

# **The Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade**

## **Background**

Global trade in industrial chemicals and pesticides has grown dramatically in recent decades as more countries seek to benefit from the use of these substances for industrial and agricultural purposes. However, as more industrial chemicals and pesticides enter into the world market each year, many countries, especially developing countries, find it increasingly difficult to determine which of these substances are safe to use under the specific environmental, regulatory and cultural conditions at home.

Particular attention has been given to the export of industrial chemicals and pesticides that have been banned or severely restricted (i.e., banned for virtually all use) in industrialised countries as well as to hazardous pesticide formulations that are causing problems under conditions of use<sup>1</sup>. Because these chemicals and pesticides have been shown to pose severe hazards under at least certain conditions, the international community has placed a high priority on reducing potential risks posed by their continued international trade. Many of these compounds are still used in developing countries, where due to the lack of sophisticated controls, adverse effects on human health and the environment result.

## **What is Prior Informed Consent ?**

In response to this situation, countries have been working for a number of years to develop a program to ensure that countries importing hazardous chemicals and pesticides fully understand the risks posed by the use of these substances, and can consider possible alternatives to their use. During the 1980's, the United Nations Environment Programme (UNEP) and the Food and Agriculture Organization (FAO) of the United Nations, developed internationally accepted guidelines regarding the voluntary exchange of information on banned or severely restricted industrial chemicals and pesticides, which evolved into the Prior Informed Consent (PIC) Procedure.

Environment Canada and the Pest Management Regulatory Agency (PMRA) have been responsible for implementing the voluntary PIC procedure in Canada. Canadian industry currently voluntarily complies with the PIC obligations. The international community has just taken the voluntary PIC procedure a step further, and transformed it into what will become a legally binding instrument.

## **How does the PIC Procedure work?**

Under the voluntary PIC procedure, countries notify the Joint UNEP/FAO Secretariat of domestic control actions to ban or severely restrict chemicals and pesticides or of hazardous pesticide formulations causing problems under conditions of use. On the basis of these notifications certain hazardous chemicals and pesticides (including hazardous formulations) were identified for inclusion in the PIC procedure. For the individual chemicals or pesticides subject to the PIC procedure the Secretariat circulates a decision guidance document to participating countries with a request that that

they indicate whether, or under what conditions, they would or would not like to receive future shipments of these chemicals. The Secretariat compiles these import decisions and communicates them to all countries. Those countries which export these chemicals are then responsible for taking appropriate steps to prevent the export of chemicals contrary to PIC import decisions.

Under the new, legally-binding PIC convention concluded in March 1998, the general functioning of the current voluntary procedure will remain unchanged. However greater clarity and precision has been incorporated into the evaluation process for new chemicals and pesticides (including hazardous formulations). In addition to refinements to the voluntary PIC procedure, countries agreed to require export notifications for substances banned or severely restricted domestically (prior to their inclusion in the PIC procedure), as well as classification, labeling and safety data sheets for exported substances included in PIC and exported substances banned or severely restricted domestically. In these ways, PIC helps ensure that countries can make informed decisions about importing chemicals found to present the highest risk.

It is important to note that, no matter what the original rationale for nominating a chemical to the international PIC list, once it is on the list, the obligations and responsibilities of the exporting and importing countries are the same.

### **Should trade of all chemicals subject to the PIC Procedure be globally banned?**

The PIC designation does not mean a chemical or pesticide should be globally banned or severely restricted automatically, nor does it mean that an individual country should automatically prohibit its import. It does mean that substances on the PIC list are subject to extensive information exchange, priority attention for national decisions about imports, and obligations related to export controls.

### **Where can I learn more about PIC?**

The UNEP and FAO web sites provide information on the PIC programs and procedures:

UNEP: <http://irptc.unep.ch/pic/volpic/h3.html>

FAO: <http://www.fao.org/waicent/FaoInfo/Agricult/AGP/AGPP/Pesticid/PIC/pichome.htm>. Further information can be obtained from either Environment Canada (819-997-1640) or from the Pest Management Regulatory Agency (613-736-3671).

## Chemicals Subject to the PIC Procedure

The list of chemicals subject to the Joint FAO/UNEP Programme on Prior Informed Consent (PIC) includes 5 industrial chemicals, 17 pesticides (active ingredients), and 5 pesticide formulations which have been shown to cause problems under conditions of use in developing countries. Additions to the list must meet the criteria agreed to in the negotiations and be accompanied by the necessary supporting documentation.

### CHEMICALS SUBJECT TO THE PRIOR INFORMED CONSENT PROCEDURE

Chemical	Relevant CAS number(s)	Category
2,4,5-T	93-76-5	Pesticide
Aldrin	309-00-2	Pesticide
Captafol	2425-06-1	Pesticide
Chlordane	57-74-9	Pesticide
Chlordimeform	6164-98-3	Pesticide
Chlorobenzilate	510-15-6	Pesticide
DDT	50-29-3	Pesticide
Dieldrin	60-57-1	Pesticide
Dinoseb and dinoseb salts	88-85-7	Pesticide
1,2-dibromoethane (EDB)	106-93-4	Pesticide
Fluoroacetamide	640-19-7	Pesticide
HCH (mixed isomers)	608-73-1	Pesticide
Heptachlor	76-44-8	Pesticide
Hexachlorobenzene	118-74-1	Pesticide
Lindane	58-89-9	Pesticide
Mercury compounds, including inorganic mercury compounds, alkyl mercury compounds and alkyloxyalkyl and aryl mercury compounds		Pesticide

Chemical	Relevant CAS number(s)	Category
Pentachlorophenol	87-86-5	Pesticide
Monocrotophos (Soluble liquid formulations of the substance which exceed 600 g active ingredient/l)	6923-22-4	Severely hazardous pesticide formulation
Methamidophos (Soluble liquid formulations of the substance which exceed 600 g active ingredient/l)	10265-92-6	Severely hazardous pesticide formulation
Phosphamidon (Soluble liquid formulations of the substance which exceed 1000 g active ingredient/l)	13171-21-6 (mixture, (E)&(Z) isomers) 23783-98-4 ((Z)-isomer) 297-99-4 ((E)-isomer)	Severely hazardous pesticide formulation
Methyl-parathion (certain formulations of parathion methyl emulsifiable concentrates (EC) with 19.5%, 40%, 50%, 60% active ingredient and dusts containing 1.5%, 2% and 3% active ingredient)	298-00-0	Severely hazardous pesticide formulation
Parathion (all formulations - aerosols, dustable powder (DP), emulsifiable concentrate (EC), granules (GR) and wettable powders (WP) - of this substance are included, except capsule suspensions (CS))	56-38-2	Severely hazardous pesticide formulation
Crocidolite	12001-28-4	Industrial
Polybrominated biphenyls (PBB)	59080-40-9 (hexa-) 27858-07-7 (octa-) 13654-09-6 (deca-)	Industrial
Polychlorinated biphenyls (PCB)	1336-36-3	Industrial
Polychlorinated terphenyls (PCT)	61788-33-8	Industrial

Chemical	Relevant CAS number(s)	Category
Tris (2,3-dibromopropyl) phosphate	126-72-7	Industrial

- 1 . While “*hazardous pesticide formulations*” can be used safely in countries where sophisticated application technologies and protective clothing can mitigate their risk, some of these same products have been shown to cause problems under conditions of use in countries lacking adequate infrastructure, particularly developing countries and countries with economies in transition. For example, protective equipment is often not readily available, is too expensive or cannot be used due to the climate in these countries.