



Implementation of the Rotterdam Convention in the European Union

*Capacity Building for Chemicals Life Cycle Management
under the Rotterdam Convention*

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Objectives:

- To present:
 - the implementation of the Rotterdam Convention within the European Union (EU)
 - the main specificities of the EU regime as compared to the Rotterdam Convention provisions
 - the EU export notification and explicit consent procedures
- To receive your questions and feedback!

The Rotterdam Convention in EU law

The Rotterdam Convention (RC) was ratified by the European Union (EU) in December 2002.

It was subsequently implemented by different EU regulations:

- Regulation (EC) No 304/2003
- Regulation (EC) No 689/2008
- Regulation (EU) No 649/2012, known as the “EU **PIC Regulation**”

Objectives of the EU PIC Regulation

1. **Implement** within the EU the provisions of **the Rotterdam Convention**
2. But also, to more generally:
 - Promote **shared responsibility and cooperation** in the international trade of hazardous chemicals.
 - **Protect** human health and the environment by providing importing countries with information on **how to safely store, transport, use and dispose** of hazardous chemicals.
 - Contribute to the **environmentally sound use** of hazardous chemicals.

Rotterdam Convention (RC) vs. EU PIC Regulation (main differences)

The EU PIC Regulation goes beyond the RC

- All importing countries (not only Parties to the Convention)
- Export notification irrespective of the intended use
- More chemicals:
 - Banned or severely restricted in a subcategory of a Convention use category (~ 230 chemicals) → export notification
 - Banned or severely restricted in a Convention use category (~ 120 chemicals) → export notification + explicit consent

PIC Network in the EU

- DG Environment of the **European Commission** acts as the **common EU Designated National Authority** on behalf of the EU Member States DNAs for the administrative functions with reference to the PIC procedure
- **EU Member States DNAs** work in cooperation with COM and ECHA
- **ECHA** provides assistance in the implementation of the PIC Regulation



**EU Member
States
DNAs**



ECHA
EUROPEAN
CHEMICALS
AGENCY

Scope of the EU PIC Regulation

- Chemicals **banned or severely restricted within the EU**
 - Pesticides: active substances in plant protection products or biocidal products including disinfectants, insecticides and parasiticides
 - Industrial chemicals (REACH)
- PIC Regulation Annexes are **updated once a year**

Lists of chemicals in Annex I to the EU PIC Regulation

Annex I has 3 Parts, i.e. 3 lists of chemicals.

Annex I, Part 1 (export notification)

- Chemicals that are banned or severely restricted in the EU in a sub-category of a Convention use category (~ 230 chemicals)
- ❖ A) pesticides (2 subcategories):
 - active substances in plant protection products
 - active substances in biocidal products, disinfectants, insecticides, parasiticides
- ❖ B) industrial chemicals (2 subcategories):
 - industrial chemicals for professional use
 - Industrial chemicals for public use

Lists of chemicals in Annex I to the EU PIC Regulation

Annex I, Part 2 (export notification + explicit consent)

- Chemicals that are banned or severely restricted in the EU in a Convention use category (~ 120 chemicals)
 - ❖ A) pesticides
 - ❖ B) industrial chemicals

Annex I, Part 3 (Rotterdam Convention PIC procedure)

- Chemicals that are listed in Annex III to the Rotterdam Convention

Information to accompany exported chemicals (Article 13 of the Rotterdam Convention)

- All chemicals when exported to be packaged and labelled in accordance with EU legislation unless importing country requires otherwise.
- Where appropriate, production and expiry dates to be shown on the label.
- Safety data sheets to be provided.
- Whenever practicable, all information to be in official/principal language of the importing country.

Other obligations under the Convention

- **EU Import Responses** are adopted by the European Commission and submitted to the Secretariat (53 import responses submitted) (Article 10)
- **EU notifications of final regulatory action** are drafted by the European Commission with the assistance of ECHA, and, after consultation of EU Member States and observers, submitted to the Secretariat (91 FRA notifications submitted) (Article 5)

Thank you !

*Do you have any
questions or feedback?*