	Interim Secretariat for the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade	UNEP

PROCEEDINGS

of the Regional Workshop for the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade

Apia, Samoa, 22-26 September 2003

HOSTED BY THE GOVERNMENT OF SAMOA WITH THE FINANCIAL ASSISTANCE OF THE GOVERNMENT OF SWITZERLAND

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INTRODUCTION

Background

The Conference of Plenipotentiaries which took place in Rotterdam, 10-11 September 1998, adopted the Rotterdam Convention on the Prior Informed Consent (PIC) procedure for Certain Hazardous Chemicals and Pesticides in International Trade. The Final Act of the Conference was signed by 73 States. The Convention was opened for signature at the United Nations Headquarters in New York from 12 September 1998 to 10 September 1999. As of August 2003, there were 46 Parties to the Rotterdam Convention. The Convention will enter into force once 50 instruments of ratification have been deposited.

The voluntary PIC procedure has been operated by UNEP and FAO since 1989, based on the amended London Guidelines for the Exchange of Information on Chemicals in International Trade and the FAO International Code of Conduct on the Distribution and Use of Pesticides.

A resolution on interim arrangements was adopted at the Conference of Plenipotentiaries by which the voluntary PIC procedure was modified to bring it line with the procedure established by the Convention. The interim PIC procedure will be in place until the entry into force of the Convention. The resolution on interim arrangements also invites the Executive Director of UNEP and the Director General of FAO to convene further sessions of the Intergovernmental Negotiating Committee (INC) to oversee the operation of the PIC procedure and to prepare for the first meeting of the Conference of the Parties. Finally, the resolution requests the Executive Director of UNEP and the Director General of FAO to provide secretariat services during the interim period.

As a first among the multilateral environmental agreements, Governments have agreed to continue to implement the voluntary PIC procedure using the new procedures of the Convention until the Convention formally enters into force and is a clear indication of the importance Governments attach to this Convention.

The eighth session of the INC (8-12 October 2001) requested the secretariat to develop a comprehensive guidance manual for designated national authorities (DNAs) clearly setting out all actions required of those authorities in performing their functions in accordance with the Convention taking into consideration comments and feedback from DNAs. It was also requested that the secretariat provide practical training to DNAs through regional and sub-regional workshops.

The purpose of this workshop is to inform DNAs of the Convention, the interim arrangements and what is required to operate the new, interim procedure and to facilitate discussion and exchange of experience among DNAs in the region, thus assisting in the shift from implementation of the old, voluntary procedure towards the new interim procedure.

The goals of the workshop are to:

- promote the signing, ratification and implementation of the Convention in the region;
- provide practical training on the operation of the Convention including the roles and responsibilities of the DNAs;
- develop a better understanding of the needs and constraints of countries in the implementation of the interim PIC procedure and ratification of the Convention including identifying opportunities for regional cooperation; and
- increase awareness of and benefits associated with the Rotterdam Convention.

Proceedings from the workshop

The proceedings of the workshop contain the introduction to the work and the outcome of the breakout groups that took place on the different sessions of the workshop. It also includes the agenda, the list of participants and the presentations made by the Secretariat as well as by invited speakers.

NOTE

For ease of placement on the web and downloading purposes, the proceedings have been collated in an order different to that followed during the workshop and provided in the Agenda. The first part of the proceedings includes the outcome of the practical sessions, the opportunities for cooperation and a section addressing the challenges and questions raised during the workshop. The second part contains the presentations describing the Convention and its operation as well as a section dealing with information exchange.

AGENDA AND TIMETABLE

MONDAY 22 SEPTEMBER

09:00-10:00	Registration of participants	
1st Session:	**OPENING**	*Bill Murray, Secretariat*
10:15-11:00	Opening Prayer - Fr. Mosese Vitolio Tui (Principal Don Bosco Technical Centre)	
	Opening Remarks	
	FAO Representative and Sub-regional representative for the Pacific Islands On behalf of FAO	*Mr. V. Fuavao*
	Executive Secretary for the Rotterdam Convention On behalf of UNEP	*Mr. J. Willis*
	Representative of the Government of Switzerland	*Ms G. Löw*
	Official Opening Address – Host Government On behalf of the Government of Samoa	*Hon. Tuisugaletaua Sofara Aveau Hon. Minister of Agriculture*
	Official Photograph Session	
11:00-11:15	BREAK	
11:15-11:45	Election of Chairperson	*B. Murray, Secretariat*
	Presentation of participants	
	Overview of the agenda and organization of the workshop • Objectives/ Structure	
	• Presentation of moderators and secretariat	*A. Pouono Chair*
	• Local arrangements	*M. Purea, Secretariat*
2nd Session	**INTRODUCTION TO THE ROTTERDAM CONVENTION**	*A. Pouono, Chair*
11:45-12:30	General overview/Background to the Rotterdam Convention ▪ Brief history of the INC and the negotiation process ▪ Interim arrangements ▪ Scope of the Convention – what it is/what it is not ▪ Overview of Convention obligations	*J. Willis, Exec. Sec.*
12:30-13:30	**Lunch**	
13:30-14:00	Key elements of the Rotterdam Convention ▪ Highlights of the key elements of the Convention ▪ To consider who, what ,when, where, why - Key players – terminology - Description of the PIC procedure and information exchange	*B. Murray, Secretariat*
14:00-14:15	What has been accomplished	*S. Logan, Secretariat*

- Overview of progress since September 1998
- Activities underway and planned

14:15-14:30	Overview of the work of the Interim Chemical Review Committee	*R. Arndt*
14:30-15:00	Overview of the Basel and Stockholm Conventions and **s**ynergies with the Rotterdam Convention	*J. Willis, Exec. Sec.*
15:00-15:30	**Break**	
15:30-16:15	Overview of Signature and Ratification	*G. Wyrwal, Secretariat*

Presentations by invited Speakers
- Experience in ratifying the Convention — *J. Kumar*
- Samoa's Ratification and Accession process for MEA — *F. Alama*

Panel discussion – lessons learned

16:15-16:30	Preparation for Session 4 breakout groups	*G. Wyrwal, Secretariat*

TUESDAY 23 SEPTEMBER

3rd Session **OVERVIEW OF THE ROTTERDAM CONVENTION** *A. Pouono, Chair*

9:00-10:00 Operation of the interim PIC procedure *B. Murray, Secretariat*

Scope of the Convention
- What chemicals are included

Key players
- Who they are and what they do (DNA, INC, ICRC, Secretariat)

Operation of the Interim PIC procedure
- Adding chemicals
  - Notifications of regulatory control actions
  - Proposals for severely hazardous pesticide formulations
- The PIC procedure
  - Decision guidance documents (DGDs)
  - Import decisions
- Importing and exporting country responsibilities
  - Export notification
- Information exchange

Questions – comments

10:00-10:30 **Break**

4th Session **IDENTIFICATION OF CHALLENGES - QUESTIONS TO CONSIDER**
Moderator: A. Mayne

10:30-10:45 Introduction – Plenary *G. Wyrwal, Secretariat*
- Brief review of questions circulated prior to meeting
- Objectives of breakout groups - results will assist in framing the discussion in the practical sessions and be reviewed in Session 11 to determine ability of Workshop to address such issues

10:45-12:00	Breakout groups – Challenges and questions ▪ Based on their experience and in response to questions circulated in advance of the workshop, participants will identify issues/questions regarding the operation of the interim PIC procedure	
12:00-13:00	**Lunch**	
13:00-13:30	Plenary Session – Challenges and Questions ▪ Moderator to present a consolidated list of questions/challenges from the work groups for consideration by the plenary	*Moderator: A. Mayne*
5th Session	**PROPOSALS FOR SEVERELY HAZARDOUS PESTICIDE FORMULATIONS** *Moderator: K. Choi*	
13:30-14:15	Introduction – Plenary ▪ Presentation of the incident report form as basis for submission of proposals for severely hazardous pesticide formulations	*B. Murray, Secretariat*
	▪ Challenges and constraints in proposing severely hazardous pesticide formulations	*M. Halimi*
	▪ Brief explanation of the objectives of breakout groups and outline of the work to be undertaken	*B. Murray, Secretariat*
14:15-14:45	**Break**	
14:45-16:45	Breakout groups – Severely Hazardous Pesticide Formulations ▪ Practical session on process of completing an incident report form and preparing a proposal for submission ▪ Identify challenges and/or constraints in reporting incidents including gaps in the incident reporting process and where guidance may be needed	
	WEDNESDAY 24 SEPTEMBER	
9:00 – 9:30	Plenary Session – Severely Hazardous Pesticide Formulations ▪ Moderator to present a consolidated report of the work of the break out groups regarding the process for submitting a proposal for candidate formulations and associated documentation including where guidance may be needed	*Moderator: K. Choi*
6th Session	**NOTIFICATIONS OF FINAL REGULATORY ACTION – BANNED AND SEVERELY RESTRICTED CHEMICALS** *Moderator: A. Mayne, Australia*	
9:30-10:15	Introduction – Plenary ▪ How the notification process works, the importance of the process and key documents	*G. Wyrwal, Secretariat*
	▪ Australian experience in providing notifications of final regulatory action	*J. Rymer*
	▪ Brief explanation of the objectives of breakout groups and outline of the work to be undertaken	*G. Wyrwal, Secretariat*
10:15-10:30	**Break**	
10:30-12:30	Breakout groups – Notifications of banned and severely	

restricted chemicals
- Practical session on completing a notification form for submission
- Identify challenges and constraints with the notification process and the supporting documentation

12:30-13:30 **Lunch**

13:30-14:00 Plenary Session *Moderator: A. Mayne*

- Moderator to present a consolidated report of the work of the breakout groups regarding the notification process and associated documentation – including where further guidance may be needed

7th Session **DECISION GUIDANCE DOCUMENTS AND IMPORT DECISIONS**
Moderator: J. Rymer

14:00-14:45 Introduction – Plenary *S. Logan, Secretariat*
- Presentation of the process for preparation of import decisions, the importance of the import response and key documents

- Country presentation on experience with preparation and submission of import responses *F. Qarani*

- Brief explanation of the objectives of breakout groups and outline of the work to be undertaken *S. Logan, Secretariat*

14:45-15:00 **Break**

15:00-17:00 Breakout groups – Decision Guidance Documents and Import Decisions
- Practical session on completing an import response form based on information available in the DGD
- Identify challenges or constraints in preparing and submitting an import response including gaps in the reporting process and where further guidance may be needed

THURSDAY 25 SEPTEMBER

09:00-9:30 Plenary Session *Moderator: J. Rymer*

- Moderator to present a consolidated report of the work of the break out groups regarding the preparation of import responses including where further guidance may be needed

8th Session: **EXPORT NOTIFICATION**
Moderator: P. Fontana

09:30-10:00 Plenary

Export notification under the Convention *S. Logan, Secretariat*
- Presentation of the key elements- what it is and what it is not

National implementation of the export notification programme *P. Fontana*
Experience gained with the expoert notification procedure in
- How it operates, key elements and key documents
- Introduction to CAS numbers and Harmonised System Customs Codes

Brief explanation of the objectives of break out group and outline of the work to be undertaken *Moderator: P. Fontana*

10:00-10:30	**Break**	
10:30-12:30	Breakout groups – Export Notification ▪ Practical session on the process of export notification – from perspective of the exporting country and the importing country ▪ Review the information included in an actual export notification and steps that could be taken in a country upon receipt of such a notification	
12:30-13:30	**Lunch**	
13:30-14:00	Plenary Session ▪ Moderator to present a consolidated report of the work of the breakout groups regarding the use of export notifications including where guidance may be needed	*Moderator: P. Fontana*
9th Session:	**INFORMATION EXCHANGE** *Moderator: M. Halimi, Malysia*	
14:00-14:20	(a) OPPORTUNITIES FOR INFORMATION EXCHANGE	
	Overview of opportunities for information exchange ▪ How to access and use key elements including: Convention Website, PIC Circular, list of DNAs.	*S. Logan, Secretariat*
	▪ Data availability from NGOs	*J. Wickens*
14:20-15:20	(b) RELATIONSHIP BETWEEN THE BASEL (WAIGANI), ROTTERDAM AND STOCKHOLM CONVENTIONS	
	Introduction to the session	*S. Logan, Secretariat*
	▪ Interactions of the Rotterdam, Stockholm and Basel Conventions	*J. Willis, Exec. Sec.*
	▪ Overview of developments under the Waigani Conventions	*C. Peteru*
	▪ Integrated Implementation of the Basel, Rotterdam and Stockholm Conventions – the Swiss Experience	*G. Löw*
15:20-15:50	**Break**	
15:50 -16:30	The Synergies of Chemical Conventions – an NGO perspective	*M. Lloyd Smith*
16:30-17:00	Panel Discussion	*Moderator: M. Halimi*
	FRIDAY 26 SEPTEMBER	
10th Session	**OPPORTUNITIES FOR REGIONAL COOPERATION** *Moderator: M. Purea*	
9:00-10:00	**(a) Existing mechanisms of regional cooperation**	
	Opportunities for regional cooperation/ existing cooperative mechanisms; consideration of how they might be used with respect to implementation of the interim PIC procedure	
	• Status of establishment of the Pacific Regional Centre for the joint implementation of the Basel and Waigani Conventions	*C. Peteru*
	• Regional Activities concerning Pesticides and IPM	*M. Purea*
	• Regional activities of NGOs	*M. Lloyd Smith*

	Panel Discussion	*M. Purea*
	(b) Identification of key next steps/ priorities at national and regional level	
10:00-10:15	Brief explanation of the objectives of breakout groups and outline of the work to be undertaken	*M. Purea*
10:15-10:30	**Break**	
10:30-12:30	Breakout groups: Key next steps/priorities - national and regional • As appropriate, identify "key next steps" at the national level for the implementation of the interim PIC procedure and ratification of the Convention • Identify those "key next steps" that are common across countries as basis for sharing experience and developing common approaches • Identify set of break out group priority activities - at both the national level and regionally	
12:30-13:30	**Lunch**	
13:30-15:00	Plenary Session: Key next steps/priorities - national and regional • Review breakout groups priority activities • Identify an overall set of workshop priority activities	*M. Purea*
11th Session	**ADDRESSING CHALLENGES AND QUESTIONS**	*A. Pouono, Chair*
15:00-15:30	Plenary Session – review questions and challenges • Review list of questions and challenges identified in Session 4 • Consider those addressed by the workshop and those that are outstanding	*B. Murray, Secretariat*
15:30-15:45	Workshop review • What went well - what might be improved	*G. Wyrwal, Secretariat*
15:45-16:00	Closure of the Meeting	*A. Pouono, Chair*

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PART I

PRACTICAL SESSIONS

SESSION 4: IDENTIFYING QUESTIONS AND CHALLENGES IN THE IMPLEMENTATION OF THE INTERIM PRIOR INFORMED CONSENT (PIC) PROCEDURE AND RATIFICATION OF THE ROTTERDAM CONVENTION

GUIDANCE

Objective: In preparing for the workshop participants were requested to prepare a list of issues and/or challenges that, based on national experience, had been identified in implementing the interim PIC procedure or in working towards ratification of the Rotterdam Convention.

To assist in this task the Secretariat prepared a series of points to consider in characterising country experience (see below).

