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UNEP/POPS/POPRC.6/INF/17/Rev.1

Distr.: General
12 August 2009**Stockholm Convention
on Persistent Organic
Pollutants**

English only

Persistent Organic Pollutants Review Committee**Sixth meeting**

Geneva, 11–15 October 2010

Item 7 of the provisional agenda*

Other matters**Compilation of submitted information relevant to
implementation of paragraphs 3 and 4 in Article 3 of the
Convention****Note by the Secretariat**

1. Article 3, paragraph 3 of the Stockholm Convention states that: “Each Party that has one or more regulatory and assessment schemes for new pesticides or new industrial chemicals shall take measures to regulate with the aim of preventing the production and use of new pesticides or new industrial chemicals which, taking into consideration the criteria in paragraph 1 of Annex D, exhibit the characteristics of persistent organic pollutants”.
2. Further, Article 3, paragraph 4 states that: “Each Party that has one or more regulatory and assessment schemes for pesticides or industrial chemicals shall, where appropriate, take into consideration within these schemes the criteria in paragraph 1 of Annex D when conducting assessments of pesticides or industrial chemicals currently in use”.
3. In order to promote this requirement of the Convention, the Committee at its fifth meeting requested the Secretariat to seek information from Parties and observers on the functioning of those schemes¹. The Secretariat sent out a questionnaire to the Parties and observers to provide such information. Annex I and II to the present note contain a brief analysis and a compilation of the submissions. The annexes have not been formally edited by the Secretariat.
4. In summary, the Secretariat received 37 submissions, of which 36 from Parties (Antigua and Barbuda, Azerbaijan, Burundi, Canada, Colombia, Congo, Croatia, European Union, Finland, Germany, Honduras, India, Japan, Kuwait, Latvia, Liechtenstein, Lithuania, Macedonia, Madagascar, Mali, Mexico, Monaco, Morocco, Mozambique, Myanmar, Norway, Philippines, Poland, Qatar, Romania, Sri Lanka, Suriname, Switzerland, Republic of Tanzania, Thailand, and Togo) and 1 from an observer (United States of America).

* UNEP/POPS/POPRC.6/1/Rev.1.

¹ UNEP/POPS/POPRC.5/10 para. 101

Annex I

Summary of information relevant to implementation of paragraphs 3 and 4 in Article 3 of the Convention submitted by Parties and observers

The table below summarizes information relevant to implementation of paragraphs 3 and 4 in Article 3 of the Convention submitted by Parties and observers. Among the 37 submissions, 14 respondents had no regulatory framework for chemicals with characteristics of persistent organic pollutants (POPs). With reference to chemicals with characteristics of POPs, 19 respondents had regulatory systems for new pesticides, and 17 for new chemicals. Similarly, 18 respondents have regulation for existing pesticides and 16 for existing industrial chemicals in place respectively. Furthermore, 11 respondents have regulatory systems in place for all of the abovementioned four categories, of which all are Parties to the Convention.

	Reg. scheme for newly introduced chemicals addressing POPs characteristics		Reg. scheme for existing chemicals addressing POPs characteristics		Names and number of POPs identified from reg. scheme for new chemicals	Names and number of POPs identified from regulatory scheme for existing chemicals
	New pesticides	New industrial chemicals	Pesticides in use	Industrial chemicals in use		
Antigua and Barbuda	exists	exists	-	-	-	-
Azerbaijan	-	-	-	-	-	-
Burundi	-	-	-	-	-	-
Canada	exists	exists	exists	exists		Hexane, 1,6-diisocyanato-, homopolymer, reaction products with alpha-fluoro-omega-2-hydroxyethyl-poly(difluoromethylene), C16-20-branched alcohols and 1-octadecanol; 2-propenoic acid, 2-methyl-, hexadecyl ester, polymers with 2-hydroxyethyl methacrylate, gamma-omega-perfluoro-C10-16-alkyl acrylate and stearyl methacrylate CAS # 203743-03-7; 2-propenoic acid, 2-methyl-, 2-methylpropyl ester, polymer with butyl 2-propenoate and 2,5 furandione, gamma-omega-perfluoro-C8-14 alkyl esters, tert-Benzenecarbo-peroxoate-initiated CAS # 459415-06-6 2-propen-1-ol, reaction products with pentafluoroiodoethane tetrafluoroethylene telomer, dehydroiodinated, reaction products with epichlorohydrin and triethylenetetramine CAS# 464178-90-3
Colombia	exists	-	exists	-		
Congo	-	-	-	-		

	Reg. scheme for newly introduced chemicals addressing POPs characteristics		Reg. scheme for existing chemicals addressing POPs characteristics		Names and number of POPs identified from reg. scheme for new chemicals	Names and number of POPs identified from reg. scheme for new chemicals
	New pesticides	New industrial chemicals	Pesticides in use	Industrial chemicals in use		
Croatia	-	-	-	exists		<i>Penta-bromo diphenyl ether**</i> , pentabromo derivatives, <i>octabromo diphenyl ether**</i> and derivatives (restricted use)
European Union	exists	exists	exists	exists		UNECE-POPs + SCC + EU candidate list*
Finland	exists	exists	exists	exists		REACH, EU candidate list*
Germany	exists	exists	exists	exists		
Honduras	-	-	exists	exists		
India	exists	exists	exists	exists		
Japan	-	exists	exists	exists		
Kuwait	-	-	-	-		
Latvia	exists	exists	exists	exists	ref. REACH	
Liechtenstein	exists	exists	-	-	ref. Swiss, EU	
Lithuania	-	-	-	-	ref. REACH	
Macedonia	-	-	-	-		<i>9 new SCC POPs considered**</i>
Madagascar	-	-	-	-		
Mali	exists	-	exists	-		<i>12 Stockholm POPs**</i>
Mexico	-	-	-	-		
Monaco	-	-	-	-		
Morocco	-	-	-	-		
Mozambique	exists	-	-	-		
Myanmar	-	-	-	-		
Norway	exists	exists	exists	exists		ref. REACH
Philippines	exists	exists	exists	exists		PCBs** (CAS 1336-36-3), <i>Perfluorooctane Sulfonate**</i> (CAS 1763-23-1)
Poland	exists	exists	exists	exists		REACH, <i>Aldrin**</i> , <i>Chlordane</i> , <i>DDT</i> (and difocol), <i>Dieldrin</i> , <i>Endrin</i> , <i>technical HCH</i> , <i>Hexachlorobenzene (HCB)</i> , <i>Heptachlor</i> , <i>Mirex</i> , <i>Pentachlorobenzene (PeCB)</i> and <i>Toxaphene</i>
Qatar	-	-	-	-		
Romania	exists	exists	exists	exists	ref. div. EU	ref. div. EU, Alkanes (C10-C13, chloro (short-chain chlorinated paraffins - SCCPs) (CAS 85535-84-8)
Sri Lanka	-	-	-	-		
Suriname	exists	-	exists	-		ref. FAO negative list, <i>Lindane</i> (CAS 58-89-9), <i>Endrin</i> (CAS 72-20-8)
Switzerland	-	exists	-	exists		ref. REACH
Tanzania, United Republic of	exists	exists	exists	-		
Thailand	exists	exists	exists	exists		
Togo	-	-	-	-		
United States of America	exists	exists	exists	exists		

* not all of the chemicals in the EU candidate list have POPs characteristics in accordance with Annex D, Stockholm Convention

** Chemicals listed in italics are listed as POPs in the Stockholm Convention

Annex II

Compilation of submitted information relevant to implementation of paragraphs 3 and 4 in Article 3 of the Convention

The table below compiles information relevant to implementation of paragraphs 3 and 4 in Article 3 of the Convention submitted by Parties and observers.

Country	Information
Antigua and Barbuda	<p>Regulatory framework for new pesticides and industrial chemicals and for pesticides and industrial chemicals currently in use with POPs characteristics:</p> <p>Pesticides and Toxic Chemicals Act 2008 No. 12 of 2008 An Act to regulate the importation, storage, manufacture, sale, transportation, use and disposal of pesticides and Toxic Chemicals, and for incidental and connected purposes.</p> <p>Registration New pesticides and new industrial chemicals are first assessed to determine what regulatory action has been taken under the various international Conventions and agreements. The decisions of these conventions/agreements are generally adhered to, i.e. pesticides and Toxic Chemicals that are banned or severely restricted are not registered for use in Antigua and Barbuda. Also applicants for registration are required to supply detailed information on various aspects of the product. The information is assessed by a technical review committee and only those pesticides and toxic chemicals that are deemed not to pose undue risk to human health and the environment, are registered for entry into the country. Registration lasts for a period of 3 years. Pesticides and toxic Chemicals can be deregistered at anytime if new information deems them to present unacceptable risks.</p>
Azerbaijan	No framework
Burundi	No framework
Canada	<p>Regulatory and assessment schemes for <u>new</u> pesticides and/or <u>new</u> industrial chemicals</p> <p>The <i>Canadian Environmental Protection Act, 1999</i> (CEPA 1999) is Canada's legislation that serves to protect the environment and the health of Canadians from industrial chemicals. A major thrust of the Act is to sustainably prevent pollution and address the potentially dangerous chemical substances to which we might be exposed.</p> <p>Environment Canada and Health Canada administer the <i>New Substances Notification Regulations (Chemicals and Polymers)</i> of CEPA 1999. As part of the federal government's national pollution prevention strategy and the "cradle to grave" management approach for toxic substances laid out in the Act, the Regulations ensure that no new substances are introduced into the Canadian marketplace before an assessment of whether they are potentially toxic has been completed, and any appropriate or required control measures have been taken.</p> <p>Any company or individual who plans to import or manufacture a substance subject to notification under the Regulations must provide Environment Canada with a New Substances Notification (NSN) package containing all information prescribed in the Regulations prior to import or manufacture. The type of information required and the timing of the notification will depend on such factors as the type of substance, the quantity that will be imported or manufactured, the intended use of the substance, and the circumstances associated with its introduction.</p> <p>When an NSN Package is received, an assessment is carried out by Environment Canada and Health Canada to determine whether there is a potential for adverse effects of the substance on the environment and human health. When this process identifies a new substance that may pose a risk to human health or the environment, CEPA 1999 empowers Environment Canada to intervene prior to or during the earliest stages of its introduction into Canada.</p> <p>Additional detail may be found by referencing the following:</p>

