these Stockpiles – some apply nationally (i.e. the 50kg limit applies to the country) and some apply federally (i.e. the 50kg limit would apply to the specific region / State within a country)

**The following definitions & assumptions are used in this document
(based on the definitions in the EC document “Implementation of
Article 4(2) of the POPs Regulation”)**

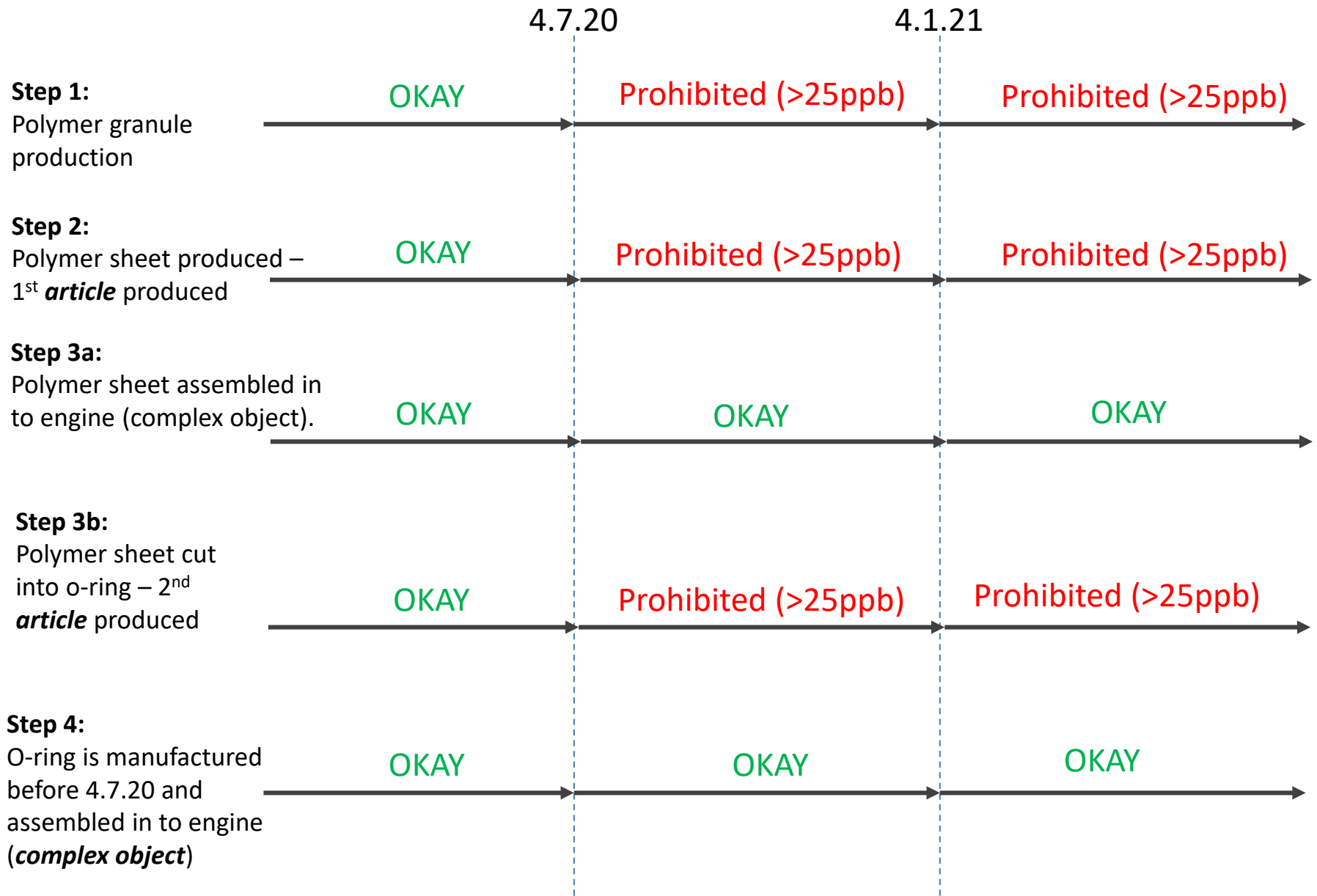
- “In use” – includes “processing, formulation, consumption, storage, keeping, treatment, filling into containers, transfer from one container to another, mixing, production of an article or any other utilisation”
 - Therefore there is no difference between “Produced by” and “In use before” for an article.
- “Complex Objects” are an assembly of “Articles” and may include “mixtures”
- Only substances, mixtures and articles have the legal obligation to comply
 - “Complex Objects” comply if the articles and mixtures comply.
- Once an article, always an article
 - As soon as one article is produced, it is always an article
 - Several articles assembled together in to a component, make that component a “Complex Object”
 - If the article “undergoes a change of shape, surface or design”, it is then classified as a new article

For Parts Produced in the EU, Placing on the market is...



