

Overview on the exchange of information under Article 20 of the PIC Regulation 2016-2017

Compilation of the information collected by the European Commission,
assisted by the Member States and the European Chemicals Agency

November 2018

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Objectives

The objective of this report is to provide an overview on the exchange of information provided under the scope of Article 20 of the PIC Regulation. Article 20(1) of the PIC Regulation establishes the following:

The Commission, assisted by the Agency, and the Member States shall, as appropriate, facilitate the provision of scientific, technical, economic and legal information concerning chemicals subject to this Regulation, including toxicological, ecotoxicological and safety information.

The Commission, with the support of the Member States and the Agency as necessary, shall, as appropriate, ensure the following:

(a) the provision of publicly available information concerning regulatory actions relevant to the objectives of the Convention;

(b) the provision of information for Parties and other countries directly or through the Secretariat concerning those actions which substantially restrict one or more uses of a chemical.

Reporting period: 2016–2017

Section 1: Information submitted by means of export notifications to Parties or other countries (third countries)

1. Number of export notifications submitted to third countries during the reporting period:

Chemical name	Number of export notifications sent	
	2016	2017
1,1,2,2-Tetrachloroethane	13	13
1,1,2-Trichloroethane	28	25
1,1-Dichloroethene	4	8
1,2-dibromoethane (EDB)	22	23
1,3-dichloropropene	68	60
1,3-dichloropropene (CIS) (1Z)-1,3-dichloroprop-1-ene	1	1
2-aminobutane	1	1
2-Naphthyloxyacetic acid	-	1
Acetochlor	11	9
Alachlor	1	1
Ametryn	5	9
Amitraz	12	14
Anthraquinone	6	6
Arsenic compounds	71	76
Asbestos fibres: Chrysotile	-	1
Asulam	-	1
Atrazine	10	11
Azinphos-methyl	1	-
Azocyclotin	2	1
Benzene	127	108
Benzidine, its salts and benzidine derivatives	-	2

Chemical name	Number of export notifications sent	
	2016	2017
Butralin	10	12
Cadmium and its compounds	66	82
Carbaryl	1	2
Carbofuran	1	1
Carbon tetrachloride	6	11
Chlorate	176	155
Chlorfenapyr	4	5
Chlorfenvinphos	4	4
Chloroform	431	228
Chloropicrin	38	29
Cholecalciferol	3	3
Creosote and Creosote related substances	43	39
Cyanamide	55	58
Cyfluthrin	53	61
Cyhalothrine	1	1
Cyhexatin	4	5
Diazinon	16	15
Dibutyltin compounds	1634	823
Dichlobenil	11	7
Dichlorvos	3	5
Dicloran	1	-
Didecyldimethylammonium chloride	1111	1291
Diniconazole-M	2	1
Dinoseb and its salts and esters	15	13
Diocetyl tin compounds	247	276
Diphenylamine	119	517

Chemical name	Number of export notifications sent	
	2016	2017
Ethalfuralin	4	3
Ethion	-	1
Ethoxysulfuron	11	14
Ethylene dichloride (1,2-dichloroethane)	87	102
Ethylene oxide	104	100
Fenbutatin oxide	2	2
Fenitrothion	9	10
Fenpropathrin	8	2
Fenthion	2	-
Fenvalerate	1	-
Ferbam	152	179
Flufenoxuron	5	9
Guazatine and Guazatine acetate	1	1
Hexachloroethane	-	2
Hexazinone	1	1
Lead compounds	541	357
Malathion	50	47
Mercury compounds, including inorganic mercury compounds, alkyl mercury compounds and alkyloxyalkyl and aryl mercury compounds	90	157
Methomyl	27	27
Methyl bromide	3	1
Monuron	37	26
Nicotine	6	10
Nonylphenol ethoxylates (C ₂ H ₄ O) _n C ₁₅ H ₂₄ O	365	394
Nonylphenols C ₆ H ₄ (OH)C ₉ H ₁₉	412	465

Chemical name	Number of export notifications sent	
	2016	2017
Omethoate	1	-
Oxadiargyl	21	32
Paraquat	16	16
Perfluorooctane sulfonic acid, Perfluorooctane sulfonates, Perfluorooctane sulfonamides, Perfluorooctane sulfonyls	12	3
Permethrin	547	573
Polybrominated biphenyls (PBB) except hexabromo-biphenyl	1	1
Procymidone	3	1
Propanil	2	2
Propargite	43	31
Propisochlor	10	13
Simazine	2	2
Tetraethyl lead	16	16
Thallium sulphate	5	17
Thiobencarb	2	-
Thiocyclam	7	8
Thiodicarb	5	5
Tolyfluanid	1	-
Tributyltin Compounds	50	45
Trichlorobenzene	13	21
Tricyclazole	6	4
Tridemorph	1	-
Trifluralin	17	9
Triorganostannic compounds other than tributyltin compounds	12	8
Warfarin	5	5
Zineb	273	318
Total	7427	7055

The total number of third countries which received the above-mentioned export notifications was:

Year	Number of countries
2016	145
2017	146

A summary of the export notifications is available on ECHA website: <https://echa.europa.eu/information-on-chemicals/pic/export-notifications>. Summaries can be retrieved by chemical/mixture/article/year or by importing country/year.

