EUROPEAN COMMISSION

COMMISSION IMPLEMENTING DECISION

of 26 August 2021

correcting Implementing Decision (EU) 2020/2182 laying down the final import response on behalf of the Union concerning the future import of certain chemicals pursuant to Regulation (EU) No 649/2012 of the European Parliament and of the Council

(2021/C 348 I/02)

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 649/2012 of the European Parliament and of the Council of 4 July 2012 concerning the export and import of hazardous chemicals ([1]), and in particular the second and third subparagraphs of Article 13(1) thereof,

After consulting the Committee established by Article 133 of 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 ([2]),

Whereas:

(1) Verification has revealed two errors in Commission Implementing Decision (EU) 2020/2182 ([3]), which also amended the Annex to Commission Implementing Decision of 15 May 2014 ([4]).

(2) Commission Implementing Decision of 15 May 2014 contained only one Annex. Article 2 of Implementing Decision (EU) 2020/2182 mistakenly refers to Annex II to the Implementing Decision of 15 May 2014.

(3) The import response for azinphos-methyl set out in the Annex to Commission Implementing Decision of 15 May 2014 was mistakenly not included in Annex II to Implementing Decision (EU) 2020/2182 and thus deleted from the Annex to Commission Implementing Decision of 15 May 2014. There was no intention to delete the import response for azinphos-methyl from the Annex to that Implementing Decision and it should therefore be reinserted into that Annex.

(4) Implementing Decision (EU) 2020/2182 should therefore be corrected accordingly.

(5) As Implementing Decision (EU) 2020/2182 applies from 18 December 2020, the correction thereof should also apply from that date, as there should be no doubt on the continued and uninterrupted validity of the import response for azinphos-methyl,

([1]) OJ L 201, 27.7.2012, p. 60.
([2]) OJ L 396, 30.12.2006, p. 1.
([3]) Commission Implementing Decision (EU) 2020/2182 of 18 December 2020 laying down the final import response on behalf of the Union concerning the future import of certain chemicals pursuant to Regulation (EU) No 649/2012 of the European Parliament and of the Council and amending the Commission Implementing Decision of 15 May 2014 adopting Union import decisions for certain chemicals pursuant to that Regulation (OJ L 433, 22.12.2020, p. 55).
([4]) Commission Implementing Decision of 15 May 2014 adopting Union import decisions for certain chemicals pursuant to Regulation (EU) No 649/2012 of the European Parliament and of the Council (OJ C 152, 20.5.2014, p. 2).

HAS DECIDED AS FOLLOWS:

Article 1

Article 2 of Commission Implementing Decision (EU) 2020/2182 is replaced by the following:

'The Annex to Commission Implementing Decision of 15 May 2014 adopting Union import decisions for certain chemicals pursuant to Regulation (EU) No 649/2012 is replaced by Annex II to this Decision.'

Article 2

Annex II to Commission Implementing Decision (EU) 2020/2182 is replaced by the Annex to this Decision.

Article 3

This Decision shall apply from 18 December 2020.

Done at Brussels, 26 August 2021.

For the Commission
Virginijus SINKEVIČIUS
Member of the Commission

ANNEX

'ANNEX II

Import response for azinphos-methyl

ROTTERDAM CONVENTION

SECRETARIAT FOR THE ROTTERDAM CONVENTION
ON THE PRIOR INFORMED CONSENT PROCEDURE
FOR CERTAIN HAZARDOUS CHEMICALS AND PESTICIDES
IN INTERNATIONAL TRADE

UNEP

FORM FOR IMPORT RESPONSE

Country:	**European Union** (Member States: Austria, Belgium, Bulgaria, Croatia, Cyprus, Czechia, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden) United Kingdom - The United Kingdom withdrew from the European Union as of 1 February 2020. During the transition period, which ends on 31 December 2020, unless extended, Union law, with a few limited exceptions, continues to be applicable to and in the United Kingdom and any reference to Member States in Union law shall be understood as including the United Kingdom.

SECTION 1 IDENTITY OF CHEMICAL

1.1	**Common name**	Azinphos-methyl
1.2	**CAS number**	86-50-0

1.3 **Category**

☒ Pesticide

☐ Industrial

☐ Severely hazardous pesticide formulation

SECTION 2 INDICATION REGARDING PREVIOUS RESPONSE, IF ANY

2.1 ☒ This is a first time import response for this chemical in the country.