Methodology: Breakout groups were convened on the second day of the workshop (Session 4) to consider the list of issues raised and challenges identified by individual workshop participants. The results of the breakout group discussions were a common list of issues and challenges. Ideally all of the points raised would be considered in subsequent sessions of the workshop. The list developed in Session 4 was reviewed on the last day of the workshop (Session 11) in order to determine which of these questions had been answered and to consider how the outstanding issues and challenges identified might be addressed at the national level and/or through regional or sub-regional cooperation.

There are two principal areas that participants were asked to consider, the first concerns the implementation of the interim PIC procedure and the second the process for ratification of the Rotterdam Convention.

A) Implementation of the interim PIC procedure

Six subject areas had been identified which reflect the key elements of the interim PIC procedure. In reviewing these points participants should consider experience in the operation of those different aspects of the interim PIC procedure including understanding of the relevant processes and associated documentation. In addition a set of points to consider were listed under each area to facilitate analysis of the current situation in participants' countries.

1. Designated National Authorities (Article 4):
   - Capacity to perform the functions required under this Convention.
   - Means to communicate official decisions to the Secretariat, such as import decisions for chemicals subject to the interim PIC procedure, or notifications for chemicals that have been banned or severely restricted nationally.
   - Flow of information and communication (between the Designated National Authority (DNA) and relevant ministries and among ministries e.g. agriculture, health, environment).

2. Notifications of final regulatory actions - banned or severely restricted chemicals (Article 5 and Annex 1)
   - Legal and regulatory infrastructure to ban industrial chemicals and pesticides.
   - Capacity to perform scientific assessments of risks in order to arrive at regulatory actions.
   - Documentation of the decision making process.
   - Understanding of/experience with the process for the preparation and submission of notifications of final regulatory action for banned or severely restricted chemicals.

3. Proposals for severely hazardous pesticide formulations (Article 6 and Annex IV)
   - Identification of incidents and preparation and submission of proposals for severely hazardous pesticide formulations causing problems under conditions of use in participant's country.

- Official follow-up to local reports on poisoning incidents (human health or environment) related to the use of pesticides.
- Understanding of/experience with the preparation and submission of proposals for severely hazardous pesticide formulations.

4. Import decisions for future imports of chemicals subject to the interim PIC procedure (Article 10)
   - Taking import decisions for chemicals subject to the interim PIC procedure.
   - Procedures for informing relevant groups (e.g. customs authorities, importers, extension services, farmers, grower associations) about participants' national import decisions and those of other countries, as published in the PIC Circular.
   - Understanding of/experience with the preparation and submission of decisions regarding future imports of chemicals subject to the interim PIC procedure.

5. Export notification (Article 12 and Annex V)
   - Process of export notification.
   - Frequency with which export notifications from exporting countries are received.
   - Action taken, if any, following receipt of an export notification e.g. who receives it, who is informed, does the chemical notified receive any special attention?

6. Access to information/ information exchange:
   - Receipt of information e.g. PIC Circular, Decision Guidance Documents, reports of Workshops, reports of the Interim Chemical Review Committee etc.
   - Accessibility to electronic media such as e-mail and the Rotterdam Convention website (www.pic.int).
   - Viable alternatives for disseminating information to DNAs.

B) Ratification of the Rotterdam Convention

In reviewing the points listed below, participants should consider their understanding of the steps required in their country for the ratification of a legally binding international treaty such as the Rotterdam Convention.

- status of participants' country regarding ratification of the Rotterdam Convention;
- understanding of the process of ratification in the country, what are the steps to be taken and who is involved
- implications of ratification of the Rotterdam Convention for the country, including; financial and human resource requirements, the need to modify existing legislation, and ability to enforce the obligations as a consideration in seeking final approval and ratification.

SESSION 4: IDENTIFYING QUESTIONS AND CHALLENGES IN THE IMPLEMENTATION OF THE INTERIM PRIOR INFORMED CONSENT (PIC) PROCEDURE AND RATIFICATION OF THE ROTTERDAM CONVENTION

OUTCOME OF BREAK OUT GROUP DISCUSSIONS

Questions/issues identified by Break-out Groups

Part A: Implementation of PIC

1. Designated National Authorities - Article 4

a) Does the DNA have to be a person / or can it be a position or an office or authority e.g. the Minister for Agriculture?

b) What are the skills/qualifications necessary for effective DNAs?

Operational issues

c) How do we keep up to date with information about recent decisions, etc.?
   - Particularly given national administrative arrangements, changes in domestic staff and generally poor communication of information within the jurisdiction; and
   - Within complex regulatory frameworks that involve many players, many ministries and multiple legislative frameworks?

d) How do we build efficient and effective mechanisms for coordination at the national level that support DNAs, thereby enabling them (or their subordinates) to deliver on their obligations?
   - To implement domestic responsibilities effectively;
   - To ratify and implement PIC; and
   - To build linkages with other conventions.

e) How can we improve communication between DNAs within a jurisdiction (pesticides and industrial).

f) Is it possible to have duplicate information provided to people other than the DNA (i.e. deputies, line officers)?

2. Notifications of final regulatory actions -Article 5 (Session 6)

Basic Issue: DNAs in the region need to understand and have confidence in the notification process and its intent.

a) Is there a possible common regulatory model for the region – a 'PIC for Pacific Island Countries' approach; and/or

b) Are there examples of implementation infrastructures for small island developing states that can be used as examples for other developing countries?

Operational issues:

c) What is a 'final regulatory action' <u>in practical terms</u> and who makes it?'

   - Do these actions have to be risk based to qualify as a notifiable decision? What does risk-based mean?

- How do you accommodate the significant differences, in terms of regulatory processes and approaches to risk, between the systems for pesticides (generally well developed) and industrial chemicals (not regulated in the same way and less understood) when implementing PIC obligations?

d) How can obligations be fulfilled when there is, or is likely to be, a limited capacity to perform the necessary scientific assessments for regulatory controls – noting that science capacity is better generally for pesticides than for industrial chemicals?

- In the context of referencing regulatory decisions by other jurisdictions to regulate domestic pesticides, what is the opportunity for using these decisions to satisfy the requirements of final regulatory actions made in our jurisdictions? Is this possible in the context of Industrial chemicals?
- What are the benefits and risks of 'piggy-backing' off risk assessments undertaken by other jurisdictions?

3. Proposals for severely hazardous pesticide formulations - Article 6 (Session 5)

Operational issues:

a) How is information captured about adverse incidents - how do we obtain it and ensure that the information is meaningful in the context of PIC;

- Noting, that this information is critical to maintaining safe and effective domestic schemes and that systems to report adverse experiences are lacking within jurisdictions generally;

b) Are there existing processes and is it possible to make links to, or use of, them?

4. Decision Guidance Documents and Import Decisions - Article 10 (Session 7)

Basic Observation: The convention introduces requirements for conscious decisions by the jurisdictions, which is significantly different to some current systems that generally rely on global pressures on chemicals to keep them out of their jurisdictions.

Operational issues:

a) How is it possible to make an import decision when the chemical is not controlled domestically?
   - In this context, does this mean that some significant legislative adjustments may need to be made within jurisdictions?

b) Import decisions need to be based on information about a country's needs
   - If a pesticide is not approved or used in a jurisdiction, is it possible to simply say no? Does such a decision require a risk assessment, etc?
   - Could you do the same for industrial chemicals?

c) How is it possible to satisfy the requirement for manufacturing controls, if a 'no import' decision is made, when some jurisdictions do not control manufacturing in any form within their jurisdiction.

d) Is it possible to use the PIC import procedures to control imports of pesticide wastes/pesticide residues?

5. Export Notification - Article 12 (Session 8)

Basic Observation: Many jurisdictions are not exporters and do not have experience in export-notifying the chemicals.

Operational Issues:

a) ***Transit chemicals*** - What are the possible controls under this scheme for chemicals in transit through marine territories or temporary landing?

b) ***Re-export*** - What are the obligations for chemicals in this circumstance - e.g. a chemical is imported into a country, then reformulated, and subsequently exported - Is the country that has conducted the reformulating, the exporting country?

6. Information exchange/Access to information (Session 9)

a) Is it possible to have a session to demonstrate the PIC website – possibly one lunch time here at the workshop
b) Is it possible for the Secretariat to circulate substantial amounts of critical information on a disk/CD – those with limited access only have to download small amounts of information every six months, for example.

Operational issues:

c) How do we keep national systems and libraries current?

B: Ratification of the Rotterdam Convention

Operational issues:

a) How to influence the government's agenda?

b) How to ensure that the process for ratification is well planned and that there is good communication between DNAs and other stakeholders (links back to No 1 – DNA)?

c) What are the domestic requirements needed to fulfil the obligations of the convention? For example are the right regulatory tools to implement the convention already established (links No 2 & 4)? Would new legislation be required? What are the financial implications?

d) Where is information/assistance available to help us influence the agenda, undertake the necessary analysis and prepare the appropriate documentation?

e) Is it possible to ratify with limited resources?

SESSION 5: SEVERELY HAZARDOUS PESTICIDE FORMULATIONS

Introduction by the Secretariat

Slide 1

SESSION 5

Proposal for a severely hazardous pesticide formulation

Slide 2

Structure of Session 5

- **Introduction**
- **Presentation by participant based on their experience**
- **Practical work in breakout groups**

Slide 3

Objectives of Session 5

1) understand the provisions of the Convention and the process for submission of a proposal
2) understand the role of the PIC Circular as a source of information on pesticide formulations posing problems under conditions of use
3) understand the role of the DNA and the incident report form in preparing a proposal
4) provide feedback to the Secretariat on the clarity of the process

Slide 4

Introduction

❶ Key provisions of the Convention

❷ The detailed process for submission of a proposal including:
- Key players: role of DNA and Secretariat
- Key documents: SHPF report form and PIC Circular

❸ Overview of severely hazardous pesticide formulations under the Rotterdam Convention

❹ Key points

Slide 5

❶ *Key provisions of the Convention*

- **Article 2** Definition
  - Severely Hazardous pesticide formulation
- **Article 6** Procedure for severely hazardous pesticide formulations
  - the opportunity for developing countries and those with economies of transition to propose a pesticide formulation
  - the process to be followed for the submission of a proposal
- **Annex IV** Information and criteria for listing SHPF in Annex III

Slide 6

Article 2 Definitions

Severely hazardous pesticide formulation

means a chemical formulated for pesticidal use that produces severe health or environmental effects observable within a short period of time after single or multiple exposure, under condition of use

Slide 7

Article 6 Procedures for severely hazardous pesticide formulations

- Country experiences problems with a specific pesticide formulation under conditions of use in its territory,
- DNA submits a proposal for inclusion of the pesticide formulation in the Convention,
- Secretariat verifies that the information requirements of Annex IV, part 1 have been met,
- Summary is published in the PIC Circular (Appendix II)

Slide 8

Annex IV, part 1, Information requirements

- Description of the pesticide formulation
- Description of the way the formulation is used in the country
- Clear description of the incidents related to the problem including the adverse effects

Slide 9

➋ Process for submission of a proposal

1. Proposals must come from a DNA

- May draw upon technical expertise from any relevant source
- Part A: transmittal form must be signed by the DNA

Slide 10

➋ Process for submission of a proposal

Severely hazardous pesticide formulation report form

- Part A: transmittal form
- Part B: pesticide incident report form
  - description of formulation, incident, adverse effects, the way in which the formulation was used

Part B of the form can be replaced by national incident report forms where available

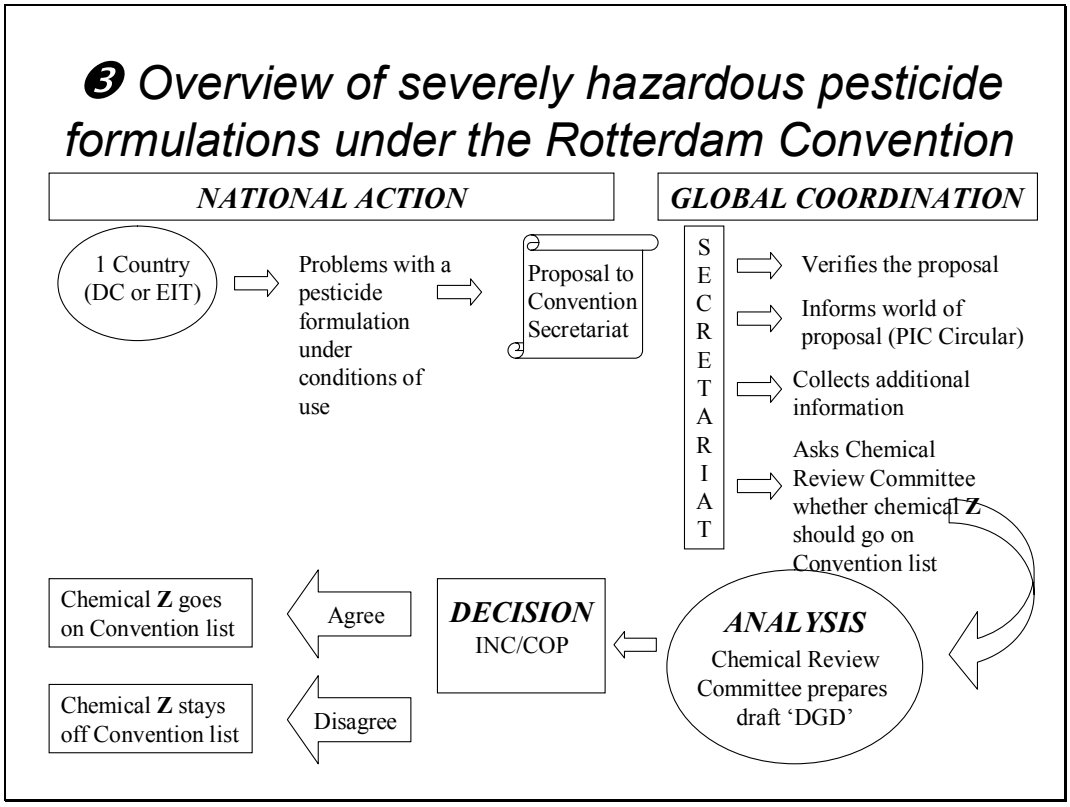
Slide 11

➋ Process for submission of a proposal

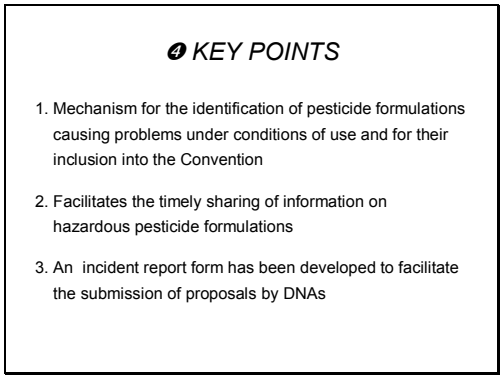
2. Submitted proposal is reviewed by the secretariat
- where it meets the information requirements of part 1 of Annex IV
- summary is published in the PIC Circular (Appendix II)

3. Secretariat initiates collection of information listed in part 2 of Annex IV

Slide 12



Slide 13



SESSION 5: SEVERELY HAZARDOUS PESTICIDE FORMULATIONS

Presentation by Mahmud Halimi

Slide 1

CHALLENGES AND CONSTRAINTS IN PROPOSING SHPF

(MALAYSIA'S EXPERIENCE)

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Slide 2

KEY ELEMENTS OF SHPF FORM

- **PART A : TRANSMITTAL FORM**
  - **Contains summary of incident**
  - **To be completed by the Pesticide Board (DNA)**
  - **To be forwarded to Secretariat**
- **PART B: PESTICIDE INCIDENT REPORT FORM**
  - **Contains detailed information on the incident**
  - **To be completed by the field staff**
  - **To be submitted to the Pesticide Board (DNA)**
  - **To be forwarded to Secretariat by the Pesticide Board (DNA)**

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Slide 3

FORM A: TRANSMITTAL FORM

1. **Name of formulation**
2. **Type of formulation**
3. **Trade name and producer**
4. **Name of active ingredient**
5. **Amount of active ingredient**
6. **Product label**
7. **Common and recognized pattern of use**
8. **A clear description of the incident**
9. **Regulatory & administrative measures taken or to be taken**

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Slide 4

FORM B: PESTICIDE INCIDENT REPORT FORM – 5 Parts

I. **Product Identity**
II. **Description of the incident**
III. **Description of the adverse effects**
IV. **Management**
V. **Reporting/Communication**

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Slide 5

GENERAL COMMENTS ON SHPF PROPOSAL

- **Provide an opportunity to for us to propose SHPF which causes severe health effects in the country**
- **Obtain information on SHPF in other countries (PIC Circular, Appendix II)**
- **Review the legal status of reported formulation (whether or not it finally listed in Annex III)**
- **Generally, forms are easy to use and comprehensive enough to describe the incident associated with SHPF**
- **Field staff (using Form B) and DNA (using Form A) might face some difficulties in completing the forms.**

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Slide 6

FORM B: Part I – Product Identity

- **Malaysia has pesticide legislation in place**
  - **All pesticide products used in the country are registered with the Pesticides Board**
  - **All registered products are labelled according with Labelling Regulation**
  - **All information on the identity of the product are stated on the label.**
- **Product label in national language-**
  Must it be translated into UN languages before forwarding to Secretariat ?

