

Report on the exchange of information under the PIC Regulation in years 2018-2019

Compilation of the information transmitted by the European Commission,
the Member States and the European Chemicals Agency, under Article 20
of the PIC Regulation

Version	Changes	Date
1.0	First version	December 2020
1.1	<i>Data in section 2 amended to include six additional substances for which EU has submitted FRAs to the Rotterdam Convention during the reporting period and the related summary updated accordingly.</i>	October 2022

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Introduction

This is the European Chemicals Agency's third *Report on the exchange of information under the PIC regulation*, for the period from 1 January 2018 to 31 December 2019, pursuant to Article 20(4) of Regulation (EU) No 649/2012 of the European Parliament and of the Council of 4 July 2012 concerning the export and import of hazardous chemicals (the "Prior Informed Consent Regulation" or "PIC Regulation").

The PIC Regulation governs the export and import of certain hazardous chemicals between the EU and non-EU countries, placing obligations mainly on companies that want to export these chemicals to non-EU countries. Its objectives are to implement the "Rotterdam Convention on the prior informed procedure for certain hazardous chemicals and pesticides in international trade" within the EU, to promote shared responsibility and cooperation in the international trade of hazardous chemicals, and to contribute to the environmentally sound use of hazardous chemicals. For that, one of its main pillars is the exchange of information concerning the characteristics of hazardous chemicals that are exported from the EU, and on how to safely store, transport, use and dispose of them in the importing countries.

Article 20(1) of the PIC Regulation establishes the following:

The Commission, assisted by the Agency, and the Member States shall, as appropriate, facilitate the provision of scientific, technical, economic and legal information concerning chemicals subject to this Regulation, including toxicological, ecotoxicological and safety information.

The Commission, with the support of the Member States and the Agency as necessary, shall, as appropriate, ensure the following:

(a) the provision of publicly available information concerning regulatory actions relevant to the objectives of the Convention;

(b) the provision of information for Parties and other countries directly or through the Secretariat concerning those actions which substantially restrict one or more uses of a chemical.

This report provides an overview of the following three main types of information transmitted by the EU to the authorities of the non-EU countries:

- Information submitted by means of export notifications to Parties to the Rotterdam Convention or other countries (Section 1);
- Information made available by means of the EU notifications of Final Regulatory Action under the Rotterdam Convention (Section 2);
- Information provided following *ad hoc* requests (Section 3).

The Agency is also making publicly available information on all the substances that are listed under the PIC Regulation, on its website, at: <https://echa.europa.eu/information-on-chemicals>.

Summary

In 2018 and 2019, the EU has transmitted respectively 7690 and 8237 export notifications, relating to 87 and 94 PIC chemicals respectively, to 148 importing non-EU countries. If compared to the previous reporting periods, the number of export notifications has continued to increase (ca. +10% from 2016 to 2019), while the total number of non-EU countries to which notifications have been transmitted has remained stable (145 in 2016, 146 in 2015 and 2017) and the total number of PIC chemicals for which an export notification has been transmitted has slightly increased (90 in 2016; 88 in 2017).

During the reporting period, the EU has also submitted nine (9) notifications of Final Regulatory Actions (FRA) to the Rotterdam Convention (compared with 5 in 2014-2015 and 1 in 2016-2017), all for PIC chemicals that are banned or severely restricted as pesticides in the EU.

Finally, the EU responded to nine (9) ad-hoc questions received from authorities of non-EU importing countries or organisations, which confirms the increasing trend observed over the previous reporting periods.

Section 1: Information submitted by means of export notifications to Parties to the Rotterdam Convention or other countries

Pursuant to Article 8 of the PIC Regulation, when an EU exporter is due to export a chemical listed under Part 1 of Annex I to that regulation, the exporter shall notify the designated national authority of the Member State in which he is established (the "exporter's Member State"). The designated national authority of the exporter's Member State shall check the compliance of the information and, if the notification is complete, forward it to the Agency. After the Agency has validated the export notification, it shall, on behalf of the Commission, transmit the notification to the designated national authority of the importing country, no later than 15 days before the first intended export of the chemical.

