#### **COMMISSION DECISION**

#### of 18 November 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 Decision 2000/657/EC

(Text with EEA relevance)

(2005/814/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Regulation (EC) No 304/2003 of the European Parliament and of the Council of 28 January 2003 concerning the export and import of dangerous chemicals (1), and in particular the first subparagraph of Article 12(1) thereof,

After consulting the Committee established by Article 29 of 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 (2),

#### Whereas:

- Under Regulation (EC) No 304/2003 the Commission is (1) required 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.
- The United Nations Environment Programme (UNEP) and (2)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 Prior Informed Consent (PIC) procedure for certain hazardous chemicals and pesticides in international trade; the Convention was approved, on behalf of the Community, by Council Decision 2003/106/EC (3).
- (3) The Commission, acting as common designated authority, is required to forward decisions on chemicals to the Secretariat of the Convention, on behalf of the Community and its Member States.

The Commission has received information about both chemicals in the form of a single decision guidance document. Both chemicals are severely restricted at Community level since their use as anti-knock agents in petrol is effectively banned, subject to minor exemptions, by Directive 98/70/EC of the European Parliament and of the Council of 13 October 1998 relating to the quality of petrol and diesel fuels and amending Council Directive 93/12/EEC (4). An import decision should therefore be taken accordingly.

The chemicals tetraethyl lead and tetramethyl lead have been added to the PIC procedure, as industrial chemicals.

- The chemical parathion has also been added to the PIC procedure, as a pesticide, for which the Commission has received information from the Secretariat in the form of a decision guidance document.
- Parathion falls within the scope of Council Directive (6)91/414/EEC of 15 July 1991 concerning the placing of plant protection products on the market (5). By Commission Decision 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), parathion was excluded from Annex I to Directive 91/414/EEC and authorisations for plant protection products containing it had to be withdrawn by 8 January 2002. Parathion had previously been included in the interim PIC procedure to the extent that certain severely hazardous pesticide formulations containing parathion were listed in Annex III to the Convention, which was reflected in the response form set out in the Annex to 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 (7). The entry for parathion in Annex III to the Convention needs to be replaced by an entry covering parathion in all its forms. A new import decision should therefore be taken.

<sup>(1)</sup> OJ L 63, 6.3.2003, p. 1. Regulation as last amended by Commission Régulation (EC) No 775/2004 (OJ L 123, 27.4.2004, p. 27).

OJ 196, 16.8.1967, p. 1. Directive as last amended by Commission Directive 2004/73/EC (OJ L 152, 30.4.2004, p. 1).

<sup>(3)</sup> OJ L 63, 6.3.2003, p. 27.

<sup>(4)</sup> OJ L 350, 28.12.1998, p. 58. Directive as last amended by Regulation (EC) No 1882/2003 of the European Parliament and of the

<sup>(5)</sup> OJ L 230, 19.8.1991, p. 1. Directive as last amended by Commission Directive 2005/34/EC (OJ L 125, 18.5.2005, p. 5).

OJ L 187, 10.7.2001, p. 47. OJ L 275, 27.10.2000, p. 44. Decision as last amended by Decision 2005/416/EC (OJ L 147, 10.6.2005, p. 1).

(7) Decision 2000/657/EC should therefore be amended accordingly,

HAS DECIDED AS FOLLOWS:

### Article 1

- 1. The decision on the import of the chemical tetraethyl lead, as set out on the form for importing country responses in Annex I, is adopted.
- 2. The decision on the import of the chemical tetramethyl lead, as set out on the form for importing country responses in Annex II, is adopted.

### Article 2

The decision on the import of parathion as set out in the Annex to Decision 2000/657/EC is replaced by the import decision set out on the form for importing country responses in Annex III to this Decision.

Done at Brussels, 18 November 2005.