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Slide 7

FORM B: Part I – Product Identity

- **Countries without pesticide legislation –**
  Field staff might face difficulties
  - **Imported products**
  - **Product label in foreign languages**
  - **Some information might not be on the label e.g. formulation type, name and amount of active ingredient(s)**
  - **Foreign producer instead of local importer/distributor**

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Slide 8

FORM B: Part II – Description of the incident

- **Date of incident**
  - **Could be over a period of time**
  - **To tally with item 12 (e) – duration of exposure period**
- **Other pesticide formulation used at the same time (Item 13)**
  - **Should separate Form B be completed for each formulation?**
  - **Could lead to confusion if information given is incomplete**
  - **Suggest be provided in separate part of Form B**

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Slide 9

FORM B: Part III – Description of the adverse effects

- **Adverse Effects**
  - **Signs and symptoms might not be fully recognised or reported by the field staff e.g. OPs and carbamates**
  - **Might need to interview the victim**
  - **To involve medical personnel in recognising the symptoms**
- **Onset of the symptoms**
  - **Should be as precise as possible e.g. minutes, hours, days etc.**

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FORM B: Part IV – Management

- **Treatment, hospitalisation and other details**
  - **In consultation with medical personnel**

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FORM B: Part V – Reporting/Communication

- **Date of data collected**
  - **Might be collected over a period of time**
- **Incident report (Form B) in national language.**

Must the report be translated into UN languages before forwarding it to the Secretariat ?

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Slide 12

OTHER ISSUES AND CONSTRAINTS

1. **Determination of the actual cause of incident**
   - **Possibility of adverse effects caused by toxic contaminants e.g. malaoxon, iso-malathion and sulfotep**
   - **Problems might be caused by fake, imitation or illegally obtained products**
     - ✓ **Lab analysis to determine contents**
     - ✓ **Draw expertise from other agencies**

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OTHER ISSUES AND CONSTRAINTS

2. **Definition of 'severely hazardous pesticide formulation'**

" means a chemical formulated for pesticide use that produces health and environmental effects observable within a short period of time after single or multiple exposure, under condition of use"

- "Multiple exposure" – adverse effects may be medium terms

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OTHER ISSUES AND CONSTRAINTS

3. **To report or NOT to report**
   - **Cumulative incident reports**
   - **Occasional incident but with clear/consistence trend**
   - **Incident as result of multiple exposure over time e.g. skin rashes, nails damage etc.**
   - **Report without sufficient details**

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OTHER ISSUES AND CONSTRAINTS

4. Consolidating/verifying incident report by related agencies

- **Establishment of inter-agency consultation mechanism**
  - **Pesticides Board**
  - **Pesticides Technical Committee**
- **Consultation with all the stake holders including producer and NGO**

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OTHER ISSUES AND CONSTRAINTS

5. Different products of similar ingredients (and percentage) and formulation type BUT not associated with reported incident

6. Adverse effects as a result of inconsistence with label recommendations e.g. not using proper PPE, wrong application technique, overdose etc.

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OTHER ISSUES AND CONSTRAINTS

7. Illiterate users

8. Production and sale quantity are sometime difficult to obtain (Item 7, Part A)

9. Replacing Form B with national report form.

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SESSION 5: SEVERELY HAZARDOUS PESTICIDE FORMULATIONS

SUMMARY NOTES FOR BREAK OUT GROUPS

Introduction:

The obligations of countries and the process for the identification and review of severely hazardous pesticide formulations are contained in **Article 6** while **parts 1 and 2 of Annex IV** detail respectively, the relevant supporting information required and the criteria considered in reviewing candidate formulations for inclusion in **Annex III** of the Convention. Those provisions were included in the Convention in recognition of the fact that there are some formulations that cause problems under the conditions of use in developing countries and countries with economies in transition that might not be banned or severely restricted in accordance with Article 5.

A country, experiencing problems with a hazardous pesticide formulation under the conditions of use in its territory, may submit a proposal to the Secretariat.

The Secretariat verifies whether the proposal contains the information requirements of part 1 of Annex IV and, where the proposals are found to contain that information, prepares a summary for inclusion in the PIC Circular (Appendix II). The Secretariat also initiates collection of additional supporting information.

The Interim Chemical Review Committee (ICRC) reviews the proposal and the additional information in the light of the criteria in part 3 of Annex IV, and makes a recommendation to the Intergovernmental Negotiating Committee (INC) as to whether the formulation should be included in the Convention.

The Intergovernmental Negotiating Committee (INC) makes the final decision whether to include the formulation in the Convention.

Key points:

1. The submission of a proposal for a severely hazardous pesticide formulation is one of the two mechanisms to identify candidate chemicals for inclusion in the Convention

2. The PIC Circular (Appendix II) facilitates the timely sharing of information among DNAs on pesticide formulations that have caused problems under the conditions of use in at least one country.

3. A two-part report form has been developed to facilitate the preparation and submission of proposals for candidate formulations by DNAs.

The process for submission of a proposal:

A developing country or country with economy in transition that is experiencing problems with severely hazardous pesticide formulations under the conditions of use in its territory can propose such formulations as candidates for inclusion in the Convention. The proposals must contain the information specified in part 1 of Annex IV and be officially submitted by the DNA of that country to the Secretariat. In preparing such proposals the DNA may draw upon technical expertise from any relevant source.

To facilitate the development and submission of such proposals, the severely hazardous pesticide formulation report form was developed. The form consists of two parts, Part A and Part B. Part A (Transmittal Form) is to be used by the DNA to transmit an incident report form to the Secretariat. Part B (Pesticide Incident Report Form) has been developed to meet the information requirements of

the Convention, that is, a clear description of the incidents related to the use of the pesticide formulation, including the adverse effects and the way in which it was used. If there are other forms/formats for collecting pesticide incident reports in use in a country, they may be used (in replacement of Part B) in preparing a submission and forwarding it through the DNA to the Secretariat using Part A of the form, provided that those submissions meet the information requirements of part 1 of Annex IV of the Convention.

On receiving a proposal the Secretariat verifies whether or not the information requirements of part 1 of Annex IV have indeed been met. Where the submitted proposal is verified as meeting the information requirements a draft summary is prepared by the Secretariat. The notifying country is informed that their proposal was complete and invited to review the draft summary. The summaries of the verified proposals are published in Appendix II of the PIC Circular within six months of their being received. At the same time the Secretariat initiates collection of the information listed in part 2 of Annex IV.

The proposal and the additional information collected by the Secretariat are forwarded to the ICRC for consideration. The ICRC reviews the submitted documentation in the light of the criteria set out in part 3 of Annex IV and makes a recommendation to the INC regarding inclusion of the specific formulation in the Convention. A positive recommendation is also the signal for drafting a Decision Guidance Document (DGD) for the formulation in question. The INC reviews the recommendation of the ICRC and the draft DGD and makes a final decision regarding inclusion of the severely hazardous pesticide formulation in the Convention

SESSION 5: SEVERELY HAZARDOUS PESTICIDE FORMULATIONS

CASE STUDY

Your tasks:

1. Review a blank Severely Hazardous Pesticide Formulation Report form (SHPF-form) and the associated instructions..
2. Study the information provided in this case study and, based on the information provided, complete an empty SHPF-form using the instructions provided. Where the case study does not provide sufficient detailed information required to fill out the form, the participant is invited to use his/her own experience based on the conditions of use in their country, to complete the form.
3. Identify those points in the instructions that need further clarification or need to be elaborated in more detail.
4. Review the summaries of the proposals that were published in Appendix II, Part A, of the PIC Circular (PIC Circular XIV). Based on your review of the information available to the Secretariat through the Severely Hazardous Pesticide Formulation Report form is there any further information that could be included in such summaries in future that would help designated national authorities to better understand the incident.
5. Review the already completed SHPF-form
6. Once this practical exercise has been completed the Group is to:

    - discuss experience in identifying pesticide poisoning incidents
    - discuss their experience in collecting information on pesticide poisoning incidents
    - discuss the process of completing and submitting a Severely Hazardous Pesticide Formulation Report form as the basis for a proposal to the Secretariat
    - identify the problems and constraints in submitting proposals for individual formulations and in using the instructions to complete the form
    - discuss how the summaries of verified incidents circulated as Annex II of the PIC Circular might be used by designated national authorities

To facilitate discussion and in the preparation of a summary by the break out group chairs and the moderator a set of guidance questions has been prepared.

Attached:

- Blank Severely Hazardous Pesticide Formulation Report (SHPF) form and instructions
- Completed SHPF form verified to meet the information requirements of Part 1 of Annex IV
- Case study: Description of the incident related to the use of the severely hazardous pesticide formulation (conditions of use, description of epidemiological study, and label of pesticide formulation used in the example)

Case study: Description of incidents related to the use of a hazardous pesticide formulation

- The formulation is called: Hitox Ultra.
- The product is available in the formulation as: Dustable Powder
- The relative amount of each active ingredient in the formulation:.

Maneb (15%), Isofenphos (10%), Carbofuran (20%) (concentration)

Common and recognized patterns of use of the formulation within the country:

- Dustable powder for seed treatment of peanuts to prevent damping-off; 100g. of powder per 40kg of seeds to ensure protection until 50 days after sprouting.
- The formulation is registered in the country and its use is authorized.
- Uses allowed: Peanut seed treatment only.
- Handling or applicator restrictions: There are no handling restrictions.
- Quantity used: About 55,000 kg/year; used on the 6 or 7 regions where peanuts are cultivated.

Other information on how the formulation is commonly/typically used in the country:

The Ministry of Environment of country X together with a local Non-Governmental Organization (NGO) have reported the incidents. Their report provides additional information on the use patterns of the pesticide formulation: "Farmers peel peanuts before sowing. The whole household helps peeling peanuts, using hands and mouth. Peanuts may have been treated a few months ahead but in some occasions they may have been treated again shortly before peeling. Then sowing starts. Farmers use a sowing-machine to scatter peanut seeds on the ground. They proceed as follows: they put a certain amount of peanut seeds in the sowing machine. The sowing machine is pulled by traction animals and pushed on shifts by different persons involved in the job: generally young boys strong enough to handle the sowing-machine. Exposure occurs by inhalation as well as by contact when they fill the containers or mix the grains with the pesticide, as no protective measures (gloves or masks) are taken. People handling the powder are said to inhale much of the product when filling the seeding machine, depending on the direction of the wind. Sowing takes from 5 to 10 days, depending on the composition of the land to cultivate, and lasts from May to July."

Description of incidents(s) related to the problem, including adverse effects and the way in which the formulation was used:

It appears that the incidents are most probably related to carbamate poisoning. Carbamates are being distributed together with the peanut seeds to farmers. The scheme of free distribution of seeds and pesticides was expanded, leading to an over-consumption of the products. This lead to an increased exposure of people handling the seeders, that is the young males, as well as a small proportion of women working in peanut fields. Furthermore, many of the new farm workers were not used to handle the toxic product, they may have over-estimated the quantity of pesticides necessary to fill-in the seeder. Unfortunately, the policy for distribution of the pesticide product is not accompanied by a good awareness raising programme for farm workers regarding the hazard posed by these products, and on the necessary precautionary measures associated with the use of pesticides, for instance washing the hands, wearing masks and gloves, applying pesticides against the wind.

A total of 20 incidents were reported by country X. The incidents occurred in September 2000 in several small villages.

Persons injured were male, aged 45.The incidents occurred when farmers treated peanut seeds. Protective clothing was not worn as it was not available. The product was for use in the field. No animals were treated. The product was applied manually in amounts of 4 bags of 100g for 40 kg of peanuts. Exposure to the pesticide occurred for about 1 hour during treatment of the seeds, and again for 3 to 4 days when sowing the treated seeds.

The pesticide was packaged in its original, properly labelled container, but the farmers were illiterate. The label reported that the pesticide is authorised for treatment of peanut seeds. The reported incidents are typical of the way in which the formulation is used. The incident occurred under hot and very humid climatic conditions.

Adverse effects:
Dizziness, nausea, salivation, and vomiting,

further reported were:
headache, impairment of visual acuity,

some severe cases:
miosis, non-reactive pupils, dyspnoea, respiratory depression, convulsions,

LABEL OF PESTICIDE FORMULATION

HITOX T

Maneb 15%
Isofenphos 10%
Carbofuran 20%
SHELLED PEANUT SEED TREATMENT

DOSAGE:

1 bag of 100g for
- 25 kg oil peanuts
- 40 kg mouth peanuts

PRECAUTIONS

HITOX is a toxic compound that requires the following precautions:

Store out of reach from children and animals.
If you do not have gloves, wrap your hands in plastic bags prior to mixing.
Avoid handling this product where there are open wounds or cuts on hands.
Do not drink, or smoke or eat during application.
Avoid to breath the dust during the mixing, apply with the back to the wind.
Wash carefully all the tools that have been used for mixing.
Never eat treated seeds even if they have been rinsed or if they are without skin

Net weight
100 g.

SESSION 5: SEVERELY HAZARDOUS PESTICIDE FORMULATIONS

OUTCOME OF BREAK OUT GROUP DISCUSSIONS

Overall

- The provisions of the Convention regarding severely hazardous pesticide formulations and the process for their submission and review were generally well understood.