The submission of export notifications to the authorities of the importing countries constitutes the main and most voluminous source of information exchanged under the PIC regulation.

Total number of export notifications submitted to third countries, per Annex I PIC chemical and per year, during the reporting period:

Chemical Name	Number of export notifications sent ¹	
	2018	2019
1,1,2,2-Tetrachloroethane	10	13
1,1,2-Trichloroethane	27	5
1,1-Dichloroethene	7	7
1,2-dibromoethane (EDB)	22	22
1,3-dichloropropene	59	52
1,3-dichloropropene (CIS) (1Z)-1,3-dichloroprop-1-ene	-	3
2-aminobutane	1	1
3-decen-2-one	1	1
Acetochlor	8	9
Alachlor	1	1
Ametryn	6	8
Amitraz	13	10

¹ This counts the number of export notifications with export date in the reporting period and forwarded to the importing countries. If one export notification for a mixture covers more than one PIC chemicals, the forwarding is counted once for each PIC substance that the mixture contains.

Chemical Name	Number of export notifications sent ¹	
	2018	2019
Amitrole	-	4
Anthraquinone	5	6
Arsenic compounds	54	51
Asbestos fibres: Chrysotile	1	-
Asulam	-	9
Atrazine	13	11
Azinphos-methyl	-	1
Azocyclotin	1	-
Benzene	95	99
Benzidine, its salts and benzidine derivatives	2	3
Beta-cypermethrin	-	1
Butralin	9	8
Cadmium and its compounds	76	88
Carbaryl	1	-
Carbendazim	151	171
Carbofuran	1	2
Carbon tetrachloride	18	20
Carbosulfan	-	1
Chlorate	159	169
Chlorfenapyr	4	6
Chlorfenvinphos	5	5
Chloroform	239	251
Chloropicrin	34	33
Cholecalciferol	3	4
Creosote and Creosote related substances	60	58
Cyanamide	60	57
Cybutryne	3	-

Chemical Name	Number of export notifications sent ¹	
	2018	2019
Cyfluthrin	54	48
Cyhalothrine	1	1
Cyhexatin	4	-
Diazinon	10	4
Dibutyltin compounds	1082	1302
Dichlobenil	10	9
Dichlorvos	3	3
Didecyldimethylammonium chloride	1124	1324
Diisobutyl phthalate	-	3
Dinoseb and its salts and esters	10	10
Diocetyl tin compounds	417	518
Diphenylamine	752	436
Ethalfuralin	3	3
Ethoxysulfuron	14	12
Ethylene dichloride (1,2-dichloroethane)	55	68
Ethylene oxide	86	84
Fenbutatin oxide	2	2
Fenitrothion	11	11
Fenpropathrin	6	5
Ferbam	174	105
Fipronil	-	64
Flufenoxuron	7	8
Guazatine and Guazatine acetate	1	1
Iprodione	-	18
Isoproturon	-	48
Lead compounds	313	262
Linuron	-	2
Malathion	40	56

Chemical Name	Number of export notifications sent ¹	
	2018	2019
Maneb	-	2
Mercury compounds, including inorganic mercury compounds, alkyl mercury compounds and alkyloxyalkyl and aryl mercury compounds	76	99
Methomyl	12	12
Methyl bromide	2	2
Monuron	25	21
Nicotine	10	14
Nonylphenol ethoxylates (C ₂ H ₄ O) _n C ₁₅ H ₂₄ O	348	365
Nonylphenols C ₆ H ₄ (OH)C ₉ H ₁₉	706	844
Oxadiargyl	22	12
Paraquat	11	11
Perfluorooctane sulfonic acid, Perfluorooctane sulfonates, Perfluorooctane sulfonamides, Perfluorooctane sulfonyls	3	2
Permethrin	663	706
Picoxystrobin	-	38
Polybrominated biphenyls (PBB) except hexabromo-biphenyl	1	1
Procymidone	2	2
Propanil	2	2
Propargite	33	46
Propisochlor	13	18
Simazine	2	1
Tepraloxydim	2	-
Tetraethyl lead	14	14
Thallium sulphate	6	6
Thiocyclam	9	11
Thiodicarb	3	1

Chemical Name	Number of export notifications sent ¹	
	2018	2019
Triasulfuron	-	11
Tributyltin Compounds	42	33
Trichlorobenzene	19	26
Triclosan	25	40
Tricyclazole	3	-
Triflumuron	29	30
Trifluralin	9	9
Triorganostannic compounds other than tributyltin compounds	8	5
Warfarin	4	4
Zineb	258	252
Total number of export notifications sent to the third countries²:	7690	8237

² If one export notification for a mixture covers more than one PIC chemicals, the forwarding is counted once for each PIC chemical that the mixture contains.