2.2 ☐ This is a modification of a previous response.

Date of issue of the previous response: ……

SECTION 3 **RESPONSE REGARDING FUTURE IMPORT**

☒ **Final decision (Fill in section 4 below)** **OR** ☐ **Interim response (Fill in section 5 below)**

SECTION 4 **FINAL DECISION, PURSUANT TO NATIONAL LEGISLATIVE OR ADMINISTRATIVE MEASURES**

4.1 ☒ **No consent to import**

Is the import of the chemical from all sources simultaneously prohibited? ☒ Yes ☐ No

Is domestic production of the chemical for domestic use simultaneously prohibited? ☒ Yes ☐ No

4.2 ☐ **Consent to import**

4.3 ☐ **Consent to import only subject to specified conditions**

The specified conditions are:

Are the conditions for import of the chemical the same for all sources of import? ☐ Yes ☐ No

Are the conditions for domestic production of the chemical for domestic use the same as for all imports? ☐ Yes ☐ No

4.4 **National legislative or administrative measure upon which the final decision is based**

Description of the national legislative or administrative measure:

It is prohibited to place on the market or use plant protection products containing azinphos-methyl, since this active substance is not approved under Regulation (EC) No 1107/2009 of the European Parliament and of the Council of 21 October 2009 concerning the placing of plant protection products on the market and repealing Council Directives 79/117/EEC and 91/414/EEC (OJ L 309, 24.11.2009, p. 1).

SECTION 5 **INTERIM RESPONSE**

5.1 ☐ **No consent to import**

Is the import of the chemical from all sources simultaneously prohibited? ☐ Yes ☐ No

Is domestic production of the chemical for domestic use simultaneously prohibited? ☐ Yes ☐ No

5.2 ☐ **Consent to import**

5.3 ☐ **Consent to import only subject to specified conditions**

The specified conditions are:

Are the conditions for import of the chemical the same for all sources of import? ☐ Yes ☐ No

Are the conditions for domestic production of the chemical for domestic use the same as for all imports? ☐ Yes ☐ No

5.4 **Indication of active consideration in order to reach a final decision**

Is a final decision under active consideration? ☐ Yes ☐ No

5.5 **Information or assistance requested in order to reach a final decision**

The following additional information is requested from the Secretariat:

The following additional information is requested from the country that notified the final regulatory action:

The following assistance is requested from the Secretariat in evaluating the chemical:

SECTION 6 RELEVANT ADDITIONAL INFORMATION, WHICH MAY INCLUDE:

Is this chemical currently registered in the country? ☐ Yes ☒ No

Is this chemical manufactured in the country? ☐ Yes ☐ No

If yes to either one of these questions:

Is this intended for domestic use? ☐ Yes ☐ No

Is this intended for export? ☐ Yes ☐ No

Other remarks

In accordance with Regulation (EC) No 1272/2008 of the European Parliament and of the Council of 16 December 2008 on classification, labelling and packaging of substances and mixtures, amending and repealing Directives 67/548/EEC and 1999/45/EC, and amending Regulation (EC) No 1907/2006 (OJ L 353, 31.12.2008, p. 1), which implements the UN Globally Harmonised System of Classification and Labelling of Chemicals in the EU, azinphos-methyl is classified as:

Acute Tox. 2* – H 300 - Fatal if swallowed.
Acute Tox. 2* – H 330 - Fatal if inhaled.
Acute Tox. 3* – H 311 – Toxic in contact with skin.
Skin Sens. 1 – H 317 - May cause an allergic skin reaction.
Aquatic Acute 1 – H 400 - Very toxic to aquatic life.
Aquatic Chronic 1 – H 410 - Very toxic to aquatic life with long lasting effects.
(* = This classification shall be considered as a minimum classification)

In accordance with Council Directive 67/548/EEC azinphos-methyl is classified as:
T+; R26/28 – Very toxic by inhalation and if swallowed.
T; R24 - Toxic in contact with skin.
R43 - May cause sensitization by skin contact.
N (dangerous for the environment); R50/53 - Very toxic to aquatic organisms, may cause long-term adverse effect in the aquatic environment.

