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COMMISSION DECISION

of 30 November 2009

adopting Community import decisions for certain chemicals pursuant to Regulation (EC) No 689/2008 of the European Parliament and of the Council and amending Commission Decisions 2000/657/EC, 2001/852/EC, 2003/508/EC, 2004/382/EC and 2005/416/EC

(2009/966/EC)

(OJ L 341, 22.12.2009, p. 14)

Amended by:

		Official Journal		
		No	page	date
►M1	Commission Regulation (EU) No 519/2013 of 21 February 2013	L 158	74	10.6.2013

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COMMISSION DECISION

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(2009/966/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Regulation (EC) No 689/2008 of the European Parliament and of the Council of 17 June 2008 concerning the export and import of dangerous chemicals [1], and in particular the second subparagraph of Article 12(1) thereof,

After consulting the Committee established by Article 133 of Regulation (EC) No 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the registration, evaluation, authorisation and restriction of chemicals (REACH), establishing a European Chemicals Agency, amending Directive 1999/45/EC and repealing Council Regulation (EEC) No 793/93 and Commission Regulation (EC) No 1488/94 as well as Council Directive 76/769/EEC and Commission Directives 91/155/EEC, 93/67/EEC, 93/105/EC and 2000/21/EC [2],

Whereas:

(1) Under Regulation (EC) No 689/2008 the Commission is to decide on behalf of the Community whether or not to permit the import into the Community of each chemical subject to the Prior Informed Consent (PIC) procedure.

(2) The United Nations Environment Programme (UNEP) and the Food and Agriculture Organization (FAO) have been appointed to provide secretariat services for the operation of the PIC procedure established by the Rotterdam Convention on the PIC procedure for certain hazardous chemicals and pesticides in international trade, approved by the Community by Council Decision 2006/730/EC of 25 September 2006 on the conclusion, on behalf of the European Community, of the Rotterdam Convention on the Prior Informed Consent Procedure for certain hazardous chemicals and pesticides in international trade [3].

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

[1] OJ L 204, 31.7.2008, p. 1.
[2] OJ L 396, 30.12.2006, p. 1.
[3] OJ L 299, 28.10.2006, p. 23.

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(4) It is necessary to revise previous import decisions in relation to the chemicals ethylene oxide, fluoroacetamide, HCH (mixed isomers), lindane, methamidophos, pentachlorophenol and its salts and esters, polybrominated biphenyls (PBBs), polychlorinated terphenyls (PCTs), dustable powder formulations containing a combination of benomyl, carbofuran and thiram and mercury compounds in order to reflect the enlargement of the Community on 1 January 2007 as well as to take account of regulatory developments in the Community since those decisions were adopted.

(5) The placing on the market and use of ethylene oxide under 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 ([1]) is restricted to certain specific areas pursuant to Commission Regulation (EC) No 1451/2007 ([2]) on the second phase of the 10-year work programme referred to in Article 16(2) of Directive 98/8/EC. Consequently, imports are only allowed for those specific uses. Member States can decide which of those uses allowed under Directive 98/8/EC they authorise in their territory.

(6) Fluoroacetamide and pentachlorophenol and its salts and esters are not included as active substances in Annex I to Council Directive 91/414/EEC of 15 July 1991 concerning the placing of plant protection products on the market ([3]) or in Annex I, IA or IB to Directive 98/8/EC, with the effect that those active substances are banned for pesticide use. Consequently, it is prohibited to import fluoroacetamide and pentachlorophenol and its salts and esters for use as pesticides.

(7) Since 1 July 2008 methamidophos is no longer included in Annex I to Directive 91/414/EEC, with the effect that all authorisations for plant protection products containing methamidophos had to be withdrawn by Member States and that any placing on the market of plant protection products containing methamidophos is prohibited. Furthermore, methamidophos has not been identified or notified under the Community review programme for evaluation of existing substances under Directive 98/8/EC and is therefore not allowed to be placed on the market for use as a biocidal product.

(8) The production, placing on the market and use of lindane and HCH (mixed isomers) were prohibited 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 ([4]) and the derogation allowed for under that Regulation expired on 31 December 2007. Consequently, any import of those chemicals is prohibited as from that date.

