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COMMISSION DECISION

of 19 November 2001

on adopting Community import decisions pursuant to Council Regulation (EEC) No 2455/92 concerning the export and import of certain dangerous chemicals and amending Decision 2000/657/EC

(notified under document number C(2001) 3376)

(Text with EEA relevance)

(2001/852/EC)

(OJ L 318, 4.12.2001, p. 28)

Amended by:

		Official Journal		
		No	page	date
►**M1**	Commission Decision 2003/508/EC of 7 July 2003	L 174	10	12.7.2003
►**M2**	Commission Decision 2005/416/EC of 19 May 2005	L 147	1	10.6.2005
►**M3**	Commission Decision 2009/966/EC of 30 November 2009	L 341	14	22.12.2009

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of 19 November 2001

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(notified under document number C(2001) 3376)

(Text with EEA relevance)

(2001/852/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2455/92 of 23 July 1992 concerning the export and import of certain dangerous chemicals ([1]), as last amended by Commission Regulation (EC) No 2247/98 ([2]), and in particular Article 5(2) thereof,

Whereas:

(1) Regulation (EEC) No 2455/92 provides that the Commission is to decide for each chemical subject to the Prior Informed Consent (PIC) procedure whether or not the Community consents, possibly subject to specified conditions, to its import.

(2) The United Nations Environment Programme (UNEP) and the Food and Agriculture Organisation (FAO) have been appointed to provide secretariat services for the operation of the interim PIC procedure established by the Final Act of the Conference of Plenipotentiaries on the Rotterdam Convention on the Prior Informed Consent (PIC) procedure for certain hazardous chemicals and pesticides in international trade, signed on 10 September 1998, in particular the Resolution on interim arrangements thereof.

(3) Two additional chemicals (ethylene dichloride and ethylene oxide) have been added to the interim PIC procedure, as pesticides, for which the Commission has received information from the interim Secretariat in the form of Decision Guidance Documents.

(4) The Commission, acting as common designated authority, is required to forward decisions on chemicals to the Secretariat of the interim PIC procedure, on behalf of the Community and its Member States.

(5) The interim Secretariat has requested that the participants in the PIC procedure use the specific Form for Importing Country Response to report on their import decisions.

(6) The Commission is required, whenever practicable, to make use of existing Community procedures and to ensure that the responses do not conflict with existing Community legislation. However it also needs, where appropriate, to take into consideration Member States' bans or severe restrictions pending a Community decision.

(7) The substances ethylene dichloride and ethylene oxide are banned or severely restricted at Community level, in particular by Council Directive 79/117/EEC of 21 December 1978 prohibiting

([1]) OJ L 251, 29.8.1992, p. 13.
([2]) OJ L 282, 20.10.1998, p. 12.

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the placing on the market and use of plant protection products containing certain active substances [1], as last amended by the Act of Accession of Austria, Finland and Sweden. Accordingly, a final decision on import should be taken for these substances.

(8) The substances lindane and parathion (ethyl parathion) are subject to Community legislation, and in particular to Council Directive 91/414/EEC of 15 July 1991 concerning the placing of plant protection products on the market [2], as last amended by Commission Directive 2001/49/EC [3], and to Directive 98/8/EC of the European Parliament and of the Council of 16 February 1998 concerning the placing of biocidal products on the market [4], both providing for a transitional period during which the Member States are allowed to take national decisions on substances and products falling within their scopes, pending a Community decision.

(9) By Commission Decisions 2000/801/EC of 20 December 2000 concerning the non-inclusion of lindane in Annex I to Council Directive 91/414/EEC and the withdrawal of authorisations for plant protection products containing this active substance [5] and 2001/520/EC of 9 July 2001 concerning the non-inclusion of parathion in Annex I to Council Directive 91/414/EEC and the withdrawal of authorisations for plant protection products containing this active substance [6], these substances have now been excluded from Annex I to Directive 91/414/EC and authorisations for plant protection products containing these substances have thus been withdrawn. However, they are also included in the Community programme for evaluation of existing substances under Directive 98/8/EC and the approximate time before a final decision can be reached is 2008, when evaluation for biocidal use will be completed.

(10) The import decisions for the pesticide formulations lindane and parathion (ethyl parathion) in Commission Decision 2000/657/EC [7], which were submitted as interim decisions pending a Community decision, should therefore be amended accordingly.

(11) The measures provided for in this Decision are in accordance with the opinion of the Committee set up by Article 29 of Council Directive 67/548/EEC [8],

HAS DECIDED AS FOLLOWS:

Article 1

The final decisions on the import of the chemical substances ethylene dichloride and ethylene oxide as set out on the Importing Country Response Forms in Annex I are adopted.

