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INTERIM CHEMICAL REVIEW COMMITTEE
Third session
Geneva, 18 - 22 February 2002
Item 6 (a) of the provisional agenda *

INCLUSION OF CHEMICALS IN THE INTERIM PRIOR INFORMED CONSENT PROCEDURE - REVIEW OF NOTIFICATIONS OF FINAL REGULATORY ACTIONS TO BAN OR SEVERELY RESTRICT A CHEMICAL

DNOC

Note from the Secretariat

1. In line with Article 5 of the Rotterdam Convention, when the Secretariat has received at least one notification from each of two Prior Informed Consent (PIC) regions that contain the information required in Annex I of the Convention, it shall forward the notifications and accompanying documentation to the Interim Chemical Review Committee. The Committee shall review the information provided in such notifications and, in accordance with the criteria set out in Annex II, recommend to the Intergovernmental Negotiating Committee whether the chemical in question should be made subject to the interim PIC procedure and a decision guidance document drafted.

2. The Intergovernmental Negotiating Committee, in decision INC.7/6, adopted a process for drafting decision guidance documents. The process is based on that developed by the Interim Chemical Review Committee at its first session in Geneva in February 2000. An excerpt of the decision is contained in document UNEP/FAO/PIC/ICRC.3/INF/3.

3. The Secretariat has identified four verified notifications from three PIC regions relating to DNOC (Asia – Thailand; Europe – Cyprus and European Community and Latin America and the Caribbean – Peru). Summaries of these notifications were included in PIC Circulars XII (December 2000), XIII (June 2001) and XIV (December 2001).

4. Attached to this note are the four verified notifications circulated to the members of the Interim Chemical Review Committee in a letter dated 22 November 2001. The notification from Peru was submitted in Spanish and has been translated by the secretariat.

5. The relevant documentation provided by Peru, Thailand and the European Community in support of their respective notifications was circulated to members of the Interim Chemical Review Committee with a cover note dated 30 November 2001 and is available as addenda to this note (UNEP/FAO/PIC/ICRC.3/16 Add.1).

* UNEP/FAO/PIC/ICRC3/1

Status regarding the submission of the supporting documentation on DNOC
(As of 22 November 2001)

Notifying Country name	Interim PIC Regions	Supporting Documentation Submitted
Peru*	Latin America and the Caribbean	Yes
Cyprus	Europe	
European Community	Europe	Yes
Thailand	Asia	Yes

* The DNOC notification received from Peru is attached. The original notification was in Spanish, a translation has been made to facilitate the work of the Committee.
A letter from Peru dated 19 April 2001, after verification by the Secretariat and before publication in the PIC Circular, amended section 2.3 of the notification. This letter is referenced in the English version of the notification and a copy is attached.

FORM
FOR NOTIFICATION OF FINAL REGULATORY ACTION TO BAN OR SEVERELY RESTRICT A CHEMICAL

IMPORTANT: See instructions before filling in the form

COUNTRY: PERU

PART I: PROPERTIES, IDENTIFICATION AND USES

1.	**IDENTITY OF CHEMICAL**	
1.1	**Common name**	DNOC
1.2	**Chemical name according to an internationally recognized nomenclature (e.g. IUPAC), where such nomenclature exists**	4,6-dinitro-o-cresol (IUPAC)
1.3	**Trade names and names of preparations**	Selinon 615 SC (Bayer), Extar-A (Bayer)
1.4	**Code numbers**	
1.4.1	**CAS number**	534-52-1
1.4.2	**Harmonized System customs code**	_____
1.4.3	**Other numbers (specify the numbering system)**	_____

1.5	**Indication regarding previous notification on this chemical, if any**	
1.5.1	☑ This is a first time notification of final regulatory action on this chemical.	
1.5.2	❑ This is a modification of a previous notification of final regulatory action on this chemical. The sections modified are: _____ ❑ This notification replaces all previously submitted notifications on this chemical.	
	Date of issue of the previous notification: _____	

PLEASE RETURN THE COMPLETED FORM TO:

Interim Secretariat for the Rotterdam Convention
Plant Protection Service
Plant Production and Protection Division, FAO
Viale delle Terme di Caracalla
00100 Rome, Italy

Tel: (+39 06) 5705 3441
Fax: (+39 06) 5705 6347
E-mail: pic@fao.org

OR

Interim Secretariat for the Rotterdam Convention
UNEP Chemicals
11-13, Chemin des Anémones
CH – 1219 Châtelaine, Geneva, Switzerland

Tel: (+41 22) 917 8183
Fax: (+41 22) 797 3460
E-mail: pic@unep.ch

1.6 Information on hazard classification where the chemical is subject to classification requirements	
International classification systems	**Hazard class**
World Health Organization (WHO)	Ib (active ingredient)
Other classification systems	**Hazard class**
EPA	I (formulation)

1.7	**Use or uses of the chemical**
1.7.1	☑ **Pesticide**
	Describe the uses of the chemical as a pesticide in your country:
	Use as a defoliant in deciduous fruit tree orchards (apple tree, peach tree, vineyards, peer tree and plum tree). Use as a post-emergence herbicide in apple orchards to control *chenopodium murale* Linn and c*enchrus echinatus* L.
1.7.2	❑ **Industrial**
	Describe the industrial uses of the chemical in your country:

1.8	**Properties**
1.8.1	**Description of physico-chemical properties of the chemical**
	Molecular formula : C7 H6 N2 O5 Molecular weight: 198.1 Aspect: yellow critals (pure DNOC, not technical, explosive when humid) Melting point: 88.2 – 89.9°C (technical 83-85°C) Vapour pressure: 16 mPa (25°C) Partition coefficient n-octanol-water: (Kow): log P=0.08 (pH 7) Specific gravity: 1.58 (20°C) Water solubility: 6.94 g/l (20°C, pH 7), toluene: 251, methanol: 58.4, hexane: 4.03, acetone: 514 Stability: in water DNOC deteriorates slowly. Acid dissociation constant (pKa): 4.48 (20°C)

1.8.2	**Description of toxicological properties of the chemical**
	LD50 oral: 25-40 mg/Kg. (rat), 16-47 (mouse), 100 (goat), 50 (cat). LD50 dermal: 200-600 mg/Kg. (rat), 1000 (rabbit), 187 (mouse). Skin and eye irritant. NOEL (6 months): >100 mg/kg diet (rat and rabbit), 20 (dog) NOEL (28 days): 13 mg/kg diet (rat) For human beings, DNOC acts as a powerful accumulative metabolic poison.

