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INTERIM CHEMICAL REVIEW COMMITTEE

Third session

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Item 5 (a) (iii) of the provisional agenda*

**OPERATIONAL PROCEDURES FOR THE INTERIM CHEMICAL REVIEW COMMITTEE:
STATUS OF THE WORK OF THE INDIVIDUAL TASK GROUPS ESTABLISHED AT
THE SECOND SESSION OF THE COMMITTEE**

**TASK GROUP 3: DEVELOPMENT OF AN ENVIRONMENTAL INCIDENT REPORT FORM FOR
SEVERELY HAZARDOUS PESTICIDE FORMULATIONS**

Note by the secretariat

1. At its second session, the Interim Chemical Review Committee established four task groups to work intersessionally. Task group 3 was entrusted with developing a draft environmental incident report form and guidance on severely hazardous pesticide formulations, in line with article 6 and part 1 of annex IV. It was noted that the form could be developed based on the existing model for health-related incidents.
2. Annexed to the present note is the report of task group 3 as submitted to the secretariat. The report provides brief background information on the objective and composition of the task group and information on how its work was organized. Finally, in sections E and F, respectively, the report identifies issues for consideration by the Interim Chemical Review Committee and provides specific recommendations on how the Committee might proceed. Appendices I and II of the report contain the draft format for the environmental incident report form and the associated guidance for completing the form, respectively.

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Annex

TASK GROUP 3: DEVELOPMENT OF AN ENVIRONMENTAL INCIDENT REPORT FORM FOR SEVERELY HAZARDOUS PESTICIDE FORMULATIONS

A. Objective of the task group

1. The objective of the task group, established at the second session of the Interim Chemical Review Committee, was to develop a draft environmental incident report form.

B. Composition of the task group

2. The members of the Task Group, assigned at the second session of the Interim Chemical Review Committee, were:

André Mayne (coordinator)
Azhari Omer Abdelbagi
Dudley Achu Sama
Flor de María Perla de Alfaro
Cathleen Barnes
William Cable
Mohamed El Zarka
Sandra de Souza Hacon
Julio Monreal Urrutia
Kasumbogo Untung
Beverley Wood
Secretariat

Observers:

Achim Holzmann (Germany)
Barbara Dinham (Pesticide Action Network UK)
Rainer Heusel (CropLife International)

C. Background

4. The Rotterdam Convention, through its article 6, provides a mechanism for any party that is a developing country or a country with an economy in transition and is experiencing problems caused by a severely hazardous pesticide formulation under conditions of use in its territory, to propose to the secretariat the listing of that formulation in Annex III of the Convention. The proposal is to contain the information required by part 1 of Annex IV.

5. Article 6, paragraphs 2 and 3, requires the secretariat, when it has received a proposal that it has verified meets the requirements of part 1 of annex IV, to forward a summary of the proposal to all Parties and to collect the additional information set out in part 2 of annex IV regarding the proposal. The Interim Chemical Review Committee is to review the information provided in the proposal and the additional information collected and, in accordance with the criteria set out in part 3 of annex IV, recommend to the Intergovernmental Negotiating Committee whether or not the severely hazardous pesticide formulation in question should be made subject to the interim PIC procedure.

6. The submitted proposals and additional information collected by the Secretariat are the main documents upon which the Committee will base its work on severely hazardous pesticide formulations. It is thus of importance to the Committee that the information collected in accordance with parts 1 and 2 of Annex IV is of a satisfactory quality and relevant to their review of the criteria in part 3 of Annex IV of the Convention.

D. Organization of work

7. A draft work plan for the task group and a scoping paper were sent to members on 19 July 2001. Limited comments were received and the draft work plan was adopted unchanged. A letter from the Australian drafting group and the first draft of the environmental incident report form were sent out on 3 August 2001. The deadline for the first round of comments and proposals was 27 August 2001. A reminder was sent out on 20 August 2001.
8. Comments were received from Brazil, Canada, El Salvador and the Sudan, and also from the secretariat. All the comments received were reviewed and were for the most part incorporated into a second draft. The comments dealt mainly with clarification of terminology and wording, as well as examples of possible responses. This second draft, a draft guidance document and a summary of the comments received were circulated to the task group for comment on 28 September 2001, with a request for response by 22 October 2001.
9. Germany, Samoa, the Sudan and the secretariat suggested minor changes to the second draft, which were accepted. In addition, extensive comments were received from the secretariat (mainly dealing with organisation of the questions and formatting), the United States, Brazil, Canada and CropLife International, in its capacity as an observer. A compilation of all comments received will be available at the third session of the Interim Chemical Review Committee.
10. Through an oversight, the three observers to the task group were not included on the circulation list for information until 12 October 2001. The coordinator acknowledges that the observers may not have had adequate time to provide comprehensive comments on the environmental incident report form.