Article 2

The Annex to Decision 2000/657/EC is amended in accordance with Annex II to this Decision.

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[1] OJ L 33, 8.2.1979, p. 36.
[2] OJ L 230, 19.8.1991, p. 1.
[3] OJ L 176, 29.6.2001, p. 61.
[4] OJ L 123, 24.4.1998, p. 1.
[5] OJ L 324, 21.12.2000, p. 42.
[6] OJ L 187, 10.7.2001, p. 47.
[7] OJ L 257, 27.10.2000, p. 44.
[8] OJ 196, 16.8.1967, p. 1.

▼B

ANNEX I

Final import decisions for the chemical substances ethylene dichloride and ethylene oxide

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

UNEP

FORM
FOR IMPORTING COUNTRY RESPONSE

IMPORTANT: See instructions before filling in the form

COUNTRY: **European Community (Member States: Belgium, Denmark, Germany, Greece, Spain, France, Ireland, Italy, Luxembourg, Netherlands, Austria, Portugal, Finland, Sweden, United Kingdom)**

SECTION 1. IDENTITY OF CHEMICAL		
1.1.	Common name	Ethylene dichloride (1,2-dichloroethane)
1.2.	CAS number	107-06-2
1.3.	Type of formulation and content of active ingredient	Liquid

SECTION 2. THE IMPORT RESPONSE PROVIDED IN THIS FORM APPLIES TO THE FOLLOWING CATEGORY OR CATEGORIES

X Pesticide

❑ Industrial

❑ Severely hazardous pesticide formulation

SECTION 3. INDICATION REGARDING PREVIOUS RESPONSE, IF ANY	
3.1.	X This is a first time import response for this chemical in the country.
3.2.	❑ This is a modification of a previous response. The previous response was a final decision. ❑ Yes ❑ No The previous response was an interim response. ❑ Yes ❑ No Date of issue of the previous response: _____

SECTION 4. RESPONSE REGARDING FUTURE IMPORT

X **Final decision** ***(Fill in Section 5, page 2)*** OR ❑ **Interim response** ***(Fill in Section 6, pages 3 and 4)***

SECTION 5. FINAL DECISION, PURSUANT TO NATIONAL LEGISLATIVE OR ADMINISTRATIVE MEASURES	
5.1.	X **No consent to import** Is the import of the chemical from all sources simultaneously prohibited? X Yes ❑ No Is domestic production of the chemical for domestic use simultaneously prohibited? X Yes ❑ No
5.2.	❑ **Consent to import**

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5.3.	❑ **Consent to import only subject to specified conditions**		
	The specified conditions are:		
	Are the conditions for import of the chemical the same for all sources of import?	❑ Yes	❑ No
	Are the conditions for domestic production of the chemical for domestic use the same as for all imports?	❑ Yes	❑ No
5.4.	**National legislative or administrative measure upon which the final decision is based**		
	Description of the national legislative or administrative measure: Ethylene dichloride (1,2-dichloroethane) is listed in Annex I to Regulation (EEC) No 2455/92 of 23 July 1992 concerning the export and import of certain dangerous chemicals (OJ L 251, 29.8.1992, p. 13), as amended by Regulation (EEC) No 3135/94 (OJ L 332, 22.12.1994, p. 1), as banned for use as a plant protection product. It is prohibited to use or place on the market all plant protection products containing 1,2-dichloroethane as an active ingredient according to Council Directive 79/117/EEC of 21 December 1978 prohibiting the placing on the market and use of plant protection products containing certain active substances (OJ L 33, 8.2.1979, p. 36), as amended by Directive 87/181/EEC (OJ L 71, 14.3.1987, p. 33). The complete name and address of the institution/authority responsible for issuing this national legislative or administrative measure: European Community and its Member States (see address in Section 8)		
5.5.	**Remarks**		
	Has there ever been a request of registration of this chemical in the country?	❑ Yes	❑ No
	Is this chemical currently registered in the country?	❑ Yes	❑ No
	Is this chemical manufactured in the country?	❑ Yes	❑ No
	Is this chemical formulated in the country?	❑ Yes	❑ No
	If yes to either one of these last two questions: — Is this intended for domestic use?	❑ Yes	❑ No
	If yes to either one of these last two questions: — Is this intended for export?	❑ Yes	❑ No
	Other remarks:		

