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To:	Ms Thérèse BLANCHET, Secretary-General of the Council of the European Union
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Subject:	COMMISSION DELEGATED REGULATION (EU) .../... of 7.9.2026 amending Regulation (EU) 2019/1021 of the European Parliament and of the Council as regards long-chain perfluorocarboxylic acids, their salts and related compounds

Delegations will find attached document C(2026) 6059 final.

Encl.: C(2026) 6059 final



EUROPEAN
COMMISSION

Brussels, 7.9.2026
C(2026) 6059 final

COMMISSION DELEGATED REGULATION (EU) .../...

of 7.9.2026

amending Regulation (EU) 2019/1021 of the European Parliament and of the Council as regards long-chain perfluorocarboxylic acids, their salts and related compounds

(Text with EEA relevance)

EXPLANATORY MEMORANDUM

1. CONTEXT OF THE DELEGATED ACT

The objective of Regulation (EU) 2019/1021 is to protect human health and the environment from persistent organic pollutants ('POPs') by prohibiting, phasing out as soon as possible, or restricting the manufacturing, placing on the market and use of substances subject to the Stockholm Convention on POPs ('the Convention'). At the twelfth meeting of the Conference of the Parties to the Stockholm Convention, which took place in Geneva, Switzerland from 28 April to 9 May 2025, it was decided to include long-chain perfluorocarboxylic acids, their salts and related compounds in Annex A to the Convention with certain specific exemptions. This decision should be reflected in Annex I to Regulation (EU) 2019/1021.

This delegated act implements decision SC-12/12 to list perfluorocarboxylic acids (C₉-C₂₁ PFCAs), their salts and related compounds in Annex A, in accordance with Article 15(1) of Regulation (EU) 2019/1021.

A subgroup of C₉-C₂₁ PFCAs (C₉-C₁₄ PFCAs) is already restricted in the EU under Regulation (EU) 1907/2006 (REACH), in entry 68 of Annex XVII. It is proposed to include in Annex I to the POPs Regulation the group of C₉-C₂₁ PFCAs, as covered in the listing in the Convention, which also covers the subgroup already restricted in entry 68 of Annex XVII to REACH. The exemptions included in entry 68 of Annex XVII have expired, except the exemption for can coating for pressurised metered-dose inhalers, granted in entry 68 until 25 August 2028, and the exemption for semiconductors used in replacement parts for finished electronic equipment placed on the market before 31 December 2023, which is granted in entry 68 until 31 December 2030. The exemption for can coating for pressurised metered-dose inhalers is no longer needed, as confirmed by the relevant stakeholder. It is proposed to include in Annex I to the POPs Regulation the exemption for finished electronic equipment until 31 December 2030.

Concerning the Unintentional Trace Contaminant (UTC) limits, it is proposed to use the concentration limits specified in entry 68 for C₉-C₁₄ PFCAs and to set temporary higher limits for C₁₅-C₂₁ PFCAs, as detailed below.

2. CONSULTATIONS PRIOR TO THE ADOPTION OF THE ACT

Experts designated by each Member State were consulted in the relevant expert group (the 'POPs CA meeting') on the draft delegated act and comments were taken into account.

Relevant stakeholders, including the chemicals industry and the civil society, also took part in the discussions on the listing of long-chain perfluorocarboxylic acids, their salts and related compounds in Annex I to the POPs Regulation in the 'POPs CA meeting' and comments were taken into account.

A public consultation on the draft act was carried out through the public feedback mechanism portal from 21 November to 19 December 2025 and the comments have been taken into account as follows.

