



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

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Chemical Review Committee
Tenth meeting
Rome, 22–24 October 2014

Report of the Chemical Review Committee on the work of its tenth meeting

I. Opening of the meeting

1. The tenth meeting of the Chemical Review Committee under the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade was held at the headquarters of the Food and Agriculture Organization of the United Nations (FAO), Viale delle Terme di Caracalla, Rome, from 22 to 24 October 2014. The meeting was opened at 9.30 a.m. on Wednesday, 22 October 2014, by the Chair of the Committee, Mr. Jürgen Helbig (Spain).
2. Welcoming remarks were then made by Mr. Clayton Campanhola, Executive Secretary of the FAO part of the Rotterdam Convention Secretariat, and Mr. Rolph Payet, Executive Secretary of the United Nations Environment Programme (UNEP) part of the Secretariat and the Secretariat of the Basel Convention on the Transboundary Movements of Hazardous Wastes and Their Disposal and the Stockholm Convention on Persistent Organic Pollutants.
3. In his remarks, Mr. Campanhola welcomed the Committee members and Mr. Payet, congratulating the latter for having recently taken up his post.
4. Outlining the agenda for the current meeting, he said that the Committee would review and finalize draft decision guidance documents for methamidophos as a pesticide and fenthion as a severely hazardous pesticide formulation and would consider notifications of final regulatory action for polychlorinated naphthalenes, short-chained chlorinated paraffins and tributyltin compounds as industrial chemicals. Noting that no notifications of final regulatory action for pesticides had been submitted, he said that the Secretariat had increased its efforts to collaborate very closely with parties to support them with the aim of increasing the number of such notifications submitted.
5. He stressed the synergies between FAO and the Rotterdam Convention, in particular in relation to the Organization's five strategic objectives. The work of the Rotterdam Convention particularly supported the objective to make agriculture more productive and sustainable. FAO was providing a structural environment and necessary cooperation for implementation of the Convention on the national, regional and global levels.
6. Mr. Payet, in one of his first official acts, also welcomed the meeting participants, saying that it was a very exciting time for the chemicals and waste agenda, with the 2020 goal for sound chemicals and waste management reaffirmed at recent United Nations meetings and the issue firmly entrenched in the post-2015 sustainable development goals. Recalling the sustainable synergies theme of the 2013 joint meetings of the conferences of the parties to the Basel, Rotterdam and Stockholm conventions, he said that while holding back-to-back meetings of the Chemical Review Committee and the Stockholm Convention's Persistent Organic Pollutants Review Committee was one way to realize the benefits of a synergistic approach at the international level, more effort was needed to implement synergies on the ground at the national and regional levels. He hoped that the joint session held by the two review committees in 2013 would be repeated, and he was eager to reinforce the joint efforts of FAO and UNEP in administering the Rotterdam Convention.

7. Looking ahead to the 2015 meetings of the conferences of the parties to the Basel, Rotterdam and Stockholm conventions, which would highlight the importance of the science-policy interface for the effectiveness of the conventions at the country level, he noted that the Secretariat was organizing a science fair aimed at increasing awareness and understanding of the scientific processes supporting decision-making under the three conventions, including the work of the scientific subsidiary bodies.

II. Organizational matters

A. Officers

8. The following officers served on the Bureau of the Committee during the meeting:

Chair: Mr. Jürgen Helbig (Spain)
 Vice-Chairs: Mr. Boniface Mbewe (Zambia)
 Ms. Amal Al-Rashdan (Kuwait)
 Ms. Magdalena Frydrych (Poland)
 Mr. Gilberto Fillmann (Brazil)

9. Ms. Frydrych served also as Rapporteur.

B. Attendance

10. The following 27 members of the Committee attended the meeting: Mr. Jack Holland (Australia), Ms. Anja Bartels (Austria), Mr. Gilberto Fillmann (Brazil), Ms. Parvoleta Angelova Luleva (Bulgaria), Mr. Peter Ayuk Enoh (Cameroon), Mr. Jeffrey R. Goodman (Canada), Ms. Jinye Sun (China), Mr. Victor N'Goka (Congo), Ms. Elsa Ferreras de Sanchez (Dominican Republic), Mr. Mohammed Ali Mohammed (Ethiopia), Mr. Omar S. Bah (Gambia), Ms. Mirijam Kristina Brigitta Seng (Germany), Ms. Ana Gabriela Ramírez Salgado (Honduras), Ms. Amal Al-Rashdan (Kuwait), Mr. Mohd Fauzan Yunus (Malaysia), Mr. Gaoussou Kanouté (Mali), Mr. Arturo Gavilán García (Mexico), Ms. Amal Lemsioui (Morocco), Ms. Leonarda Christina van Leeuwen (Netherlands), Ms. Magdalena Frydrych (Poland), Mr. Jung-Kwan Seo (Republic of Korea), Ms. Tatiana Tugui (Republic of Moldova), Mr. Jürgen Heinrich Helbig (Spain), Ms. Sarah Maillefer (Switzerland), Ms. Nuansri Tayaputch (Thailand), Mr. N'ladon Nadjo (Togo) and Mr. Boniface Mbewe (Zambia).

11. The members of the Committee from Antigua and Barbuda, India, Pakistan and Saudi Arabia were unable to attend.

12. The following countries were represented as observers: Brazil, Canada, China, Iraq, Japan, Kenya, Latvia, Norway, Romania, Slovakia, South Africa and the United States of America.

13. The Interstate Pesticides Committee of Central Africa (Comité Inter-Etats des Pesticides d'Afrique Centrale) was represented as an observer.

14. The following non-governmental organizations were also represented as observers: CropLife International, International POPs Elimination Network, National Toxics Network Inc. and Pesticide Action Network.

15. A complete list of participants is set out in document UNEP/FAO/RC/CRC.10/INF/21.

C. Adoption of the agenda

16. At its opening session, the Committee adopted the following agenda on the basis of the provisional agenda (UNEP/FAO/RC/CRC.10/1):

1. Opening of the meeting.
2. Organizational matters:
 - (a) Adoption of the agenda;
 - (b) Organization of work.
3. Rotation of the membership.
4. Technical work:
 - (a) Consideration of draft decision guidance documents;
 - (i) Methamidophos;

- (ii) Fenthion (ultra low volume (ULV) formulations at or above 640 g active ingredient/L);
- (b) Report of the Bureau on the preliminary review of notifications of final regulatory action;
- (c) Review of notifications of final regulatory action:
 - (i) Polychlorinated naphthalenes;
 - (ii) Short-chained chlorinated paraffins;
 - (iii) Tributyltin compounds.
- 5. Coordination and collaboration with other scientific subsidiary bodies.
- 6. Report on activities for effective participation in the work of the Committee.
- 7. Venue and date of the eleventh meeting of the Committee.
- 8. Other matters.
- 9. Adoption of the report.
- 10. Closure of the meeting.

17. The Committee agreed that under agenda item 8, "Other matters", the Secretariat would introduce the handbook of working procedures and policy guidance for the Committee and provide information on a science fair to be organized during the 2015 meetings of the conferences of the parties to the Basel, Rotterdam Stockholm conventions.

D. Organization of work

18. The Committee decided to conduct the current meeting in accordance with the scenario note prepared by the Chair (UNEP/FAO/RC/CRC.10/INF/1) and the proposed schedule for the meeting (UNEP/FAO/RC/CRC.10/INF/2), subject to adjustment as necessary. It also decided that contact groups and drafting groups would be formed as necessary.

19. The documents pertaining to each agenda item were identified in the annotations to the agenda (UNEP/FAO/RC/CRC.10/1/Add.1) and in the list of documents organized by agenda item (UNEP/FAO/RC/CRC.10/INF/20).

III. Rotation of the membership

20. In introducing the item, the representative of the Secretariat summarized the information provided in document UNEP/FAO/RC/CRC.10/INF/3, on newly designated members of the Chemical Review Committee and the forthcoming rotation of the membership in May 2016. She reported that, pursuant to paragraph 7 of decision RC-6/3, the terms of office of 17 of the 31 members of the Chemical Review Committee had expired on 30 April 2014. Seventeen members, to serve four-year terms beginning 1 May 2014, had been nominated by the parties identified in the annex to decision RC-6/3, subject to confirmation by the Conference of the Parties at its seventh meeting, and were participating in the current meeting.

21. The terms of office of the remaining 14 members of the Committee would expire on 30 April 2016. The Conference of the Parties at its seventh meeting would decide which parties would nominate 14 new members to serve from 1 May 2016 to 30 April 2020. She also recalled that, in accordance with paragraph 10 of decision RC-6/3, the Committee at its ninth meeting had decided that Mr. Helbig should serve as Chair of the Committee on an interim basis, subject to confirmation by the Conference of the Parties at its seventh meeting.

22. She also reported that all members of the Committee participating in the current meeting had confirmed that they had no conflicts of interest in relation to the chemicals to be considered during the meeting.

IV. Technical work

A. Consideration of draft decision guidance documents

1. Methamidophos

23. Introducing the sub-item, the Chair recalled that at its ninth meeting the Committee had reviewed notifications of final regulatory action for methamidophos from Brazil and the European Union, along with the supporting documentation referenced therein, and, taking into account each of the specific criteria set out in Annex II to the Convention, had concluded that the criteria of that Annex had been met.

24. Accordingly, the Committee had at its ninth meeting, by its decision CRC-9/3, recommended to the Conference of the Parties that it should include methamidophos in Annex III to the Convention as a pesticide. In addition, the Committee had adopted a rationale for that recommendation, agreed to establish an intersessional drafting group to produce a draft decision guidance document and agreed on a workplan for its development in line with the process adopted by the Conference of the Parties in decision RC-2/2. The rationale was annexed to decision CRC-9/3 and the workplan was set out in annex III to the report of the Committee on the work of its ninth meeting (UNEP/FAO/RC/CRC.9/11).