SECTION 6. INTERIM RESPONSE			
6.1.	❑ **No consent to import**		
	Is the import of the chemical from all sources simultaneously prohibited?	❑ Yes	❑ No
	Is domestic production of the chemical for domestic use simultaneously prohibited?	❑ Yes	❑ No
6.2.	❑ **Consent to import**		
6.3.	❑ **Consent to import only subject to specified conditions**		
	The specified conditions are:		
	Are the conditions for import of the chemical the same for all sources of import?	❑ Yes	❑ No
	Are the conditions for domestic production of the chemical for domestic use the same as for all imports?	❑ Yes	❑ No

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6.4.	**Indication of active consideration in order to reach a final decision**		
	Is a final decision under active consideration?	❑ **Yes**	❑ **No**
	The following administrative action is being undertaken during the period a final decision is being considered: Approximate time needed before a final decision can be reached: _____ The complete name and address of the responsible institution/authority actively considering a final Decision:		
6.5.	**Information or assistance requested in order to reach a final decision**		
	The following additional information is requested from the Secretariat: The following additional information is requested from the country that notified the final regulatory action: The following assistance is requested from the Secretariat in evaluating the chemical:		
6.6.	**Remarks**		
	Has there ever been a request of registration of this chemical in the country?	❑ Yes	❑ No
	Is this chemical currently registered in the country?	❑ Yes	❑ No
	Is this chemical manufactured in the country?	❑ Yes	❑ No
	Is this chemical formulated in the country?	❑ Yes	❑ No
	If yes to either one of these last two questions: Is this intended for domestic use?	❑ Yes	❑ No
	If yes to either one of these last two questions: Is this intended for export?	❑ Yes	❑ No
	Other remarks:		

SECTION 7. RELEVANT ADDITIONAL INFORMATION
Ethylene dichloride (1,2-dichloroethane) is classified under Council Directive 67/548/EEC of 27 June 1967 on the approximation of laws, regulations and administrative provisions relating to the classification, packaging and labelling of dangerous substances (OJ L 196, 16.8.1967, p. 1) as F; R 11 - Carc.Cat.2; R 45 - Xn; R 22 - Xi; R 36/37/38. R 45: May cause cancer. R 11: Highly flammable. R 22: Harmful if swallowed. R 36/37/38: Irritating to eyes, respiratory system and skin. Ethylene dichloride (1,2-dichloroethane) has been classified by the EC as a category 2 carcinogen (probably carcinogenic to humans).

SECTION 8. DESIGNATED NATIONAL AUTHORITY	
Institution	European Commission, Directorate-General for the Environment
Address	Rue de la Loi/Wetstraat 200 B-1049 Brussels

▼M1

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

UNEP

FORM FOR IMPORTING COUNTRY RESPONSE

IMPORTANT: See instructions before filling in the form

COUNTRY: European Community

(Member States: Austria, Belgium, Denmark, Finland, France, Germany, Greece, Ireland, Italy, Luxembourg, Netherlands, Portugal, Spain, Sweden, United Kingdom)

▼M3

'**FORM FOR IMPORT RESPONSE**

Country:	European Community (Member States: Austria, Belgium, Bulgaria, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, United Kingdom)

SECTION 1 IDENTITY OF CHEMICAL

1.1	**Common name**	Ethylene oxide
1.2	**CAS number**	75-21-8
1.3	**Category**	☒ Pesticide ☐ Industrial ☐ Severely hazardous pesticide formulation

SECTION 2 INDICATION REGARDING PREVIOUS RESPONSE, IF ANY

2.1 ☐ This is a first time import response for this chemical in the country.

2.2 ☒ This is a modification of a previous response.
Date of issue of the previous response: 12/06/2005

SECTION 3 RESPONSE REGARDING FUTURE IMPORT

☐ Final decision (Fill in section 4 below) OR ☒ Interim response (Fill in section 5 below)

SECTION 4 FINAL DECISION, PURSUANT TO NATIONAL LEGISLATIVE OR ADMINISTRATIVE MEASURES

4.1 ☐ No consent to import

Is the import of the chemical from all sources simultaneously prohibited? ☐ Yes ☐ No

Is domestic production of the chemical for domestic use simultaneously prohibited? ☐ Yes ☐ No

4.2 ☐ Consent to import

▼M3

4.3 ☐ Consent to import only subject to specified conditions

The specified conditions are:

Are the conditions for import of the chemical the same for all sources of import? ☐ Yes ☐ No

Are the conditions for domestic production of the chemical for domestic use the same as for all imports? ☐ Yes ☐ No

4.4 National legislative or administrative measure upon which the final decision is based

Description of the national legislative or administrative measure:

SECTION 5 INTERIM RESPONSE

5.1 ☐ No consent to import

Is the import of the chemical from all sources simultaneously prohibited? ☐ Yes ☐ No

Is domestic production of the chemical for domestic use simultaneously prohibited? ☐ Yes ☐ No

