

From: [REDACTED]
To: [REDACTED] (ENV)
Subject: RE: ?RE: ?RE: ?RE: Request to clarify scope in Commission Delegated Regulation (EU) 2020/784
Date: 06 July 2020 18:25:15
Attachments: [image001.jpg](#)
[image003.jpg](#)

Dear [REDACTED],

Thank you very much for looking into this and for keeping me informed. I really appreciate your help and responsiveness!

We will be monitoring the website "Have your say" for the opening of the public consultation period and plan to provide input.

Best regards,

[REDACTED]

From: [REDACTED]@ec.europa.eu [REDACTED]
Sent: Monday, July 6, 2020 11:53 AM
To: [REDACTED]>
Subject: ?RE: ?RE: ?RE: Request to clarify scope in Commission Delegated Regulation (EU) 2020/784

External email. Confirm links and attachments before opening.

Dear [REDACTED]

I have now received the view of ECHA on the exemption for the transported isolated intermediates for the production of C6 alternatives, and the wording of the C9-C14 PFCAs restriction appears to be the most appropriate. For this reason, we'll correct the wording of the POPs Regulation with our next amendment. There will be a public consultation on this amendment towards the end of July, on <https://ec.europa.eu/info/law/better-regulation/have-your-say>

Regards

[REDACTED]

From: [REDACTED]>
Sent: Saturday, July 4, 2020 12:04 AM
To: [REDACTED] (ENV) [REDACTED]>
Subject: RE: ?RE: ?RE: Request to clarify scope in Commission Delegated Regulation (EU) 2020/784

Dear [REDACTED]

Thank you very much for following up with me and for providing the additional context. Your help is very much appreciated.

Best regards,

From: [REDACTED] <[REDACTED]@ec.europa.eu>
Sent: Friday, July 3, 2020 11:18 AM
To: [REDACTED] <[REDACTED]@chemours.com>
Subject: ?RE: ?RE: Request to clarify scope in Commission Delegated Regulation (EU) 2020/784

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Dear [REDACTED],

On the point of the manufacture in the EU and possible export of non-compliant products, our lawyer confirmed the interpretation that we discussed.

On the different wording on the intermediate use exemption in PFOA and C9-C14 PFCAs, I'm still waiting for a clarification from ECHA.

On the interpretation of Art. 4(2), we published it today:
https://ec.europa.eu/environment/chemicals/international_conventions/index_en.htm
(under "Implementation measures").

Regards

From: [REDACTED] <[REDACTED]@chemours.com>
Sent: Friday, June 26, 2020 7:30 PM
To: [REDACTED] (ENV) [REDACTED]
Subject: RE: ?RE: Request to clarify scope in Commission Delegated Regulation (EU) 2020/784

Dear [REDACTED],

Thank you very much for checking and for responding so quickly.

Best regards,

From: [REDACTED] <[REDACTED]@ec.europa.eu>
Sent: Friday, June 26, 2020 11:53 AM
To: [REDACTED] <[REDACTED]@chemours.com>
Subject: ?RE: Request to clarify scope in Commission Delegated Regulation (EU) 2020/784

External email. Confirm links and attachments before opening.

Now I see that there was no mistake in the legal drafting because we copied exactly the same wording of the PFOA restriction. The wording of the C9-C14 PFCAs proposal is indeed different (but this proposal has not yet been translated into a legal text). I've asked ECHA for a clarification on the reason for the difference and I'll come back to you as soon as I receive a reply.

Regards

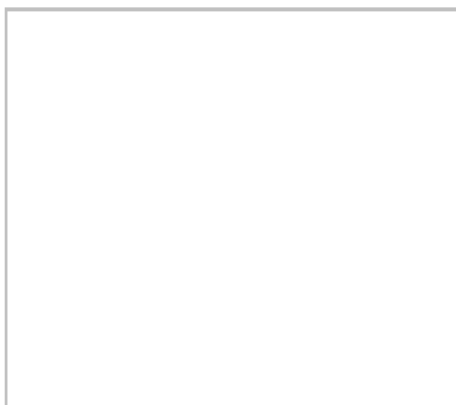
From: [REDACTED] <[\[REDACTED\]@chemours.com](mailto:[REDACTED]@chemours.com)>
Sent: Friday, June 26, 2020 5:02 PM
To: [REDACTED] (ENV) [REDACTED]
Subject: Request to clarify scope in Commission Delegated Regulation (EU) 2020/784

Dear [REDACTED],

Thank you very much for discussing with me earlier today. As promised, I am sending a comparison of text used in the delegated regulation and in the proposed (by SEAC) restriction language for C9-C14 PFCAs.

Text from specific exemption on intermediate use of other specification" No. 3 in Commission Delegated Regulation (EU) 2020/784: *"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."*

Text from Conditions of the C9-C14 PFCAs restriction as proposed by SEAC:



The language in 4. (a) is much clearer as it specifies “....of fluorochemicals with a **perfluoro** carbon chain length equal to or shorter than 6 atoms;”.

I would very much appreciate if you could clarify if the word addition “perfluoro” the POPs regulation (2020/784) exemption No. 3 is permissible so that the text would read “*...of fluorochemicals with a perfluoro carbon chain equal to or shorter than 6 atoms*”.

Thank you very much for your consideration.

Best regards,



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