25. At the current meeting the Committee had before it a draft decision guidance document on methamidophos prepared by the intersessional drafting group (UNEP/FAO/RC/CRC.10/2), together with a tabular summary of comments received under step 4 of the procedure for developing decision guidance documents and how they had been addressed (UNEP/FAO/RC/CRC.10/INF/4).

26. Mr. Fillmann, co-coordinator of the intersessional drafting group, reported on the work of the group.

27. Following his presentation the Committee requested the Secretariat to prepare a draft decision by which it would forward the draft decision guidance document and the table of associated comments to the Conference of the Parties for consideration at its seventh meeting.

28. Subsequently, Mr. Fillmann reported that an error had been noted in the draft decision guidance document, which had been corrected. The Committee then adopted decision CRC-10/1, by which it adopted the text of the draft decision guidance document for methamidophos (UNEP/FAO/RC/CRC.10/10/Add.1), as corrected, and decided to forward it, together with the related tabular summary of comments (UNEP/FAO/RC/CRC.10/INF/4/Rev.1) to the Conference of the Parties for its consideration. The decision is set out in annex I to the present report.

2. Fenthion (ultra low volume (ULV) formulations at or above 640 g active ingredient/L)

29. Introducing the sub-item, the Chair recalled that at its ninth meeting the Committee had reviewed a proposal by Chad to list fenthion 640 ULV in Annex III to the Convention, along with the additional information collected by the Secretariat in accordance with part 2 of Annex IV to the Convention, and, taking into account each of the specific criteria set out in part 3 of Annex IV to the Convention, had concluded that those criteria had been met.

30. Accordingly the Committee had at its ninth meeting, in its decision CRC-9/4, recommended to the Conference of the Parties that it list fenthion (ultra low volume (ULV) formulations at or above 640 g active ingredient/L) in Annex III to the Convention as a severely hazardous pesticide formulation. In addition, the Committee had adopted a rationale for that recommendation, agreed to establish an intersessional drafting group to produce a draft decision guidance document and agreed on a workplan for its development in line with the process adopted by the Conference of the Parties in decision RC-2/2. The rationale was annexed to decision CRC-9/4 and the workplan was set out in annex III to the report of the Committee on the work of its ninth meeting (UNEP/FAO/RC/CRC.9/11).

31. At the current meeting, the Committee had before it a draft decision guidance document on fenthion (ultra low volume (ULV) formulations at or above 640 g active ingredient/L) prepared by the intersessional drafting group (UNEP/FAO/RC/CRC.10/3), together with a tabular summary of comments received under step 4 of the procedure for developing decision guidance documents and how they had been addressed (UNEP/FAO/RC/CRC.10/INF/5).

32. Reporting on the work of the intersessional drafting group, Ms. Bartels, co-coordinator of the intersessional drafting group, noted that based on a comment received from the United States of America, the draft decision guidance document had been amended to include updated information on the registration status of fenthion in the United States. Although the information had not been presented at the ninth meeting of the Committee it was considered necessary to include the most recent information in the draft decision guidance document.

33. Following the presentation, the Committee agreed to include the information provided by the United States, noting that similar information had been handled in the same manner on other occasions in the past.

34. The Committee requested the Secretariat to prepare a draft decision by which it would forward the draft decision guidance document and the table of associated comments to the Conference of the Parties for consideration at its seventh meeting.

35. Subsequently, the Committee adopted decision CRC-10/2, by which it adopted the draft decision guidance document for fenthion (UNEP/FAO/RC/CRC.10/10/Add.2) and decided to forward it, together with the related tabular summary of comments (UNEP/FAO/RC/CRC.10/INF/5), to the Conference of the Parties for its consideration. The decision is set out in annex I to the present report.

B. Report of the Bureau on the preliminary review of notifications of final regulatory action

36. Following the introduction of the item by the Chair, Ms. Frydrych, a member of the Bureau, recalled that the Bureau, in consultation with the Secretariat, had undertaken a preliminary review of the notifications of final regulatory action on the agenda for the current meeting with the aim of establishing intersessional task groups for the chemicals and setting priorities for their consideration at the current meeting. The results of that preliminary analysis, based on the information available at the time, were described in document UNEP/FAO/RC/CRC.10/4. Following the preliminary reviews, and on the recommendation of the Bureau, an intersessional task group had been established for each chemical and tasked with undertaking an initial review and preparing an analysis of whether the notification of final regulatory action pertaining to that chemical met the criteria of Annex II to the Convention. At the current meeting the task group coordinators would present the results of the task groups' initial review of the chemicals in order to facilitate the discussions at the meeting.

37. The Committee agreed to consider the notifications before it in line with the recommendations of the Bureau outlined in document UNEP/FAO/RC/CRC.10/4.

C. Review of notifications of final regulatory action

1. Polychlorinated naphthalenes

38. The Committee had before it two notifications and supporting documentation on polychlorinated naphthalenes submitted by Canada and Japan, set out in documents UNEP/FAO/RC/CRC.10/5 and UNEP/FAO/RC/CRC.10/INF/8 and 9.

39. Ms. Maillefer, co-coordinator of the intersessional task group that had undertaken a preliminary assessment of the notifications and their supporting documentation, reported on the work of the group.

(a) Notification from Canada

40. Ms. Maillefer said that the notification from Canada related to a ban on the manufacture, use, sale or import of polychlorinated naphthalenes as an industrial chemical.

41. With regard to Annex II to the Convention, she said that the notification explained that the regulatory action had been taken to protect the environment; thus, the criterion in paragraph (a) of Annex II had been met. The notification indicated that the data had been generated according to scientifically recognized methods, that the data reviews had been performed and documented according to generally recognized scientific principles and procedures, and that the final regulatory action had been based on a risk evaluation that took the prevailing conditions in Canada into account. Accordingly, the task group had concluded that the criteria set out in paragraph (b) of Annex II had been met. Turning to the criteria set out in paragraph (c) of Annex II, she said that Canada had prohibited all uses of polychlorinated naphthalenes except for laboratory and analytical purposes, and it could therefore be expected that both releases of the substance and the risk it posed to the environment would be significantly reduced. The considerations that had given rise to the notification were applicable in other countries and regions and were not limited to specific circumstances, in particular because polychlorinated naphthalenes were persistent, were highly bioaccumulative and could be subject to long-range transport. While the notification did not provide evidence for international trade, the Committee had identified additional information that indicated possible ongoing trade. Accordingly, the task group had concluded that the criteria set out in paragraph (c) of Annex II had been met. As the notification gave no indication that the final regulatory action was based on intentional misuse, the task group had concluded that the criterion set out in paragraph (d) of Annex II had also been satisfied. The task group had therefore concluded that the notification met all the criteria of Annex II.

(b) Notification from Japan

42. Ms. Maillefer said that the notification from Japan related to a ban on the manufacture, import, sale and use of polychlorinated naphthalenes as an industrial chemical in Japan.

43. With regard to Annex II to the Convention, she said that the notification explained that the regulatory action had been taken to protect human health; thus, the criterion in paragraph (a) of Annex II had been met. Studies on bioaccumulation and biodegradation had been conducted and published, and studies on contamination of fish and humans had been conducted and published in a peer-reviewed journal, indicating that the data had been generated according to scientifically recognized methods and that data reviews had been performed and documented according to generally recognized scientific principles and procedures. She noted, however, that based on the clarification provided by Japan at the meeting, the regulatory action by Japan had not taken the fish and human contamination studies into account and thus had not been based on a risk evaluation taking into account the prevailing conditions in Japan. Accordingly, the supporting documentation on the chemicals submitted by Japan was corrected and issued in document UNEP/FAO/RC/CRC.10/INF/8/Rev.1. Subsequently, she concluded that the criteria set out in subparagraph (b) (iii) of Annex II had not been met. Turning to the criteria set out in paragraph (c) of Annex II, she said that the task group had concluded that the regulatory action would lead to a significant reduction in the use of the chemical and therefore a significant reduction in the risk to human health. The considerations that led to the final regulatory action were not limited to a geographical area or to specific circumstances, as they were linked to the inherent characteristics of polychlorinated naphthalenes. Finally, although the notification did not provide evidence for international trade, the Committee had identified additional information that indicated possible ongoing trade. Accordingly, the task group had concluded that the criteria in paragraph (c) of Annex II had been met. There was no evidence that intentional misuse had been the basis for the final regulatory action; thus, the criterion set out in paragraph (d) of Annex II had been met.

(c) Discussion of the notifications

44. Two members expressed support for the conclusion, in the light of the new information provided, that the notification from Japan had not met the criteria set out in subparagraph (b) (iii) of Annex II.

45. In response to a question from a member regarding the inclusion of ongoing trade information other than that in the notification or supporting documentation, the Chair, supported by another member, indicated that the Secretariat normally called for additional information on international trade with regard to chemicals put forward for review and that additional sources had been taken into account in the past.

46. In response to an observer's comment related to the criterion in subparagraph (c) (iv) of Annex II, the co-coordinator of the task group clarified the task group's conclusion that the notification from Japan had met that criterion, citing evidence that polychlorinated naphthalenes were of interest to companies in the European Union and the availability of a commercial polychlorinated naphthalene product for purchase on the internet as indications of ongoing international trade.

(d) Next steps

47. The Committee agreed that the notification from Canada had met all the criteria of Annex II to the Convention but that the notification from Japan had failed to satisfy the criterion in subparagraph (b) (iii) of Annex II.

48. The Committee established a contact group, chaired by Ms. Maillefer, to draft a rationale as to how the notification from Canada met the criteria in Annex II to the Convention, based on the notification received from Canada and the comments made during the discussion, on the understanding that the chair could if necessary convert the contact group to a drafting group limited to members of the Committee. The Committee also requested the Secretariat to prepare a draft decision by which it would adopt the rationale for the Committee's conclusions on the notification from Canada.

49. The Committee agreed that it would take no further action on the notification from Japan at the current time.

50. Ms. Maillefer subsequently presented a draft rationale prepared by the contact group for the conclusion that the notification from Canada met the criteria of Annex II to the Convention. The Committee adopted decision CRC-10/3, by which it adopted the rationale and noted that, as only one notification of final regulatory action in respect of polychlorinated naphthalenes met the criteria set out

in Annex II to the Convention, it would take no further action with regard to those substances at the current time. The decision, to which the rationale is annexed, is set out in annex I to the present report.