E. Issues to consider

11. The development of a concise and easy-to-use report form for environmental incidents is a key step in identifying severely hazardous pesticide formulations for consideration under the Rotterdam Convention. The receipt of adequate documentation (Annex IV, part 1, of the Convention) regarding such incidents will trigger collection of additional information by the secretariat (Annex IV, part 2, of the Convention) and form the basis for consideration by the Interim Chemical Review Committee (based on the criteria in Annex IV, part 3, of the Convention).
12. The challenge is to develop a form and associated guidance document that are easy to understand, can be widely used and yet ensure that an adequate level of detail is provided, in order to meet the needs of the Interim Chemical Review Committee.
13. The development of the environmental incident report form should be considered in conjunction with the work of task group 2 on pilot-testing the severely hazardous pesticide formulation report form.
14. As with the human health incident report form, the environmental incident report form will require pilot-testing. At the appropriate time, it will be necessary to consider how best to carry out this pilot-testing.
15. The work of the task group on the content of the environmental incident report form has progressed well to date. Comments provided were focused and contributed significantly to improving the draft form. The form has been developed to a stage believed to be nearing completion (see appendix I below). Additional consideration will need to be given to its format.
16. The task group has also given some initial consideration to the proposed guidance document that could accompany the environmental incident report form (see appendix II below).

17. To facilitate discussion of the outcome of the work of the task group by the Committee the following comments and issues are submitted for consideration:

(a) Guidance document: It is proposed that a guidance document should accompany the environmental incident report form. It has been suggested that the guidance document could contain an example of a completed form to demonstrate how the environmental incident report form should be completed and the types of answers expected. The task group is now looking to identify a suitable example to use that will be familiar to those responsible for completing the form;

(b) Structure of the form: There has been some discussion regarding the format for submission of a proposal, particularly the relation of the environmental incident report form to the human health incident report form. Emphasis has been placed on making the process as straightforward as possible for the user. One option is to bring together the environmental incident report form with the human health incident report form so that there would be a common "part A" on the identification of the pesticide formulation ("Transmittal Form – Designated National Authority"), and then two separate sections, one each for a human health incident and an environmental incident. A common format would also lead to ease of use, should a designated national authority report on more than one incident with the same formulation.

F. Recommendation to the Interim Chemical Review Committee

18. At its next session, the Committee might wish to consider:

(a) Reviewing the outcome of the work of the task group, with particular focus on the format for submission of a proposal to the PIC secretariat to list a severely hazardous pesticide formulation under Annex III of the Convention;

(b) Providing comments and issues on the draft environmental incident report form to the task group;

(c) Considering the need to develop a draft guidance document to accompany the draft environmental incident report form; and

(d) Considering the need to validate the draft environmental incident report form and guidance document through pilot-testing at the field level over the forthcoming period.

19. Possible outcomes of the discussion could be:

(a) Adoption of the draft environmental incident report form for submission of a proposal for inclusion of a severely hazardous pesticide formulation;

(b) Establishment of a work plan for the development of guidance on implementation and use of the environmental incident report form for submission of a proposal for inclusion of a severely hazardous pesticide formulation; and

(c) Direction of the task group to validate the draft environmental incident report form and guidance document through pilot-testing.

Environmental Incident Details

I. Product identity: *What formulation was used when the incident took place?*

1. Name of the formulation:
2. Type of formulation (e.g., emulsifiable concentrate, wettable powder, dustable powder, water soluble powder, ultra low volume, tablet, granular, liquid):
3. Trade names and names of the producer or manufacturer:
4. Name of the active ingredient(s) in the product or formulation
5. Amount of each active ingredient in the formulation (e.g., % concentration, g/L or g/kg):
6. Attach copy of the label(s), if available.

II. Description of the incident: *How the formulation was used.*

1. What was the date and time the incident was first noticed? If possible, estimate how long non-target organisms were affected before the incident was first noticed. Did the situation return to normal (i.e., organisms were no longer being affected) and, if so, on what date?
2. Specify the location of the incident:
 Did the incident occur on or in:
 Land (e.g., home garden, farm field)
 Fresh water (e.g., fish pond, stream, river, lake) or sediments
 Salt water (e.g., estuary, ocean) or sediments
 Air (e.g., resulting from a fumigant, aerosol, spray drift)
 Combination of above (please specify)
3. Identify the non-target organism(s) which was (were) adversely affected in the incident (please be as specific as possible using common names and scientific names of any affected fish, birds, mammals, plants, etc.).
4. What were the dates and times of the beginning and end of the pesticide release into the environment?
5. Amount of pesticide (active ingredient) released into the environment (please fill in appropriate areas of the table):

Form of pesticide	Total amount (specify L or kg)	Concentration (specify g/L or g/kg)
Diluted pesticide spray ready for application		
Concentrated formulated product		
Technical grade material		

6. Did the pesticide release occur during the normal conditions of use of the pesticide (ie. was it a deliberate release)? If no, go to question 7. If yes, please answer the following questions:
 - 6 (a) How was the pesticide spray mixture prepared? How much water was mixed with how much pesticide formulation?