1.8.3	**Description of ecotoxicological properties of the chemical**
	Birds: LD 50 15.7 mg/kg (japanese quail), 23 (duck), 20-25 (partridge) LC 50 637 mg/kg diet (japanese quail) Fishes: LC50 6-13 mg/l (carps), 0.45 (trout), 0.95 (golden fish with blue gills) Bees: LD50 1.79-2.29 mg/bee, moderate toxicity under field conditions. Earthworm: LC50 at 14 days: 15 mg/kg soil. Daphnies: LC 50 at 24 hours: 5.7 mg/l. Algae: LC50 at 96 hours: 6 mg/l.

PART II: FINAL REGULATORY ACTION

2.	**FINAL REGULATORY ACTION**	
2.1	**The chemical is: ☑ banned** **OR** **❑ severely restricted**	
2.2	**Information specific to the final regulatory action**	
2.2.1	**Summary of the final regulatory action**	
	Prohibition of DNOC for registration, import, local formulation, distribution, trade and use; valid for formulations as well as technical material.	
2.2.2	**Reference to the regulatory document**	
	Resolución Jefatural N° 182-2000-AG-SENASA.	
2.2.3	**Date of entry into force of the final regulatory action**	
	9 October 2000.	

2.3	**Was the final regulatory action based on a risk or hazard evaluation?**	**❑ Yes**	**☑ No**
	If yes, give information on such evaluation		
	Please refer to the letter from Peru attached, dated 19 April 2001, where it is stated that the final regulatory action was taken on the basis of a risk or hazard evaluation.		
	Reference to the relevant documentation		

2.4	**Reasons for the final regulatory action**		
2.4.1	**Is the reason for the final regulatory action relevant to the human health?**	**☑ Yes**	**❑ No**
	If yes, give summary of the known hazards and risks presented by the chemical to human health, including the health of consumers and workers		
	DNOC is extremely toxic for human beings. Symptoms of acute toxicity include excessive sweating, thirst, tiredness, lethargy, headache, nausea, loss of appetite, coma and yellow pigmentation of the conjunctive. effects on the cardiovasular system, gastrointestinal tract and on the nervous system have been observed on workers exposed to this product. Exposures to high levels of DNOC for short periods may cause convulsions, unconsciousness and death. Ingestion of DNOC for long periods may cause cataract and skin salpullido.		

	Reference to the relevant documentation	
	New Jersey Department of Health and Senior Services. Office of Air Quality, Planning & Standards. EPA. Agency for Toxic Substances and Disease Registry.	
	Expected effect of the final regulatory action	
	None.	

2.4.2	**Is the reason for the final regulatory action relevant to the environment?**	☑ **Yes** ❑ **No**
	If yes, give summary of the known hazards and risks to the environment	
	DNOC is slightly toxic to fish and toxic to bees. In addition, it is highly phytotoxic.	
	Reference to the relevant documentation	
	New Jersey Department of Health and Senior Services. Office of Air Quality, Planning & Standards. EPA. Agency for Toxic Substances and Disease Registry.	
	Expected effect of the final regulatory action	
	None.	

2.5	**Category or categories where the final regulatory action has been taken**	
2.5.1	**Final regulatory action has been taken for the chemical category**	❑ **Industrial**
	Use or uses prohibited by the final regulatory action	
	_____	
	Use or uses that remain allowed	
	_____	

2.5.2	**Final regulatory action has been taken for the chemical category**	☑ **Pesticide**
	Formulation(s) and use or uses prohibited by the final regulatory action	
	Concentrated suspension: Registered uses of the product before the fianl regulatory action: - Use as a defoliant in deciduous fruit tree orchards (apple tree, peach tree, vineyards, peer tree and plum tree). - Use as a post-emergence herbicide in apple orchards to control *chenopodium murale* Linn and c*enchrus echinatus* L.	
	Formulation(s) and use or uses that remain allowed	
	The product is prohibited for all uses in agriculture.	

2.5.3 Estimated quantity of the chemical produced, imported, exported and used, where available.		
	Quantity per year (MT)	**Year**
Produced	----------	----------
Imported	73800.00 Kg 9225.00 Kg.	1999 2000
Exported	----------	----------
Used	----------	----------

2.6	**Indication, to the extent possible, of the likely relevance of the final regulatory action to other states and regions**
	None.

2.7	**Other relevant information that may cover:**
2.7.1	**Assessment of socio-economic effects of the final regulatory action** None.
2.7.2	**Information on alternatives and their relative risks** None.
2.7.3	**Relevant additional information** None.