(9) Any production, placing on the market and use of hexabromo-1,1'-biphenyl is banned. Furthermore, that chemical belongs to the group of PBBs, which is included in Annex III to the Rotterdam Convention and subject to the PIC procedure.

([1]) OJ L 123, 24.4.1998, p. 1.
([2]) OJ L 325, 11.12.2007, p. 3.
([3]) OJ L 230, 19.8.1991, p. 1.
([4]) OJ L 158, 30.4.2004, p. 7.

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(10) Bulgaria and Romania became Member States of the European Union on 1 January 2007. Since Regulation (EC) No 1907/2006 allows the Member States to authorise specific uses of PCTs in their territory, the import decision should be revised to reflect national legislation in those two new Member States.

(11) It is therefore appropriate to replace the import decisions for ethylene oxide, fluoroacetamide, HCH (mixed isomers), lindane, methamidophos, pentachlorophenol and its salts and esters, PBBs and PCTs set out in Commission Decision 2000/657/EC of 16 October 2000 adopting Community import decisions for certain chemicals pursuant to Council Regulation (EEC) No 2455/92 concerning the export and import of certain dangerous chemicals ([1]), Commission Decision 2001/852/EC 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 ([2]), Commission Decision 2003/508/EC of 7 July 2003 adopting Community import decisions for certain chemicals pursuant to Regulation (EC) No 304/2003 of the European Parliament and of the Council and amending Decisions 2000/657/EC and 2001/852/EC ([3]) and Commission Decision 2005/416/EC of 19 May 2005 adopting Community import decisions for certain chemicals pursuant to Regulation (EC) No 304/2003 of the European Parliament and of the Council and amending Decisions 2000/657/EC, 2001/852/EC and 2003/508/EC ([4]).

(12) Benomyl is not included as active substance in Annex I to Directive 91/414/EEC or in Annex I, IA or IB to Directive 98/8/EC, with the effect that that active substance is banned for pesticide use. Consequently, dustable powder pesticide formulations containing a combination of benomyl, carbofuran and thiram are banned for placing on the market and use as pesticide. The import decision for dustable powder pesticide formulations containing a combination of benomyl, carbofuran and thiram set out in Commission Decision 2004/382/EC of 26 April 2004 adopting Community import decisions for certain chemicals pursuant to Regulation (EC) No 304/2003 of the European Parliament and of the Council ([5]) should therefore be replaced.

(13) The placing on the market and use of plant protection products containing mercury compounds as an active substance is prohibited pursuant 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 ([6]). Furthermore, the placing on the market and use of biocidal products containing mercury compounds in accordance with Directive 98/8/EC is not allowed. The import decision for mercury compounds published in PIC Circular X should therefore be replaced.

([1]) OJ L 275, 27.10.2000, p. 44.
([2]) OJ L 318, 4.12.2001, p. 28.
([3]) OJ L 174, 12.7.2003, p. 10.
([4]) OJ L 147, 10.6.2005, p. 1.
([5]) OJ L 144, 30.4.2004, p. 11.
([6]) OJ L 33, 8.2.1979, p. 36.

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(14) Decisions 2000/657/EC, 2001/852/EC, 2003/508/EC, 2004/382/EC and 2005/416/EC should therefore be amended accordingly,

HAS DECIDED AS FOLLOWS:

Article 1

The decisions on the import of lindane, methamidophos and pentachlorophenol and its salts and esters as set out in the Annex to Decision 2000/657/EC are replaced by the import decisions set out in the forms for import response in Annex I to this Decision.

Article 2

The decision on the import of ethylene oxide as set out in Annex I to Decision 2001/852/EC is replaced by the import decision set out in the form for import response in Annex II to this Decision.

Article 3

The decision on the import of polybrominated biphenyls (PBBs) as set out in Annex III to Decision 2003/508/EC is replaced by the import decision set out in the form for import response in Annex III to this Decision.

Article 4

The decisions on the import of fluoroacetamide, HCH (mixed isomers) and polychlorinated terphenyls (PCTs) as set out in Annex I to Decision 2005/416/EC are replaced by the import decisions set out in the forms for import response in Annex IV to this Decision.