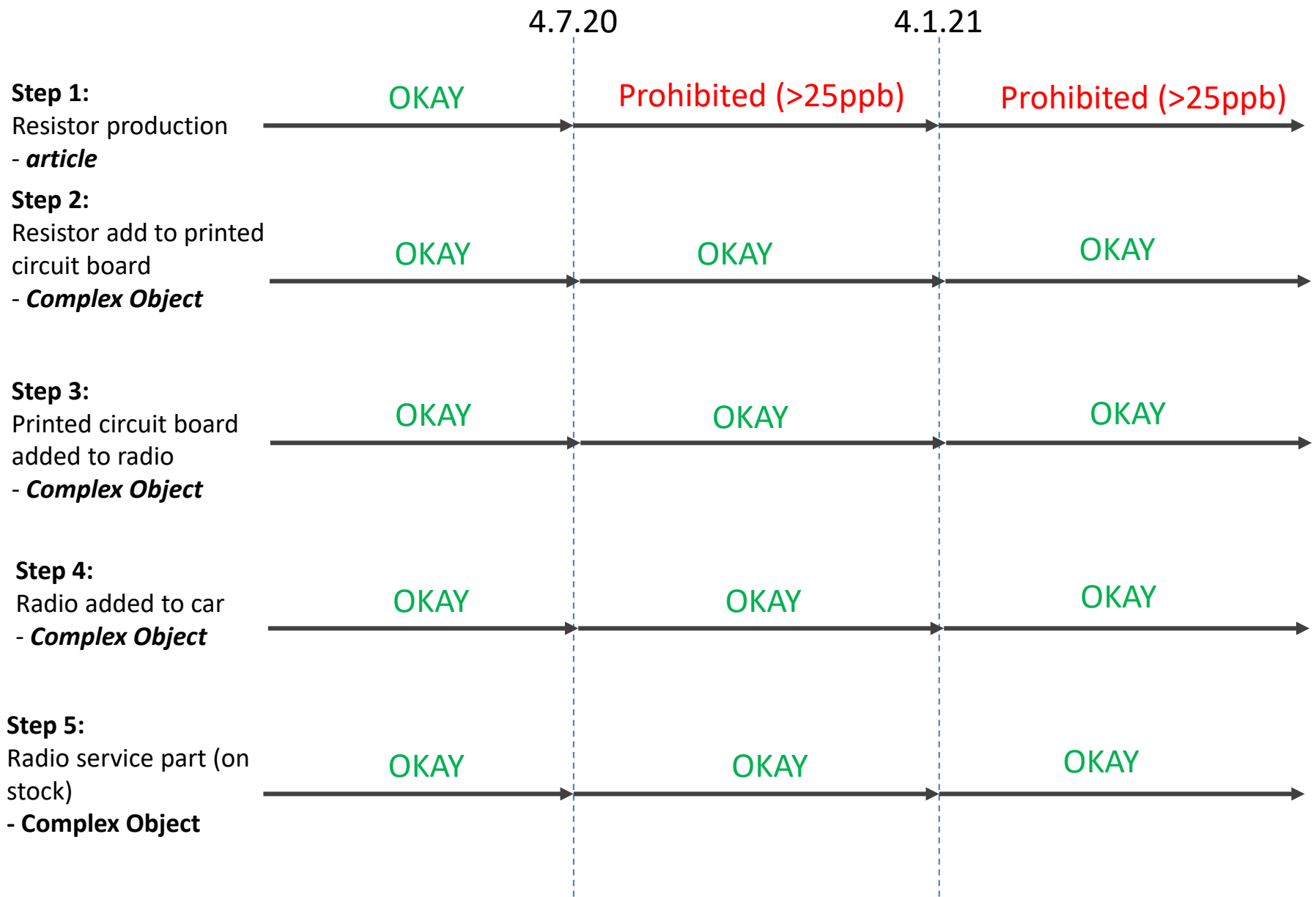
Automotive Example 1 – PFOA containing polymer

All EU Production - Placing on the market is...