51. Following the adoption of the decision, at the suggestion of the Chair, the Committee requested the Secretariat to prepare a proposal for presentation to the Committee at its eleventh meeting on how best to address the criterion of evidence of ongoing international trade to ensure that a coherent approach was taken in the future.

2. Short-chained chlorinated paraffins

52. The Committee had before it two notifications and supporting documentation on short-chained chlorinated paraffins submitted by Canada and Norway, set out in documents UNEP/FAO/RC/CRC.10/6 and UNEP/FAO/RC/CRC.10/INF/10 and 11.

53. Ms. van Leeuwen, co-coordinator of the intersessional task group that had undertaken a preliminary assessment of the notifications and their supporting documentation, reported on the work of the group.

(a) Notification from Canada

54. Ms. van Leeuwen said that the notification from Canada related to a ban on the manufacture, use, sale and import of short-chained chlorinated paraffins, except when incidentally present in a product or used in a laboratory for analysis, in scientific research or as a laboratory analytical standard.

55. With regard to Annex II to the Convention, she said that the notification from Canada explained that the regulatory action had been taken to protect human health and the environment; thus, the criterion in paragraph (a) of Annex II had been met. Canada had undertaken research studies prior to the regulatory action and published the results, the national report on priority substances had undergone an international peer review, and the regulatory action had been based on a risk evaluation that made reference to various national reports and took into account prevailing conditions in Canada; accordingly, the task group had concluded that the criteria set out in paragraph (b) of Annex II had been met. Turning to the criteria set out in paragraph (c) of Annex II, she said that as Canada had banned all manufacture, use, sale or import of the short-chained chlorinated paraffins except for laboratory or analytical use, both the quantity of the chemical used and the risks it posed would be significantly reduced. The supporting documentation made reference to short-chained chlorinated paraffins being detected in environmental media in various countries, and the presence of short-chained chlorinated paraffins in Arctic regions suggested long-range atmospheric transport of the substance. Finally, as production of chlorinated paraffins in Canada had stopped and the notification indicated that their use was allowed for analysis, in scientific research or as a laboratory analytical standard, there was evidence of ongoing international trade. Accordingly, the task group had concluded that the criteria in paragraph (c) of Annex II had been met. There was no evidence that intentional misuse had been the basis for the final regulatory action; thus, the criterion in paragraph (d) of Annex II had been met. In sum, the task group had concluded that the notification from Canada met all the criteria of Annex II.

(b) Notification from Norway

56. Ms. van Leeuwen said that the notification from Norway related to a ban on the production, import, export, sale and use of short-chained chlorinated paraffins in pure form, in preparations or in products containing greater than 0.1 per cent short-chained chlorinated paraffins, although use for research and analytical purposes was still allowed.

57. With regard to Annex II to the Convention, she said that the notification explained that the regulatory action had been taken to protect the environment; thus, the criterion in paragraph (a) of Annex II had been met. Norway had undertaken research studies prior to the regulatory action and had published the results in an international journal, reference was made to internationally-recognized reports and the regulatory action was based on a risk evaluation that made reference to various national and international reports and took prevailing conditions in Norway into account; accordingly, the task group had concluded that the criteria set out in paragraph (b) of Annex II had been met. Turning to the criteria set out in paragraph (c) of Annex II, she said that the use of short-chained chlorinated paraffins was severely restricted by the final regulatory action; thus, both the quantity of the substance used and the risks it posed would be significantly reduced. The notification made reference to reports that mentioned high concentrations in environmental media, and short-chained chlorinated paraffins were recognized to be of possible concern for long-range atmospheric transport. As the notification referred to a report mentioning the use of short-chained chlorinated paraffins in Sweden and France, and stated that use of the substance was allowed for research and analytical purposes, and the Persistent Organic Pollutants Review Committee's draft risk profile on

short-chained chlorinated paraffins (UNEP/FAO/RC/POPRC.8/6) indicated that the substance had been used and traded internationally until 2010, there was evidence of ongoing trade. Accordingly, the task group had concluded that the criteria in paragraph (c) of Annex II had been met. There was no evidence that intentional misuse had been the basis for the final regulatory action; thus, the criterion set out in paragraph (d) of Annex II had been met. In sum, the task group had concluded that the notification from Norway met all the criteria of Annex II.

(c) **Next steps**

58. The Committee agreed that, as the notifications from Canada and Norway met the criteria set out in Annex II to the Convention, the Committee should recommend to the Conference of the Parties that short-chained chlorinated paraffins be included in Annex III to the Convention. The Committee accordingly established a contact group, chaired by Ms. van Leeuwen, to draft a rationale as to how the notifications met the criteria in Annex II to the Convention, on the understanding that the chair could if necessary convert the group to a drafting group limited to members of the Committee. The Committee also requested the Secretariat to prepare a draft decision on the recommendation on the listing of short-chained chlorinated paraffins in Annex III to the Convention and the preparation of a draft decision guidance document.

59. Ms. van Leeuwen subsequently presented a draft rationale prepared by the group for the conclusion that the notifications from Norway and Canada met the criteria of Annex II to the Convention. The Committee adopted decision CRC-10/4, by which it adopted the rationale, recommended to the Conference of the Parties that it should include short-chained chlorinated paraffins in Annex III to the Convention as industrial chemicals and adopted a workplan for preparing a draft decision guidance document for the chemicals. The decision, to which the rationale is annexed, is set out in annex I to the present report; the composition of the intersessional drafting group established to prepare the draft decision guidance document is set out in annex II to the present report; and the workplan is set out in annex III to the present report.

3. Tributyltin compounds

60. Introducing the sub-item, the representative of the Secretariat recalled that at its second meeting the Chemical Review Committee had decided to recommend the listing of tributyltin compounds as pesticides in Annex III to the Convention. The Committee had based its recommendation on a notification of final regulatory action submitted by Canada and an earlier submitted notification from the European Union that had been found by the Interim Chemical Review Committee to satisfy the criteria of Annex II to the Convention. Based on the Committee's recommendation, the Conference of the Parties at its fourth meeting had decided to list tributyltin compounds in Annex III as pesticides and had adopted the decision guidance document.

61. At the current meeting the Committee had before it one notification pertaining to tributyltin compounds as industrial chemicals submitted by Canada (UNEP/FAO/RC/CRC.10/7), along with relevant supporting information (UNEP/FAO/RC/CRC.10/INF/13). The Chair suggested that the Committee, if it found that the notification met the requirements of Annex II, would need to prepare a rationale for its conclusion and that it might wish to consider whether it should recommend to the Conference of the Parties that it consider listing tributyltin compounds in Annex III to the Convention as industrial chemicals in addition to their current listing as pesticides.

62. Ms. Bartels, co-coordinator of the intersessional task group that had undertaken the preliminary review of the notification and its supporting documentation, reported on the work of the group.

63. She said that the notification from Canada related to a severe restriction on the industrial use of tributyltin compounds.

64. With regard to Annex II to the Convention, she said that the notification from Canada explained that the regulatory action had been taken to protect the environment; thus, the criterion set out in paragraph (a) of Annex II had been met. Canada had conducted a detailed review and concluded that tributyltin compounds were toxic to aquatic organisms at low concentrations and had a high potential to cause environmental harm due to their high persistence and bioaccumulative properties. A risk quotient had been calculated on the basis of modelled as well as measured exposure and hazard, which was an internationally applied methodology, and an extensive list of references had been cited from a wide range of sources, including well-known international journals. Prior to the earlier regulatory action concerning the pesticidal use of tributyltin compounds, Canada had undertaken research studies and had published the results in an internationally peer-reviewed scientific journal. The outcome of that study was also considered to be relevant to the use of tributyltin compounds as industrial chemicals. The task group therefore concluded that the notification from Canada satisfied the criteria in paragraphs (b) (i) and (ii) of Annex II. The final regulatory action had been based on a

risk evaluation taking into account prevailing conditions in Canada, including both modelled and measured concentrations of tributyltin compounds in water and sediment in Canada. Accordingly, the task group had concluded that the criterion set out in paragraph (b) (iii) of Annex II had been met.

65. Regarding the criteria in paragraph (c) of Annex II, she said that Canada had severely restricted the use of tributyltin compounds as industrial chemicals, mainly in the polyvinyl chloride processing industry; thus, both the quantity of the substance used and the risks it posed would be significantly reduced. As the basis for the regulatory action included concerns about the environment, the regulatory action would be broadly applicable to other countries. Evidence of ongoing international trade had been provided by the European Union, which showed that trade between European Union member States and other countries had taken place between 2012 and 2014. Accordingly, the task group had concluded that the criteria in paragraph (c) of Annex II had been met.

66. There was no evidence that intentional misuse had been the basis for the final regulatory action; thus, the criterion set out in paragraph (d) of Annex II had been met. In sum, the task group had concluded that the notification from Canada met all the criteria of Annex II.

67. Following that presentation the representative of an observer said that her country agreed that the notification from Canada satisfied the criteria of Annex II to the Convention. As it was the only notification pertaining to tributyltin compounds as industrial chemicals that did so, however, the Committee could not at the current time take any further action with regard to listing the substances in Annex III to the Convention as industrial chemicals.

68. Several members of the Committee expressed disagreement with the assertion by the representative of the observer. The Convention required only that there be at least one valid notification of final regulatory action for a particular chemical from each of two prior informed consent regions, and it said nothing about the use categories to which those final regulatory actions pertained. Taking into account the conclusion by the Committee that the notifications of final regulatory action for tributyltin compounds under the pesticide category submitted by Canada and the European Union met the criteria of Annex II, they said, the Committee should recommend to the Conference of the Parties that it list tributyltin compounds in Annex III as industrial chemicals and should prepare a draft decision guidance document for the substances by revising the existing decision guidance document to include information relevant to their use as industrial chemicals. That approach, it was suggested, was the most consistent with the aims of the Convention and the mandate of the Committee.

