

CRC-18/5: Chlorfenvinphos

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 notification of final regulatory action for chlorfenvinphos submitted by Norway¹ meets the criteria set out in Annex II to the Convention;
2. *Adopts* the rationale for the Committee's conclusion set out in the annex to the present decision;
3. *Notes* that, as only a notification of final regulatory action from one prior informed consent region in respect of chlorfenvinphos meets the criteria set out in Annex II to the Convention, it will take no further action on the chemical at present.

Annex to decision CRC-18/5

Rationale for the conclusion by the Chemical Review Committee that the notification of final regulatory action submitted by Norway in respect of chlorfenvinphos in the pesticide category meets the criteria of Annex II to the Rotterdam Convention

1. The notification on chlorfenvinphos from Norway has been verified by the Secretariat as containing the information required by Annex I to the Rotterdam Convention. The notification underwent a preliminary review by the Secretariat and the Bureau, which evaluated whether the notification appeared to meet the requirements of the Convention.
2. The notification and supporting documentation were made available to the Chemical Review Committee for its consideration in documents UNEP/FAO/RC/CRC.18/8 and UNEP/FAO/RC/CRC.18/INF/16. Information on trade was made available in document UNEP/FAO/RC/CRC.18/INF/6/Rev.1.

A. Scope of the regulatory action notified by Norway

3. The regulatory action notified by Norway relates to chlorfenvinphos (CAS No. 470-90-6) as a pesticide. Prior to the final regulatory action entering into force, chlorfenvinphos was used as a pesticide on cultivated land under planting or after sowing against larvae living on the roots of swedes, turnips, celery root and coles and mustards, except celery cabbage, as well as for production of vegetable seedlings in greenhouses and seed disinfectants.
4. Norway severely restricted the use of chlorfenvinphos, with the only allowed use being the production of vegetable seedlings in greenhouses and seed disinfection (Decree of the Norwegian Agricultural Inspection Services of 2000; entry into force of the final regulatory action on 1 January 2003). As at 1 June 2015, plant protection products in Norway are regulated by the Norwegian regulation implementing the European Union regulation (EC) No. 1107/2009 with specific transitional measures for Norway. Chlorfenvinphos is no longer approved in the European Union.

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;

5. The Committee confirms that the final regulatory action was taken to protect the environment.
6. According to the notification, chlorfenvinphos was severely restricted due to its high persistence and high toxicity in terrestrial and aquatic environment. Concentration measured in the environment had shown considerable effects in laboratory animals.

¹ See UNEP/FAO/RC/CRC.18/8.

7. The Committee therefore concludes that the final regulatory action was taken in order to protect the environment and that the criterion in paragraph (a) of Annex II is met.

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;*

8. In the notification, a summary of the effects on laboratory organisms and a brief summary on the environmental risk evaluation have been provided. The summary includes the key findings and a summary with relevant figures (predicted and measured environmental concentrations and estimated risks) of the risk evaluation.

9. In the supporting documentation, the recommendations of the Board of Pesticides and the holistic evaluation (risk evaluation) of the Norwegian Agricultural Inspection of Birlane Granulat (chlorfenvinphos) have been provided.

10. The Committee confirms that the criteria in paragraph (b) (i) and (ii) of Annex II are met.

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

11. The notification indicates that the final regulatory action is based on a risk evaluation relevant to the environment.

12. The evaluation took into account toxicology, environmental fate and behaviour, ecotoxicology, residues and availability of alternatives. Through the agricultural and environmental monitoring programme of pesticides in Norway (JOVÅ), chlorfenvinphos was found on several occasions in 1997, 1998 and 1999. The active substance was detected at maximum concentrations of 0.22, 0.20 and 0.37 µg/l in January, February and April 1998, respectively.

13. Chlorfenvinphos was found to be moderately persistent in Norwegian soils and may be expected to accumulate. It also showed high toxicity to terrestrial organisms and extremely acute toxicity to aquatic organisms such as daphnia, fish, algae and aquatic plants.

14. The review concluded that Birlane Granulat containing chlorfenvinphos has high persistence and high toxicity in terrestrial and aquatic environments. In addition, environmentally relevant concentrations had also shown considerable effects in laboratory animals.

15. Norway also provided a summary with relevant figures on their risk evaluation. In their exposure assessment for the product Birlane Granulat, a maximum predicted environmental concentration for surface water (PEC_{sw}) of 12.5 µg/L was calculated. The exposure concentration was estimated by assuming that 0.1 per cent of the total dose was distributed to the surface water through run-off. By comparing the PEC with the lowest EC₅₀ for daphnia, a toxicity exposure ratio (TER) of 0.2 was obtained (trigger = 100). Furthermore, a PEC in soil of 35.75 mg/kg was estimated. This concentration is higher than the concentration which gave 100 per cent mortality in a laboratory study with spring tails. Thus, a high and unacceptable acute risk (TER = 0.02) to soil living organisms was identified with the proposed use pattern.