Several stakeholders commented that, while C₉-C₁₄ PFCAs are already regulated under entry 68 of Annex XVII, this is not the case for C₁₅-C₂₁ PFCAs. According to them, analytical standards for C₁₅, C₁₇, and C₁₉-C₂₁ PFCAs are not currently available and only a semi-quantitative analysis is currently possible for these compounds. This is especially relevant for some mixtures and articles that can contain these compounds as impurities. To address these comments, the Commission proposes to temporarily set separate UTCs for C₉-C₁₄ and C₁₅-C₂₁ PFCAs for fluoroplastics and fluoroelastomers that contain perfluoroalkoxy groups and polytetrafluoroethylene (PTFE) micropowders. According to the information provided by stakeholders, the current manufacturing processes and residual reduction technologies can limit the concentration of C₁₅-C₂₁ PFCAs to 15 ppm for these products. The Commission proposes to have a separate UTC of 15 ppm for C₁₅-C₂₁, for a period of 4 years, both for fluoroplastics and fluoroelastomers and for PTFE micropowders. This will give time to manufacturers to reduce the concentration of C₁₅-C₂₁ in the products containing these substances as impurities. After this period, a single UTC limit, aligned with the current limit for C₉-C₁₄ PFCAs, would apply for C₉-C₂₁ PFCAs. The Commission also proposes to apply these specific UTC limits not only to the presence of C₉-C₂₁ PFCAs in substances and in mixtures, but also to their presence in articles, both for fluoroplastics and fluoroelastomers and for PTFE micropowders.

A stakeholder commented that a specific UTC limit should be set also for C₉-C₂₁ PFCAs in fire-fighting foams, as done for PFOA, its salts and PFOA-related compounds, as also C₉-C₂₁ PFCAs can be unintentionally present in fire-fighting foams at levels above the general UTC limit. The Commission proposes to introduce two specific UTC limits (1 ppm for the sum of C₉-C₂₁ PFCAs and 10 ppm for the related compounds), with the same deadline of PFOA (3 August 2028). When removing foams containing C₉-C₂₁ PFCAs, their salts and C₉-C₂₁ PFCAs related compounds from the fire-fighting systems, some of these substances can remain inside the system even after it has been cleaned and could contaminate the new foams that are installed. Similarly to what done for PFOA, its salts and PFOA-related compounds, the Commission proposes to set a UTC limit for C₉-C₂₁ PFCAs, their salts and C₉-C₂₁ PFCAs related compounds in fluorine-free fire-fighting foams installed after cleaning of the fire-fighting system. That limit should be set at 10 mg/kg for the sum of C₉-C₂₁ PFCAs, their salts and C₉-C₂₁ PFCAs related compounds.

The Commission proposes to add the exclusion of PFOA-related compounds, that could also be C₉-C₂₁ PFCAs related compounds, to the left column, as they are already covered by the entry in the Annex I to the POPs Regulation for PFOA, its salts and PFOA-related compounds.

Some stakeholders asked to include the exemptions in the Stockholm Convention decision for semiconductors used in spare parts. Entry 68 of Annex XVII to REACH for C₉-C₁₄ PFCAs only includes an exemption for semiconductors in spare parts for electronic equipment, until 31 December 2030. This is because one of these PFCAs was intentionally used in semiconductors manufacturing, until 2023. For C₁₅-C₂₁, there is no information available on their use in the production of semiconductors in the EU. The Commission proposes to add a

specific exemption to cover the possible intentional use of C₁₅-C₂₁ in semiconductors in spare parts outside of the EU and the presence in imported articles.

Comments requesting specific exemptions or transitional periods for the presence of C₉-C₂₁ PFCAs in articles as impurities are addressed by setting the specific UTC limits. Some stakeholders asked to provide an exhaustive list of CAS numbers for substances covered by the entry in Annex 1. An exhaustive list cannot be provided because technical developments could lead to the identification of additional C₉-C₂₁ PFCAs related compounds identified by other CAS numbers. The Secretariat of the Convention prepares and regularly updates a non-exhaustive list. A stakeholder commented that there is a risk of double regulation, because of the existing entry 68 in Annex XVII to REACH covering C₉-C₁₄ PFCAs. As done in the past for PFOA, its salts and PFOA-related compounds, the Commission will start the procedure for removing entry 68 from Annex XVII as soon as this delegated act is adopted.