Country	Information
	<p data-bbox="603 219 1034 241">http://www.ec.gc.ca/subsouvelles-newsubs</p> <p data-bbox="603 282 722 304">Legislation:</p> <p data-bbox="603 327 1477 376">Pesticides are subject to federal regulation in Canada under the <i>Pest Control Products Act</i> (PCPA) administered by Health Canada Pest Management Regulatory Agency (PMRA).</p> <p data-bbox="603 398 1433 474">The PCPA mandate is to protect human health and safety and the environment by regulating pest control products. A “pest control product” includes active ingredients, formulants and contaminants.</p> <p data-bbox="603 497 1477 573">In addition to PCPA, there are a number of other policies and regulations that are used for assessment of pest control products, such as the Federal Toxic Substances Management Policy (TSMP) and Formulants Policy.</p> <p data-bbox="603 595 1469 757">The TSMP is founded on a preventive and precautionary approach to deal with all substances that enter the environment and could harm the environment and/or human health. The TSMP calls for the virtual elimination of Track 1 substances (those that are toxic, predominantly anthropogenic, persistent and bioaccumulative – Screening criteria) and full life cycle management to prevent or minimize releases of Track 2 substances (those that do not meet all of the four Track 1 screening criteria).</p> <p data-bbox="603 779 1477 1102">The PMRA policy on formulants in pest control products is described in the <i>PMRA Formulants Program Regulatory Directive</i> DIR2004-01. The policy requires formulants in pest control products to be accurately identified and assessed for human health and environmental risks. Formulants that have been determined to be of significant concern will be identified on the Formulants Policy List 1 and those that have been determined to be potentially toxic based on either structural similarity to List 1 formulants or data suggestive of toxicity, identified on the Formulant Policy List 2. Formulants on List 2 will be re-assessed in the light of new scientific information and if determined to be of toxicological concern will be reclassified and listed under List 1 (http://www.hc-sc.gc.ca/cps-spc/pest/part/consultations/ noi2005-01/index-eng.php and http://www.hc-sc.gc.ca/cps-spc/alt_formats/pacrb-dgapcr/pdf/pest/part/consultations/ noi-ai/ noi2005-01-eng.pdf).</p> <p data-bbox="603 1124 1078 1146">Assessment Scheme of new proposed pesticides:</p> <p data-bbox="603 1169 1469 1357">Before making a registration decision regarding a new pesticide, the PMRA conducts a comprehensive assessment of the risk and value specific to the proposed use, using modern scientific assessment techniques. The risk assessment considers the inherent toxicity, persistence and bioaccumulative nature of the pest control product. Through this assessment and the criteria established in the TSMP, the PMRA determines whether active ingredients in new pesticides are likely to be considered candidates for Track 1 or Track 2 classifications.</p> <p data-bbox="603 1379 1477 1456">Pesticides will only be registered if their assessment indicates that the product has merit and value, and the human health and environmental risks associated with the proposed use are acceptable. New pesticides identified as Track 1 would not be registered.</p> <p data-bbox="603 1478 1401 1527">Track 1 substances in proposed new pest control products may be identified in the following ways:</p> <ul data-bbox="687 1550 1425 1671" style="list-style-type: none"> <li data-bbox="687 1550 1425 1599">• Comparing active ingredients, formulants and contaminants against the federal government’s List of Track 1 substances; <li data-bbox="687 1621 1425 1671">• Evaluating new active ingredient against the TSMP criteria for Track 1 designation <p data-bbox="603 1693 722 1715">References:</p> <p data-bbox="603 1738 1382 1760"><i>Pest Control Products Act</i>, 2002 (http://laws.justice.gc.ca/en/P-9.01/index.html)</p> <p data-bbox="603 1783 1414 1881">The Pest Management regulatory Agency’s Strategy for Implementing the Toxic Substances Management Policy, Regulatory Directive, DIR99-03, March 12, 1999; http://www.hc-sc.gc.ca/cps-spc/alt_formats/pacrb-dgapcr/pdf/pubs/pest/pol-guide/dir/dir9903-eng.pdf</p> <p data-bbox="603 1917 1425 1966"><u>Chemical names, CAS numbers and purpose of use of new pesticides that have been regulated:</u></p> <p data-bbox="603 1989 1461 2033">As examples, in 2004 the New Substances Program assessed four new substances which are considered sources of long chain perfluorinated carboxylic acids (PFCAs). These</p>

Country	Information
	<p>substances are all fluorotelomer-based polymers. Fluorotelomers are used to add fluorinated carbon chains to more complex materials. Various reactive functional groups are used to attach these moieties, e.g. alcohols, epoxides, olefins. These fluorotelomer substances can be released from these complex materials. Fluorotelomer alcohols have been shown to form PFCAs in the environment, and a similar fate is expected for the olefins and epoxides. Empirical evidence has demonstrated that some PFCAs are bioaccumulative, persistent, subject to long-range transport (via a precursor), widespread in Arctic wildlife and associated with adverse effects in laboratory animals. Evidence shows a trend of increasing concentrations of long chain PFCAs in wildlife based on tissue samples archived over the last 30 years.</p> <p><u>Names:</u> Hexane, 1,6-diisocyanato-, homopolymer, reaction products with alpha-fluoro-omega-2-hydroxyethyl-poly(difluoromethylene), C16-20-branched alcohols and 1-octadecanol CAS# not assigned</p> <p>2-propenoic acid, 2-methyl-, hexadecyl ester, polymers with 2-hydroxyethyl methacrylate, gamma-omega-perfluoro-C10-16-alkyl acrylate and stearyl methacrylate CAS # 203743-03-7</p> <p>2-propenoic acid, 2-methyl-, 2-methylpropyl ester, polymer with butyl 2-propenoate and 2,5 furandione, gamma-omega-perfluoro-C8-14 alkyl esters, tert-Bu benzenecarboperoxoate-initiated CAS # 459415-06-6</p> <p>2-propen-1-ol, reaction products with pentafluoroiodoethane tetrafluoroethylene telomer, dehydroiodinated, reaction products with epichlorohydrin and triethylenetetramine CAS# 464178-90-3</p> <p><u>Use(s):</u> Fluorotelomer-based substances are commonly used as water and grease repellents for materials such as paper, textiles, carpet and leather.</p> <p>Regulatory measure: Temporary prohibition under the New Substances provisions of CEPA, 1999, with a proposed Regulations Amending the Prohibition of Certain Toxic Substances Regulations, 2005 (Four New Fluorotelomer-based Substances) to make the prohibitions permanent.</p> <p><u>Regulatory and assessment schemes for the pesticides and/or industrial chemicals currently in use</u></p> <p>The <i>Canadian Environmental Protection Act, 1999</i> is Canada's legislation that serves to protect the environment, and the health and well-being of Canadians. A major part of the Act is to sustainably prevent pollution and address the potentially dangerous chemical substances to which we might be exposed.</p> <p>The Act provides authorities for the assessment and management of chemical substances to prevent, reduce or control environmental and human health impacts of: new and existing substances (including products of biotechnology), marine pollution, emissions from vehicles, engines and equipment, fuels, hazardous wastes and environmental emergencies, including accidental spills.</p> <p>Under Canada's New Substances Notification Program, any company or individual who plans to import or manufacture a substance is subject to notification under the Regulations must provide Environment Canada with a New Substances Notification package containing all information prescribed in the Regulations prior to import or manufacture. The type of information required and the timing of the notification will depend on such factors as the type of substance, the quantity that will be imported or manufactured, the intended use of the substance and the circumstances associated with its introduction. Since 1994, Canada has assessed all new substances manufactured in Canada or imported from other countries.</p> <p>Canada's Chemicals Management Plan is science-based and takes immediate action on chemical substances of high concern, based on their potential to cause harm. Health Canada and Environment Canada scientists research and assess chemical substances and products containing these substances to determine if they pose a risk to our health and/or the environment. For substances which meet the "toxic" criteria under section 64 of the Canadian Environmental Protection Act, 1999, the Government develops and implements controls to protect human health and the environment using a variety of tools. These range from providing information about proper use and disposal, to regulations that restrict or even ban use.</p> <p><u>Currently in use pesticides:</u></p> <p>Health Canada PMRA systematically screens currently registered pest control products and sets priorities for re-evaluation or special review of those that contain substances of concern under the <i>Pest Control Products Act (PCPA)</i>, using modern science and TSMP</p>

Country	Information
	<p>criteria. Under the PCPA, a pesticide can only be registered for use in Canada if there is reasonable certainty that no harm to human health, future generations or the environment will result when a product is used according to label directions.</p> <p>Working towards the goal of virtual elimination, PMRA in cooperation with registrants, strengthen the existing program to replace/reduce/eliminate formulants of concern, including Track 1 substances and strengthened current regulatory activities to accelerate the registration of new and safer pesticide products.</p> <p>References: <i>Pest Control Products Act</i>, 2002 (http://laws.justice.gc.ca/en/P-9.01/index.html) The Pest Management regulatory Agency's Strategy for Implementing the Toxic Substances Management Policy, Regulatory Directive, DIR99-03, March 12, 1999; http://www.hc-sc.gc.ca/cps-spc/alt_formats/pacrb-dgapcr/pdf/pubs/pest-pol-guide/dir/dir9903-eng.pdf</p> <p><u>Chemical names, CAS numbers, and the purpose of use for all the pesticides and/or industrial chemicals currently in use</u></p> <p>Please see the following link for a list of industrial chemicals that Environment Canada and Health Canada are responsible for developing and implementing regulations or other instruments that work to prevent or control their use and/or release. http://www.ec.gc.ca/toxiques-toxics/Default.asp?lang=En&n=98E80CC6-1 Please also see below a link to Health Canada's Public Registry of non-confidential information on pesticides and the pesticide regulatory system. All publicly available information on currently registered pesticides is available here. http://www.hc-sc.gc.ca/cps-spc/pest/part/protect-protteger/publi-regist/index-eng.php</p>
Colombia	<p><u>Regulatory framework for new pesticides or industrial chemicals with POPs characteristics and pesticides or industrial chemicals currently in use with POPs characteristics</u></p> <p>Regulatory framework for new pesticides: <u>The regulatory framework for new pesticides addresses chemicals that exhibit the POPs characteristics defined in paragraph 1 of Annex D of the Stockholm Convention into account as follows:</u></p> <p>The registration and control of chemical pesticides for agricultural use is regulated in conformity with the national laws 822 of 2003, the Decree 502 of March 2003 and Resolution 03759 of December 2003 by Decision 436 of 1998 of the Andean Community "Andean Norm for the Registration and Control of Chemical Pesticides for Agricultural Use" and Resolution 630 for 2002, which adopted the Technical Manual for the Registration and Control of Chemical Pesticides for Agricultural Use.</p> <p>The evaluation of pesticides is based on a toxicological concept determined by the Ministry of Social Protection, an environmental technical report from the Ministry of the Environment, Housing and Regional Development and a visit from the register by the Colombian Agricultural Institute.</p> <p>The technical report is related to the function assigned though law 99 of 1993 to the Ministry of Environment, to restrict the production and import of pesticides and substances, material and products subject to control under international conventions y protocols.</p> <p>In accordance with the manual, in order to carry out the environmental evaluation, the identification of the pesticide, the physical, toxicological and ecotoxicological properties of the active ingredient, as well as information on the environmental fate and half life in oil and water, adsorption constant and data on the product formulation are required. An environmental risk evaluation is furthermore required.</p> <p><u>Chemical names, CAS numbers and purpose of use of new pesticides that have been regulated:</u> Name: Lindane CAS number: 58-89-9 Use(s): Agricultural use and ectoparasiticide Regulatory measure: Prohibition of import, fabrication, formulation, marketing and use of</p>

