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COMMISSION DELEGATED REGULATION (EU) 2026/2035

of 11 September 2026

amending Regulation (EU) 2019/1021 of the European Parliament and of the Council as regards medium chain chlorinated paraffins

(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 pollutants ([1]), 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 Pollutants ([2]) ('the Convention') and under the Protocol to the 1979 Convention on Long Range Transboundary Air Pollution on Persistent Organic Pollutants ([3]) ('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 medium chain chlorinated paraffins in that Annex with specific exemptions. The Union supported the inclusion of medium chain chlorinated paraffins in Annex A with specific exemptions as decided in Council Decision (EU) 2025/868 ([4]).

(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 medium chain chlorinated paraffins.

(5) In 2023, the European Chemicals Agency's Committees for Risk Assessment (RAC) and for Socio-Economic Analysis (SEAC) (the 'committees') adopted their opinions ([5]) on a restriction dossier from the European Chemicals Agency for medium chain chlorinated paraffins under Regulation (EC) No 1907/2006 of the European Parliament and of the Council ([6]). Both RAC and SEAC supported a restriction on placing on the market of medium chain chlorinated paraffins. SEAC supported a derogation on placing on the market for the use in metal working fluids. That

([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. 3, ELI: http://data.europa.eu/eli/convention/2006/507/oj.
([3]) OJ L 81, 19.3.2004, p. 37, ELI: http://data.europa.eu/eli/prot/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]) 3de158a7-8ab9-ba32-be7f-0125bb0174d3.
([6]) 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).

derogation is included in the list of specific exemptions granted under the Convention by Decision SC-12/10 of the Conference of the Parties ('Decision SC-12/10') and should be granted as exemption also under Regulation (EU) 2019/1021 since it is still needed in the Union. This concerns the use of medium chain chlorinated paraffins as extreme pressure additives in metalworking fluids used in 'heavy-duty' metal working operations which are limited to professional or industrial settings.

(6) The Convention also includes specific exemptions for the use of medium chain chlorinated paraffins that are not recommended in the committees' opinions. Those exemptions include some uses in the aerospace and defence sectors, i.e. (adhesives and sealants, tape used for non-structural bonding, intumescent coating and paint for space and defence equipment and its packaging, coating and paint for the repair of, and use in replacement part for, space and defence equipment). They also include other uses in the defence sector, i.e. paints and coatings for ammunition and ammunition marking as well as ammunition pyrotechnic defence devices. Such uses were not known when the committees' opinions were adopted. Considering the long period of time needed to allow for the identification of alternatives to medium chain chlorinated paraffins and for the substitution of such substances for those uses in the highly regulated aerospace and defence sectors, the exemptions should be included in Regulation (EU) 2019/1021.

(7) The Convention also includes specific exemptions for the use of medium chain chlorinated paraffins in the medical sector and for spare parts that are not recommended in the committees' opinions. Those exemptions include the use in wires and cables in medical devices and *in vitro* diagnostic devices. It also includes uses in spare parts for, and repair of: (i) land-based motor vehicles and machinery used in agriculture, construction, forestry and landscaping; (ii) electric and electronic equipment for medical devices, *in vitro* diagnostic devices and instruments for measurement, analysis, manufacturing, control, monitoring, testing and inspection; and (iii) aerospace and defence applications. Considering the limited volume of medium chain chlorinated paraffins used in medical devices and *in vitro* diagnostic devices, in spare parts and for the repair of articles and considering the importance of preventing the premature obsolescence of such articles, the exemptions should be included in Regulation (EU) 2019/1021.

(8) The Convention also includes additional specific exemptions for the use of medium chain chlorinated paraffins in other sectors. In some cases, a transitional period of two years is needed to transition to alternatives. A specific exemption for a duration of two years should therefore be included for the use of medium chain chlorinated paraffins in flexible polyvinyl chloride in wires and cables for the construction sector, in polysulfide sealant and one-component polyurethane foam used in sealing for doors and for windows, and in waterproof coatings and anti-corrosion coatings. To facilitate recycling of one-component foam, the exemption for recovered material containing medium chain chlorinated paraffins used in sealing for doors and windows should be valid for five years.

(9) The maximum duration of the exemptions should be five years, with the possibility to extend them for an additional period of five years, in accordance with Article 4(4) of the Convention. This is especially relevant for the exemption for paints and coatings for ammunition and ammunition markings, for which it is expected that more than five years will be needed to complete the substitution. The Commission will review the need for a prolongation of the specific exemption in order to prepare for the Conference of the Parties that is expected to be held in May 2031, since a potential extension of the specific exemptions for the use of medium chain chlorinated paraffins under the Convention will have to be decided at that Conference of the Parties.