PART III : GOVERNMENT AUTHORITIES

Ministry/Department and authority responsible for issuing/enforcing the final regulatory action	
Institution	Servicio Nacional de Sanidad Agraria (SENASA)
Address	Pasaje Zela S/N, Edificio del Ministerio de Trabajo, Piso 10, Lima 11, Perú
Telephone	(511) 423-3542
Telefax	(511) 433-8026
E-mail address	Senasa@senasa.minag.gob.pe
Designated National Authority	
Institution	Servicio Nacional de Sanidad Agraria (SENASA) Dirección General de Sanidad Vegetal
Address	Pasaje Zela S/N, Edificio del Ministerio de Trabajo, Piso 10, Lima 11, Perú
Name of person in charge **Position of person in charge**	Ing. ALICIA DE LA ROSA BRACHOWICZ Directora General de Sanidad Vegetal
Telephone	(511) 433-8048
Telefax **E-mail address**	(511) 433-8048 adelarosa@senasa.minag.gob.pe

Date, signature of DNA and official seal: _____

Letter from Peru dated 19 April 2001-12-07

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Plant Production and Protection Division, FAO
Viale delle Terme di Caracalla
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OR

Interim Secretariat for the Rotterdam Convention
UNEP Chemicals
11-13, Chemin des Anémones
CH – 1219 Châtelaine, Geneva, Switzerland

Tel: (+41 22) 917 8183
Fax: (+41 22) 797 3460
E-mail: pic@unep.ch

FORMULARIO
NOTIFICACIÓN DE MEDIDA REGLAMENTARIA FIRME PARA PROHIBIR O RESTRINGIR RIGUROSAMENTE UN PRODUCTO QUÍMICO

IMPORTANTE: Véanse las instrucciones antes de rellenar el formulario

PAÍS: PERU

PARTE I: PROPIEDADES, IDENTIFICACIÓN Y USOS

1.	**IDENTIDAD DEL PRODUCTO QUÍMICO**	
1.1	**Nombre común**	DNOC
1.2	**Nombre del producto químico en una nomenclatura internacionalmente reconocida (por ejemplo, la de la UIQPA), si tal nomenclatura existe**	4,6-dinitro-o-cresol (IUPAC)
1.3	**Nombres comerciales y nombres de las preparaciones**	Selinon 615 SC (Bayer), Extar-A (Bayer)
1.4	**Números de código**	
1.4.1	**Número CAS**	534-52-1
1.4.2	**Código aduanero del Sistema Armonizado**	----------
1.4.3	**Otros números (especificar el sistema de numeración)**	----------
1.5	**Indicación respecto de una notificación anterior sobre este producto químico, si la hubiere**	
1.5.1	❑ La presente es una primera notificación de una medida reglamentaria firme respecto de este producto químico.	
1.5.2	❑ La presente es una modificación de una medida reglamentaria firme de una notificación presentada anteriormente respecto de este producto químico. ❑ Esta notificación sustituye todas las notificaciones presentadas con anterioridad respecto de este producto químico.	
	Fecha de emisión de la notificación anterior: _____	

SÍRVASE ENVIAR EL FORMULARIO RELLENADO DE VUELTA A:

Secretaría provisional del Convenio de Rotterdam
Plant Protection Service
Plant Production and Protection Division, FAO
Viale delle Terme di Caracalla
00100 Rome, Italy
Téléfono: (+39 06) 5705 3441
Fax: (+39 06) 5705 6347
Correo electrónico: pic@fao.org

O

Secretaría provisional del Convenio de Rotterdam
UNEP Chemicals
11-13, Chemin des Anémones
CH – 1219 Châtelaine, Geneva, Switzerland
Téléfono: (+41 22) 917 8183
Fax: (+41 22) 797 3460
Correo electrónico: pic@unep.ch

1.6 Información sobre clasificación de peligros, si el producto químico está sujeto a requisitos de clasificación

Sistemas de clasificación internacionales	Categoría de peligro
World Health Organization (WHO)	Ib (ingrediente activo)

Otros sistemas de clasificación	Categoría de peligro
EPA	I (formulación)

1.7 Uso o usos del producto químico

1.7.1 ❑ **Plaguicida**

Describa los usos del producto químico como plaguicida en su país:

Uso como defoliante en frutales de hojas caducas (manzano, melocotonero, vid, peral y cirolero)
Uso como herbicida post-emergente en manzano, para el control de *Chenopodium murale* Linn. y *Cenchrus echinatus* L.

1.7.2 ❑ **Industrial**

Describa los usos industriales del producto químico en su país:

1.8 Propiedades

1.8.1 Descripción de las propiedades fisico-químicas

Fórmula molecular: C7 H6 N2 O5
Peso molecular: 198.1
Aspecto: cristales amarillos (DNOC puro, pero no técnico, explosivo cuando está húmedo)
Punto de fusión: 88.2 - 89.9 °C (técnico 83-85 °C)
Presión de vapor: 16 mPa (25 °C)
Coeficiente de partición n-octanol agua (Kow): logP = 0.08 (pH 7)
Gravedad específica: 1.58 (20 °C)
Solubilidad: en agua 6.94 g/l (20 °C, pH 7), en tolueno 251, methanol 58.4,hexano 4.03, acetona 514
Estabilidad: en agua, el DNOC se degrada bien lentamente.
Constante de disociación ácida (pKa): 4.48 (20 °C)

1.8.2 Descripción de las propiedades toxicológicas

DL 50 aguda oral: 25-40 mg/Kg. (ratas), 16-47 (ratones), 100 (cabras), 50 (gatos).
DL 50 aguda dermal: 200-600 mg/Kg. (ratas), 1000 (conejos), 187 (ratones).
Irritante de la piel y ojos.
NOEL (6 meses): > 100 mg/Kg. de dieta (ratas y conejos), 20 (perros)
NOEL (28 dias): 13 mg/Kg. de dieta (ratas)
En seres humanos, el DNOC actúa como un poderoso veneno metabólico acumulativo.