Country	Information
	<p>lindane alone or in combination with other chemicals through the Ministry of Health resolution 04166 of 1997</p> <p>Name: Endosulfan CAS number: 115-29-7 Use(s): Agricultural use Regulatory measure: Restriction of the use, only allowed to combat the coffee berry borer according to the Ministry of Health (current Ministry of Social Protection) resolution 01669 of 27 May 1997. In March 2001, this use of endosulfan was also prohibited by the State Council.</p> <p>Regulatory framework for pesticides currently in use: <u>The regulatory framework for pesticides address chemicals that exhibit the characteristics of POPS as defined in paragraph 1 of Annex D of the Stockholm Convention as follows:</u></p> <p>Legislation:</p> <ul style="list-style-type: none"> • ““Andean Norm for the Registration and Control of Chemical Pesticides for Agricultural Use”, Decision 436 of 1998 of the Andean Community • Andean Technical Manual for the Registration and Control of Chemical Pesticides for Agricultural Use • Resolution 3759 of 2003 <p>Environmental evaluation according to the Andean Technical Manual:</p> <ul style="list-style-type: none"> • Requires identification data for the chemical • Persistence of the active ingredient: the reference for half-life is $t_{1/2} > 21$ days. This criteria does not necessarily lead to restrictions or prohibitions. • For bioaccumulation the threshold value is $\log K_{ow} > 3.0$ and for bioconcentration > 100. For chemicals with higher values, a detailed risk analysis is required with toxicity data for bird and aquatic species. Pesticides whose active ingredients and/or toxic metabolisms have a bioconcentration data of > 2000 in fish are considered unacceptable. • There are no criteria on large range transport in the environment. <p><u>Regulatory framework for new and existing industrial chemicals:</u> There are no regulatory frameworks for new and existing industrial chemicals in Colombia.</p>
Congo	No framework
European Union	<p><u>Regulatory framework for new pesticides or industrial chemicals with POPs characteristics and pesticides or industrial chemicals currently in use with POPs characteristics (note: the EU legislations of industrial substances and pesticides do not differentiate between new and existing substances):</u> Article 3(3) of Regulation (EC) No 850/2004 repeats the provision of the Stockholm Convention but the practical implementation is left to be done in the framework of the existing Community regulatory and assessment schemes for industrial chemicals, plant protection products and biocides.</p> <p>Provisions to prevent the production, placing on the market and use of new substances exhibiting POP characteristics were incorporated into the new regulatory framework for chemicals, plant protection products and biocides.</p> <p><u>New industrial chemicals:</u> Pursuant to REACH, substances which are persistent, bioaccumulative and toxic (PBTs) or very persistent and very bioaccumulative (vPvBs) can be subject to authorisation. For substances manufactured or imported in quantities of 10 tonnes or more, a chemical safety assessment must be performed which includes assessment of PBT and vPvB properties. In quantities higher than 100 tonnes, the registration requires specific tests for PBT/vPvB assessment.</p> <p><u>Plant protection products:</u> Pursuant to Regulation (EC) No 1107/2009 concerning the placing of plant protection products on the market, an active substance, safener or synergist can only be approved if it is not a POP, PBT or vPvB substance. A substance must be seen as a candidate for substitution if it meets two of the PBT criteria. Specific criteria on persistency, bioaccumulation and toxicity are laid down when a substance shall not be considered as of low risk.</p> <p><u>Biocides:</u> The Commission's proposal COM (2009)267 on biocidal products lists PBTs among substances that should be substituted and not be allowed for use in low-risk products. The Commission proposal is under discussion with Member States and the European Parliament. The Regulation will be sent to the Secretariat of the Stockholm</p>

Country	Information
	<p>Convention when adopted.</p> <p><u>Chemical names, CAS numbers, and the purpose of use for all the (new) pesticides and/or (new) industrial chemicals with POPs properties that have been regulated:</u></p> <p>The strict rules for authorisation for substances having PBT/vPvB properties should prevent industry to develop new substances having such properties.</p> <p><u>Chemical names, CAS numbers, and the purpose of use for all the pesticides and/or industrial chemicals currently in use with POPs properties that have been regulated:</u></p> <p>In addition to the substances listed in the Stockholm Convention and/or the UNECE POP Protocol (aldrin, chlordane, dieldrin, endrin, heptachlor, hexachlorobenzene, mirex, toxaphene, PCBs, SCCPs, PFOS compounds, lindane, hexachlorocyclohexanes, chlordecone, hexabromobiphenyl, pentaBDE, octaBDE, pentachlorobenzene, hexachlorobutadiene, polychloronaphthalenes) and nominated for inclusion in the annexes of these two legal instruments (endosulfan, SCCPs, hexabromocyclododecane, trifluralin, pentachlorophenol, dicofol), there is a candidate list of substances that are identified as PBT and vPvB that could be submitted to the authorisation procedure under REACH. The candidate list can be found in: http://echa.europa.eu/chem_data/authorisation_process/candidate_list_table_en.asp?sortBy=Name&order=ascending. This list is updated regularly.</p> <p>The current list of candidate substances contains the following PBT/vPvB :</p> <ul style="list-style-type: none"> - 5-tert-butyl-2,4,6-trinitro-m-xylene (musk xylene), CAS number: 81-15-2 - Anthracene, CAS number: 120-12-7 - Anthracene oil, CAS number: 90640-80-5 - Anthracene oil, anthracene paste, CAS number: 90640-81-6 - Anthracene oil, anthracene paste, anthracene fraction, CAS number: 91995-15-2 - Anthracene oil, anthracene paste, distn. Lights, CAS number: 91995-17-4 - Anthracene oil, anthracene-low, CAS number: 90640-82-7 - Bis(tributyltin)oxide (TBTO), CAS number: 56-35-9 - Pitch, coal tar, high temp, CAS number: 65996-93-2
Finland	<p><u>Regulatory framework for new pesticides and industrial chemicals with POPs characteristics and pesticides and industrial chemicals currently in use with POPs characteristics</u> (the legislation does not make a difference between new and existing chemicals. Hence the regulations are the same as for new substances):</p> <p>The obligation to take measures to regulate with the aim of preventing the production and use of new pesticides of industrial chemicals which exhibit characteristics of persistent organic pollutants has also been included in Article 3 of the European POPs Regulation EC/850/2004, which is directly applicable in Finland. These regulations are in practice implemented through European Community level legislation on chemicals. Please refer to the submission of the EU for the Community legislation.</p> <p>The key principle in the legislation are is that the national authorities responsible for the approval of existing chemicals must take the POPs criteria specified in Annex D of the Stockholm Convention into consideration whenever decisions have to be made on the approval of new industrial chemicals and pesticides for use, marketing and production. EU member states must also initiate any other measures needed to prevent the production, marketing and use of chemicals with similar characteristics to POPs. Legislation on chemicals and pesticides needs to be developed with regard to taking into account POP characteristics as set out in Annex D of the Convention. At present, the marketing of new chemicals exhibiting POPs characteristics can be prohibited based on chemical properties on authorization scheme set out in the Biocide Directive (98/8/EC, implemented in Finland through amendment of Chemicals Act 1198/1999) and Regulation (EC) 1107/2009 concerning placing the plant protection products on the market. The biocidal product legislation is currently being reviewed as described in the EU submission.</p> <p><u>Chemical names, CAS numbers, and the purpose of use for all the pesticides and/or industrial chemicals currently in use that have been regulated:</u></p> <p>The EU has submitted several new substances to the international POPs instruments with the aim of preventing their production and use. The PBT and vPvB substances are regulated under REACH. Please refer to the submission of the EU for details.</p>
Germany	<p><u>Regulatory framework for new pesticides or new industrial chemicals with POPs characteristics</u> (did not send second part on pesticides and chemicals currently in use):</p>

Country	Information
	<p>Plant protection products: According to the new EU legislation for the authorisation of plant protection products, POP substances must not be approved: Regulation (EC) 1107/2009: “3.7.1 An active substance, safener or synergist shall only be approved where it is not considered to be a persistent organic pollutant (POP). A substance that fulfils all three of the criteria of the points below is a POP.</p> <p>3.7.1.1. Persistence An active substance, safener or synergist fulfils the persistence criterion where there is evidence that the time it takes for a degradation of 50 % (DT50) in water is greater than 2 months, or that its DT50 in soil is greater than 6 months, or that its DT50 in sediment is greater than 6 months.</p> <p>3.7.1.2. Bioaccumulation An active substance, safener or synergist fulfils the bioaccumulation criterion where there is: — evidence that its bio-concentration factor or bioaccumulation factor in aquatic species is greater than 5 000 or, in the absence of such data, that the partition coefficient n-octanol/water (log Ko/w) is greater than 5, or — evidence that the active substance, safener or synergist present other reasons for concern, such as high bioaccumulation in other non-target species, high toxicity or ecotoxicity. EN L 309/42 Official Journal of the European Union 24.11.2009</p> <p>3.7.1.3. Potential for long-range environmental transport: An active substance, safener or synergist fulfils the potential for long-range environmental transport criterion where: — measured levels of the active substance, safener or synergist in locations distant from the sources of its release are of potential concern, — monitoring data show that long-range environmental transport of the active substance, safener or synergist, with the potential for transfer to a receiving environment, may have occurred via air, water or migratory species, or — environmental fate properties and/or model results demonstrate that the active substance, safener or synergist has a potential for long-range environmental transport through air, water or migratory species, with the potential for transfer to a receiving environment in locations distant from the sources of its release. For an active substance safener or synergist that migrates significantly through the air, its DT50 in air is to be greater than 2 days.” http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2009:309:0001:0050:EN:PDF</p> <p>Biocidal products: In the EU biocidal products must not be used, if they are not authorised. The authorisation procedure is subdivided into two steps. The first step includes an assessment of the active substance on EU level with the aim to decide about an inclusion in Annex I or IA of the Directive 98/8 EG. Within the framework of this assessment, data for a representative formulation and use of the distinct active substance have to be provided. The second step includes an assessment of the biocidal product on national level by authorisation (active substances in Annex I) or registration (active Substances in Annex IA) procedures.</p> <p>The assessment of PBT properties as well as of the long range transport potential of a substance and if it is a POP is done in the assessment of the active substance. The result of the assessment is presented in a extra section of the competent authority report. The PBT assessment follows the criteria of Annex XIII (REACH) and that of potential POPs follows criteria of the Stockholm Convention in Annex D. The assessment itself is carried out on the basis of technical guidelines like the Technical Notes for Guidance (TNsG) on data requirements, the TNsG on Annex I inclusion, the Technical Guidance Document (TGD) on Risk Assessment and REACH Guidance on information requirements and chemical safety assessment (chapter R.11, PBT-Assessment). In addition, decisions of the EU Biocides Technical Meeting are taken into account.</p> <p>Industrial chemicals:</p> <ol style="list-style-type: none"> 1. PBT/vPvB – Assessment to identify “substances of very high concern” according to REACH Legislation Regulation No. 1907/2006, Annex XIII 2. OECD Screening Tool for the Assessment of Environmental Overall Persistence and Long-Range Transport. Using this tool substances can be identified which show a similar environmental behaviour like the POPs already regulated under the Stockholm Convention.