5.2 ☐ Consent to import

5.3 ☒ Consent to import only subject to specified conditions

The specified conditions are:

For plant protection products It is prohibited to use or place on the market all plant protection products containing ethylene oxide as an active ingredient according to Council Directive 79/117/EEC of 21 December 1978 prohibiting the placing on the market and use of plant protection products containing certain active substances (OJ L 33, 8.2.1979, p. 36), as last amended by Regulation (EC) No 850/2004 of the European Parliament and of the Council (OJ L 229, 29.6.2004, p. 5). **For biocidal products** In accordance with Commission Regulation (EC) No 1451/2007 of 4 December 2007 on the second phase of the 10-year work programme referred to in Article 16(2) of Directive 98/8/EC of the European Parliament and of the Council of 16 February 1998 concerning the placing of biocidal products on the market, this substance is listed in Annex II to the Regulation only allowing placing on the market for uses in PT2 (private area and public health area disinfectants) and PT20 (preservatives for food and feedstock). Member States that consent to import: Germany, Ireland, Luxembourg and Sweden. Member States that consent to import (for import prior written authorisation is required): Austria, Belgium, Bulgaria, Denmark, Finland, France, Italy, Lithuania, Netherlands (only for PT2, private area and public health area disinfectants), Poland, Portugal. Member States that consent to import only for sterilisation of surgical tools in accordance with Directive 93/42/EC (for import prior written authorisation is required): Cyprus, Greece, Slovakia, Spain, Romania. Member States that do not consent to import: Czech Republic, Estonia, Hungary, Latvia, Malta, Slovenia, UK.

Are the conditions for import of the chemical the same for all sources of import? ☒ Yes ☐ No

Are the conditions for domestic production of the chemical for domestic use the same as for all imports? ☒ Yes ☐ No

▼M3

5.4 Indication of active consideration in order to reach a final decision

Is a final decision under active consideration? ☒ Yes ☐ No

5.5 Information or assistance requested in order to reach a final decision

The following additional information is requested from the Secretariat:

The following additional information is requested from the country that notified the final regulatory action:

The following assistance is requested from the Secretariat in evaluating the chemical:

SECTION 6 RELEVANT ADDITIONAL INFORMATION, WHICH MAY INCLUDE:

Is this chemical currently registered in the country? ☐ Yes ☐ No

Is this chemical manufactured in the country? ☐ Yes ☐ No

If yes to either one of these questions:

Is this intended for domestic use? ☐ Yes ☐ No

Is this intended for export? ☐ Yes ☐ No

Other remarks

Ethylene oxide is classified under Council Directive 67/548/EEC of 27 June 1967 on the approximation of laws, regulations and administrative provisions relating to the classification, packaging and labelling of dangerous substances (OJ 196, 16.8.1967, p. 1) as: F+; R12 (Extremely flammable) – T; R23 (Toxic; Toxic by inhalation) – Carc. Cat.2; R 45 (Carcinogenic category 2; May cause cancer) – Mut. Cat.2; R 46 (Mutagenic category 2; May cause heritable genetic damage) – Xi; R36/37/38 (Irritating to eyes, respiratory system and skin).

SECTION 7 DESIGNATED NATIONAL AUTHORITY

Institution	European Commission, DG Environment
Address	BU 9 6/167, B-1049 Brussels, Belgium
Name of person in charge	Mr Paul Speight
Position of person in charge	Deputy Head of Unit
Telephone	32 2 296 41 35
Telefax	32 2 296 76 16
E-mail address	Paul.Speight@ec.europa.eu

Date, signature of DNA and official seal: .....

PLEASE RETURN THE COMPLETED FORM TO:

Secretariat for the Rotterdam Convention
Food and Agriculture Organization
of the United Nations (FAO)
Viale delle Terme di Caracalla
00100 Rome, Italy
Tel: (+39 06) 5705 3441
Fax: (+39 06) 5705 6347
E-mail: pic@pic.int

OR

Secretariat for the Rotterdam Convention
United Nations Environment
Programme (UNEP)
11-13, Chemin des Anémones
CH – 1219 Châtelaine, Geneva, Switzerland
Tel: (+41 22) 917 8177
Fax: (+41 22) 917 8082
E-mail: pic@pic.int'

