



EUROPEAN
COMMISSION

Brussels, **XXX**
[...] (2025) **XXX** draft

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

of **XXX**

**amending Regulation (EU) 2019/1021 of the European Parliament and of the Council as
regards chlorpyrifos**

(Text with EEA relevance)

This draft has not been adopted or endorsed by the European Commission. Any views expressed are the preliminary views of the Commission services and may not in any circumstances be regarded as stating an official position of the Commission.

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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 chlorpyrifos in Annex A to the Convention with specific exemptions. This decision should be reflected in Annex I to Regulation (EU) 2019/1021. This delegated act implements decision SC-12/9 to list chlorpyrifos in Annex A, in accordance with Article 15(1) of Regulation (EU) 2019/1021.

2. CONSULTATIONS PRIOR TO THE ADOPTION OF THE ACT

Experts designated by Member States were consulted in a meeting of the relevant expert group (the 'POP MS-CA expert group') 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 chlorpyrifos in Annex I to Regulation (EU) 2019/1021 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 to and the comments have been taken into account as follows [...].

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.

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of **XXX**

amending Regulation (EU) 2019/1021 of the European Parliament and of the Council as regards chlorpyrifos

(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 and/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 chlorpyrifos in that Annex with specific exemptions. The Union supported the inclusion of chlorpyrifos in Annex A with specific exemptions as decided 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 chlorpyrifos.
- (5) In the Union, chlorpyrifos is not approved as an active substance in plant protection products and biocidal products, since it is not approved pursuant to Regulation (EC) No 1107/2009 of the European Parliament and of the Council⁵ and Regulation (EU)

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 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, ELI: <http://data.europa.eu/eli/reg/2009/1107/oj>).

No 528/2012 of the European Parliament and of the Council⁶. Therefore, chlorpyrifos should be listed in Annex I to Regulation (EU) 2019/1021 without specific exemptions.

- (6) 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 chlorpyrifos occurring as an unintentional trace contaminant in substances, mixtures and articles.
- (7) Regulation (EU) 2019/1021 should therefore be amended accordingly,
- (8)

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*.

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

Done at Brussels,

For the Commission
The President
Ursula VON DER LEYEN

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Regulation (EU) No 528/2012 of the European Parliament and of the Council of 22 May 2012 concerning the making available on the market and use of biocidal products (OJ L 167, 27.6.2012, p. 1, ELI: <http://data.europa.eu/eli/reg/2012/528/oj>).