Country	Information
	<p><u>Chemical names, CAS numbers, and the purpose of use for all the (new) pesticides and/or (new) industrial chemicals with POPs properties that have been regulated:</u></p> <p>Plant protection products: None identified yet. Regulation (EC) 1107/2009 has not yet become operative. In the former Council Directive 91/414 EEC which has been replaced by the new regulation, no POP assessment was provided. The fungicidal active substance trifluralin is currently discussed to be a POP. If this suspicion is confirmed, trifluralin could not be approved in the EU. However, this substance has already not been approved in the active substances programme according to Directive 91/414 because a safe use could not be demonstrated.</p> <p>Biocidal products: Up to now, no POP could be identified.</p> <p>Industrial products: Up to now, industrial chemicals have not been identified and regulated as POPs.</p>
Honduras	<p><u>Regulatory framework for new pesticides or new industrial chemicals with POPs characteristics</u></p>
India	<p><u>Regulatory framework for new pesticides or new industrial chemicals with POPs characteristics:</u></p> <p>Pesticide Regulations in India The insecticide Act, 1968</p> <p><u>The Insecticides Act, 1968</u> and <u>Insecticides Rules, 1971</u> regulate the import, registration process, manufacture, sale, transport, distribution and use of insecticides (pesticides) with a view to prevent risk to human beings or animals and for all connected matters, throughout India. All insecticides (pesticides) have to necessarily undergo the registration process with the <u>Central Insecticides Board & Registration Committee (CIB & RC)</u> before they can be made available for use or sale.</p> <p>Thus, technically all insecticides (pesticides) in India are those substances that are listed on the "<u>Schedule</u>" of the Insecticides Act, 1968. The Registration Certificate mandates that a label be put on the packaging, which clearly indicates the nature of the insecticide (Agricultural or Household use), composition, active ingredient, target pest(s), recommended dosage, caution sign and safety precautions. Therefore, a pesticide labeled for agriculture should not be used in a household.</p> <p>Copy of the legislation is at: http://cibrc.nic.in THE ENVIRONMENT (PROTECTION) ACT, 1986 The Environment (Protection) Act was enacted in 1986 with the objective of providing for the protection and improvement of the environment. It empowers the Central Government to establish authorities [under section 3(3)] charged with the mandate of preventing environmental pollution in all its forms and to tackle specific environmental problems that are peculiar to different parts of the country.</p> <p>Copy of the legislation is at http://moef.nic.in <u>Regulatory framework for pesticides or industrial chemicals currently in use with POPs characteristics:</u></p> <p>Pesticide Regulations in India The insecticide Act, 1968</p> <p><u>The Insecticides Act, 1968</u> and <u>Insecticides Rules, 1971</u> regulate the import, registration process, manufacture, sale, transport, distribution and use of insecticides (pesticides) with a view to prevent risk to human beings or animals and for all connected matters, throughout India. All insecticides (pesticides) have to necessarily undergo the registration process with the <u>Central Insecticides Board & Registration Committee (CIB & RC)</u> before they can be made available for use or sale.</p> <p>Thus, technically all insecticides (pesticides) in India are those substances that are listed on the "<u>Schedule</u>" of the Insecticides Act, 1968. The Registration Certificate mandates that a label be put on the packaging, which clearly indicates the nature of the insecticide (Agricultural or Household use), composition, active ingredient, target pest(s), recommended dosage, caution sign and safety precautions. Therefore, a pesticide labeled for agriculture should not be used in a household.</p> <p>Insecticide Act 1968 and Insecticide Rules 1971, provide the following Registration of insecticides, <u>manner of registration, refusal to register or</u> registration of</p>

Country	Information
	<p>insecticides, grant of licenses to manufacture insecticides, License for sale, etc., of insecticides , Segregation and disposal of date expired pesticides, Prohibition against sale or storage of insecticides in certain places, packing and labelling, Prohibition of sale or distribution unless packed and labelled, Packing of insecticides, Leaflet to be contained in a package, Manner of labelling, Prohibition against altering inscriptions, etc., on containers, labels or wrappers of insecticides THE ENVIRONMENT (PROTECTION) ACT, 1986 <i>The Environment (Protection) Act</i> was enacted in 1986 with the objective of providing for the protection and improvement of the environment. It empowers the Central Government to establish authorities [under section 3(3)] charged with the mandate of preventing environmental pollution in all its forms and to tackle specific environmental problems that are peculiar to different parts of the country.</p>
Japan	<p><u>Regulatory framework for new pesticides (without POPs characteristics) or new industrial chemicals with POPs characteristics:</u> 1.The Chemical Substances Control Law <u>a short summary of its content:</u> New industrial chemical substances are prior evaluated for degradability, accumulation, potential of long-term toxicity on humans and ecotoxicity. If a chemical is found to be highly persistent, and bioaccumulative, the chemical is required to be proven that the chemical does not have long term toxicity on human and predator animals at higher trophic level The evaluation criteria does NOT include potential for long-range environmental transport. <u>screening criteria:</u> Chemicals are assessed by the joint Council of three ministries. Biodegradability and Bioaccumulation are assessed principally based on test result using OECD Test Guideline (TG) 301C and TG305. Screening criteria of BCF is 5000. Long-term toxicity for humans is assessed principally based on test results of chronic toxicity study, two-generation reproductive toxicity study, teratogenicity test, mutagenicity test and others. Long-term toxicity for predator animals at higher trophic level is assessed principally based on test results using OECD TG 206 and two-generation reproductive toxicity study. Long term toxicity is judged by the comparison with existing regulated chemicals and the experience of the Council members. <u>assessment scheme:</u> See the attached document, “The Chemical Substance Control Law: the whole picture”. <u>regulatory measure:</u> Those chemicals that are highly persistent, accumulative and long-term toxic to humans or top predators are designated as a Class I specified chemical substance and are thus subject to a permission procedure for production and import. In addition, its use is restricted and subject to a notification procedure. In other words, the production and import of such chemicals is virtually prohibited. <u>Copy of the legislation:</u> http://www.meti.go.jp/policy/chemical_management/english/cscl.html 2.The Pharmaceutical Affairs Law (Item 3, Paragraph 2, Article 14) <u>a short summary of its content:</u> <u>This law is intended to provide regulations required to ensure the quality, efficacy and safety of drugs etc to improve the public health and hygiene.</u> <u>screening criteria:</u> Item 3, Paragraph 2, Article 14 of the Pharmaceutical Affairs Law (Also note Article 83) stipulates that drugs etc. may be approved for marketing only after evaluation of their name, ingredients, composition, structure, dose, and administration, indications and usage, performance, side-effects etc., based on the toxicity, absorption and metabolism of new substances. If they are inadequate for drugs etc., production or sale permission is not issued. <u>assessment scheme:</u> A person intending to market drugs etc. need to obtain marketing approval of the Minister for each product, attaching data related to the results of clinical trials or any other pertinent data. From the result of reviewing data, the approval shall not be granted when the drug is found to have no value since it has harmful action outweighing its indications and effects or performance. (See Article 14) <u>regulatory measure:</u> If it does not meet the abovementioned criteria, the drugs are not allowed to be retailed, handed over, or manufactured, imported and stored. Also, the Minister may issue an order to manufactures etc. of the hazardous drugs to suspend the retail to prevent occurrence and spread of hazards to the public health and hygiene. (See Article 14 and Article 69-3) <u>Copy of the legislation:</u> http://law.e-gov.go.jp/htmldata/S35/S35HO145.html (Only Japanese available)</p>

Country	Information
	<p>3.The Agricultural Chemicals Regulation Law (Law No. 82 of 1948) <u>a short summary of its content:</u> Under the Law, agricultural chemicals are registered and controlled their production, import, sale and use. <u>screening criteria:</u> Public Notice to Provide for criteria pursuant to item(iv) through item(vii) of Article 3, paragraph(1) of Agricultural Chemicals Regulation Law (Public Notice by Ministry of Agriculture and Forestry No.346 of 1971, URL: http://www.env.go.jp/hourei/syousai.php?id=06000037 Only Japanese available). <u>assessment scheme:</u> When the result of the inspection of agricultural chemical by Food and Agricultural Materials Inspection Center falls under any items of Article3, paragraph(1) of Agricultural Chemicals Regulation Law, Ministry of Agriculture, Forestry, and Fisheries may suspend the registration of the chemical. The above Public Notice provides that the following case falls under Article 3, paragraph(1) item (v); there is the evidence that the half-life of the agricultural chemical in soil is greater than 6 months and the use of the agricultural chemical causes contamination of the agricultural products. <u>regulatory measure:</u> Under the Agricultural Chemicals Regulation Law, the distribution of the agricultural chemicals which meet the condition in item 2 to 7 of paragraph 1 of Article 3 shall be prohibited to prevent adverse effect on human health and environment under the ministerial ordinance on the basis of the stipulation of Article 9.2. The agricultural chemicals which the distribution is prohibited shall also be prohibited to use by Article 11. <u>Copy of the legislation:</u> URL: http://www.acis.famic.go.jp/eng/hourei/regulation_law.htm (provisional translation)</p> <p><u>Regulatory framework for pesticides and industrial chemicals currently in use with POPs characteristics:</u></p> <p>1. The Chemical Substances Control Law <u>a short summary of its content:</u> The Chemical Substances Control Law addresses chemicals that is highly persistent, accumulative and long-term toxic to humans or predator animals at higher trophic level. The evaluation criteria does NOT include potential for long-range environmental transport. <u>screening criteria :</u> Chemicals are assessed by the joint Council of three ministries. Biodegradability and Bioaccumulation are assessed principally based on test result using OECD TG301C and TG305. Screening criteria of BCF is 5000. Long-term toxicity for humans is assessed principally based on test results of chronic toxicity study, two-generation reproductive toxicity study, teratogenicity test, mutagenicity test and others. Long-term toxicity for predator animals at higher trophic level is assessed principally based on test results using OECD TG 206 and two-generation reproductive toxicity study. Long term toxicity is judged by the comparison with existing regulated chemicals and the experience of the Council members. <u>assessment scheme:</u> See the attached document, “The Chemical Substance Control Law: the whole picture”. <u>regulatory measure:</u> Those chemicals that is highly persistent, accumulative and long-term toxic to humans or top predators are designated as a Class I specified chemical substance and are thus subject to a permission procedure for production and import. In addition, its use is restricted and subject to a notification procedure. In other words, the production and import of such chemicals is virtually prohibited. <u>Copy of the legislation:</u> http://www.meti.go.jp/policy/chemical_management/english/cscl.html</p> <p>2. The Agricultural Chemicals Regulation Law (Law No. 82 of 1948) <u>a short summary of its content:</u> Under the Law, agricultural chemicals are registered and controlled their production, import, sale and use. <u>screening criteria:</u> Public Notice to Provide for criteria pursuant to item(iv) through item(vii) of Article 3, paragraph(1) of Agricultural Chemicals Regulation Law (Public Notice by Ministry of Agriculture and Forestry No.346 of 1971, URL: http://www.env.go.jp/hourei/syousai.php?id=06000037 Only Japanese available). <u>assessment scheme:</u></p>