▼M1

SECTION 1. IDENTITY OF CHEMICAL		
1.1	Common name	Parathion
1.2	CAS number	56-38-2
1.3	Type of formulation and content of active ingredient	All formulations
SECTION 2. THE IMPORT RESPONSE PROVIDED IN THIS FORM APPLIES TO THE FOLLOWING CATEGORY OR CATEGORIES		
	❑ Pesticide ❑ Industrial **X** Severely hazardous pesticide formulation	
SECTION 3. INDICATION REGARDING PREVIOUS RESPONSE, IF ANY		
3.1	❑ This is a first time import response for this chemical in the country.	
3.2	**X** This is a modification of a previous response. The previous response was a final decision. ❑ Yes **X** No The previous response was an interim response. **X** Yes ❑ No Date of issue of the previous response: 27/11/2001	
SECTION 4. RESPONSE REGARDING FUTURE IMPORT		
X Final decision ***(Fill in section 5, page 2)*** **OR** ❑ **Interim response** ***(Fill section 6, page 3-4)***		
SECTION 5. FINAL DECISION, PURSUANT TO NATIONAL LEGISLATIVE OR ADMINISTRATIVE MEASURES		
5.1	**X No consent to import** Is the import of the chemical from all sources simultaneously prohibited? **X** Yes ❑ No Is domestic production of the chemical for domestic use simultaneously prohibited? **X** Yes ❑ No	
5.2	❑ **Consent to import**	
5.3	❑ **Consent to import only subject to specified conditions** Are the conditions for import of the chemical the same for all sources of import? ❑ Yes ❑ No Are the conditions for domestic production of the chemical for domestic use the same as for all imports? ❑ Yes ❑ No	
5.4	**NATIONAL LEGISLATIVE OR ADMINISTRATIVE MEASURE UPON THE FINAL DECISION IS BASED**	
	Description of the national legislative or administrative measure: It is prohibited to use or place on the market all plant protection products containing parathion. Parathion was excluded from Annex I to Council Directive 91/414/EEC and thus authorisations for plant-protection products containing this active substance have been withdrawn. (Commission Decision 2001/520/EC of 9 July 2001, OJ L 187, 10.7.2001, p. 47). The complete name and address of the institution/authority responsible for issuing this national legislative or administrative measure: European Community and its Member States (see address in section 8).	

▼M1

5.5	**Remarks** See under point 5.3 and 5.4			
	Has there ever been a request of registration of this chemical in the country?		❑ Yes	❑ No
	Is this chemical currently registered in the country?		❑ Yes	❑ No
	Is this chemical manufactured in the country?		❑ Yes	❑ No
	Is this chemical formulated in the country?		❑ Yes	❑ No
	If yes to either one of these last two questions:	Is this intended for domestic use?	❑ Yes	❑ No
		Is this intended for export?	❑ Yes	❑ No
	Other remarks			
SECTION 6. INTERIM RESPONSE				
6.1	❑ **No consent to import**			
	Is the import of the chemical from all sources simultaneously prohibited?		❑ Yes	❑ No
	Is domestic production of the chemical for domestic use simultaneously prohibited?		❑ Yes	❑ No
6.2	❑ **Consent to import**			
6.3	❑ **Consent to import only subject to specified conditions**			
	The specified conditions are:			
	Are the conditions for import of the chemical the same for all sources of import?		❑ Yes	❑ No
	Are the conditions for domestic production of the chemical for domestic use the same as for all imports?		❑ Yes	❑ No
6.4	**INDICATION OF ACTIVE CONSIDERATION IN ORDER TO REACH A FINAL DECISION**			
	1.6 Is a final decision under active consideration?		❑ Yes	❑ No
	Approximate time needed before a final decision can be reached: _____			
	The complete name and address of the responsible institution/authority actively considering a final decision:			

▼M1

6.5	**INFORMATION OR ASSISTANCE REQUESTED IN ORDER TO REACH A FINAL DECISION**			
	The following additional information is requested from the Secretariat: The following additional information is requested from the country that notified the final regulatory action: The following assistance is requested from the Secretariat in evaluating the chemical:			
6.6	**Remarks**			
	Has there ever been a request of registration of this chemical in the country?		❑ Yes	❑ No
	Is this chemical currently registered in the country?		❑ Yes	❑ No
	Is this chemical manufactured in the country?		❑ Yes	❑ No
	Is this chemical formulated in the country?		❑ Yes	❑ No
	If yes to either one of these last two questions:	Is this intended for domestic use?	❑ Yes	❑ No
		Is this intended for export?	❑ Yes	❑ No
	Other remarks			

SECTION 7. RELEVANT ADDITIONAL INFORMATION
Parathion is classified under Council Directive 67/548/EEC of 27 June 1967 on the approximation of laws, regulations and administrative provisions relating to the classification, packaging and labelling of dangerous substances (OJ L 196, 16.8.1967, p. 1) as: T+; R27/28 (Very Toxic; Very toxic in contact with skin and if swallowed.) – N; R50-53 (Dangerous to the environment; Very Toxic to aquatic organisms, may cause long-term adverse effects in the aquatic environment).