For the Commission
Stavros DIMAS
Member of the Commission

### ANNEX I

## IMPORT DECISION FOR THE CHEMICAL SUBSTANCE TETRAETHYL LEAD



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



# 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)

SECT	TION 1. IDENTITY OF CHEMICAL					
1.1.	Common name	Tetraethyl lead				
1.2.	CAS number	78-00-2				
1.3.	Type of formulation and content of active ingredient					
SECT	TION 2. THE IMPORT RESPONSE PROVIDED IN THIS FORM AP	PLIES TO THE FOLLOWING CATE	GOR	Y OR CAT	EGC	RIES
	☐ Pesticide					
	X Industrial					
	☐ Severely hazardous pesticide formulation					
SECT	TION 3. INDICATION REGARDING PREVIOUS RESPONSE, IF A	NY				
3.1.	X This is a first time import response for this chemical in the cou	ntry.				
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:					
	TION 4. RESPONSE REGARDING FUTURE IMPORT  Final decision (Fill in section 5, page 2) OR	Interim response (Fill in section 6, 1	oage	3-4)		
SECT	TON 5. FINAL DECISION, pursuant to national legislative or adn	ninistrative measures				
5.1.	□ No consent to import					
	Is the import of the chemical from all sources simultaneously prohib	oited?		Yes	П	No
	Is domestic production of the chemical for domestic use simultaneous		_	Yes	_	No
5.2.	☐ Consent to import	, 1	_			
5.3.	X Consent to import only subject to specified conditions					
	The specified conditions are:					
	The use of the chemical as an anti-knock compound in leaded petro leaded petrol for vehicles. However, Member States may allow a dero 0.15g lead/L, up to a maximum of 0.5 % of total sales, for collectors	gation for small quantities of leaded pe				
	Are the conditions for import of the chemical the same for all source	tes of import?	X	Yes		No
	Are the conditions for domestic production of the chemical for dom	nestic use the same as for all imports?	X	Yes		No

5.4.	4. National legislative or administrative measure upon which the final decision is based							
	Description of the national legislative or administrativ	e measure:						
	It is prohibited to place on the market leaded petrol for vehicles pursuant to Directive 98/70/EC of the European Parliament and of the Council of 13 October 1998 relating to the quality of petrol and diesel fuels and amending Council Directive 93/12/EEC (Official Journal of the European Communities L 350 of 28.12.1998, p. 58).							
	The complete name and address of the institution/aut	hority responsible for issuing this national legislative of	r adı	ninistrative	mea	sure:		
	European Community and its Member States (see address in section 8).							
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							
SECT	TON 6. INTERIM RESPONSE							
6.1.	☐ No consent to import							
	Is the import of the chemical from all sources simult	aneously 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 o	onditions						
	The specified conditions are:							
	Are the conditions for import of the chemical the san	me for all sources of import?		Yes		No		
	Are the conditions for domestic production of the cl	nemical for domestic use the same as for all imports?		Yes		No		

6.4.	. Indication of active consideration in order to reach a final decision						
	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 in	stitution/aut	hority actively considering a final decision:				
6.5.	Information or assistance requested in order to re	each 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 c	hemical 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 inte	ended for export?		Yes		No
	Other remarks						
SECT	 TON 7. RELEVANT ADDITIONAL INFORMATION						
provi	ethyl lead is classified under Council Directive 67/548/sions relating to the classification, packaging and labelli	ng of dange	erous substances (OJ 196, 16.8.1967, p.1) :	as: T	+; R26/27/2	8; R	33 (Very
Categ	; Very toxic by inhalation, in contact with skin and if ory 1; May cause harm to the unborn child) — Repr. 50/53 (Dangerous to the environment; Very Toxic to a	Cat.3; R62	(Toxic to reproduction Category 3; Possibl	e risl	of impaire	d fe	rtility) —
SECT	TION 8. DESIGNATED NATIONAL AUTHORITY						
Instit	cution		European Commission DG Environment				
Address		Rue de la Loi 200 B-1049 Brussels Belgium					