The total number of PIC chemicals for which at least one export notification was sent:

Year	Number of PIC chemicals
2018	87
2019	94

The total number of third countries which received the above-mentioned export notifications:

Year	Number of countries
2018	148
2019	148

Non-confidential information on all valid export notifications made under the PIC Regulation is publicly available on the ECHA website: <https://echa.europa.eu/information-on-chemicals/pic/export-notifications>.

Export notifications contain the information listed in Annex II to the PIC Regulation, either directly in a standardised export notification form or in a Safety Data Sheet (SDS) that can be attached to the notification form.

Section 2: Information made available by means of the EU notifications of Final Regulatory Action (FRA) under the Rotterdam Convention

Pursuant to Article 11 of the PIC Regulation, the Commission shall notify the Secretariat of the Rotterdam Convention of the chemicals listed in Part 2 of Annex I, which qualify for PIC notification, in the form of an EU notification of Final Regulatory Action (FRA). ECHA is assisting the Commission in the drafting of FRAs.

During the reporting period, the EU has submitted the following FRAs to the Rotterdam Convention Secretariat:

Chemical	CAS Number	Use category	FRA	Date published ³
Beta-cypermethrin	52315-07-8	Pesticide	Banned	12 December 2019
Iprodione	36734-19-7	Pesticide	Banned	12 December 2019
Picoxystrobin	117428-22-5	Pesticide	Banned	12 December 2019
Amitrole	61-82-5	Pesticide	Banned	12 June 2019
Cybutryne	28159-98-0	Pesticide	Banned	12 June 2020
Flupyrsulfuron	144740-54-5, 150315-10-9	Pesticide	Banned	12 June 2020
Isoproturon	34123-59-6	Pesticide	Severely Restricted	12 June 2020
Orthosulfamuron	213464-77-8	Pesticide	Banned	12 June 2020
Triasulfuron	82097-50-5	Pesticide	Banned	12 June 2020

Summaries of the FRAs, as published on the website of the Rotterdam Convention (<http://www.pic.int/>), are directly accessible by clicking on the chemicals' names in the table above.

The detailed information provided as part of a FRA notification is described in Annex IV to the PIC regulation, as well as in the form to be filled in for the purpose of notifying a FRA to the Rotterdam Convention Secretariat, available at:
http://www.pic.int/Portals/5/eForms/hardcopy/FRA%20simple%20word%20form_E.doc.

³ Refers to the date of publication on the Rotterdam Convention webpage, however the list contains the FRAs submitted by the EU to the Rotterdam Convention Secretariat in the reporting period 2018-2019.

Section 3: Information provided following ad-hoc requests

In addition to requests for clarification or additional information which are directly relating to specific export notifications that are transmitted to them, the authorities of importing countries, as well as some regional or international organisations, address ad-hoc requests to the Commission, ECHA or EU Member States' authorities.

During the reporting period, nine (9) requests for such ad-hoc additional information were received in total.

3.1 Ad-hoc requests received by the Commission

According to the information provided to ECHA, the European Commission did not receive any ad-hoc requests falling within in the scope of Article 20 of the PIC Regulation during the reporting period.