SECTION 8. DESIGNATED NATIONAL AUTHORITY	
Institution	European Commission DG Environment
Address	Rue de la Loi 200 B-1049 Brussels Belgium

▼B

ANNEX II

Revised interim import decisions for the chemical substances lindane and parathion (ethyl parathion) replacing the previous interim import decisions set out in Commission Decision 2000/657/EEC

In the Annex to Decision 2000/657/EC, the interim decisions on the import of the chemical substances lindane and parathion (ethyl parathion) are replaced by the revised interim decisions set out on the following Importing Country Response Forms.

▼M2

Revised import decision for the chemical substance lindane (gamma HCH) replacing the previous import decision set out in Decision 2001/852/EC

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

UNEP

FORM FOR IMPORTING COUNTRY RESPONSE

IMPORTANT: See instructions before filling in the form

COUNTRY: European Community

(Member States: Austria, Belgium, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Poland, Portugal, Slovakia, Slovenia, Spain, Sweden, United Kingdom)

▼M2

SECTION 1. IDENTITY OF CHEMICAL		
1.1.	Common name	Lindane (gamma-HCH)
1.2.	CAS number	58-89-9
1.3.	Type of formulation and content of active ingredient	

SECTION 2. THE IMPORT RESPONSE PROVIDED IN THIS FORM APPLIES TO THE FOLLOWING CATEGORY OR CATEGORIES

X Pesticide

❑ Industrial

❑ Severely hazardous pesticide formulation

SECTION 3. INDICATION REGARDING PREVIOUS RESPONSE, IF ANY

3.1. ❑ This is a first time import response for this chemical in the country.

3.2. **X** This is a modification of a previous response.

The previous response was a final decision. ❑ Yes **X** No

The previous response was an interim response. **X** Yes ❑ No

Date of issue of the previous response:

_____ 20/11/2001_____

SECTION 4. RESPONSE REGARDING FUTURE IMPORT

❑ **Final decision** ***(Fill in section 5, page 2)*** **OR** **X** **Interim response** ***(Fill in section 6, pages 3 and 4)***

SECTION 5. FINAL DECISION, PURSUANT TO NATIONAL LEGISLATIVE OR ADMINISTRATIVE MEASURES

5.1. ❑ **No consent to import**

Is the import of the chemical from all sources simultaneously prohibited? ❑ Yes ❑ No

Is domestic production of the chemical for domestic use simultaneously prohibited? ❑ Yes ❑ No

5.2. ❑ **Consent to import**

5.3. ❑ **Consent to import only subject to specified conditions**

The specified conditions are:

Are the conditions for import of the chemical the same for all sources of import? ❑ Yes ❑ No

Are the conditions for domestic production of the chemical for domestic use the same as for all imports? ❑ Yes ❑ No

5.4. **NATIONAL LEGISLATIVE OR ADMINISTRATIVE MEASURE UPON WHICH THE FINAL DECISION IS BASED**

Description of the national legislative or administrative measure:

The complete name and address of the institution/authority responsible for issuing this national legislative or administrative measure:

▼M2

5.5.	**Remarks**			
	Has there ever been a request of registration of this chemical in the country?		❑ Yes	❑ No
	Is this chemical currently registered in the country?		❑ Yes	❑ No
	Is this chemical manufactured in the country?		❑ Yes	❑ No
	Is this chemical formulated in the country?		❑ Yes	❑ No
	If yes to either one of these last two questions:	Is this intended for domestic use?	❑ Yes	❑ No
		Is this intended for export?	❑ Yes	❑ No
	Other remarks			
SECTION 6. INTERIM RESPONSE				
6.1.	❑ **No consent to import**			
	Is the import of the chemical from all sources simultaneously prohibited?		❑ Yes	❑ No
	Is domestic production of the chemical for domestic use simultaneously prohibited?		❑ Yes	❑ No
6.2.	❑ **Consent to import**			
6.3.	**X Consent to import only subject to specified conditions**			

The specified conditions are:

It is prohibited to produce, use or place on the market lindane (gamma-HCH) except for certain specific exemptions. The chemical, whether on its own, in preparations or as a constituent of articles, was banned by Regulation (EC) No 850/2004 of the European Parliament and of the Council of 29 April 2004 on persistent organic pollutants and amending Directive 79/117/EEC (OJ L 229, 29.6.2004, p. 5). By way of derogation, Member States may allow the following uses:

(a) until 1.9.2006:

— professional remedial and industrial treatment of lumber, timber and logs;

— indoor industrial and residential applications;

(b) until 31.12.2007:

— technical HCH for use as an intermediate in chemical manufacturing;

— products in which at least 99 % of the HCH isomer is in the gamma form (lindane) are restricted for use as public health and veterinary topical insecticide.