1.8.3 Descripción de las propiedades ecotoxicológicas

Aves: DL50 15.7 mg/Kg. (codorniz japonesa), 23 (patos), 20-25 (perdices).
CL50 637 mg/Kg. dieta (codorniz japonesa)
Peces: CL50 6-13 mg/l. (carpas), 0.45 (truchas), 0.95 (pez dorado de agallas azules)
Abejas: DL50 1.79-2.29 mg/abeja; toxicidad moderada a baja bajo condiciones de campo.
Lombrices de tierra: CL50a 14 días 15 mg/Kg. suelo
Pulga de agua (*Daphnia*): CL50 a 24 horas 5.7 mg/l.
Algas: CL50 a 96 horas 6 mg/l.

PARTE II. MEDIDA REGLAMENTARIA FIRME

2. MEDIDA REGLAMENTARIA FIRME

2.1 **El producto químico está:** ❑ **prohibido** **O** ❑ **rigurosamente restringido**

2.2 **Información específica sobre la medida reglamentaria firme**

2.2.1 **Resumen de la medida reglamentaria firme**

Prohibición de registro, importación, formulación local, distribución, comercialización y uso del DNOC, tanto de las formulaciones comerciales como material técnico.

2.2.2 **Referencia al documento reglamentario**

Resolución Jefatural N° 182-2000-AG-SENASA

2.2.3 **Fecha de entrada en vigor de la medida reglamentaria firme**

09 de octubre del 2000

2.3 **La medida reglamentaria firme se tomó sobre la base de una evaluación de los riesgos o peligros?** ❑ **Sí** ❑ **No**

En caso afirmativo, proporcione información sobre dicha evaluación

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Referencia a la documentación pertinente

2.4 **Motivos para tomar la medida reglamentaria firme**

2.4.1 **El motivo por el que se adoptó la medida reglamentaria firme guarda relación con la salud humana?** ❑ **Sí** ❑ **No**

En caso afirmativo, proporcione un resumen de los peligros y los riesgos conocidos que el producto químico plantea para la salud humana, incluida la salud de los consumidores y de los trabajadores

El DNOC es extremadamente tóxico para los seres humanos. Los síntomas de toxicidad aguda incluyen sudoración, profusa, ansía de agua, fatiga, letargía, dolor de cabeza, naúseas, pérdida del apetito, colapso, coma y pigmentación amarillo verdosa de la conjuntiva. Efectos en el aparato cardiovascular, gastrointestinal y sistema nervioso central se han observado en trabajadores expuestos a este producto. Exposiciones a altos niveles de DNOC por períodos cortos pueden causar convulsiones, inconsciencia y muerte. La ingestión del DNOC por períodos largos puede causar cataratas y salpullido de la piel.

Referencia a la documentación pertinente

New Jersey Department of Health and Senior Services.
Office of Air Quality, Planning & Standards. EPA.
Agency for Toxic Substances and Disease Registry.

Efecto previsto de la medida reglamentaria firme

Ninguno.

2.4.2	**El motivo por el que se adoptó la medida reglamentaria firme guarda relación con el medio ambiente?**	❑ **Sí** ❑ **No**
	En caso afirmativo, proporcione un resumen de los peligros y riesgos conocidos respecto del medio ambiente	
	El DNOC es ligeramente tóxico para peces y tóxico para abejas. Asimismo es altamente fitotóxico.	
	Referencia a la documentación pertinente	
	New Jersey Department of Health and Senior Services. Office of Air Quality, Planning & Standards. EPA. Agency for Toxic Substances and Disease Registry.	
	Efecto previsto de la medida reglamentaria firme	
	Ninguno.	
2.5	**Categoría o categorías con respecto a las cuales se ha adoptado la medida reglamentaria firme**	
2.5.1	**La medida reglamentaria firme se ha tomado para la categoría del producto químico**	❑ **Industrial**
	Uso o usos prohibidos por la medida reglamentaria firme	

	Uso o usos que se siguen autorizando	

2.5.2	**La medida reglamentaria firme se ha tomado para la categoría del producto químico**	X❑ **Plaguicida**
	Formulación (o formulaciones) y uso (o usos) prohibidos por la medida reglamentaria firme	
	Suspensión Concentrada. Usos registrados del producto antes de la medida adoptada: - Defoliante en frutales de hojas caducas (manzano, melocotonero, vid, peral y cirolero) - Herbicida post-emergente en manzano, para el control de *Chenopodium murale* Linn. y *Cenchrus echinatus* L.	
	Formulación o formulaciones y uso o usos que se siguen autorizando	
	Producto prohibido para todo uso en la agricultura.	

2.5.3 Estimación de las cantidides del producto químico producido, importado, exportado y utilizado, en los casos en que se disponga de ese dato, si fuese posible

	Cantidad al año (TM)	Año
Se produce	----------	----------
Se importa	73800.00 Kg 9225.00 Kg.	1999 2000
Se exporta	----------	----------
Se usa	----------	----------

2.6	**Indicación, en la medida de lo posible, de la probabilidad de que la medida reglamentaria firme afecte a otros Estados o regiones**
	Ninguna.
2.7	**Información adicional pertinente que puede incluir:**
2.7.1	**Una evaluación de los efectos socioeconómicos de la medida reglamentaria firme**

	Ninguno.
2.7.2	**Información sobre alternativas y sus riesgos relativos** Ninguno.
2.7.3	**Información complementaria pertinente** Ninguno.