Problems and constraints in identifying and reporting incidents

1. Many countries lack a process or mechanism for collecting or reporting pesticide poisoning incidents

2. Many countries lack a process or mechanism for dealing with completed incident report forms

    - Investigate other related processes or mechanisms that may be in place in a country e.g register for adverse drug reactions, as possible models for pesticide poisoning incidents

    - Need to improve communication exchange experience between countries about existing mechanisms or current programs in collecting pesticide poisoning information

    - There is a need for training of field staff on the use of the form

Comments and observations

1. There is a need for more detailed guidance on the how to complete the incident report form including:

    - clarification of some of the terminology e.g. what constitutes an incident

2. There is an inconsistency between the health and environment forms in terminology and format of answering questions

3. The summaries of the proposals in the PIC Circular might be a trigger for action at the national level i.e. include a review of such summaries as a regular item on the agenda of pesticide registration committees.

SESSION 6: NOTIFICATION OF FINAL REGULATORY ACTION BANNED AND SEVERELY RESTRICTED CHEMICALS

Introduction by the Secretariat

Slide 1

SESSION 6

Notifications of Final Regulatory Action on Banned or Severely Restricted Chemicals

Slide 2

Structure of Session 6

- Introduction
- Presentation by a participant based on their experience
- Practical work in breakout groups

Slide 3

Objectives of Session 6

1) understand the provisions of the Convention and how the notification process operates
2) role of Appendix I of the PIC Circular as a source of information on banned and severely restricted chemicals
3) understand the role of DNA, gain practical experience in completing a notification of regulatory action form
4) provide feedback to the Secretariat on the clarity of the instructions

Slide 4

Introduction

❶ Key provisions of the Convention
❷ The notification process including:
Key players role DNA and Secretariat
Key documents notification form and PIC Circular
❸ Overview of banned or severely restricted chemicals under the Rotterdam Convention
❹ Key points

Slide 5

❶ Key provisions of the Convention

- **Article 2** – Definitions
  - Banned Chemicals
  - Severely Restricted Chemicals
  - Final Regulatory Action
- **Article 5** – Procedures for banned or severely restricted chemicals
  - the responsibilities of countries
  - the process to be followed
- **Annex I** – Information Requirements for Notifications made pursuant to Article 5

Slide 6

Article 2 - Definitions:

Banned Chemical

means a chemical ***all uses*** of which within one or more categories ***have been prohibited*** by final regulatory action, in order to protect human health or the environment. It includes a chemical that **has been refused approval** for first-time use or **has been withdrawn by industry** either from the domestic market or from further consideration in the domestic approval process and where there is clear evidence that such action has been taken in order to protect human health or the environment;

Slide 7

Article 2 - Definitions
Severely restricted chemical

means a chemical ***virtually all uses*** of which within one or more categories ***have been prohibited*** by final regulatory action in order to protect human health or the environment, but for which **certain specific uses remain allowed**. It includes a chemical that has, for virtually all use, **been refused for approval or been withdrawn by industry** either from the domestic market or from further consideration in the domestic approval process, and where there is clear evidence that such action has been taken in order to protect human health or the environment.

Slide 8

Article 5 Procedures for banned or severely restricted chemicals

For ***new*** regulatory actions

- DNA is to *inform* the Secretariat within 90 days

For ***existing*** national regulatory actions

- DNA is to *inform* the Secretariat when the Convention enters into force for that country
  - *for those not submitted under the voluntary procedure*

Slide 9

Article 5 Procedures for banned or severely restricted chemicals

For ***all*** final regulatory actions to ban or severely restrict a chemical

- Designated National Authority completes a *notification of final regulatory action form*
  - mirrors information requirements of Annex I
  - describes the national regulatory action

Slide 10

Article 5 Procedures for banned or severely restricted chemicals

- Secretariat verifies that the information requirements of Annex I have been met
- Summary is published in Appendix I of the PIC Circular

Slide 11

Annex I: Information Requirements

1. Properties, identification and uses
2. Final regulatory action
   a) Information specific to the final regulatory action
   b) Category/categories (*pesticide or industrial chemical*)
   c) Relevance to other states and regions
   d) Other relevant information

Slide 12

❷ *The Notification Process*

Secretariat verifies the notification is *complete*

Does it meet the requirements of Annex I of the Convention?

- ***if yes,*** a verification letter is sent with a summary of each notification and a completed checklist
- ***if no,*** a verification letter is sent with a checklist indicating where the notification is incomplete and detailed guidance of what is missing

Slide 13

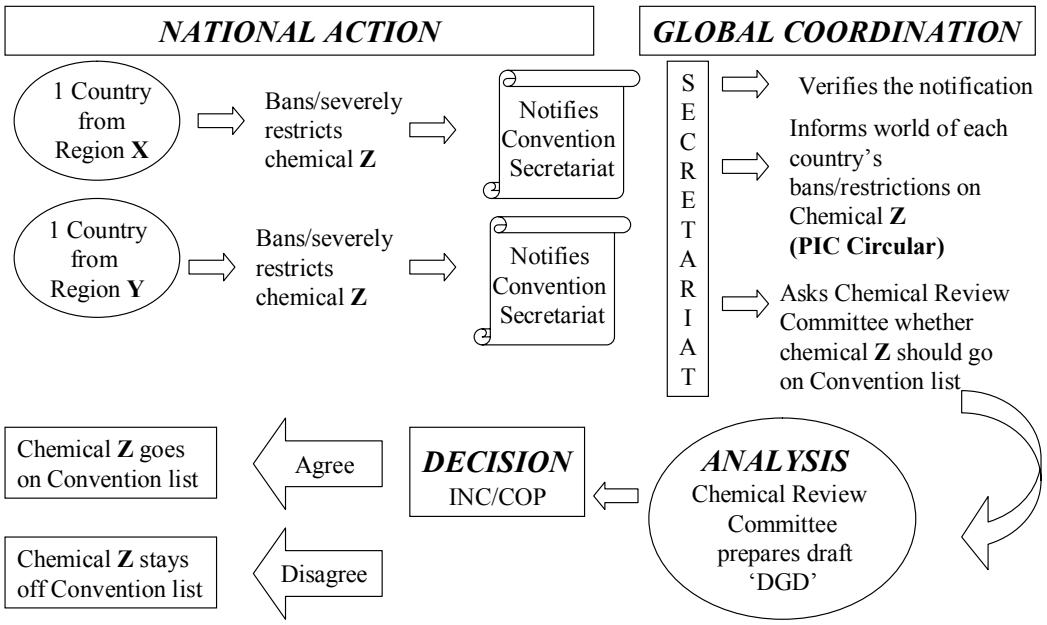
❷ *The Notification Process: Information exchange on Notifications*

PIC CIRCULAR *the following specific information on notifications is provided:*

Appendix I	Synopsis of Notifications of Final Regulatory Actions Received Under the Interim PIC Procedure
Part A	Summary of complete notifications of final regulatory action
Part B	Information on incomplete Notifications of Final Regulatory Action

Slide 14

❸ Overview of banned or severely restricted chemicals under the Rotterdam Convention



Slide 15

❹ NOTIFICATION OF FINAL REGULATORY ACTIONS KEY POINTS

1) Notification of final regulatory action is one of two mechanisms to identify candidate chemicals for the Convention
2) Summaries of notifications are published in the PIC Circular
   - Source of information on chemicals banned/severely restricted in other countries
   - Countries importing chemicals that have been banned or severely restricted in an exporting country should receive export notifications from these countries

Slide 16

Notifications received from the Region after 1998

Seven from Australia

SESSION 6: NOTIFICATION OF FINAL REGULATORY ACTION
BANNED AND SEVERELY RESTRICTED CHEMICALS

Presentation by Julia Rymer

Slide 1

Australian Experience in Providing Notifications of Final Regulatory Action

Designated National Authorities

- **Pesticides** – Australian Government Department of Agriculture, Fisheries & Forestry
- **Industrial Chemicals** – Australian Government Department of the Environment & Heritage

Slide 2

Basis for Notification

- **Pesticides –** regulatory action following review by the Australian Pesticides and Veterinary Medicines Authority
- **Industrial chemicals –** regulatory action by Australian and State/Territory governments

Slide 3

Consideration of Final Regulatory Action

- **Was the regulatory decision made because of human health and/or environment concerns?**
- **Does the action amount to a ban or severe restriction in terms of the Convention?**
- **Consultation with other Australian Government agencies, States/Territories Governments, industry**

Slide 4

Completing the Notification Form

- **Part I**
  Properties, identification and uses
- **Part II**
  Final regulatory action

Slide 5

Australian notifications during the interim procedure

Pesticides

- Ethylene dibromide (EDB)
- Methazole
- Monocrotoph
- Parathion (ethyl)
- Tribufos

Industrial

- Asbestos – amphibole forms
- Polychlorinated biphenyls (PCBs)
- Polychlorinated terphenyls (PCTs)

Slide 6

Case study: Asbestos – amphibole forms

Issues - What makes this notification different?

- the regulatory actions took place some time before notification
- regulation on asbestos in Australia had been taken in stages
- the restrictions are a result of several separate pieces of legislation – 7 different States and Territories

SESSION 6: NOTIFICATION OF FINAL REGULATORY ACTION BANNED AND SEVERELY RESTRICTED CHEMICALS

SUMMARY NOTES FOR BREAK OUT GROUPS

Introduction:

The obligations of countries and the process for the notification of final regulatory actions by participating countries are contained in **Article 5** while **Annex I** details the information requirements and **Annex II** the criteria that are to be considered in reviewing candidate chemicals for inclusion in **Annex III** of the Convention.

When a country takes a final regulatory action to ban or severely restrict a chemical in line with the definitions in Article 2, it is obliged to notify the Secretariat.

The Secretariat verifies whether the notification meets the information requirements of Annex I and, where the information requirements have been met, prepares a summary of the notification and publishes it in the PIC Circular (Appendix I).

Once there are two verified notifications for the same chemical from at least two PIC regions the notifications and the supporting documentation are submitted to the Interim Chemical Review Committee (ICRC) for consideration for inclusion in the Convention.

The ICRC reviews this information in the light of the criteria set out in Annex II and makes a recommendation to the Intergovernmental Negotiating Committee (INC) as to whether the chemical should be included in the Convention.

The INC makes the final decision whether to include a chemical in the Convention.

Key Points:

1. The submission of a notification of final regulatory action is one of the two mechanisms to identify candidate chemicals for inclusion in the Convention.

2. The PIC Circular (Appendix I) facilitates the timely sharing of information among DNAs on chemicals that have been banned or severely restricted in at least one country.

3. When the countries that have submitted the notifications of regulatory actions included in the PIC Circular export those chemicals in future, importing countries should receive export notifications (see session 8).

The process for submission of a notification:

When a country takes a final regulatory action to ban or severely restrict a chemical in line with the definitions in Article 2, it is obliged to notify the Secretariat. Where it is available the notifications should contain the information set out in Annex I.

To facilitate the preparation and submission of these notifications of final regulatory actions a detailed form and instructions have been developed. On receiving a completed notification of regulatory action form, the Secretariat verifies whether or not the information requirements of Annex I have been met. In doing this review the Secretariat completes a detailed checklist. Where the submitted notification is verified as meeting the information requirements a draft summary is prepared and the notifying country is informed that their notification was complete and invited to review the draft summary. The

summaries of the verified notifications are published in Appendix I of the PIC Circular within six months of their being received.

Where a notification is found not to meet the information requirements of Annex I, the Secretariat sends a letter to the Designated National Authority (DNA) of the submitting country along with a completed checklist detailing the missing information. The DNA is invited to submit the missing information in order that the notification might be verified as complete and a summary prepared for publication in the PIC Circular. A list of those chemicals for which submitted notifications were incomplete is also included in the PIC Circular (Appendix I).

Once the Secretariat has received two verified notifications for the same chemical from at least two PIC Regions it requests the notifying countries to submit the supporting documentation referenced in their notification. The notification and the supporting documentation are forwarded to the ICRC for consideration. The ICRC reviews the submitted documentation in the light of the criteria set out in Annex III and makes a recommendation to the INC regarding inclusion of the chemical in the Convention. A positive recommendation from the ICRC is also the signal for drafting a Decision Guidance Document (DGD) for the chemical in question. The INC reviews the recommendation of the ICRC and the draft DGD and makes a final decision regarding inclusion of the chemical in the Convention.

SESSION 6: NOTIFICATION OF FINAL REGULATORY ACTION
BANNED AND SEVERELY RESTRICTED CHEMICALS

CASE STUDY

Your tasks:

1. The attached case study describes an example of a domestic regulatory action to ban a chemical. Review the case study and fill-out the notification form with the assistance of the instructions.

2. Review the summary of the notification included in Appendix 1 of the PIC Circular.

3. Once this practical exercise has been completed the Group is to:

- discuss the process of taking a national regulatory action
- discuss the process of completing and submitting a notification of final regulatory action form
- identify the problems and constraints in taking a national regulatory action and in using the instructions to complete the final regulatory action form
- discuss how the summaries of verified notifications of regulatory actions circulated as Appendix 1of the PIC Circular might be used by designated national authorities

To facilitate discussion and in the preparation of a summary by the break out group chairs and the moderator, a set of guidance questions has been prepared.

Attached:

- Case Study - example of a domestic regulatory action
- Notification of final regulatory action, form and instructions
- Representative summary of the notification (see: Appendix 1, Part A and Part B of the PIC Circular XII, December 2000)
- Guidance questions
- See separate document: Dieldrin Pesticide Data Sheet

Case study

The following case relates to a regulatory action taken on a chemical: DIELDRIN, an organochlorine insecticide, posing problems for human health (bioaccumulation in the food chain and in the human tissues) and the environment (toxic to fish, crustaceans and many species of birds), especially under temperate climates. The pesticide was used for termite-control, ant-control, timber treatment and a few uses in agriculture.

The decision to ban the product in the country was taken on 1 January 1999 (Pesticide Law No. 01.01.99), and entered into force immediately. Dieldrin was used in the country reporting the regulatory action for vector control and ant control in coffee plantation. No use will be permitted after the regulatory action enters into force. Import, production for domestic uses, distribution and sale are also banned.

The reasons leading to the regulatory action are only related to the environment. The country where the regulatory action was taken is located in a sub-tropical area, where the degradation of dieldrin in the soil is slow (half-life of 5 years). Biomagnification is important (bioaccumulation in the food chain).

A long-term environmental study reported measurements over several months of the year on the quantity and quality of the fish captured, in water bodies surrounding the coffee plantations where dieldrin is used. Over several years of surveillance of the samples captured, it appeared that the quantities of fish decreased substantially. Over-fishing was excluded because the species was protected. In order to determine the cause, an investigation was carried out. Comparison of samples of fish captured in that area with other areas showed a strong concentration of dieldrin in fish tissues. The end of the risk evaluation allowed establishing a link between the use of dieldrin in the coffee plantations and the adverse environmental effects in water bodies surrounding plantations. Analyses were made possible through a co-operation with a neighbouring country having access to laboratory facilities.

Based on the results of the risk evaluation, a final regulatory action has been taken by the Pesticide Registration Board. As alternative chemicals were available in that country for ant-control in coffee plantation, all uses of the product were banned because the benefits of continued use were lower than the negative impact for the environment. The Designated National Authority, who is, in this country, part of the Pesticide Registration Board submitted a notification of final regulatory action to the Secretariat.

