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**Information Exchange and  
Prior Informed Consent (PIC) Procedure  
in the Export and Import of Pesticides  
in the Framework of the FAO Code of Conduct**

Informationsaustausch und Verfahren der „vorherigen Zustimmung nach Inkenntnissetzung“ (Prior Informed Consent - PIC) beim Export und Import von Pflanzenschutz- und Schädlingsbekämpfungsmitteln im Rahmen des FAO-Verhaltenskodex

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BBA

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## Preface

The German Act concerning the Protection of Crop Plants (Article 23 Paragraph 1 Sentence 2) provides that exporters of plant protection products shall observe international agreements, in particular the International Code of Conduct on the Distribution and Use of Pesticides of the FAO.

The FAO Code of Conduct adopted in 1985, assigned in the original version the information exchange as a central element. The information exchange among countries means that an exporting country notifies the Designated National Authority of the importing country of the planned first shipment of a banned or severely restricted pesticide to that country. In 1989 the FAO Code of Conduct was extended by the Prior Informed Consent (PIC) procedure. Under PIC, no pesticide which is banned or severely restricted for reasons of health or the environment and which is included in the list of PIC chemicals should be exported to an importing country contrary to that country's decision.

In the Federal Republic of Germany the Federal Biological Research Centre for Agriculture and Forestry (BBA) is the Designated National Authority in the framework of the FAO Code of Conduct. The BBA is responsible for the implementation of the information exchange and the PIC procedure under the FAO Code of Conduct.

This booklet is addressed in particular to exporters of pesticides to inform them about the recommendations of the FAO Code of Conduct and the provisions of the Federal Republic of Germany and the European Union concerning the export of certain pesticides. The booklet shall contribute to minimize health and environmental concerns caused by pesticides in importing countries. Ultimately, however, the prime aim of all efforts has to be the establishment of adequate regulatory infrastructures for pesticides in the importing countries.

## Vorwort

Das Gesetz zum Schutz der Kulturpflanzen (§ 23 Absatz 1 Satz 2) sieht vor, daß Exporteure von Pflanzenschutzmitteln internationale Vereinbarungen, insbesondere der „Internationale Verhaltenskodex für das Inverkehrbringen und die Anwendung von Pflanzenschutz- und Schädlingsbekämpfungsmitteln“ der FAO berücksichtigen sollen.

Der FAO-Verhaltenskodex wurde im Jahre 1985 verabschiedet und enthielt bereits als ein zentrales Element den Informationsaustausch. Der Informationsaustausch zwischen den Ländern beinhaltet, daß ein Ausfuhrland die bezeichnete nationale Behörde des Einfuhrlandes beim erstmaligen Export eines verbotenen oder strengen Beschränkungen unterliegenden Pflanzenschutz- oder Schädlingsbekämpfungsmittels über den geplanten Export informiert. Im Jahre 1989 wurde der FAO-Verhaltenskodex um das Verfahren des „Prior Informed Consent“ (PIC) erweitert. Danach soll ein Pflanzenschutz- oder Schädlingsbekämpfungsmittel, das aus Gesundheits- oder Umweltschutzgründen verboten ist oder strengen Beschränkungen unterliegt und in die Liste der PIC-Chemikalien eingetragen ist, nicht ohne Zustimmung des Einfuhrlandes in dieses Land exportiert werden.

In der Bundesrepublik Deutschland wurde als zuständige nationale Behörde im Rahmen des FAO-Verhaltenskodex die Biologische Bundesanstalt für Land- und Forstwirtschaft (BBA) benannt. Die BBA ist verantwortlich für die Durchführung des Informationsaustausches und des PIC-Verfahrens im Rahmen des FAO-Verhaltenskodex.

Das vorliegende Heft richtet sich insbesondere an Exporteure von Pflanzenschutz- und Schädlingsbekämpfungsmitteln, um sie über die Empfehlungen des FAO-Verhaltenskodex sowie Bestimmungen in der Bundesrepublik Deutschland und der Europäischen Union zum Export bestimmter Pflanzenschutz- und Schädlingsbekämpfungsmittel zu informieren. Das Heft soll dazu beitragen, in Importländern die durch Pflanzenschutz- und Schädlingsbekämpfungsmittel verursachten Gesundheits- oder Umweltschäden auf ein Mindestmaß zu beschränken. Letztendlich muß jedoch Ziel aller Bemühungen sein, in den Importländern die entsprechende Infrastrukturen zur Regelungen von Pflanzenschutz- und Schädlingsbekämpfungsmitteln einzurichten.

**Information Exchange and Prior Informed Consent (PIC)  
Procedure in the Export and Import of Pesticides  
in the Framework of the FAO Code of Conduct**

Informationsaustausch und Verfahren der „vorherigen Zustimmung nach  
Inkenntnissetzung“ (Prior Informed Consent - PIC)  
beim Export und Import von Pflanzenschutz- und Schädlingsbekämpfungsmitteln  
im Rahmen des FAO-Verhaltenskodex

Achim Holzmann

**Abstract**

The FAO 'International Code of Conduct of the Distribution and Use of Pesticides' and the UNEP 'London Guidelines for the Exchange of Information for Chemicals in International Trade' named information exchange as a central element already in their original versions. In 1989, both resolutions were extended by the Prior Informed Consent (PIC) procedure. The PIC procedure was established as binding for all Member States of the European Union by Council Regulation (EEC) No 2455/92 of 23 July 1992. The implementation of the PIC procedure as a legally binding instrument concerning the export and import of dangerous chemicals is a current international endeavour.

**Zusammenfassung**

Der „Internationale Verhaltenskodex für das Inverkehrbringen und die Anwendung von Pflanzenschutz- und Schädlingsbekämpfungsmitteln“ der FAO und die „Londoner Richtlinien für den Informationsaustausch beim internationalen Handel mit Chemikalien“ der UNEP sahen in ihrer ursprünglichen Fassung bereits als zentrales Element den Informationsaustausch vor. Im Jahre 1989 wurden beide Resolutionen um das Verfahren der vorherigen Zustimmung nach Inkenntnissetzung (PIC-Verfahren) erweitert. Mit der Verordnung (EWG) Nr. 2455/92 des Rates vom 23. Juli 1992 wurde das PIC-Verfahren verbindlich in allen Mitgliedstaaten der Europäischen Union eingeführt. Auf internationaler Ebene geht die Entwicklung dahin, das PIC-Verfahren als rechtsverbindliches Instrument beim Export und Import gefährlicher Chemikalien zu etablieren.

## **Starting point: Health and environmental hazards**

The concern about health and environmental hazards arising from the steadily expanding international trade in chemicals has led both governments and international organizations to seek a worldwide system of information exchange. One particular concern is the import and use of pesticides in countries with no, or insufficient infrastructure for the registration, control and safe use of such products. The World Health Organization (WHO) estimates that pesticides cause up to three million poisonings with 220,000 deaths (including suicides) worldwide every year, or one million poisonings with 20,000 deaths (not including suicides). Most of these cases occur in Third World countries (1). Moreover, fears have been voiced about the contamination of imported agricultural products with residues of pesticides that are banned in importing countries. This mainly concerns products from Third World countries.

Although the prime aim of national and international efforts is to establish the appropriate infrastructures for regulating pesticides in developing countries, the first step has been to manage problems on the basis of voluntary agreements.

## **The FAO Code of Conduct**

In 1981, the Food and Agriculture Organization of the United Nations (FAO) initiated development of an International Code of Conduct on the Distribution and Use of Pesticides (2). The 23rd FAO Conference of November 1985 adopted the voluntary code containing conduct guidelines by way of Resolution 10/85. The Code addresses the governments of countries exporting pesticides, the agrochemical industry, and countries importing these products.

In 1984, the Council of the Organization of Economic Co-operation and Development (OECD) adopted the recommendation concerning information exchange related to the export of banned and severely restricted chemicals (3).

## **Article 23 of the German Plant Protection Act**

The German Plant Protection Act of 15 September 1986 (BGBI. I p. 1505) directly refers to the FAO Code of Conduct in its provisions for the export of plant protection products in Article 23 (4). It specifies that international agreements, and in particular the International Code of Conduct on the Distribution and Use of Pesticides of the Food and Agriculture Organization of the United Nations shall be observed in connection with exporting.

## **Notification of control actions**

The notification of control actions and the exchange of information between countries are essential elements of the FAO Code of Conduct. In notification of control actions, governments are to inform the FAO about regulatory measures for banning or severely restricting the use or handling of a pesticide for health or environmental reasons. The FAO communicates the control actions taken by that government to the Designated National Authorities (DNA) of other countries. The purpose of notification is to enable the other Designated National Authorities to assess the risks connected with the pesticides and, in time and based on understanding of the situation, to make their own decisions concerning the import and use of the products in question.



## **Information exchange among countries**

The information exchange among countries means that the government of an exporting country notifies the Designated National Authority of the importing country of the planned first shipment of a banned or severely restricted pesticide to that country. This draws the importing country's attention to the prior notification of control action and to the import now planned, so that it can take appropriate measures. However, the Designated National Authority of the exporting country can fulfill the task of transmitting information only if it receives information relevant to the planned export. If there are basic changes in the notified control action, or if new knowledge has been gained, a new notification shall be made.

## **The Federal Biological Research Centre for Agriculture and Forestry as the German DNA**

The Federal Republic of Germany has designated the Federal Biological Research Centre for Agriculture and Forestry (Biologische Bundesanstalt für Land- und Forstwirtschaft = BBA) in Braunschweig as the Designated National Authority in the framework of the FAO Code of Conduct. Exporters must report to the BBA prior to exporting a pesticide banned or severely restricted in the Federal Republic of Germany to a particular country for the first time following official control action.

The pesticides subject to notification under the FAO Code of Conduct are listed in Table 1.

## **The 'London Guidelines'**

Another important step towards solving problems in the international trade with dangerous chemicals was the adoption of the 'London Guidelines for the Exchange of Information for Chemicals in International Trade' ('London Guidelines') by the United Nations Environment Programme (UNEP) in 1987 (5). The 'London Guidelines' are addressed to governments with the intention of achieving more safety in the international trade in chemicals by exchange of information.

## **FAO/UNEP Joint Programme on Operation of the Prior Informed Consent (PIC)**

Under a Joint Programme on Operation of Prior Informed Consent, UNEP and FAO established a notification procedure which has been implemented by the International Register of Potentially Toxic Chemicals (IRPTC). The IRPTC forms part of UNEP and has its seat in Geneva. The FAO has placed responsibility for the procedure with its 'Plant Production and Protection Division' in Rome.

## **The PIC procedure**

Pressed by developing countries, UNEP, in 1989, amended its 'London Guidelines' through Resolution 15/30 and the FAO its 'Code of Conduct' through Resolution 6/89 to include the principle of Prior Informed Consent (PIC) (2, 5). Under PIC, no pesticide or industrial or consumer chemical, the distribution or use of which is banned or severely restricted for health or environmental reasons and which is included in the list of PIC chemicals, is to be exported to a country participating in the PIC procedure against its decision specified in the PIC procedure. The criteria 'banned' and 'severely restricted' apply to all potential applications of a chemical.

Table 1: List of pesticides subject to notification under the FAO Code of Conduct

Pesticide (banned)
Acrylonitrile
Aldrin
Aramite
Arsenic compounds
Atrazine
Binapacryl
Bromacil
Cadmium compounds
Captafol
Carbaryl
Carbon disulphide
Carbon tetrachloride
Chlordane
Chlordecone (Kepone)
Chlordimeform
Chloroform
Chloropicrin
Crimidine
DDT
1,2-Dibromoethane
1,3-Dichloropropene
Dicofol with a content of less than 780 g per kg p,p'-Dicofol or more than 1 g per kg DDT or DDT compounds
Dieldrin
Dinoseb, its acetates and salts
Endrin
Fluoroacetic acid and its derivatives
HCH, technical
Heptachlor
Isobenzan
Isodrin
Kelevan
Lead compounds
Maleic hydrazide and its salts, different from choline, potassium and sodium salts
Maleic hydrazide choline, potassium and sodium salt with a content of more than 1 mg per kg free hydrazine, expressed as acid equivalent
Mercury compounds
Morfamquat
Nitrofen
Pentachlorophenol
Polychloroterpene
Quintozene
Selenium compounds
2,4,5-T

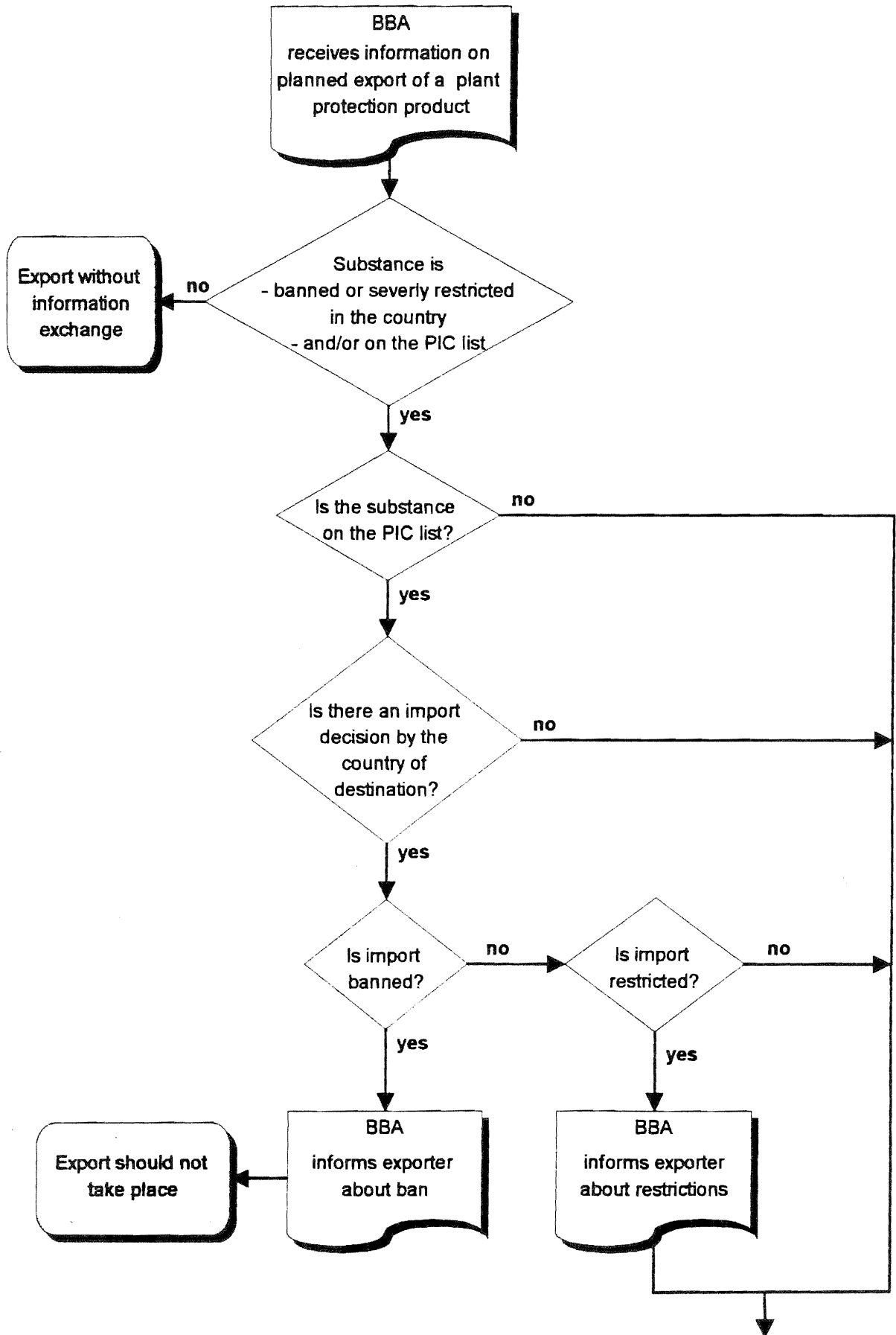
<b>Pesticide (severely restricted)</b>
Aldicarb Compounds producing hydrogen phosphide, except zinc phosphide as a rodenticidal bait Diquat Hydrogen cyanide and compounds producing hydrogen cyanide Methyl bromide (Monobromethane) Paraquat Thallium-I-sulphate Zinc phosphide

By July 1995, 182 Designated National Authorities were nominated. They are responsible for supervising the PIC procedure and contacting both the FAO and UNEP/IRPTC and other countries participating in PIC. The BBA's tasks as the Designated National Authority for the exchange of information with countries under the FAO Code of Conduct are shown in Figure 1.

The PIC procedure currently covers the 12 pesticides and 5 industrial chemicals listed in Table 2.