69. One member of the Committee asked whether any legal advice had been sought on the issue. At the request of the Committee the representative of the Secretariat provided information on the Committee's past practices. The Committee, she said, had always initiated its review of notifications of final regulatory action for a particular chemical upon receipt of two notifications from at least two prior informed consent regions, whether or not the final regulatory actions pertained to the chemical as a pesticide or an industrial chemical. For example, for each of mirex and pentachlorobenzene, the Committee had initiated its review on the basis of one notification of final regulatory action pertaining to one use category and others pertaining to the other use category. In all prior cases involving notifications for both industrial and pesticide uses of chemicals, however, only one or none of the notifications had met the criteria of Annex II and the Committee had thus not been in a position to recommend the listing of the chemicals at issue. The Committee had never before faced a situation, as at the current meeting, in which it had found a single notification of final regulatory action pertaining to a chemical in one category to be valid when that same chemical had already been listed in Annex III in another category.

70. On another issue, a representative of an observer said that the Canadian notification did not satisfy the criterion in paragraph b (iii) of Annex II because the final regulatory action was predicated on data on exposure and risk caused by the pesticidal use of tributyltin in anti-fouling paint for ship hulls, which was banned from 2003. That data, he said, grossly overestimated the exposure that could reasonably be expected from industrial uses. In addition, industry stewardship measures had resulted in substantial decreases in tributyltin emissions from industrial uses but had not been taken into account in the calculation of exposure and risk on which the final regulatory action was based.

71. In response, the member from Canada said that the final regulatory action had been based on a risk analysis conducted under the Environmental Protection Act that took into account the current circumstances in Canada, including permitted industrial uses. Such non-pesticidal industrial uses, such as in polyvinyl chloride manufacture, had been found to require further restriction and were the target of the final regulatory action. He also noted that the Environmental Protection Act included an element of precaution.

Next steps

72. The Committee agreed that, as the notification from Canada met the criteria in Annex II to the Convention, the Committee should recommend to the Conference of the Parties that it amend the listing for tributyltin compounds in Annex III to the Convention to include it as an industrial chemical. The Committee accordingly established a contact group, chaired by Ms. Bartels, to draft a rationale as to how the notification met the criteria in Annex II to the Convention, on the understanding that the chair could if necessary convert the group to a drafting group limited to members of the Committee. The Committee also requested the Secretariat to prepare a draft decision on the consideration of the listing for tributyltin compounds in Annex III to the Convention and the revision of the decision guidance document to include information relevant to the industrial category.

73. Ms. Bartels subsequently presented a draft rationale prepared by the group for the conclusion that the notification from Canada met the criteria of Annex II to the Convention. The Committee adopted decision CRC-10/5, by which it adopted the rationale, recommended to the Conference of the Parties that it should include tributyltin compounds in Annex III to the Convention in the industrial category and adopted a workplan for preparing a draft decision guidance document for the chemicals. The decision, to which the rationale is annexed, is set out in annex I to the present report; the composition of the intersessional task group established to prepare the draft decision guidance document is set out in annex II to the present report; and the workplan is set out in annex III to the present report.

V. Coordination and collaboration with other scientific subsidiary bodies

74. Introducing the item, the representative of the Secretariat recalled that, as described more fully in a note by the Secretariat (UNEP/FAO/RC/CRC.10/8), a joint intersessional working group, established by the Chemical Review Committee and the Persistent Organic Pollutants Review Committee in response to a request from the conferences of the parties to the Basel, Rotterdam and Stockholm conventions, had prepared draft guidance to assist parties to the Rotterdam Convention and the Chemical Review Committee when a chemical under consideration was a persistent organic pollutant under the Stockholm Convention. Comments on the draft guidance were compiled in document UNEP/FAO/RC/CRC.10/INF/15. She also recalled that in decision RC-6/3 the Conference of the Parties had requested the Secretariat to report to it at its seventh meeting on the experience with the back-to-back and joint meetings of the two committees that had been held in October 2013. At the request of the Committee, the Secretariat had circulated a questionnaire on the subject to the members and observers of both committees, and the answers to the questionnaires were compiled in document UNEP/FAO/RC/CRC.10/INF/16.

75. Following the introduction, Ms. Seng, co-chair of the joint intersessional working group, gave a detailed explanation on the structure and content of the draft guidance contained in UNEP/FAO/RC/CRC.10/INF/14, which had been revised to take into account comments from members and observers of the Chemical Review Committee and the Persistent Organic Pollutants Review Committee.

76. A draft decision in the note by the Secretariat would request the joint intersessional working group to complete the guidance, taking into account comments from the two committees, and submit it for consideration by the conferences of the parties to the Rotterdam and Stockholm conventions at their seventh meetings. It would also request the Secretariat to report to the conferences of the parties on the experience with the back-to-back and joint meetings of the two committees.

77. The Committee adopted decision CRC-10/6, on coordination and cooperation with other scientific subsidiary bodies, which is set out in annex I to the present report.

VI. Report on activities for effective participation in the work of the Committee

78. The representative of the Secretariat reported on activities undertaken by the Secretariat since the last meeting of the Committee, including activities under the technical assistance programme of the Convention and in response to decisions RC-6/3 and RC-6/11, as described in the note by the Secretariat on the subject (UNEP/FAO/RC/CRC.10/9).

79. In addition to an orientation workshop for new members of the Committee, the Secretariat had undertaken technical assistance activities related to enhancing effective participation and cooperation between the Committee and the scientific and technical bodies of the Stockholm and Basel

conventions, including a face-to-face workshop, webinars and online training sessions. Information on planned activities, including webinars, was provided in document UNEP/FAO/RC/CRC.10/INF/17.

80. Following the Secretariat's presentation the Committee took note of the information presented, with members expressing appreciation for the Secretariat's efforts in organizing the activities, in particular praising the effectiveness of the orientation workshop for new members.

VII. Venue and date of the eleventh meeting of the Committee

81. The Committee agreed to hold its eleventh meeting at FAO headquarters in Rome. The Committee tentatively agreed that the meeting would take place from 26 to 30 October 2015, following the Persistent Organic Pollutants Review Committee, which was expected to take place from 19 to 23 October. The Committee also agreed that the Chair, in consultation with the Bureau, might adjust the length of the meeting depending on the number of notifications of final regulatory action to be considered by the Committee at the meeting.

VIII. Other matters

A. Handbook of working procedures and policy guidance for the Chemical Review Committee

82. A representative of the Secretariat drew attention to the information on the handbook of working procedures and policy guidance for the Chemical Review Committee provided in document UNEP/FAO/RC/CRC.10/INF/18. As requested by the Committee at its ninth meeting, the Secretariat had updated the deadlines in the procedure for dealing with notifications of final regulatory action to reflect the fact that meetings of the Committee had been rescheduled to take place in conjunction with meetings of the Persistent Organic Pollutants Review Committee in October of each year. The working procedures and policy guidance documents had been published on the Convention website and could be revised whenever necessary to reflect experience gained.

83. The Committee took note of the information presented.

B. Science fair at the 2015 meetings of the conferences of the parties to the Basel, Rotterdam and Stockholm conventions

84. The representative of the Secretariat reported that the bureaux of the conferences of the parties to the Basel, Rotterdam and Stockholm conventions had welcomed a proposal by the Secretariat that the May 2015 meetings of the conferences of the parties to the three conventions, the theme of which would be "From science to action, working for a safer tomorrow", should include a science fair held in the margins of the meetings. Information on the fair, the aim of which was to increase awareness and understanding of scientific issues of concern to the three conventions, was available in a note by the Secretariat (UNEP/FAO/RC/CRC.10/INF/19). The fair would feature a number of special events and interactive booths, including a booth dedicated to scientific processes under the Basel, Rotterdam and Stockholm conventions, including the work of the Open-ended Working Group of the Basel Convention, the Chemical Review Committee and the Persistent Organic Pollutants Review Committee. Parties and others interested in contributing to the preparations for the fair were invited to contact the Secretariat.

85. The Committee decided to convene an informal group, coordinated by Ms. Frydrych, to discuss possible further elements and modalities for the booth on scientific processes under the three conventions.

86. Subsequently, Ms. Frydrych reported that the informal group, comprising Committee members and observers and with Secretariat support, had held creative discussions during which several new ideas had been put forward. A summary of the group's discussions, including a list of the suggestions, would be prepared by the Secretariat, taking into account suggestions by the members of the Persistent Organic Pollutants Review Committee at its tenth meeting, and made available to the informal group electronically for consolidation and presentation at the science fair.

C. Online roster of experts

87. A representative of the Secretariat presented information on an online roster of experts that had been developed by the Secretariat at the request of the conferences of the parties to the Basel, Rotterdam and Stockholm conventions in 2011. The roster, which was at the prototype stage, contained the curricula vitae and other details of the members and other experts associated with the three conventions, including the Chemical Review Committee and the Persistent Organic Pollutants

Review Committee. The experts on the roster would be requested to review and update their entries in the roster every two years.

IX. Adoption of the report

88. The Committee adopted the report on the basis of the draft report that had been circulated during the meeting, as orally amended, and on the understanding that the finalization of the report would be entrusted to the Rapporteur, working in consultation with the Secretariat.

X. Closure of the meeting

89. Following the customary exchange of courtesies, the Chair declared the meeting closed at 1:10 p.m. on Friday, 24 October 2014.

Annex I

Decisions adopted by the Chemical Review Committee at its tenth meeting

- CRC-10/1: Methamidophos
- CRC-10/2: Fenthion (ultra low volume (ULV) formulations at or above 640 g active ingredient/L)
- CRC-10/3: Polychlorinated naphthalenes
- CRC-10/4: Short-chained chlorinated paraffins
- CRC-10/5: Tributyltin compounds
- CRC-10/6: Coordination and collaboration with other scientific subsidiary bodies

CRC-10/1: Methamidophos

The Chemical Review Committee,

Recalling paragraphs 1 and 2 of Article 7 of the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade,

Recalling also its decision CRC-9/3, adopted at its ninth meeting in accordance with paragraph 6 of Article 5 of the Convention, in which it recommended to the Conference of the Parties that it should list methamidophos (CAS No. 10265-92-6) in Annex III to the Convention as a pesticide,

Adopts the draft decision guidance document for methamidophos¹ and decides to forward it, together with the related tabular summary of comments,² to the Conference of the Parties for its consideration.

