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INTERGOVERNMENTAL NEGOTIATING COMMITTEE FOR AN
INTERNATIONAL LEGALLY BINDING INSTRUMENT FOR
THE APPLICATION OF THE PRIOR INFORMED CONSENT
PROCEDURE FOR CERTAIN HAZARDOUS CHEMICALS AND
PESTICIDES IN INTERNATIONAL TRADE

Sixth session

Rome, 12-16 July 1999

Item 4 (c) of the provisional agenda*

IMPLEMENTATION OF THE INTERIM PRIOR INFORMED CONSENT PROCEDURE: ADOPTION OF
DECISION GUIDANCE DOCUMENTS FOR ALREADY IDENTIFIED CHEMICALS

Note by the secretariat

INTRODUCTION

1. In paragraph 7 of its resolution on interim arrangements, 1/ the Conference of Plenipotentiaries decided that all chemicals that had been identified for inclusion in the prior informed consent (PIC) procedure under the original PIC procedure but for which decision guidance documents had not yet been circulated before the date on which the Convention was opened for signature would become subject to the interim PIC procedure as soon as the relevant decision guidance documents had been adopted by the Committee.

2. The purpose of the present note is to introduce draft decision guidance documents for those chemicals which would be covered by the paragraph cited above for consideration and possible adoption by the Committee.

* UNEP/FAO/PIC/INC.6/1/Rev.1.

1/ Contained in annex I of the Final Act of the Conference of Plenipotentiaries on the Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International trade (UNEP/FAO/PIC/CONF/5).

3. The chemicals covered by paragraph 7 of the resolution on interim arrangements are those chemicals identified for inclusion in the original, voluntary PIC procedure by the Food and Agriculture Organization of the United Nations (FAO)/United Nations Environment Programme (UNEP) Joint Group of Experts on Prior Informed Consent at its eighth and last meeting, held in Geneva, Switzerland, from 6 to 10 March 1995, but for which decision guidance documents had not yet been circulated before the date on which the Convention was opened for signature.

4. At that meeting, the FAO/UNEP Joint Group of Experts considered banned and severely restricted chemicals and severely hazardous pesticide formulations for possible inclusion in the voluntary PIC procedure. Seventeen chemicals were identified for the preparation of decision guidance documents as listed in annex II to the report of the meeting. Decision guidance documents for 11 of those chemicals were circulated to all participating Governments in January and August 1997 and these 11 chemicals are listed in annex III of the Convention. The remaining six chemicals for which decision guidance documents have not yet been circulated are the following:

Chemical	Relevant CAS number(s)	Category
Binapacryl	485-31-4	Pesticide
Bromacil	314-40-9	Pesticide
Ethylene dichloride	107-06-2	Pesticide
Ethylene oxide	75-21-8	Pesticide
Maleic hydrazide	123-33-1	Pesticide
Toxaphene	8001-35-2	Pesticide

5. Draft decision guidance documents, following the format used in previously circulated decision guidance documents, for these six remaining chemicals are contained in the addenda to the present note.

6. The draft decision guidance documents for binapacryl, bromacil, ethylene oxide and toxaphene were sent for review in 1997 to the members of the FAO/UNEP Joint Group of Experts, observers to the Group and the designated national authorities of the Governments that had notified the final regulatory actions on which the decision to include each of those chemicals in the procedure was based. Comments received were taken into consideration in the draft documents. The draft documents for maleic hydrazide and ethylene dichloride have not, however, passed through the same review process.

SUGGESTED ACTION BY THE INTERGOVERNMENTAL NEGOTIATING COMMITTEE

7. The Intergovernmental Negotiating Committee may wish, at its sixth session, to review and adopt the draft decision guidance documents for the six remaining chemicals, in accordance with paragraph 7 of the resolution on interim arrangements, thereby making these chemicals subject to the interim PIC procedure. A draft decision to that effect is provided in the annex to the present note.

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Annex

DRAFT DECISION ON THE ADOPTION OF DECISION GUIDANCE DOCUMENTS FOR ALREADY IDENTIFIED CHEMICALS

The Intergovernmental Negotiating Committee,

Recalling the resolution on interim arrangements adopted by the Conference of Plenipotentiaries on the Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade, by which, in its paragraph 7, the Conference of Plenipotentiaries decided that all chemicals that had been identified for inclusion in the PIC procedure under the original PIC procedure but for which decision guidance documents had not yet been circulated before the date on which the Convention was opened for signature would become subject to the interim PIC procedure as soon as the relevant decision guidance documents had been adopted by the Committee,

Having carefully reviewed the draft decision guidance documents for binapacryl, bromacil, ethylene dichloride, ethylene oxide, maleic hydrazide and toxaphene, all of which have been identified for inclusion under the original PIC procedure, but for which decision guidance documents had not been circulated before the date on which the Convention was opened for signature,

Decides to adopt the decision guidance documents for the following chemicals:

Chemical	Relevant CAS number(s)	Category
[Binapacryl	485-31-4	Pesticide]
[Bromacil	314-40-9	Pesticide]
[Ethylene dichloride	107-06-2	Pesticide]
[Ethylene oxide	75-21-8	Pesticide]
[Maleic hydrazide	123-33-1	Pesticide]
[Toxaphene	8001-35-2	Pesticide]

with the effect that these chemicals become subject to the interim PIC procedure as it is defined in paragraph 2 of the resolution on interim arrangements.