Table 2: List of chemicals subject to the UNEP/FAO international PIC procedure

<b>Pesticide</b>
Aldrin Chlordane Chlordimeform Cyhexatin DDT 1,2-Dibromoethane (EDB) Dieldrin Dinoseb and its salts Fluoroacetamide Heptachlor HCH (mixed isomers) Mercury compounds
<b>Industrial chemical</b>
Crocidolite Polybrominated biphenyls (PBB) Polychlorinated biphenyls (PCB) Polychlorinated terphenyls (PCT) Tris (2,3-dibromopropyl) phosphate



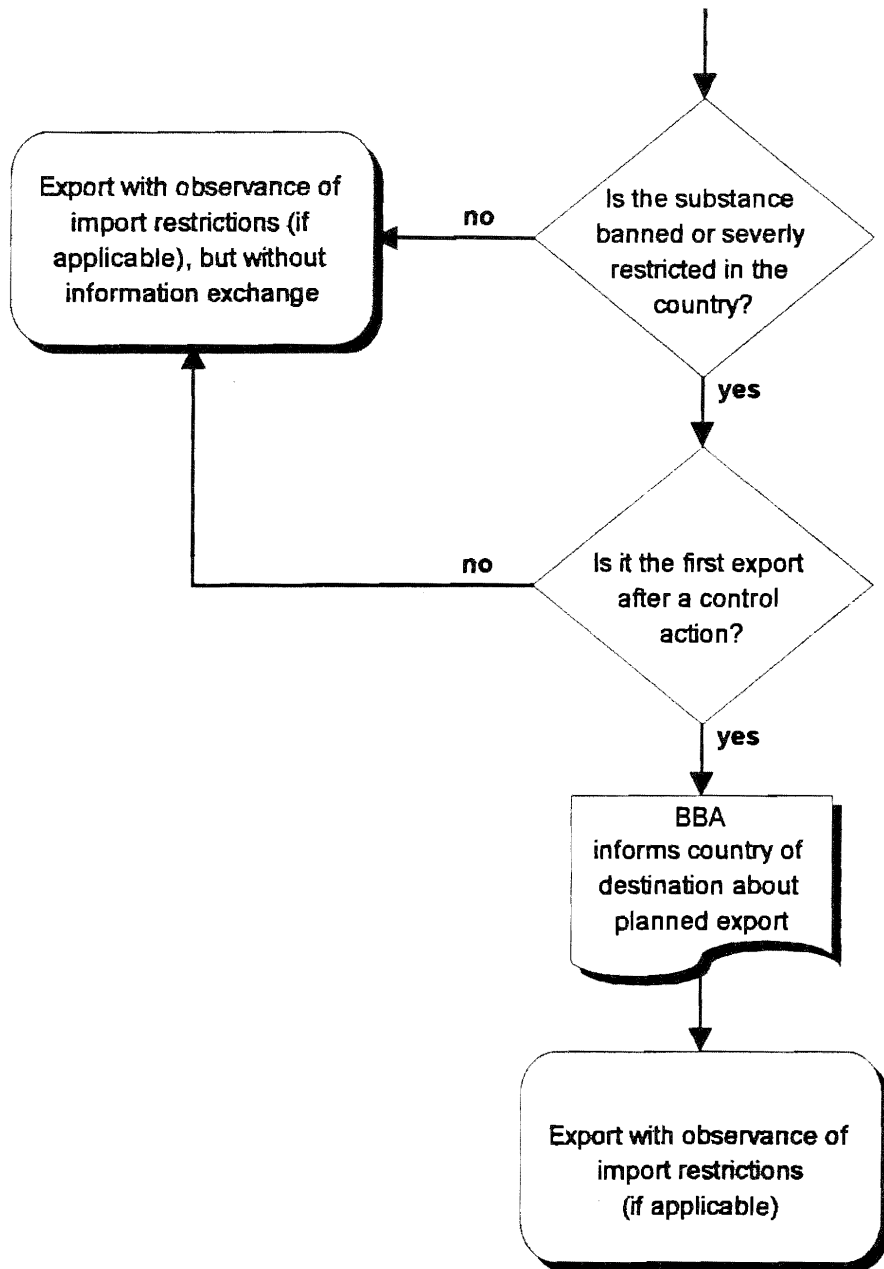


Figure 1: Function of the Federal Biological Research Centre for Agriculture and Forestry (BBA) as the Designated National Authority (DNA) in the exchange of information among countries under the FAO Code of Conduct

Inclusion of the pesticides of Table 3 in the PIC procedure is being planned. The tables in Annex I list the import decisions of the PIC-participating countries concerning the importation of the pesticides aldrin, chlordane, chlordimeform, cyhexatin, DDT, 1,2-dibromoethane (EDB), dieldrin, dinoseb and its salts, fluoroacetamide, heptachlor, HCH (mixed isomers) and mercury compounds as they were circulated by the FAO and UNEP/IRPTC PIC Circular IV to the Designated National Authorities. Annex I also contains the decisions concerning the importation of the industrial chemicals crocidolite (blue asbestos), polybrominated biphenyls (PBB), polychlorinated biphenyls (PCB), polychlorinated terphenyls (PCT), and tris(2,3-dibromopropyl)phosphate.

Table 3: List of chemicals (pesticides) to be included in the international UNEP/FAO PIC procedure in the near future

Pesticide
Captafol
Chlorobenzilate
Demeton
Dicofol
Hexachlorobenzene
Methoxychlor
Mirex
Paraquat
Phosphine
Sodium fluoride

Chemicals included in the PIC procedure must be legally banned or severely restricted in at least five countries. Since 1 January 1992, it has been sufficient that one single country imposes a new ban or tight restriction. In addition to that, chemicals which are classified as extremely hazardous (WHO Recommended Classification of Pesticides by Hazard, Class 1a) and may cause health problems when handled (particularly in developing countries) can now be included in the PIC procedure.

A Joint Group of Experts by UNEP and FAO keeps the list of PIC chemicals up-to-date. The two organizations also issued a manual entitled 'Guidance for Governments', which describes the PIC procedure in detail (7).

Each chemical included in the PIC procedure has a Decision Guidance Document which contains the essential scientific data on its hazardous properties and other important information, such as bans and restrictions imposed by individual countries. The FAO and UNEP/IRPTC send out these documents to all countries participating in the PIC procedure. The countries are requested to make a final or preliminary decision within 90 days, namely to either

- impose no import restrictions,
- impose import restrictions,
- or ban import of the chemical.

The FAO and UNEP/IRPTC compile a list of import decisions (PIC CIRCULAR) and circulate it to the Designated National Authorities of the PIC-participating countries twice a year. They ask the authorities to find a suitable way to inform exporters of these decisions. In Germany, the import decisions of the PIC-participating countries are published in the Federal Gazette. They can also be demanded by the BBA.

The formulars concerning the notification of a control action, information exchange among countries and import decisions can be found in Annex II.

### **The position of the industry**

The international pesticide manufacturers' association GIFAP (Groupement International des Associations Nationales des Fabricants des Pesticides) has backed the principles of the FAO Code of Conduct (3). The Association of the Agrochemical Industry (Industrieverband Agrar e. V. = IVA) in the Federal Republic of Germany has included the FAO Code of Conduct in its politics and its members have undertaken to adhere to the FAO Code of Conduct (8).

### **Legislation in the European Union (EU)**

Council Regulation (EEC) No 2455/92 of 23 July 1992 concerning the export and import of certain dangerous chemicals (Annex III), which became effective on 29 November 1992, rendered the PIC procedure mandatory for the Member States of the European Union. The regulation can be seen as the first international instrument which institutes the UNEP/IRPTC PIC procedure as a legally binding procedure.

### **Notification of exports in the European Union**

Under Article 4 paragraph 1 of the Council Regulation (EEC) No 2455/92, an exporter of a chemical banned or severely restricted in the European Union because of its effects on health or the environment has to give the information required under Annex III of the regulation to the designated authority in his country at least 30 days before the first export of the chemical to a third country is to take place. The competent authority of the exporter's country notifies the designated authority of the country of destination of the intended export. The European Commission (EC) allocates, via the designated authority of the exporting country, a reference number for the first export of a certain chemical to some third country. In later exports of the same chemical from the European Union to the same third country, the shipment papers need only refer to that number. The reference numbers allocated by the European Commission will be published in the Official Journal of the European Communities.

The German authority designated for the notification and information procedure under Council Regulation (EEC) No 2455/92 is the Institute of Occupational Safety and Health (Bundesanstalt für Arbeitsschutz = BAU) in Dortmund (Annex VI).

Table 4: List of chemicals banned or severely restricted to certain uses by Community legislation owing to their effects on health and the environment (Annex I to Council Regulation (EEC) No 2455/92)

Chemical	Use category
Mercuric oxide	P
Mercurous chloride (calomel)	P
Other inorganic mercury compounds	P
Alkyl mercury compounds	P
Alkoxyalkyl and aryl mercury compounds	P
Aldrin	P
Chlordane	P
Dieldrin	P
DDT	P
Endrin	P
HCH containing less than 99,0 % of the gamma isomer	P
Heptachlor	P
Hexachlorobenzene	P
Campechlor (toxaphene)	P
Polychlorinated biphenyls (PCB), except mono- and dichlorinated biphenyls	i
Polychlorinated terphenyls (PCT)	i
Preparations with a PCB or PCT content higher than 0,005 % by weight	i
Tris (2,3-dibromopropyl) phosphate	i
Tris-aziridinyl-phosphin oxide	i
Polybrominated biphenyls (PBB)	i
Asbestos fibres:	
Crocidolite	i
Amosite	i
Anthophyllite	i
Actinolite	i
Tremolite	i
Nitrofen	P
1,2 Dibromoethane	P
1,2 Dichloroethane	P
Pentachlorophenol and its salts and esters	i
Ugilec 121	i
Ugilec 141	i
DBBT	i
Ethylene oxide	P
Dinoseb, its acetate and salts	P
Binapacryl	P
Captafol	P



Chemical	Use category
Dicofol containing < 78 % p,p'-dicofol or > 1 g/kg of DDT and DDT related compounds	p
Maleic hydrazide, and its salts, other than its choline, potassium and sodium salts	p
Choline, potassium and sodium salts of maleic hydrazide containing more than 1 mg/kg of free hydrazine expressed on the basis of the acid equivalent	p
Quintozone containing more than 1 g/kg of hexachlorobenzene or > 10 g/kg of pentachlorobenzene	i
2-Naphthylamine	i
Benzidine	i
4-Nitrobiphenyl	i
4-Aminobiphenyl	i
use category: p: plant protection product i: industrial chemical	

The chemicals subject to notification under Council Regulation (EEC) No 2455/92 are listed in Annex I of the regulation. Council Regulation (EC) No 3135/94 of 15 December 1994 amending Annex I to Regulation No 2455/92 concerning the export and import of certain dangerous chemicals (Annex IV) added another number of substances to that list (10). Table 4 shows all chemicals now subject to notification under Council Regulation (EEC) No 2455/92.

### EU participation in the PIC procedure

For EU participation in the international PIC procedure, the European Commission acts as a common designated authority towards the FAO and UNEP/IRPTC under Council Regulation (EEC) No 2455/92. Figure 2 shows the flow of information in the framework of the information exchange under the PIC procedure.

The EU does not only appear as an exporting but also as an importing 'country' in the international PIC procedure. The import decisions made by the European Commission basically reflect the European legislation concerning the marketing and use of dangerous chemicals. The Commission also takes account of national decisions if a Member State requests this.

The Commission Regulation (EC) No 41/94 of 11 January 1994 amending Annex II to Council Regulation (EEC) No 2455/92 concerning the export and import of certain dangerous chemicals (Annex V) included the first import decisions by third countries in Annex II of Council Regulation (EEC) No 2455/92 (11). These decisions are now legally binding for exporters in the European

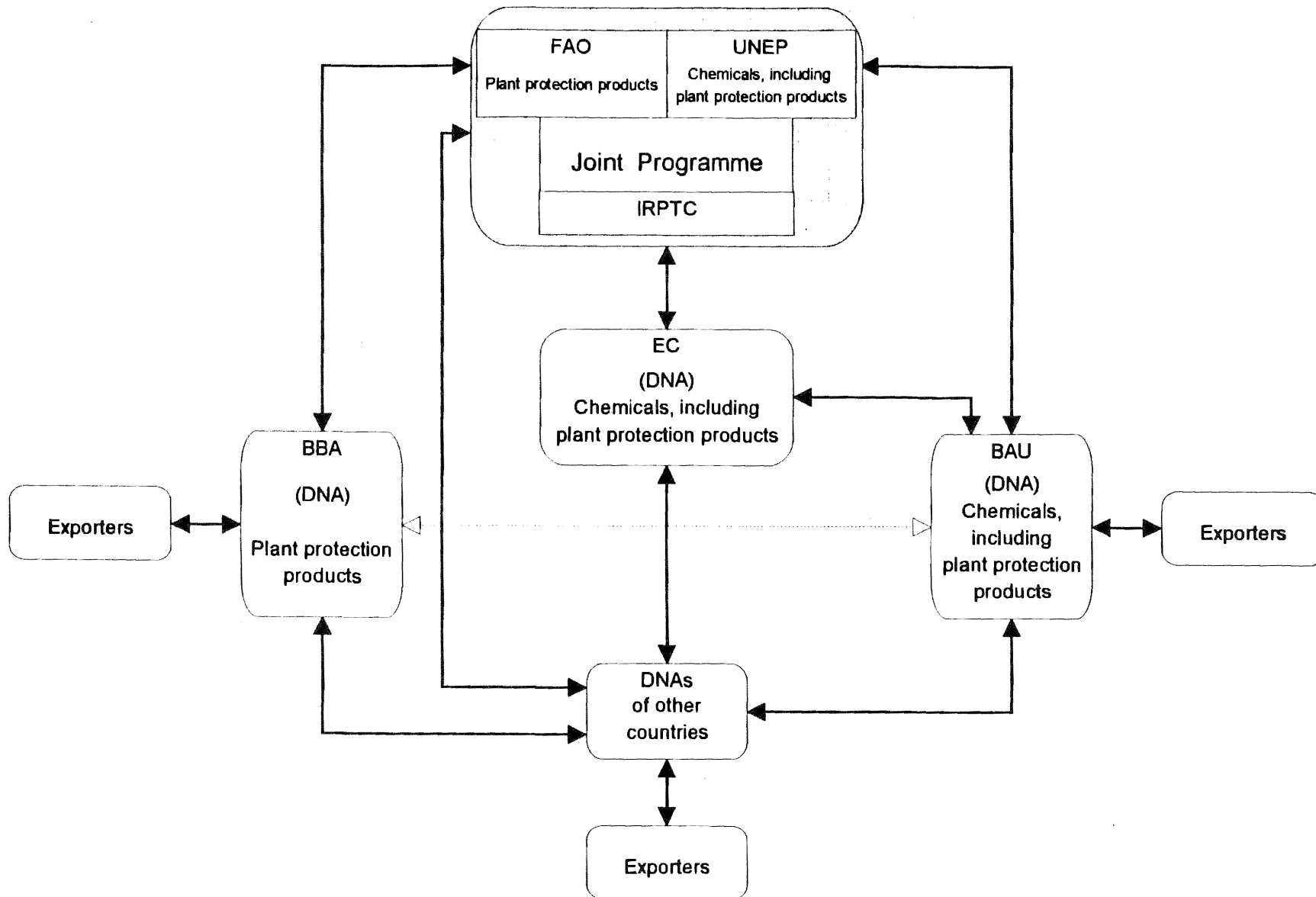


Figure 2: Flow of information in the framework of the information exchange and the PIC procedure

Union. Only those decisions were listed which are final and which can be clearly adhered to. Exporters are also requested according to article 23 of the German Plant Protection Act in connection to the FAO Code of Conduct to take account of the import decisions published on the FAO and UNEP/IRPTC international list, which have not yet been included in Annex II of Council Regulation No 2455/92 because of procedural delays or which have been declared preliminarily (Annex I). Figure 3 shows how an exporter of a chemical of the PIC list should proceed.

### Implementation of Article 6 of Council Regulation (EEC) No 2455/92

The Federal Republic of Germany has established intentional or negligent contravention against Council Regulation (EEC) No 2455/92 as an offence through a regulation on the implementation of Council Regulation (EEC) No 2455/92 on the export and import of certain dangerous chemicals (Chemausfuhr-BußgeldV) of 13 April 1993 (Federal Law Gazette I p. 459) (12). Contraventions may be fined with up to DM 100 000.-. This regulation was replaced by another one listing the offences named in EEC regulations on substances and preparations and punishable by fines under the Chemicals Act (ChemBußgeldV of 30 March 1994, Federal Law Gazette I p. 718) (13). Yet, the actual fines have not changed.

### Developments on the international scale

The AGENDA 21 program of action adopted by the United Nations Conference on Environment and Development (UNCED) in Rio de Janeiro in 1992 recommends, in Chapter 19, to turn the voluntary PIC procedure into a legally binding international instrument as soon as possible (6). In the light of present experience, organizations concerned such as UNEP, GATT (General Agreement on Tariffs and Trade), the FAO, the WHO and others have been requested to promote an international convention as much as they can. A task force of UNEP's Ad Hoc Working Group established in January 1993 is to work out the modalities for establishing the PIC procedure as an internationally binding instrument.

The strong interest and the necessity to create such an international convention was repeatedly stressed on international conferences in the recent past, in particular on the International Conference on Chemical Safety in Stockholm in April 1994 and at the second session of the Commission on Sustainable Development in New York in May 1994. In December 1994, UNEP invited government experts for an "Informal Consultative Meeting to Consider Major Issues Related to the Development of a Legally Binding Instrument for the Application of the Prior Informed Consent Procedure". This meeting was organized together with the FAO in order to include agrochemicals in the deliberations. In the meeting of the Intersessional Group (ISG) of the Intergovernmental Forum on Chemical Safety (IFCS) in Bruges in 1995 it was pointed out, that all efforts should be made to improve the situation, including strengthening of the PIC procedure. The 107th FAO Council in Rome in November 1994 and the 18th session of the Governing Council of the UNEP in Nairobi in May 1995 were further steps to precede the negotiations for an international legally binding instrument.

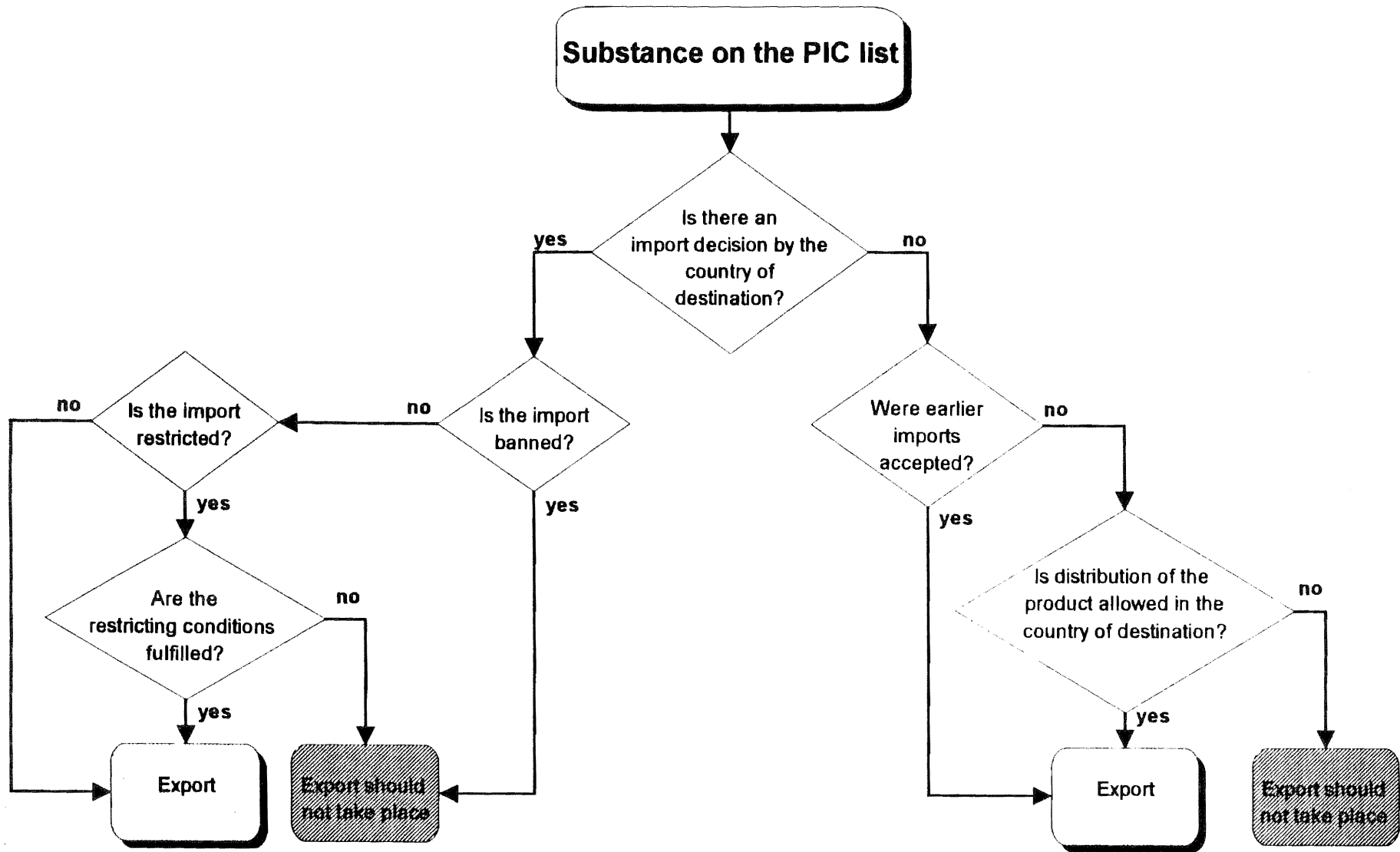


Figure 3: Export of substances on the PIC list - how should the exporter proceed?