- 6 (b) How was the pesticide applied (method of application)? For example, was it applied by hand, backpack sprayer, tractor-mounted sprayer, aircraft or other method?
- 6 (c) What pest was being treated and in what situation or crop (e.g., controlling algae in ponds, weeds in wheat)?
- 6 (d) What was the area of crops or other situation treated?
- 6 (e) What was the application rate applied (e.g., grams of active ingredient per hectare, litres of formulated product per hectare or grams of formulated product per hectare)?
7. If the pesticide was released accidentally, such as in a spill or leak, please describe how it occurred and in what kind of container the pesticide was stored.
8. What were the weather conditions at the time of the release (e.g., temperature, wind speed and direction, sunny or cloudy, raining – and if so, how much rain) and for the next few days?
9. What evidence was there to link the pesticide release as the cause of the environmental incident? For example, were the symptoms consistent with the known toxicity of the pesticide? Are any analytical measurements available which confirm pesticide residues in soil, water, air or biological tissues?
10. Have there been similar incidents with this pesticide product or other formulations of this active ingredient before? If so, please give details.
11. What past history of pesticide use has there been for this area? If possible, please provide the date of pesticide application, the names of pesticides applied and the application rate.
12. Please draw a rough map of the area around the incident (indicate scale if possible), and include:
- Area affected;
 - Any nearby waterways that were or could be affected and the direction of water flow;
 - Location of any affected non-target organisms that were found;
 - Suspected location of pesticide release, application or spill; and
 - Any other details which may further clarify the incident (e.g., wind direction, topography, soil properties, water table).
13. Please describe any other details that further explain the cause of the incident, how it occurred, the result and any remediation efforts (attach extra pages if required).

III. Description of adverse effects:

14. Did the species affected die in the incident and if so, when did they die? If they survived, how long before they fully recovered from the incident?
15. What were the signs or symptoms of toxicity in any dead or surviving organisms (e.g., discolouration from lack of oxygen)?
16. Estimated number of individuals affected (if possible to count), age range (e.g., adult, juvenile, seedlings) and gender:
17. What is the estimated surface area or volume of land or water exposed?

Appendix II

DRAFT GUIDANCE DOCUMENT

(Guidance document for completing the environmental incident report form)

The environmental incident report form is intended to provide a clear description of the incident related to the environmental problem including the pesticide product identity, adverse effects and the way in which the formulation was used, in line with the information requirements of part 1 of Annex IV of the Rotterdam Convention. Upon receipt of a proposal that meets the information requirements of part 1 of Annex IV, the secretariat is required to collect additional information as listed in part 2 of Annex IV. This information along with the completed environmental incident report form is reviewed by the Interim Chemical Review Committee against the criteria listed in part 3 of Annex IV. The Interim Chemical Review Committee will decide whether or not to recommend the inclusion of the pesticide formulation in the Rotterdam Convention.

For the purposes of this incident report form, an environmental incident is defined as the contamination of land, water or air by a severely hazardous pesticide formulation causing the temporary or permanent impairment or mortality of non-target organisms (animals or plants) or biological processes (e.g., microbial) from the “conditions of use in [a party’s] territory” (article 6) of a severely hazardous pesticide formulation. For example:

- Application of a granular insecticide to a soil (e.g., surface or broadcast application), rather than injected or without incorporation below the surface, which results in the poisoning of birds ingesting the granules, or
- Contamination of a stream or pond, resulting in the poisoning of aquatic organisms, because a sufficient buffer zone (if any) was not observed between a sprayed area and the waterway, or spraying took place when the wind speed was too high or in the wrong direction, or
- Poisoning of birds that dig up and ingest granular insecticides that have been correctly applied below the surface of the soil, or
- Secondary poisoning of non-target organisms that feed on affected target pests containing residues of the severely hazardous pesticide formulation, or
- Poisoning of sensitive species after the application of an severely hazardous pesticide formulation, or
- Impacts on aquatic organisms after rains cause run-off from pesticide-treated land into waterways.