Country	Information
	<p>When the result of the inspection of agricultural chemical by Food and Agricultural Materials Inspection Center falls under any items of Article3, paragraph(1) of Agricultural Chemicals Regulation Law, Ministry of Agriculture, Forestry, and Fisheries may suspend the registration of the chemical.</p> <p>The above Public Notice provides that the following case falls under Article 3, paragraph(1) item (v); there is the evidence that the half-life of the agricultural chemical in soil is greater than 6 months and the use of the agricultural chemical causes contamination of the agricultural products.</p> <p>regulatory measure: Under the Agricultural Chemicals Regulation Law, the distribution of the agricultural chemicals which meet the condition in item 2 to 7 of paragraph 1 of Article 3 shall be prohibited to prevent adverse effect on human health and environment under the ministerial ordinance on the basis of the stipulation of Article 9.2. The agricultural chemicals which the distribution is prohibited shall also be prohibited to use by Article 11.</p> <p>Copy of the legislation: URL: http://www.acis.famic.go.jp/eng/hourei/regulation_law.htm (provisional translation) <u>Chemical names, CAS numbers, and the purpose of use for all the pesticides and/or industrial chemicals currently in use that have been regulated:</u> See the attached document, "Industrial chemicals regulated with the aim of preventing the production and use under CSCL (Excluding chemicals regulated under POPS)"</p>
Kuweit	<p><u>Regulatory framework for new pesticides and new industrial chemicals with POPs characteristics</u> No regulatory frameworks for new pesticides and new industrial chemicals with POPs characteristics.</p>
Latvia	<p><u>Regulatory framework for new pesticides and new industrial chemicals with POPs characteristics</u></p> <p>Article 3(3) of Regulation (EC) No 850/2004 of the European Parliament and of the Council of 29 April 2004 on persistent organic pollutants and amending Directive 79/117/EEC repeats the provision of the Stockholm Convention but the practical implementation is left to be done in the framework of the existing Community regulatory and assessment schemes for industrial chemicals and plant protection products.</p> <p>Provisions to prevent the production, placing on the market and use of new substances exhibiting POP characteristics were incorporated into the new regulatory framework for chemicals and plant protection products.</p> <p><u>New industrial chemicals:</u> Pursuant to Regulation (EC) No 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH), substances which are persistent, bioaccumulative and toxic (PBTs) or very persistent and very bioaccumulative (vPvBs) can be subject to authorisation. For substances manufactured or imported in quantities of 10 tonnes or more, a chemical safety assessment must be performed which includes assessment of PBT and vPvB properties. In quantities higher than 100 tonnes, the registration requires specific tests for PBT/vPvB assessment.</p> <p><u>Plant protection products:</u> Pursuant to Regulation (EC) No 1107/2009 of the European Parliament and of the Council of 21 October 2009 concerning the placing of plant protection products on the market and repealing Council Directives 79/117/EEC and 91/414/EEC concerning the placing of plant protection products on the market, an active substance, safener or synergist can only be approved if it is not a POP, PBT or vPvB substance. A substance must be seen as a candidate for substitution if it meets two of the PBT criteria. Specific criteria on persistency, bioaccumulation and toxicity are laid down when a substance shall not be considered as of low risk.</p> <p><u>Regulatory framework for pesticides or industrial chemicals currently in use with POPs characteristics:</u></p> <p>Article 3(3) of Regulation (EC) No 850/2004 of the European Parliament and of the Council of 29 April 2004 on persistent organic pollutants and amending Directive 79/117/EEC repeats the provision of the Stockholm Convention but the practical implementation is left to be done in the framework of the existing Community regulatory and assessment schemes for industrial chemicals and plant protection products.</p>

Country	Information
	<p>Provisions to prevent the production, placing on the market and use of chemicals exhibiting POP characteristics were incorporated into the regulatory framework for chemicals and plant protection products.</p> <p><u>Industrial chemicals:</u> Pursuant to Regulation (EC) No 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH), substances which are persistent, bioaccumulative and toxic (PBTs) or very persistent and very bioaccumulative (vPvBs) can be subject to authorisation. For substances manufactured or imported in quantities of 10 tonnes or more, a chemical safety assessment must be performed which includes assessment of PBT and vPvB properties. In quantities higher than 100 tonnes, the registration requires specific tests for PBT/vPvB assessment.</p> <p><u>Plant protection products:</u> Pursuant to Regulation (EC) No 1107/2009 of the European Parliament and of the Council of 21 October 2009 concerning the placing of plant protection products on the market and repealing Council Directives 79/117/EEC and 91/414/EEC concerning the placing of plant protection products on the market, an active substance, safener or synergist can only be approved if it is not a POP, PBT or vPvB substance. A substance must be seen as a candidate for substitution if it meets two of the PBT criteria. Specific criteria on persistency, bioaccumulation and toxicity are laid down when a substance shall not be considered as of low risk.</p>
Liechtenstein	<p><u>Regulatory framework for pesticides or industrial chemicals currently in use with POPs characteristics:</u></p> <p>Due to the Customs Treaty between Liechtenstein and Switzerland the Swiss legislation concerning POPs is applicable in Liechtenstein. The Customs Treaty provides that all Swiss regulations and all other Swiss federal legislation shall apply to Liechtenstein to the extent that their application is necessary for the customs union of the two countries (mainly regulations concerning import, export, transfer). The Customs Treaty is also relevant to environmental law. The bulk of Swiss environmental standards also apply to Liechtenstein.</p> <p>Since 1 May 1995, Liechtenstein has been linked with the European Union (EU) and its member States through an extensive association agreement, the Agreement on the European Economic Area (EEA). This agreement extends the Single Market of the EU by three of the four EFTA States, namely Liechtenstein, Iceland, and Norway. In addition to the legal provisions concerning the Single Market, the EEA Agreement also contains horizontal and flanking policies aimed at strengthening the Single Market. These additional areas of cooperation include environmental protection, consumer protection, research and development, education, statistics, company law, and social policy. A large share of EU environmental standards therefore also applies in Liechtenstein.</p> <p>Swiss legislation applicable in Liechtenstein with regard to POPs Ordinance on Chemicals, ChemO (SR 813.11) Ordinance on Risk Reduction related to the Use of certain particularly dangerous Substances, Preparations and Articles, ORRChem (SR 814.81) Ordinance on Biocide Products, OBP (SR 813.12) Ordinance on Plant Protection Products, OPPP (SR 916.161) PIC Ordinance addressing the implementation of the Rotterdam Convention on prior informed consent, ChemPICO (SR 814.82)</p> <p>EC Regulation applicable in Liechtenstein with regard to POPs EC-Regulation (EC) No 1907/2006 "Registration, Evaluation, Authorisation and restriction of Chemicals (REACH)"</p> <p><u>Chemical names, CAS numbers, and the purpose of use for all the (new) pesticides and/or (new) industrial chemicals with POPs properties that have been regulated:</u></p> <p>Refer to the relevant questionnaires submitted by Switzerland and the EU.</p>
Lithuania	<p>Lithuania has no national regulatory and assessment schemes for pesticides and industrial chemicals which address chemicals that exhibit the characteristics of persistent organic pollutants as defined in paragraph 1 of Annex D of the Stockholm Convention.</p> <p>To the extent of available resources Lithuanian competent authorities participate in the</p>

Country	Information
	<p>regulatory and assessment of chemicals in relation to persistent, bioaccumulative and toxic properties or very persistent and very bioaccumulative properties procedures in the frame of the EU REACH* Regulation.</p> <p>As regards the regulatory and assessment of pesticides, the EU procedures are being implemented also. Therefore the comprehensive relevant information on the essence and functioning of those schemes as asked by the POPs Review Committee could be provided by the corresponding EU institutions</p>
Macedonia	<p>This is to inform you that we assessed all the regulatory and assessment schemes linked with the new POPs pesticides and industrial chemicals. According to the NIP data, nine old POPs pesticides were banned till 1982 in the Republic of Macedonia, which means that the new regulatory and assessment schemes were not applied for their assessment. The industrial chemicals (the old ones) under the Stockholm Convention have never been produced in the Republic of Macedonia, and most of them (except PCBs and DDT) never used in the country. Therefore there is no data of the past schemes for their assessment. But, according to the new national legislation (harmonized with the EU-directions) there is a possibility for assessment of the pesticides and chemicals (Law on Plant Protection Products, OG of the Republic of Macedonia no. 110/07, and Law on Chemicals, OG of the Republic of Macedonia no. 113/07). Considering the fact that the Ministry of Environment and Physical Planning/POPs Unit is starting the procedure for the NIP updating, the new procedures will be considered together with the data (historical and new) for the nine new POPs. We hope that we will be in position to report on the existing regulatory and assessment schemes in the country for the new chemicals in the near future.</p>
Madagascar	No framework
Mali	<p><u>Regulatory framework for new or currently used pesticides with POPs characteristics and no framework for industrial chemicals currently in use:</u></p> <p>La réglementation commune aux Etats membres du CILSS sur l'homologation des pesticides est le régime d'évaluation pour les nouveaux pesticides et même pour les produits chimiques qui ont les caractéristiques des polluants organiques persistants. Chaque pays membre du CILSS, élabore et adopte des textes législatifs et réglementaires pour appliquer les décisions de cette réglementation commune. C'est ainsi qu'au Mali, les textes suivants ont été élaborés et adoptés :</p> <ul style="list-style-type: none"> - la Loi n°02-014 du 03 juin 2002 instituant l'homologation et le contrôle des pesticides ; - l'Arrêté n°02-2669/MAEP-SG déterminant les conditions de délivrance de l'agrément de revente des pesticides. <p>Il faut noter aussi l'Arrêté n°01-2699/MICT-SG fixant la liste des produits prohibés à l'importation et à l'exportation, qui interdit l'utilisation des douze (12) premiers POPs.</p> <p>NB : aucune réglementation spécifique ne concerne d'abord les neuf (09) nouveaux POPs au Mali.</p> <p>En dehors de la réglementation commune aux Etats membres du CILSS sur l'homologation des pesticides, le Mali ne dispose d'aucun autre régime d'évaluation pour de nouveaux pesticides ou de nouvelles substances chimiques industrielles qui ont les caractéristiques des POPs.</p> <p>Le seul régime d'évaluation pour les pesticides et les produits chimiques qui ont les caractéristiques des POPs reste la réglementation commune aux Etats membres du CILSS sur l'homologation des pesticides. La loi n°02-014 du 03 juin 2002 instituant l'homologation et le contrôle des pesticides et n°02-2669/MAEP-SG déterminant les conditions de délivrance de l'agrément de revente des pesticides sont les textes d'application de cette réglementation au Mali.</p> <p>NB : d'après certaines informations, il semble que le DDT est frauduleusement utilisé par quelques individus, notamment dans:</p> <ul style="list-style-type: none"> - le traitement des animaux ; - la pêche ; - la récolte de miel (le DDT permet de chasser les abeilles dans les ruches)
Mexico	<p><u>Regulatory framework for new pesticides with POPs characteristics:</u></p> <p><i>Regulatory and assessment schemes for pesticides:</i> Clordecone: The import, fabrication, formulation, marketing and use have been prohibited in Mexico in accordance with the Official Gazette of the Federation on 3 January 1991.</p>