The European Commission held a Conference on International Trade in Dangerous Chemicals in Brussels in July 1995. Objectives were

- to assess the strengths and weaknesses of Council Regulation (EEC) No 2455/92 concerning the export and import of certain dangerous chemicals, and to identify suggestions for improvement,
- to clarify the role and responsibilities of the manufacturing, exporting and importing industries,
- to identify concrete actions to be taken by the European Union, its Member States, developing countries, etc., in order to contribute to improve chemicals management in developing countries,
- to discuss possible approaches, strategies for strengthening the international policy framework for sound chemicals management and to explore possible role and contribution of the European Union.

The Conference showed very distinct, that the Council Regulation (EEC) No 2455/92 was implemented successful, but a lot of improvements could be made.

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- (2) **International Code of Conduct on the Distribution and Use of Pesticides, Food and Agriculture Organization of the United Nations, (Rom, 1986; amended version (by FAO Conference Resolution 6/89, 1989); Rom, 1990).**
- (3) **Informing the Importer, Guide to Council Regulation EEC/2455/92 concerning the Export and Import of Certain Dangerous Chemicals, Commission of the European Communities, Directorate-General XI, Environment, Nuclear Safety and Civil Protection (Luxemburg, 1993).**
- (4) **Das Gesetz zum Schutz der Kulturpflanzen (Pflanzenschutzgesetz-PflSchG) vom 15. September 1986 (BGBl. I S. 1505), zuletzt geändert durch Art. 10 des Strafrechtsänderungsgesetzes vom 27. Juni 1994 (BGBl. I S. 1440).**
- (5) **London Guidelines for the Exchange of Information for Chemicals in International Trade, United Nations Environment Programme (Genf, 1985; amended by UNEP Governing Council Decision 15/30, 1989).**
- (6) **Development of a Legally Binding Instrument for the Mandatory Application of the PIC Procedure, Council of the Food and Agriculture Organization of the United Nations, Hundred and Seventh Session (Rom, 1994).**
- (7) **Guidance for Governments, Operation of the Prior Informed Consent Procedure for Banned or Severely Restricted Chemicals in International Trade, Food and Agriculture Organisation of the United Nations, United Nations Environment Programme (Rom - Genf, 1991).**
- (8) **More Responsibility in Plant Production, International and National Regulations concerning the Export of Plant Protection Products, 2nd Edition, Federal Ministry of Food, Agriculture and Forstry (Bonn, 1994).**
- (9) **Council Regulation (EEC) No 2455/92 of 23 July 1992 concerning the export and import of certain dangerous chemicals (OJ No L 251, 29.8.1992, p. 13).**
- (10) **Council Regulation (EC) No 3135/94 of 15 December 1994 amending Annex I to Regulation (EEC) No 2455/92 concerning the export and import of certain dangerous chemicals (OJ No L 332, 22.12.94, p. 1).**
- (11) **Commission Regulation (EC) No 41/94 of 11 January 1994 amending Annex II to Council Regulation (EEC) No 2455/92 concerning the export and import of certain dangerous chemicals (OJ No L 8, 12.1.94, p. 1).**

- (12) **Verordnung zur Durchsetzung der Verordnung (EWG) Nr. 2455/92 betreffend die Ausfuhr und Einfuhr bestimmter gefährlicher Chemikalien (ChemAusfuhr-BußgeldV) vom 13. April 1993 (BGBl. I S. 459).**
- (13) **Verordnung zur Bezeichnung der nach dem Chemikaliengesetz mit Geldbuße bewehrten Tatbestände in EWG-Verordnungen über Stoffe und Zubereitungen (Chemikalien-Bußgeldverordnung - ChemBußgeldV) vom 30. März 1994 (BGBl. I S. 718).**





# **ANNEX I**

## **IMPORT DECISIONS**



Import Decisions for aldrin, DDT, dieldrin, dinoseb and dinoseb salts, fluoroacetamide, HCH (mixed isomers), chlordane, chlordimeform, cyhexatin, EDB, heptachlor and mercury compounds  
as of 31 December 1994

CHEMICAL: ALDRIN

IMPORT DECISIONS AS OF 31 December 1994

Country	Final Decision on Import	Interim Decision on Import	Conditions for Import	Remarks
Angola	Prohibit			
Australia*	Prohibit			
Austria	Prohibit			
Bangladesh*	Prohibit			
Barbados	Prohibit			
Belize	Prohibit			
Benin	Prohibit			
Bhutan	Prohibit			
Bolivia	Prohibit			
Bulgaria*	Prohibit			Use forbidden since 1969
Burkina Faso		Prohibit		Need more time
Burundi		Prohibit		
Cameroon	Prohibit			
Cape Verde	Prohibit			
Central African Rep.		Prohibit		
Chad	Prohibit			
China, P.R.	Prohibit			
Congo		Permit		Need more time
Cook Islands*	Prohibit			
Costa Rica	Prohibit			
Cuba	Prohibit			
Cyprus	Prohibit			
Dominican Republic	Prohibit			
Ecuador	Prohibit			
El Salvador	Prohibit			
Ethiopia		Permit	Permit from Ministry of Agriculture	Use as termiticide only. Legislation pending.
European Union*: Belgium, Denmark, France, Germany, Greece, Ireland, Italy, Luxembourg, Netherlands, Portugal, Spain, United Kingdom	Prohibit for plant protection use		For uses other than plant protection written authorization is required for import into Belgium, Denmark, Italy, Netherlands, Spain	For other uses than plant protection, national authorization schemes apply
Fiji	Prohibit			
Finland	Prohibit			
Gambia	Prohibit			
Guatemala	Prohibit			
Guinea, Rep. of		Prohibit		Legislation to be implemented

\* New or modified entry

Country	Final Decision on Import	Interim Decision on Import	Conditions for Import	Remarks
Honduras	Prohibit			
Hungary*	Prohibit			
India	Prohibit			
Japan	Prohibit			
Jordan	Prohibit			
Kenya	Prohibit			
Kuwait	Prohibit			
Lebanon	Prohibit			
Malaysia		Permit		Used as termiticide
Malta	Prohibit			
Mauritius*	Prohibit			
Mexico	Prohibit			
Mongolia	Prohibit			Not included in the approved list for pesticides 1994-2000
Morocco	Prohibit			
Mozambique*	Prohibit			Import, production and use banned
Nepal		Permit		Need more time
New Zealand	Prohibit			
Nicaragua	Prohibit			
Niger	Prohibit			
Norway	Prohibit			
Panama		Prohibit		Need more time
Peru	Prohibit			
Philippines	Prohibit			
Rwanda	Prohibit			
Sri Lanka	Permit		Written approval by Registrar	Agricultural use restricted to control in coconut nurseries. Alternative for chlordane and dieldrin as structural termiticide.
St. Lucia	Prohibit			
Sudan	Permit			Restricted for control of termites
Suriname	Prohibit			Not registered
Sweden	Permit			
Switzerland	Prohibit			
Syria	Prohibit			
Tanzania	Permit			For emergency cases in limited amounts
Thailand	Permit			Structural termite control and household use only
Togo	Prohibit			
Trinidad & Tobago		Permit		Termiticide use only. Additional time needed
Turkey	Prohibit			
Uganda	Prohibit			
United Arab Emirates	Prohibit			
Vanuatu	Prohibit			

\* New or modified entry

Country	Final Decision on Import	Interim Decision on Import	Conditions for Import	Remarks
Venezuela	Permit		Permission from Ministry of Health or Agriculture	Vector control in public health; limited uses permitted by Ministry of Agriculture
Vietnam	Prohibit			
Western Samoa	Prohibit			
Zaire		Prohibit		Need more time

\* New or modified entry

CHEMICAL: DIELDRIN

IMPORT DECISIONS AS OF 31 December 1994

Country	Final Decision on Import	Interim Decision on Import	Conditions for Import	Remarks
Angola	Prohibit			
Australia*	Prohibit			
Austria	Prohibit			
Barbados	Prohibit			
Belize	Prohibit			
Benin	Prohibit			
Bhutan	Prohibit			
Bolivia	Prohibit			
Bulgaria*	Prohibit			Use forbidden since 1969
Burkina Faso		Prohibit		Need more time
Burundi		Prohibit		
Cameroon	Prohibit			
Cape Verde	Prohibit			
Central African Rep.	Prohibit			
Chad		Prohibit		Under review
China, P.R.	Prohibit			
Congo		Permit		Need more time
Cook Islands*	Prohibit			
Costa Rica	Prohibit			
Cuba	Prohibit			
Cyprus	Prohibit			
Dominican Rep.	Prohibit			
Ecuador	Prohibit			
El Salvador	Prohibit			
Ethiopia		Permit	Permit from Ministry of Agriculture	Use as termiticide only. Legislation pending
European Union*: Belgium, Denmark, France, Germany, Greece, Ireland, Italy, Luxembourg, Netherlands, Portugal, Spain, United Kingdom	Prohibit for plant protection use		For uses other than plant protection written authorization is required for import into Belgium, Denmark, Italy, Netherlands, Spain	For other uses than plant protection, national authorization schemes apply
Fiji	Prohibit			
Finland	Prohibit			
Gambia	Prohibit			
Guatemala	Prohibit			
Guinea, Rep. of		Prohibit		Legislation to be implemented
Honduras	Prohibit			
Hungary*	Prohibit			
India	Permit			For locust control only
Japan	Prohibit			
Jordan	Prohibit			

\* New or modified entry

Country	Final Decision on Import	Interim Decision on Import	Conditions for Import	Remarks
Kenya	Prohibit			
Kuwait	Prohibit			
Lebanon	Prohibit			
Malaysia		Permit		Used as termiticide
Malta	Prohibit			
Mauritius*	Prohibit			
Mexico	Prohibit			
Mongolia	Prohibit			Not included in the approved list of pesticides for 1994-2000
Morocco	Prohibit			
Mozambique*	Prohibit			Import, production and use banned
Nepal		Permit		Need more time
New Zealand	Prohibit			
Nicaragua	Prohibit			
Niger	Prohibit			
Norway	Prohibit			
Panama		Prohibit		Need more time
Peru	Prohibit			
Philippines	Prohibit			
Rwanda	Prohibit			
Sri Lanka	Permit		Written approval from registrar	Non-crop uses only. Termiticide and timber protectant
St. Lucia	Prohibit			
Sudan	Permit			Restricted to control of termites
Suriname	Prohibit			Not registered
Sweden	Permit			
Switzerland	Prohibit			
Syria	Prohibit			
Tanzania	Permit			For emergency cases in limited amounts
Thailand	Prohibit			
Togo	Prohibit			
Trinidad & Tobago		Permit		Termiticide use only. Need more time.
Turkey	Prohibit			
Uganda		Permit		Termiticide use only
United Arab Emirates	Prohibit			
Vanuatu	Prohibit			
Venezuela	Permit		Permission from Ministry of Health or Agriculture	Vector control in public health; granular formulation (with aldrin & chlordane) for limited uses permitted by Minister of Agriculture
Vietnam	Prohibit			
Western Samoa	Prohibit			
Zaire		Prohibit		Need more time

\* New or modified entry

CHEMICAL: DDT

IMPORT DECISIONS AS OF 31 December 1994

Country	Final Decision on Import	Interim Decision on Import	Conditions for Import	Remarks
Angola	Prohibit			
Australia*	Prohibit			
Austria	Prohibit			
Barbados	Prohibit			
Belize	Prohibit			
Benin	Prohibit			
Bhutan		Permit		
Bolivia	Permit		Only when certified by Ministry of Health for Public Health use	Vector control in malaria; prohibited for agricultural use
Bulgaria*	Prohibit			Use forbidden since 1969
Burkina Faso		Prohibit		Need more time
Burundi		Prohibit		
Cameroon	Prohibit			
Cape Verde	Prohibit			
Central African Rep.	Prohibit			
Chad	Prohibit			
China, P.R.	Prohibit			
Congo	Prohibit			
Cook Islands*	Prohibit			
Costa Rica	Prohibit			
Cuba	Prohibit			
Cyprus	Prohibit			
Ecuador	Prohibit			
El Salvador	Prohibit			
Ethiopia		Permit	Permit from Ministry of Agriculture	Emergency malaria control only. Legislation pending
European Union*: Belgium, Denmark, France, Greece, Ireland, Italy, Luxembourg, Netherlands, Portugal, Spain, United Kingdom	Prohibit for plant protection use		For uses other than plant protection written authorization is required for import into Belgium, Denmark, France, Italy, Netherlands, Spain	For other uses than plant protection, national authorization schemes apply
Fiji	Prohibit			
Finland	Prohibit			
Gambia	Prohibit			
Germany*	Prohibit			For all kinds of use

\* New or modified entry



Country	Final Decision on Import	Interim Decision on Import	Conditions for Import	Remarks
Guatemala	Prohibit			
Guinea, Rep. of		Permit		For public health use only
Honduras	Prohibit			
Hungary*	Prohibit			
India		Permit		Need more time; permitted in public health programme
Japan	Prohibit			
Jordan	Prohibit			
Kenya		Permit		Imported only by Ministry of Health for Public Health use
Kuwait	Prohibit			
Lebanon	Prohibit			
Malaysia		Permit		Use against malaria vectors
Malta	Prohibit			
Mauritius*	Permit			Restricted use by public health service only
Mexico		Permit	Direct import by Secretariat of Health for public health campaigns	
Mongolia	Prohibit			Not included in the approved list of pesticides for 1994-2000
Morocco	Prohibit			
Mozambique*	Prohibit			Import, production and use banned
Nepal		Permit		Need more time
New Zealand	Prohibit			
Nicaragua	Prohibit			
Niger	Prohibit			
Norway	Prohibit			
Panama		Prohibit		Need more time
Peru	Prohibit			All use in agriculture prohibited
Philippines	Permit		Special permit required for malaria vector control through Dept. of Health	
Rwanda	Prohibit			
Sri Lanka	Permit		Special permit required for malaria vector control	All agricultural use prohibited
St. Lucia	Prohibit			
Sudan	Permit			For public health use only
Suriname	Prohibit			Not registered
Sweden	Permit			
Switzerland	Permit			Import is permitted only for processing and re-export
Syria	Prohibit			

\* New or modified entry

Country	Final Decision on Import	Interim Decision on Import	Conditions for Import	Remarks
Tanzania	Permit			For emergency cases in limited amounts
Thailand	Permit			By Ministry of Public Health for use against malaria only
Togo	Prohibit			
Trinidad & Tobago		Prohibit		Need more time
Turkey	Prohibit			
Uganda	Prohibit			
United Arab Emirates	Prohibit			
Vanuatu	Prohibit			
Venezuela	Permit		Permit from Ministry of Health or Agriculture	Vector control where authorized by Ministry of Health; emergency use in agriculture with permission and under supervision of Ministry of Agriculture
Vietnam	Permit			Imported by Ministry of Health for public health use
Western Samoa	Prohibit			
Zaire		Prohibit		Need more time

\* New or modified entry

CHEMICAL: DINOSEB & DINOSEB SALTS

IMPORT DECISIONS AS OF 31 December 1994

Country	Final Decision on Import	Interim Decision on Import	Conditions for Import	Remarks
Angola		Permit		Presently registered
Austria	Prohibit			
Barbados	Prohibit			
Belize	Prohibit			
Benin	Prohibit			
Bhutan	Prohibit			
Bolivia	Prohibit			Not registered
Bulgaria*	Prohibit			Use forbidden since 1984
Burkina Faso		Prohibit		Need more time
Burundi	Prohibit			
Cameroon*	Prohibit			
Cape Verde	Prohibit			
Central African Rep.		Prohibit		
Chad	Prohibit			
China, P.R.	Prohibit			
Congo		Permit		Need more time
Cook Islands*	Prohibit			
Costa Rica	Prohibit			
Cuba	Prohibit			
Cyprus	Prohibit			
Ecuador	Prohibit			
Ethiopia		Prohibit		Never used in Ethiopia. Legislation pending.
European Union*: Belgium, Denmark, France, Germany, Greece, Ireland, Italy, Luxembourg, Netherlands, Portugal, Spain, United Kingdom	Prohibit for plant protection use		For uses other than plant protection written authorization is required for import into Belgium, Denmark, Italy, Netherlands, Spain	For other uses than plant protection, national authorization schemes apply
Fiji	Prohibit			
Finland	Prohibit			
Gambia	Prohibit			
Guatemala	Prohibit			
Guinea, Rep. of		Prohibit		Legislation to be implemented
Honduras	Prohibit			
Hungary*	Prohibit			
India		Prohibit		No application for registration
Japan	Prohibit			
Jordan		Permit	Stipulated condition	Need more time
Kenya	Prohibit			Not registered
Kuwait	Prohibit			
Lebanon		Prohibit		Need more time

\* New or modified entry

Country	Final Decision on Import	Interim Decision on Import	Conditions for Import	Remarks
Malaysia	Prohibit			Except for research through permit
Malta	Prohibit			
Mauritius*	Prohibit			
Mexico	Prohibit			
Mongolia	Prohibit			Not included in the approved list of pesticides 1994-2000
Morocco	Permit			Use on weeds in Legumes; limited quantity 500-1000 kg/year
Mozambique*	Prohibit			Not registered
Nepal	Prohibit			
New Zealand	Prohibit			
Nicaragua		Prohibit		Need more time
Niger	Prohibit			Not registered
Norway	Prohibit			
Panama	Prohibit			Not registered
Peru	Prohibit			Not registered
Philippines	Prohibit			Not registered, WHO hazard class I
Sri Lanka	Prohibit			Not registered
St. Lucia	Prohibit			
Sudan	Prohibit			
Suriname	Prohibit			Not registered
Sweden	Permit			
Switzerland*	Permit			Presently registered
Syria	Prohibit			
Tanzania	Prohibit			Not registered
Thailand	Prohibit			
Togo		Permit	With advance approval and/or agreement of Plant Protection Service/ Ministry of Development	Pending implementation of legislation
Turkey	Prohibit			
Uganda	Prohibit			
United Arab Emirates	Prohibit			
Vanuatu	Prohibit			
Venezuela	Permit		Properties, toxicological data, quality control certificate must be available	
Vietnam	Prohibit			
Western Samoa	Prohibit			
Zaire		Prohibit		Need more time
Zimbabwe	Prohibit			