PARTE III: AUTORIDADES GUBERNAMENTALES

Ministerio/Departamento y autoridad encargada de la emisión/aplicación de la medida reglamentaria firme	
Institución	Servicio Nacional de Sanidad Agraria (SENASA)
Dirección	Pasaje Zela S/N, Edificio del Ministerio de Trabajo, Piso 10, Lima 11, Perú
Teléfono	(511) 423-3542
Telefax	(511) 433-8026
Dirección electrónica	Senasa@senasa.minag.gob.pe
Autoridad nacional designada	
Institución	Servicio Nacional de Sanidad Agraria (SENASA) Dirección General de Sanidad Vegetal
Dirección	Pasaje Zela S/N, Edificio del Ministerio de Trabajo, Piso 10, Lima 11, Perú
Nombre de la persona responsable	Ing. ALICIA DE LA ROSA BRACHOWICZ
Cargo de la persona responsable	Directora General de Sanidad Vegetal
Teléfono	(511) 433-8048
Telefax	(511) 433-8048
Dirección electrónica	adelarosa@senasa.minag.gob.pe

Fecha, firma de la autoridad nacional designada y sello oficial: _____

FORM
FOR NOTIFICATION OF FINAL REGULATORY ACTION TO BAN OR SEVERELY RESTRICT A CHEMICAL

IMPORTANT: See instructions before filling in the form

COUNTRY: CYPRUS

PART I: PROPERTIES, IDENTIFICATION AND USES

1.	**IDENTITY OF CHEMICAL**	
1.1	**Common name**	DNOC
1.2	**Chemical name according to an internationally recognized nomenclature (e.g. IUPAC), where such nomenclature exists**	4,6 – dinitro-o-cresol
1.3	**Trade names and names of preparations**	KAPSIZOLE 2,5% EC, VERALINE 10,0% EC, TRIFOCIDE 50,0% EC
1.4	**Code numbers**	
1.4.1	**CAS number**	534-52-1
1.4.2	**Harmonized System customs code**	3808109000
1.4.3	**Other numbers (specify the numbering system)**	EEC no 208-601-1; (potassium salt, 219-007-7; ammonium salt, 221-037-0). Official codes ENT 154

1.5	**Indication regarding previous notification on this chemical, if any**
1.5.1	☑ This is a first time notification of final regulatory action on this chemical.
1.5.2	❑ This is a modification of a previous notification of final regulatory action on this chemical. The sections modified are: _____ ❑ This notification replaces all previously submitted notifications on this chemical.
	Date of issue of the previous notification: _____

PLEASE RETURN THE COMPLETED FORM TO:

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00100 Rome, Italy

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UNEP Chemicals
11-13, Chemin des Anémones
CH – 1219 Châtelaine, Geneva, Switzerland

Tel: (+41 22) 917 8183
Fax: (+41 22) 797 3460
E-mail: pic@unep.ch

1.6 Information on hazard classification where the chemical is subject to classification requirements	
International classification systems	**Hazard class**
WHO	Ib (a.i.)
Other classification systems	**Hazard class**
EPA (USA)	I (formulation)
EC risk	(R44); T+ (R27/28); (R40); Xi (R36) ; (R33) ; (potassium salt, T(R23/24/25) ; ammonium salt, T+(R26/27/28) ; (R33)

1.7	**Use or uses of the chemical**
1.7.1	☑ **Pesticide**
	Describe the uses of the chemical as a pesticide in your country:
	Control of overwintering stages of insects and mites on pome and stone fruit trees; application during dormancy.
1.7.2	❑ **Industrial**
	Describe the industrial uses of the chemical in your country:

1.8	**Properties**
1.8.1	**Description of physico-chemical properties of the chemical**
	Composition tech purity 95-98% Mol.wt. 198, 1 M.F. $C_7H_6N_2O_5$ Form yellow crystals (pure DNOC, but not tech., is explosive when dry). M.P. 88,2-89,9ºC; (tech. 83-85ºC). V.p. 16 mPa (25ºC) Kow log P = 0,08 (pH7). S.g./density 1,58 (20ºC). Solubility: In water 6,94 g/l (20ºC pH7) Stability: In water desprates very slowly, DT_{50} > 1 year. Photolysis DT_{50} C.253h (20ºC)
1.8.2	**Description of toxicological properties of the chemical**
	Oral: Acute oral LD_{50} for rats 25-40, mice 16-47, goats 100, cats 50 mg/kg, sheep 200 mg DNOC-sodium/kg. Skin and eye: Acute dermal LD_{50} for rats 200-600, rabbits 1000, mice 187 mg/kg. Skin irritant. Dangerous amounts can be absorbed through skin. NOEL (6 mo) for rats and rabbits 100, dog 20 mg/kg diet, (28d) for rats 13 mg/kg diet. In man DNOC acts as a powerful cumulative metabolic poison. There is danger of chronic poisoning with repeated uptake. ADI: - (Reference: Pesticide Manual. British Crop Protection Council, 11th edition, 1997).
1.8.3	**Description of ecotoxicological properties of the chemical**
	Birds: LD_{50} for Japanese quail 15,7 (14d), ducks 23, partridges 20-25, pheasants 6-85 mg/kg. Fish: LC_{50} for carp 6-13, trout o,45, bluegill sunfish 0,95 mg/l. Bees LD_{50} 1,79-2,29 mg/bee. Worms: LC_{50} (14d) doe earthworms 15 mg/kg soil. Daphnia: LC_{50} (24h) 5,7 mg/l. Algae: LC_{50} (96h) 6 mg/l. (Reference: Pesticide Manual. British Crop Protection Council, 11th edition, 1997).