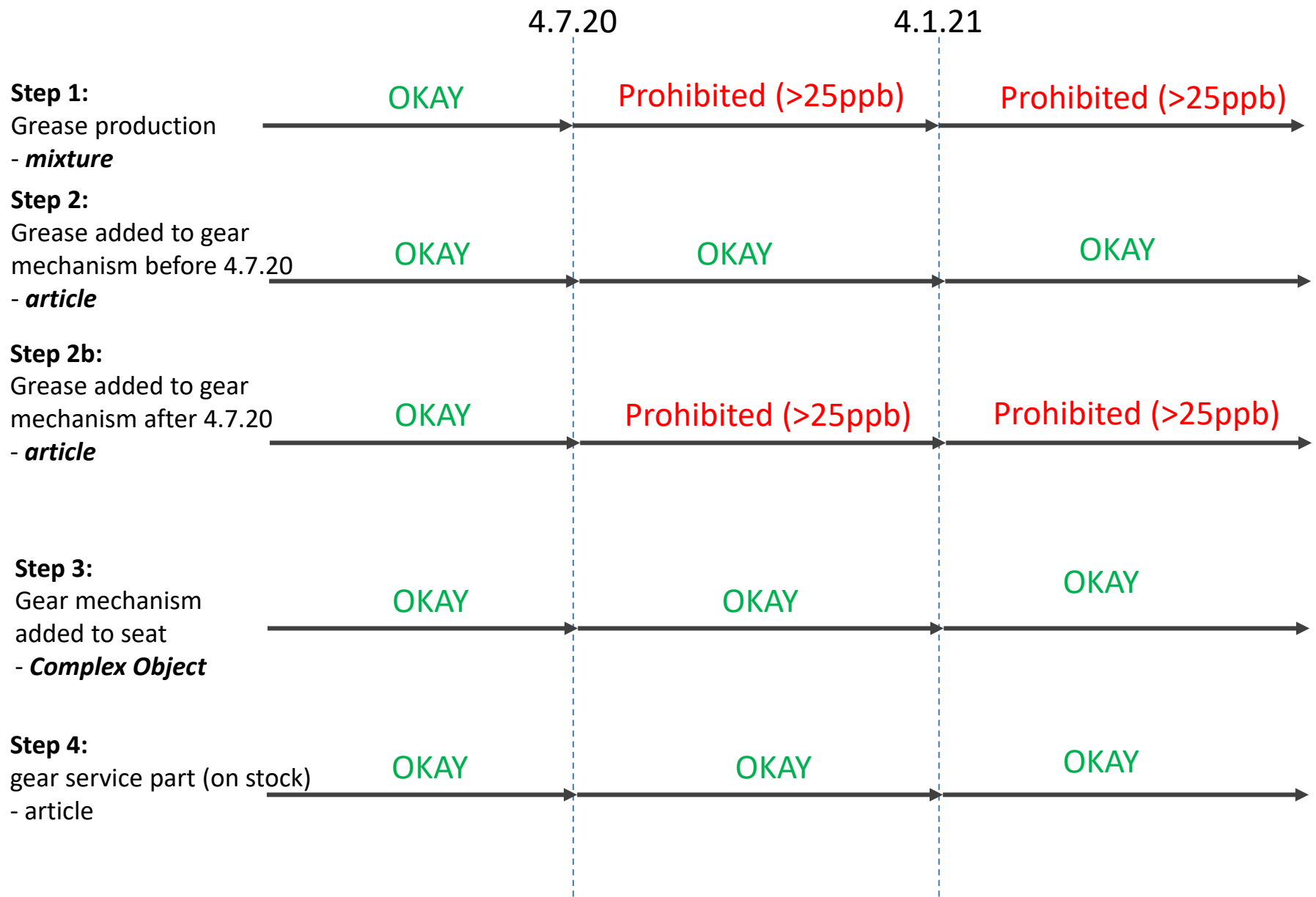
Automotive Example 2 – PFOA containing resistor

All EU Production - Placing on the market is...