Member States that consent to import (for import prior written authorisation is required): Finland (until 31.12.2007 on basis of (b) above for biocidal products only), Spain (until 31.12.2007 on basis of (b) above as topical insecticide for use in public health only).

Member States that do not consent to import: Austria, Belgium, Cyprus, Czech Republic, Denmark, Estonia, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Malta, Luxembourg, Netherlands, Poland, Portugal, Slovakia, Slovenia, Sweden, United Kingdom.

Are the conditions for import of the chemical the same for all sources of import?	**X** Yes	❑ No
Are the conditions for domestic production of the chemical for domestic use the same as for all imports?	**X** Yes	❑ No

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6.4.	**INDICATION OF ACTIVE CONSIDERATION IN ORDER TO REACH A FINAL DECISION**			
	Is a final decision under active consideration?		❑ **Yes**	**X No**
	The following administrative action is being undertaken during the period a final decision is being considered: not applicable.			
	Approximate time needed before a final decision can be reached: not applicable.			
	The complete name and address of the responsible institution/authority actively considering a final decision:			
	European Community and its Member States (see address in section 8).			
6.5.	**INFORMATION OR ASSISTANCE REQUESTED IN ORDER TO REACH A FINAL DECISION**			
	The following additional information is requested from the Secretariat:			
	The following additional information is requested from the country that notified the final regulatory action:			
	The following assistance is requested from the Secretariat in evaluating the chemical:			
6.6.	**Remarks**			
	Has there ever been a request of registration of this chemical in the country?		❑ Yes	❑ No
	Is this chemical currently registered in the country?		❑ Yes	❑ No
	Is this chemical manufactured in the country?		❑ Yes	❑ No
	Is this chemical formulated in the country?		❑ Yes	❑ No
	If yes to either one of these last two questions:	Is this intended for domestic use?	❑ Yes	❑ No
		Is this intended for export?	❑ Yes	❑ No
	Other remarks			

SECTION 7. RELEVANT ADDITIONAL INFORMATION

Lindane (gamma-HCH) is classified under Council Directive 67/548/EEC of 27 June 1967 on the approximation of laws, regulations and administrative provisions relating to the classification, packaging and labelling of dangerous substances (OJ 196, 16.8.1967, p. 1) as: T; R 25 (Toxic; toxic if swallowed) — Xn; R 20/21, R 48/222, R 64 (Harmful; harmful by inhalation and in contact with skin, harmful: danger of serious damage to health by prolonged exposure if swallowed, may cause harm to breastfed babies) — N; R 50/53 (Dangerous to the environment; very toxic to aquatic organisms, may cause long-term adverse effects in the aquatic environment).

SECTION 8. DESIGNATED NATIONAL AUTHORITY

Institution	European Commission DG Environment
Address	Rue de la Loi/Wetstraat 200 B-1049 Brussels

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

UNEP

FORM
FOR IMPORTING COUNTRY RESPONSE

IMPORTANT: See instructions before filling in the form

COUNTRY: European Community (Member States: Belgium, Denmark, Germany, Greece, Spain, France, Ireland, Italy, Luxembourg, Netherlands, Austria, Portugal, Sweden, United Kingdom)

SECTION 1. IDENTITY OF CHEMICAL		
1.1.	Common name	Parathion
1.2.	CAS number	56-38-2
1.3.	Type of formulation and content of active ingredient	

SECTION 2. THE IMPORT RESPONSE PROVIDED IN THIS FORM APPLIES TO THE FOLLOWING CATEGORY OR CATEGORIES

❑ Pesticide

❑ Industrial

X Severely hazardous pesticide formulation

SECTION 3. INDICATION REGARDING PREVIOUS RESPONSE, IF ANY			
3.1.	❑ This is a first time import response for this chemical in the country.		
3.2.	X This is a modification of a previous response.		
	The previous response was a final decision.	❑ Yes	X No
	The previous response was an interim response.	X Yes	❑ No
	Date of issue of the previous response: 27.10.2000 _____		

SECTION 4. RESPONSE REGARDING FUTURE IMPORT

❑ **Final decision** ***(Fill in Section 5, page 2)*** OR X **Interim response** ***(Fill in Section 6, pages 3 and 4)***

SECTION 5. FINAL DECISION, PURSUANT TO NATIONAL LEGISLATIVE OR ADMINISTRATIVE MEASURES			
5.1.	❑ **No consent to import**		
	Is the import of the chemical from all sources simultaneously prohibited?	❑ Yes	❑ No
	Is domestic production of the chemical for domestic use simultaneously prohibited?	❑ Yes	❑ No
5.2.	❑ **Consent to import**		