Country	Information
	<p>Lindane is subject to the regulation concerning the regulation for registration matters, importation and exportation authorizations and exportation certificates of pesticides, vegetable nutrients, dangerous or toxic substances or materials published in the Official Gazette of the Federation on 28 December 2004.</p> <p><u>Chemical names, CAS numbers, and the purpose of use for all the (new) pesticides and/or (new) industrial chemicals with POPs properties that have been regulated:</u></p> <p><i>(a) New pesticides</i></p> <p>Name: Gamma Isomer of 1,2,3,4,5,6-hexachlorocyclohexane (Lindane) CAS number: 58-89-9 Use(s): agricultural, livestock and industrial. In Mexico, lindane is authorized for agricultural use in the treatment of foliage of ornamental plants and in the treatment of seeds for sowing of oats, barley, maize, sorghum and wheat. In urban use, lindane is restricted to use in public health campaigns. Livestock use is authorized for the control of lice (in cattle, horse and goats), spiders and scorpions in facilities. The industry can use it to manufacture formulations. It is also approved for pharmaceutical use in treating pediculosis (lice) and scabies. The use of products including lindane that have a valid registration is restricted. Regulatory measure: Not prohibited (Restricted use: general ones for handling pesticides)</p> <p>Name: Alpha hexachlorocyclohexane CAS number: 319-84-6 Use(s): Not produced in Mexico; has no use Regulatory measure: No register in Mexico. Not prohibited</p> <p>Name: Beta hexachlorocyclohexane CAS number: 319-85-7 Use(s): Not produced in Mexico; has no use Regulatory measure: No register in Mexico. Not prohibited</p> <p>Name: Chlordecone (Kepone) CAS number: 143-50-0 Use(s): Regulatory measure: The importation, fabrication, marketing and use of chlordecone have been prohibited in Mexico according to the Official Gazette of the Federation on 3 January 1991</p> <p><i>(b) New industrial chemicals</i></p> <p>Name: Hexabromobiphenyl CAS number: 36355-01-8 Use(s): There is no national analysis on its uses. Regulatory measure: None.</p> <p>Name: Hexabromodiphenyl ether and heptabromodiphenyl ether CAS number: Each ether has two CAS numbers as follows: Hexabromodiphenyl ether: 68631-49-2 207122-15-4 Heptabromodiphenyl ether: 446255-22-7 207122-16-5 Use(s): A national analysis on the uses of PBDE is currently being developed in collaboration with CCA. Regulatory measure: None.</p> <p>Name: Tetrabromodiphenyl ether and pentabromodiphenyl ether CAS number: Tetrabromodiphenyl ether: 40088-47-9 Pentabromodiphenyl ether: 32534-81-9 Use(s): A national analysis on the uses of PBDE is currently being developed in collaboration with CCA. Regulatory measure: None.</p> <p>Name: Perfluorooctane sulfonic acid, its salts and perfluorooctane sulfonyl fluoride CAS number: Use(s): There is no national analysis on its uses. Regulatory measure: None.</p> <p>Name: Pentaclorobenzene</p>

Country	Information
	<p>CAS number: 608-93-5 Use(s): There is no national analysis on its uses. Regulatory measure: None.</p> <p><u>Regulatory framework for pesticides currently in use without POPs characteristics.</u></p>
Monaco	No framework
Morocco	<p><u>Regulatory framework for new and currently used pesticides:</u></p> <p>Decree n°2-99-105 of 18 Muharram 1420 (5 Mai 1999) on the accreditation of pesticides for agricultural use.</p>
Mozambique	<p><u>Regulatory framework for new pesticides with POPs characteristics and new industrial chemicals:</u></p> <p>The pesticide management Regulation – Under this regulation we checked the Chemical identity (physical and chemical proprieties), the Persistence on the soil, water and groundwater, the bio-accumulation of the product, the adverse effects, the toxicity for mammal and for aquatic organisms as well as for the soil organisms.</p>
Myanmar	No framework
Norway	<p><u>Regulatory framework for new and existing pesticides and industrial chemicals that exhibit the characteristics of POPs (“In our legislation there is no distinction between new and existing pesticides and/ or industrial chemicals”):</u></p> <p>Norway has adopted and implemented the EU directive on authorisation of biocides and biocidal products (Directive 98/8), as well as the EU REACH regulation (Regulation 1907/2006) and the EU regulation on persistent organic pollutants (Regulation 850/2004) in their legislation. These regulations regulate existing POPs and help to prevent new substances that exhibit the characteristics of POPs from being placed on the market.</p> <p>Directive 98/8 governs the authorization and use of new biocidal products. According to this directive authorization shall be granted for a maximum period of 10 years from the date of first or renewed inclusion of the active substance in Annex I or I A for the product type, without exceeding the deadline specified for the active substance in Annex I or I A. As mentioned above, the guidelines for authorisation under Directive 98/8 ensure that the parameters persistence, bioaccumulation and toxicity are taken into account during the authorisation process. These include requirements to evaluate substances against specified criteria relating to persistence, bioaccumulation and toxicity, i.e. PBT criteria. The criteria are based on the screening criteria for POPs set out in the Stockholm Convention.</p> <p>Evaluation of individual substances’ PBT and vPvB properties are also included in REACH (Regulation 1907/2006), and the requirements for evaluation against PBT/vPvB criteria will be further developed in an updated version of REACH Annex XIII that is currently being drawn up.</p> <p>Marketing and approval of pesticides in Norway is regulated by a specific Norwegian regulation; regulation of the 26th July 2004 no 1138 about plant protection products (FOR-2004-07-26-1138, in Norwegian). This regulation governs the authorisation of new pesticides. In general, all pesticides on the Norwegian market have to be authorized before being marketed and authorization is granted/ renewed for five years at a time. An evaluation of PBT-like characteristics is conducted as part of the authorization system. The Ministry of Agriculture and Food has the overall authority and the Norwegian Food Safety Authority is the administrative authority (http://www.mattilsynet.no/planter/plantvernmidler/) for plant protection products. Norway currently has a non-time limited exemption from the current EU legislation concerning the placing of plant protection products on the market. The position on a further Norwegian exemption from the new EU legislation in this area (Regulation (EC) No 1107/2009), will apply in EU June 2011) has not yet been decided.</p> <p>Norway also has action plans for hazardous substances and conducts regular screening and monitoring with the aim to identify hazardous substances of concern (see Report No.14 (2006-2007) to the Storting; http://www.regjeringen.no/nb/dep/md/dok/regpubl/stmeld/2006-2007/Report-No-14-2006-2007-to-the-Storting.html?id=495434)</p> <p>For prioritized substances see: http://www.miljostatus.no/en/Topics/Hazardous-chemicals/Hazardous-chemical-lists/List-of-Priority-Substances/</p>

Country	Information
	<p><u>Web links to the above regulations:</u></p> <p>EU regulation on POPs: http://www.lovddata.no/cgi-wift/ldles?doc=/sf/sf/sf-20040601-0922.html#2-18 (Norwegian, see chapter four) http://eur-lex.europa.eu/Notice.do?val=387315:cs&lang=en&list=493311:cs,487462:cs,456576:cs,446284:cs,443892:cs,431187:cs,387315:cs,&pos=7&page=1&nbl=7&pgs=10&hwords=850/2004~ (EU, English)</p> <p>Directive 98/8 on biocidal products: http://www.lovddata.no/for/sf/md/xd-20031218-1848.html (Norwegian) http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:31998L0008:EN:NOT (EU, English)</p> <p>REACH, Regulation 1907/2006: http://www.lovddata.no/cgi-wift/ldles?ldoc=/for/ff-20080530-0516.html (Norwegian) http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2006:396:SOM:EN:HTML (EU, English)</p> <p>Plant protection products FOR-2004-07-26-1138: http://www.lovddata.no/cgi-wift/wiftldles?doc=/app/gratis/www/docroot/for/sf/ld/ld-20040726-1138.html&emne=*1138*&& (Norwegian)</p>
Philippines	<p><u>Regulatory framework for new pesticides and for new industrial chemicals (with POPs characteristics):</u></p> <p>A. Industrial Chemicals: Republic Act 6969: Toxic Substances and Hazardous and Nuclear Waste Control Act of 1990 RA 6969 mandates control and management of import, manufacture, process, distribution, use, transport, treatment and disposal of toxic substances and hazardous and nuclear wastes in the country. The Act seeks to protect the public health and the environment from unreasonable risks posed by these substances in the Philippines.</p> <p>B. Pesticides: Presidential Decree No. 1144: Creating the Fertilizer and Pesticide Authority Presidential Decree 1144 empowers the Fertilizer and Pesticides Authority (FPA) to regulate new pesticides to be imported, formulated, distributed and used. These new pesticides are being registered with the FPA to ensure that the following standards are met (i.e. prior its use): a) Quality and suitability of the active ingredient; b) Bioefficacy; c) Safety to handlers; d) Safety to consumers or users; e) Safety to the environment; and f) Handling, packaging, labeling and disposal.</p> <p><u>Regulatory framework for pesticides and industrial chemicals currently in use (with POPs characteristics):</u></p> <p>RA6969 and PD 1144 are likewise the Legal bases for those chemicals currently in use which exhibits POPs properties.</p> <p>Specifically, for industrial chemicals there is the Chemical Control Order (DENR Administrative Order 2004-01) for Polychlorinated Biphenyls. This policy aims to reduce and eliminate the importation, manufacture, sale, transfer, distribution and use of PCBs. It establishes management responsibility on storage, handling and disposal as well as compliance monitoring program to enforce the provision of this Chemical Control Order.</p> <p>For pesticides, registration is valid for three years and is subject to the conduct of monitoring studies and update of toxicological data if and when the occurrence of the development of resistance, unacceptable levels of residue and other toxicological concerns is warranted.</p> <p>Product Stewardship and Responsible Care is being adopted by companies to address the risk of these pesticides to human health and the environment. In addition, the FPA conducts monitoring activities such as compliance monitoring on product quality, residue on food, environment and pesticide poisoning.</p> <p><u>Chemical names, CAS numbers, and the purpose of use:</u></p>

