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INTERIM CHEMICAL REVIEW COMMITTEE

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Item 5 (b) (i) of the provisional agenda*

INCLUSION OF CHEMICALS IN THE INTERIM
PRIOR INFORMED CONSENT PROCEDURE
CONSIDERATION OF DRAFT DECISION GUIDANCE DOCUMENTS:

ASBESTOS

Note by the secretariat

1. In line with the process for the development of decision guidance documents set out in decision INC-7/6, the internal proposal for asbestos was circulated to the Interim Chemical Review Committee and its observers for information and comment. Annexed to the present note is a tabular summary of the comments received on the internal proposal and how they were addressed in preparing the draft decision guidance on asbestos.
2. The draft decision guidance document for asbestos is available to the committee in document UNEP/FAO/PIC/ICRC.4/11.

* UNEP/FAO/PIC/ICRC.4/1

Tabular summary of Comments on the Internal Proposal for Asbestos

Country	Comment	Response
Canada	<p>Overall comment on the DGD</p> <p>In general, the various chapters are a lot cleaner whereby they cover only the type of asbestos it is supposed to. However, there are still statements that are applicable to all forms of asbestos.</p>	<p>Where possible the chapters have been tailored to refer to the specific form of asbestos. However because much of the information provided in notifications and referenced documents does not clearly distinguish each variant, in some sections it has been considered more appropriate to quote the information as provided.</p>
Canada	<p>Overall comment on the DGD</p> <p>The document gives the few countries that have banned the substance a lot more voice than it does to countries that are following a controlled or safe use approach to the substance. For example the title page of the DGD should read (top part) Operation of the interim Prior Informed Consent procedure for (certain hazardous chemicals and pesticides in international trade) instead of (for banned or severely restricted chemicals in international trade). Chrysotile is not banned or severely restricted internationally.</p>	<p>This is the model established by the Secretariat. The general issue will be raised with the Secretariat, and if necessary, discussed at the next meeting of the ICRC for general application to all DGDs</p>
Canada	<p>Overall comment on the DGD</p> <p>Canada considers that some important information included in this document is outdated and/or incomplete. We understand that more information will be provided elsewhere, such as the website. However, the DGD may still remain the main reference consulted by Parties in deciding how to manage the substance. The DGD could potentially lead some countries to use alternatives that are also dangerous products (if not as dangerous as certain forms of asbestos) to the human health.</p>	<p>The ICRC has agreed that DGDs will summarise the national actions, which are time and information specific. Appropriate linkages to new or alternative information have been identified as a requirement – see Table 7 on the PIC website http://www.pic.int/en/Table7.htm</p>
Canada	<p><u>Crocidolite: Protective measures that have been applied concerning the chemical: Alternatives (p.3)</u></p> <p>Canada is also of the opinion that, in light of the fibrous nature of substitutes, care should be taken to limit exposure of workers to these particles.</p> <p>This comment applies to same section in all chapters.</p>	<p>The following text has been added to the italicized preamble for Alternatives, in each of the 3 chapters: “The hazards of the substitute materials and the controls needed for safe use should also be evaluated.”</p>
Canada	<p><u>Crocidolite: Hazards and risks to human health and/or the environment - Crocidolite (p.4)</u></p> <p>«NTP Asbestos is classified as “Known Human Carcinogen” (US. 2001)»</p> <p>This statement could easily be amended to make it specific to crocidolite:</p> <p>«NTP Crocidolite asbestos is classified as “Known Human Carcinogen” (US. 2001)»</p>	<p>Changed as requested after consultation with USA.</p>