3. LEGAL ELEMENTS OF THE DELEGATED ACT

The delegated act amends the list of chemicals in Annex I on the basis of developments under the Convention, as required by Article 15(1) of Regulation (EU) 2019/1021. The legal basis for the delegated act is Article 15(1) of Regulation (EU) 2019/1021.

COMMISSION DELEGATED REGULATION (EU) .../...

of 7.9.2026

amending Regulation (EU) 2019/1021 of the European Parliament and of the Council as regards long-chain perfluorocarboxylic acids, their salts and related compounds

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) 2019/1021 of the European Parliament and of the Council of 20 June 2019 on persistent organic pollutants¹, and in particular Article 15(1) thereof,

Whereas:

- (1) Regulation (EU) 2019/1021 implements the commitments of the Union under the Stockholm Convention on Persistent Organic Pollutants² ('the Convention') and under the Protocol to the 1979 Convention on Long Range Transboundary Air Pollution on Persistent Organic Pollutants³ ('the Protocol').
- (2) Annex A to the Convention contains a list of chemicals. Each Party to the Convention is required to prohibit the chemicals on the list or take the legal and administrative measures necessary to eliminate their production, use, import and export.
- (3) The Conference of the Parties to the Convention has, pursuant to Article 8(9) of the Convention, decided in its twelfth meeting held from 28 April to 9 May 2025 to amend Annex A to the Convention to include long chain perfluorocarboxylic acids, their salts and related compounds in that Annex with specific exemptions. The Union supported the inclusion of long chain perfluorocarboxylic acids, their salts and related compounds in Annex A with specific exemptions as stipulated in Council Decision (EU) 2025/868⁴.
- (4) Part A of Annex I to Regulation (EU) 2019/1021, which contains a list of the substances listed in the Convention and in the Protocol as well as substances listed only in the Convention, should therefore also be amended to include long chain perfluorocarboxylic acids, their salts and related compounds.

¹ OJ L 169, 25.6.2019, p. 45, ELI: <http://data.europa.eu/eli/reg/2019/1021/oj>.

² (OJ L 209, 31.7.2006, p. 1, ELI: <http://data.europa.eu/eli/dec/2006/507/oj>).

³ (OJ L 81, 19.3.2004, p. 35, ELI: <http://data.europa.eu/eli/dec/2004/259/oj>).

⁴ Council Decision (EU) 2025/868 of 23 April 2025 on the position to be taken on behalf of the European Union at the twelfth meeting of the Conference of the Parties to the Stockholm Convention on Persistent Organic Pollutants as regards the requests for extension of specific exemptions and the proposals for amendments of Annex A to that Convention (OJ L, 2025/868, 12.5.2025, ELI: <http://data.europa.eu/eli/dec/2025/868/oj>).