### ANNEX II

## IMPORT DECISION FOR THE CHEMICAL SUBSTANCE TETRAMETHYL LEAD



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



# 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)

SECT	TION 1. IDENTITY OF CHEMICAL								
1.1.	Common name	Tetramethyl lead							
1.2.	CAS number	75-74-1							
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								
	X Industrial								
	☐ Severely hazardous pesticide formulation								
SECT	TION 3. INDICATION REGARDING PREVIOUS RESPONSE, IF A	NY							
3.1.	X This is a first time import response for this chemical in the cou	ntry.							
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:								
SECT	TON 4. RESPONSE REGARDING FUTURE IMPORT								
X F	Final decision (Fill in section 5, page 2) OR	Interim response (Fill in section 6, 1	page	3-4)					
SECI	TON 5. FINAL DECISION, pursuant to national legislative or adn	ninistrative measures							
5.1.	☐ No consent to import		***************************************						
	Is the import of the chemical from all sources simultaneously prohib	vited?		Yes		No			
	Is domestic production of the chemical for domestic use simultaneou	ısly prohibited?		Yes		No			
5.2.	☐ Consent to import								
5.3.	X Consent to import only subject to specified conditions								
	The specified conditions are:								
	The use of the chemical as an anti-knock compound in leaded petrol leaded petrol for vehicles. However, Member States may allow a dero 0.15g lead/L, up to a maximum of 0,5 % of total sales, for collector	gation for small quantities of leaded pe							
	Are the conditions for import of the chemical the same for all source	tes of import?	X	Yes		No			
	Are the conditions for domestic production of the chemical for don	nestic use the same as for all imports?	X	Yes		No			

	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 leaded petrol for vehicles pursuant to Directive 98/70/EC of the European Parliament and of the Council of 13 October 1998 relating to the quality of petrol and diesel fuels and amending Council Directive 93/12/EEC (Official Journal of the European Communities L 350 of 28.12.1998, p. 58).								
	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.	<b>Remarks</b> See under point 5.3. and 5.4.								
	Has there ever been a request of registration of this chemical in the country?					No			
	Is this chemical currently registered in the country?  Is this chemical manufactured in the country?			Yes		No			
				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									
SECT	TION 6. INTERIM RESPONSE								
SECT 6.1.	TION 6. INTERIM RESPONSE  No consent to import								
		ltaneously prohibited?		Yes		No			
	☐ No consent to import	, <b>.</b>	_	Yes Yes	Ξ	No No			
	No consent to import  Is the import of the chemical from all sources simu	, <b>.</b>	_		Ξ				
6.1.	No consent to import  Is the import of the chemical from all sources simular domestic production of the chemical for domestic	c use simultaneously prohibited?	_		Ξ				
6.1.	□ No consent to import  Is the import of the chemical from all sources simular domestic production of the chemical for domestic □ Consent to import	c use simultaneously prohibited?	_		Ξ				
6.1.	□ No consent to import  Is the import of the chemical from all sources simular domestic production of the chemical for domestic □ Consent to import  □ Consent to import only subject to specified	c use simultaneously prohibited?  conditions	_						

6.4.	4. Indication of active consideration in order to reach a final decision							
	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 in	stitution/aut	chority actively considering a final decision:					
6.5.	Information or assistance requested in order to re	each 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 of	hemical 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 inte	ended for domestic use?	☐ Yes	☐ No			
		Is this inte	ended for export?	☐ Yes	☐ No			
	Other remarks							
anar								
SECI	TION 7. RELEVANT ADDITIONAL INFORMATION							
provis Toxic Categ	Tetramethyl lead 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+; R26/27/28; R33 (Very Toxic; Very toxic by inhalation, in contact with skin and if swallowed; Danger of cumulative effects) — Repr. Cat.1; R61 (Toxic to reproduction Category 1; May cause harm to the unborn child) — Repr. Cat.3; R62 (Toxic to reproduction Category 3; Possible risk of impaired fertility) — N; R50/53 (Dangerous to the environment; Very Toxic to aquatic organisms, may cause long-term adverse effects in the aquatic environment).							
SECT	TON 8. DESIGNATED NATIONAL AUTHORITY							
Instit	cution		European Commission DG Environment					
Addr	ess		Rue de la Loi 200 B-1049 Brussels Belgium					