\* New or modified entry

CHEMICAL: FLUOROACETAMIDE

IMPORT DECISIONS AS OF 31 December 1994

Country	Final Decision on Import	Interim Decision on Import	Conditions for Import	Remarks
Angola	Prohibit			
Austria	Prohibit			
Belize	Prohibit			
Benin	Prohibit			
Bhutan	Prohibit			
Bolivia	Prohibit			Not registered
Bulgaria*	Prohibit			Not registered
Burundi	Prohibit			
Cameroon*	Prohibit			No record of use
Cape Verde	Prohibit			
Central African Republic		Prohibit		
Chad	Prohibit			
China, P.R.	Prohibit			
Congo		Permit		Need more time
Cook Islands*	Prohibit			
Cuba	Prohibit			
Cyprus	Prohibit			
Ecuador	Prohibit			
El Salvador	Prohibit			
Ethiopia		Permit	Permit from Ministry of Agriculture	Legislation pending
Fiji	Prohibit			
Finland	Prohibit			
Gambia	Prohibit			
Germany*	Prohibit			
Guatemala	Prohibit			
Guinea, Rep. of		Prohibit		Legislation to be implemented
Honduras	Prohibit			
Hungary*	Prohibit			Not registered
India	Prohibit			Not registered
Japan	Prohibit			
Jordan		Permit	Stipulated condition	Need more time
Kenya	Prohibit			Not registered
Lebanon	Prohibit			
Malaysia	Prohibit			Except for research through permit
Malta	Prohibit			
Mauritius*	Prohibit			
Mexico	Prohibit			
Mongolia	Prohibit			Not included in the approved list of pesticides for 1994-2000
Morocco	Prohibit			
Mozambique*	Prohibit			Not registered
Nepal	Prohibit			
Netherlands*	Prohibit			
New Zealand	Prohibit			

\* New or modified entry

Country	Final Decision on Import	Interim Decision on Import	Conditions for Import	Remarks
Nicaragua	Prohibit			
Niger	Prohibit			Not registered
Norway	Prohibit			
Panama	Prohibit			Not registered
Peru	Prohibit			Not registered
Philippines	Prohibit			
Rwanda				Awaiting legislation
Sri Lanka	Prohibit			
St. Lucia	Prohibit			
Sudan	Prohibit			
Suriname	Prohibit			Not registered
Sweden	Permit			Need advance approval for use as pesticide
Switzerland*	Prohibit			Not registered
Syria	Prohibit			
Tanzania	Prohibit			No request for registration
Thailand	Prohibit			
Togo		Permit	With approval from Plant Protection Service	Pending implementation of legislation
Turkey	Prohibit			
Uganda	Prohibit			
Vanuatu	Prohibit			
Venezuela	Permit		Properties, toxicological data, quality control certificate must be available	
Vietnam	Prohibit			
Western Samoa	Prohibit			
Zaire		Prohibit		Need more time
Zimbabwe	Prohibit			

\* New or modified entry

CHEMICAL: HCH (mixed isomers) IMPORT DECISIONS AS OF 31 December 1994

Country	Final Decision on Import	Interim Decision on Import	Conditions for Import	Remarks
Angola	Prohibit			
Austria	Prohibit			
Barbados	Prohibit			
Belize		Permit		Only formulations of less than 1% a.i. for veterinary and medical use
Benin	Prohibit			
Bhutan		Permit		Need more time
Bolivia	Prohibit			
Bulgaria*	Prohibit			Use forbidden since 1969
Burkina Faso		Prohibit		Need more time
Burundi		Prohibit		
Cameroon*	Prohibit			Not registered
Cape Verde	Prohibit			
Central African Republic		Prohibit		
China, P.R.	Prohibit			
Congo		Permit		Need more time
Cook Islands*	Prohibit			
Costa Rica	Prohibit			Not registered
Cuba	Prohibit			
Cyprus	Prohibit			
Ecuador	Prohibit			
El Salvador	Prohibit			
Ethiopia	Prohibit			
European Union*: Belgium, Denmark, France, Germany, Greece, Ireland, Italy, Luxembourg, Netherlands, Portugal, Spain, United Kingdom	Prohibit for plant protection use		For uses other than plant protection written authorization is required for import into Belgium, Denmark, France, Italy, Netherlands, Spain	For other uses than plant protection, national authorization schemes apply
Fiji	Prohibit			
Finland	Prohibit			
Gambia	Prohibit			
Guatemala	Prohibit			
Guinea, Rep. of		Prohibit		Legislation to be implemented
Honduras	Prohibit			
Hungary*	Prohibit			
India		Permit		Need more time; certain uses banned
Japan	Prohibit			
Jordan	Prohibit			
Kenya	Prohibit			
Kuwait	Prohibit			
Lebanon	Prohibit			
Malaysia	Prohibit			Except for research through permit
Malta	Prohibit			

\* New or modified entry

Country	Final Decision on Import	Interim Decision on Import	Conditions for Import	Remarks
Mauritius*	Prohibit			
Mexico	Prohibit			
Mongolia	Prohibit			By order of Ministry of Food & Agriculture and the Ministry of the Environment in 1990, the use of dustable powder HCH 12% mixed isomers was banned in Mongolia
Morocco	Prohibit			
Mozambique*	Prohibit			
Nepal		Permit		Need more time
New Zealand	Prohibit			
Nicaragua	Prohibit			
Niger		Prohibit		Legislation pending
Norway	Prohibit			
Panama		Prohibit		Need more time
Peru	Prohibit			
Philippines*	Prohibit			As per Pesticide Circular No. 04 Series of 1989 re: Revised List of Banned and Restricted Pesticides in the Philippines
Rwanda	Prohibit			
Sri Lanka	Prohibit			
St. Lucia	Prohibit			
Sudan	Prohibit			
Suriname	Prohibit			Not registered
Sweden	Permit			Need advance approval for use as pesticide
Switzerland	Prohibit			
Syria	Prohibit			
Tanzania	Permit			
Thailand	Prohibit			
Togo	Prohibit			
Turkey*	Prohibit			
Uganda		Permit		Need more time
United Arab Emirates	Prohibit			
Vanuatu	Prohibit			
Venezuela	Permit		Permission from Ministry of Health or Agriculture	Vector control in public health; limited uses permitted by Ministry of Agriculture
Vietnam	Prohibit			
Western Samoa	Prohibit			
Zaire		Prohibit		Need more time

\* New or modified entry



CHEMICAL: CHLORDANE      IMPORT DECISIONS AS OF 31 December 1994

Country	Final Decision on Import	Interim Decision on Import	Conditions for Import	Remarks
Austria	Prohibit			
Barbados*	Prohibit			
Belize	Prohibit			
Bolivia	Prohibit			Not registered
Bulgaria*	Prohibit			Not registered
Burundi		Prohibit		Pending passing of pesticide law. Chlorpyrifos-ethyl used for termite control.
Cameroon*	Prohibit			Not registered
Chad	Prohibit			
China, P.R.	Prohibit			Is manufactured in country
Congo	Prohibit			
Cook Islands*	Prohibit			
Costa Rica	Prohibit			
Cuba*	Permit		Small quantities less than 1 MT per year of PH 75% or other technical material for formulating in the country substances for control of ants with less than 0.75% active ingredient	
Dominican Rep.	Prohibit			
Ecuador	Prohibit			
El Salvador	Prohibit			
Ethiopia		Permit	Permit from Ministry of Agriculture	Use as termiticide only. Legislation pending
European Union*: Belgium, Denmark, France, Greece, Ireland, Italy, Luxembourg, Portugal, Spain, United Kingdom	Prohibit for plant protection use		For uses other than plant protection written authorization is required for import into Belgium, Denmark, France, Italy, Spain	For other uses than plant protection, national authorization schemes apply
Fiji	Prohibit			
Finland	Permit		Use as agricultural pesticide and wood preservative formulation prohibited	
Gambia	Prohibit			

\* New or modified entry

Country	Final Decision on Import	Interim Decision on Import	Conditions for Import	Remarks
Germany	Prohibit			
Guatemala	Prohibit			
Guinea, Rep. of*		Prohibit		
Honduras	Prohibit			
Hungary	Prohibit			
Lebanon	Prohibit			
Malaysia		Permit		Pending identification of alternative termiticides
Malta	Prohibit			
Mauritius	Prohibit			
Mexico		Permit		Manufactured in country. Use as termiticide only.
Mongolia	Prohibit			Not on approved list of pesticides for 1994-2000
Mozambique*	Prohibit			Import, production and use banned
Nepal*	Prohibit			
Netherlands*	Prohibit			
New Zealand	Prohibit			
Nicaragua	Prohibit			
Niger	Prohibit			
Norway	Prohibit			
Oman, Sultanate of		Permit		Use as termiticide only
Philippines	Permit			
Qatar	Prohibit			
Sri Lanka	Permit		Approval letter for import from registrar	Agricultural uses withdrawn in 1980; restricted uses as termiticide in soil, timber protectant
St. Lucia	Prohibit			
Sudan	Permit			Use as termiticide only
Suriname		Prohibit		
Sweden	Prohibit			
Switzerland	Prohibit			
Syria	Prohibit			
Tanzania*		Permit		Pending approval of alternative soil insecticides
Thailand*	Permit			Use only for termite control in the production of sugar cane, pine apple, para rubber and oil palm
Togo*	Prohibit			
Trinidad & Tobago		Permit		Termiticide use only
Turkey	Prohibit			
Vietnam	Prohibit			
Western Samoa	Prohibit			
Zaire		Prohibit		Need more time

\* New or modified entry

CHEMICAL: CHLORDIMEFORM

IMPORT DECISIONS AS OF 31 December 1994

Country	Final Decision on Import	Interim Decision on Import	Conditions for Import	Remarks
Austria	Prohibit			
Barbados*	Prohibit			
Belize		Prohibit		Additional time required
Bolivia	Prohibit			
Bulgaria*	Prohibit			Use forbidden since 1984
Burundi		Prohibit		Pending passing of pesticide law. Product used against cotton bollworm is cyfluthrin
Chad	Prohibit			
China, P.R.	Prohibit			
Congo	Prohibit			
Cook Islands*	Prohibit			
Costa Rica	Prohibit			
Cuba*	Prohibit			Prohibited by resolution 268 of Ministry of Public Health. Galecron earlier withdrawn.
Dominican Rep.	Prohibit			
Ecuador	Prohibit			
El Salvador	Prohibit			
Ethiopia		Prohibit		Never used in Ethiopia. Legislation pending
Fiji	Prohibit			
Finland		Prohibit		Need advance approval for use as pesticide
Gambia	Prohibit			
Germany	Prohibit			
Guatemala	Prohibit			
Guinea, Rep. of*		Prohibit		Except for small quantities for research uses through import permit
Honduras	Prohibit			
Hungary	Prohibit			
India		Prohibit		No application for registration
Lebanon	Prohibit			
Malaysia	Prohibit			Except for small quantities for research/ educational uses through import permit
Malta	Prohibit			
Mauritius	Prohibit			
Mexico	Prohibit			
Mongolia	Prohibit			Not included in approved list of pesticides for 1994-2000
Morocco	Prohibit			No request for registration

\* New or modified entry

Country	Final Decision on Import	Interim Decision on Import	Conditions for Import	Remarks
Mozambique*	Prohibit			Import, production and use banned
Nepal*	Prohibit			No record of use
Netherlands*	Prohibit			
New Zealand	Prohibit			
Nicaragua	Prohibit			
Niger	Prohibit			
Norway	Prohibit			
Oman, Sultanate of	Prohibit			
Philippines	Prohibit			
Qatar	Prohibit			
Rwanda	Permit			
Sri Lanka	Prohibit			
St. Lucia	Prohibit			
Sudan	Prohibit			
Suriname		Prohibit		
Sweden		Permit		
Switzerland*	Prohibit			Not registered
Syria	Prohibit			
Thailand	Prohibit			
Togo		Permit		Product not included in inventory of pesticides in Togo for past 10 years
Trinidad & Tobago		Prohibit		Need more time
Turkey	Prohibit			
United Kingdom	Prohibit			Only if approved for import and use as a pesticide
Vietnam		Prohibit		Not registered
Western Samoa	Prohibit			
Zaire		Prohibit		Need more time

\* New or modified entry

CHEMICAL: CYHEXATIN

IMPORT DECISIONS AS OF 31 December 1994

Country	Final Decision on Import	Interim Decision on Import	Conditions for Import	Remarks
Austria	Prohibit			
Barbados*	Prohibit			
Belize	Prohibit			
Bolivia	Prohibit			Not registered
Bulgaria*	Prohibit			Use forbidden since 1989
Burundi		Prohibit		Pending passing of pesticide law
Cameroon	Prohibit			
Chad	Prohibit			
China, P.R.	Prohibit			
Congo	Prohibit			
Cook Islands*	Prohibit			
Costa Rica	Prohibit			
Cuba*	Prohibit			
Dominican Rep.		Permit		Pending consideration of toxicological information
Ecuador	Prohibit			
El Salvador	Prohibit			
Ethiopia		Prohibit		Never used in Ethiopia. Legislation pending
Fiji	Prohibit			
Finland		Prohibit		Need advance approval for use as pesticide.
Gambia	Prohibit			
Germany*	Permit		Authorization by the BBA is required	
Guatemala	Prohibit			
Guinea, Rep. of*		Prohibit		
Honduras	Prohibit			
Hungary	Permit			
India		Prohibit		Not registered
Lebanon		Permit		Its use under study
Malaysia	Prohibit			Except for small quantities for research/ educational use through import permit
Malta	Prohibit			
Mauritius	Prohibit			
Mexico	Prohibit			
Mongolia	Prohibit			Not included in approved list of pesticides for 1994-2000
Morocco		Permit		
Mozambique*	Prohibit			Not registered
Nepal	Prohibit			No record of use
Netherlands*	Permit		Approval from Ministry of Agriculture	
New Zealand	Prohibit			

\* New or modified entry

Country	Final Decision on Import	Interim Decision on Import	Conditions for Import	Remarks
Nicaragua	Prohibit			
Niger		Prohibit		No record of previous use. Legislation pending
Norway	Prohibit			
Oman, Sultanate of	Prohibit			
Philippines	Prohibit			Not registered
Qatar	Prohibit			
Sri Lanka	Prohibit			Not registered
St. Lucia	Prohibit			
Sudan	Prohibit			
Suriname		Prohibit		
Sweden	Permit			
Switzerland*	Permit			Presently registered
Syria	Prohibit			
Thailand	Prohibit			
Togo		Permit		Not included in list of banned or severely restricted products in Togo
Turkey	Prohibit			
United Kingdom	Prohibit			
Vietnam	Prohibit			
Western Samoa	Prohibit			
Zaire		Prohibit		Need more time

\* New or modified entry

CHEMICAL: EDB

IMPORT DECISIONS AS OF 31 December 1994

Country	Final Decision on Import	Interim Decision on Import	Conditions for Import	Remarks
Australia*	Permit			
Austria	Prohibit			
Barbados*		Permit	Restricted use as a fumigant for certainm craft.	Non agricultural uses only
Belize	Prohibit			
Bolivia	Prohibit			Not registered
Bulgaria*	Prohibit			Not registered
Burundi		Prohibit		Pending promulgation of pesticide law
Chad	Prohibit			
China, P.R.	Prohibit			
Congo	Prohibit			
Cook Islands*		Permit	Only for application by Ministry of Agriculture for Produce Treatment against fruit flies	Need more time
Costa Rica	Prohibit			
Cuba*	Prohibit			
El Salvador	Prohibit			
Ethiopia		Prohibit		No record of use. Legislation pending
European Union*: Belgium, Denmark, France, Germany, Greece, Ireland, Italy, Luxembourg, Netherlands, Portugal, Spain, United Kingdom	Prohibit for plant protection use		For uses other than plant protection written authorization is required for import into Belgium, Denmark, Italy Netherlands, Spain	For other uses than plant protection, national authorization schemes apply
Fiji	Permit			Restricted to plant quarantine uses
Finland		Prohibit		Need advance approval for use as pesticide
Gambia	Prohibit			
Guatemala	Prohibit			
Guinea, Rep. of*		Prohibit		
Honduras	Prohibit			
Hungary	Prohibit			
India	Permit			
Lebanon	Prohibit			

\* New or modified entry

Country	Final Decision on Import	Interim Decision on Import	Conditions for Import	Remarks
Malaysia	Prohibit			Except for small quantities for research/ educational use through import permit
Malta	Prohibit			
Mauritius	Prohibit			
Mexico	Prohibit			
Mongolia	Prohibit			Not included in approved list of pesticides for 1994-2000
Morocco	Prohibit			No request for registration
Mozambique*	Prohibit			Import, production and use banned
Nepal*	Prohibit			
New Zealand	Permit			For fumigation by Quarantine officials
Nicaragua	Prohibit			
Niger	Prohibit			
Norway	Prohibit			
Oman, Sultanate of	Prohibit			
Philippines	Prohibit			
Qatar	Prohibit			
Rwanda	Prohibit			
Sri Lanka	Prohibit			Not registered
St. Lucia	Prohibit			
Sudan	Prohibit			
Suriname		Prohibit		
Sweden	Permit			Need advance approval for use as pesticide
Switzerland	Permit		If not intended for use as pesticide	
Syria	Prohibit			
Tanzania*	Prohibit			Pending approval of alternative fumigants
Thailand	Prohibit			
Togo*	Prohibit			Legislation pending
Trinidad & Tobago		Prohibit		Additional time needed
Turkey	Prohibit			Not registered
Vietnam	Prohibit			
Western Samoa	Prohibit			
Zaire		Prohibit		Need more time