- (5) A group of long chain perfluorocarboxylic acids, their salts and related compounds (C₉-C₁₄ PFCAs) is listed in entry 68 of Annex XVII to Regulation (EC) No 1907/2006 of the European Parliament and of the Council⁵, subject to certain derogations, some of which already expired. Annex A to the Convention includes the broader group of C₉-C₂₁ PFCAs.
- (6) The derogation for the use of C₉-C₁₄ PFCAs in can coating for pressurised metered-dose inhalers laid down in entry 68 is no longer needed, as confirmed by the relevant stakeholder. The derogation for the use of C₉-C₁₄ PFCAs in semiconductors used in spare parts for finished electronic equipment granted in entry 68 until 31 December 2030 for finished electronic equipment placed on the market before 31 December 2023 is however still needed in the Union and should therefore be included in Part A of Annex I to Regulation (EU) 2019/1021. The Convention includes a specific exemption for C₉-C₂₁ PFCAs in semiconductors used in spare parts. The group of C₁₅-C₂₁ PFCAs is not yet regulated in the Union and no information is available on their presence in semiconductors. Therefore, Annex I to Regulation (EU) 2019/1021 should include an exemption for C₁₅-C₂₁ PFCAs, their salts and related compounds in semiconductors used in spare parts, provided that they were initially used in the production of the semiconductor to be replaced or repaired by the spare part.
- (7) To reinforce the application and enforcement of Article 3(1) of Regulation (EU) 2019/1021 in the Union, a limit value should be set for long chain perfluorocarboxylic acids, their salts and related compounds occurring as unintentional trace contaminants in substances, mixtures and articles. Such limit value should be set to 0,025 mg/kg for the sum of C₁₅-C₂₁ PFCAs and their salts and 0,26 mg/kg for the sum of C₁₅-C₂₁ PFCAs related compounds, in line with limits set out in entry 68 of Annex XVII to Regulation (EC) No 1907/2006. Entry 68 also sets out specific limit values for C₉-C₁₄ PFCAs where they are present in fluoroplastics and fluoroelastomers that contain perfluoroalkoxy groups and in polytetrafluoroethylene micropowders. To allow development of appropriate analytical methods and of technologies to remove the unintentional presence of those compounds from products, separate limits for the presence of C₉-C₁₄ and C₁₅-C₂₁ PFCAs as unintentional trace contaminants in fluoroplastics and fluoroelastomers that contain perfluoroalkoxy groups and in polytetrafluoroethylene micropowders should be set and be valid until 16 December 2030. After that date, the specific limit value for C₉-C₁₄ PFCAs should apply to the whole group of C₉-C₂₁ PFCAs.
- (8) Specific unintentional trace contaminant limit values should be set also for C₉-C₂₁ PFCAs in fire-fighting foams, as done in the entry in Annex I to Regulation (EU) 2019/1021 for PFOA, its salts and PFOA-related compounds. Limit values of 1 mg/kg for the sum of C₉-C₂₁ PFCAs or any of their salts and of 10 mg/kg for the sum of C₉-

⁵ Regulation (EC) No 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH), establishing a European Chemicals Agency, amending Directive 1999/45/EC and repealing Council Regulation (EEC) No 793/93 and Commission Regulation (EC) No 1488/94 as well as Council Directive 76/769/EEC and Commission Directives 91/155/EEC, 93/67/EEC, 93/105/EC and 2000/21/EC (OJ L 396, 30.12.2006, p. 1, ELI: <http://data.europa.eu/eli/reg/2006/1907/oj>).

C₂₁ PFCAs related compounds in fire-fighting foam for liquid fuel vapour suppression and liquid fuel fire (Class B fires) already installed in systems should therefore be set and be valid until 3 August 2028. That period of time will allow operators sufficient time to substitute foams containing C₉-C₂₁ PFCAs or any of its salts and C₉-C₂₁ PFCAs-related compounds above the general unintentional trace contaminant limit values. When removing foams containing C₉-C₂₁ PFCAs, their salts and C₉-C₂₁ PFCAs related compounds from the fire-fighting systems, some of those substances can remain inside the system even after it has been cleaned and could contaminate the new foams that are installed. Similarly to what applies for PFOA, its salts and PFOA-related compounds, a limit value of 10 mg/kg should be set for the sum of C₉-C₂₁ PFCAs, their salts and C₉-C₂₁ PFCAs related compounds in fluorine-free fire-fighting foams installed after cleaning of the fire-fighting system.

- (9) Regulation (EU) 2019/1021 should therefore be amended accordingly.
- (10) In order for the amendment to Part A of Annex I to Regulation (EU) 2019/1021 to apply at the same time as the entry into force of the amendment of the Convention for the Union, the date of application of this Regulation should be deferred,

HAS ADOPTED THIS REGULATION:

Article 1

Annex I to Regulation (EU) 2019/1021 is amended in accordance with the Annex to this Regulation.

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 16 December 2026.

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

Done at Brussels, 7.9.2026

For the Commission
The President
Ursula VON DER LEYEN