Your task:

Bearing in mind the information above, you are requested to go through the notification form and identify which sections you are able to answer properly and for which sections you would still need information. You can make use of the documentation available in the room, but you can also indicate which source of information you would recommend the DNA to use in order to complete appropriately the form.

Documentation available:

1. Safety Data Sheet

SESSION 6: NOTIFICATION OF FINAL REGULATORY ACTION BANNED AND SEVERELY RESTRICTED CHEMICALS

OUTCOME OF BREAK OUT GROUP DISCUSSIONS

Overall

- The provisions of the Convention regarding the notification of final regulatory action and the process for their submission and review were generally well understood

- The case study was a very useful exercise and helped clear issues

Problems and constraints in taking national regulatory action

1) Lack of infrastructure to take a regulatory action on/control industrial chemicals.

2) Lack of infrastructure or non implementation for existing regulations on pesticides

    - Results in difficulty in gaining priority on the government agenda to implement the obligations of the interim PIC procedure – and to make progress towards ratification of the Rotterdam Convention

3) As a trigger for domestic regulatory action leading to notifications, there is a lack of capability to undertake risk evaluations e.g. assess toxicological data

4) The process of undertaking a consultation process before making a notification with stakeholders is time consuming

Comments and observations

1. The notification of final regulatory action form was usable, alright to follow but tracking the switching between pesticides and industrial sections was difficult at times

    - The form could benefit from a short checklist at the bottom
    - There could be some indication which sections really are the most critical

2. The guidance to the form was very useful and welcome

    - Use of the form for severe restrictions would be assisted by some greater clarification of what is a 'severe restriction'

3. Participants understood the purpose and content of the relevant parts of the PIC Circular (even though for some it was the first time they had seen one)

    - The summary of notifications of final regulatory actions was short enough to read, provides useful information and could be sent to expert panels/boards and act as a trigger for possible follow up action

SESSION 7: DECISION GUIDANCE DOCUMENTS AND IMPORT RESPONSE

Introduction by the Secretariat

Slide 1

SESSION 7

Decision Guidance Document (DGD)
and
Importing Country Response (ICR)

Slide 2

Structure of Session 7

- Introduction
- Presentation by participant based on their experience
- Practical work in breakout groups

Slide 3

Objectives of Session 7

1) understand the provisions of the Convention regarding import decisions for chemicals subject to the Convention and the process for their submission
2) understand the role the PIC Circular as a means to inform exporting countries regarding import decisions
3) understand the role of the DNA, gain practical experience in completing an import response form and using a DGD
4) provide feedback to the Secretariat on the clarity of forms and instructions

Slide 4

Introduction

❶ Key provisions of the Convention
❷ The detailed process for submission of an import response:
- Key players — role of DNA and Secretariat
- Key documents — import response form, DGD, and PIC Cicular

Key points

Slide 5

❶ Key provisions of the Convention

Article 10 – Obligations in relation to imports of chemicals included in the Convention

- the responsibilities of countries
- the process to be followed

Slide 6

☆Key provisions of the Convention

Apply to the 32 chemicals included in the interim PIC procedure

- 22 pesticides
- 5 severely hazardous pesticide formulations
- 5 industrial chemicals

Slide 7

Article 10 – Obligations in relation to imports of chemicals included in the Convention

Responsibilities of countries:

- for *each new chemical* added to the interim PIC procedure, DNA is to submit an import response no later than 9 months after the date of dispatch of the DGD
- for *each chemical in Annex III*, DNA must submit import responses no later than the date of entry into force of the Convention

Slide 8

Article 10 – Obligations in relation to imports of chemicals included in the Convention

Responsibilities of countries:

- if a Party modifies its import decision, the DNA must submit a revised response to the Secretariat

DNA must ensure that all of the import decisions of participating countries are available to relevant authorities nationally

e.g. customs officials, exporters and importers

Slide 9

Article 10 – Obligations in relation to imports of chemicals included in the Convention

Import response shall consist of either:

- a final decision
- an interim response

Slide 10

Article 10 – Obligations in relation to imports of chemicals included in the Convention

A final decision

- to consent to import
- not to consent to import
- to consent subject to specified conditions

Slide 11

Article 10 – Obligations in relation to imports of chemicals included in the Convention

An interim response, may include:

- an interim decision to import or not to import
- a statement that a final decision is under consideration
- a request for further information/assistance

Slide 12

Article 10 – Obligations in relation to imports of chemicals included in the Convention

Responsibilities of countries:

- response applies to the category or categories specified in Annex III/DGD
- response applies equally to all imports from any source and to domestic production for domestic use

Slide 13

❷ *Process for submission of an import response*

1) Chemical is added to the Convention and a DGD has been distributed
2) Each country must take a decision concerning future import of this chemical, based on their national requirements. The information in the DGD may be useful in making this decision
3) DNA must submit an import response, within 9 months after distribution of DGD, using the import response form

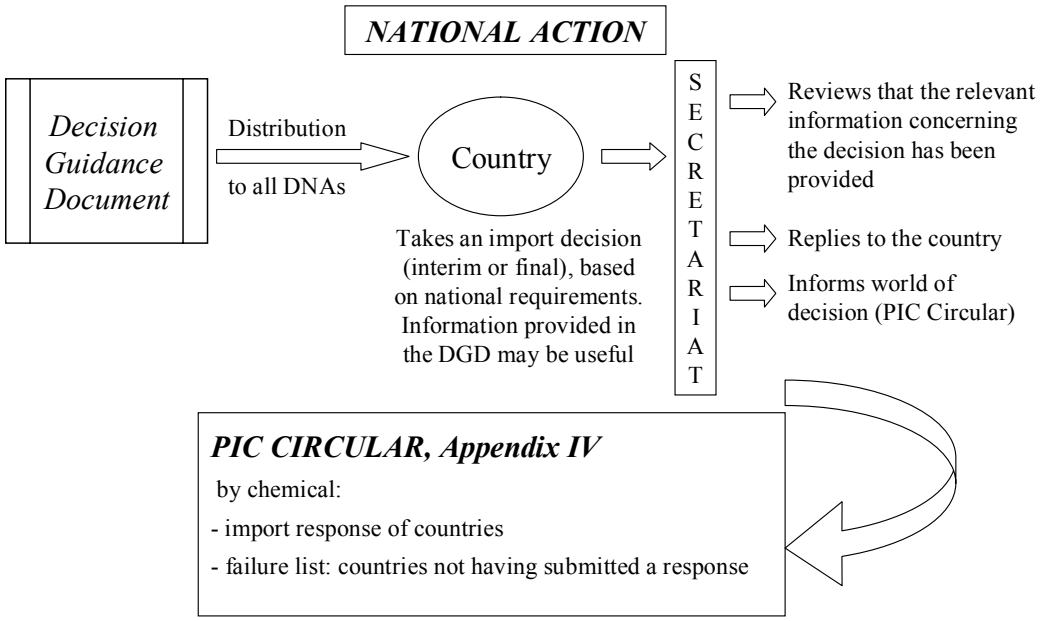
Slide 14

❷ *Process for submission of an import response*

4) Secretariat reviews the import response form to ensure that it has been properly completed
5) Import decisions are published in Appendix IV of the PIC Circular, grouped by chemical and countries:
   - countries having provided an import response (interim or final, consent or no consent)
   - countries not having provided a response (failure list)

Slide 15

❷ Process for submission of an import response



Slide 16

IMPORT RESPONSES KEY POINTS

1. Inform other countries of national decisions regarding future imports of chemicals subject to the Convention.

2. Countries who have not submitted an import decision may receive shipments of chemicals subject to the Convention

Slide 17

IMPORT RESPONSES KEY POINTS

3. Decisions to prohibit import apply equally to all exporters (including those not participating in PIC) and to domestic production of the chemical for domestic use

4. Exports by a country that is not participating in the Rotterdam Convention can occur, so countries must ensure that customs authorities are aware of the import decisions taken

Slide18

Import Decisions on PIC Chemicals

Countries	No ICRs	Total ICRs received	All ICRs for Industrial Chemicals
Australia		31	5
Cook Islands		11	
Fiji		11	
New Zealand		32	
Samoa		31	5
Solomon Islands		2	
Vanuatu		21	
Marshall Islands			
Micronesia (Federated States of)			
Nauru			
Niue			
Palau			
Tuvalu			
Tonga			
Papua New Guinea			
Kiribati			

Session 7 18

SESSION 7: DECISION GUIDANCE DOCUMENT AND IMPORT RESPONSE

Presentation by Francis Qarani

National Background Information

The Republic of Vanuatu comprises an EEZ of 710,000 sq km and some 80 volcanically active islands with a total surface area of 12,200 km². Topography varies from low coastal plains to rough, mountainous and heavily forested interiors, with the highest peak rising to over 1,800m. Vanuatu is located in the cyclone-prone, tropical south-western Pacific Ocean.

In 1996 Vanuatu had a total estimated population of 172,900 people, most of whom are indigenous Melanesians (98%). Expatriates account for 2% of the population and come from other Pacific Islands, Australia, New Zealand, Europe, the United States and Canada. There are two official languages, English and French and a national language, Bislama. The population of Vanuatu is predominantly rural, with about 81.6% living outside the two towns of Port Vila and Luganville. This population is dependent on subsistence agriculture for much of its food supply. About three-quarters of the work force were reported to be engaged in agricultural and related activities and almost 60% of these were subsistence farmers. In 1989, 77.4% of the economically active population were dependent on agriculture and related activities but accounted for only 19% of Gross Domestic Product.

Vanuatu remains a least developed nation seventeen years after gaining independence in 1980. There is a high natural growth rate (2.8% per annum) and an increasingly young population (46% are aged under 15 years). As a result, dependency ratios for the 0-14 year old population are high at 88 children per 100 adults of economically active age.

Industrial and Agricultural Sectors

Vanuatu's Gross Domestic Product (GDP) is made up of three economic sectors; Services, Industry and Agriculture. Services have contributed on average approximately 66% of total GDP at constant prices over the period 1985 to 1990. Over the same period agriculture contributed 23% and industry 15%. Within the services sector, tourism is increasing its contribution to Vanuatu's economy. Due to the tax free status enjoyed in Vanuatu, the Finance Centre attracts significant foreign investment in the country. Agriculture remains an essential sector of Vanuatu's economy, although not the major contributor of GDP. At least 80% of ni-Vanuatu live in the rural areas and are therefore engaged in agricultural activity.

In 1990, subsistence agriculture represented approximately 43% of total GDP value of the agricultural sector while the rest was contributed by commercial agriculture. 1995 figures show that the Agriculture Sector contributed (in millions of Vatu) VT6, 053; Industry VT3, 569; and Services VT17, 011. Agriculture has the potential to develop as a major provider of cash income in the rural areas and an important source of export revenue for the country. It will continue to be dominated by small-holders farming their own land, but with increasing emphasis on commercial production to supplement subsistence production; and on modern farming methods to supplement traditional methods. Agriculture, livestock, forestry and fisheries activities are a major sector of economic activity in Vanuatu, contributing nearly a quarter of GDP. While these activities have the potential to be the fuel for future economic growth they have grown more slowly than other sectors of the economy. In real terms subsistence agricultural production continues to contribute around 9% to GDP and since it is related to the amount of time households report spending in gardening it is estimated to grow with population. Combined with other main agricultural crops (copra, cocoa, kava), agriculture contributes 14% in real terms to GDP. Kava, squash, pumpkin and alternative cash crops (pepper, vanilla, groundnuts, and potato) have in total been contributing around 1.4% of GDP.

The contribution of agriculture, forestry and fisheries to GDP has fallen steadily since 1983 due to factors such as the volatility of global markets for primary commodities, low commodity prices, the changing patterns of production from larger plantation agriculture to smallholder production and the disastrous effects of the series of cyclones. Agricultural and industrial processing diversification into enterprises such as kava, spices and some vegetables, along with food beverages and wood processing are bringing sound returns. Subsistence production accounted for an estimated 45% of the sectors value added an indication of the role of subsistence production in the economy.

Chemical Production, Import and Export

There is no chemical production undertaken in Vanuatu. The majority of chemicals are imported from a number of countries that include Australia, New Zealand, and New Caledonia. Chemicals are imported under a variety of names chemicals including Fungicides; Herbicides; Insecticides and Pesticides most of which are currently addressed through the POPs NIP project.

Chemical Use by Categories

Agrochemical use in Vanuatu is small considering the large agricultural sector. Only small quantity of chemicals is imported each year. Agrochemical use is generally not encouraged by the Department of Agriculture and Horticulture.

Government Initiatives

Government authorities in Vanuatu have expressed concerns for potential problems related to chemicals on human health and environmental issues related to chemical imports and use. Vanuatu has established coordination mechanism to mange the trade in hazardous chemicals and pesticide.

Rotterdam convention on Prior Informed consent Procedure on Hazardous Chemicals and Pesticide in International Trade.

Signatory

Vanuatu is not a signatory to the Convention but has voluntarily agreed to apply the interim PIC procedure. However Vanuatu intends to work alongside regional and international institutions including SPREP and UNEP to sign and ratify the Convention in the near future.

Designated National Authority

As provided under article four (4) of the convention, the Vanuatu Quarantine & Inspection Services has been designated the National Authority (PIC) for Vanuatu.

Legal Instruments which address the Management of Chemicals

Pesticides (Control) Act 1993 - This Act approved by parliament and gazetted in 1997 has made provision for the regulation and control of the importation, manufacture, sale, distribution and use of pesticide and for matters connected therewith. The Act also provide for the setting up of a pesticide committee

Pesticides Committee – The committee consist of ex-officio members namely representative of the Agriculture Department, Health Department, Labor Department, Quarantine Services and Environment and three members appointed from importers, traders and user. The committee was appointed by the Minister of Agriculture in 1999.

The functions of the Committee are to assess and evaluate any application for the registration of pesticides or for the import of any pesticide; to determine the conditions of use of any pesticide; to

promote the efficient, prudent and safe use of pesticides; and to administer the provisions of the Pesticides Control Act.

Members

(i) Manager Vanuatu Agriculture Supplies (Importer & Trader)
(ii) Manager Teouma Gardens (User)
(iii) Manager Ezzy Kill (Importer & Trader)

Ex-officio members in the committee namely

(i) Director Vanuatu Quarantine and Inspection Services.
(ii) Director of Health
(iii) Commissioner of Labor
(iv) Principal Environment Officer
(v) Principal Animal Health Officer
(vi) Principal Plant Protection Officer who is the registrar of pesticide
(vii) Director of Agriculture

The chairman on the Pesticide Committee is the Director of Agriculture.

Registrar of Pesticide

The Principal Plant Protection Officer is the register of all Chemicals imported into Vanuatu.

Meetings of Pesticide Committee

The committee meets once (1) each year and at such times the chairman considers necessary.

PROCEDURE FOR THE IMPORT OF CHEMICALS

The pesticide committee has established a mechanism to address various issues regarding the import, registration, manufacture, and trade of chemicals in Vanuatu. Various forms were designed and endorsed by the pesticide committee.

PERMIT TO IMPORT/SELL/MANUFACTURE/DISTRIBUTE

All companies importing chemicals into Vanuatu have to obtain approved permits (appendix 1) from the Vanuatu Quarantine & Inspection Service. Importers must supply all information requested in the application form. Importers who wish to import chemicals that are not listed under approved chemicals have to complete a registration form (appendix 2/3). The following forms have been endorsed by the pesticide committee including:

1. Import Permit (Appendix 1)
2. Registration of pesticide (Appendix 2/3)
3. Permit to Land (Appendix 4)
4. Pesticide card index record system (Appendix 5)

Import Permits, registration of chemicals, and pesticide card index systems are issued by the Vanuatu Quarantine and Inspection Service, whilst permits to land are issued by the customs department.