PART II: FINAL REGULATORY ACTION

2.	FINAL REGULATORY ACTION	
2.1	**The chemical is:**	☑ **banned** **OR** ❑ **severely restricted**
2.2	**Information specific to the final regulatory action**	
2.2.1	**Summary of the final regulatory action**	
	The final regulatory action was taken by the Pesticide Authorization Board on 15/05/1999, which was put into force on 30/04/2000. The decision was taken for the protection of the users, farmers, non-target species and the environment. It was based on a relevant decision of the European Community, Commission Decision 1999/164/EC of 17 February 1999.	
2.2.2	**Reference to the regulatory document**	
	Proceedings of the Pestic ide Authorization Board, 79th meeting, date 17/05/1999, according to the provisions of the Pest Control Products Law, 1(I)/1993.	
2.2.3	**Date of entry into force of the final regulatory action**	
	30/04/2000	

2.3	**Was the final regulatory action based on a risk or hazard evaluation?**	☑ **Yes** ❑ **No**
	If yes, give information on such evaluation	
	The final regulatory action was based on information regarding hazard for the users and non-target species, as well as, possible side-effects on the environment. This action was justified by the relevant decision of the European Communities.	
	Reference to the relevant documentation	
	EU Commission Decision 1999/164/EC.	

2.4	**Reasons for the final regulatory action**	
2.4.1	**Is the reason for the final regulatory action relevant to the human health?**	☑ **Yes** ❑ **No**
	If yes, give summary of the known hazards and risks presented by the chemical to human health, including the health of consumers and workers	
	In human beings and animals DNOC acts as a powerful cumulative metabolic poison, with irreversible effects on basic organs. There is a danger of chronic poisoning with repeated uptake. DNOC may be absorbed in dangerous amounts from the skin, as well as by ingestion or inhalation of spray droplets. There are experimental findings showing that in humans this chemical caused a continuing increase in blood level when given for short period of time (7 days). In humans, 5 doses at the average rate of 1 mg/kg/day produced blood levels of 15-20 ppm. It is noted that blood levels of DNOC were reduced at the rate of only abou 5 ppm/week. After voluntary ingestion of 75mg of pure DNOC for 5 consecutive days, the level in blood was 1 mg/liter almost 6 weeks later. It was found that in intoxicated DNOC sprayers, it took up to 8 weeks to clear the compound from the serum. Skin also acts as a reservoir for DNOC; 48 h after dermal dosing, rabbits still had blood levels of 2,4-7,9 ppm, whereas the compound was undetectable in the blood of rabbits dosed 24 h earlier by other routes. In persons who have died from the effects of DNOC, yellow staining of the organs, tissues, and fluids due to the presence of the sodium salt from DNOC may be noted. The lungs are congested and there is usually some edema and a few petechial hemorrhages. There may be similar hemorrhagic changes in the brain and gastric mucosa. Having in mind the way of using this chemical by the farmers (improper clothing, sometimes lack of mask, etc.), this chemical may be a threat to their health.	
	Reference to the relevant documentation	
	1. Pesticides Manual. British Crop Protection Council, 11th edition, 1997. 2. Toxicological data submitted for registration of DNOC formulations.	
	Expected effect of the final regulatory action	

	The final regulatory action will have considerable improvement in human health due to the absence of this chemical and its replacement by more safe chemicals.

2.4.2	**Is the reason for the final regulatory action relevant to the environment?**	☑ **Yes** ❑ **No**
	If yes, give summary of the known hazards and risks to the environment	
	DNOC is toxic to fish, birds and beneficial insects and mites, snails, and earthworms. It is persistent in soil and water. Soluble in water, it degrates very slowly (DT50>1 year). When it is applied in soil at 50 ppm, persists for 7 days. The way of use of this chemical by the farmers (winter wash covering with high volume) may affect the quality of the environment.	
	Reference to the relevant documentation	
	1. Pesticides Manual. British Crop Protection Council, 11th edition, 1997. 2. Data submitted for registration of DNOC formulations.	
	Expected effect of the final regulatory action	
	The final regulatory action will have a considerable improvement in the populations of non-target species, quality of environment due to the absence of this chemical and its replacement by more safe chemicals, which are used at low dosage.	

2.5	**Category or categories where the final regulatory action has been taken**	
2.5.1	**Final regulatory action has been taken for the chemical category**	❑ **Industrial**
	Use or uses prohibited by the final regulatory action	
	Use or uses that remain allowed	

2.5.2	**Final regulatory action has been taken for the chemical category**	❑ **Pesticide**
	Formulation(s) and use or uses prohibited by the final regulatory action	
	Banned as a pesticide. All registrations of pesticides containing DNOC have been withdrawn by the Pesticide Authorization Board. Decision on 17/05/1999.	
	Formulation(s) and use or uses that remain allowed	
	None.	

2.5.3 Estimated quantity of the chemical produced, imported, exported and used, where available.

	Quantity per year (MT)	Year
Produced	None	-
Imported	2,5 (a.i.)	1999
Exported	None	-
Used	2,5 (a.i.)	1999

2.6	**Indication, to the extent possible, of the likely relevance of the final regulatory action to other states and regions**
	This chemical must be withdrawn as a pesticide by other countries too for the safety of humans, the non-target species and the quality of environment. There are alternatives, which are more safe, effective and used at low rates.