3.2 Ad-hoc requests received by ECHA

During the reporting period, ECHA received the following nine (9) ad-hoc requests:

- 3.2.1 Question related to the scientific and regulatory background for the banning of diphenylamine in pesticide products (Iraq)
- 3.2.2 Question related to the scope of the REACH Restriction on ethylene dichloride (Turkey)
- 3.2.3 Question related to the regulatory status of the use of nonylphenol ethoxylates in plant protection products (Lebanon)
- 3.2.4 Question related to the scope of the REACH Restriction on nonylphenol / nonylphenol ethoxylates (Jordan)
- 3.2.5 Question related the listing of three substances under the PIC Regulation (endosulfan, alachlor, aldicarb) (Bosnia and Herzegovina)
- 3.2.6 Question related to the regulatory status of exports of HBCD-based products (UNIDO)
- 3.2.7 Questions related to the functioning of the PIC Regulation, as well as requests for further information on specific chemicals (Sri Lanka)
- 3.2.8 Question related to the regulatory status of chloroform within the EU (Benin)
- 3.2.9 Question related to the regulatory status of diphenylamine within the EU (Benin)

Further details about the requests and the responses provided by ECHA, are available in Appendix 1 to this report.

3.3 Ad-hoc requests received by EU Member States

According to the information provided to ECHA, none of the EU Member States received any ad-hoc requests falling within in the scope of Article 20 of the PIC Regulation during the reporting period.

Appendix 1. Summary of information exchange following ad-hoc requests

Country	Organisation	PIC chemical name	Requested information	Provided information	Provider of information
Iraq	DNA	Diphenylamine	<p>Request for clarification and additional information related to the scientific and regulatory background for the banning of the substance in pesticide products, and more specifically:</p> <ul style="list-style-type: none"> the reasons why the European Union do not support the use of the substance in pesticides; any risk assessment report referring to the use of the substance in pesticides. <p><i>In addition, request for an export notification-specific question regarding the foreseen use in the importing country, and in particular the type of pest targeted.</i></p>	<p>Links to the EU Pesticide database, as well as to the EU Risk Assessment Report for the substance, were provided.</p> <p><i>The requester was informed that ECHA had invited the Designated National Authority responsible for this export to contact the exporting company and to provide the importing country's authorities with the requested clarification on the foreseen use.</i></p>	ECHA
Turkey	DNA	Ethylene dichloride (1,2-dichloroethane)	Request for clarification on the scope of the REACH Restriction (Annex XVII, entry 28) as part of the basis for the listing of the substance under the PIC Regulation,	It was clarified that the use of the substance in the "Production of VCM for the polymerization of PVC" is in	ECHA

Country	Organisation	PIC chemical name	Requested information	Provided information	Provider of information
			and more specifically whether the use of the substance in industrial/professional settings for the manufacturing of PVC to be then used in consumer products (e.g. pipes, cables) is not in contradiction with the restriction under REACH.	fact to be considered as an industrial use (since this can only be carried out by professional workers in a controlled environment) and therefore not in contradiction with the restrictions set under entry 28 of Annex XVII to the REACH Regulation.	
Lebanon	DNA	Nonylphenol ethoxylates (NPE)	Request for clarification on a response previously provided by the European Commission (2016) on a question relating to the regulatory status of the use of NPEs in plant protection products, and in particular the scope of the REACH Restriction (Annex XVII, entry 46) and any remaining allowed uses in EU.	A clarification of the scope of entry 46 of Annex XVII to the REACH Regulation, as well as a link to the text of that regulation, were provided.	ECHA
Jordan	Ministry of Health	Nonylphenol (NP) / Nonylphenol ethoxylates (NPE)	Request for clarification regarding the scope of the REACH Restriction (Annex XVII, entry 46) and in particular the applicability of the category of uses described as " <i>industrial and institutional cleaning</i> " to two specific applications.	A clarification on the applicability of the use restrictions as set under entry 46 of Annex XVII to the REACH Regulation was provided, with the input of REACH Restrictions experts in ECHA.	ECHA
Bosnia and Herzegovina	Ministry of Health and Social Welfare of the	Endosulfan, Alachlor, Aldicarb	Request for clarification on the listing of the three substances under the PIC Regulation, and in particular on the differences regarding the listing of these substances between the currently	It was clarified that the current status of Annexes I and V to the PIC regulation, shall be understood by reading in combination the	ECHA