Article 5

The interim decision on the import of dustable powder formulations containing a combination of benomyl, carbofuran and thiram as set out in Annex III to Decision 2004/382/EC is replaced by the import decision set out in the form for import response in Annex V to this Decision.

Article 6

The decision on the import of mercury compounds published in PIC Circular X is replaced by the import decision set out in the form for import response in Annex VI to this Decision.

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ANNEX I

Revised import decisions for lindane, methamidophos and pentachlorophenol and its salts and esters replacing the import decisions set out in Decision 2000/657/EC

'FORM FOR IMPORT RESPONSE

▸(1) **COUNTRY:**	**European Community** (Member States: Austria, Belgium, Bulgaria, Croatia, 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**	Lindane
1.2	**CAS number**	58-89-9
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

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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:

It is prohibited to produce, use or place on the market lindane (gamma-HCH). 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).

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:

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 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:

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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

Lindane 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; R25 (Toxic; Toxic if swallowed) – Xn; R20/21, R48/22 and R64 (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; R50/53 (Dangerous to the environment; Very Toxic to aquatic organisms, may cause long-term adverse effects in the aquatic environment).

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

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United Nations Environment
Programme (UNEP)
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Fax: (+41 22) 917 8082
E-mail: pic@pic.int'

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'**FORM FOR IMPORT RESPONSE**

▸(1) **COUNTRY:**	**European Community** (Member States: Austria, Belgium, Bulgaria, Croatia, 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**	Methamidophos
1.2	**CAS number**	10265-92-6
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

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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:

It is prohibited to use or place on the market all plant protection products containing methamidophos. Methamidophos is not included in Annex I to Council Directive 91/414/EEC (OJ L 230, 19.8.1991, p. 1) and thus authorisations for plant protection products containing this active substance had to be withdrawn by 30 June 2008. Furthermore, it is prohibited to use or place on the market biocidal products containing methamidophos. 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 concerning the placing of biocidal products on the market (OJ L 123, 24.4.1998, p. 1) the chemical is not allowed to be placed on the market for use as a biocidal product.

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:

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 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:

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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

Methamidophos 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; R24 (Toxic; Toxic in contact with skin) – T+; R26/28 (Very Toxic; Very Toxic by inhalation and if swallowed) – N; R50 (Dangerous to the environment; Very Toxic to aquatic organisms).

SECTION 7 DESIGNATED NATIONAL AUTHORITY

Institution	European Commission, DG Environment
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Name of person in charge	Mr Paul Speight
Position of person in charge	Deputy Head of Unit
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Telefax	32 2 296 76 16
E-mail address	Paul.Speight@ec.europa.eu

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

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'**FORM FOR IMPORT RESPONSE**

▸(1) **COUNTRY:**	**European Community** (Member States: Austria, Belgium, Bulgaria, Croatia, 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**	Pentachlorophenol and its salts and esters
1.2	**CAS number**	87-86-5
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

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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:

It is prohibited to use or place on the market pentachlorophenol. The chemical was excluded from Annex I to Council Directive 91/414/EEC concerning the placing of plant protection products on the market and authorisations for plant protection products thus had to be withdrawn by 25 July 2003 (Commission Regulation (EC) No 2076/2002 of 20 November 2002 (OJ L 319, 23.11.2002, p. 3) extending the time period referred to in Article 8(2) of Council Directive 91/414/EEC and concerning the non-inclusion of certain active substances in Annex I to that Directive and the withdrawal of authorisations for plant protection products containing these substances). It is prohibited to use or place on the market all biocidal products containing pentachlorophenol. 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 concerning the placing of biocidal products on the market the chemical is not allowed to be placed on the market for use as a biocidal product and had therefore to be withdrawn from the market as from 1 September 2006.

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:

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 Indication of active consideration in order to reach a final decision

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

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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

Pentachlorophenol 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; R24/25 (Toxic; Toxic in contact with skin and if swallowed) – T+; R26 (Very Toxic, Very toxic by inhalation) – Carc. Cat.3; R 40 (Carcinogenic category 3; Limited evidence of carcinogenic effect) – Xi; R36/37/38 (Irritating, Irritating to eyes, respiratory system and skin) – N; R50/53 (Dangerous to the environment; Very Toxic to aquatic organisms, may cause long-term adverse effects in the aquatic environment).