Difficulties faced in implementation of the Pesticide Act.

1. The pesticide Act needs to be reviewed to cover other pollutants

2. The pesticide committee does not have regular meetings as stated in the Act because of the different departments involved e.g the chairman is the director of Agriculture while the executing agency is the Quarantine Department. This is mainly due to the fact that the Act was passed when Quarantine was under the Agriculture Department.
3. There are loopholes within the system because the act only covers agricultural chemicals.

Imports of Chemicals

No figures were obtained form importers but they (importers) have indicated a drop in imports.

Conclusion

I wish to conclude that since Vanuatu does not encourage the use of chemicals, incidence related to chemicals is very low. Vanuatu is promoting organic farming and the trend of the use of chemicals will decrease further.

APPENDIX 1

APPLICATION FOR A PERMIT TO IMPORT/SELL/MANUFACTURE/DISTRIBUTE (delete where not applicable) A PESTICIDE

IMPORTANT: An application fee of VT 2,000 is payable with every application lodged

SECTION 1. IDENTITY OF APPLICANT		
1.1	Name of applicant	
1.2	Address	
1.3	Phone / Fax number	
1.4	Island residing on	
SECTION 2. IDENTITY OF CHEMICAL		
2.1	Trade name	
2.2	Chemical name	
2.3	Type of formulation and content of active ingredient	
2.4	Manufacturer, producer or supplier's address	
SECTION 3. CATEGORY OR CATEGORIES OF CHEMICAL		
☐ Pesticide ☐ Industrial ☐ Severely hazardous pesticide formulation		
SECTION 4. IMPORTATION HISTORY		
4.1	Is this your first time to import this chemical into Vanuatu? ☐ Yes ☐ No	
4.2	If your answer to question **4.1** was No, please provide import dates below. Dates of previous import: ☐ _____ ☐ _____ ☐ _____ ☐ _____	

Please note that the Pesticide Committee requires from you the following information:

(a) A copy of the draft label which shall be affixed on any container or package in which such chemical or pesticide shall be sold;
(b) Samples of the container in which such chemical or pesticide shall be distributed or sold;
(c) A statement of the claim made by the manufacturer or producer of such chemical or pesticide.

APPENDIX 2

APPLICATION FOR REGISTRATION OF A PESTICIDE
(and application for a permit to import)

2 Copies to be submitted

1. Type of Registration Requested: Commercial Use / Research
   (Delete where not applicable)

2. Product Name: ……

3. Name and Address of Applicant:

4. Name and Address of Supplier of Pesticide:

5. Name of Active Ingredient (s) and Concentration in g/Kg (solids) or g/L (liquids)

6. Formulation Type: ……

7. Use Type: …….

8. WHO Classification IA, IB, II, III, Not Classified (Delete where not applicable)

9. Overseas Registration (List 2 countries - give countries and registration numbers)

10. Attachments.
    (a) Summary of use patterns
    (b) A statement of the need to use the pesticide in Vanuatu
    (c) Evidence that the product is registered overseas
    (Copies of registration Certificates, affidavits or approved labels)
    (d) 2 copies of the label which will be used when the product is imported and sold

Signed: …….

Designation: …….. Date: ……

APPENDIX 3

CERTIFICATE OF REGISTRATION
(and permit to Import)

1. Name of Product: …….

2. Name of Registrant: …….

3. Registration Number: ……..

4. Conditions of Registration:
   ……..
   ……..
   ……..
   ……..

5. Permit to Import granted to: ……
   ……

Signed: …….. Date: ……
(Registrar)

Note:

The accepted and signed label (attached) must be used on all products entering into commerce. Failure to do this could lead to cancellation of the permit.

Failure to provide annual returns of import as required under regulation 12 could lead to cancellation of a permit to import.

APPENDIX 4

PERMIT TO LAND

Name and Address of Importer:

…….

…….

…….

Trade Name	Quantity	Country of Origin	Ship Name or Flight Number & Port of Entry

Permit to Land of the items described above is:

☐	AUTHORISED
☐	PROHIBITED
☐	AUTHORISED SUBJECT TO THE FOLLOWING

……

……

……

Signature of Customs Officer	Official Stamp
Date	

APPENDIX 5

PESTICIDE CARD INDEX RECORDS SYSTEM

(Pesticide Card Index – By Trade Names)

…… …….. ……

(Trade Name) (Registrant) (Reg. No.)

…….. …… …….. …….

(Type) (WHO Class) (Source/ Manufacturer) (Form Type)

ACTIVE INGREDIENTS	CONCENTRATION	UNITS (mg/L or mg/Kg)
……..	…….	…….
……..	…….	…….
……..	…….	…….
……..	…….	…….

(Pesticide Card Index – By Active Ingredients)

……..

(Active Ingredient)

REG NO	TRADE NAME	CON	UNITS	REGISTRANT
……..	…….	……..	…….	…….
……..	…….	……..	…….	…….
……..	…….	……..	…….	…….
……..	…….	……..	…….	…….

Pesticide List

Below are two categories of pesticide endorsed by the Pesticide Committee

APPENDIX 6

PESTICIDE BANNED FROM IMPORTATION INTO VANUATU

LIST OF PESTICIDES CURRENTLY BANNED IN VANUATU
DDT
DIELDRIN
DINOSEB
FLUOROACETAMIDE
HCH (MIXED ISOMERS)
CHLORDANE
CHLORDIMEFORM
EDB (1,2-DIBROMOETHANE)
HEPTACHLOR
MERCURY COMPOUNDS
CAPTAPOL
CHLOROBENZILATE
HEXACHLOROBENZENE
LINDANE
PENTACHLOROPHENOL
2,4,5-T
METHAMIDOPHOS
METHYL PARATHION
MONOCROTOPHOS
PARATHION
PHOSPHAMIDION
CROCIDOLITE
POLYBROMINATED BIPHENYLS (PBB)
POLUBROMINATED BIPHENYLS (PCB)
POLYBROMINATED TERPHENYLS (PCT)
TRIS (2,3 DIBROMOPROPYL) PHOSPHATE

APPENDIX 7

PESTICIDE APPROVED FOR IMPORT

LIST OF PESTICIDE APPROVED FOR IMPORT INTO VANUATU
MANCOZEB
ZINEB
COPPER OXYCHLORIDE
BAYCETON
DURSBAN
MALDISON 500
DICHLORVOS
ACTELLIC
LEBAYCID
DY FLY PLUS
NEOLID 800
PERMAKILL
CISLIN
COOPEX
TALON
PROTOL
BROADLEAF WEEDER
GRAMOXOME
DIMENSION
TORDON TIMBER CONSROL
KERB
ALGAE & LICKEN REMOVER
ROGOR
LEAF CUER
MITE KILLER
GANDEW MASTER
BRANO
ORTHENE
THIODAN 35 EC
ATTACK
MAVRICK
CARBARYL
NEMACUR
METHYL BROMIDE (restricted for quarantine use only)
MILCURB

SESSION 7: DECISION GUIDANCE DOCUMENTS AND IMPORT RESPONSE

SUMMARY NOTES FOR BREAK OUT GROUPS

Introduction:

The obligations for countries and the process for the submission and dissemination of decisions regarding future imports of chemicals subject to the Convention are contained in **Article 10**. In order to assist countries in the decision-making process, a Decision Guidance Document (DGD) is available for each of the chemicals subject to the Convention.

When a country receives a DGD it is invited to review the document, make a decision regarding future imports of the chemical and forward that decision to the Secretariat.

The Secretariat prepares a comprehensive list of the import decisions for each country and publishes it every six months in the PIC Circular (Appendix IV). A list of those countries that have failed to submit import decisions for individual chemicals is also included.

When exporting a chemical subject to the Convention, exporting countries are to ensure that such exports are in line with the import decision of the importing country.

Key points:

1. The listing of import responses in the PIC Circular (Appendix IV) facilitates the timely sharing of information among DNAs of the decisions of countries regarding future imports of chemicals subject to the Convention. Participating countries are obliged to respect these import decisions.

2. Countries that have not submitted an import decision may receive shipments of chemicals subject to the Convention.

3. Decisions to prohibit imports apply equally to all exporters and domestic production of the chemical for domestic use.

4. Exports by a country that is not participating in the Convention can occur, so countries must ensure that customs authorities are aware of the import decisions taken.

The process for submission and review of import decisions

Once a chemical is included in the Convention a DGD is distributed to all designated national authorities (DNAs). The purpose of the DGD is to assist DNAs in making a decision regarding future import of the chemical. The DGD defines the chemical subject to the Convention, outlines the basis for the regulatory actions that were the reason for the chemical entering the Convention and identifies further sources of information concerning the chemical.

Upon receipt of a DGD the DNA is requested to inform the Secretariat of their decision regarding future import within nine months. If the decision is interim the DNA should give an estimate of the time needed to reach a final decision. The decisions may take one of three forms:

- CONSENT to import the chemical;
- CONSENT to import under specific CONDITIONS (whereby these conditions are specified); or
- NO CONSENT to import.

The decision may be either a final decision or an interim decision if the decision regarding future import is under active consideration. The decision must refer to the chemical as specified in the DGD e.g. industrial chemical, pesticide or severely hazardous pesticide formulation.

To facilitate the transmission of the import decisions to the Secretariat an import response form has been developed. For each of the chemicals subject to the Convention, a DNA is to complete and submit an importing country response form to the Secretariat. A revised import response form should be submitted if the import status of the chemical in the country changes.

Every six months the Secretariat publishes in Appendix IV of the PIC Circular a comprehensive list of the import decisions from each country for all of the chemicals subject to the Convention. A list of those countries that have failed to submit import decisions is also included

In taking an import decision it is important that there be appropriate consultation with others within and outside the government e.g. customs authorities, as the decision must apply equally to all sources of the chemical, including domestic production for domestic use. Similarly, it should also be noted that export of a chemical subject to the Convention from exporting countries that are not Party to the Rotterdam Convention might still take place, as those countries are not legally bound by the Convention.

SESSION 7: DECISION GUIDANCE DOCUMENT AND IMPORT RESPONSE

CASE STUDY

Your Tasks:

1. Review the Decision Guidance Document (DGD) and based on your knowledge on the status of the chemical in your country make a decision regarding future imports of the chemical for the purpose of the workshop.

2. Based on the import decision complete the Import Response Form using the instructions provided.

3. Identify those points in the form and instructions that need clarification

4. Review the list of import responses and the list of failure to provide a response in Appendices III and IV of the PIC Circular.

5. Once this practical exercise has been completed the group is to:

    - discuss the process of taking a national import decision and how to involve the relevant ministries, agencies
    - identify the problems and constraints in taking an import decision
    - discuss the process of completing and submitting an import response form
    - identify the problems in completing the form and suggest areas for improvement of the Instructions
    - discuss how the information (import decisions) circulated as Appendix IV of the PIC Circular is used in the country and communicated to producers, exporters, importers, customs authorities and consumers

To facilitate discussion and the preparation of a summary by the break out group chairs and the moderator, a set of guidance questions has been prepared.

Attached:

- Blank import response form and instructions
- See separate document: Decision guidance document (Ethylene dichloride)
- See separate document: Appendix III and IV of PIC Circular
- Guidance questions

SESSION 7: DECISION GUIDANCE DOCUMENT AND IMPORT RESPONSE

OUTCOME OF BREAK OUT GROUP DISCUSSIONS

Overall

- The provisions of the Convention regarding import decisions are clearly understood.
- The role of import decisions published in Appendix IV of the PIC Circular is understood and provides sufficient information to ensure compliance with import decisions.

Problems and constraints in preparing and submitting import decisions

1. Institutional arrangements in Pacific Island Countries are not strong, and may not focus on active constituents as the main identifier.
   - Import, permits and registration may centre on trade names, and it may be difficult to identify the active constituents and thus control imports.

2. There is a lot of familiarity with pesticides, however there is less familiarity with industrial chemicals.
   - Assistance in the assessment of industrial chemicals and the use of the risk assessment would be beneficial.

3. Uncertainty regarding the relative responsibility among DNAs for making import decisions on individual chemicals e.g. whether industrial or pesticide DNAs were limited to decisions for chemicals in their own field, or if they could make decisions on substances listed in the other category.

Comments and observations

1. Failure to transmit response: it was noted that an interim response can be provided initially. If no response addressing import was provided, there was a 'protection period' of one year under Article 11.

2. There was a realisation that if the import responses were not made, unwanted imports may be received.

3. The instructions in the guidance document were useful in completing the import response form
   - On the form there is a need to choose import/no import/import with conditions. It was stated in the guidance that only one of these options was to be selected. However, it would be useful to have this indicated directly on the form.
   - It was suggested that when the hard copy of the import response form is circulated with the DGD, Sections 1 and 2 could have been completed (identity of chemical and category) in advance by the Secretariat.

4. It would be useful to some countries if the PIC circular was also available on CD.

SESSION 8: EXPORT NOTIFICATION

Introduction by the Secretariat

Slide 1

SESSION 8

Export Notification

Slide 2

Structure of Session 8

- Introduction
- Presentation by participant based on their experience
- Practical work in breakout groups

Slide 3

Objectives of Session 8

1. understand the export notification provisions of the Convention
2. understand the role of the DNA and gain practical experience in reviewing completed export notifications
3. consider how they might be used as a source of information on banned or severely restricted chemicals

Slide 4

Introduction

- Key provisions of the Convention
- The export notification process
  - Key players - role of the DNA
  - Key documents
- Key points

Slide 5

Key Provisions of the Convention

- **Article 12 Export Notification**
  - the responsibilities of exporting and importing countries
  - the process to be followed
- **Annex V Information Requirements for Export Notification**
- **Article 13 Information to accompany exported chemicals**

Slide 6

Article 12 – Export Notification

KEY ELEMENTS

- country bans or severely restricts a chemical, the DNA in the exporting country must notify the DNA in the importing country when it exports such chemicals
- the DNA in the importing country is to acknowledge receipt of the notification

Slide 7

Article 12 – Export Notification

KEY ELEMENTS

- where there is no acknowledgement from the importing country within 30 days the DNA in the exporting country must submit a second notification
- obligation ceases when the chemical is included in the Convention and the importing country has provided an import response which has been published in the PIC Circular

Slide 8

Annex V - Information Requirements for Export Notification

KEY ELEMENTS

- name and address of the DNAs (exporting and importing countries) and of the importer
- expected date of export
- name of the chemical(s), in the case of mixtures level or concentration

Slide 9

Annex V - Information Requirements for Export Notification

KEY ELEMENTS

- the category of the chemical and use in the importing country
- information on precautionary measures to reduce exposure and emissions
- further information specified in Annex I as may be requested by the importing Party
- no standard format exists for export notifications

Slide 10

Article 13 – Information to accompany exported chemicals

KEY ELEMENTS

- subject to labelling requirements that ensure adequate availability of information with regard to risks and/or hazards to human health or the environment taking into account relevant international standards
- for chemicals used for occupational purposes a safety data sheet that follows an internationally recognised format should be sent to each importer

Slide 11

Article 13 – Information to accompany exported chemicals

KEY ELEMENTS

- as far as practicable, the information on the label and on the safety data sheet, should be given in one or more of the official languages of the importing party

Slide 12

The notification process Key Steps

1. For exports of chemicals that are banned or severely restricted, notifications are to be sent to the DNA in the importing country
   - prior to first export after the regulatory action is taken
   - before the first export in any calendar year

Slide 13

The notification process Key Steps

2. The DNA in the importing country is to acknowledge receipt of the notification
3. Where the exporting country does not receive an acknowledgement within 30 days it is to re-send the notification

Slide 14

EXPORT NOTIFICATION

Country A (exporting)

NATIONAL ACTION

Takes a regulatory action (ban/severe restriction) on chemical A

When country A exports chemical A, it should send export notification to importing country B:

Export Notification

Country B (importing)

Annex V indicates the information requirements

If chemical A is on the PIC list, and if country B has already provided an import decision: obligation of export notification from country A stops!