\* New or modified entry



CHEMICAL: HEPTACHLOR IMPORT DECISIONS AS OF 31 December 1994

Country	Final Decision on Import	Interim Decision on Import	Conditions for Import	Remarks
Austria	Prohibit			
Barbados*	Prohibit			
Belize	Prohibit			
Bolivia	Prohibit			
Bulgaria*	Prohibit			Use forbidden since 1991
Burundi		Prohibit		Pending passing of pesticide law
Cameroon	Prohibit			
Chad	Prohibit			
China, P.R.	Prohibit			
Congo	Prohibit			
Cook Islands*	Prohibit			
Costa Rica	Permit			Restricted to professional use on ornamentals and pine trees
Cuba*	Prohibit			Prohibited by resolution 268 of ministry of Public Health
Dominican Rep.	Prohibit			
Ecuador	Prohibit			
El Salvador	Prohibit			
Ethiopia		Permit	Permit from Ministry of Agriculture	Use as termiticide only. Legislation pending
European Union*: Belgium, Denmark, France, Germany, Greece, Ireland, Italy, Luxembourg, Netherlands, Portugal, Spain, United Kingdom	Prohibit for plant protection use		For uses other than plant protection written authorization is required for import into Belgium, Denmark, France, Italy, Netherlands, Spain	For other uses than plant protection, national authorization schemes apply
Fiji	Prohibit			
Finland		Prohibit		Need advance approval for use as pesticide
Gambia	Prohibit			
Guatemala	Prohibit			
Guinea, Rep. of*		Prohibit		
Honduras	Prohibit			
Hungary	Prohibit			
Lebanon	Prohibit			
Malaysia	Prohibit			Except for small quantities for research/ educational use through import permit

\* New or modified entry

Country	Final Decision on Import	Interim Decision on Import	Conditions for Import	Remarks
Malta	Prohibit			
Mauritius	Prohibit			
Mexico	Prohibit			
Mongolia	Prohibit			Not included in approved list of pesticides for 1994-2000
Mozambique*	Prohibit			Import, production and use banned
Nepal*	Prohibit			
New Zealand	Prohibit			
Nicaragua	Permit			
Niger	Prohibit			
Norway	Prohibit			
Philippines	Prohibit			
Qatar	Prohibit			
Sri Lanka	Prohibit			
St. Lucia	Prohibit			
Sudan	Permit			Termiticide use only
Suriname		Prohibit		
Sweden	Permit			Need advance approval for use as pesticide
Switzerland	Prohibit			
Syria	Prohibit			
Tanzania*		Permit		Need more time
Thailand	Permit			Structural termite control and household use only
Togo		Permit		Not currently included in list of banned or severely restricted pesticides
Trinidad & Tobago		Permit		Termiticide use only
Turkey	Prohibit			
Vietnam	Prohibit			
Western Samoa	Prohibit			
Zaire		Prohibit		Need more time

\* New or modified entry

CHEMICAL: MERCURY COMPOUNDS

IMPORT DECISIONS AS OF 31 December 1994

Country	Final Decision on Import	Interim Decision on Import	Conditions for Import	Remarks
Austria	Prohibit			
Barbados*	Prohibit			
Belize	Prohibit			
Bolivia	Prohibit			
Bulgaria*	Prohibit			Use forbidden since 1991
Burundi		Prohibit		Pending promulgation of pesticide law.
China, P.R.	Prohibit			
Congo	Prohibit			No record of use
Cook Islands*	Prohibit			
Costa Rica	Prohibit			
Cuba*	Prohibit			Prohibited by resolution 268 of Ministry of Public Health
Ecuador	Prohibit			
El Salvador	Prohibit			
Ethiopia		Permit	Permit from Ministry of Agriculture	1. Ethylmercury chloride 2. Phenylmercury acetate Use of pesticides containing mercury is discouraged
European Union*: Belgium, Denmark, France, Germany, Greece, Ireland, Italy, Luxembourg, Netherlands, Portugal, Spain, United Kingdom	Prohibit			
Fiji	Prohibit			
Finland		Prohibit		Need advance approval for use as pesticide
Gambia	Prohibit			
Guatemala	Prohibit			Refers to methoxyethyl-mercury chloride only
Guinea, Rep. of*		Prohibit		
Honduras	Prohibit			
Hungary	Prohibit			Refers to agricultural use only

\* New or modified entry

Country	Final Decision on Import	Interim Decision on Import	Conditions for Import	Remarks
India	1. Permit 2. Prohibit 3. Permit			1.Ethylmercury chloride 2.Phenylmercury acetate 3.Methoxyethyl mercury chloride
Lebanon	Prohibit			
Malaysia	Prohibit			Except for small quantities for research/ educational use through import permit
Malta	Prohibit			
Mauritius	Prohibit			
Mexico	Prohibit			
Mongolia	Prohibit			Ethyl mercury chloride banned in 1990 on basis of high toxicity
Morocco	Prohibit			
Mozambique*	Prohibit			Import, production and use banned
Nepal*	Prohibit			
New Zealand	Prohibit			Refers only for use as a pesticide
Nicaragua	Prohibit			
Niger	Permit			Refers only to use in plant protection products
Norway	Prohibit			
Oman, Sultanate of	Prohibit			
Philippines	Prohibit			
Qatar	Prohibit			
Sri Lanka	1. Prohibit 2. Prohibit 3. Permit**		** Approval letter for import from registrar	1.Mercuric oxide 2.Phenylmercury acetate 3.Phenylmercury dodecyl succinate used as paint biocide
St. Lucia	Prohibit			
Sudan	Prohibit			
Suriname		Prohibit		Refers to methoxyethyl mercury acetate
Sweden	Prohibit			Refers to alkyl mercury compounds 2-methoxyethyl mercury acetate
Switzerland	Permit			Banned as pesticide and for most other uses. See Annex 3.2 of the Ordinance relating to Environmentally Hazardous substances
Syria	Prohibit			
Tanzania*	Prohibit			Refers only to pesticide uses

\* New or modified entry

Country	Final Decision on Import	Interim Decision on Import	Conditions for Import	Remarks
Thailand	Prohibit			Refers to 2-methoxyethyl mercury chloride
Togo	Prohibit			
Trinidad & Tobago		Permit	Restricted use	Under review
Turkey	Prohibit			
Vietnam	Prohibit			
Western Samoa	Permit			Prohibit in plant protection products
Zaire		Prohibit		Need more time

Decisions of future import of crocidolite (CAS No. 12001-28-4)  
As of 31 of December 1994

Country	Final decision on import	Interim decision on import	Conditions for import	Remarks
AUSTRALIA		-		Additional time is needed to reach a final decision
AUSTRIA	Prohibit			Products containing substances, preparations or finished products of which crocidolite is a component must not be manufactured, placed on the market or used. Banned since 1.1.1991 by the 324th Ordinance of the Federal Minister of the Environment, Youth and the Family and of the Federal Ministry of Labour and Social Affairs concerning Restrictions on the Placing on the Market, the Manufacture, Use and Labeling of Substances, Preparations and Finished products which contain Asbestos (Asbestos Ordinance, Federal Law Gazette No. 324/1990)
BAHRAIN*	Prohibit			
CHAD*		Prohibit		Additional time is needed to reach a final decision
CHINA	Prohibit			
CYPRUS	Permit		Permission by Ministry of Labour and Social Insurance, in exceptional cases for special uses as described in the Asbestos (Health and Safety of Persons at Work) Regulations of 1993	
CUBA	Permit			
ECUADOR		Permit		Additional time is needed to reach a final decision

\* - New or modified entry.

- - Not declared in the "Importing Country Response" form.

Crocidolite (CAS No. 12001-28-4) - continued

Country	Final decision on import	Interim decision on import	Conditions for import	Remarks
EUROPEAN UNION: Belgium Denmark France Germany Greece Ireland Italy Luxembourg Netherlands Portugal Spain United Kingdom	Prohibit			Directive 76/769/EEC of 27/9/76 (O.J.L.262/201 of 27/9/76 as amended by Directive 83/478/EEC of 19/9/83 (O.J.L.263/33 of 24/9/83 and Directive 91/659/EEC of 3/12/91 (O.J.L.363/36 of 31/12/91)
FINLAND	Prohibit		The use of crocidolite is generally banned with the exemption that it can be imported and used for analytical and research purposes	
HUNGARY	Prohibit			All uses banned
INDIA*	Permit		License on the recommendation of the Department of Chemicals and Petrochemicals	
JAPAN		Permit		
MALAYSIA	Permit		Use is banned in the manufacturing sector. Importation is allowed for other uses	
NIGERIA*		Permit	Approval must be obtained from FEPA (Federal Environmental Protection Agency)	Additional time is needed to reach a final decision
NORWAY*	Prohibit			Norway has a general ban on asbestos and products containing asbestos, but use of friction components, gaskets and fitting compounds containing asbestos are exempted from the prohibition so far as it is impossible to manufacture or use products of this kind with a content less harmful to health

\* - New or modified entry.

- - Not declared in the "Importing Country Response" form.

Crocidolite (CAS No. 12001-28-4) - continued

Country	Final decision on import	Interim decision on import	Conditions for import	Remarks
OMAN		-		It is unclear whether the chemical is being used or imported into the country. The DNA of Oman requests exporting countries to inform the DNA of address of companies/agencies in Oman to which this chemicals is being exported
PHILIPPINES		Permit	An Interim Importation Clearance has to be obtained from the Department of Environment and Natural Resources (under Republic Act 6969). The issuance of such and Interim Importation Clearance may be denied based on the evaluation of data required	Presently, the Environmental Management Bureau (DENR) is preparing the Philippine Inventory of Chemicals and Chemical Substances. Industries, importers, manufacturers and distributors of chemicals must nominate before 31.12.93 the chemicals being used, manufactured, imported or distributed in the Philippines for inclusion in the inventory. For this reason no final decision has been taken regarding PIC chemicals (see DENR Administrative order No. 29 on the implementation of rules and regulations on chemicals). Under the Republic Act 6969 (Toxic Chemical Legislation), a Review Committee will be formed in order to evaluate chemicals to be included in the Priority Chemicals List, and to make recommendations on chemicals for which Chemical Control Orders (CCO) will be issued
SAINT LUCIA		Permit		Additional time is needed to reach a final decision
SWEDEN	Permit			
SWITZERLAND	Permit		If the intended use is still permitted according to the provisions of Annex 3.3. of the Ordinance relating to Environmentally Hazardous Substances	Most uses are banned, but some special uses are still allowed (see Ordinance relating the Environmentally Hazardous Substances, Annex 3.3.)

\* - New or modified entry.

- - Not declared in the "Importing Country Response" form.



Crocidolite (CAS No. 12001-28-4) - continued

Country	Final decision on import	Interim decision on import	Conditions for import	Remarks
TANZANIA, UNITED REPUBLIC OF		-	Crocidolite is a chemical which is registered/approved/currently being used in the country	Additional time is needed to reach a final decision. Crocidolite is not used in the manufacture of asbestos. Industry is using chrysotile fiber
THAILAND*	Prohibit			

\* - New or modified entry.

- - Not declared in the "Importing Country Response" form.

Decisions of future import of Polybrominated Biphenyls (PBBs)  
 (CAS Nos. 36355-01-8, 27858-07-7, 13654-09-6)  
 As of 31 of December 1994

Country	Final decision on import	Interim decision on import	Conditions for import	Remarks
AUSTRALIA		-		Additional time is needed to reach a final decision
AUSTRIA	Prohibit		Import permitted only for research and analytical purposes	It is prohibited to manufacture, put into circulation and use substances and preparations that contain PBBs except for analytical and research purposes, according to the 210th Ordinance of the Federal Minister of the Environment, Youth and the Family concerning the Ban of Halogenated Biphenyls, Terphenyls, Naphthalines and Diphenylmethanes (Federal Law Gazette No. 210/1993)
BAHRAIN*		-		Additional time is needed to reach a final decision. Uncertain whether the chemical has been imported into the country
CHAD*		Prohibit		The decision applies to hexabromobiphenyl only. Additional time is needed to reach a final decision
CHINA*	Permit		Permission must be obtained from the National Environmental Protection Agency (NEPA) of China	
CYPRUS		Prohibit		The import, use, etc., of PBBs in Cyprus is controlled by the Dangerous Substances Law of 1991 and regulations that are under preparation, expected to be enacted in 1994. At present the import is regulated by the Ministry of Commerce and Industry, which is the import licensing authority and which refuses to grant such license for import of this substance
CUBA*	Permit		Can only be imported with permission of the DNA. Import is not permitted if the substance is intended to be used in textile production	

\* - New or modified entry.

- - Not declared in the "Importing Country Response" form.

Polybrominated Biphenyls (PBBs) (CAS Nos. 36355-01-8, 27858-07-7, 13654-09-6) - continued

Country	Final decision on import	Interim decision on import	Conditions for import	Remarks
ECUADOR		Permit		Additional time is needed to reach a final decision
EUROPEAN UNION*: Belgium Denmark France Germany Greece Ireland Italy Luxembourg Netherlands Portugal Spain United Kingdom	Prohibit			This compound may not be imported for use in textile articles intended to come in contact with the skin (garment, undergarment, linen)  Directive 76/769/EEC of 27/9/76 (OJ L 262/201 of 27/9/76) as amended by Directive 83/264/EEC of 16/5/83 /OJ L 147/9 of 6/6/83)
FINLAND		Permit		Additional time is needed to reach a final decision
HUNGARY		Permit	Permission must be obtained from the National Public Health and Medical Officer Service. PBBs may not be used in textile articles (garments, linen, etc.) intended to come in contact with the skin	Additional time is needed to reach a final decision. While the data necessary for a final decision is being collected, in 1994 PBBs were included in the "List of items subject to license and list of goods the export and import of which are subject to the permission of the Ministry of International Economic Relations"
INDIA*	Permit		License on the recommendation of the Department of Chemicals and Petrochemicals	

\* - New or modified entry.

- - Not declared in the "Importing Country Response" form.

Polybrominated Biphenyls (PBBs) (CAS Nos. 36355-01-8, 27858-07-7, 13654-09-6) - continued

Country	Final decision on import	Interim decision on import	Conditions for import	Remarks
JAPAN		Permit	<p><u>Applies to Hexabromobiphenyl and Octabromobiphenyl:</u> Presently these chemicals are not being imported into Japan. A final decision regarding import will be taken only when the chemicals are examined as new chemicals under the Law on Examination and Regulation of Manufacture, etc. of Chemical Substances, after the first notification of import to the country is submitted.</p> <p><u>Applies to Decabromobiphenyl:</u> the chemical is being imported into the country. Additional time is needed for a final decision</p>	
MALAYSIA	Permit			
NIGERIA*		Permit	Approval must be obtained from FEPA (Federal Environmental Protection Agency)	Additional time is needed to reach a final decision
NORWAY*	Permit		Must not be used in textile articles intended to come into contact with the skin	Norwegian regulation concerning PBBs refers to CAS NO. 59536-65-1, which is the CAS No. for hexabromobiphenyl, technical grade. However, it applies to all hexabromobiphenyls, regardless quality
OMAN		-		It is unclear whether the chemical is being used or imported into the country. The DNA of Oman requests exporting countries to inform the DNA of address of companies/agencies in Oman to which this chemical is being imported

\* - New or modified entry.

- - Not declared in the "Importing Country Response" form.

Polybrominated Biphenyls (PBBs) (CAS Nos. 36355-01-8, 27858-07-7, 13654-09-6) - continued

Country	Final decision on import	Interim decision on import	Conditions for import	Remarks
PHILIPPINES		Permit	An Interim Importation Clearance has to be obtained from the Department of Environment and Natural Resources (under Republic Act 6969). The issuance of such and Interim Importation Clearance may be denied based on the evaluation of data required	Presently, the Environmental Management Bureau (DENR) is preparing the Philippine Inventory of Chemicals and Chemical Substances. Industries, importers, manufacturers and distributors of chemicals must nominate before 31.12.93 the chemicals being used, manufactured, imported or distributed in the Philippines for inclusion in the inventory. For this reason no final decision has been taken regarding PIC chemicals (see DENR Administrative order No. 29 on the implementation of rules and regulations on chemicals). Under the Republic Act 6969 (Toxic Chemical Legislation), a Review Committee will be formed in order to evaluate chemicals to be included in the Priority Chemicals List, and to make recommendations on chemicals for which Chemical Control Orders (CCO) will be issued
SAINT LUCIA		Permit		Additional time is needed to reach a final decision
SWEDEN	Permit		Response applies to CAS Nos. 36355-01-8, 27858-07-7, 13654-09-6. PBBs may not be used in textile goods intended to come in direct contact with the skin, for example clothes, underwear and bed-linen (KIFS 1992:7, Section 5)	
SWITZERLAND	Prohibit			Manufacture, supply, import and use of the substance and of products which contain the substance are prohibited (Ordinance relating to Environmentally Hazardous Substances, Annex 3.1)
TANZANIA, UNITED REPUBLIC OF		-		Additional time is needed to reach a final decision

\* - New or modified entry.

- - Not declared in the "Importing Country Response" form.

Polybrominated Biphenyls (PBBs) (CAS Nos. 36355-01-8, 27858-07-7, 13654-09-6) - continued

Country	Final decision on import	Interim decision on import	Conditions for import	Remarks
THAILAND*		-		PBBs have never been imported into the country. Additional time is needed to reach a final decision. The chemical is in the process of consideration for a control action by the Hazardous Substance Control Committee under the new Act (1992)

\* - New or modified entry.

- - Not declared in the "Importing Country Response" form.

Decisions of future import of Polychlorinated Biphenyls (PCBs) (CAS No. 1336-36-3)  
As of 31 of December 1994

Country	Final decision on import	Interim decision on import	Conditions for import	Remarks
AUSTRALIA	Permit		Permission of the Ministry for Trade must be obtained. Such permission would include conditions specified in the Customs (Prohibited Imports) Regulation	
AUSTRIA	Prohibit		Import permitted only for analytical and research purposes	It is prohibited to manufacture, put into circulation and use substances and preparations that contain PCBs, except for analytical and research purposes, according to the 210th Ordinance of the Federal Minister of the Environment, Youth and the Family Concerning the Ban of Halogenated Biphenyls, Terphenyls, Naphthalines and Diphenylmethanes of 23.03.1993 (Federal Law Gazette, No. 210/1993). Special transitional provisions for PCB-containing fluids in old electrical equipment are envisaged
BAHRAIN*	Prohibit			Action has been taken to substitute the chemical in the electrical facilities. Import of chlorinated pesticides is not allowed
CHAD*		Permit		Additional time is needed to reach a final decision
CHINA*	Permit		Permission must be obtained from the National Environmental Protection Agency of China (including for import of electrical equipment containing PCBs)	

\* - New or modified entry.

- - Not declared in the "Importing Country Response" form.

Polychlorinated Biphenyls (PCBs) (CAS No. 1336-36-3) - continued

Country	Final decision on import	Interim decision on import	Conditions for import	Remarks
CYPRUS		Prohibit		The import , use, etc. of PCBs in Cyprus is controlled by the Dangerous Substances Law of 1991 and regulations that are under preparation, expected to be enacted in 1994. At present, the import is regulated by the Ministry of Commerce and Industry, which refuses to grant such license for import of this substance
CUBA	Prohibit		The substance itself and electrical equipment with a PCB content of more than 50 ppm are banned for import	
ECUADOR		Permit		Additional time is needed to reach a final decision
EUROPEAN UNION: Belgium Denmark France Germany Greece Ireland Italy Luxembourg Netherlands Portugal Spain United Kingdom	Prohibit			Exceptionally, derogation may be granted for primary and intermediate products on a case by case basis. Further to general prohibition of PCB, the import of any preparation including waste oils with a PCB content of more than 0,005 % is prohibited Directive 76/769/EEC of 27/7/76 (OJ L 262/201 of 27/9/76) as amended by Directive 82/828/EEC of 3/12/82 (OJ L 350/34 of 10/12/82), and Directive 85/467/EEC of 1/10/85 (OJ L 269/56 of 11/10/85), and Directive 89/677/EEC of 21/12/89 (OJ L 398/19 of 30/12/89) The decision does not apply to mono- and dichlorinated biphenyl

\* - New or modified entry.