(10) Article 3 of Regulation (EU) 2019/1021 prohibits the manufacturing, placing on the market and use of substances listed in Annex I to that Regulation whether on their own, in mixtures or in articles. In this regard, articles that contain medium chain chlorinated paraffins and that are produced or placed on the market under an exemption laid down in Annex I to that Regulation and that were already in use on the expiry date of the relevant exemption, are allowed to continue to be used after that date.

(11) Furthermore, in line with Decision SC-12/10, the exemption covering the placing on the market and use of medium chain chlorinated paraffins in polymers and rubbers for the purposes of spare parts for: (i) land-based motor vehicles and machinery used in agriculture, construction, forestry and landscaping; (ii) aerospace, space and defence applications; (iii) electric and electronic equipment used for medical devices and *in vitro* diagnostic devices and for certain instruments should be granted until the end of the service life of the relevant products or until 31 December 2041, whichever comes earlier. The service life of products in some of those applications may go beyond 2041. The placing on the market and use of spare parts for such applications, present in the territory of the Union before or on the date of the expiry of the relevant exemption, should therefore be allowed even after that date.

(12) Decision SC-12/10 establishes that Parties that have registered for a specific exemption for the use of medium chain chlorinated paraffins for metalworking fluids in professional or industrial settings with collection systems and in coating and paint for the repair of, and the use in replacement parts for, space and defence equipment, are to take measures for protecting workers. To ensure a high level of protection of all workers, that requirement should be extended to all exemptions granted in this Regulation. Additionally, as the exemptions granted could lead to emissions of medium chain chlorinated paraffins and in line with the objective of Article 1 of Regulation (EU) 2019/1021 to minimise releases of persistent organic pollutants, a requirement to minimise emissions to the environment from all exempted uses should be introduced.

(13) Decision SC-12/10 encourages Parties to require that manufacturers of chlorinated paraffins within their jurisdictions disclose information to downstream users on the presence in their products of certain linear $C_{14\text{-}17}$ chloroalkanes. In the Union, such requirement should be introduced for manufacturers, suppliers and importers of chlorinated paraffins who should be required to provide to downstream users the requested information in the Safety Data Sheet referred to in Article 31 of Regulation (EC) No 1907/2006.

(14) To reinforce the application and enforcement of Article 3(1) of Regulation (EU) 2019/1021 in the Union, a general limit value should be set for medium chain chlorinated paraffins occurring as an unintentional trace contaminant in substances, mixtures and articles.

(15) A specific unintentional trace contaminant limit value should be set for a period of two years for medium chain chlorinated paraffins in recovered material from cable recycling and in articles produced with that material, to allow recyclers sufficient time to adapt and achieve a lower presence of medium chain chlorinated paraffins or to find a different destination for material that does not comply with the general limit value for medium chain chlorinated paraffins occurring as an unintentional trace contaminant. To reduce the emissions of, and human exposure to, medium chain chlorinated paraffins, the use of recovered material from cable recycling should be limited to road furniture and blocks to support fences.

(16) Regulation (EU) 2019/1021 should therefore be amended accordingly,

(17) 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, 11 September 2026.

For the Commission
The President
Ursula VON DER LEYEN

ANNEX

In Part A of Annex I to Regulation (EU) 2019/1021, the following entry is added:

Substance	CAS No	EC No	Specific exemption on intermediate use or other specification
'Medium-chain chlorinated paraffins (MCCPs) "Medium-chain chlorinated paraffins" or "MCCPs" means the following: Substances or mixtures that contain any of the following linear C_{14}–C_{17} chloroalkanes of the following molecular formulae: $C_{14}H_{(30-y)}Cl_y$ where y ≥ 5; $C_{15}H_{(32-y)}Cl_y$ where y ≥ 5; $C_{16}H_{(34-y)}Cl_y$ where y ≥ 6; $C_{17}H_{(36-y)}Cl_y$ where y ≥ 6.	[1] 85535-85-9 [2] 198840-65-2 [3] 1372804-76-6 and others	[1] 287-477-0 [2] - [3] - and others	1. For the purposes of this entry, Article 4(1), point (b), shall apply to the sum of concentrations of the linear C_{14}–C_{17} chloroalkanes of the following molecular formulae: $C_{14}H_{(30-y)}Cl_y$ where y ≥ 5; $C_{15}H_{(32-y)}Cl_y$ where y ≥ 5; $C_{16}H_{(34-y)}Cl_y$ where y ≥ 6; $C_{17}H_{(36-y)}Cl_y$ where y ≥ 6 equal to or below 1 000 mg/kg (0,1 % by weight) where they are present in substances, mixtures or articles. 2. By way of derogation from point 1, for the purposes of this entry, Article 4(1), point (b), shall apply to the sum of concentrations of the linear C_{14}–C_{17} chloroalkanes of the following molecular formulae: $C_{14}H_{(30-y)}Cl_y$ where y ≥ 5; $C_{15}H_{(32-y)}Cl_y$ where y ≥ 5; $C_{16}H_{(34-y)}Cl_y$ where y ≥ 6; $C_{17}H_{(36-y)}Cl_y$ where y ≥ 6 equal to or below 20 000 mg/kg (2 % by weight) where: — they are present in recovered material from cable recycling or in articles produced with such material, and — the material or articles in which they are present are used in road furniture or in blocks to support fences. This limit value shall apply until 16 December 2028. 3. By way of derogation, the manufacturing, placing on the market and use of MCCPs shall be allowed for the following purposes: (a) extreme pressure additive in metalworking fluids which are used in professional or industrial settings in "heavy-duty" metal working operations and for which collection systems are in place, until 31 December 2036;