Country	Information
	<p>Pesticide(s) currently in use: see attachment 1 Industrial chemical(s) currently in use: Name: Polychlorinated Biphenyl CAS number: 1336-36-3 Use(s): used in transformers, capacitors, voltage regulators Regulatory measure: DENR Administrative Order 2004-01 (Chemical Control Order for PCBs)</p> <p>Name: Perfluorooctane Sulfonate CAS number: 1763-23-1 Use(s): used in semiconductor industry Regulatory measure: not a regulated chemical in the Philippines</p>
Poland	<p><u>Regulatory and assessment schemes for new pesticides and/or new industrial chemicals</u></p> <p><u>A) European legislation:</u> Regulation (EC) No 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH), establishing a European Chemicals Agency, amending Directive 1999/45/EC and repealing Council Regulation (EEC) No 793/93 and Commission Regulation (EC) No 1488/94 as well as Council Directive 76/769/EEC and Commission Directives 91/155/EEC, 93/67/EEC, 93/105/EC and 2000/21/EC (Official Journal of the European Union L136, 29 May 2007)</p> <p><u>B) Polish legislation:</u></p> <p><u>a) Polish Act of 13 September 2002 on biocidal products [OJ 2009 No 32, item 473] – annex 1.</u> The Act implements the provisions of the Directive 98/8/EC into the Polish law. The applicant shall submit an application (the application form is attached in a separate Regulation) to the President of the Office for Registration of Medicinal Products, Medical Devices and Biocidal Products (Urząd Rejestracji Produktów Leczniczych, Wyrobów Medycznych i Produktów Biobójczych – URPL) – Art. 7. On the basis of its decision (issued by administrative within 12 months from the date of submission of complete application) the Minister of Health give the authorisation or registration (Art. 10). In transitional period the biocidal products placed on the Polish market are registered in the list of registered biocidal products available on www.urpl.gov.pl. For each biocidal product SDS (physicochemical properties, toxicological and ecotoxicological studies etc.) is required (Art. 8). In case of mutual recognition the biocidal product should be authorised or registered by Polish competent authority within (Art. 10):</p> <ol style="list-style-type: none"> 1) 120 days in the case of a authorisation; 2) 60 days in the case of registration. <p>Authorisation and registration may be cancelled or modified in certain cases (Art. 11, 12).</p> <p><u>b) Polish Act of 18 December 2003 on plant protection [OJ 2007 No 80, item 541] – annex 2</u> The Act implements law the provisions of the Council Directive 91/414/EEC into the Polish. The Minister of Agriculture and Rural Development is responsible for the authorisation for placing of plant protection product (PPP) on the Polish market (Art. 37) and for the register of authorized plant protection products (Art. 47). Placing of plant protection products containing active substance, which may be harmful to human health or environment on the market is limited (Art. 37). Active substances which are prohibited for use in PPP are listed in a separate Regulation (Art. 37). Authorization of plant protection products on the market requires, inter alia (Art. 38):</p> <ul style="list-style-type: none"> – Inclusion of active substances in Annex I to the Directive 91/414/EEC; – evidence of the effectiveness of plant protection product; – evidence of no adverse effects on plants or plant products;

Country	Information
	<ul style="list-style-type: none"> – evidence of no unnecessary suffering of pests; – appropriate classification labelling and packaging. <p>The plant protection product is authorized for no longer than 10 years (3 years if product contains active substance which is under the evaluation by the European Commission) – Art. 46.</p> <p><u>Regulatory and assessment schemes for the pesticides and/or industrial chemicals currently in use</u></p> <p>Regarding PPP – Regulation (EC) No 1107/2009 of the European Parliament and of the Council of 21 October 2009 concerning the placing of plant protection products on the market and repealing Council Directives 79/117/EEC and 91/414/EEC [OJ L 309, 24.11.2009, p. 1–50] concerns screening criteria for an active substance (Annex II).</p> <p>Industrial chemical substances and biocidal product are regulated by the REACH Regulation and Polish Act on biocidal products, respectively, and are classified and labelled in accordance with provisions of classification and labelling.</p> <p><u>Chemical names, CAS numbers, and the purpose of use for all the pesticides and/or industrial chemicals currently in use</u></p> <p><u>a) Pesticides</u></p> <p>Active substances listed in the Polish Regulation of the Minister of Agriculture and Rural Development of 13 May 2004 on the register of active substances, which are prohibited for use in plant protection products [OJ 2008 No 95, item 605] (Annex I):</p> <p>Aldrin, Chlordane, DDT (and dicofol), Dieldrin, Endrin, Technical HCH, Hexachlorobenzene (HCB), Heptachlor, Mirex, Pentachlorobenzene (PeCB) and Toxaphene.</p> <p>Using of Endosulfan is limited for controlling mites.</p> <p>In the Announcement of the Minister of Health of 8 May 2009 on the register of authorised active substances for use in biocidal products and low-risk biocidal products [M.P. 2009 nr 32 poz. 473] there are listed 13 active substances in biocidal products and 1 in low-risk biocidal products.</p> <p><u>b) Industrial chemicals</u></p> <p>Industrial chemicals currently in use with POPs properties listed in the REACH Regulation (Annex XVII).</p>
Qatar	<p><u>Regulatory framework for pesticides currently in use and industrial chemicals both currently in use and new</u></p>
Romania	<p><u>Regulatory framework for new pesticides or industrial chemicals with POPs characteristics and pesticides or industrial chemicals currently in use with POPs characteristics</u></p> <p>Romania applies regulatory system in line with European regulatory scheme, either for new pesticides or new industrial chemicals, namely:</p> <ul style="list-style-type: none"> - Regulation (EC) no 850/2004 on persistent organic pollutants; - Regulation (EC) no 1907/2006 of the European Parliament and of the Council on the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH) as regards Annex XVII amended by Regulation (EC) no 552/2009; - Regulation (EC) no 1107/2009 concerning the placing of plant protection products on the market; - Directive no 91/414 on Plant Protection Products Placing on the Market, as amended; - Regulation (EC) no 689/2008 concerning the export and import of dangerous chemicals <p><u>Chemical names, CAS numbers, and the purpose of use for all the pesticides and/or industrial chemicals currently in use that have been regulated:</u></p> <p><i>(a) Pesticide(s) currently in use</i></p> <p>Currently in Romania POPs pesticides are not produced, imported, exported, placed on the market or used.</p> <p><i>(b) Industrial chemical(s) currently in use</i></p> <p>Name: Alkanes, C 10 -C 13, chloro (short-chain chlorinated paraffins - SCCPs)</p>

Country	Information
	<p>CAS number: 85535-84-8 Use(s): plasticizer Regulatory measure: restriction of concentrations greater than 1 % by weight Legislation: Regulation (EC) no 1907/2006 of the European Parliament and of the Council on the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH) as regards Annex XVII, amended by Regulation (EC) no 552/2009;</p>
Sri Lanka	<p><u>Regulatory framework for pesticides currently in use only</u></p>
Surinam	<p><u>Regulatory framework for new pesticides with POPs characteristics:</u></p> <p>New POP (Lindane) National Legislation: S.B 2003 no 58. and S.B. 2003 no 74 As of 2003 all chemicals (including lindane) which are on the negative list of the FAO are forbidden to be imported and the negative list is given in S.B 2003 no 74.</p> <p>Improved Legislation: S.B. 2005 no 18 and S.B. 2005 no 21 As of 2005 all chemicals (including lindane) which are on the negative list of the FAO are forbidden to sell, use and have.</p> <p><u>Chemical names, CAS numbers, and the purpose of use for all the new pesticides with POPs properties that have been regulated :</u></p> <p>(a) New pesticides Name: Lindane CAS number: 58-89-9 Use(s): - Policy: Forbidden to import, sell, use and have</p> <p><u>Regulatory framework for pesticides currently in use with POPs characteristics:</u> GB 1972 no 151; Pesticide ordinance: Here the rules of handling with pesticides (import, sell, use, storage etc) are given S.B. 2005 no 18 and S.B 2005 no 21; (Improved Pesticide Ordinance regarding import, sell, use and storage) The importer needs permission from the Ministry of agriculture to import pesticides. Pesticides on the FAO negative list and on the list of the Rotterdam Convention are given negative advice to be imported. With the permit, the importer can go to the customs officers to declare their goods.</p> <p>Note: Mirex is not being imported, only mirex c, which is not a POPs.</p> <p><u>Chemical names, CAS numbers, and the purpose of use for all pesticides currently in use with POPs properties that have been regulated :</u></p> <p>(1) Pesticide(s) currently in use Name: Endrin CAS number: 72-20-8 Use(s): agriculture Policy:</p>
Switzerland	<p><u>Regulatory framework for new industrial chemicals with POPs characteristics and for new pesticides without POPs characteristics:</u></p> <p><u>New industrial chemicals:</u> The relevant Ordinance for new industrial chemicals is the Ordinance on Protection against Dangerous Substances and Preparations (1). It does not explicitly mention the criteria of Annex D of the POP Convention, but Art. 6 defines criteria for persistence, bioaccumulation and toxicity (PBT) of chemicals, making reference to Annex XIII of Regulation (EC) no. 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH Regulation) . Art. 16-18 deal with the requirements for the notification of new substances. The notification dossier must contain all available documentation and information on exposure and harmful effects of the sub-stance on human health and the environment and must include information and assessment of PBT or other dangerous properties of chemicals in line with the REACH Regulation. For new substances put on the Swiss or the European market in 10 tons or more per year the PBT assessment has to be done in accordance with</p>

Country	Information
	<p>Annex I to Regulation (EC) No. 1907/2006 and a chemical safety report has to be submitted to the authorities as part of the notification dossier. For substances identified as PBT sub-stances a material safety data sheet has to be compiled and the results of the PBT assessment as mentioned in the chemical safety report must be indicated.</p> <p>The Swiss authorities evaluate and prioritize the dossiers of new substances taking into consideration the combination of persistence, (eco)toxicity and bioaccumulation and other hazards, including the cri-teria for persistent organic pollutants as defined in paragraph 1 of Annex D of the Stockholm Convention.</p> <p>Chemical substances of concern may be subject to supplementary clarification, data requests or risk management procedures.</p> <p><u>Pesticides:</u> Even though Switzerland at this moment does not have regulatory or assessment schemes in place that address plant protection products exhibiting POPs characteristics as defined in the Stockholm Convention, new legislation entering into force on 1 July 2011, will include the relevant criteria (2). The new Swiss legislation makes reference and includes the criteria for the approval of active substances, safeners or synergists of the EU legislation (EC) No. 1107/2009 concerning the placing of plant protection products on the market. A substance that fulfils all three of the criteria persistence, bioaccumulation, potential for long-range environmental transport is a POP. For further detail on the criteria please consult regulation (EC) No. 1107/2009 (3).</p> <p>(1) Swiss Ordinance on Protection against Dangerous Substances and Preparations (Chemicals Ordinance, ChemO, SR Number 813.1): http://www.bag.admin.ch/anmeldestelle/00925/00935/index.html?lang=en, http://www.admin.ch/ch/f/rs/c813_11.html (French)</p> <p>(2) Ordonnance sur les produits phytosanitaires (OPPh), RS 916.161 (http://www.admin.ch/ch/f/rs/c916_161.html): available in French</p> <p>(3) REGULATION (EC) No 1107/2009 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL concerning the placing of plant protection products on the market (entry into force 14 June 2011). Details can be found here: http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2009:309:0001:0050:en:PDF in Annex II, Paragraph 3.7.1.</p> <p><u>Regulatory framework for pesticides both new and currently in use without POPs characteristics:</u> <u>Industrial chemicals:</u> The relevant Ordinance for existing industrial chemicals is the Ordinance on Protection against Dangerous Substances and Preparations (see footnote 1 above). It does not explicitly mention the POP criteria of Annex D of the POP Convention, but Art. 6 defines criteria for persistence, bioaccumulation and toxicity (PBT) of chemicals making reference to Annex XIII of Regulation (EC) no. 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH Regulation). The manufacturer of an existing dangerous or PBT substance that is distributed to third parties in a total quantity of 10 tons per year or more must prepare an exposure scenario for each identified use of the substance, describing the conditions of use and the relevant risk management measures. The exposure scenarios must be prepared in accordance with Annex I number 5 to Regulation (EC) No. 1907/2006. For substances identified as PBT substances a material safety data sheet has to be com-piled. Manufacturers must collect all available data of relevance to the obligations referred to above. They have, however, not to perform additional tests, and PBT substances are not subject to a notification or licensing procedure. The assessment authorities may review the manufacturers self assessment of existing substances. The reviews are done on a case by case basis. Priority is given to substances that represent a particular risk to human health or the environment, and to substances that are included in an international existing substances programme. According to the Chemicals Act⁴ and to the Environmental Protection Act⁵ the Federal Council may issue special regulations such as bans and restrictions on the production, marketing and use for sub-stances of very high concern and in particular for substances that accumulate in the environment. Such regulations are laid down in the Ordinance of 18 May 2005 on Risk Reduction related to the Use of certain particularly dangerous Substances, Preparations and Articles⁶. Many substances that are nowadays considered to be POPs and that are listed in Annexes A or B of the Stockholm Convention have been banned long before the entry into force of the Convention.</p>
Tanzania, United	<u>Regulatory framework for new pesticides with POPs characteristics:</u>