CRC-10/2: Fenthion (ultra low volume (ULV) formulations at or above 640 g active ingredient/L)

The Chemical Review Committee,

Recalling paragraphs 1 and 2 of Article 7 of the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade,

Recalling also its decision CRC-9/4, adopted at its ninth meeting in accordance with paragraph 5 of Article 6 of the Convention, in which it recommended to the Conference of the Parties that it should list fenthion (ultra low volume (ULV) formulations at or above 640 g active ingredient/L) (CAS No. 55-38-9) in Annex III to the Convention as a severely hazardous pesticide formulation,

Adopts the draft decision guidance document for fenthion (ultra low volume (ULV) formulations at or above 640 g active ingredient/L)³ and decides to forward it, together with the related tabular summary of comments,⁴ to the Conference of the Parties for its consideration.

CRC-10/3: Polychlorinated naphthalenes

The Chemical Review Committee,

Recalling Article 5 of the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade,

Having reviewed the notifications of final regulatory action for polychlorinated naphthalenes submitted by Japan and Canada,⁵

1. *Concludes* that the notification of final regulatory action for polychlorinated naphthalenes submitted by Canada meets the criteria set out in Annex II to the Convention;
2. *Adopts* the rationale for the Committee's conclusion on the notification for polychlorinated naphthalenes submitted by Canada set out in the annex to the present decision;
3. *Notes* that as only one notification of final regulatory action in respect of polychlorinated naphthalenes meets the criteria set out in Annex II to the Convention it will take no further action with regard to those substances at the current time.

¹ UNEP/FAO/RC/CRC.10/10/Add.1.

² UNEP/FAO/RC/CRC.10/INF/4/Rev.1.

³ UNEP/FAO/RC/CRC.10/10/Add.2.

⁴ UNEP/FAO/RC/CRC.10/INF/5.

⁵ UNEP/FAO/RC/CRC.10/5, UNEP/FAO/RC/CRC.10/INF/8, UNEP/FAO/RC/CRC.10/INF/9.

Annex to decision CRC-10/3

Rationale for the conclusion by the Chemical Review Committee that the notification of final regulatory action submitted by Canada in respect of polychlorinated naphthalenes meets the criteria of Annex II to the Rotterdam Convention

1. In reviewing the notification of final regulatory action by Canada to ban polychlorinated naphthalenes as industrial chemicals, together with the supporting documentation provided by Canada, the Committee was able to confirm that the final regulatory action had been taken to protect the environment. The notification from this party was found to meet the information requirements of Annex I to the Rotterdam Convention.

2. The notification and supporting documentation were made available to the Committee for its consideration in documents UNEP/FAO/RC/CRC.10/5 and UNEP/FAO/RC/CRC.10/INF/9.

(a) Scope of the notified regulatory action

3. The final regulatory action relates to polychlorinated naphthalenes (PCN) with the molecular formula $C_{10}H_{8-n}Cl_n$ $n > 1$. It was taken for the category "industrial chemicals" to protect the environment. It states that all manufacture, use, sale, offer for sale or import of polychlorinated naphthalenes, or a product containing them, is prohibited unless PCN are incidentally present. The prohibition on manufacture, use, sale, offer for sale or import of PCN or products containing them does not apply if they are to be used in a laboratory for analysis, in scientific research or as a laboratory analytical standard (UNEP/FAO/RC/CRC.10/5, annex II, sect. 2.2.1). The ban of PCN is published under the Prohibition of Certain Toxic Substances Regulations, 2012, Canada Gazette, Part II, Vol. 147, No.1, 2 January 2013.

(b) Annex II paragraph (a) criterion

(a) *Confirm that the final regulatory action has been taken in order to protect human health or the environment;*

4. The Committee confirmed that the final regulatory action had been taken to protect the environment.

5. PCN have been used as industrial chemicals in applications such as cable insulation, capacitors, gauge and heat exchange fluids, instrument seals, solvents and other uses. Domestic Substances List data (1984-1986) indicate that PCN were used for organic chemicals, abrasives, polymers and components of plastic and synthetic resins (UNEP/FAO/RC/CRC.10/5, annex II, sect. 2.3.1).

(c) Annex II paragraph (b) criteria

(b) *Establish that the final regulatory action has been taken as a consequence of a risk evaluation. This evaluation shall be based on a review of scientific data in the context of the conditions prevailing in the Party in question. For this purpose, the documentation provided shall demonstrate that:*

(i) *Data have been generated according to scientifically recognized methods;*

(ii) *Data reviews have been performed and documented according to generally recognized scientific principles and procedures;*

6. The evaluation involved analysing available information about PCN. Various pieces of scientific and technical information have been examined and conclusions have been developed based on the weight of the evidence and the application of the precautionary principle.

7. The presented physico-chemical data are from International Programme on Chemical Safety (IPCS) or peer-reviewed publications. Environmental distribution was predicted with level III fugacity modelling. Atmospheric half-life estimations were calculated using AOPWIN (the Syracuse Research Corporation computer programme). Experimental data (from peer reviewed publications such as IPCS and other literature) and predicted data (e.g., BIOWIN 2000, ECOSAR) of biodegradation, bioaccumulation and toxicity are available. Environmental concentrations (air, water, biota, etc.) measured in Canada including the Canadian Arctic region and other regions are from peer-reviewed journals.

8. Thus, the Committee established that the data reviewed for the risk evaluation were generated

according to scientifically recognized methods and that the data reviews were performed according to generally recognized scientific principles and procedures.

(iii) *The final regulatory action was based on a risk evaluation involving prevailing conditions within the Party taking the action;*

9. The risk evaluation took into account the conditions prevailing in Canada since it was based on both hazard and exposure data collected in Canada or data generated by calculations. It was based on the weight of the evidence: PCN is a substance that is highly persistent and bioaccumulative; when taken together with the potential for environmental release or formation and the potential for toxicity to organisms, there is a significant indication that it may be entering the environment under conditions that may have harmful long-term ecological effects. Substances that are persistent remain in the environment for a long time after being released, increasing the potential magnitude and duration of exposure. Substances that have long half-lives in mobile media (air and water) and partition into these media in significant proportions have the potential to cause widespread contamination. Releases of small amounts of bioaccumulative substances may lead to high internal concentrations in exposed organisms. Highly bioaccumulative and persistent substances are of special concern, since they may biomagnify in food webs, resulting in very high internal exposures, especially for top predators.

10. The risk evaluation was also based on evidence that PCN may be harmful to aquatic organisms at low concentrations, as well as to mammals at low doses. Therefore the Committee concluded that this criterion was met.

(d) Annex II paragraph (c) criteria

(c) *Consider whether the final regulatory action provides a sufficiently broad basis to merit listing of the chemical in Annex III, by taking into account:*

(i) *Whether the final regulatory action led, or would be expected to lead, to a significant decrease in the quantity of the chemical used or the number of its uses;*

11. The notification of final regulatory action states that all use, sale, offer for sale or import of PCN, or a product containing them, is prohibited by the final regulatory action, unless the toxic substance is incidentally present, and therefore is expected to lead to a significant decrease in the quantity of the chemical used (UNEP/FAO/RC/CRC.10/5, annex II, sect. 2.1, 2.2.1, 2.3.1).

(ii) *Whether the final regulatory action led to an actual reduction of risk or would be expected to result in a significant reduction of risk for human health or the environment of the Party that submitted the notification;*

12. It is expected that since the regulatory action to ban the use of PCN significantly reduces the quantity of the chemical used, the risks to human health and the environment will also be significantly reduced.

(iii) *Whether the considerations that led to the final regulatory action being taken are applicable only in a limited geographical area or in other limited circumstances;*

13. In the supporting documentation (UNEP/FAO/RC/CRC.10/INF/9, pp. 7–9) reference is made to PCN being detected in environmental samples from various countries (Canada, Germany, Japan, the United Kingdom of Great Britain and Northern Ireland). Furthermore, the presence of PCN in the Arctic and Antarctic regions suggests that long-range atmospheric transport of PCN is occurring (UNEP/FAO/RC/CRC.10/INF/9, pp. 10 and 11). The task group concluded that the considerations that led to the final regulatory action being taken were applicable to a wide geographical area and circumstances.

(iv) *Whether there is evidence of ongoing international trade in the chemical;*

14. In the supporting documentation it is indicated that Wellington Laboratories of Guelph, Ontario, is a supplier of PCN standard materials for analytical purposes (p. 6, “Manufacture and import”).

15. The entries in the European Chemicals Agency (ECHA) C&L inventory and the fact that pre-registrations have been submitted to ECHA indicate at least that PCN are of certain interest for European Union companies. Furthermore, a PCN commercial product, Halowax can still be purchased via the internet. The octa-CN product Halowax 1051, for example, can be bought from several global suppliers (UNEP/POPS/POPRC.9/13/Add.1, para. 42).

16. The notification states that the use of PCN is allowed for analysis, in scientific research or as a laboratory analytical standard (UNEP/FAO/RC/CRC.10/5, sect. 2.2.1).

(e) Annex II paragraph (d) criterion

(d) *Take into account that intentional misuse is not in itself an adequate reason to list a chemical in Annex III.*

17. There is no indication in the notification that concerns about intentional misuse prompted the regulatory action.

(f) Conclusion

18. The Committee concluded that the notification of final regulatory action by Canada related to the industrial uses of polychlorinated naphthalenes met the criteria set out in Annex II to the Convention.