2.7	**Other relevant information that may cover:**
2.7.1	**Assessment of socio-economic effects of the final regulatory action** No effects on the income of farmers or other people involved are expected.
2.7.2	**Information on alternatives and their relative risks** There are alternatives which are more safe to humans, the non-target species and the environment. These include oils, oils + OP insecticide and IPM practises. The ban of DNOC pesticides may lead in reduction of using of pesticides because these products are used on a routine basis by farmers.
2.7.3	**Relevant additional information**

PART III : GOVERNMENT AUTHORITIES

Ministry/Department and authority responsible for issuing/enforcing the final regulatory action	
Institution	Pest Control Products Board
Address **Telephone**	Department of Agriculture Ministry of Agriculture, Natural Resources and Environment 1412 Nicosia - CYPRUS +3572 301836
Telefax	+3572 781425
E-mail address	doagrg@cytanet.com.cy
Designated National Authority	
Institution **Address**	The Chairman Pest Control Products Board Ministry of Agriculture, Natural Resources and Environment Nicosia –Cyprus Pest Control Products Board
Name of person in charge	Dr Andreas Krambias
Position of person in charge	Senior Agricultural Officer, Head Plant Protection Section
Telephone	+3572 301836
Telefax	+3572 781425
E-mail address	doagrg@cytanet.com.cy

Date, signature of DNA and official seal: 24/05/2000 (sign) (seal)_____

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

FORM FOR NOTIFICATION OF FINAL REGULATORY ACTION TO BAN OR SEVERELY RESTRICT A CHEMICAL

IMPORTANT: See instructions before filling in the form

COUNTRY: European Community

(MEMBER STATES: Austria, Belgium, Denmark, Finland, France, Germany,, Greece, Ireland, Italy, Luxembourg, The Netherlands, Portugal, Spain, Sweden and United Kingdom)

PART I: PROPERTIES, IDENTIFICATION AND USES

1.	**IDENTITY OF CHEMICAL**	
1.1	**Common name**	DNOC
1.2	**Chemical name according to an internationally recognized nomenclature (e.g. IUPAC), where such nomenclature exists**	4,6-dinitro-o-cresol (IUPAC) 2-methyl-4,6-dinitrophenol (CAS)
1.3	**Trade names and names of preparations**	Trifocide SC (625 g DNOC ammonium salt/1), Trifanex (130 g DNOC/1), Supersinox SC, LUXAN DNOC Crème 46%
1.4	**Code numbers**	
1.4.1	**CAS number**	534-52-1
1.4.2	**Harmonized System customs code**	3808.10 – (4,6-dinitro-o-cresol), put up as insecticide. 3808.30 – dinitro-o-cresol (DNOC, DNC), put as acaricide, fungicide and herbice. 3808.30 – (4,6-dinitro-o-cresoll), put up as herbicide.
1.4.3	**Other numbers (specify the numbering system)**	EU Nº: 208 601 1 UN Nº: 1598 CIPAC Nº: 19

PLEASE RETURN THE COMPLETED FORM TO:

Interim Secretariat for the Rotterdam Convention
Plant Protection Service
Plant Production and Protection Division, FAO
Viale delle Terme di Caracalla
00100 Rome, Italy

Tel: (+39 06) 5705 3441
Fax: (+39 06) 5705 6347
E-mail: pic@fao.org

OR

Interim Secretariat for the Rotterdam Convention
UNEP Chemicals
11-13, Chemin des Anémones
CH – 1219 Châtelaine, Geneva, Switzerland

Tel: (+41 22) 917 8183
Fax: (+41 22) 797 3460
E-mail: pic@unep.ch

1.5	**Indication regarding previous notification on this chemical, if any**
1.5.1	☑ This is a first time notification of final regulatory action on this chemical.
1.5.2	☐ This is a modification of a previous notification of final regulatory action on this chemical. The sections modified are: _____ ☐ This notification replaces all previously submitted notifications on this chemical.
	Date of issue of the previous notification: _____

1.6 Information on hazard classification where the chemical is subject to classification requirements	
International classification systems	**Hazard class**
WHO	Toxicity Class : Ib "highly hazardous"(WHO, 1995)
Classification in the EU in accordance with Directive 67/548/EEC	T+ (very toxic). R26/27/28 (very toxic by inhalation, contact with skin and if swallowed). Xn (harmful). R40 (possible risks of irreversible effects, mutagen category 3). Xi (irritant). R38 (irritating to skin), R41 (risk of serious damage to eyes), R43 (may cause sensitization by skin contact): R44 (risk of explosion if heated under confinement). N (dangerous for the environment). R50-53 (very toxic to aquatic organisms, may cause long-term adverse effects in the aquatic environment).
Other classification systems	**Hazard class**

1.7	**Use or uses of the chemical**
1.7.1	☑ **Pesticide**
	Describe the uses of the chemical as a pesticide in your country: The chemical was used for the winter treatment for orchards as an insecticide, larvicide and ovicide and as a desiccant for potato haulm. The main notifier supported uses in pome fruits, stone fruits and grapes (max. 4.52 Kg a.s./ha)
1.7.2	☐ **Industrial**
	Describe the industrial uses of the chemical in your country: Not used

1.8 Properties

1.8.1 Description of physico-chemical properties of the chemical

Form	Yellow green crystalline powder (pure)
Purity	95-98 %
Formula	$C_7H_6N_2O_5$
FAO Specifications	950 g/kg
Molecular Weight	198.13
Melting point	85.2 – 89.9 °C
Boiling point	312 °C
Relative density	1.58
Vapour pressure	1.6 x 10 Pa
Henry's law constant	3.7 x 10^{-}9
Solubility in water	0.213 g/l at pH4 6.94 g/l at pH7 33.3 g/l at pH10
Solubility in organic solvents at 25 °C	Toluene: 251 g/l Acetone: 514 g/l Dichloromethane: 503 g/l Ethyl acetate: 338 g/l Hexane: 4.03 g/l Methanol: 58.4 g/l
Partition coefficient (log Pow):	1.78 at pH4 0.087 at pH7 -1.32 at pH10
Hydrolytic stability (DT_{50})	stable at all pH after 5 days, stable during 1 year
Photostability (DT_{50})	253 h K = 2.73 x 10^{-3}
Dissociation constant	pKa = 4.48

Full report on DNOC (Pesticides Safety Directorate/ECCO-Team 5528/ECCO/PSD/97 of 25/07/1997)

1.8.2 Description of toxicological properties of the chemical

Properties and lack of data considered in the risk assessment:

- Data currently available on absorption, distribution, metabolism and excretion prevents a useful evaluation
- The substance is irritating to skin, presents a risk of serious damage to eyes and may cause sensitization by skin contact,
- NOEL (oral, rat, 2 years): 0.59 mg/kg/d (males); 0.75 mg/kg/d (females),
- Based on available data, the substance is provisionally classified as mutagenic (category 3),
- Data are insufficient as regards teratogenic effects,
- Human skin absorption is not well established,
- No ADI is available,
- Formation of cataracts was induced specifically in humans by the use of DNOC for medical treatment (use withdrawn).