SECTION 7	**DESIGNATED NATIONAL AUTHORITY**
Institution	European Commission, DG Environment
Address	Rue de la Loi/Wetstraat 200, 1049 Brussels, Belgium
Name of person in charge	Dr. Juergen Helbig
Position of person in charge	Principal Policy Officer
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Date, signature of DNA and official seal: _____

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Import response for commercial pentabromodiphenyl ether

ROTTERDAM CONVENTION

SECRETARIAT FOR THE ROTTERDAM CONVENTION
ON THE PRIOR INFORMED CONSENT PROCEDURE
FOR CERTAIN HAZARDOUS CHEMICALS AND PESTICIDES
IN INTERNATIONAL TRADE

UNEP

FORM FOR IMPORT RESPONSE

Country:

European Union
Member States: Austria, Belgium, Bulgaria, Croatia, Cyprus, Czechia, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden.

United Kingdom - The United Kingdom withdrew from the European Union as of 1 February 2020. During the transition period, which ends on 31 December 2020, unless extended, Union law, with a few limited exceptions, continues to be applicable to and in the United Kingdom and any reference to Member States in Union law shall be understood as including the United Kingdom.

SECTION 1 IDENTITY OF CHEMICAL

1.1	**Common name**	Commercial pentabromodiphenyl ether including: - Tetrabromodiphenyl ether - Pentabromodiphenyl ether
1.2	**CAS number**	40088-47-9 - Tetrabromodiphenyl ether 32534-81-9 - Pentabromodiphenyl ether

1.3 **Category**

☐ Pesticide

☒ Industrial

☐ Severely hazardous pesticide formulation

SECTION 2 INDICATION REGARDING PREVIOUS RESPONSE, IF ANY

2.1 ☐ This is a first time import response for this chemical in the country.

2.2 ☒ This is a modification of a previous response.

Date of issue of the previous response: …18 June 2014.....

SECTION 3 RESPONSE REGARDING FUTURE IMPORT

☒ **Final decision (Fill in section 4 below)** **OR** ☐ **Interim response (Fill in section 5 below)**

SECTION 4 FINAL DECISION, PURSUANT TO NATIONAL LEGISLATIVE OR ADMINISTRATIVE MEASURES

4.1 ☐ **No consent to import**

Is the import of the chemical from all sources simultaneously prohibited? ☒ Yes ☐ No

Is domestic production of the chemical for domestic use simultaneously prohibited? ☒ Yes ☐ No

4.2 ☐ **Consent to import**

4.3 ☒ **Consent to import only subject to specified conditions**

The specified conditions are:

Pursuant to Regulation (EU) 2019/1021 of the European Parliament and of the Council of 20 June 2019 on persistent organic pollutants (OJ L 169, 25.6.2019, p. 45), the placing on the market and use of commercial pentabromodiphenyl ether is only allowed in accordance with Directive 2011/65/EU of the European Parliament and of the Council of 8 June 2011 on the restriction of the use of certain hazardous substances in electrical and electronic equipment (OJ L 174, 1.7.2011, p. 88), where the following provisions apply:

The import of commercial pentabromodiphenyl ether is only allowed for placing on the market and use in cables or spare parts for the repair, the reuse, the updating of functionalities or upgrading of capacity of the following:

(a) electrical and electronic equipment (EEE) placed on the market before 1 July 2006;

(b) medical devices placed on the market before 22 July 2014;

(c) in vitro diagnostic medical devices placed on the market before 22 July 2016;

(d) monitoring and control instruments placed on the market before 22 July 2014;

(e) industrial monitoring and control instruments placed on the market before 22 July 2017;

(f) all other EEE that was outside the scope of Directive 2002/95/EC of the European Parliament and of the Council (OJ L 37, 13.2.2003, p. 19) and which is placed on the market before 22 July 2019;

(g) EEE which benefited from an exemption and which was placed on the market before that exemption expired as far as that specific exemption is concerned.

Spare parts are defined as a separate part of an EEE that can replace a part of an EEE. The EEE cannot function as intended without that part of the EEE. The functionality of EEE is restored or is upgraded when the part is replaced by a spare part.

Are the conditions for import of the chemical the same for all sources of import? ☒ Yes ☐ No

Are the conditions for domestic production of the chemical for domestic use the same as for all imports? ☒ Yes ☐ No

4.4 **National legislative or administrative measure upon which the final decision is based**

Description of the national legislative or administrative measure:

In the Union, the manufacturing, placing on the market and use of tetrabromodiphenyl ether and pentabromodiphenyl ether are, subject to certain exemptions, prohibited pursuant to Regulation (EU) 2019/1021 of the European Parliament and of the Council of 20 June 2019 on persistent organic pollutants (OJ L 169, 25.6.2019, p. 45).