2. With reference to the type of information described in Article 20(1) of the PIC Regulation, the information listed below is provided to the authorities in the importing countries (in an appropriate language) either directly in the export notification form or in the associated safety data sheet (SDS):
 - Information on precautions to be taken, including category of danger and risk and safety advice
 - A summary on physicochemical, toxicological and ecotoxicological properties
 - Use of the chemical in the Union:
 - (a) uses, category(ies) under the Rotterdam Convention and Union subcategory(ies) subject to control measure (ban or severe restriction);
 - (b) uses for which the chemical is not severely restricted or banned (use categories and subcategories as defined in Annex I of the Regulation);
 - (c) estimation, where available, of quantities of the chemical produced, imported, exported and used.
 - Information on precautionary measures to reduce exposure to, and emission of, the chemical
 - Summary of regulatory restrictions and reasons for them
 - Composition/information on ingredients
 - First aid measures
 - Firefight measures
 - Accident release measures
 - Handling and storage
 - Exposure controls/personal protection
 - Physical and chemical properties
 - Stability and reactivity
 - Disposal consideration
 - Transport information
 - Other relevant information

Section 2: Information made available by means of the EU notifications of Final Regulatory Action (FRA) submitted to the Rotterdam Convention Secretariat

EU FRAs submitted to the Rotterdam Convention during the reporting period (link provided in the table below):

Chemical <u>FRAs</u>	CAS Number	Use category	FRA	Date published
Acetochlor	34256-82-1	Pesticide	Banned	12 June 2017

A summary of the following information was made available to the public, including authorities in all third countries, by means of the summaries of the EU FRAs published on the Rotterdam Convention website: <http://www.pic.int/>.

1. Properties, identification and uses:
 - (a) Common name;
 - (b) Chemical name according to an internationally recognized nomenclature (for example, International Union of Pure and Applied Chemistry (IUPAC)), where such nomenclature exists;
 - (c) Trade names and names of preparations;
 - (d) Code numbers: Chemical Abstracts Service (CAS) number, Harmonized System customs code and other numbers;
 - (e) Information on hazard classification, where the chemical is subject to classification requirements;
 - (f) Use or uses of the chemical;
 - (g) Physico-chemical, toxicological and ecotoxicological properties.
2. Final regulatory action
 - (a) Information specific to the final regulatory action:
 - (i) Summary of the final regulatory action;
 - (ii) Reference to the regulatory document;
 - (iii) Date of entry into force of the final regulatory action;
 - (iv) Indication of whether the final regulatory action was taken on the basis of a risk or hazard evaluation and, if so, information on such evaluation, covering a reference to the relevant documentation;
 - (v) Reasons for the final regulatory action relevant to human health, including the health of consumers and workers, or the environment;
 - (vi) Summary of the hazards and risks presented by the chemical to human health, including the health of consumers and workers, or the environment and the expected effect of the final regulatory action;
 - (b) Category or categories where the final regulatory action has been taken, and for each category:
 - (i) Use or uses prohibited by the final regulatory action;
 - (ii) Use or uses that remain allowed;
 - (iii) Estimation, where available, of quantities of the chemical produced, imported, exported and used;
 - (c) An indication, to the extent possible, of the likely relevance of the final regulatory action to other States and regions;
 - (d) Other relevant information that may cover:
 - (i) Assessment of socio-economic effects of the final regulatory action;
 - (ii) Information on alternatives and their relative risks, where available, such as:
 - Integrated pest management strategies;
 - Industrial practices and processes, including cleaner technology.

Section 3: Information provided following ad-hoc requests

Requests for additional information pursuant to article 20 of the PIC Regulation received, for example, from the authorities in third countries.

3.1 Ad hoc requests received by the Commission/ECHA:

The Commission and ECHA received the following requests during the reporting period:

- 3.1.1 Questions related to a specific export notification for the substance dinoseb (Canada)
- 3.1.2 Questions regarding nonylphenol ethoxylates (Lebanon)
- 3.1.3 Request for information on the use of 1,3-dichloropropene (Syria)
- 3.1.4 Request for documents for dibutyltin compounds (China)
- 3.1.5 Request for clarification on methyl bromide in Rotterdam Convention (Indonesia)

3.2 Ad hoc requests received by EU Member States

EU Member States received the following requests during the reporting period:

- 3.2.1 Belgium:
 - 3.2.1.1 Enquiry on ethylene oxide used for sterilisation in hospitals (Philippines)
 - 3.2.1.2 Enquiry on ethylene oxide used for sterilisation in food and feed area (Philippines)