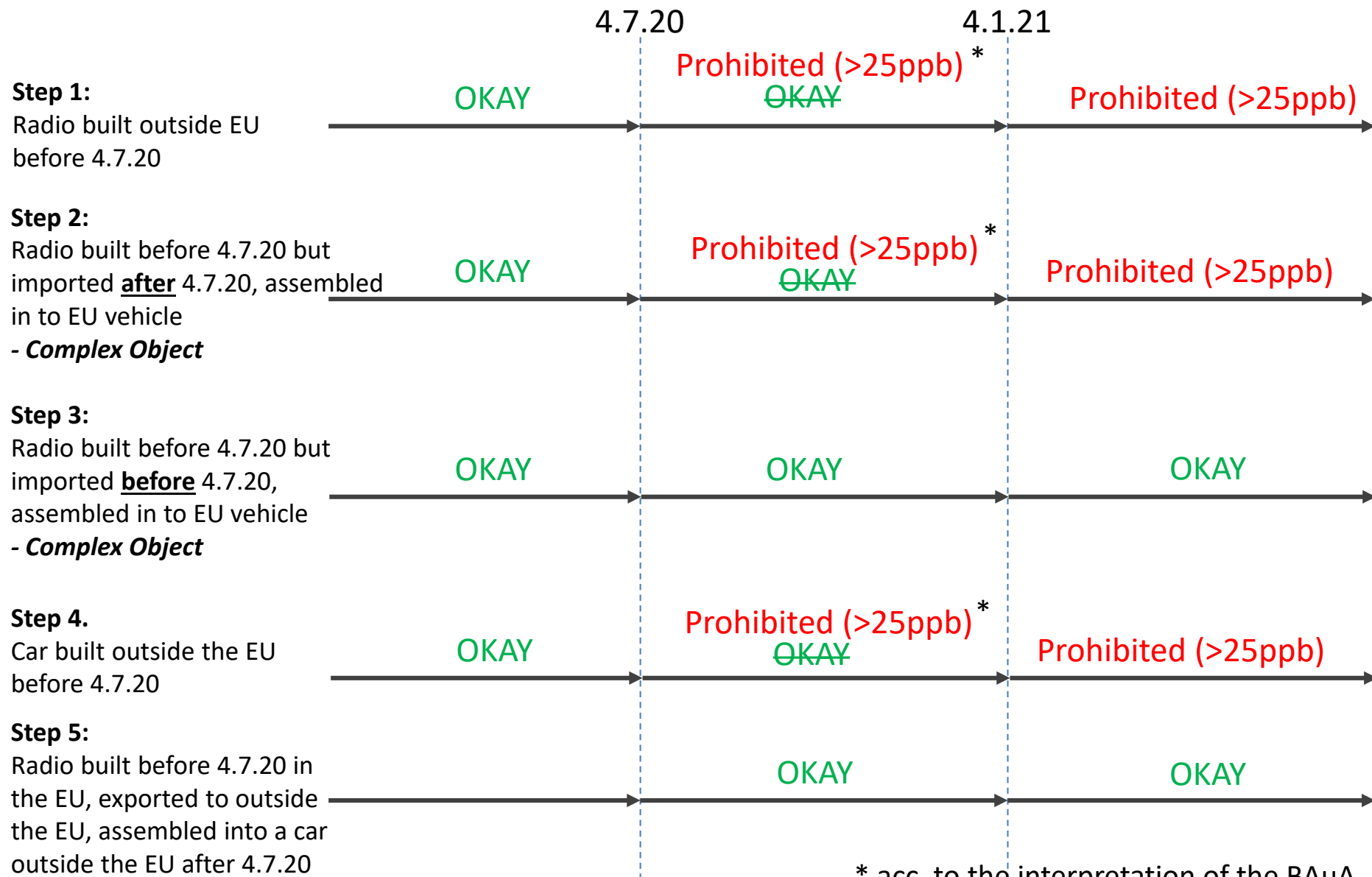
Automotive Example 3 – PFOA containing grease in seat

All EU Production - Placing on the market is...



Automotive Example 4

Imports in to the EU- Placing on the market is...



* acc. to the interpretation of the BAuA

Automotive Example 5 – Spare Parts

Imports in to the EU- Placing on the market is...

4.7.20

4.1.21

Step 1:

Service Part built outside EU
before 4.7.20 and enters the EU
after 4.7.20

OKAY

Prohibited (>25ppb) *

~~OKAY~~

Prohibited (>25ppb)

Step 2:

Service Part built outside EU
before 4.7.20 and enters the EU
before 4.7.20

OKAY

OKAY

OKAY

Step 3:

Service Part built outside
EU after 4.7.20

Prohibited (>25ppb)

Prohibited (>25ppb)

* according to the interpretation of the BAuA