SECTION 5 INTERIM RESPONSE

5.1 ☐ **No consent to import**

Is the import of the chemical from all sources simultaneously prohibited? ☐ Yes ☐ No

Is domestic production of the chemical for domestic use simultaneously prohibited? ☐ Yes ☐ No

5.2 ☐ **Consent to import**

5.3 ☐ **Consent to import only subject to specified conditions**

The specified conditions are:

Are the conditions for import of the chemical the same for all sources of import? ☐ Yes ☐ No

Are the conditions for domestic production of the chemical for domestic use the same as for all imports? ☐ Yes ☐ No

5.4 **Indication of active consideration in order to reach a final decision**

Is a final decision under active consideration? ☐ Yes ☐ No

5.5 **Information or assistance requested in order to reach a final decision**

The following additional information is requested from the Secretariat:

The following additional information is requested from the country that notified the final regulatory action:

The following assistance is requested from the Secretariat in evaluating the chemical:

SECTION 6 RELEVANT ADDITIONAL INFORMATION, WHICH MAY INCLUDE:

Is this chemical currently registered in the country?	☐ Yes	☒ No
Is this chemical manufactured in the country?	☐ Yes	☒ No

If yes to either one of these questions:

Is this intended for domestic use?	☐ Yes	☐ No
Is this intended for export?	☐ Yes	☐ No

Other remarks

In accordance with Regulation (EC) No 1272/2008 of the European Parliament and of the Council of 16 December 2008 on classification, labelling and packaging of substances and mixtures, amending and repealing Directives 67/548/EEC and 1999/45/EC, and amending Regulation (EC) No 1907/2006 (OJ L 353, 31.12.2008, p.1), which implements the UN Globally Harmonised System of Classification and Labelling of Chemicals in the Union, pentabromodiphenyl ether is classified as:
Lact. – H 362 – May cause harm to breast-fed children.
STOT RE 2 * – H 373 - May cause damage to organs through prolonged or repeated exposure.
Aquatic Acute 1 – H 400 - Very toxic to aquatic life.
Aquatic Chronic 1 – H 410 - Very toxic to aquatic life with long lasting effects.
(* = This classification is to be considered as a minimum classification)

SECTION 7 DESIGNATED NATIONAL AUTHORITY

Institution	European Commission, DG Environment
Address	Rue de la Loi/Wetstraat 200, 1049 Brussels, Belgium
Name of person in charge	Dr. Juergen Helbig
Position of person in charge	International Chemicals Policy Coordinator
Telephone	+32 22988521
Telefax	+32 22967616
Email address	Juergen.Helbig@ec.europa.eu

Date, signature of DNA and official seal: _____

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Import response for commercial pentabromodiphenyl ether

ROTTERDAM CONVENTION

SECRETARIAT FOR THE ROTTERDAM CONVENTION
ON THE PRIOR INFORMED CONSENT PROCEDURE
FOR CERTAIN HAZARDOUS CHEMICALS AND PESTICIDES
IN INTERNATIONAL TRADE

UNEP

FORM FOR IMPORT RESPONSE

Country:	**European Union** Member States: Austria, Belgium, Bulgaria, Croatia, Cyprus, Czechia, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden. United Kingdom - The United Kingdom withdrew from the European Union as of 1 February 2020. During the transition period, which ends on 31 December 2020, unless extended, Union law, with a few limited exceptions, continues to be applicable to and in the United Kingdom and any reference to Member States in Union law shall be understood as including the United Kingdom.

SECTION 1 IDENTITY OF CHEMICAL

1.1	**Common name**	Commercial pentabromodiphenyl ether including: - Tetrabromodiphenyl ether - Pentabromodiphenyl ether
1.2	**CAS number**	40088-47-9 - Tetrabromodiphenyl ether 32534-81-9 - Pentabromodiphenyl ether

1.3 **Category**

☐ Pesticide

☒ Industrial

☐ Severely hazardous pesticide formulation

SECTION 2 INDICATION REGARDING PREVIOUS RESPONSE, IF ANY

2.1 ☐ This is a first time import response for this chemical in the country.