Country	Information
<p>Republic of</p>	<p>The Plant Protection Act, 1997, in the government gazette of the United Republic of Tanzania no. 27 Vol. 78 dated 4th July 1997 and The Pesticides Control Regulations of 1998 (<i>both sent as attachments</i>).</p> <p>According to Para 22 of the Pesticides Control Regulations every pesticide must be tested by a scientist from a public institution for three cropping seasons or three distinct crop cycles after which he/she writes a report and submit it to the Registrar of pesticides. The report and dossier of the pesticide are submitted for scrutiny to the Pesticide Approval and Registration Subcommittee for approval and thereafter to the National Plant Protection Advisory Committee for endorsement. After being cleared by both Committees the pesticide is then registered and published in the government gazette also posted on the ministry website (www.kilimo.go.tz).</p> <p>Technical materials which are used for formulation purposes do not undergo field trials they are registered under the restricted category but the formulated products are tested.</p> <p><u>Regulatory framework for pesticides currently in use with POPs characteristics:</u></p> <p>The Plant Protection Act, 1997, in the government gazette of the United Republic of Tanzania no. 27 Vol. 78 dated 4th July 1997 and The Pesticides Control Regulations of 1998.</p>
<p>Thailand</p>	<p><u>Regulatory framework for new pesticides or industrial chemicals with POPs characteristics</u> (not exactly characterized as defined in paragraph 1 of Annex D of the Stockholm Convention):</p> <p>Chemical and Pesticide Regulation</p> <p>Thailand regulates pesticides and industrial chemicals under the Hazardous Substances Act B.E. 2535 (1992) and its amendments, in all activities including the production, import, export, or having in possession. The hazardous substance is classified according to the needs for control as follows:</p> <p>Type 1 hazardous substance is that of which the production, import, export, or having in possession must comply with the specified criteria and procedures.</p> <p>Type 2 hazardous substance is that of which the production, import, export, or having in possession must first be notified to the authority and must also comply with specified criteria and procedures.</p> <p>Type 3 hazardous substance is that of which the production, import, export, or having in possession must obtain a permit.</p> <p>Type 4 hazardous substance is that of which the production, import, export or having in possession is prohibited (banned).</p> <p>To determine the Type of a chemical, the regulatory agency shall propose to the Technical Subcommittee on Chemical Hazard under the Hazardous Substances Committee with details of common name, CAS Number, acute toxicity, sub-chronic and chronic toxicity, intended use, type of crop/industry, type of pest and proposed Type of chemical, such as 1, 2, 3 or 4. After approved by this Sub-committee, it will be proposed to the Hazardous Substances Committee. If it is approved, announcement shall be made to the public via the Notification of Ministry of Industry entitled "List of Hazardous Substances" which is available on the Department of Industrial Works website. Customs, importers, exporters, producers and traders can refer to this Notification.</p> <p>The criteria taken into consideration in both cases include human health and environmental monitoring. Alternatives, costs/benefits and/or supporting information from other reliable sources are taken into consideration when submitted by relevant agencies. However, the levels of risk assessment vary from chemicals to chemicals. The obligations under applicable international conventions and covenants are also considered when classifying the type of hazardous substances. Specifically for pesticides, the Subcommittee for Consideration of Pesticide Registration, under the Hazardous Substances Committee has set the criteria** for banning pesticides, which are</p> <ol style="list-style-type: none"> (1) Having chronic toxicity to human and animals, e.g., carcinogenicity, teratogenicity, mutagenicity, adverse effect on reproduction, etc. (2) Having high acute toxicity (3) Residues often found on crops which might affect human health (4) Bioaccumulation and transferable through food chain (5) Persistent in the environment (6) Toxic to beneficial insects, fish and other aquatic organisms (7) Having toxic impurity(ies) (8) Have been banned in developed countries (9) Existence of other safer pesticide or technology for alternative(s)

Country	Information
	<p>**Note: The criteria of bioaccumulation, persistence and long-range transport are not exactly the same as specified in paragraph 1 of Annex D of the Stockholm Convention.</p> <p><u>Regulatory framework for pesticides or industrial chemicals currently in use with POPs characteristics</u> (not exactly characterized as defined in paragraph 1 of Annex D of the Stockholm Convention):</p> <p>The regulatory and assessment schemes for pesticides and industrial chemicals currently in use are the same as regulatory and assessment schemes for new pesticides and new industrial chemicals, as outlined in Question 1.</p> <p>Particularly for pesticides, the Sub-Committee for Consideration of Pesticide Registration appointed the Working Group (WG) for Pesticide Surveillance to observe pesticides registered for use, using the above 9 criteria including pesticide that cause pest resurgence, namely:</p> <ol style="list-style-type: none"> (1) Having chronic toxicity to human and animals e.g. carcinogenicity, teratogenicity, mutagenicity, adverse effect on reproduction, etc. (2) Having high acute toxicity (3) Residues often found on crops which might affect human health (4) Bioaccumulation and transferable through food chain (not the same as specified in paragraph 1 of Annex D of the Stockholm Convention) (5) Persistent in the environment (not the same as specified in paragraph 1 of Annex D of the Stockholm Convention) (6) Toxic to beneficial insects, fish and other aquatic organisms (7) Having toxic impurity(ies) (8) Have been banned in developed countries (9) Existence of other safer pesticide or technology for alternative(s) <p>The WG assesses these pesticides every 3 years. To gather information, the WG invited importers/producers to provide information required for assessment. In case the WG concludes that risk is greater than benefit, such pesticide will be proposed to The Sub-Committee for Consideration of Pesticide Registration for approval and then the Department of Agriculture will propose to the Hazardous Substances Committee to ban or restrict. The information to be submitted are as follows:</p> <ol style="list-style-type: none"> (1) Common name of pesticide (2) Kind(s) of crop and pest(s) to be used (3) Import data of the past 3 years (4) Kind(s) of alternatives and cost per specific area (Rai) (5) Toxicity of the pesticide and alternative(s) (6) Effects on health or environment (7) Information on residue(s) (8) Information on exposure (9) Developed countries control action (10) Other information, i.e., is it a chemical under any international convention, etc. <p>The Hazardous Substances Committee makes decision to ban or restrict a pesticide and subsequently published in the royal gazette.</p> <p>Currently, there is one pesticide under surveillance scheme, namely endosulfan (CS formulation). It is classified under the Hazardous Substances Act B.E. 2535 (1992) as Type 3 hazardous substances, of which the production, import, export, or having in possession must obtain a permit.</p> <p><u>Chemical names, CAS numbers, and the purpose of use for all the pesticides and/or industrial chemicals currently in use that have been regulated:</u></p> <p>To date, no pesticide or industrial chemical has been identified to have POPs properties.</p>
Togo	<u>Regulatory framework for pesticides currently in use but without POPs characteristics</u>
USA	<p><u>Regulatory framework for new industrial chemicals with POPs characteristics</u></p> <p>(a) Pesticides: The US EPA's Office of Pesticide Programs (OPP) considers the persistent,</p>

Country	Information
	<p>bioaccumulative, toxic, and long-range transport (PBT/LRT) characteristics of pesticides as part of its risk assessment practice for both new and currently used pesticides. During the initial planning phase of its assessments, OPP conducts a screening analysis using PBT/LRT criteria that are similar to those established in Annex D of the Stockholm Convention. Results from this PBT/LRT screening analysis are used to inform the need for additional data and risk assessment methods that specifically address the PBT/LRT characteristics of these compounds (e.g., bioaccumulation data and modeling, long-range transport assessment methods). These screening criteria and PBT/LRT-specific risk assessment methods are largely based on recommendations made by a group of independent scientific experts -- i.e., the October 2008 FIFRA Scientific Advisory Panel (SAP) -- with respect to risk assessment issues for pesticides with Persistent, Bioaccumulative, and Toxic (PBT) Characteristics. The documents considered at the October 2008 SAP meeting and the final meeting minutes can be found at: http://www.epa.gov/scipoly/sap/meetings/2008/102808_mtg.htm</p> <p>(b) Industrial Chemicals: For new industrial chemicals: "PBT Policy". See http://www.epa.gov/oppt/newchems/pubs/pbtpolicy.htm See attached Federal Register (FR) Notice. Citation: Vol. 64 FR Pages. 60194 - 60204.</p> <p><u>Regulatory framework for industrial chemicals currently in use with POPs characteristics</u></p> <p>(a) Pesticides: The US EPA's Office of Pesticide Programs (OPP) considers the persistent, bioaccumulative, toxic, and long-range transport (PBT/LRT) characteristics of pesticides as part of its risk assessment practice for both new and currently used pesticides. During the initial planning phase of its assessments, OPP conducts a screening analysis using PBT/LRT criteria that are similar to those established in Annex D of the Stockholm Convention. Results from this PBT/LRT screening analysis are used to inform the need for additional data and risk assessment methods that specifically address the PBT/LRT characteristics of these compounds (e.g., bioaccumulation data and modeling, long-range transport assessment methods). These screening criteria and PBT/LRT-specific risk assessment methods are largely based on recommendations made by a group of independent scientific experts -- i.e., the October 2008 FIFRA Scientific Advisory Panel (SAP) -- with respect to risk assessment issues for pesticides with Persistent, Bioaccumulative, and Toxic (PBT) Characteristics. The documents considered at the October 2008 SAP meeting and the final meeting minutes can be found at: http://www.epa.gov/scipoly/sap/meetings/2008/102808_mtg.htm</p> <p>(b) Industrial Chemicals: EPA uses persistence and bioaccumulation as factors to consider in identifying chemicals for follow-up action.</p>