Country	Organisation	PIC chemical name	Requested information	Provided information	Provider of information
	Republic of Srpska (regional-level competent authority)		<p>available consolidated version of Regulation (EU) 649/2012 and the ECHA dissemination webpages.</p> <p><i>As a follow-up, the requester stressed the confusion of the situation with in particular the absence of visibility in the consolidated version on the amendments introduced by the Commission Regulation (EU) No 73/2013, and that consolidating all the amendments in one single legal text would be beneficial.</i></p>	<p>consolidated version of Regulation (EU) 649/2012, any consecutive amendments which would have not yet been integrated to the consolidated version, as well as the (not-yet consolidated) amendments introduced by the Commission Regulation (EU) No 73/2013.</p> <p><i>In response to the follow-up, it was advised to contact the relevant service of the European Commission (in copy of the email) directly for any further clarifications in this respect, ECHA neither being responsible nor directly involved in the legislative process for the amendments and consolidations of the PIC regulation.</i></p>	
UNIDO	Center for Regional Cooperation in Turkey	Hexabromo-cyclododecane ("HBCDD" or "HBCD")	Request for clarification on the regulatory status of exports of HBCD-based products from the European Union.	A clarification that all EU exports of HBCDD are banned since 1 April 2018, and that this ban covers not only the substance HBCCD as such, but also in	ECHA

Country	Organisation	PIC chemical name	Requested information	Provided information	Provider of information
			<p>As a follow-up question, a clarification was requested on whether exports from an EU Member State who is not a Party to the Stockholm Convention would still be allowed.</p>	<p>mixtures or in articles, was provided. Some further background information was also provided on the basis for the listing of HBCDD under Annex V to the PIC Regulation, on the recent decision at the ninth meeting of the Conference of the Parties to the Rotterdam Convention to add HBCDD to Annex III to that Convention, as well as on the regulatory status of HBCDD under the REACH Regulation.</p> <p>In response to the follow-up question, a clarification was provided that the export ban is based on the PIC Regulation and applies to all EU Member States, irrespective whether they are themselves Parties to e.g. the Stockholm Convention.</p>	
Sri Lanka	DNA		Request for clarification on whether, as part of an export notification, some additional information can be provided on the national legislation regulating the substance in the EU Member State where	Clarifications on the definition of exporter under the PIC Regulation and the consequences on who has the duty to notify the export of a PIC chemical, as well as	ECHA

Country	Organisation	PIC chemical name	Requested information	Provided information	Provider of information
			<p>it was manufactured, in case it is exported from another EU Member State.</p> <p>Three (3) follow-up requests for information on the EU regulatory status of two chemicals, and clarification of whether a substance/mixture manufactured/formulated and notified from an EU Member State can be exported from a port in another EU Member State.</p>	<p>on the information requirements as part of PIC export notifications – and in particular the fact that national legislation does not have to be reflected – were provided.</p> <p>In response to the substances-specific follow-up requests, a regulatory status of the substances under both the PIC Regulation and related EU legislations (PPP, BPR, veterinary products, REACH) was provided, as well as various links to the ECHA website from where further information on both the PIC Regulation and specific substances (“Information on chemicals”) can be found. Finally, it was clarified that a substance that was manufactured and/or formulated in an EU Member State can very well be exported via another EU Member State, and that it is the company legally</p>	

Country	Organisation	PIC chemical name	Requested information	Provided information	Provider of information
				responsible for the export who has to submit an export notification to their Designated National Authority for PIC, irrespective of whether the chemical is physically shipped from the same or another EU Member State.	
Benin	DNA	Chloroform	<p>Request for clarification on the EU regulatory status of the foreseen use of the substance in the importing country, and information that:</p> <ul style="list-style-type: none"> • if banned in the EU, the import cannot be accepted by the importing country in accordance with the Bamako Convention, • if not banned in the EU, the importer should contact the Focal point in the importing country. 	<p>A clarification that the substance is not fully banned but severely restricted under the "industrial chemical" category, was provided.</p> <p><i>In addition, it was confirmed that ECHA would inform the concerned EU Member State DNA so that the EU exporter can in turn be informed and liaise with its importer in the importing country.</i></p>	ECHA
Benin	DNA	Diphenylamine	Request for clarification on the EU regulatory status of the substance.	A clarification on the regulatory status of the substance under the use categories covered by the PIC Regulation/Rotterdam Convention within the EU, was provided.	ECHA

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