2.2 ☒ This is a modification of a previous response.

Date of issue of the previous response: …18 June 2014.....

SECTION 3 RESPONSE REGARDING FUTURE IMPORT

☒ **Final decision (Fill in section 4 below)** **OR** ☐ **Interim response (Fill in section 5 below)**

SECTION 4 FINAL DECISION, PURSUANT TO NATIONAL LEGISLATIVE OR ADMINISTRATIVE MEASURES

4.1 ☐ **No consent to import**

Is the import of the chemical from all sources simultaneously prohibited? ☒ Yes ☐ No

Is domestic production of the chemical for domestic use simultaneously prohibited? ☒ Yes ☐ No

4.2 ☐ **Consent to import**

4.3 ☒ **Consent to import only subject to specified conditions**

The specified conditions are:

Pursuant to Regulation (EU) 2019/1021 of the European Parliament and of the Council of 20 June 2019 on persistent organic pollutants (OJ L 169, 25.6.2019, p. 45), the placing on the market and use of commercial pentabromodiphenyl ether is only allowed in accordance with Directive 2011/65/EU of the European Parliament and of the Council of 8 June 2011 on the restriction of the use of certain hazardous substances in electrical and electronic equipment (OJ L 174, 1.7.2011, p. 88), where the following provisions apply:

The import of commercial pentabromodiphenyl ether is only allowed for placing on the market and use in cables or spare parts for the repair, the reuse, the updating of functionalities or upgrading of capacity of the following:

(a) electrical and electronic equipment (EEE) placed on the market before 1 July 2006;

(b) medical devices placed on the market before 22 July 2014;

(c) in vitro diagnostic medical devices placed on the market before 22 July 2016;

(d) monitoring and control instruments placed on the market before 22 July 2014;

(e) industrial monitoring and control instruments placed on the market before 22 July 2017;

(f) all other EEE that was outside the scope of Directive 2002/95/EC of the European Parliament and of the Council (OJ L 37, 13.2.2003, p. 19) and which is placed on the market before 22 July 2019;

(g) EEE which benefited from an exemption and which was placed on the market before that exemption expired as far as that specific exemption is concerned.

Spare parts are defined as a separate part of an EEE that can replace a part of an EEE. The EEE cannot function as intended without that part of the EEE. The functionality of EEE is restored or is upgraded when the part is replaced by a spare part.

Are the conditions for import of the chemical the same for all sources of import? ☒ Yes ☐ No

Are the conditions for domestic production of the chemical for domestic use the same as for all imports? ☒ Yes ☐ No

4.4 **National legislative or administrative measure upon which the final decision is based**

Description of the national legislative or administrative measure:

In the Union, the manufacturing, placing on the market and use of hexabromodiphenyl ether and heptabromodiphenyl ether are prohibited pursuant to Regulation (EU) 2019/1021 of the European Parliament and of the Council of 20 June 2019 on persistent organic pollutants (OJ L 169, 25.6.2019, p. 45).

SECTION 5 INTERIM RESPONSE

5.1 ☐ **No consent to import**

Is the import of the chemical from all sources simultaneously prohibited? ☐ Yes ☐ No

Is domestic production of the chemical for domestic use simultaneously prohibited? ☐ Yes ☐ No

5.2 ☐ **Consent to import**

5.3 ☐ **Consent to import only subject to specified conditions**

The specified conditions are:

Are the conditions for import of the chemical the same for all sources of import? ☐ Yes ☐ No

Are the conditions for domestic production of the chemical for domestic use the same as for all imports? ☐ Yes ☐ No

5.4 **Indication of active consideration in order to reach a final decision**

Is a final decision under active consideration? ☐ Yes ☐ No

5.5 **Information or assistance requested in order to reach a final decision**

The following additional information is requested from the Secretariat:

The following additional information is requested from the country that notified the final regulatory action:

The following assistance is requested from the Secretariat in evaluating the chemical:

SECTION 6 RELEVANT ADDITIONAL INFORMATION, WHICH MAY INCLUDE:

Is this chemical currently registered in the country?	☐ Yes	☒ No
Is this chemical manufactured in the country?	☐ Yes	☒ No

If yes to either one of these questions:

Is this intended for domestic use?	☐ Yes	☐ No
Is this intended for export?	☐ Yes	☐ No