- - Not declared in the "Importing Country Response" form.



Polychlorinated Biphenyls (PCBs) (CAS No. 1336-36-3) - continued

Country	Final decision on import	Interim decision on import	Conditions for import	Remarks
FINLAND	Prohibit		Import and use of PCBs are generally banned with the exemption of import and use of PCBs for research purposes and import of wastes containing PCBs for destruction. Transportation of PCBs via Finland is allowed	
HONDURAS*		-		Uncertain whether the chemical has been imported into the country. Additional time is needed for a final decision. The use of the chemical is presently not regulated in Honduras. It is planned that a regulation will be issued and implemented by the Secretariat of Labour and Social Planning (Secretaría del Trabajo y Previsión Social)
HUNGARY		Permit	Permission must be obtained from the National Public Health and Medical Officer Service. PCBs may not be used in formulations with a PCB content of more than 0,01 % by weight	Additional time is needed to reach a final decision. While the data necessary for a final decision is being collected, in 1994 PCBs were included in the "List of items subject to license and list of goods the export and import of which are subject to the permission of the Ministry of International Economic Relations"
INDIA*	Permit		License on the recommendation of the Department of Chemicals and Petrochemicals	

\* - New or modified entry.

- - Not declared in the "Importing Country Response" form.

Polychlorinated Biphenyls (PCBs) (CAS No. 1336-36-3) - continued

Country	Final decision on import	Interim decision on import	Conditions for import	Remarks
JAPAN	Permit		No person, without exception, can import products including PCB, which are specified by Cabinet Order under the Law concerning the Examination and Regulation of Manufacture, etc. of Chemical Substances. For PCB as a substance, any person who wishes to import this substance must obtain permission from the Minister of International Trade and Industry. However, so far no such permission has been granted	
MALAYSIA	Permit			
NIGERIA*		Permit	Approval must be obtained from FEPA (Federal Environmental Protection Agency)	Additional time is needed to reach a final decision
NORWAY*	Prohibit			
OMAN		-		It is unclear whether the chemical is being used or imported into the country. The DNA of Oman requests exporting countries to inform the DNA of address of companies/agencies in Oman to which this chemicals is being exported

\* - New or modified entry.

- - Not declared in the "Importing Country Response" form.

Polychlorinated Biphenyls (PCBs) (CAS No. 1336-36-3) - continued

Country	Final decision on import	Interim decision on import	Conditions for import	Remarks
PHILIPPINES		Permit	An Interim Importation Clearance has to be obtained from the Department of Environment and Natural Resources (under Republic Act 6969). The issuance of such and Interim Importation Clearance may be denied based on the evaluation of data required	Presently, the Environmental Management Bureau (DENR) is preparing the Philippine Inventory of Chemicals and Chemical Substances. Industries, importers, manufacturers and distributors of chemicals must nominate before 31.12.93 the chemicals being used, manufactured, imported or distributed in the Philippines for inclusion in the inventory. For this reason no final decision has been taken regarding PIC chemicals (see DENR Administrative order No. 29 on the implementation of rules and regulations on chemicals). Under the Republic Act 6969 (Toxic Chemical Legislation), a Review Committee will be formed in order to evaluate chemicals to be included in the Priority Chemicals List and to make recommendations on chemicals for which Chemical Control Orders (CCO) will be issued
SAINT LUCIA		Permit		Additional time is needed to reach a final decision
SWEDEN	Permit		Permission of the Swedish Environmental Protection Agency must be obtained	
SWITZERLAND	Prohibit			Manufacture, supply, import and use of the substance and of products which contain the substance are prohibited (Ordinance relating to Environmentally Hazardous Substances, Annex 3.1)
TANZANIA, UNITED REPUBLIC OF		-		Additional time is needed to reach a final decision. PCBs are used in electrical installations
THAILAND*	Prohibit			

\* - New or modified entry.

- - Not declared in the "Importing Country Response" form.

Decisions of future import of Polychlorinated Terphenyls (PCTs)  
As of 31 of December 1994

(CAS No. 61788-33-8)

Country	Final decision on import	Interim decision on import	Conditions for import	Remarks
AUSTRALIA	Permit		Permission by the Ministry for Trade. Such a permission would include conditions specified in the Customs (Prohibited Imports) Regulation	
AUSTRIA	Prohibit		Import permitted only for analytical and research purposes	It is prohibited to manufacture, put into circulation and use substances and preparations that contain PCTs, except for analytical and research purposes, according to the 210th Ordinance of the Federal Minister of the Environment, Youth and the Family concerning the Ban of Halogenated Biphenyls, Terphenyls, Naphthalines and Diphenylmethanes of 23.03.1993
BAHRAIN*		-		Additional time is needed to reach a final decision. Uncertain whether the chemical has been imported into the country. Banned for use as a pesticide in the country
CHAD*		Prohibit		Additional time is needed to reach a final decision
CHINA*	Permit		Permission must be obtained from the National Environmental Protection Agency (NEPA) of China	
CYPRUS		Prohibit		The import, use, etc., of PCTs in Cyprus is controlled by the Dangerous Substances Law of 1991 and regulations that are under preparation, expected to be enacted in 1994. At present the import is regulated by the Ministry of Commerce and Industry, which is the import licensing authority and which refuses to grant such license for import of this substance
CUBA	Prohibit			

\* - New or modified entry.

- - Not declared in the "Importing Country Response" form.

Polychlorinated Terphenyls (PCTs) (CAS No.61788-33-8) - continued

Country	Final decision on import	Interim decision on import	Conditions for import	Remarks
ECUADOR		Permit		Additional time is needed to reach a final decision
EUROPEAN UNION: Belgium Denmark France Germany Greece Ireland Italy Luxembourg Netherlands Portugal Spain United Kingdom	Prohibit			Exceptionally, derogation may be granted for primary and intermediate products on a case by case basis. Further to the general prohibition of PCT, the import of any preparation including waste oils with a PCT content of more than 0,005 % is prohibited. Directive 76/769/EEC of 27/7/76 (OJ L 262/201 of 27/9/76) as amended by Directive 82/828/EEC of 3/12/82 (OJ L 350/34 of 10/12/82) and Directive 85/467/EEC of 1/10/85 (OJ L 269/56 of 11/10/85) and Directive 89/677/EEC of 21/12/89 (OJ L 398/19 of 30/12/89)
FINLAND	Prohibit		Import and use of PCTs are generally banned with the exemption of import and use of PCTs for research purposes and import of wastes containing PCTs for destruction. Transportation of PCTs via Finland is allowed	
HONDURAS*		-		Uncertain whether the chemical has been imported into the country. Additional time is needed to reach a final decision. The use of the chemical is presently not regulated in Honduras. It is planned that a regulation will be issued and implemented by the Secretariat of Labour and Social Planning (Secretaría del Trabajo y Previsión Social)

\* - New or modified entry.

- - Not declared in the "Importing Country Response" form.

Polychlorinated Terphenyls (PCTs) (CAS No.61788-33-8) - continued

Country	Final decision on import	Interim decision on import	Conditions for import	Remarks
HUNGARY		Permit	Permission must be obtained from the National Public Health and Medical Officer Service. PCTs may not be used in preparations with a PCT content higher than 0,01 % by weight	Additional time is needed to reach a final decision. While the data necessary for a final decision is being collected, in 1994 PCTs were included in the "List of items subject to license and list of goods the export and import of which are subject to the permission of the Ministry of International Economic Relations"
INDIA*	Permit		License on the recommendation of the Department of Chemicals and Petrochemicals	
JAPAN		Permit	Presently this chemical is not being imported into Japan. A final decision regarding import will be taken only when the chemical is examined as a new chemical under the Law on Examination and Regulation of Manufacture, etc. of Chemical Substances, after the first notification of import to the country is submitted	
MALAYSIA	Permit			
NIGERIA*		Permit	Approval must be obtained from FEPA (Federal Environmental Protection Agency)	Additional time is needed to reach a final decision
NORWAY*	Prohibit (preparations with a PCT content more than 0,005 %)			Preparations containing less than 0,005 % (weight) PCTs are permitted
OMAN		-		It is unclear whether the chemical is being used or imported into the country. The DNA of Oman requests exporting countries to inform the DNA of address of companies/agencies in Oman to which this chemical is being imported

\* - New or modified entry.

- - Not declared in the "Importing Country Response" form.

Polychlorinated Terphenyls (PCTs) (CAS No.61788-33-8) - continued

Country	Final decision on import	Interim decision on import	Conditions for import	Remarks
PHILIPPINES		Permit	An Interim Importation Clearance has to be obtained from the Department of Environment and Natural Resources, under Republic Act 6969. The issuance of such and Interim Importation Clearance may be denied based on the evaluation of data required	Presently, the Environmental Management Bureau (DENR) is preparing the Philippine Inventory of Chemicals and Chemical Substances. Industries, importers, manufacturers and distributors of chemicals must nominate before 31.12.93 the chemicals being used, manufactured, imported or distributed in the Philippines for inclusion in the inventory. For this reason no final decision has been taken regarding PIC chemicals (see DENR Administrative order No. 29 on the implementation of rules and regulations on chemicals). Under the Republic Act 6969 (Toxic Chemical Legislation), a Review Committee will be formed in order to evaluate chemicals to be included in the Priority Chemicals List, and to make recommendations on chemicals for which Chemical Control Orders (CCO) will be issued
SWEDEN	Permit		Permission of the Swedish Environmental Protection Agency must be obtained	According to a draft proposal by the Swedish Government, PCTs should be treated on a par with PCBs
SWITZERLAND	Prohibit			Manufacture, supply, import and use of the substance and of products which contain the substance are prohibited (Ordinance relating to Environmentally Hazardous Substances. Annex 3.1)
TANZANIA, UNITED REPUBLIC OF		-		Additional time is needed to reach a final decision

\* - New or modified entry.

- - Not declared in the "Importing Country Response" form.

Polychlorinated Terphenyls (PCTs) (CAS No.61788-33-8) - continued

Country	Final decision on import	Interim decision on import	Conditions for import	Remarks
THAILAND*		-		The chemical has never been imported into the country. Additional time is needed to reach a final decision. The chemical is in the process of consideration for a control action by the Hazardous Substance Control Committee under the new Act (1992)

\* - New or modified entry.

- - Not declared in the "Importing Country Response" form.



Decisions of future import of tris(2,3 dibromopropyl)phosphate  
As of 31 of December 1994

(CAS No. 126-72-7)

Country	Final decision on import	Interim decision on import	Conditions for import	Remarks
AUSTRALIA		-		Additional time is needed to reach a final decision
AUSTRIA		Permit		Additional time is needed to reach a final decision. It is not clear whether the chemical is being imported into the country. The Austrian DNA will find out whether the chemical is being imported. Also competent Austrian authorities will determine whether the chemical is currently being used in Austria, take a final decision and initiate appropriate legal measures
BAHRAIN*		-		Additional time is needed to reach a final decision. Uncertain whether the chemical has been imported into the country previously
CHAD*		Prohibit		Additional time is needed to reach a final decision
CHINA*	Permit		Permission must be obtained from the National Environmental Protection Agency (NEPA) of China	
CYPRUS		Prohibit		The import, use, etc., of Tris in Cyprus is controlled by the Dangerous Substances Law of 1991 and regulations that are under preparation, expected to be enacted in 1994. At present the import is regulated by the Ministry of Commerce and Industry, which is the import licensing authority and which refuses to grant license for import of this substance
CUBA*	Permit		Can be imported only with permission of the DNA. Import is not permitted if the substance is intended to be used in textile production	
ECUADOR		Permit		Additional time is needed to reach a final decision

\* - New or modified entry.

- - Not declared in the "Importing Country Response" form.

Tris(2,3 dibromopropyl)phosphate (CAS No. 126-72-7) - continued

Country	Final decision on import	Interim decision on import	Conditions for import	Remarks
<b>EUROPEAN UNION*:</b> Belgium Denmark France Germany Greece Ireland Italy Luxembourg Netherlands Portugal Spain United Kingdom	Prohibit			This compound may not be imported for use in textile articles intended to come in contact with the skin (garment, undergarment, linen)  Directive 76/769/EEC of 27/9/76 (O.J.L.262/201 OF 27/9/76 as amended by Directive 83/264/EEC of 16/5/83 (O.J.L. 147/9 of 6/6/83)
<b>FINLAND*</b>	Prohibit		The use of the substance is generally banned. However it may be used for research purposes with the permission of the occupational health authorities supervising the working place where the research is done. Import of the chemical is not regulated but since it may not be used in Finland it is allowed for import only for research purposes, for destruction of hazardous wastes or for export to a third country	Permission to use the chemical for research purposes is given by regional authorities
<b>HONDURAS*</b>		-		Uncertain whether the chemical has been imported into the country. Additional time is needed to reach a final decision. The use of the chemical is presently not regulated in Honduras. It is planned that a regulation will be issued by the Secretariat of Labour and Social Planning (Secretaría del Trabajo y Previsión Social)

\* - New or modified entry.

- - Not declared in the "Importing Country Response" form.

Tris(2,3 dibromopropyl)phosphate (CAS No. 126-72-7) - continued

Country	Final decision on import	Interim decision on import	Conditions for import	Remarks
HUNGARY		Permit	Permission must be obtained from the National Public Health and Medical Officer Service. Tris may not be used in textile articles intended to come in contact with the skin	Additional time is needed to reach a final decision. While the data necessary for a final decision is being collected, in 1994 Tris was included in the "List of items subject to license and list of goods the export and import of which are subject to the permission of the Ministry of International Economic Relations"
INDIA*	Permit		License on the recommendation on the Department of Chemicals and Petrochemicals	
JAPAN		Permit		
MALAYSIA	Permit			
NIGERIA*		Permit	Approval must be obtained from FEPA (Federal Environmental Protection Agency)	Additional time is needed to reach a final decision
NORWAY*	Permit		Must not be used in textile articles intended to come into contact with the skin	
OMAN		-		It is unclear whether the chemical is being used or imported into the country. The DNA of Oman requests exporting countries to inform the DNA of address of companies/agencies in Oman to which this chemical is being imported

\* - New or modified entry.

- - Not declared in the "Importing Country Response" form.

Tris(2,3 dibromopropyl)phosphate (CAS No. 126-72-7) - continued

Country	Final decision on import	Interim decision on import	Conditions for import	Remarks
PHILIPPINES		Permit	An Interim Importation Clearance has to be obtained from the Department of Environment and Natural Resources (under Republic Act 6969). The issuance of such and Interim Importation Clearance may be denied based on the evaluation of data required	Presently, the Environmental Management Bureau (DENR) is preparing the Philippine Inventory of Chemicals and Chemical Substances. Industries, importers, manufacturers and distributors of chemicals must nominate before 31.12.93 the chemicals being used, manufactured, imported or distributed in the Philippines for inclusion in the inventory. For this reason no final decision has been taken regarding PIC chemicals (see DENR Administrative order No. 29 on the implementation of rules and regulations on chemicals). Under the Republic Act 6969 (Toxic Chemical Legislation), a Review Committee will be formed in order to evaluate chemicals to be included in the Priority Chemicals List and to make recommendations on chemicals for which Chemical Control Orders (CCO) will be issued
SAINT LUCIA		-		Additional time is needed to reach a final decision
SWEDEN	Permit		This compound may not be used in textile goods intended to come in direct contact with the skin, for example clothes, underwear and bed-linen. (KIFS 1992:7, Section 5)	
SWITZERLAND		Permit		Possible future restrictions are actually under discussion
TANZANIA, UNITED REPUBLIC OF		-		Additional time is needed to reach a final decision
THAILAND*		-		The chemical has never been imported into the country. Additional time is needed to reach a final decision. The chemical is in the process of consideration for a control action by the hazardous Substance Control Committee under the new Act (1992)

\* - New or modified entry.

- - Not declared in the "Importing Country Response" form.

## **ANNEX II**

## **FORMS**





- 79 -  
**UNITED NATIONS ENVIRONMENT PROGRAMME**  
**FOOD AND AGRICULTURE ORGANIZATION OF THE UNITED NATIONS**



**FAO/UNEP JOINT PROGRAMME FOR THE OPERATION OF  
 PRIOR INFORMED CONSENT (PIC)**

**NOTIFICATION OF CONTROL ACTION TO BAN OR SEVERELY RESTRICT A CHEMICAL**

Please refer to the "Guidance for Governments" document on the PIC Procedure for information on how to fill out the form.

1. Country: .....
2. Identity of Chemical:
  - Common Name: .....
  - Chemical Name (IUPAC): .....
  - Trade Name(s)/Name(s) of preparation: .....
  - Type of formulation and content of active ingredient: .....
3. Code numbers: CAS Number: ..... Other numbers (specify): .....
4. Use Category(ies):       Agricultural       Industrial       Consumer
 

Specify major use areas within each category: .....

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5. Control Action: Use(s) controlled and summary of control actions. State specific types and approximate proportion of use controlled.      **Effective Date**      **Reference to national document**

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6. Uses still allowed: (State specific types and approximate proportions of uses still allowed.)
 

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**BANNED CHEMICAL/PESTICIDE** means a chemical/pesticide which has been banned for all use or refused first time use by final regulatory action, for health or environmental reasons.

**SEVERELY RESTRICTED CHEMICAL/PESTICIDE** means a chemical/pesticide for which virtually all uses have been prohibited nationally by final regulatory action, but for which certain specific uses remain allowed.

**WITHDRAWN CHEMICAL/PESTICIDE** means a chemical/pesticide which has been withdrawn by the industry either from the market or for further consideration in the approval process and where there is clear evidence

7. Reasons supporting the control action, relevant to protection of human health and the environment. (If possible, please attach a full explanation and supporting information and state if the action is based on a national review of scientific data.)

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8. Alternatives (Views on availability of alternatives can be given. Attach discussion, if possible.)

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9. Additional information

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10. Ministry/Department and Responsible Authority issuing/enforcing the control action:  
(address, telephone, telefax, telex)

11. Contact point for additional information  
(address, telephone, telefax, telex)

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12. Designated National Authority  
(address, telephone, telefax, telex)

13. Name and title of official issuing this notification  
(address, telephone, telefax, telex)

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14. Date, signature and seal





UNITED NATIONS ENVIRONMENT PROGRAMME  
FOOD AND AGRICULTURE ORGANIZATION OF THE UNITED NATIONS



UNEP/FAO JOINT PROGRAMME FOR THE OPERATION OF  
PRIOR INFORMED CONSENT (PIC)

INFORMATION REGARDING EXPORT

Please refer to the "Guidance for Governments" document on the PIC Procedure for information on how to fill out the form.