Slide 15

EXPORT NOTIFICATION KEY POINTS

1. Does not apply to all exporting countries as exports of the same chemical would not be notified by:
   - a country that has not banned or severely restricted the chemical or
   - is not a Party to the Convention
2. Assist DNAs in monitoring imports of hazardous chemicals entering their country

Slide 16

EXPORT NOTIFICATION KEY POINTS

3. Contains information about the recipient/importer and the anticipated use of the chemical in the importing country
   - can be a starting point to assess the risks from the chemical in the importing country which may in turn lead to a regulatory action
4. It is not the purpose of an export notification to request a decision regarding the acceptability of individual shipments/imports of a chemical

SESSION 8: EXPORT NOTIFICATION

Presentation by Pietro Fontana

Slide 1

Introduction to the case study Export Notification for Endrin

Pietro Fontana

Slide 2

The work in the break out groups

1. Understand the information contained in an E N
2. Answer the following questions:
   - What is the scope of E N ?
   - How the information contained in an E N can be used ?
   - What are your follow – up actions ?
3. Prepare a summary of the discussion in the group including the problems identified

Slide 3

Why do you receive an export notification in the case of an import of Endrin from Switzerland ?

Slide 4

An export notification gives an incomplete picture of trade with banned or severely restricted chemicals!

- only provided on a mandatory bases by parties of the convention
- A ban in one country is not necessarily a ban in an other country
- Illicit trade is not covered

Slide 5

1. Identity of the substance to be exported:

(a) name in nomenclature of the International Union of Pure and Applied Chemistry (IUPAC)

1,2,3,4,10,10-hexachloro-6,7-epoxy-1,4,4a,5,6,7,8,8a-octahydro-1,4:5,8- dimethanonaphthalene

(b) other names (usual names, trade names, and abbreviations)

Endrin

(c) CAS Number

72-20-8

Slide 6

Chemical compounds can be described in many different ways

- systematic names (IUPAC, ...)
- generic names
- property or trade names
- trivial names
- abbreviations

The CAS Registry Number is a numeric identifyer and provides a reliable common link between the various nomenclature terms to describe a substance

Slide 7

CAS Registry Number: 72-20-8

- Is a numeric identifier for Endrin
- Designates only one substance
- Contains up to 9 digits and is divided by 2 hyphens into 3 parts

72 - 19 - 5 Last substance in the registry

72 - 20 - 8 Next available number = **Endrin**
Serial number

Check digit to verify the validity of the CAS number

Slide 8

Standard calculation of the check digit

72-20-8

1 * 0 = 0
2 * 2 = 4
3 * 2 = 6
4 * 7 = 28

0 + 4 + 6 + 28 = 38

To verify by computer the validity of the entire number

Slide 9

(d) Harmonized System Customs Code

2910.90

All goods can be classified according to the HS system. The World Customs Organisation has defined for them 6 mandatory digits

Slide 10

PRODUCTS OF THE CHEMICAL OR ALLIED INDUSTRIES IN THE HARMONIZED SYSTEM CUSTOMS CODES (Chapter 28 – 39)

Chapter 29

ORGANIC CHEMICALS

Chapter 38

MISCELLANEOUS CHEMICAL PRODUCTS

Slide 11

HS Code: 2910.90

2910	**Epoxides, epoxyalcohols, epoxyphenols and epoxyethers, with a three-membered ring, and their halogenated, sulphonated, nitrated or nitrosated derivatives**
- **2910 10**	**- Oxirane (ethylene oxide)**
- **2910 20**	**- Methyloxirane (propylene oxide)**
- **2910 30**	**- 1-Chloro-2,3-epoxypropane (epichlorohydrin)**
- **2910 90**	**- Other**

Slide 12

Harmonized System Code (World Customs Organisation)

3808 Insecticides, rodenticides, fungicides, herbicides, anti-sprouting products and plant-growth regulators, disinfectants and similar products, **put up in forms or packings for retail sale or as preparations or articles** (for example, sulphur-treated bands, wicks and candles, and fly-papers)

- **3808.10** - **Insecticides**
- - 3808 10 10 - - Based on pyrethroids
- - 3808 10 20 - - Based on chlorinated hydrocarbons
- - 3808 10 30 - - Based on carbamates
- - 3808 10 40 - - Based on organophosphorus compounds
- - 3808 10 90 - - Other

- **3808 20** - **Fungicides**

- **3808 30** - **Herbicides, anti-sprouting products and plant-growth regulators**

- **3808 40** - **Disinfectants**

- **3808 90** - **Other**

Slide 13

Proposal for the PIC Convention:

29.10

Epoxides, epoxyalcohols, epoxyphenols and epoxyethers, with a three-membered ring, and their halogenated, sulphonated, nitrated or nitrosated derivatives.

2910.40 Dieldrin

3808.10 Insecticides

3808.11
Containing Aldrin, Chlordane, Chlordimeform, Chlorobenzilate, DDT, Dieldrin, 1,2-Dibromoethane (EDB), HCH (mixed isomers), Heptachlor, Hexachlorobenzene, Lindane, Pentachlorophenol

Slide 14

An export notification does not contain a request for a decision regarding the acceptability of an import!

Slide 15

Flow of Information in the case of an export of Endrin from Switzerland (CH) to Samoa

Year	Banned Chemical in CH	Export destination	Exporter	DNA CH	DNA Samoa
2004 (March)	Endrin	Samoa	A		
2004 (May)	Endrin	Samoa	A		
2004 (July)	Endrin	Samoa	B		
2005 (May)	Endrin	Samoa	B		
2005 (June)	Endrin	Samoa	A		

Information from exporters to the DNA of the exporting country :

Export Notification from the DNA of CH:

Confirmation of receipt from the DNA of Samoa:

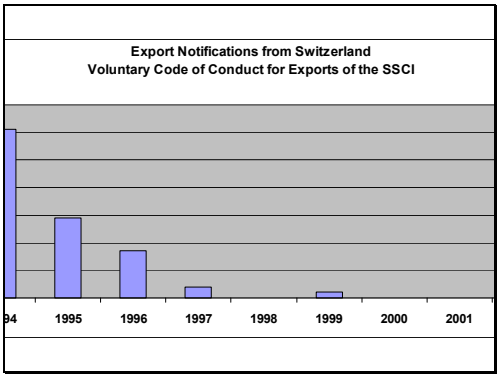
Slide 1

Gained experiences with the export notification procedure in Switzerland

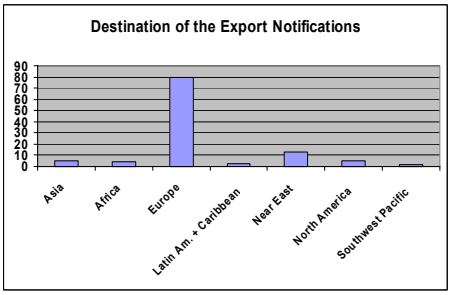
Pietro Fontana

Apia: September 2003

Slide 2



Slide 3



Slide 4

Main improvement in the procedure for providing an export notification under the PIC-Convention:

The export notification is provided before the first export in any calendar year

The importing Party shall acknowledge receipt of the export notification received

Slide 5

Main improvements in the content of an export notification in the PIC-Convention:

- **Harmonized System Customs Code**
- **Foreseen use category (if known)**
- **Name , address of the importing company**
- **Name, address of the exporting company**

SESSION 8: EXPORT NOTIFICATION

SUMMARY NOTES FOR BREAK OUT GROUPS

Introduction:

The obligations for countries and the process for export notifications are contained in **Article 12** while **Annex V** lists the information that should be included with an export notification. The export notification obligations are also related to **Article 13** *Information to accompany exported chemicals* and **Article 5** *Procedures for banned and severely restricted chemicals.*

A country that has banned or severely restricted a chemical in line with the definitions in Article 2, must, prior to the first export after the adoption of this regulatory action, and before the first export in any calendar year notify the designated national authority (DNA) of the importing party that it is shipping the chemical to that country.

The obligation to provide an export notification ceases once a chemical has been listed in Annex III and the DNA of the importing country has provided an import response to the Secretariat that has been published in the PIC Circular (Appendix IV).

Export Notifications are an important source of information to governments of importing countries regarding the trade of chemicals banned and severely restricted in a given exporting country.

Key points:

1. The export notification serves as a reminder to DNAs that chemicals that have been banned or severely restricted in certain exporting countries and for which summaries have been included in the PIC Circular (Appendix I), may be used in their country.

2. The export notification contains information about the recipient/importer and the anticipated use of the chemical in the importing country. It can be a starting point to assess the risks from the chemical in the importing country, which may in turn lead to a regulatory action.

3. Exports of the same chemical by a country that has not banned or severely restricted the chemical or is not a party to the Convention would not be notified.

The process for sending out an export:

When a country takes a regulatory action to ban or severely restrict a chemical in line with the definitions of the Convention it is also to provide export notifications to importing countries prior to the first shipment after the adoption of the regulatory action and then before the first export in any calendar year. When taking such actions a country is also obliged under Article 5 to submit a notification of final regulatory action to the Secretariat. Where the information requirements of Annex 1 have been met then a summary of the notification is published in the PIC Circular (Appendix I). The chemicals for which submitted notifications do not meet the information requirements of Annex I are also listed in the PIC Circular (Appendix I).

Where a country adopts a further regulatory action that results in a major change concerning the ban or severe restriction of a given chemical the export notification must then be updated.

The importing country is to acknowledge receipt of the first export notification. Where a response is not provided within 30 days then the exporter is to send the export notification a second time.

There is no standard format for an export notification however the key information elements that are to be included are listed in Annex V *Information requirements for export notification* and include:

- reasons for the regulatory action;
- risk of the chemical;
- precautionary measures to reduce exposure;
- the name and address of the importer; and
- the expected date of export.

SESSION 8: EXPORT NOTIFICATION

CASE STUDY

EXPORT NOTIFICATION for Endrin

Based on Switzerland Expert

1. Identity of the substance to be exported:

   (a) Name in nomenclature of the International Union of Pure and Applied Chemistry (IUPAC)

   1,2,3,4,10,10-hexachloro-6,7-epoxy-1,4,4a,5,6,7,8,8a-octahydro-1,4:5,8-dimethanonaphthalene

   (b) Other names (usual names, trade names, and abbreviations)

   Endrin

   (c) CAS Number

   72-20-8

   (d) Harmonized System customs code

   2910.90

   (e) Main impurities of the substance, when particularly relevant.

   ---

2. Identity of the preparation to be exported:

   (a) Trade name or designation of the preparation

   (b) For each banned or severely restricted substance in Switzerland (PIC Regulation Annex I), percentage and details as specified under item 1.

3. Information on the export:

   (a) Country of destination
   Jamaica

   (b) Expected date of first export this year
   7 May 2002

   (c) Intended use in the country of destination, if known
   Pesticide

   (d) Name, address and other relevant particulars of the importer or importing company
   Pestkiller Ltd.
   Industry Road 21

Kingston
Phone +1 876 22 22 22 2
Fax +1 876 22 22 22 4

(e) Name, address and other relevant particulars of the exporter or exporting company
Production Ltd.
Shipping road 1
Basel
Phone +41 61 77 77 77 7
Fax +41 61 77 77 77 9

4. Designated National Authorities (DNA):

(a) The name, address, telephone and telex, fax number or E-mail of the DNA in the exporting country from which further information may be obtained.

International Affairs Division
Swiss Agency for Environment, Forest and Landscape
3003 Bern
Phone +41 31 322 9323
Fax +41 31 323 0349

(b) The name, address, telephone and telex, fax number or E-mail of the designated authority in the importing country.

The Registrar
Pesticides Control Authority
2, King Street
Kingston

Mrs. Hyacinth Chin Sue

Phone +1 876 967 1094
Fax +1 876 967 1285

5. Information on precautions to be taken, including category of danger and risk and safety advice.

Classification and risk phrases:

T + ;

Very toxic if swallowed (R 28)
T ;

Toxic in contact with skin R (24)
N ;

Very toxic to aquatic organisms (R 50)
May cause long-term adverse effects in the aquatic environment (R53)

Safety advice phrases

Keep locked and out of reach of the children (S1/2)

Do not breathe dust (S22)

Wear suitable protective clothing and gloves (S36/37)

In case of accident or if you feel unwell, seek medical advice immediately (show the label where possible) (S45)

This material and its container must be disposed of as hazardous waste (S60)

Avoid release to the environment. Refer to special instructions / Safety data sheets (S61)

6. Use of the chemical in Switzerland:

(a) Uses and category subject to control measure (ban or severe restriction)

All uses are banned

(b) Uses for which the chemical is not severely restricted or banned

The prohibition does not apply when Endrin is used for research purposes.

7. Summary of regulatory restrictions and reasons for them.

In the ordinance relating to environmentally hazardous substances the manufacture, supply, import and use of Endrin is prohibited.

Endrin is highly toxic to humans and animals. Endrin is persistent in the environment. It is likely to bioaccumulate.

Endrin is a chemical that will be covered by the POP-Convention.

SESSION 8: EXPORT NOTIFICATIONS

OUTCOME OF BREAK OUT GROUP DISCUSSIONS

Overall:

- The provisions of the Convention regarding export notification were understood.

Problems and constraints:

1. Countries recognized that their infrastructure for industrial chemicals was very limited (or not present), and therefore export notification for industrial chemical would be more difficult to handle than pesticides.

2. Export notifications may not always go to the DNA, with some examples of them being sent to Foreign Affairs.

3. DNAs considered that it would be useful to have a standard form for export notification

Comments and Observations:

1. The value of a network of DNAs and chemical regulators in the region was highlighted

2. Many countries have not received export notifications. Some countries noted that export notifications which they had received did not contain all the information required by Annex V.

    - It was noted that for certain countries the export notification was working under the voluntary scheme, but that when the Convention enters into force the requirements should be met by all Parties.

3. Export notifications can be supplied to the registration authorities. If the substance is not registered, they can inform the Customs authorities.

    - Upon receipt of an export notification countries could look at the chemical in more detail. Additional information may be needed, after the export notification has been received such as safety data sheet, the packaging information and the quantity which is being exported. It was noted that local data might be lacking, such as environmental information.

    - Countries would request the information listed in Annex I from the exporting country. Australia offered that they have a concise summary of the regulatory action.

