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**Rotterdam Convention on the Prior Informed  
Consent Procedure for Certain Hazardous  
Chemicals and Pesticides in International Trade  
Chemical Review Committee**

Second meeting

Geneva, 13–17 February 2006

Item 5 (b) (vii) of the provisional agenda\*

**Listing of chemicals in Annex III of the Rotterdam Convention:  
review of notifications of final regulatory actions to ban  
or severely restrict a chemical: endosulfan**

## **Information on endosulfan supplied by industry**

### **Note by the Secretariat**

The annex to the present note contains information and comments supplied by industry on endosulfan. The information is presented as received, and has not been formally edited by the Secretariat.

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\* UNEP/FAO/RC/CRC.2/1.

## Annex

January 25, 2006

Mr. N.A Van der Graaff  
Executive Secretary  
Rotterdam Convention  
Food And Agricultural Organisations of the United Nations  
Viale delle Terme di Caracalla  
00100 Rome, Italy  
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Dear Mr.Graaff,

This communication brings an important matter to your notice for further investigation & action.

Cote d Ivoire became a Party to Rotterdam Convention on 24<sup>th</sup> Jan 2004. Vide its notification dated 23<sup>rd</sup> June 2004, Ministry of Environment of Cote d Ivoire informed Rotterdam Convention's Secretariat of its final regulatory action banning use of Endosulfan EC formulations. A perusal of documents submitted to the Convention's Secretariat\* by Cote d Ivoire shows the following.

- It is first time notification of final regulatory action for Endosulfan.
- The final regulatory action concerns EC (Emulsifiable Concentrate) formulations of Endosulfan containing 35 & 50% active ingredient.
- The final regulatory action of prohibiting use/s of Endosulfan EC formulations entered into force in 1998.

\*available from the Convention's web site

But documents collected from Cote d Ivoire and are currently in possession of ICMA strongly contradict the claims made by Cote d Ivoire in its notification to RC Secretariat. These documents show that:

- Use of EC formulations of Endosulfan is authorized/ allowed/permited by Ministry of Agriculture in Cote d Ivoire until Dec 2006. A formal communication to this effect was sent to all stakeholders on 2nd Dec 2004 i.e. after submitting notification to RC Secretariat.
- Endosulfan EC formulations manufactured/imported in the year 2005 are being sold to farmers for use in agriculture. ICMA is in possession of valid invoices made in Jan 06 establishing/ proving ongoing trade involving EC formulations of Endosulfan in Cote d Ivoire.

On the strength of available documents and evidences, it can be said that the notification sent to the RC Secretariat by Ministry of Environment in Cote d Ivoire (informing that use/s of EC formulations of Endosulfan were prohibited since 1998) is incorrect, untrue and therefore, void.

ICMA is confident that the secretariat would order a thorough investigation to assess the correctness, authenticity or otherwise of the claims and references made in the notification submitted by Cote d'Ivoire

Pursuant to paragraph 3 of Article 5 of the Rotterdam Convention, the Secretariat is required to verify whether notifications submitted by Parties contain all information required by Annex I. An important issue arising out of the episode involving incorrect & untrue notification submitted by Cote d'Ivoire is that the Secretariat may be required [hence forward] to also assess whether notification submitted by a Party is truthful and carry factually correct, valid and verifiable information. Conference of Parties (COP) is perhaps the right forum to decide if a Party submits false notification whether it must be held guilty of felony and disqualified from submitting further notifications. Additions to PIC list are triggered by national notifications. Therefore false notifications must be nipped at the bud with strong punitive action. This is important for all Parties; more so for developing countries with strong presence in international chemical trade. ICMA will be pleased to play a supportive role to bring about this rule in the interests of the Parties to the Convention.

I am sending this communication together with supporting documents (collected from Cote d'Ivoire) by courier service to you.

I am keeping our country's DNA informed of this communication.

Thanking you

Yours truly,

S. Ganesan  
Chairman  
International Treaties Expert Committee  
Indian Chemical Manufacturers Association

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*This is electronically transmitted, hence has not been signed.*

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