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5.3.	❑ **Consent to import only subject to specified conditions**		
	Are the conditions for import of the chemical the same for all sources of import?	❑ Yes	❑ No
	Are the conditions for domestic production of the chemical for domestic use the same as for all imports?	❑ Yes	❑ No
5.4.	**National legislative or administrative measure upon which the final decision is based**		
	Description of the national legislative or administrative measure: The complete name and address of the institution/authority responsible for issuing this national legislative or administrative measure:		
5.5.	**Remarks** See under point 5.3 and 5.4		
	Has there ever been a request of registration of this chemical in the country?	❑ Yes	❑ No
	Is this chemical currently registered in the country?	❑ Yes	❑ No
	Is this chemical manufactured in the country?	❑ Yes	❑ No
	Is this chemical formulated in the country?	❑ Yes	❑ No
	If yes to either one of these last two questions: Is this intended for domestic use?	❑ Yes	❑ No
	If yes to either one of these last two questions: Is this intended for export?	❑ Yes	❑ No
	Other remarks:		

SECTION 6. INTERIM RESPONSE			
6.1.	❑ **No consent to import**		
	Is the import of the chemical from all sources simultaneously prohibited?	❑ Yes	❑ No
	Is domestic production of the chemical for domestic use simultaneously prohibited?	❑ Yes	❑ No
6.2.	❑ **Consent to import**		
6.3.	X **Consent to import only subject to specified conditions** The specified conditions are: *For plant protection products* It is prohibited to use or place on the market all plant protection products containing parathion. (Commission Decision 2001/520/EC of 9 July 2001 (OJ L 187, 10.7.2001, p. 47) concerning the non-inclusion of parathion in Annex I to Council Directive 91/414/EEC and the withdrawal of authorisations for plant protection products containing this active substance). *For biocidal products* Member States that consent to import (for import prior written authorisation is required): Belgium, Germany, Greece, Spain, France, Italy, Luxembourg, Austria, Portugal and the United Kingdom. Member States that do not consent to import: Denmark, Ireland, the Netherlands, Sweden.		
	Are the conditions for import of the chemical the same for all sources of import?	X Yes	❑ No
	Are the conditions for domestic production of the chemical for domestic use the same as for all imports?	X Yes	❑ No

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6.4.	**Indication of active consideration in order to reach a final decision**
	Is a final decision under active consideration? **X Yes** **❑ No** Parathion was excluded from Annex I to Council Directive 91/414/EEC and thus authorisations for plant-protection products containing this active sustance have been withdrawn. Commission Decision 2001/520/EC (OJ L 187, 10.7.2001, p. 47). However it is also included in the Community Programme for evaluation of existing active substances under Directive 98/8/EC of the European Parliament and of the Council of 16 February 1998 (OJ L 123, 24.4.1998, p. 1) concerning the placing of biocidal products on the market. Approximate time needed before a final decision can be reached: by 20/08, when evaluation for biocidal use will be completed The complete name and address of the responsible institution/authority actively considering a final decision: European Community and its Member States (see address in Section 8).
6.5.	**Information or assistance requested in order to reach a final decision**
	The following additional information is requested from the Secretariat: The following additional information is requested from the country that notified the final regulatory action: The following assistance is requested from the Secretariat in evaluating the chemical:
6.6.	**Remarks**

Has there ever been a request of registration of this chemical in the country?		❑ Yes	❑ No
Is this chemical currently registered in the country?		❑ Yes	❑ No
Is this chemical manufactured in the country?		❑ Yes	❑ No
Is this chemical formulated in the country?		❑ Yes	❑ No
If yes to either one of these last two questions:	Is this intended for domestic use?	❑ Yes	❑ No
	Is this intended for export?	❑ Yes	❑ No
Other remarks:			

SECTION 7. RELEVANT ADDITIONAL INFORMATION
Parathion is classified under Council Directive 67/548/EEC of 27 June 1967 on the approximation of laws, regulations and administrative provisions relating to the classification, packaging and labelling of dangerous substances (OJ L 196, 16.8.1967, p.1) as: T+; R 27/28 (Very Toxic; Very toxic in contact with skin and if swallowed.) — N; R50-53 (Dangerous to the environment; Very Toxic to aquatic organisms, may cause long-term adverse effects in the aquatic environment).

SECTION 8. DESIGNATED NATIONAL AUTHORITY	
Institution	European Commission — Directorate General for the Environment
Address	Rue de la Loi/Wetstraat 200 B-1049 Brussels Belgium