SESSION 10: OPPORTUNITIES FOR REGIONAL COOPERATION
Existing mechanisms of regional cooperation

Presentation by Mataragi Purea

Slide 1

Regional Activities Concerning Pesticides and IPM

by

M Purea
Plant Protection Officer

Slide 2

Regional Activities Concerning Pesticides And IPM

Main Activities:

- **Review and Update of Pesticide Laws / Regulations**
  - **this is ongoing in the region**
  - **Assistance is provided to LDCs to bring their Laws / Reg in line with the rest**
- **Pesticide Board (National Pesticide Board)**
  - **Assist Member Countries Set Up**
  - **Re-activate the in-active ones**

Slide 3

Regional Activities Concerning Pesticides And IPM

Main Activities:

- **Follow up Old & Outdated Pesticides in member countries in the region**
  - **Obsolete Pesticides**
    - **Expired pesticides (caking)**
    - **Exposed to the weather, wet, etc**
    - **poor forecasting (ordering)**
    - **lack of appropriate Laws & Regulations**

Slide 4

Regional Activities Concerning Pesticides And IPM

- **Obsolete Pesticides in Fiji**

Pesticide Type	Units	Total Volume
Mancozeb	50 kg sack	100 sacks
Malathion (Liq) 50%	1 litre cans	1000 litres
Sevin WP 50%	2 kg package	500 kg
DC Dex Trichloro	25 litre drums	1000 litres
Deildrin	25 plastic drums	1250 kg

Slide 5

Regional Activities Concerning Pesticides And IPM

- **Obsolete Pesticides in Cook Islands**

Chemicals	Amount / Volume
Micro nutrients	
Copper sulfate	6 tonnes
Borate, Iron chelate, Mn, Zn, Lime, etc	165 kg
Insecticides	
Phostoxin	22 bottles (tablets)
Deildrin	60 litres
Lindane	15 kg
Herbicides	
TOK E50	10 litres
HyvarX	10 kg
Fungicides (Sulphur)	40 kg
Nematicide (Vydate)	25 litres
Dasanit Granules	15 kg

Slide 6

Plant Protection and Biosecurity in the Pacific Region

During the Pacific Agriculture Minister Meeting 2001 Ministers Recommended:

- **minimize (use) of Agric Chemicals & their residues on human health & the Enviro**

Minister Noted:

- **with concern ↑use of Herbicide in Region**
- **Suggested to introduce systems to monitor Use of Herbicide & impact on food safety, water & soil quality.**

Slide 7

Plant Protection and Biosecurity in the Pacific Region

The Ministers endorsed:

- **The use of Alternatives to Chemicals (e.g.)**
  - **Integrated Pest Management IPM**

Approaches such as:

- **Chem control – most common**
- **Physical / Cultural control**
- **Biological control**
- **Ecologically Based Pest Management**

Slide 8

Plant Protection and Biosecurity in the Pacific Region

- **Integrated Pest Management (IPM)**
  - **IPM - the main approach in insect & disease management in the region**
  - **the preference by many farmers is Pesticides especially Herbicide**
  - **popular management tool is Biocontrol**

Examples:
Kiribati – on Breadfruit Mealy Bug use Rodolia limbata (lady beetle)
Samoa - on Giant African Snail use Flatworm Platydemus manokwari
Cooks - on Whitefly (Bemisia tabacii) use Encarsia wasp

Slide 9

Plant Protection and Biosecurity in the Pacific Region

- **Integrated Pest Management (IPM)**

Flatworm (Platydemus manokwari) for Giant African Snail

Slide 10

Plant Protection and Biosecurity in the Pacific Region

- **Integrated Pest Management (IPM)**
  - **Ecologically Based Pest Management (EBPM)**
    - **developed from IPM of Insects & Weeds**
    - **emphasize Ecological issues and Systems Approach**

Main Goals: - target focus / minimize / avoid Non target spp
- conserve environmental health

Regional Examples: - Kiribati
- **"Management of Rats in Coconut Plantations"**
- **Monitoring Pop level - When / When Not to Bait**
- **Use of Bait Station**
- **Use of Petiole Support System**

Slide 11

Plant Protection and Biosecurity in the Pacific Region

- **Ecologically Based Pest Management (EBPM)**

Bait Station **Petiole support systems**

Slide 12

Plant Protection and Biosecurity in the Pacific Region

- **Systems Approach (pre Border Biosecurity)**

"integration of different pest risk management measures at which cumulatively achieve the appropriate level of phytosanitary protection"

- **Very Active in Fiji Cooks Tonga**

- **Activities includes:**

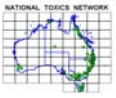
documentation, growers registration, audit for efficacy of field treatment, surveillance / trapping auditing for compliance, post treatment, etc

SESSION 10: OPPORTUNITIES FOR REGIONAL COOPERATION
Existing mechanisms of regional cooperation

Presentation by Mariann Lloyd Smith

Slide 1

NGO Activities



NGO Activities in Chemical & Waste Awareness & Management

- Regional NGO Activities
- National Activities
- International Activities

Dr Mariann Lloyd-Smith
Coordinator, National Toxics Network
Australia / Pacific Focal Point for IPEN

Slide 2

Regional Activities

NGO Capacity Building Workshop for Raising Awareness on POPs in the Pacific

May 2003 - Pacific Concerns Resource Centre (PCRC)

- Fiji, Samoa, Nauru, FSM, Kiribati, Niue, Palau, PNG, Tonga, Vanuatu, Solomons, Cook Is. Marshall Is
- build local NGO capacity about POPs in Pacific
- raise awareness in civil society (Art 10 SC)

Slide 3

POPs awareness kits "Poisons on Paradise"

- Pacific Concerns Resource Centre POP kits
  - posters, stickers, pamphlets & radio program
  - templates for translation/adaptation
  - disseminate relevant POPs info to widely dispersed communities
- Regional NGOs with minimal funding
  - public awareness
  - valuable programs for improved chemical management
  - support for POPs in PIC Stockpiles Project

Slide 4

Current National Activities

- TUVALU - POPs Kit to outer Is. local govts, island teachers & schools, Radio Tuvalu
- NIUE - Niue Association of Organic Farmers / Govt. launch National POPs Awareness Campaign - secondary & primary schools, village councils - National Radio
- KIRIBATI - NGOs public awareness work with govt authorities & translating radio program
- Similar reports - Vanuatu, PNG, FSM, Samoa
- NZ NGOs – dioxin, incineration, POPs hotspots, Zero Waste, haz waste trade
- NTN – DDT hotspots, HCB Stockpile, EDC groundwater, chem. regs, haz waste, IPEN Community Monitoring/Body Burden Project

Slide 5

International POPs Elimination Project (IPEP)

"Fostering Active and Effective Civil Society Participation in Preparations for Implementation of the Stockholm Convention"

- GEF $1M grant + $1M co-finance – 2 years
- UNEP - Project Implementing Agency & UNIDO disburse GEF $

"To facilitate effective involvement by IPEN PO in local, national & international activities to promote POPs elimination & other PTS."

- Build capacity & national support for SC implementation

Slide 6

Project Activities

- IPEP - 100s of NGO Activities - approx 40 developing / countries in transition
  - POPs Country Situation Reports, Policy Briefs, Hotspot Reports, Regional Reports
  - NGO participation in NIPs
  - Training & awareness-raising workshops
  - Information, data, public awareness, campaigning
  - National / Local languages

Slide 7

Project Regional Hubs

- Project Coordination - 8 Regional Hubs – IPEN NGOs

  Latin America (working in Spanish)
  Francophone Africa (French)
  Anglophone Africa (English)
  Middle East (Arabic)
  Central Europe (English)
  Eastern Europe (Russian)
  South Asia (English)
  Southeast & East Asia & Pacific (English).

Slide 8

Global Expert Teams

- *IPEN Global POPs Expert Teams*
  - POPs pesticides & alternatives
  - DDT and malaria
  - Dioxin inventories & promotion of alternatives
  - POPs stockpiles and contaminated sites
  - POPs monitoring and body burdens
- Exchange info & provide expertise / support
- Multi-lingual / regularly updated website - Results of Project Activities.

SESSION 10: IDENTIFICATION OF KEY NEXT STEPS/PRIORITIES AT NATIONAL AND REGIONAL LEVEL

GUIDANCE QUESTIONS

The purpose of these questions/points to consider is to stimulate discussion within the break out group on identifying key next steps for implementation of the interim PIC procedure and ratification of the Rotterdam Convention. It is not intended as an exhaustive list if there are other points that the group wishes to consider they should be included.

General

1. National activities:

Please identify key next steps for your country at national level (regarding areas such as: Designated National Authority, Import Responses, Notification of Final Regulatory Action, Severely Hazardous Pesticide Formulations, Information Exchange, Co-ordination with other Convention Secretariats)

2. Regional activities:

Identify regional activities such as "Information exchange, harmonisation of registration schemes, accredited laboratories, networking, training, staff exchanges, regular meetings, newsletters" which are crucial for the implementation of the Rotterdam Convention. Please identify other such regional activities which are crucial. Which of them need to be strengthened and who can provide support to do so? The list of issues/questions identified in Session 4 could serve as a useful reference.

Implementation of the interim PIC procedure

3. Given that the Rotterdam Convention applies to both industrial chemicals and pesticides is there a need for separate DNAs or is a single DNA able to manage both types of chemicals effectively. What steps have to be taken to have an additional DNA nominated?

4. Are structures and mechanisms in place, which allow for a national decision making process? Is there a co-ordination among major stakeholders and are all relevant groups involved in the decision making processes?

5. What are the reasons why import responses have not been prepared for all chemicals currently subject to the interim PIC procedure and what will be required to consider their preparation and submission?

6. Review recent regulatory actions – what needs to be done to prepare and submit notifications on final regulatory action to ban or severely restrict chemicals in line with Article 5.

7. Describe possibilities to collect information on pesticide poisoning incidents for pesticide formulations of potential concern. What is required to prepare a proposal for a severely hazardous pesticide formulation in line with Article 6?

8. What mechanisms if any are in place to communicate with industry or other government ministries regarding import decisions, the preparation and submission of notifications to the Secretariat and/or information on the operation of the interim PIC procedure such as contained in the PIC Circular? How can these communication channels be improved?

9. Identify who is involved in the implementation of the Stockholm Convention or Basel Convention in your country. Are there opportunities for collaboration e.g. in developing national implementation plans and reviewing existing legislation and regulations. What are the constraints and benefits for such co-operation?

10. Identify opportunities for initiating follow-up discussion with other countries in the region.
    - The presentations in the first part of Session 10 provided an overview of ongoing regional activities. It may be that some of these activities could represent opportunities to further consider/discuss issues relevant to the implementation of the interim PIC procedure or ratification of the Rotterdam Convention.

Ratification of the Rotterdam Convention

11. Identify who in the country is working on the Basel Convention. As many of the countries in the region have ratified the Basel Convention, could this serve as a model for the process that needs to be followed in ratification of the Rotterdam Convention?

12. Can regional co-operation assist in the ratification process (draft legislation, description of the ratification process, identification of legal and administrative requirements, estimation of human and financial resource requirements)?

SESSION 10: IDENTIFICATION OF KEY NEXT STEPS/PRIORITIES AT NATIONAL AND REGIONAL LEVEL

OUTCOME OF BREAK OUT GROUP DISCUSSIONS

Area	National activities	Regional activities
1. DNAs – role and responsibilities (Article 4)	1. Clarify roles of people and processes involved in dealing with their obligations 2. Build the infrastructure e.g. by extending Pesticides Committees increased level of technical input, and engage decision makers	1. Coordination for workshop on industrial chemicals 2. Raise, or prioritize front end chemicals management issues with senior officials and look for opportunities to use existing regional mechanisms in order to meet and discuss issues (e.g. Regional Agricultural Ministers Meeting; PHALPS)
2. Proposals for SHPF (Article 6 – session 5)	1. Establish or improve linkages between government and non-government stakeholders to improve incident recording, reporting, management and evaluation. 2. Additional training in how to identify and evaluate incidents, fill in the form and communicate how people should use the form.	1. Share any possible adverse experience regionally and ask for any advice. 2. Establish a consolidated database at SPREP.
3. Notification of final regulatory action (Article 5 – session 6)	1. Submit outstanding notifications 2. Consult with the authors of notifications in order to understand the risk profile and the basis for the decision; identify possible alternatives including chemicals.	1. Consult within the region for alternatives and strategies to manage or avoid the risks. 2. Informal sharing of notifications within PICs.
4. Import decisions (Article 10 – session 7)	1. Include this task in the responsibilities of National Pesticide and/or Chemical Committees 2. Prepare and submit outstanding import decisions for chemicals in the interim PIC procedure.	1. Monitoring the SPC project on model legislation for pesticides. 2. Seek assistance from FAO/UNEP and experts to investigate the use of the PIC chemicals in the region.
5. Export notifications (Article 12 – session 8)	1. Acknowledge export notifications (note that notifications under the voluntary procedure may not include full information).	1. DNA in exporting countries in the region to keep the region informed of when and why they make significant regulatory decisions.

	2. Monitor notified chemicals in PIC Circular and be aware of any potential further exports.	2. Informal information sharing on chemical shipments in the region.
6. Information exchange (Session 9)	1. Initiate or strengthen processes for information exchange among all stakeholders (government and non-government) on the Rotterdam Convention. 2. Establish central resource area of relevant documentation.	1. Establish an informal email system for PIC DNAs (including the real workers) so that information can be shared. 2. Request Australia and New Zealand when undertaking risk assessments on chemicals of concern to the region to highlight aspects relevant to use in countries in the region.
7. Ratification of/ accession to the Convention	1. Raise awareness and propagate benefits of Rotterdam Convention within the community and in the institution. 2. Investigate process for ratification and contribute as appropriate by identifying needs and requirements for implementation in the local jurisdiction.	1. Circulate case studies of how the procedures are being implemented domestically.

SESSION 11: ADDRESSING CHALLENGES AND QUESTIONS IDENTIFIED IN SESSION 4

PRINCIPAL CHALLENGES TO IMPLEMENTATION OF THE INTERIM PRIOR INFORMED CONSENT PROCEDURE

SUMMARY OF SESSIONS 4-8

1. Inadequate legal or regulatory infrastructure for pesticides or non-implementation of existing regulations.

2. Inadequate legal or regulatory infrastructure to take regulatory actions on/control industrial chemicals.

3. Difficulty in gaining priority on the government agenda to implement the obligations of the interim PIC procedure or make progress towards ratification of the Rotterdam Convention. (e.g. need for improved political support in relevant ministries)

4. Need for improved coordination and communication and definition of responsibilities within and between relevant ministries and DNAs in the implementation of the PIC procedure.

5. Need to improve/establish cooperation and communication among relevant ministries, DNAs and stakeholders (such as customs authorities, chemical industry, importers and exporters) on the implementation of the PIC procedure, in particular concerning dissemination of import decisions in the country and the need for export notifications.

6. Lack capacity/capability to undertake hazard and risk evaluations on the effects of chemicals, on human health and the environment, in support of final regulatory actions.

7. Lack of processes or mechanisms for collecting information on pesticide poisoning incidents (human health or environment) and for dealing with reports of such incidents.

8. Need to improve/establish communication and cooperation among DNAs in the region in order to *inter-alia* investigate opportunities to harmonize/coordinate national approaches to implementation of the PIC procedure and exchange experience.