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
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Telefax	32 2 296 76 16
E-mail address	Paul.Speight@ec.europa.eu

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

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ANNEX II

Revised import decision for ethylene oxide replacing the import decision set out in Decision 2001/852/EC

'FORM FOR IMPORT RESPONSE

▸(1) **COUNTRY:**	**European Community** (Member States: Austria, Belgium, Bulgaria, Croatia, 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

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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.

►(1) Member States that consent to import (for import prior written authorisation is required): Austria, Belgium, Bulgaria, Croatia, 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

►(1) M1

▼B

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

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Name of person in charge	Mr Paul Speight
Position of person in charge	Deputy Head of Unit
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Date, signature of DNA and official seal: .....

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▼B

ANNEX III

Revised import decision for polybrominated biphenyls (PBBs) replacing the import decision set out in Decision 2003/508/EC

‘FORM FOR IMPORT RESPONSE

▶(1) **COUNTRY:**	**European Community** (Member States: Austria, Belgium, Bulgaria, Croatia, 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**	Polybrominated biphenyls (PBBs)
1.2	**CAS number**	36355-01-8 27858-07-7 13654-09-6
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: 12/12/2003

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

▶(1) M1

▼B

4.3 ☒ Consent to import only subject to specified conditions

The specified conditions are:

Within the Community, the placing on the market and use of PBB is prohibited in textile articles, such as garments, undergarments and linen, intended to come into contact with the skin. There is a total prohibition on PBB in Austria. No consent is given to imports of hexabromo-1,1'-biphenyl.

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:

Within the Community, the placing on the market and use of PBB is subject to Regulation (EC) No 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the registration, evaluation, authorisation and restriction of chemicals (REACH), establishing a European Chemicals Agency, amending Directive 1999/45/EC and repealing Council Regulation (EEC) No 793/93 and Commission Regulation (EC) No 1488/94 as well as Council Directive 76/769/EEC and Commission Directives 91/155/EEC, 93/67/EEC, 93/105/EC and 2000/21/EC (OJ L 396, 30.12.2006, p. 1). It is prohibited in textile articles, such as garments, undergarments and linen, intended to come into contact with the skin. Member States that do not consent to import: Austria (there is a total prohibition on PBB (Verordnung über das Verbot von halogenierten Stoffen, Federal Law Gazette 1993/210). No consent is given to imports of hexabromo-1,1'-biphenyl since any production, placing on the market and use of this substance is prohibited. 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).

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:

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 Indication of active consideration in order to reach a final decision

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

▼B

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

SECTION 7 DESIGNATED NATIONAL AUTHORITY

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Position of person in charge	Deputy Head of Unit
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▼B

ANNEX IV

Revised import decisions for fluoroacetamide, HCH (mixed isomers) and polychlorinated terphenyls (PCTs) replacing the import decisions set out in Decision 2005/416/EC

'FORM FOR IMPORT RESPONSE

▸(1) **COUNTRY:**	**European Community** (Member States: Austria, Belgium, Bulgaria, Croatia, 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**	Fluoroacetamide
1.2	**CAS number**	640-19-7
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

▶(1) M1

▼B

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:

It is prohibited to use or place on the market all plant protection products containing fluoroacetamide. The chemical was excluded from Annex I to Council Directive 91/414/EEC concerning the placing of plant protection products on the market and authorisations for plant protection products thus had to be withdrawn by 31 March 2004 (Commission Decision 2004/129/EC of 30 January 2004 concerning the non-inclusion of certain active substances in Annex I to that Directive and the withdrawal of authorisations for plant protection products containing these substances (OJ L 37, 10.2.2004, p. 27)). It is prohibited to use or place on the market all biocidal products containing fluoroacetamide. 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 concerning the placing of biocidal products on the market the chemical is not allowed to be placed on the market for any such uses and had therefore been withdrawn from the market as from 1 September 2006.