Country	Comment	Response
Canada	<p><u>Crocidolite: Annex 1: 2. Toxicological properties : 2.5 Effects on humans: last paragraph (p.8)</u> «Many cohort studies on different populations have suggested that cancer at sites other than the lung, pleura, and peritoneum has resulted from occupational exposure to asbestos. In contrast other studies have shown no excess of cancer at other sites (IPCS, 1986). Gastrointestinal cancers occurred at an increased incidence in groups occupationally exposed to asbestos.» The paragraph is confusing. Does IPCS reports contradiction in the findings of studies, or does IPCS only report that some studies show no excess of cancer at other sites? If we understand the meaning correctly, we suggest rewording along those lines: «In a review of studies, IPCS (1986) has found that some studies suggest that cancer at sites other than the lung pleura, and peritoneum has resulted from occupational exposure to asbestos, while others have shown no excess of cancer at other sites. IARC (1987) reports that cancers occurred at an increased incidence in groups occupationally exposed to asbestos.» The comment applies to all chapters where this paragraph is found.</p>	<p>Text of first sentence covering IPCS 1986 review has been changed as requested. Second sentence has been rearranged and an extra phrase from the IARC document added to improve clarity. Second sentence now reads: “IARC (1987) reports that gastrointestinal cancers occurred at an increased incidence in groups occupationally exposed to asbestos, although not all studies are consistent in this respect.”</p> <p>Similar changes have been made in the “other amphiboles” chapter.</p>
Canada	<p><u>Crocidolite: Annex 1: 3. Human exposure/Risk evaluation: 3.6 Public exposure (p.10)</u> «In the general population, the risks of mesothelioma and lung cancer attributable to asbestos [...]» This statement could easily be amended to make it specific to crocidolite: «In the general population, the risks of mesothelioma and lung cancer attributable to crocidolite asbestos [...]»</p>	<p>This is a general conclusion of the 1986 IPCS report, and is written as “asbestos”.</p>
Canada	<p><u>Crocidolite: Annex 2 : Country name: Chile: 4.1 Risk evaluation (p.12)</u> «In Chile, this means in particular those workers who have been exposed to fibres from the manufacture of construction materials.» This statement could easily be amended to make it specific to crocidolite: «In Chile, this means in particular those workers who have been exposed to crocidolite fibres from the manufacture of construction materials.»</p>	<p>Text from Chilean supporting documentation.</p>
Canada	<p><u>Crocidolite: Annex 2: Country name: European Community: 2. Succinct details of the final regulatory action(s) (p.14)</u> «The placing on the market and use of chrysotile may be allowed by Member States for diaphragms for existing electrolysis installations until they reach the end of their service life, or until suitable asbestos-free substitutes become available, whichever is the sooner. The derogation will be reviewed before January 1 2008.» This paragraph is irrelevant to crocidolite and should only be found in the chrysotile chapter. The comment applies to all chapters where this paragraph is found.</p>	<p>Amended as necessary.</p>

Country	Comment	Response
Canada	<p><u>Crocidolite; Annex 2: Country name: European Community: 4.2. Criteria used Relevance to other States and Region (p.14)</u> «General health problem in all states where the substance is used in industrial plants and/or as building material, especially in developing countries, where the use of asbestos is still growing. A ban would protect health of workers and of the general public» There seems to be missing something in the first sentence. Further we question the relevance of this statement in this section. We understand the purpose of this section to be a description of how the regulatory action in the notifying country affects other countries. The comment applies to all chapters where this paragraph is found.</p>	<p>The first sentence amended in all 3 chapters to read: “There are general health problems....” in order to improve clarity. We note that this section of the notification form has been interpreted in different ways. However the statement is consistent with the guidance in the PIC document “Instructions for Submission of Notification of Final Regulatory Action to Ban or Severely Restrict a Chemical”.</p>
Canada	<p><u>Crocidolite; Annex 2: Country name: European Community: 5. Alternatives (p.14)</u> « The risk assessment undertaken by the CSTEEL on chrysotile asbestos and candidate substitutes concludes that, both for the induction [...]» This paragraph relates to chrysotile, therefore it is not relevant to the crocidolite chapter. The comment applies to all chapters where this paragraph is found.</p>	<p>Linking text has been added in the “crocidolite” and “other amphibole” chapter, indicating that the comparison is relevant for these variants of asbestos also.</p>
Canada	<p><u>Other amphibole forms; Hazards and risks to human health and/or the environment - Other amphibole forms (p.21)</u> «NTP Asbestos is classified as “Known Human Carcinogen” (US. 2001)» This statement could easily be amended to make it specific to amphibole asbestos: «NTP Amphibole asbestos is classified as “Known Human Carcinogen” (US. 2001)»</p>	<p>Changed as requested after consultation with USA.</p>
Canada	<p><u>Other amphibole forms; Annex 1: 2.5 Effects on humans: 2nd paragraph (p.25)</u> «Asbestosis was the first asbestos-related lung disease to be anthophyllite.» Something is missing in the sentence.</p>	<p>Amended, sentence now reads: “Asbestosis was the first asbestos-related lung disease to be recognized.”</p>
Canada	<p><u>Other amphibole forms; Annex 1: 3.6. Public exposure (p.25)</u> «In the general population, the risk of mesothelioma and lung cancer attributable to asbestos cannot be quantified reliably and are probably undetectably low.» This statement could easily be amended to make it specific to amphibole asbestos: «In the general population, the risk of mesothelioma and lung cancer attributable to amphibole asbestos cannot be quantified reliably and are probably undetectably low.»</p>	<p>This is a general conclusion of the 1986 IPCS report and is written as “asbestos”.</p>
Canada	<p><u>Other amphibole forms; Annex 2: Country name: Australia: 3. Reasons for action (p.28)</u> «Carcinogenic when inhaled. Should minimize exposure of people to risk of inhalation of asbestos.» This statement could easily be amended to make it specific to amphibole asbestos: «Carcinogenic when inhaled. Should minimize exposure of people to risk of inhalation of amphibole asbestos.»</p>	<p>This and previous section amended, in both “crocidolite” and “other amphibole” chapters. Although original text is taken directly from Australian notification, it would be more accurate to use the term “amphibole asbestos” as this is the scope of Australia’s notification. .</p>
Canada	<p><u>Other amphibole forms Annex 2 Country name: Chile 4.1. Risk evaluation (p.29)</u> «In Chile, this means in particular those workers who have been exposed to fibres from the manufacture of construction materials.» This statement could easily be amended to make it specific to amphibole asbestos: «In Chile, this means in particular those workers who have been exposed to amphibole fibres from the manufacture of construction materials.»</p>	<p>Text from Chilean supporting documentation</p>