1. Country .....

2. Identity of chemical:

- Chemical Name (IUPAC): .....
- Trade Name(s)/Name(s) of preparation: .....
- Type of formulation and content of active ingredient: .....

3. Code numbers: CAS Number..... Other numbers (specify): .....

4. Use Category(ies): Agricultural  Industrial  Consumer

Specify major use areas within each category: .....

5. Country(ies) of destination: .....

6. Designated National Authority(ies) to which information is addressed (address, telephone, telefax, telex)

7. Notification(s) of control action previously sent

Date(s): .....

Copy attached: Yes  No

Date(s): .....

Copy attached: Yes  No

Reference address of Designated National Authority

Reference address of Designated National Authority

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8. Information regarding export (e.g. estimated annual quantities to be exported, shipment-specific information available): .....

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9. Additional information: .....

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10 Designated National Authority or Company in country of export (address, telephone, telefax, telex)

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11 Contact point for additional information (address, telephone, telefax, telex)

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12 Name and title of official issuing this notification (address, telephone, telefax, telex)

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13 Date, signature and seal .....



UNITED NATIONS ENVIRONMENT PROGRAMME  
FOOD AND AGRICULTURE ORGANIZATION OF THE UNITED NATIONS



UNEP/FAO JOINT PROGRAMME FOR THE OPERATION OF  
PRIOR INFORMED CONSENT (PIC)

IMPORTING COUNTRY RESPONSE

Please refer to the "Guidance for Governments" document on the PIC Procedure for information on how to fill out the form.

1. Country .....

2. Identity of Chemical:

- Common Name: .....
- Chemical Name (IUPAC): .....
- Trade Name(s)/Name(s) of preparation: .....
- Type of formulation and content of active ingredient: .....

3. Code numbers: ■ CAS Number: ..... ■ Other numbers (specify) .....

4. Status on use of chemical:

- Is this chemical registered/approved currently being used in the country? Yes  No  Uncertain
- Has or is this chemical being imported into the country? Yes  No  Uncertain
- Is the chemical being manufactured in the country? Yes  No  Uncertain

5. Is the decision taken regarding future import final? Yes  (fill in point 6)  
No  (fill in point 7)

6. Country final decision: (answer only if final decision is taken; check one)

- Permit importation: Yes  No
- Permit importation only under the following conditions: .....
- Prohibit importation: Yes  No  (any decision banning or severely restricting the import of a chemical must also apply equally to production for domestic use)

7. Country interim response (answer only if no final decision is taken):

- 7A. Nature of interim response:
  - Additional time will be required for a final decision: Yes  No
  - The following additional information is requested: .....
  - Technical assistance is requested in reaching final decision (specify briefly within which areas): .....

- 7B. Has or is this chemical being imported into the country? Yes  No
- If yes, may imports be permitted pending a final decision? Yes  No
- Imports permitted only under the following conditions:

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8. Ministry/Department and Responsible Authority issuing/enforcing the control action (address, telephone, telefax, telex):

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9. Contact point for additional information (address, telephone, telefax, telex)

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10. Designated National Authority (address, telephone, telefax, telex):

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11. Name and title of official issuing this notification (address, telephone, telefax, telex)

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12. Additional information:

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13. Date, signature, and seal .....

# **ANNEX III**

## **COUNCIL REGULATION**

**(EEC) No 2455/92**



COUNCIL REGULATION (EEC) No 2455/92

of 23 July 1992

concerning the export and import of certain dangerous chemicals

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 130s thereof,

Having regard to the proposal from the Commission <sup>(1)</sup>,

Having regard to the opinion of the European Parliament <sup>(2)</sup>,

Having regard to the opinion of the Economic and Social Committee <sup>(3)</sup>,

Whereas Regulation (EEC) No 1734/88 <sup>(4)</sup> concerns exports and imports of certain dangerous chemicals;

Whereas an amendment to Regulation (EEC) No 1734/88 is necessary to implement the 'prior informed consent' (PIC) procedure;

Whereas, on the occasion of this amendment, Regulation (EEC) No 1734/88 is to be replaced by this Regulation;

Whereas certain provisions of Community legislation, and in particular Directives 76/769/EEC <sup>(5)</sup> and 79/117/EEC <sup>(6)</sup> restrict the marketing and use of certain dangerous substances and preparations and prohibit the placing on the market and use of plant protection products containing certain active substances in the Member States; whereas these provisions do not apply to such products when intended for export to third countries;

Whereas Directive 67/548/EEC <sup>(7)</sup> specifies the requirements for packaging and labelling of dangerous chemicals when they are intended for export to third countries; whereas it is necessary to ensure that the rules applicable within the Community for the packaging and labelling of dangerous chemicals should apply to such chemicals when intended for export;

Whereas international trade in certain chemicals which are banned or severely restricted in countries of export has caused international concern on the grounds of the protection of man and the environment;

Whereas measures are necessary for the protection of man and the environment, in both the Community and third countries;

Whereas schemes for notification, information and PIC concerning international trade in such substances have been set up within the framework of international organizations, namely the Organization for Economic Cooperation and Development (OECD), the United Nations Environment Programme (UNEP) and the Food and Agriculture Organization (FAO);

Whereas the Community and its Member States have actively participated in the work of these and of other international organizations relating to banned and severely restricted substances; whereas it is appropriate that the Community acts upon the results of this work through uniform Community procedures;

Whereas the exports of chemicals to which this Regulation applies should be made subject to a common notification procedure which would permit the Community to notify third countries with regard to such exports;

Whereas it is necessary to inform all the Member States of notifications received from third countries with regard to imports of substances banned or severely restricted under the legislation of those countries;

<sup>(1)</sup> OJ No C 17, 25. 1. 1991, p. 16.

<sup>(2)</sup> OJ No C 305, 25. 11. 1991, p. 112.

<sup>(3)</sup> OJ No C 191, 22. 7. 1991, p. 17.

<sup>(4)</sup> OJ No L 155, 22. 6. 1988, p. 2.

<sup>(5)</sup> OJ No L 262, 27. 9. 1976, p. 201. Directive as last amended by Directive 91/339/EEC (OJ No L 186, 12. 7. 1991, p. 64).

<sup>(6)</sup> OJ No L 33, 8. 2. 1979, p. 36. Directive as last amended by Directive 91/188/EEC (OJ No L 92, 13. 4. 1991, p. 42).

<sup>(7)</sup> OJ No L 196, 16. 8. 1967, p. 1. Directive as last amended by Directive 79/831/EEC (OJ No L 259, 15. 10. 1979, p. 10).

Whereas the common notification procedures should also provide a basis for an appropriate exchange of information within the Community, including information on the implementation of the international notification scheme;

Whereas, to this end, the Commission will report to the European Parliament and the Council and at regular intervals, in particular on any possible reaction from the country of destination;

Whereas Resolution 88/C 170/1<sup>(1)</sup> invited the Commission to submit proposals for adapting Regulation No 1734/88 with a view to introducing a PIC scheme similar to that established by the UNEP and the FAO;

Whereas it is right that citizens of the Member States should receive no less protection than that afforded to the citizens of other importing countries participating in the international PIC scheme;

Whereas a single contact point for Community interaction with the international PIC scheme is desirable in order to coordinate and disseminate information;

Whereas it is desirable to establish common conditions for the import and export of substances covered by the PIC scheme;

Whereas Annex I lists the chemicals banned or severely restricted in the Community and whereas this list should be subject to review at intervals, and amendment, as necessary; whereas any such amendment to Annex I should be made on the basis of proposals from the Commission and should be the subject of a decision by the Council by a qualified majority,

HAS ADOPTED THIS REGULATION:

#### Article 1

##### Objectives

1. The purpose of this Regulation is to establish a common system of notification and information for imports from and exports to third countries of certain chemicals which are banned or severely restricted on account of their effects on human health and the environment and to apply the international notification and 'prior informed consent'

(PIC) procedure established by the United Nations Environment Programme (UNEP) and the Food and Agriculture Organization (FAO)<sup>(2)</sup>.

2. The purpose of this Regulation is also to ensure that the provisions of Directive 67/548/EEC on the classification, packaging and labelling of substances dangerous to man or the environment when they are placed on the market in the Member States shall also apply to such substances when they are exported from the Member States to third countries.

3. This Regulation does not apply to substances or preparations imported or exported for the purposes of analysis or scientific research and development as defined in Article 2, where the quantities involved are sufficiently small that they are unlikely to affect human health or the environment adversely.

#### Article 2

##### Definitions

For the purposes of this Regulation, the following definitions shall apply:

1. 'chemical subject to notification'

means any of the chemical substances listed in Annex I and preparations containing any of these chemicals if the preparation has a labelling obligation under Community legislation as a result of the presence of the Annex I chemical;

2. 'chemical subject to the PIC procedure'

means each chemical listed in Annex II, whether by itself or in preparations, whether manufactured or obtained from nature, unless its concentration in a preparation is insufficient for a labelling requirement under Community legislation.

3. 'banned chemical'

means a chemical which has, for health or environmental reasons, been prohibited for all uses by final governmental regulatory action;

4. 'severely restricted chemical'

means a chemical for which, for health or environmental reasons, virtually all uses have been prohibited by final governmental regulatory action but for which certain specific uses remain authorized;

(1) OJ No C 170, 29. 6. 1988, p. 1.

(2) London Guidelines for the Exchange of Information on Chemicals in International Trade, Decision 14/27 of the Governing Council of UNEP of 17 June 1987 as amended in May 1989; FAO International Code of Conduct on the Distribution and Use of Pesticides, Rome 1986, as amended in November 1989.



5. 'export' means:

- (a) the permanent or temporary export of products meeting the conditions of Article 9 (2) of the Treaty,
- (b) the re-export of products not meeting the conditions referred to in (a) which are placed under a customs procedure other than transit procedure;

6. 'import'

means the physical introduction into the customs territory of the Community of products which are placed under a customs procedure other than transit procedure;

7. 'prior informed consent' (PIC)

means the principle that international shipment of a chemical which is banned or severely restricted in order to protect human health or the environment should not proceed without the agreement, where such agreement exists, or contrary to the decision of the designated national authority of the importing country;

8. 'reference number'

means the number assigned by the Commission to each chemical subject to notification when it is exported for the first time to a third country. This number remains unchanged for every subsequent export of the same chemical from the Community to the same third country;

9. 'labelling'

means the provision on a label of information related to the potential hazard to health, safety or the environment from use of the chemical. It does not refer to labelling requirements for the transport of dangerous goods.

10. 'scientific research and development'

means scientific experimentation, analysis or chemical research carried out under controlled conditions; it includes the determination of intrinsic properties, performance and efficacy as well as scientific investigation related to product development.

Article 3

Designation of authorities

1. Each Member State shall designate the authority or authorities, hereinafter referred to as the 'designated authority' or 'designated authorities', competent for the notification and information procedures laid down by this Regulation. It shall inform the Commission of such designation.

2. As far as the participation of the Community in the international PIC procedure is concerned, the Commission shall act as common designated authority with regard to receiving information from the competent bodies dealing with the international PIC procedure and for providing information to these bodies on common decisions which have been taken in close cooperation and consultation with the Member States in accordance with the provisions of Article 5.

Article 4

Exports to third countries

1. When a chemical subject to notification is due to be exported from the Community to a third country for the first time following the date as of which it becomes subject to the provisions of this Regulation, the exporter shall provide the designated authority of the Member State in which he is established, no later than 30 days before the export is due to take place, with the information contained in Annex III necessary to enable the designated authority to effect a notification. The designated authority shall take the necessary measures to ensure that the appropriate authorities of the country of destination receive notification of the intended export. Such notification, which shall as far as possible be made at least 15 days before export, must comply with the requirements set out in Annex III.

Where the export of a chemical relates to an emergency situation in which any delay may endanger public health or the environment in the importing country, the provisions referred to above may be waived wholly or partly at the discretion of the designated authority of the exporting Member State.

The designated authority shall send a copy of the notification to the Commission, which shall forward it to the designated authorities of the other Member States and to the International Register of Potentially Toxic Chemicals (IRPTC).

The Commission shall assign a reference number to each notification received and communicate it immediately to the designated authorities of the Member States. It shall periodically publish a list of these reference numbers in the *Official Journal of the European Communities*, stating the chemical concerned and the third country of destination. Until a relevant reference number is published in the *Official Journal of the European Communities*, the exporter shall assume that such an export has not previously taken place unless he can obtain from the designated authority of the Member State in which he is established the relevant reference number previously assigned by the Commission.

2. The designated authority of the relevant Member State shall inform the Commission as soon as possible of any

significant reaction from the country of destination. The Commission shall ensure that the other Member States are informed as soon as possible of that country's reaction.

3. For every subsequent export of the chemical concerned from the Community to the same third country, the exporter shall ensure that the export is accompanied by reference to the number of the notification either published in the *Official Journal of the European Communities* or obtained by it from the designated authority of the Member State in which he is established pursuant to the fourth subparagraph of paragraph 1.

4. New notification according to paragraph 1 must be given for exports which take place subsequent to major changes to Community legislation concerning the marketing and use or labelling of the substances in question or whenever the composition of the preparation in question changes to such an extent that the labelling of such preparation is altered. The new notification must comply with the requirements set out in Annex III and must indicate that it is a revision of a previous notification. Information to the effect that a new notification is needed shall be published in the *Official Journal of the European Communities*.

The Commission shall send new notifications to the designated national authorities of countries which have received notification of the export from the Community of the substance or preparation in question in the six months prior to the relevant changes to Community legislation.

5. As regards the transmission of information within the meaning of paragraph 1, the Member States and the Commission shall take account of the need to protect the confidentiality of data and ownership in both the Member States and the countries of destination.

The following shall not be regarded as confidential:

- the names of the substance;
- the names of the preparation;
- the names of substances in Annex I contained in the preparation and their percentage in the preparation;
- the names of the main impurities in the substances in Annex I;
- the name of the manufacturer or exporter;
- information on the precautions to be taken, including the category of danger, the nature of the risk and the relevant warnings;
- physico-chemical data concerning the substances;

- the summary results of the toxicological and ecotoxicological tests;
- the possible ways of rendering the substance harmless;
- the information contained in the safety data sheet;
- the country of destination.

#### Article 5

Participation in the international notification and 'prior informed consent' (PIC) procedure

1. The Commission shall notify the competent bodies dealing with the international PIC procedure of the chemicals which are banned or severely restricted in the Community (Annex I). It shall provide all relevant information, especially on the identity of the chemicals, their dangerous properties, Community labelling requirements and necessary precautionary measures. It shall also identify the relevant control actions and the reasons for them.

2. The Commission shall forward forthwith to the Member States information which it receives regarding chemicals subject to the PIC procedure and the decisions of third countries regarding the imposition of bans or import conditions on these chemicals. The Commission shall evaluate in close cooperation with the Member States the risks posed by the chemicals. The Commission shall take its decision, including interim decisions, in accordance with the procedure laid down in Article 21 of Directive 67/548/EEC. It shall then inform the IRPTC whether import into the Community of each of the chemicals is allowed, prohibited or restricted.

When such a decision is taken, the following principles shall be observed:

- (a) in the case of a substance or preparation banned by Community legislation: import consent for the banned use shall be refused;
- (b) in the case of a substance or preparation severely restricted by Community legislation: import consent shall be subject to conditions; the appropriate conditions shall be decided on a case by case basis;
- (c) in the case of a substance or preparation not banned or severely restricted by Community legislation: import consent shall not normally be refused; however, if the Commission, in consultation with Member States, considers that a proposal should be made to the Council to ban or severely restrict a substance or preparation not produced in the Community, interim

import conditions, set on a case by case basis, may be imposed until the Council has taken a decision on the proposed severe restriction or permanent ban.

In the case of a substance or preparation banned or severely restricted by legislation of one or more Member State, the Commission shall, at the written request of the Member State concerned, prepare its decision on the reply to be made to the IRPTC, taking into consideration that Member State's bans or severe restrictions.

The Commission shall, whenever practicable, make use of existing Community procedures and shall ensure that the response does not conflict with existing Community legislation.

3. Annex II shall comprise the following:

- (a) the international list of banned and severely restricted chemicals subject to the PIC procedure established by the UNEP and FAO;
- (b) a list of the countries participating in the PIC scheme;  
and
- (c) the decisions of these countries (including the Community Member States) regarding the import of the chemicals listed in (a) above.

The Commission shall immediately notify the Member States of information which it receives regarding changes to the above. It shall periodically publish these changes in the *Official Journal of the European Communities*.

4. The exporter shall be required to comply with the decision of the country of destination participating in the PIC procedure.

5. If a participating importing country does not make a response or responds with an interim decision which does not address importation, the status quo with respect to imports of the chemical should continue. This means that the chemical should not be exported without the explicit consent of the importing country, unless it is a pesticide which is registered in the importing country or is a chemical the use or importation of which has been allowed by other action of the importing country.

#### Article 6

#### Infringements

Member States shall take appropriate legal or administrative action in the event of infringement of the provisions of this Regulation.

#### Article 7

#### Packaging and labelling

1. Dangerous chemicals which are intended for export shall be subject to the measures on packaging and labelling established pursuant to Directive 67/548/EEC or, as appropriate, of other Directives covering dangerous preparations <sup>(1)</sup> as are applicable in the Member State from which the goods are to be exported or in which they have been produced. This obligation shall be without prejudice to any specific requirements of the importing third country. The label need comply with the requirements of the importing third country only if such requirements ensure that the label has all the health, safety and environment-related information which Community use would require.

2. The information on the label shall as far as practicable be given in the language(s), or in one or more of the principal languages, of the country of destination or of the area of intended use.

#### Article 8

#### Notification from third countries

1. Where the designated authority of a Member State receives a notification from the competent authority of a third country concerning the export to the Community of a chemical the manufacture, use, handling, consumption, transport and/or sale of which is subject to prohibition or substantial legal restriction under that country's legislation, it shall send forthwith to the Commission a copy of that notification, together with all relevant information.

2. The Commission shall forward forthwith to the Member States any notification received either directly or indirectly, together with all available information.

3. The Commission shall periodically evaluate the information received via the Member States or directly from third countries and, if necessary, submit appropriate proposals to the Council.

#### Article 9

#### Exchange of information and monitoring

1. Member States shall regularly forward to the Commission information on the operation of the notification system provided for in this Regulation.

<sup>(1)</sup> Directive 78/631/EEC (OJ No L 206, 29. 7. 1978, p. 13), as last amended by Directive 84/299/EEC (OJ No L 144, 30. 5. 1984, p. 1).  
Directive 88/379/EEC (OJ No L 187, 16. 7. 1988, p. 14), as last amended by Directive 90/492/EEC (OJ No L 275, 5. 10. 1990, p. 35).

