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**Finnish Commerce Federation's comments on amending Annex I to Regulation (EU) 2019/1021 of the European Parliament and of the Council as regards the listing of perfluorooctanoic acid (PFOA), its salts and PFOA-related compounds**

The current process to amend Regulation (EU) 2019/1021 on POPs as regards the entry of PFOS in Annex I should take properly and fully into account the existing REACH restriction no. 68 on PFOA. Especially the current proposal is unsatisfactory with regard to exemptions.

Where the REACH restriction would exempt articles already on the market before 4 July 2020, the restriction according to amended POP Annex I would allow only six months transition period to the same articles before becoming waste. From the perspective of supply chain dynamics and complexity a half year time is absolutely too short time to adapt to a new and considerable changing situation.

The POP proposal brings in an unexpected legal situation with no prewarning to those concerned. This is clearly against the important principle of legal certainty because companies have made their business decisions in good faith in line with the REACH restriction. They should be allowed to keep their acquired right, and instead, a new legislation should be set in a way that it takes into account and respects their legitimate expectations.

In addition, industry from producers down to wholesale and retail should be treated equally, in a way that the consequences of changes in legislation do not cause disproportionate harm to any actor, irrespective of sector or company size.

We think that simply putting into waste the already produced articles which would suddenly become illegal as non-compliant is not wise even sustainability-wise in the big picture.

The fair and right thing to do would be to include the exemptions of REACH restriction no. 68 as they are in the amendment of Annex I of POP regulation with PFOS.