### ANNEX III

## IMPORT DECISION FOR THE CHEMICAL SUBSTANCE PARATHION



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



# 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)

SECT	TION 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					
SECT	SECTION 2. THE IMPORT RESPONSE PROVIDED IN THIS FORM APPLIES TO THE FOLLOWING CATEGORY OR CATEGORIES						
	X Pesticide						
	☐ Industrial						
	X Severely hazardous pesticide formulation						
SECT	TION 3. INDICATION REGARDING PREVIOUS RESPONSE, IF A	NY					
3.1.	This is a first time import response for this chemical in the cour	ntry.	200000000000		<u> </u>		
3.2.	X This is a modification of a previous response.						
	The previous response was a final decision.		X	Yes		No	
	The previous response was an interim response.			Yes	X	No	
	Date of issue of the previous response:						
	24.7.2003						
SECT	TION 4. RESPONSE REGARDING FUTURE IMPORT						
Х Б	Final decision (Fill in section 5, page 2) OR	Interim response (Fill in section 6, p	age	3-4)		200000000000000000000000000000000000000	
SECT	TION 5. FINAL DECISION, pursuant to national legislative or adm	ninistrative measures					
5.1.	X No consent to import				111111111111111111111111111111111111111		
	Is the import of the chemical from all sources simultaneously prohib	ited?	X	Yes		No	
	Is domestic production of the chemical for domestic use simultaneou	usly 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 source	es of import?		Yes		No	
	Are the conditions for domestic production of the chemical for don	nestic use the same as for all imports?		Yes		No	

5.4.	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 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 L187, 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).								
5.5.	<b>Remarks</b> See under point 5.3 and 5.4								
	Has there ever been a request of registration of this chemical in the country?					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								
SECT	TION 6. INTERIM RESPONSE								
6.1.	☐ No consent to import								
	Is the import of the chemical from all sources simultaneously prohibited?								
	Is the import of the chemical from all sources simul	taneously prohibited?		Yes	<b>-</b>	No			
	Is the import of the chemical from all sources simul Is domestic production of the chemical for domestic	· ·	_	Yes Yes	<u> </u>				
6.2.	-	· ·	_		_				
6.2.	Is domestic production of the chemical for domestic	use simultaneously prohibited?	_		_				
	Is domestic production of the chemical for domestic  Consent to import	use simultaneously prohibited?	_		_				
	Is domestic production of the chemical for domestic  Consent to import  Consent to import only subject to specified of	use simultaneously prohibited?	_		_				

6.4. Indication of active consideration in order to reach a final decision								
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:								
6.5.	Information or assistance requested in order to re	each a final	decision					
	The following additional information is requested from the Secretariat:							
	The following additional information is requested from							
	The following assistance is requested from the Secreta	ariat in evalı	nating the chemical:					
6.6.	Remarks							
	Has there ever been a request of registration of this of	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 inte	ended for export?		Yes		No	
	Other remarks							
SECT	 TION 7. RELEVANT ADDITIONAL INFORMATION	•						
Dorot1	hion is classified under Council Directive 67/548/EEC	of 27 Jun	a 1967 on the approximation of laws r	مصبام	tions and	odm:	inistrativa	
provi	sions relating to the classification, packaging and labell toxic by inhalation and if swallowed.) — T; R24, R48/	ing of dang	erous substances (OJ 196, 16.8.1967, p. 1)	as:	T+; R26/28	(Vε	ery Toxic;	
prolo	nged exposure if swallowed) — N; $R50/53$ (Dangerous s in the aquatic environment).							
SECT	TION 8. DESIGNATED NATIONAL AUTHORITY							
Instit	cution		European Commission DG Environment					
B-1			Rue de la Loi 200 B-1049 Brussels Belgium					
			I					