2. The Commission shall regularly compile a report on the basis of the information provided by the Member States and forward it to the European Parliament and the Council. This report shall consist of, *inter alia*, information on participation in international notification and PIC systems on the cover provided by such systems and on how they are complied with by third countries.

3. As regards the information supplied pursuant to paragraphs 1 and 2, the Member States and the Commission shall take account of the need to protect the confidentiality of data and ownership.

#### Article 10

If a Member State applies, with respect to substances other than those in Annex I, a national system using similar information procedures in respect of third countries to those laid down in this Regulation, it shall inform the Commission thereof, specifying the substances concerned.

The Commission shall forward this information to the Member States.

#### Article 11

##### Updating of Annexes

1. The list of chemicals in Annex I shall be reviewed by the Commission at regular intervals, particularly in the light of experience gained in implementing this Regulation, with special regard to information received pursuant to Article 10, and on the basis of developments in Community legislation concerning marketing and use and of developments within the framework of the OECD, the UNEP and the FAO. The list shall be amended as necessary by decisions taken by the Council by qualified majority on a proposal from the Commission.

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

Done at Brussels, 23 July 1992

In determining whether regulatory action qualifies as a ban or severe restriction, the effect of the action on any one of three major use categories must be considered. These categories are:

- (a) plant protection products;
- (b) industrial chemicals;
- (c) consumer product chemicals

If, for health or environmental reasons, the control action bans or severely restricts the use of a chemical in any one of these categories of use, it will be included in Annex I.

2. Amendments initiated by the UNEP and the FAO to the list of chemicals subject to the international PIC procedure and to the PIC decisions of importing countries (Annex II) shall be adopted in accordance with the procedure laid down in Article 21 of Directive 67/548/EEC.

3. The amendments required for adapting Annex III to scientific and technical progress shall be adopted in accordance with the procedure laid down in Article 21 of Directive 67/548/EEC.

#### Article 12

1. Regulation (EEC) No 1734/88 is hereby repealed.
2. References to Regulation (EEC) No 1734/88 shall be construed as references to this Regulation.

#### Article 13

This Regulation shall enter into force three months from the day of its publication in the *Official Journal of the European Communities*.

For the Council

The President

J. COPE

## ANNEX I

List of chemicals banned or severely restricted to certain uses by Community legislation owing to their effects on health and the environment

Chemical	CAS No (a)	EINECS No (b)	Use (c) category	Use (d) limitation
1. Mercuric oxide	21908-53-2	244-654-7	p	sr
2. Mercurous chloride (calomel)	10112-91-1	233-307-5	p	sr
3. Other inorganic mercury compounds			p	b
4. Alkyl mercury compounds			p	sr
5. Alkoxyalkyl and aryl mercury compounds			p	b
6. Aldrin	309-00-2	206-215-8	p	sr
7. Chlordane	57-74-9	200-349-0	p	b
8. Dieldrin	60-57-1	200-484-5	p	b
9. DDT	50-29-3	200-024-3	p	b
10. Endrin	72-20-8	200-775-7	p	sr
11. HCH containing less than 99,0 % of the gamma isomer	608-73-1	210-168-9	p	b
12. Heptachlor	76-44-8	200-962-3	p	b
13. Hexachlorobenzene	118-74-1	204-273-9	p	b
14. Camphechlor (toxaphene)	8001-35-2	232-283-3	p	b
15. Polychlorinated biphenyls (PCB), except mono- and dichlorinated biphenyls	1336-36-3	215-648-1	i	b
16. Polychlorinated terphenyls (PCT)	61788-33-8	262-968-2	i	b
17. Preparations with a PCB or PCT content higher than 0,01% by weight			i	b
18. Tris (2,3-dibromopropyl) phosphate	126-72-7	204-799-9	i	sr
19. Tris-aziridinyl-phosphin oxide	545-55-1	208-892-5	i	sr
20. Polybrominated biphenyls (PBB)			i	sr
21. Crocidolite	12001-28-4		i	sr
22. Nitrofen	1836-75-5	217-406-0	p	b
23. 1,2 Dibromoethane	106-93-4	203-444-5	p	b
24. 1,2 Dichloroethane	107-06-2	203-458-1	p	b

(a) CAS = Chemical Abstracts Service.

(b) EINECS = European Inventory of Existing Commercial Chemical Substances.

(c) Use category:

p: plant-protection product

i: industrial chemical

(d) Use limitation:

sr: severe restriction

b: ban

## ANNEX II

Chemicals subject to the international PIC procedure and the PIC decisions of importing countries

[Article 5(3), (a), (b) and (c)]

ANNEX III

Information required pursuant to Article 4

1. Identity of the substance or preparation to be exported:
  - 1.1 *Substances:*
    - name in nomenclature of the International Union of Pure and Applied Chemistry,
    - other names (usual name, trade name, abbreviation),
    - EINECS-number and CAS-number, if available,
    - main impurities of the substance, when particularly relevant
  - 1.2 *Preparations:*
    - trade name or designation of the preparation,
    - for each substance listed in Annex I, percentage and details as specified under 1.1.
2. Information on precautions to be taken, including category of danger and risk and safety advice.
3. The name address, telephone and telex or fax numbers of the designated authority from which further information may be obtained.
4. Summary of regulatory restrictions and reasons for them.
5. Expected date of first export.
6. Reference number.
7. Country of destination.
8. Use category.
9. Estimated amount of the chemical to be exported to the destination country in the next year if possible.

The above information should be provided on an expert notification form as shown hereafter.

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**DATA SHEET FOR A BANNED OR SEVERELY RESTRICTED CHEMICAL**

<p><b>CHEMICAL NAME(S):</b></p> <p><b>EINECS No:</b> ..... <b>CAS No:</b> ..... <b>Use category(ies):</b> .....</p>
<p><b>LABELLING REQUIREMENTS FOR CHEMICAL</b></p> <p><b>Classification:</b> ..... <b>Code:</b> .....</p> <p><b>Risk phrases:</b></p> <p><b>Safety phrases:</b></p>
<p><b>SUMMARY OF CONTROL ACTION AND USE(S) CONTROLLED:</b></p> <p><b>REFERENCE TO COMMUNITY OR NATIONAL LEGISLATION:</b></p> <p><b>REASONS SUPPORTING THE CONTROL ACTION.</b></p>
<p><b>ADDITIONAL INFORMATION:</b></p>

*Note: If a preparation contains more than one chemical which is banned or severely restricted in the Community, data sheets on the additional chemicals must be attached hereto.*



# **ANNEX IV**

## **COUNCIL REGULATION**

**(EC) No 3135/94**



I

*(Acts whose publication is obligatory)*

**COUNCIL REGULATION (EC) No 3135/94**

**of 15 December 1994**

**amending Annex I to Regulation (EEC) No 2455/92 concerning the export and import of certain dangerous chemicals**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 130s, paragraph 1 thereof,

Having regard to Council Regulation (EEC) No 2455/92 of 23 July 1992 concerning the export and import of certain dangerous chemicals<sup>(1)</sup>, and in particular Article 11 thereof and Annex I thereto,

Having regard to the proposal from the Commission<sup>(2)</sup>,

Having regard to the opinion of the Economic and Social Committee<sup>(3)</sup>,

Acting in conformity with the procedure referred to in Article 189c of the Treaty<sup>(4)</sup>,

Whereas the said Annex I lists the chemicals banned or severely restricted in the Community; whereas Article 11 of the same Regulation requires this list to be reviewed at regular intervals and amended as necessary;

Whereas as a result of amendments and the adaptation to technical progress of Directive 79/117/EEC<sup>(5)</sup>, which

prohibits the placing on the market and use of plant protection products containing certain active substances, the list of chemicals contained in Annex I to Regulation (EEC) No 2455/92 and of Directive 76/769/EEC, which restricts the marketing and use of certain dangerous substances and preparations<sup>(6)</sup>, the list of chemicals contained in Annex I to Regulation (EEC) No 2455/92 should be amended and additional chemicals added thereto,

HAS ADOPTED THIS REGULATION:

*Article 1*

The Table in the Annex to this Regulation shall replace the Table in Annex I to Regulation (EEC) No 2455/92.

*Article 2*

This Regulation shall enter into force one month after its publication in the *Official Journal of the European Communities*.

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

Done at Brussels, 15 December 1994.

*For the Council*

*The President*

A. MERKEL

<sup>(1)</sup> OJ No L 251, 29. 8. 1992, p. 13.

<sup>(2)</sup> OJ No C 112, 22. 4. 1993, p. 12.

<sup>(3)</sup> OJ No C 249, 13. 9. 1993, p. 5.

<sup>(4)</sup> Opinion of the European Parliament of 9 March 1994 (OJ No C 91, 28. 3. 1994, p. 98), Joint Council Position of 8 June 1994 (OJ No C 213, 3. 8. 1994, p. 1) and European Parliament Decision of 17 November 1994 (not yet published in the Official Journal).

<sup>(5)</sup> OJ No L 33, 8. 2. 1979, p. 36. Directive as last amended by Directive 91/188/EEC (OJ No L 92, 13. 4. 1991, p. 42).

<sup>(6)</sup> OJ No L 262, 27. 9. 1976, p. 201. Directive as last amended by Directive 91/339/EEC (OJ No L 186, 12. 7. 1991, p. 64).

ANNEX

ANNEX I

Chemical	CAS No (a)	EINECS No (b)	Use category (c)	Use limitation (d)
1. Mercuric oxide	21908-53-2	244-654-7	p	b
2. Mercurous chloride (calomel)	10112-91-1	233-307-5	p	b
3. Other inorganic mercury compounds			p	b
4. Alkyl mercury compounds			p	b
5. Alkoxyalkyl and aryl mercury compounds			p	b
6. Aldrin	309-00-2	206-215-8	p	b
7. Chlordane	57-74-9	200-349-0	p	b
8. Dieldrin	60-57-1	200-484-5	p	b
9. DDT	50-29-3	200-024-3	p	b
10. Endrin	72-20-8	200-775-7	p	b
11. HCH containing less than 99,0 % of the gamma isomer	608-73-1	210-168-9	p	b
12. Heptachlor	76-44-8	200-962-3	p	b
13. Hexachlorobenzene	118-74-1	204-273-9	p	b
14. Camphechlor (toxaphene)	8001-35-2	232-283-3	p	b
15. Polychlorinated biphenyls (PCB), except mono- and dichlorinated biphenyls	1336-36-3	215-648-1	i	b
16. Polychlorinated terphenyls (PCT)	61788-33-8	262-968-2	i	b
17. Preparations with a PCB or PCT content higher than 0,005 % by weight			i	b
18. Tris (2,3-dibromopropyl) phosphate	126-72-7	204-799-9	i	sr
19. Tris-aziridinyl-phosphin oxide	545-55-1	208-892-5	i	sr
20. Polybrominated biphenyls (PBB)			i	sr
21. Asbestos fibres :				
Crocidolite	12001-28-4		i	b
Amosite	12172-73-5		i	b
Anthophyllite	77536-67-5		i	b
Actinolite	77536-66-4		i	b
Tremolite	77536-68-6		i	b
22. Nitrofen	1836-75-5	217-406-0	p	b
23. 1,2 Dibromoethane	106-93-4	203-444-5	p	b
24. 1,2 Dichloroethane	107-06-2	203-458-1	p	b
25. Pentachlorophenol and its salts and esters	87-86-5	201-778-6	i	sr
26. Ugilec 121			i	b
27. Ugilec 141	76253-60-6	278-404-3	i	sr
28. DBBT	99688-47-8		i	b
29. Ethylene oxide	75-21-8	200-849-9	p	b
30. Dinoseb, its acetate and salts	88-85-7	201-861-7	p	b
31. Binapacryl	485-31-4	207-612-9	p	b
32. Capadafol	2425-06-1	219-363-3	p	b
33. Dicolol containing < 78 %, p,p'-dicolol or > 1 g/kg of DDT and DDT related compounds	115-32-2	204-082-0	p	b

Chemical	CAS No (a)	EINECS No (b)	Use category (c)	Use limitation (d)
34. (a) Maleic hydrazide, and its salts, other than its choline, potassium and sodium salts; (b) Choline, potassium and sodium salts of maleic hydrazide containing more than 1 mg/Kg of free hydrazine expressed on the basis of the acid equivalent	123-33-1	204-619-9	p	b
35. Quintozene containing more than 1 g/Kg of hexachlorobenzene or > 10 g/Kg of pentachlorobenzene	82-68-8	201-435-0	p	b
36. 2-Naphthylamine	91-59-8	202-080-4	i	sr
37. Benzidine	92-87-5	202-199-1	i	sr
38. 4-Nitrobiphenyl	92-93-3	202-204-7	i	sr
39. 4-Aminobiphenyl	92-67-1	202-177-1	i	sr

(a) CAS = Chemical Abstracts Service.

(b) EINECS = European Inventory of Existing Commercial Chemical Substances.

(c) Use category:

p : plant protection product

i : industrial chemical

(d) Use limitation:

sr : severe restriction

b : ban



# **ANNEX V**

## **COMMISSION REGULATION**

**(EC) No 41/94**





I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 41/94  
of 11 January 1994  
amending Annex II to Council Regulation (EEC) No 2455/92 concerning the  
export and import of certain dangerous chemicals

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2455/92 of 23 July 1992<sup>(1)</sup> concerning Community exports and imports of certain dangerous chemicals, and in particular Article 11,

Whereas Regulation (EEC) No 2455/92 sets up a system of notification and information for imports from and exports to third countries of certain dangerous chemicals; whereas certain of these chemicals are subject to the international prior consent procedure (PIC) established by the United Nations Environment Programme (UNEP) and by the Food and Agriculture Organization (FAO);

Whereas Regulation (EEC) No 2455/92 further provides for the participation of the Community in the international notification and prior informed consent procedure;

Whereas Article 5 of Regulation (EEC) No 2455/92 provides, *inter alia*, that Annex II to the said Regulation should comprise a list of chemicals subject to the international PIC procedure, a list of the countries participating in the PIC scheme and the PIC decisions of importing countries;

Whereas Article 11 of Regulation (EEC) No 2455/92 provides that Annex II should be amended where the UNEP and the FAO have initiated amendments to the list of chemicals subject to the international PIC procedure and to the PIC decisions of importing countries;

Whereas a number of such amendments having been so initiated, Annex II to Regulation (EEC) No 2455/92 must thus be amended in accordance with Article 11;

Whereas this Regulation is in accordance with the opinion of the Committee set up under Article 28 of Council Directive 67/548/EEC<sup>(2)</sup> as amended,

HAS ADOPTED THIS REGULATION:

Article 1

The entries set out in the Annex to this Regulation are included for the first time in Annex II to Regulation (EEC) No 2455/92.

Article 2

This Regulation shall come into force one month after its publication in the *Official Journal of the European Communities*.

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

Done at Brussels, 11 January 1994.

For the Commission  
Yannis PALEOKRASSAS  
Member of the Commission

<sup>(1)</sup> OJ No L 251, 29. 8. 1992, p. 13.

<sup>(2)</sup> OJ No L 196, 16. 8. 1967, p. 1.



12. 1. 94

Official Journal of the European Communities

No L 8/3

Chemical	Country	Final import decision
Fluoroacetamide (EINECS No: 211-363-1) (CAS No: 640-19-7)	Angola Bhutan Cape Verde China Cyprus Ecuador Morocco Nicaragua Sri Lanka St. Lucia Thailand	Prohibit Prohibit Prohibit Prohibit Prohibit Prohibit Prohibit Prohibit Prohibit Prohibit
HCH (mixed isomers) (EINECS No: 210-168-9) (CAS No: 608-73-1)	Angola Cape Verde Cyprus Ecuador Honduras Nicaragua Norway Rwanda Sri Lanka St. Lucia Tanzania Thailand Togo	Prohibit Prohibit Prohibit Prohibit Prohibit Prohibit Prohibit Prohibit Prohibit Permit Permit Prohibit Prohibit

(\*) Register of Pesticides,  
 Department of Agriculture,  
 PO Box 49 Colombo  
 Peradeniya  
 Sri Lanka



## **FAO Code of Conduct**

**Biologische Bundesanstalt für Land- und Forstwirtschaft  
Abteilung für Pflanzenschutzmittel und Anwendungstechnik**

**Messeweg 11-12**

**D-38104 Braunschweig**

**Tel: +49 / (0) 5 31 / 2 99 - 34 52**

**Fax: +49 / (0) 5 31 / 2 99 - 30 03**

**Contact: Mr. Achim Holzmann**

## **Council Regulation (EEC) No 2455/92**

**Bundesanstalt für Arbeitsschutz  
Anmeldestelle Chemikaliengesetz**

**Friedrich-Henkel-Weg 1-25**

**D-44149 Dortmund**

**Tel: +49 / (0) 2 31 / 9 07 12 74**

**Fax: +49 / (0) 2 31 / 9 07 16 71**

**Contact: Mrs. Ulrike Kowalski**

Die **Berichte** aus der Biologischen Bundesanstalt für Land- und Forstwirtschaft erscheinen seit 1995 in zwangloser Folge.

Bisher erschienene **Berichte**:

- Heft 1, 1995: Sachverständigengutachten zur Genehmigung von Weihnachtsbaumkulturen (in Landschaftsschutzgebieten) unter Berücksichtigung von Herbizideinsätzen bzw. mechanischen oder kulturtechnischen Verfahren zur Unkrautbekämpfung und deren Folgewirkungen auf den Naturhaushalt.  
Dr. Gerd Heidler, 100 S.
- Heft 2, 1995: Liste der zugelassenen Pflanzenschutzmittel (Stand: 1. Januar 1995).  
Bearbeitet von Dr. A. Holzmann und A. Spinti, 63 S.
- Heft 3, 1995: Rechtliche Regelungen der Europäischen Union zur Prüfung und Zulassung von Pflanzenschutzmitteln und Wirkstoffen  
(Richtlinien, Verordnungen, Entscheidungen und Protokolle)  
(Stand: 1. Juni 1995)  
Bearbeitet von Dr. Jörg-Rainer Lunde, 233 S.
- Heft 4, 1995: Verzeichnis der Wirkstoffe in zugelassenen Pflanzenschutzmitteln  
(ehemals Merkblatt Nr. 20)  
(Stand: November 1994)  
Bearbeitet von Dr. Günter Hoffmann, 86 S.
- Heft 5, 1995: Spritz- und Sprühgeräte für Flächenkulturen  
Auszug aus der BESCHREIBENDEN PFLANZENSCHUTZLISTE  
-Teil Geräte-  
Bearbeitet von Dr.-Ing. Heinz Ganzelmeier, Sabine Gebauer,  
Hans-Joachim Wehmann und Siegfried Rietz, 170 S.