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:

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 Indication of active consideration in order to reach a final decision

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

▼B

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

Fluoroacetamide 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; R24 (Toxic; Toxic in contact with skin) – T+; R28 (Very Toxic if swallowed)

SECTION 7 DESIGNATED NATIONAL AUTHORITY

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▼B

'**FORM FOR IMPORT RESPONSE**

▸(1) **COUNTRY:**	**European Community** (Member States: Austria, Belgium, Bulgaria, Croatia, 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**	HCH (mixed isomers)
1.2	**CAS number**	608-73-1
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

▶(1) M1

▼B

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:

It is prohibited to produce, use or place on the market HCH. 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).

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:

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 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:

▼B

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

SECTION 7 DESIGNATED NATIONAL AUTHORITY

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▼B

'**FORM FOR IMPORT RESPONSE**

▸(1) **COUNTRY:**	**European Community** (Member States: Austria, Belgium, Bulgaria, Croatia, 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**	Polychlorinated terphenyls (PCT)
1.2	**CAS number**	61788-33-8
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

▶(1) M1

▼B

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:

It is prohibited to place on the market or use PCTs, except for certain specific exemptions on a case-by-case basis. The chemicals were banned by Regulation (EC) No 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the registration, evaluation, authorisation and restriction of chemicals (REACH), establishing a European Chemicals Agency, amending Directive 1999/45/EC and repealing Council Regulation (EEC) No 793/93 and Commission Regulation (EC) No 1488/94 as well as Council Directive 76/769/EEC and Commission Directives 91/155/EEC, 93/67/EEC, 93/105/EC and 2000/21/EC (OJ L 396, 30.12.2006, p. 1). However Member States may, provided prior notification stating the reasons is sent to the Commission, grant derogations for primary and intermediate products for further processing into other products not prohibited by Regulation (EC) No 1907/2006, in so far as they consider that these derogations have no deleterious effects on health and the environment.

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:

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 Indication of active consideration in order to reach a final decision

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

▼B

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

SECTION 7 DESIGNATED NATIONAL AUTHORITY

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Position of person in charge	Deputy Head of Unit
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Date, signature of DNA and official seal: .....

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▼B

ANNEX V

Revised import decision for dustable powder formulations containing a combination of benomyl, carbofuran and thiram replacing the import decision set out in Decision 2004/382/EC

‘FORM FOR IMPORT RESPONSE

►(1) **COUNTRY:**	**European Community** (Member States: Austria, Belgium, Bulgaria, Croatia, 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**	Dustable powder formulations containing a combination of benomyl, carbofuran and thiram
1.2	**CAS number**	17804-35-2 1563-66-2 137-26-8
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: 12/12/2004

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

►(1) M1

▼B

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:

It is prohibited to use or place on the market all plant protection products containing benomyl. Benomyl was excluded from Annex I to Council Directive 91/414/EEC and thus authorisations for plant-protection products containing this active substance had to be withdrawn (Commission Decision 2002/928/EC of 26 November 2002, OJ L 322, 27.11.2002, p. 53). It is prohibited to use or place on the market all biocidal products containing benomyl. 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 concerning the placing of biocidal products on the market the chemical is not allowed to be placed on the market for use as a biocidal product and had therefore to be withdrawn from the market as from 1 September 2006.

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:

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 Indication of active consideration in order to reach a final decision

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

▼B

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

SECTION 7 DESIGNATED NATIONAL AUTHORITY

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Position of person in charge	Deputy Head of Unit
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Date, signature of DNA and official seal: .....

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Viale delle Terme di Caracalla
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OR

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United Nations Environment
Programme (UNEP)
11-13, Chemin des Anémones
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ANNEX VI

Revised import decision for mercury compounds replacing the import decision published in PIC Circular X

'FORM FOR IMPORT RESPONSE

▶(1) **COUNTRY:**	**European Community** (Member States: Austria, Belgium, Bulgaria, Croatia, 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**	Mercury compounds
1.2	**CAS number**	
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: 12/07/1995

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

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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:

It is prohibited to use or place on the market all plant protection products containing mercury compounds 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 of 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). Furthermore, 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 concerning the placing of biocidal products on the market the chemical is not allowed to be placed on the market for use as a biocidal product.

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:

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 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:

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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

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:

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