Country	Comment	Response
Canada	<p><u>Chrysotile Hazards and risks to human health and/or the environment - Chrysotile (p.38)</u> «NTP Asbestos is classified as “Known Human Carcinogen” (US. 2001)» This statement could easily be amended to make it specific to chrysotile: «NTP chrysotile is classified as “Known Human Carcinogen” (US. 2001)»</p>	Changed as requested, after consultation with USA.
Canada	<p><u>Chrysotile 2. Toxicological properties 2.1 General (p.40)</u> Compared to the previous version of the DGD, text has been deleted from this section. We believe that an important statement has been lost, whereby chrysotile may cause cancer with a dose-response relationship.</p>	Similar text reinstated
Canada	<p><u>Chrysotile 2. Toxicological properties 2.2 Deposition and clearance (p.40)</u> Chrysotile fibres are cleared from the lungs quickly.</p>	Text added from IPCS, 1998 to cover this topic.
Canada	<p><u>Chrysotile 2. Toxicological properties 2.5 Effects on humans 2.5.1 Asbestosis 1st paragraph (p.42)</u> «Studies of workers exposed to chrysotile in different sectors have broadly demonstrated exposure-response or exposure-effect relationships for chrysotile-induced asbestosis, in so far as increasing levels of exposure have produced increases in the incidence and severity of the disease (IPCS, 1998).» The exact same statement is found in the next paragraph.</p>	Duplication removed.
Canada	<p><u>Chrysotile 2. Toxicological properties 2.5 Effects on humans 2.5.2 Lung cancer (p.42)</u> Most of these case reports are mixed exposures: chrysotile and amphibole. Should report studies with chrysotile exposure only.</p>	Text added from summary section of IPCS 1998 p8
Canada	<p><u>Chrysotile 2. Toxicological properties 2.5 Effects on humans 2.5.3 Mesothelioma (p.42)</u> There is only circumstantial evidence. Should only report factual evidence. Canada would be pleased to submit studies with factual information on chrysotile. These studies demonstrate that there is only little incidence of mesothelioma associated with chrysotile.</p>	Replaced second paragraph of 2.5.3 in chrysotile chapter with “Available information suggests that the capacity to cause mesothelioma is substantially less for chrysotile than for amphiboles (especially crocidolite) (IPCS, 1986).
Canada	<p><u>Chrysotile Annex 1 3.4. Occupational exposure (p.44)</u> «The IPCS 1998 evaluation of chrysotile concludes that: [...]» One of the conclusions is missing: «Control measures, including engineering controls and work practices, should be used in circumstances where occupational exposure to chrysotile can occur. Data from industries where control technologies have been applied have demonstrated the feasibility of controlling exposure to levels generally below 0.5 fibres/ml. Personal protective equipment can further reduce individual exposure where engineering controls and work practices prove insufficient.» Further we do agree that materials should be used instead of minerals.</p>	Two extra paragraphs now included. Introductory text changed to indicate that the section now covers conclusions and recommendations of IPCS 1998 evaluation, rather than conclusions alone as in previous version. Alternate text material/minerals placed in square brackets pending checking with IPCS.
Canada	<p><u>Chrysotile Annex 1 3.5. Para-occupational exposure (p.44)</u> High-speed tools are not the recommended tools to use.</p>	Noted
Secretariat	It is not obvious that the document comprises, what are essentially three separate DGDs, suggest that a table of contents be inserted in the front end so that readers might more easily find the chemicals of interest	Table of contents included

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Country	Comment	Response
Secretariat	For each of the three chapters - the range of the uses subject to the regulatory actions is not immediately clear, this could cause confusion for the reader, so if possible suggest that a sentence or two be added to more clearly define the scope of the uses that are no longer allowed for each of the different types of asbestos	FOR DISCUSSION AT ICRC
Secretariat	HS Codes: to consider the inclusion of HS code numbers for the various products made of or containing asbestos that are covered by the DGD. While all forms of asbestos have the same HS code (2524.00), there are a number of codes for products made of or containing asbestos, all in Chapter 68, - but also here there is no distinction between the various types of asbestos.	FOR DISCUSSION AT ICRC Possible text to be cleared by WCO. “Material and articles containing asbestos may also be found in Ch 68. Subsection 6812 covers certain items that contain asbestos; subsections 6811 and 6813 cover certain items that may or may not contain asbestos.”