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LEGISLATIVE ACTS AND OTHER INSTRUMENTS

Subject: COUNCIL DECISION on the submission, on behalf of the European Union,
of a proposal for the listing of chlorpyrifos in Annex A to the Stockholm
Convention on Persistent Organic Pollutants

COUNCIL DECISION (EU) 2021/...

of ...

**on the submission, on behalf of the European Union,
of a proposal for the listing of chlorpyrifos in Annex A to the Stockholm Convention
on Persistent Organic Pollutants**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular
Article 192(1), in conjunction with Article 218(9) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) On 14 October 2004, the European Community approved the Stockholm Convention on Persistent Organic Pollutants ('the Convention') by means of Council Decision 2006/507/EC¹.
- (2) As a Party to the Convention, the Union is able to submit proposals for the amendment of the Annexes to the Convention. Annex A to the Convention lists chemicals to be eliminated.
- (3) According to available scientific information and review reports, and taking due account of the screening criteria set out in Annex D to the Convention, chlorpyrifos exhibits characteristics of a persistent organic pollutant.

¹ Council Decision 2006/507/EC of 14 October 2004 concerning the conclusion, on behalf of the European Community, of the Stockholm Convention on Persistent Organic Pollutants (OJ L 209, 31.7.2006, p. 1).

- (4) Chlorpyrifos is not approved as an active substance pursuant to Regulation (EC) No 1107/2009 of the European Parliament and of the Council¹ and is therefore not allowed to be placed on the market or used in the Union in plant protection products. Chlorpyrifos is also not approved as an active substance pursuant to Regulation (EU) No 528/2012 of the European Parliament and of the Council² and is therefore not allowed to be placed on the market or used in the Union in biocidal products. In addition, chlorpyrifos is not registered for any other use in accordance with Regulation (EC) No 1907/2006 of the European Parliament and of the Council³ and, consequently, it is not allowed to be manufactured or placed on the market in the Union for such other use in quantities of one tonne or more per year per manufacturer or importer.

¹ Regulation (EC) No 1107/2009 of the European Parliament and of the Council of 21 October 2009 concerning the placing of plant protection products on the market and repealing Council Directives 79/117/EEC and 91/414/EEC (OJ L 309, 24.11.2009, p. 1).

² Regulation (EU) No 528/2012 of the European Parliament and of the Council of 22 May 2012 concerning the making available on the market and use of biocidal products (OJ L 167, 27.6.2012, p. 1).

³ 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).

- (5) Although chlorpyrifos has been phased out in the Union, it appears that it is still used as a pesticide and dispersed in the environment outside the Union. Due to the potential for long-range environmental transport of chlorpyrifos, the measures taken nationally or at Union level are not sufficient to safeguard the high level of protection of the environment and human health. Wider international action is therefore necessary.
- (6) The Union should therefore submit a proposal to the Secretariat of the Convention for the listing of chlorpyrifos in Annex A to the Convention,

HAS ADOPTED THIS DECISION:

Article 1

The Union shall submit a proposal for the listing of chlorpyrifos (CAS No: 2921-88-2, EC No 220-864-4) in Annex A to the Stockholm Convention on Persistent Organic Pollutants.

The Commission shall, on behalf of the Union, communicate the proposal referred to in the first subparagraph to the Secretariat of the Convention with all the information required under Annex D to the Convention.

Article 2

This Decision shall enter into force on the date of its adoption.

Done at Brussels,

For the Council

The President