Substance	CAS No	EC No	Specific exemption on intermediate use or other specification
			(b) polymers and rubbers which are used in spare parts for, and in the repair of, any of the following: (i) land-based motor vehicles; (ii) machinery used in agriculture; construction, forestry or landscaping, including gardening; (iii) electric and electronic equipment for medical devices and accessories for medical devices within the scope of Regulation (EU) 2017/745; (iv) electric and electronic equipment for *in vitro* diagnostic medical devices and accessories for *in vitro* diagnostic medical devices within the scope of Regulation (EU) 2017/746; (v) instruments for measurement, analysis, manufacturing, control, monitoring, testing and inspection; (vi) aerospace and defence applications; where MCCPs were initially used in their production, until the end of their service life or until 31 December 2041, whichever comes earlier; (c) flexible polyvinyl chloride in: (i) wires and cables in the construction sector, until 16 December 2028; (ii) wires and cables in medical devices and accessories for medical devices within the scope of Regulation (EU) 2017/745 and *in vitro* diagnostic medical devices and accessories for *in vitro* diagnostic medical devices within the scope of Regulation (EU) 2017/746, until 16 December 2031;

Substance	CAS No	EC No	Specific exemption on intermediate use or other specification
			(d) adhesives and sealants, limited to the following: (i) polysulfide sealant and one-component polyurethane foam used in sealing for doors and windows, until 16 December 2028; (ii) one-component polyurethane foam, containing or made of recovered material containing MCCPs, used in sealing for doors and windows, provided that the foam can is labelled to indicate the presence of recovered material, until 16 December 2031; (iii) waterproof coatings and anti-corrosion coatings, until 16 December 2028; (iv) aerospace and defence applications, until 16 December 2031; (e) tape used for non-structural bonding for aerospace and defence applications, until 16 December 2031; (f) paints and coatings for ammunition and ammunition markings, until 16 December 2031; (g) ammunition pyrotechnic defence devices to achieve specific effects, until 31 December 2041; (h) intumescent coating and paint for space and defence equipment and its packaging to protect against extreme temperature, until 31 December 2041; (i) coating and paint for the repair of, and use in replacement spare parts for, space and defence equipment where MCCPs were initially used in the production of that equipment, until the end of service life of the equipment.

Substance	CAS No	EC No	Specific exemption on intermediate use or other specification
			4. Releases of MCCPs to the environment shall be avoided during manufacture and industrial and professional use of MCCPs covered by an exemption set out in point 3 and, if not possible, reduced to as low a level as possible. Exposure to workers shall be minimised in accordance with Article 6 of Council Directive 98/24/EC (*). 5. Articles containing MCCPs already in use in the Union before or on the date of expiry of the relevant exemption laid down in paragraph 3(b) to (h) may continue to be used. 6. Placing on the market and use of spare parts containing MCCPs referred to in paragraph 3, point (b) that are present in the territory of the Union before 1 January 2042 shall be allowed. 7. Manufacturers, suppliers and importers of chlorinated paraffins placing on the market substances or mixtures containing chloroalkanes referred to in point 1 shall provide, in the Safety Data Sheet referred to in Article 31 of Regulation (EC) No 1907/2006, information on: (a) the sum of the concentrations of the chloroalkanes listed in paragraph 1, if present; (b) when the sum referred to in point (a) is above 0,1 % w/w, the appropriate risk management measures and operating conditions to minimise the releases and exposure. 8. Manufacturers, suppliers and importers of chlorinated paraffins shall determine the sum referred to in point 7(a) using representative batches of chlorinated paraffins manufactured in accordance with the same technical specifications by the same manufacturer. The level shall be determined using validated analytical methods. A description of the analytical methods used, and the results obtained to derive the sum referred to in point 7(a) shall be provided to the competent authorities upon their request.

(*) Council Directive 98/24/EC of 7 April 1998 on the protection of the health and safety of workers from the risks related to chemical agents at work (OJ L 131, 5.5.1998, p. 11, ELI: http://data.europa.eu/eli/dir/1998/24/oj).'