



Brussels, **XXX**  
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ANNEX

**ANNEX**

**to the**

**COMMISSION REGULATION (EU) .../...  
of **XXX****

**amending Annex XVII to Regulation (EC) No 1907/2006 of the European Parliament  
and of the Council as regards perfluorocarboxylic acids containing 9 to 14 carbon atoms  
in the chain (C9-C14 PFCAs), their salts and related substances**

## ANNEX

In Annex XVII, entry 68 is replaced by the following:

<p>‘XX. Linear and branched perfluorocarboxylic acids of the formula <math>C_nF_{2n+1}-C(=O)OH</math> where <math>n=8, 9, 10, 11, 12,</math> or <math>13</math> (C9-C14 PFCAs), including their salts, and any combinations thereof;</p> <p>Any C9-C14 PFCA-related substance having a perfluoro group with the formula <math>C_nF_{2n+1}-</math> directly attached to another carbon atom, where <math>n=8, 9, 10, 11, 12,</math> or <math>13,</math> including any combinations thereof;</p> <p>Any C9-C14 PFCA-related substance having a perfluoro group with the formula <math>C_nF_{2n+1}-</math> that it is not directly attached to another carbon atom, where <math>n= 9, 10, 11, 12, 13</math> or <math>14</math> as one of the structural elements, including any combinations thereof.</p> <p>The following substances are excluded from this designation</p> <ul style="list-style-type: none"><li>• <math>C_nF_{2n+1}-X,</math> where <math>X= F, Cl,</math> or <math>Br</math> where <math>n=9, 10, 11, 12, 13</math> or <math>14,</math> including any combinations thereof;</li><li>• <math>C_nF_{2n+1}-C(=O)OX'</math> where <math>n&gt;13</math> and <math>X'</math>=any group, including salts.</li></ul>	<ol style="list-style-type: none"><li>1. Shall not be manufactured, or placed on the market as substances on their own from [date-18 months after date of entry into force].</li><li>2. Shall not, from [date-18 months from entry into force], be used in, or placed on the market in:<ol style="list-style-type: none"><li>(a) another substance, as a constituent;</li><li>(b) a mixture;</li><li>(c) an article,</li></ol>except if the concentration in the substance, the mixture, or the article is below 25 ppb for the sum of C9-C14 PFCAs and their salts or 260 ppb for the sum of C9-C14 PFCA-related substances.</li><li>3. Paragraphs 1 and 2 shall not apply to:<ol style="list-style-type: none"><li>(a) the manufacture of a substance where this occurs as an unavoidable by-product of the manufacture of fluorochemicals with a perfluoro carbon chain equal to or shorter than 6 atoms;</li><li>(b) a substance that is to be used, or is used as a transported isolated intermediate, provided that the conditions in points (a) to (f) of Article 18(4) of this Regulation are met;</li></ol></li><li>4. Paragraph 2 shall apply from 4 July 2023 to :<ol style="list-style-type: none"><li>(i) textiles for oil- and water-repellency for the protection of workers from dangerous liquids that comprise risks to their health and safety;</li><li>(ii) the manufacture of polytetrafluoroethylene (PTFE) and polyvinylidene fluoride (PVDF) for the production of :<ul style="list-style-type: none"><li>- high performance, corrosion resistant gas filter membranes, water filter membranes and membranes for medical textiles;</li><li>- industrial waste heat exchanger equipment;</li><li>- industrial sealants capable of preventing leakage of volatile organic compounds and PM 2.5 particulates</li></ul></li></ol></li><li>5. By way of derogation to paragraph 2, the use of</li></ol>
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C9-C14 PFCAs, their salts and related substances shall be allowed until 4 July 2025 for

(i) photolithography or etch processes in semiconductor manufacturing;

(ii) photographic coatings applied to films;

(iii) invasive and implantable medical devices;

(iv) fire-fighting foam for liquid fuel vapour suppression and liquid fuel fire (Class B fires) already installed in systems, including both mobile and fixed systems, subject to the following conditions:

- fire-fighting foam that contains or may contain C9-C14 PFCAs, its salts and related substances shall not be used for training;
- fire-fighting foam that contains or may contain C9-C14 PFCAs, its salts and related substances shall not be used for testing unless all releases are contained;
- from 1 January 2023, uses of fire-fighting foam that contains or may contain C9-C14 PFCAs, its salts and related substances shall only be allowed to sites where all releases can be contained;
- fire-fighting foam stockpiles that contain or may contain C9-C14 PFCAs, its salts and related substances shall be managed in accordance with Article 5 of Regulation (EU) 2019/1021.

6. Paragraph 2(c) shall not apply to articles placed on the market before [date-18 months after date of entry into force].

7. Paragraph 2 shall not apply to the can coating for pressurised metered-dose inhalers until [date-seven years after the entry into force].

8. Paragraph 2 (c) shall apply from 31 December 2023 to:

	<p>(a) semiconductors on their own;  (b) semiconductors incorporated in semi-finished and finished electronic equipment.</p> <p>9. Paragraph 2(c) shall apply from 31 December 2030 to semiconductors used in spare or replacement parts for finished electronic equipment placed on the market before 31 December 2023.</p> <p>10. Until [date- 36 months after the entry into force of the restriction], the concentration limit referred to in paragraph 2 shall be 2000 ppb for the sum of C9-C14 PFCAs in fluoropolymers that contain perfluoropropoxy-groups or perfluoromethoxy-groups and are used in the following product groups: PTFE fine powders, fluoroelastomers and aqueous dispersions. From [date-36 months after the entry into force of the restriction], the concentration limit shall be 400 ppb for the sum of C9-C14 PFCAs. This derogation shall not apply to articles as referred to in paragraph 2(c).</p> <p>[Placeholder: 2 additional derogations cf recital (11)]</p> <p>11. For the purposes of this entry, C9-C14 PFCA-related substances are substances that, based on their molecular structure, are considered to have the potential to degrade or be transformed to C9-C14 PFCAs.’</p>