Appendix 1. Summary of information exchange following ad hoc requests

Country	Organisation	Chemical name	Requested information	Provided information	Provider of information
Canada	DNA	Dinoseb	<p>Requests for clarification related to a specific export notification and SDS, more specifically:</p> <ol style="list-style-type: none"> 1) Information about exports of dinoseb from China to Canada (as they were referred to in the EU export notification) 2) Actual quantity exported to Canada 3) Residual concentration of dinoseb in styrene 4) How the PNECs were derived 5) Request to receive full exposure scenario for dinoseb 6) Reference or basis for choosing the value provided for default release to air 	<p>COM clarified the quantities and contacted the EU designated national authority (DNA) responsible for the export and asked them to contact the exporter for providing the remaining information. The exporter provided all the requested information directly to the Canadian authorities. For question 5, the exporter provided the full exposure assessment from the REACH chemical safety report, after considering the the confidential parts.</p>	Commission/ exporter
China	DNA	Dibutyltin compounds	<p>Request to receive the risk evaluation reports and the relevant files for the final regulatory action on dibutyltin compounds.</p>	<p>A link to the files on the final regulatory action, available on ECHA website, was provided.</p>	ECHA

Indonesia	Company	Methyl bromide	<p>Request for clarification on methyl bromide in relation to the Rotterdam Convention.</p> <ol style="list-style-type: none"> 1) Is the chemical listed in Rotterdam Convention? 2) Is it possible to add a substance to Annex III of the Convention without following the terms and condition stated in Articles 5, 6 and 7? 3) Does Article 15(4) mean that, in order to increase the protection of human health and the environment, a Party can extend the list of substances in Annex III in contradiction with Articles 5, 6, 7 of the Convention? 4) What is the legal basis for a DNA of the Rotterdam Convention to issue an export notification for methyl bromide to the Indonesian DNA? 5) Follow-up question: Which EU legislation states that substance which are banned in the EU are subject to Prior Inform Consent (PIC) as it is regulated in Article 12(1) of the Rotterdam Convention? 	<p>Methyl bromide is not listed in Annex III to the Rotterdam Convention. Clarification was provided on the provisions of the Rotterdam Convention regarding substances which are banned or severely restricted in the exporting country and how they relate to the EU PIC Regulation. Follow-up: Further clarification on the PIC Regulation.</p>	Commission
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Lebanon	DNA	Nonylphenol ethoxylates (C ₂ H ₄ O) _n C ₁₅ H ₂₄ O	<ol style="list-style-type: none"> 1) Are all the isomers of nonylphenol ethoxylates used in crop protection products prohibited in Europe? 2) Regarding the limitation on the use of NPE set out in Regulation (EC) No 552/2009 amending Regulation (EC) No 1907/2006 and the ban of NPE in crop protection products, should crop protection products be totally free of NPE, or are they allowed in the pesticide formulation within certain limits? 3) What is the maximum level of nonylphenol ethoxylates (C₂H₄O)_nC₁₅H₂₄O authorised to be present in the pesticide formulation according to the EU? 4) Follow-up question: Does a concentration limit equal to or less than 0.1 % by weight apply to co-formulants or to the entire pesticide formulation? 	<p>Nonylphenol ethoxylates are allowed to be used as co-formulants in plant protection products in a concentration equal to or greater than 0.1 % by weight, but no isomer of nonylphenol ethoxylates is allowed to be used in plant protection products as an active substance.</p> <p>Answer to the follow-up question: Pursuant to Regulation (EC) No 1907/2006, nonylphenol ethoxylates are allowed to be used as co-formulants in a concentration equal to or less than 0.1 % by weight of the entire formulation of a pesticide.</p>	Commission
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Philippines	DNA	Ethylene oxide	<ol style="list-style-type: none"> 1) Can ethylene oxide be used to sterilise 'food' through spraying of ethylene oxide? 2) Request for available information material on ethylene oxide used in food sterilisation, including its possible/potential effects. 3) Do we have experience in which the importers have a misrepresentation or misdeclaration of use? What did we do? 	<p>In accordance with Regulation (EU) No 528/2012 (Biocidal Products Regulation), ethylene oxide is only allowed to be used in PT 2 - Disinfectants and algaecides not intended for direct application to humans or animals. Ethylene oxide is not allowed for use in PT 4 - Food and feed area. Any potential contamination of food or feed with ethylene oxide shall be excluded. Referring to Regulation (EC) No 853/2004, ethylene oxide is not approved for the use in question. We have no information to reply to the third question.</p>	Belgian DNA
Philippines	DNA	Ethylene oxide	<p>Expert opinion on ethylene oxide following the ECHA Rules (528/2012 and EU No 853/2004). Dos or Don'ts (precautions) if import is allowed, i.e. storage facility, in relation to the use for sterilisation in hospitals.</p>	<p>Provided a European SDS for ethylene oxide corresponding to the use mentioned, and referred to sections 7 and 8. Otherwise advised contacting the authorities in the exporting country, as the questions were not referring to an export from the EU but from another country.</p>	Belgian DNA

Syria	DNA	1,3-dichloropropene	Request for information about use of this substance, the hazards to human health and the environment. Information about bans in the EU and reasons for the ban as a pesticide.	Documents, including the Final Regulatory Action, were provided together with the conclusion on the peer review of the EU pesticide risk assessment and the review report for 1,3-dichloropropene. Clarification on the EU explicit consent procedure.	Commission/ ECHA
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