CRC-10/4: Short-chained chlorinated paraffins

The Chemical Review Committee,

Recalling Article 5 of the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade,

1. *Concludes* that the notifications of final regulatory action for short-chained chlorinated paraffins submitted by Norway and Canada⁶ meet the criteria set out in Annex II to the Rotterdam Convention;

2. *Adopts* the rationale for the Committee's conclusion set out in the annex to the present decision;

3. *Recommends*, in accordance with paragraph 6 of Article 5 of the Convention, that the Conference of the Parties should list short-chained chlorinated paraffins in Annex III to the Convention as industrial chemicals;

4. *Decides*, in accordance with paragraph 1 of Article 7 of the Convention, to prepare a draft decision guidance document for short-chained chlorinated paraffins;

5. *Also decides*, in accordance with the process for drafting decision guidance documents set out in decision RC-2/2, that the composition of the intersessional drafting group to prepare the draft decision guidance document for short-chained chlorinated paraffins and the workplan of the group shall be as set out in annexes II and III to the report of the Committee's tenth meeting, respectively.

Annex to decision CRC-10/4**Rationale for the conclusion by the Chemical Review Committee that the notifications of final regulatory action submitted by Norway and Canada in respect of short-chained chlorinated paraffins meet the criteria of Annex II to the Rotterdam Convention**

1. In reviewing the notifications of final regulatory action by Norway and Canada to ban the use of short-chained chlorinated paraffins (SCCPs) as industrial chemicals, together with the supporting documentation provided by those parties, the Committee confirmed that those actions had been taken to protect the environment (both notifications) and human health (the Canadian notification). The notifications from those parties were found to meet the information requirements of Annex I and the criteria set forth in Annex II to the Rotterdam Convention.

2. The notification and supporting documentation were made available to the Committee for its consideration in documents UNEP/FAO/RC/CRC.10/6, UNEP/FAO/RC/CRC.10/INF/10 and UNEP/FAO/RC/CRC.10/INF/11.

⁶ UNEP/FAO/RC/CRC.10/6, UNEP/FAO/RC/CRC.10/INF/10 and UNEP/FAO/RC/CRC.10/INF/11.

I. Norway

(a) Scope of the notified regulatory action

3. The final regulatory action was taken for the category “industrial chemicals” to protect the environment. The use of SCCPs is banned by the final regulatory action, which states that production, import, export, sale and use of SCCPs in pure form, in preparations or in products containing > 0.1 per cent SCCPs is prohibited (UNEP/FAO/RC/CRC.10/6, annex I, sect. 2.1, 2.2.1). Use for research and analytical purposes is still allowed (UNEP/FAO/RC/CRC.10/6, annex I, sect. 2.5.1).

(b) Annex II paragraph (a) criterion

(a) *Confirm that the final regulatory action has been taken in order to protect human health or the environment;*

4. The Committee confirmed that the final regulatory action to ban SCCPs had been taken to protect the environment.

5. In Norway, SCCPs have mainly been used as softeners in paints, plastics, fillers and coatings, as flame inhibitors in rubber, plastics and textiles and as additives in other chemical substances and products. There has also been limited use in metal-working fluids as well as in certain lubricants and car care products. SCCPs are also used in leather processing; this was not known to be the case in Norway, however (UNEP/FAO/RC/CRC.10/6, sect. 1.7.2).

6. In the notification, various hazards to the environment are reported. These include high toxicity to aquatic organisms, slow degradation in the environment and a high potential for bioaccumulation. The negative long-term effects in the aquatic environment, the risk of secondary poisoning of predators through the food chain and the potential for long-range transport of SCCPs via air and water gave rise to serious concerns (UNEP/FAO/RC/CRC.10/6, sect. 1.8.3, 2.3, 2.4.2).

(c) Annex II paragraph (b) criteria

(b) *Establish that the final regulatory action has been taken as a consequence of a risk evaluation. This evaluation shall be based on a review of scientific data in the context of the conditions prevailing in the Party in question. For this purpose, the documentation provided shall demonstrate that:*

(i) *Data have been generated according to scientifically recognized methods;*

(ii) *Data reviews have been performed and documented according to generally recognized scientific principles and procedures;*

7. Norway undertook research studies prior to the regulatory action and published the results in national reports and an international journal (Borgen et al., 2003). Furthermore, reference is made to the internationally recognized reports of the OSPAR Commission (OSPAR, 2001 and OSPAR, 2009) and the European Chemicals Bureau (ECB, 2000). As a European Environment Agency member State, Norway was involved in the process of preparing the European Union risk assessment report.

8. The Committee established that the data upon which the hazard identification and risk assessment were based originated from recognized testing methods, peer-reviewed literature and peer-reviewed scientific reports and were reviewed according to recognized scientific principles and procedures.

(iii) *The final regulatory action was based on a risk evaluation involving prevailing conditions within the Party taking the action;*

9. Prevailing conditions in Norway have been taken into account. In a material flow analysis for SCCPs in Norway published by the Norwegian Pollution Control Authority SFT in 1999, data on production, use and emissions have been summarized (UNEP/FAO/RC/CRC.10/INF/10, pp. 222–226).

10. Risks for aquatic organisms have been identified in the European Union risk assessment report on SCCPs, which was published in 2000 (UNEP/FAO/RC/CRC.10/INF/10, pp. 3–176). In the draft OSPAR background document on SCCPs, monitoring data in ringed seal near Svalbard (belonging to Norway) from 1981 is reported, as well as in many other biota from Scandinavia and the Arctic (UNEP/FAO/RC/CRC.10/INF/10, pp. 204/205). Although this draft report was published in 2001, its content contributed to the Norwegian final regulatory action; this is evident because the draft report is mentioned in the relevant section of the notification and because it is likely that earlier drafts of the report were discussed between the OSPAR contracting parties such as Norway.

11. Further monitoring data on SCCPs from Norway are reported in the study by Borgen et al. (2003) and by SFT (1996, 2001 and 2002): samples of sediment from landfills were collected from six different parts of Norway. Samples of cod liver and blue mussels were collected from three different parts of the Oslofjord to indicate a spatial distribution of polychlorinated alkane (PCA) accumulation in these species. Furthermore, three samples of moss were analysed and indicated a potential for atmospheric spread of PCA. All samples were analysed for SCCPs. High concentrations of SCCPs in some sediments have been detected, presumably due to waste disposal from mechanical or shipping industry. These concentrations are in the same range as those from industrial areas of the United Kingdom.

12. The studies by SFT were in Norwegian only and were therefore not analysed in detail. However, tables from those studies show PCA measurements in various environmental samples. Norway confirms that the results published in the SFT study from 2002 and in the study by Borgen et al. (2003) were known before the final regulatory action was taken (UNEP/FAO/RC/CRC.10/INF/10, p. 2).

13. The Committee concluded that the final regulatory action was based on a risk evaluation involving prevailing conditions in Norway.

(d) Annex II paragraph (c) criteria

(c) Consider whether the final regulatory action provides a sufficiently broad basis to merit listing of the chemical in Annex III, by taking into account:

(i) Whether the final regulatory action led, or would be expected to lead, to a significant decrease in the quantity of the chemical used or the number of its uses;

14. The final regulatory action states that production, import, export, sale and use of SCCPs in pure form, in preparations or in products containing > 0.1 per cent SCCPs is prohibited (UNEP/FAO/RC/CRC.10/6, sect. 2.2.1). In the notification and supporting documentation, data were presented on the import, export and use of SCCPs in Norway (UNEP/FAO/RC/CRC.10/6, sect. 2.5.3).

15. Since the regulatory action bans the use of SCCPs (UNEP/FAO/RC/CRC.10/6, sect. 2), it is expected that the regulatory action will lead to a significant reduction of the quantity of the chemical used.

(ii) Whether the final regulatory action led to an actual reduction of risk or would be expected to result in a significant reduction of risk for human health or the environment of the Party that submitted the notification;

16. It is expected that since the regulatory action to ban the use of SCCPs significantly reduces the quantity of the chemical used, the risks to the environment will be significantly reduced.

(iii) Whether the considerations that led to the final regulatory action being taken are applicable only in a limited geographical area or in other limited circumstances;

17. In the notification, reference is made to OSPAR and ECB reports (OSPAR, 2001, OSPAR, 2009 and ECB, 2000) and to OSPAR decision 95/1 (UNEP/FAO/RC/CRC.10/6, sect. 2.2.3). Both the OSPAR and ECB reports mention high concentrations of SCCPs in environmental media, e.g., in the Baltic Sea, Lake Ontario, in the United Kingdom, Germany, the Czech Republic and Sweden. Furthermore, SCCPs are recognized to be of possible concern with regard to long-range atmospheric transport (UNEP/FAO/RC/CRC.10/INF/10, pp. 136, 187, 188). Therefore, similar environmental problems are likely to be encountered in other countries. The Committee concluded that the relevance of the final regulatory action was not limited to Norway.

(iv) Whether there is evidence of ongoing international trade in the chemical;

18. In the notification, reference is made to an OSPAR report (OSPAR, 2009) that states that in 2005 the usage of SCCPs in Sweden had decreased to 14 tonnes in 18 products (Kemi-Stat, 2008).

19. In France, several thousand tonnes were used in the beginning of the 1990s but only 222 tons in 2002; 147 tonnes were used for metal-working fluid, a use that was expected to end in 2004 (INERIS, 2005; see UNEP/FAO/RC/CRC.10/INF/10, p. 186).

20. Furthermore, it is stated in the notification that the use of SCCPs is allowed for research and analytical purposes (UNEP/FAO/RC/CRC.10/6, sect. 2.5.1).

21. In addition, information from the draft risk profile prepared by the Stockholm Convention's Persistent Organic Pollutants Review Committee indicates that SCCPs were used and traded internationally until 2010 (UNEP/POPS/POPRC.6/11/Rev.1, sect. 2.2.1).

22. The Committee concluded that there was evidence of ongoing international trade in SCCPs.

(e) Annex II paragraph (d) criterion

(d) Take into account that intentional misuse is not in itself an adequate reason to list a chemical in Annex III.