Other remarks

SECTION 7 DESIGNATED NATIONAL AUTHORITY

Institution	European Commission, DG Environment
Address	Rue de la Loi/Wetstraat 200, 1049 Brussels, Belgium
Name of person in charge	Dr. Juergen Helbig
Position of person in charge	International Chemicals Policy Coordinator
Telephone	+32 22988521
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Date, signature of DNA and official seal: _____

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Import response for perfluorooctane sulfonic acid, perfluorooctane sulfonates, perfluorooctane sulfonamides and perfluorooctane sulfonyls

ROTTERDAM CONVENTION

SECRETARIAT FOR THE ROTTERDAM CONVENTION
ON THE PRIOR INFORMED CONSENT PROCEDURE
FOR CERTAIN HAZARDOUS CHEMICALS AND PESTICIDES
IN INTERNATIONAL TRADE

UNEP

FORM FOR IMPORT RESPONSE

Country:	**European Union** Member States: Austria, Belgium, Bulgaria, Croatia, Cyprus, Czechia, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden. United Kingdom - The United Kingdom withdrew from the European Union as of 1 February 2020. During the transition period, which ends on 31 December 2020, unless extended, Union law, with a few limited exceptions, continues to be applicable to and in the United Kingdom and any reference to Member States in Union law shall be understood as including the United Kingdom.

SECTION 1 IDENTITY OF CHEMICAL

1.1	**Common name**	Perfluorooctane sulfonic acid, perfluorooctane sulfonates, perfluorooctane sulfonamides and perfluorooctane sulfonyls
1.2	**CAS number**	Relevant CAS numbers are: 1763-23-1 - Perfluorooctane sulfonic acid 2795-39-3 - Potassium perfluorooctane sulfonate 29457-72-5 - Lithium perfluorooctane sulfonate 29081-56-9 - Ammonium perfluorooctane sulfonate 70225-14-8 - Diethanolamine perfluorooctane sulfonate 56773-42-3 - Tetraethylammonium perfluorooctane sulfonate 251099-16-8 - Didecyldimethylammonium perfluorooctane sulfonate 4151-50-2 - N-Ethylperfluorooctane sulfonamide 31506-32-8 - N-Methylperfluorooctane sulfonamide 1691-99-2 - N-Ethyl-N-(2-hydroxyethyl) perfluorooctane sulfonamide 24448-09-7 - N-(2-hydroxyethyl)-N-methylperfluorooctane sulfonamide 307-35-7 - Perfluorooctane sulfonyl fluoride

1.3 **Category**

☐ Pesticide

☒ Industrial

☐ Severely hazardous pesticide formulation

SECTION 2 INDICATION REGARDING PREVIOUS RESPONSE, IF ANY

2.1 ☐ This is a first time import response for this chemical in the country.

2.2 ☒ This is a modification of a previous response.

Date of issue of the previous response: …18 June 2014.....

SECTION 3 RESPONSE REGARDING FUTURE IMPORT

☒ **Final decision (Fill in section 4 below)** **OR** ☐ **Interim response (Fill in section 5 below)**

SECTION 4 FINAL DECISION, PURSUANT TO NATIONAL LEGISLATIVE OR ADMINISTRATIVE MEASURES

4.1 ☐ **No consent to import**

Is the import of the chemical from all sources simultaneously prohibited? ☐ Yes ☐ No

Is domestic production of the chemical for domestic use simultaneously prohibited? ☐ Yes ☐ No

4.2 ☐ **Consent to import**

4.3 ☒ **Consent to import only subject to specified conditions**

The specified conditions are:

Imports of perfluorooctane sulfonic acid and its derivatives (PFOS) must be in compliance with Regulation (EU) 2019/1021 of the European Parliament and of the Council of 20 June 2019 on persistent organic pollutants (OJ L 169, 25.6.2019, p. 45), which sets out the follwing:

1. The production, placing on the market and use of PFOS, whether on their own, in mixtures or as constituents of articles, shall be prohibited.
2. The prohibition shall not apply to PFOS occurring as an unintentional trace contaminant in substances, mixtures or articles, provided that
   (a) concentrations of PFOS are equal to or below 10 mg/kg (0,001 % by weight) when it occurs in substances or in mixtures or

(b) concentrations of PFOS in semi-finished products or articles, or parts thereof, are lower than 0,1 % by weight calculated with reference to the mass of structurally or micro-structurally distinct parts that contain PFOS or, for textiles or other coated materials, if the amount of PFOS is lower than 1 µg/m 2 of the coated material.