16. The Committee confirms that the criterion in paragraph (b) (iii) of Annex II is met.

17. The Committee therefore concludes that the criteria in paragraph (b) of Annex II are 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;*

18. The final regulatory action severely restricted the use of formulations containing chlorfenvinphos. Consequently, it is expected that the regulatory action will lead to a significant reduction of the quantity of the chemical used and the number of its uses.
19. The Committee therefore confirms that the criterion in paragraph (c) (i) is met.
- (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;*
20. The final regulatory action severely restricted the use of formulations containing chlorfenvinphos. Consequently, it is expected that the regulatory action will lead to a significant reduction of risk to the environment.
21. The Committee therefore confirms that the criterion in paragraph (c) (ii) is met.
- (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;*
22. The supporting document states that similar conditions of environmental exposure, such as contamination of surface water and exposure of terrestrial and aquatic organisms, are likely to occur also in other states and regions.
23. The Committee therefore confirms that the criterion in paragraph (c) (iii) is met.
- (iv) *Whether there is evidence of ongoing international trade in the chemical;*
24. The notification and the supporting documentation give information on quantities of chemicals imported from 1994 to 2002. The Secretariat collected information on international trade. The received information shows that there is evidence of ongoing trade (UNEP/FAO/RC/CRC.18/INF/6/Rev.1).
25. The Committee therefore confirms that the criterion in paragraph (c) (iv) is met.

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.*
26. There is no indication in the notification that intentional misuse prompted the regulatory action.
27. On the basis of the above point, the Committee confirms that the criterion in paragraph (d) of Annex II is met.

F. Conclusion

28. The Committee concludes that the notification of final regulatory action by Norway meets the criteria set out in Annex II to the Convention.

Annex II

Composition of the intersessional drafting groups

Drafting group on methyl bromide

Chair: Mr. Jonah Ormond (Antigua and Barbuda)

Drafter: Ms. Sarah Maillefer (Switzerland)

Members: Ms. Anahit Aleksandryan (Armenia)

Ms. Mirijam Seng (Belgium)

Mr. Christian Bart (Canada)

Mr. Li Cangmin (China)

Mr. Carles Escriva (Germany)

Mr. Joseph Cantamanto Edmund (Ghana)

Mr. Suresh Lochan Amichand (Guyana)

Mr. Dinesh Runiwal (India)

Ms. Yenny Meliana (Indonesia)

Ms. Judite Dipane (Lativa)

Mr. Shankar Prasad Paudel (Nepal)

Mr. Charles Bodar (Netherlands)

Ms. Aïta Sarr Seck (Senegal)

Mr. Sumith Jayakody Arachchige (Sri Lanka)

Ms. Victorine Pinas (Suriname)

Mr. Youssef Zidi (Tunisia)

Mr. Daniel William Ndiyo (United Republic of Tanzania)

Mr. Clorance Matewe (Zimbabwe)

Drafting group on paraquat

Chair: Mr. Juergen Helbig (Austria)

Drafter: Ms. Suzana Stefanovic (Serbia)

Members: Ms. Qinghong Pu (Australia)

Ms. Mirijam Seng (Belgium)

Mr. Christian Bart (Canada)

Ms. Li Cangmin (China)

Mr. Carles Escriva (Germany)

Mr. Joseph Cantamanto Edmund (Ghana)

Mr. Enrique Acevedo (Guatemala)

Mr. Suresh Lochan Amichand (Guyana)

Mr. Dinesh Runiwal (India)

Mr. Hassan Azhar (Maldives)

Ms. Saida Ech-chayeb (Morocco)

Mr. Shankar Prasad Paudel (Nepal)

Mr. Charles Bodar (Netherlands)

Mr. Sumith Jayakody Arachchige (Sri Lanka)

Ms. Victorine Pinas (Suriname)

Ms. Palarp Sinhaseni (Thailand)

Mr. Hasmath Ali (Trinidad and Tobago)

Mr. Daniel William Ndiyo (United Republic of Tanzania)

Mr. Clorence Matewe (Zimbabwe)

Annex III

Workplan for the preparation of draft decision guidance documents

<i>Tasks to be carried out</i>	<i>Responsible persons</i>	<i>Deadlines</i>
Draft an internal proposal based on the information available to the Committee	Chair Drafter	9 December 2022
Send the draft internal proposal to the drafting group members for comments via email	Secretariat	9 December 2022
Replies	Drafting group members	16 January 2023
Update the internal proposal on the basis of comments from drafting group members	Chair Drafter	16 February 2023
Send the updated internal proposal to the Committee members and observers for comments via email	Secretariat	16 February 2023
Replies	Committee members and observers	16 March 2023
Draft a decision guidance document on the basis of the comments of the Committee members and observers	Chair Drafter	10 April 2023
Send the draft decision guidance document to the drafting group members for comments via email	Secretariat	10 April 2023
Replies	Drafting group members	24 April 2023
Finalize the draft decision guidance document on the basis of the comments of the drafting group members	Chair Drafter	18 May 2023
Send the draft decision guidance document to the Secretariat	Chair Drafter	18 May 2023
Submit the draft decision guidance document for consideration by the Committee at its nineteenth meeting	Secretariat	21 August 2023