23. There is no indication in the notification that concerns about intentional misuse prompted the regulatory action.

(f) Conclusion

24. The Committee concluded that the notification of final regulatory action by Norway met all criteria set out in Annex II of the Convention.

II. Canada

(a) Scope of the notified regulatory action

25. The final regulatory action was taken for the category “industrial chemicals” to protect human health and the environment. The use of SCCPs is banned by the final regulatory action, which states that all manufacture, use, sales, offering for sale or import of SCCPs or products containing them is prohibited, except for SCCPs incidentally present in a product or used in a laboratory for analysis, in scientific research or as a laboratory analytical standard (UNEP/FAO/RC/CRC.10/6, annex II, sect. 2.1, 2.2.1 and 2.2.3).

(b) Annex II paragraph (a) criterion

(a) Confirm that the final regulatory action has been taken in order to protect human health or the environment;

26. The Committee confirmed that the final regulatory action to ban SCCPs had been taken to protect human health and the environment.

27. SCCPs were primarily used in Canada as extreme pressure additives in metalworking fluids. Products containing SCCPs, including paints, adhesives, sealants, rubber and plastics, could have been imported into Canada; the volume of such imports was believed to be small (UNEP/FAO/RC/CRC.10/6, annex II, sect. 2.3.1).

28. In the notification, hazards to human health are reported, including possible carcinogenicity (first Priority Substances List (PSL1) assessment) (UNEP/FAO/RC/CRC.10/6, annex II, sect. 2.4.2.1). In addition, the draft risk profile prepared by the Persistent Organic Pollutants Review Committee discusses the carcinogenicity of SCCPs (UNEP/POPS/POPRC.6/11/Rev.1).

29. In the supporting documentation, the latest follow up-report to the Priority Substances List assessment report (2008) concludes that SCCPs are entering, or may enter, the environment in a quantity or concentration or under conditions that constitute or may constitute a danger in Canada to human life or health (UNEP/FAO/RC/CRC.10/INF/11, p. 184).

30. In the notification, hazards to the environment are reported, including persistence in various environmental media and a high potential for bioaccumulation.

31. Based on the information available, it is proposed that SCCPs are entering the environment in quantities or concentrations or under conditions that have or may have an immediate or long-term harmful effect on the environment or its biological diversity (UNEP/FAO/RC/CRC.10/6, sect. 2.4.2.2).

(c) Annex II paragraph (b) criteria

(b) Establish that the final regulatory action has been taken as a consequence of a risk evaluation. This evaluation shall be based on a review of scientific data in the context of the conditions prevailing in the Party in question. For this purpose, the documentation provided shall demonstrate that:

(i) Data have been generated according to scientifically recognized methods;

(ii) Data reviews have been performed and documented according to generally recognized scientific principles and procedures;

32. Canada undertook research studies prior to the regulatory action and published the results (Government of Canada 1993a, 2004, 2004a, 2008 and Environment Canada and Health Canada, 2008).

33. The Priority Substances List assessment report on chlorinated paraffins (Government of Canada, 1993a) provides an extensive review of international peer-reviewed literature. The report itself underwent international (external) peer review (UNEP/FAO/RC/CRC.10/INF/11, p. 34).
34. In the follow-up reports (Government of Canada 2004, 2004a and 2008), newer data on SCCPs were identified and the hazards of the substance were reassessed.
35. The Committee established that the data upon which the hazard identification and risk assessment were based originated from recognized testing methods, peer-reviewed literature and peer-reviewed scientific reports and had been reviewed according to recognized scientific principles and procedures.
- (iii) The final regulatory action was based on a risk evaluation involving prevailing conditions within the Party taking the action;*
36. Canada undertook research studies involving the prevailing conditions in Canada (Government of Canada 1993a, 2004, 2004a, 2008 and Environment Canada, 2008). Anthropogenic releases of SCCPs into the Canadian environment have been confirmed (UNEP/FAO/RC/CRC.10/INF/11, p. 163). SCCPs have been detected in environmental media in Canada, including air, wastewater effluents, surface waters and sediments, as well as in aquatic organisms (plankton, mussels, fish and marine mammals). Risk quotients for several organism groups in Canada were presented in the supporting documentation. The risk quotients compare toxicity data (estimated no-effect values) to estimated exposure values based on empirical data from Canada. In conjunction with the fact that SCCPs are considered to be both highly persistent and bioaccumulative, it was concluded that SCCPs might be causing long-term ecological harm in Canada (UNEP/FAO/RC/CRC.10/INF/11, pp. 160–163).
37. In the notification, hazards to human health are reported, including possible carcinogenicity (PSL1 assessment) (UNEP/FAO/RC/CRC.10/6, annex II, sect. 2.4.2.1).
38. In the supporting documentation, the latest follow-up report of the Priority Substances List assessment report (2008) concludes that SCCPs are entering, or may enter, the environment in a quantity or concentration or under conditions that constitute or may constitute a danger in Canada to human life or health (UNEP/FAO/RC/CRC.10/INF/11, p. 184).
39. The Committee concluded that the final regulatory action was based on a risk evaluation involving prevailing conditions in Canada.

(d) Criteria Annex II (c)

(c) Consider whether the final regulatory action provides a sufficiently broad basis to merit listing of the chemical in Annex III, by taking into account:

(i) Whether the final regulatory action led, or would be expected to lead, to a significant decrease in the quantity of the chemical used or the number of its uses;

40. The notification of final regulatory action states that all use, sale, offer for sale or import of SCCPs, or a product containing them, is prohibited by the final regulatory action, unless the toxic substance is incidentally present, and therefore is expected to lead to a significant decrease in the quantity of the chemical used (UNEP/FAO/RC/CRC.10/6, annex II, sect. 2.1, 2.2.1, 2.3.1).

(ii) Whether the final regulatory action led to an actual reduction of risk or would be expected to result in a significant reduction of risk for human health or the environment of the Party that submitted the notification;

41. It is expected that since the regulatory action to ban the use of SCCPs significantly reduces the quantity of the chemical used, the risks to human health and the environment will also be significantly reduced.

(iii) Whether the considerations that led to the final regulatory action being taken are applicable only in a limited geographical area or in other limited circumstances;

42. In the supporting documentation (Government of Canada 2008, sects. 4.2 and 4.3) reference is made to SCCPs being detected in environmental samples from various countries (Canada, the United Kingdom, Norway, the United States of America, Germany, the Czech Republic, Chile, Greece, Iceland, France and Sweden). Furthermore, the presence of SCCPs in remote Arctic regions suggests that long-range atmospheric transport of SCCPs is occurring (UNEP/FAO/RC/CRC.10/INF/11, p. 66). The task group concluded that the considerations that led to the final regulatory action being taken were applicable to a wide geographical area and circumstances.

(iv) *Whether there is evidence of ongoing international trade in the chemical;*

43. In the supporting documentation, it is stated that the total reported annual usage of chlorinated paraffins in Canada (production + imports - exports) was approximately 2.8 kilotonnes in 2000 and 2001. As production of chlorinated paraffins (CPs) in Canada has stopped, CPs are now imported into Canada as chemical formulations from foreign producers or as formulations in products such as paints, sealants, plastics and metalworking fluids (UNEP/FAO/RC/CRC.10/INF/11, pp.67 and 90).

44. The notification states that the use of SCCPs is allowed for analysis, in scientific research or as a laboratory analytical standard (UNEP/FAO/RC/CRC.10/6, annex II, sect. 2.2.1).

45. Additionally, information from the draft risk profile prepared by the Persistent Organic Pollutants Review Committee indicates that SCCPs were used and traded internationally until 2010 (UNEP/POPS/POPRC.6/11/Rev.1, sect. 2.2.1).

46. The Committee concluded that there was evidence of ongoing international trade in SCCPs.

(e) Criterion Annex II (d)

(d) *Take into account that intentional misuse is not in itself an adequate reason to list a chemical in Annex III.*

47. There is no indication in the notification that concerns about intentional misuse prompted the regulatory action.

(f) Conclusion

48. The Committee concluded that the notifications of final regulatory action by Norway and Canada met the criteria set out in Annex II to the Rotterdam Convention.

49. The Committee also concluded that the final regulatory actions taken by Norway and Canada provided a sufficient basis to merit including short-chained chlorinated paraffins in Annex III to the Rotterdam Convention in the industrial chemicals category and that a decision guidance document should be drafted on the basis of the notifications.

CRC-10/5: Tributyltin compounds

The Chemical Review Committee,

Recalling Article 5 of the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade,

Taking into account the conclusion by the Chemical Review Committee that the notifications of final regulatory action for tributyltin compounds under the pesticide category submitted by Canada and the European Union met the criteria in Annex II⁷ and recalling decision RC-4/5, by which the Conference of the Parties, having considered the recommendation of the Committee, decided to amend Annex III to the Convention to list tributyltin compounds as pesticides and adopted the decision guidance document for those substances,⁸

1. *Concludes* that the notification of final regulatory action for tributyltin compounds under the industrial category submitted by Canada⁹ meets the criteria set out in Annex II to the Rotterdam Convention;

2. *Adopts* the rationale for the Committee's conclusion set out in the annex to the present decision;

3. *Recommends*, in accordance with paragraph 6 of Article 5 of the Convention, that the Conference of the Parties should list tributyltin compounds in Annex III to the Convention as industrial chemicals;

4. *Decides*, in accordance with paragraph 1 of Article 7 of the Convention, to prepare a draft decision guidance document for tributyltin compounds for the industrial category by revising the decision guidance document adopted by the Conference of the Parties in decision RC-4/5¹⁰ to include information relevant to the industrial category;

⁷ UNEP/FAO/RC/CRC.2/20, annex II, section B.

⁸ UNEP/FAO/RC/COP.4/10, annex V.

⁹ UNEP/FAO/RC/CRC.10/7, UNEP/FAO/RC/CRC.10/INF/13.

¹⁰ UNEP/FAO/RC/COP.4/10, annex V.