3. If the quantity of PFOS released into the environment is minimised, production and placing on the market is allowed for the following specific uses provided that Member States report to the Commission every four years on progress made to eliminate PFOS:
- mist suppressants for non-decorative hard chromium (VI) plating in closed loop systems.

Are the conditions for import of the chemical the same for all sources of import? ☒ Yes ☐ No

Are the conditions for domestic production of the chemical for domestic use the same as for all imports? ☒ Yes ☐ No

4.4 **National legislative or administrative measure upon which the final decision is based**

Description of the national legislative or administrative measure:

In the Union, the manufacturing, placing on the market and use of perfluorooctane sulfonic acid and its derivatives (PFOS) are prohibited pursuant to Regulation (EU) 2019/1021 of the European Parliament and of the Council of 20 June 2019 on persistent organic pollutants (OJ L 169, 25.06.2019, p. 45). However, that Regulation allows for specific exemptions, which are outlined in section 4.3.

SECTION 5 INTERIM RESPONSE

5.1 ☐ **No consent to import**

Is the import of the chemical from all sources simultaneously prohibited? ☐ Yes ☐ No

Is domestic production of the chemical for domestic use simultaneously prohibited? ☐ Yes ☐ No

5.2 ☐ **Consent to import**

5.3 ☐ **Consent to import only subject to specified conditions**

The specified conditions are:

Are the conditions for import of the chemical the same for all sources of import? ☐ Yes ☐ No

Are the conditions for domestic production of the chemical for domestic use the same as for all imports? ☐ Yes ☐ No

5.4 **Indication of active consideration in order to reach a final decision**

Is a final decision under active consideration? ☐ Yes ☐ No

5.5 **Information or assistance requested in order to reach a final decision**

The following additional information is requested from the Secretariat:

The following additional information is requested from the country that notified the final regulatory action:

The following assistance is requested from the Secretariat in evaluating the chemical:

SECTION 6 RELEVANT ADDITIONAL INFORMATION, WHICH MAY INCLUDE:

Is this chemical currently registered in the country? ☒ Yes ☐ No

Is this chemical manufactured in the country? ☒ Yes ☐ No

If yes to either one of these questions:

Is this intended for domestic use? ☒ Yes ☐ No

Is this intended for export? ☒ Yes ☐ No

Other remarks

In accordance with Regulation (EC) No 1272/2008 of the European Parliament and of the Council of 16 December 2008 on classification, labelling and packaging of substances and mixtures, amending and repealing Directives 67/548/EEC and 1999/45/EC, and amending Regulation (EC) No 1907/2006 (OJ L 353, 31.12.2008, p.1), which implements the UN Globally Harmonised System of Classification and Labelling of Chemicals in the Union, perfluorooctane sulfonic acid (CAS number 1763-23-1) is classified as:
Acute Tox. 4 * - H302 - Harmful if swallowed.
Acute Tox. 4 * - H332 – Harmful if inhaled.
Carc. 2 - H351 – Suspected of causing cancer.
Lact. - H362 – May cause harm to breast-fed children.
STOT RE 1 - H372 - Causes damage to organs through prolonged or repeated exposure.
Aquatic Chronic 2 - H411 - Toxic to aquatic life with long lasting effects.

Repr. 1B - H360D - May damage the unborn child.
(* = This classification is to be considered as a minimum classification)

SECTION 7	**DESIGNATED NATIONAL AUTHORITY**
Institution	European Commission, DG Environment
Address	Rue de la Loi/Wetstraat 200, 1049 Brussels, Belgium
Name of person in charge	Dr. Juergen Helbig
Position of person in charge	International Chemicals Policy Coordinator
Telephone	+32 22988521
Telefax	+32 22967616
E-mail address	Juergen.Helbig@ec.europa.eu

Date, signature of DNA and official seal: _____

PLEASE RETURN THE COMPLETED FORM TO:

Secretariat for the Rotterdam Convention
Food and Agriculture Organization
of the United Nations (FAO)
Viale delle Terme di Caracalla
00100 Roma
ITALIA
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Fax +39 0657056347
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OR

Secretariat for the Rotterdam Convention
United Nations Environment
Programme (UNEP)
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