5. *Also decides*, in accordance with the process for drafting decision guidance documents set out in decision RC-2/2, that the composition of the intersessional drafting group to revise the decision guidance document for tributyltin compounds and the workplan of the group shall be as set out in annexes II and III to the report of the Committee's tenth meeting, respectively.

Annex to decision CRC-10/5

Rationale for the conclusion by the Chemical Review Committee that the notification of final regulatory action submitted by Canada in respect of tributyltin compounds under the industrial category meets the criteria of Annex II to the Rotterdam Convention

1. In reviewing the notification of final regulatory action by Canada to severely restrict tributyltin compounds as industrial chemicals, together with the supporting documentation provided by Canada, the Committee was able to confirm that the final regulatory action had been taken to protect the environment. The notification from this party was found to meet the information requirements of Annex I to the Rotterdam Convention.

2. The notification and supporting documentation were made available to the Committee for its consideration in documents UNEP/FAO/RC/CRC.10/7 and UNEP/FAO/RC/CRC.10/INF/13. Information on ongoing international trade was provided by the European Union and made available in document UNEP/FAO/RC/CRC.10/INF/6.

(a) Scope of the notified regulatory action

3. The notified regulatory action relates to tributyltin compounds and their use as industrial chemicals. The decision made was to severely restrict those uses (Prohibition of Certain Toxic Substances Regulations, 2012). This action was based on the results of a risk evaluation.

(b) Annex II paragraph (a) criterion

(a) Confirm that the final regulatory action has been taken in order to protect human health or the environment;

4. The Committee confirmed that the final regulatory action had been taken to protect the environment.

5. Tributyltin compounds have been used as industrial chemicals in the polyvinyl chloride (PVC) processing industry. Minor uses of products containing tributyltins include glass coating and catalysts, and tributyltins are present in tetrabutyltin compounds as a by-product.

6. The notification identifies uses that remain allowed under the severe restriction. The notification describes the specific risks and outlines that a severe restriction of industrial uses of tributyltin compounds significantly reduces the exposure of aquatic organisms. This is stated in section 2.4.2.2 of the notification (UNEP/FAO/RC/CRC.10/7) and supporting documentation (UNEP/FAO/RC/CRC.10/INF/13).

(c) Annex II paragraph (b) criteria

(b) Establish that the final regulatory action has been taken as a consequence of a risk evaluation. This evaluation shall be based on a review of scientific data in the context of the conditions prevailing in the Party in question. For this purpose, the documentation provided shall demonstrate that:

(i) Data have been generated according to scientifically recognized methods;

(ii) Data reviews have been performed and documented according to generally recognized scientific principles and procedures;

7. A detailed review conducted by the Government of Canada concludes that tributyltin compounds are toxic to aquatic organisms at low concentrations and have a high potential to cause environmental harm due to their high persistence and bioaccumulative properties (Follow-up to the 1993 Ecological Risk Assessment of Organotin Substances on Canada's Domestic Substances List, 2009 (UNEP/FAO/RC/CRC.10/INF/13)). In the follow-up risk assessment, risk quotients were calculated on the basis of modelled as well as measured exposure and hazard data; this is an

internationally applied methodology. There is an extensive list of references cited in the follow-up risk assessment document from a wide range of sources, including well-known international journals.

8. Thus, the Committee established that the data reviewed for the risk evaluation were generated according to scientifically recognized methods and that the data reviews were performed according to generally recognized scientific principles and procedures.

(iii) *The final regulatory action was based on a risk evaluation involving prevailing conditions within the Party taking the action;*

9. The exposure was based, first, on concentrations of tributyltin compounds in water and sediment modelled for Canada, and, second, on measured concentrations of tributyltin compounds in water and sediment in Canada. It was concluded that estimated and measured concentrations of tributyltin compounds in Canada were high enough to cause adverse effects in sensitive organisms. Furthermore, tributyltin compounds meet the criteria for persistence and bioaccumulation set out in Canada's national regulation, and high concentrations of tributyltin compounds in sediments are known to cause imposex (imposition of male characteristics on female organisms) in molluscs and appear to have the potential to induce sex reversal in some marine fish.

10. The risk evaluation took into account these modelled and measured exposure data in Canada and the ecotoxicological endpoints for tributyltin compounds and indicated a high risk to the most sensitive aquatic organisms. Therefore the Committee concluded that this criterion was met.

(d) Annex II paragraph (c) criteria

(c) *Consider whether the final regulatory action provides a sufficiently broad basis to merit listing of the chemical in Annex III, by taking into account:*

(i) *Whether the final regulatory action led, or would be expected to lead, to a significant decrease in the quantity of the chemical used or the number of its uses;*

11. The final regulatory action severely restricts the use of tributyltin compounds as industrial chemicals, mainly in the polyvinyl chloride (PVC) processing industry. The severe restriction is expected to lead to a decrease in the quantity of the chemical used and consequently to a further reduction of the environmental risks associated with the use of tributyltin compounds as industrial chemicals.

(ii) *Whether the final regulatory action led to an actual reduction of risk or would be expected to result in a significant reduction of risk for human health or the environment of the Party that submitted the notification;*

12. Since the regulatory action will significantly reduce the contamination of the aquatic environment from tributyltin compounds, it is expected that it will lead to a significant reduction of the risk to the environment. Although persistence in the aquatic environment at some locations will result in elevated levels for some time, removing this source of input will allow recovery to occur.

(iii) *Whether the considerations that led to the final regulatory action being taken are applicable only in a limited geographical area or in other limited circumstances;*

13. Similar environmental exposure and risks are likely to be found in other countries where tributyltin compounds are used as industrial chemicals. Therefore, the relevance of the final regulatory action is not limited to Canada.

(iv) *Whether there is evidence of ongoing international trade in the chemical;*

14. Information from the European Union on international trade in chemicals shows recent information on trade between European Union member States and other countries from 2012 to 2014 (UNEP/FAO/RC/CRC.10/INF/6).

(e) Annex II paragraph (d) criterion

(d) *Take into account that intentional misuse is not in itself an adequate reason to list a chemical in Annex III.*

15. There is no indication in the notification or supporting documentation that concerns about intentional misuse prompted the final regulatory action.

(f) Conclusion

The Committee concluded that the notification of final regulatory action by Canada related to the industrial uses of tributyltin compounds met the criteria set out in Annex II to the Convention.

CRC-10/6: Coordination and collaboration with other scientific subsidiary bodies

The Chemical Review Committee

1. *Requests* the joint intersessional working group established at the first joint meeting of the Chemical Review Committee and the Persistent Organic Pollutants Review Committee to finalize the draft guidance to assist parties to the Rotterdam Convention and the Chemical Review Committee in their work when a chemical under consideration is a persistent organic pollutant listed under the Stockholm Convention, taking into account any additional comments provided by the committees, and to submit it to the Conference of the Parties for consideration at its seventh meeting;

2. *Requests* the Secretariat to report to the conferences of the parties to the Rotterdam Convention and the Stockholm Convention on Persistent Organic Pollutants at their seventh meetings on the benefits gained from the back-to-back meetings of the two committees and on the experience in the organization of the joint meeting, on the basis of the information gathered and additional comments provided by the committees.

Annex II

Composition of intersessional drafting groups (2014–2015)

Drafting group on short-chained chlorinated paraffins

Co-coordinators: Ms. Leonarda van Leeuwen (Netherlands)
Ms. Ana Ramirez (Honduras)

Members: Ms. Anja Bartels (Austria)
Mr. Gilberto Fillman (Brazil)
Ms. Parvoleta Angelova Luleva (Bulgaria)
Mr. Jeffery R. Goodman (Canada)
Ms. Jinye Sun (China)
Mr. Mohammed Ali Mohammed (Ethiopia)
Ms. Mirijam Kristina Brigitta Seng (Germany)
Mr. Arturo Gavilán (Mexico)
Ms. Amal Lemsioui (Morocco)
Mr. Jung-Kwan Seo (Republic of Korea)
Mr. Jürgen Helbig (Spain)
Ms. Nuansri Tayaputch (Thailand)
Mr. Boniface Mbewe (Zambia)

Drafting group on tributyltin compounds

Co-coordinators: Ms. Anja Bartels (Austria)
Ms. Parvoleta Angelova Luleva (Bulgaria)

Members: Mr. Gilberto Fillman (Brazil)
Mr. Jeffery R. Goodman (Canada)
Ms. Jinye Sun (China)
Ms. Elsa Ferreras (Dominican Republic)
Mr. Mohammed Ali Mohammed (Ethiopia)
Mr. Omar S. Bah (the Gambia)
Ms. Mirijam Kristina Brigitta Seng (Germany)
Ms. Amal Al-Rashdan (Kuwait)
Mr. Mohd Fauzan Yunus (Malaysia)
Mr. Arturo Gavilán (Mexico)
Mr. Jung-Kwan Seo (Republic of Korea)
Ms. Tatiana Tugui (Republic of Moldova)
Mr. Jürgen Helbig (Spain)
Ms. Nuansri Tayaputch (Thailand)

Annex III

Workplan for the preparation of draft decision guidance documents

Tasks to be carried out	Responsible persons	Deadlines
Draft an internal proposal based on the information available to the Committee	Co-coordinators	15 December 2014
Send draft internal proposal to drafting group members for comments via e-mail	Co-coordinators	15 December 2014
Replies	Drafting group members	20 January 2015
Update internal proposal based on comments from drafting group members	Co-coordinators	20 February 2015
Send updated internal proposal to Committee members and observers for comments via e-mail	Co-coordinators	20 February 2015
Replies	Committee members and observers	31 March 2015
Draft a decision guidance document based on the comments from Committee members and observers	Co-coordinators	28 April 2015
Send draft decision guidance document to drafting group members for comments via e-mail	Co-coordinators	28 April 2015
Replies	Drafting group members	9 May 2015
Finalize draft decision guidance document based on the comments of the drafting group	Co-coordinators	30 May 2015
Send draft decision guidance document to Secretariat	Co-coordinators	30 May 2015
Present draft decision guidance document to the Committee at its eleventh meeting		October 2015