Full report on DNOC (Pesticides Safety Directorate/ECCO-Team 5528/ECCO/PSD/97 of 25/07/1997)

1.8.3	**Description of ecotoxicological properties of the chemical**
	Properties and lack of information: a) Fate and behaviour: - Methods of detection of 0.1 ìg/1 for water contamination and of detection of less than 0.05 ìg/kg for soil contamination are not available, - Degradation in soil and in water/sediment system was not effectively assessed. b) Ecotoxicity: - The substance is acutely toxic to mammals, fishes, birds and earthworms. - No information are available on chronic toxicity to fish and aquatic invertebrates and on reproductive toxicity to earthworms, - The toxicity to the non-target arthropods and the effects on soil respiration

PART II: FINAL REGULATORY ACTION

2.	**FINAL REGULATORY ACTION**	
2.1	**The chemical is:**	☑ **banned** **OR** ☐ **severely restricted**
2.2	**Information specific to the final regulatory action**	
2.2.1	**Summary of the final regulatory action**	It is prohibited to place on the market or use plant protection products containing DNOC. DNOC is not included as an active ingredient in Annex I to Directive 91/414/EEC. The authorizations for plant protection products containing DNOC were withdrawn within a period of 6 months from the date of notification of the Commission Decision 1999/164/EC. From the date of notification, no authorizations for plant protection products containing DNOC will be granted or renewed.
2.2.2	**Reference to the regulatory document**	Commission Decision 1999/164/EC of 17/02/1999 concerning the non-inclusion of DNOC in Annex I to Council Directive 91/414/EEC and the withdrawal of authorizations for plant protection products containing the active substance (Official Journal of the European Community L54 of 02/03/1999, p. 21) (copy attached).
2.2.3	**Date of entry into force of the final regulatory action**	16/08/1999 (Authorizations for plant protection products containing DNOC were withdrawn within a period of 6 months from the date of the final regulatory action).

2.3	**Was the final regulatory action based on a risk or hazard evaluation?**	☑ **Yes**	❑ **No**

If yes, give information on such evaluation

It was concluded that DNOC could not fulfil the safety requirements laid down in Article 5 (1) (a) and (b) of Directive 91/414/EEC. The principal issues which lead to these overall conclusions relate mainly to concerns about operator and consumers exposure and non-target organisms.

1) The following areas of concern were identified:

a) Operator exposure calculated according to standard model (UK POEM and German model) gave unacceptable exposure predictions significantly exceeding the AOEL,

b) High acute toxicity to aquatic and terrestrial organisms,

c) Based on the fish toxicity, a buffer zone of 50 m has been defined for application in fruit trees.

2. Insufficient data are available:

a) To assess consumer exposure to potential residues resulting from use,

b) To adequately assess the water contamination, the biological degradation (water and soil), the PECs (surface water and sediment) and the toxicity to other non-target species (arthropod and soil micro-organisms).

Reference to the relevant documentation

Review Report for the active substance DNOC 7777/VI/98- rev.3 if 1/12/1998, copy attached, and supporting background documents (dossier, monograph, and peer review report under EU Peer Review Programme (ECCO, July 1997)).

2.4	**Reasons for the final regulatory action**

2.4.1	**Is the reason for the final regulatory action relevant to the human health?**	☑ **Yes**	❑ **No**

If yes, give summary of the known hazards and risks presented by the chemical to human health, including the health of consumers and workers

None of the intended uses are considered to be acceptable as regards operator exposure. Moreover, insufficient data are available to assess consumer exposure to potential residues resulting from use.

Reference to the relevant documentation

Review Report for the active substance DNOC 777/IV/98-rev.3 of 1/12/1998, copy attached, and supporting background documents (dossier, monograph, and peer review report under EU Peer Review Programme (ECCO, July 1997)).

Expected effect of the final regulatory action

Complete risk reduction for plant protection uses.

2.4.2	**Is the reason for the final regulatory action relevant to the environment?**	☑ **Yes**	☐ **No**

If yes, give summary of the known hazards and risks to the environment

Insufficient data to assess the risk to aquatic and terrestrial organisms.

Reference to the relevant documentation

Review Report for the active substance DNOC 777/VI/98-rev.3 of 1/12/1998, copy attached, and supporting background documents (dossier, monograph, and peer review report under EU Peer Review Programme (ECCO, July 1997)).

Expected effect of the final regulatory action

Complete risk reduction for plant protection uses.

2.5	**Category or categories where the final regulatory action has been taken**	
2.5.1	**Final regulatory action has been taken for the chemical category**	❑ **Industrial**
	Use or uses prohibited by the final regulatory action Not relevant	
	Use or uses that remain allowed Not relevant	
2.5.2	**Final regulatory action has been taken for the chemical category**	☑ **Pesticide**
	Formulation(s) and use or uses prohibited by the final regulatory action All applications as plant protection products.	
	Formulation(s) and use or uses that remain allowed EU Member States may have granted a period of grace for disposal, storage, placing on the market and use of existing stocks, not longer than 15 months from the date of notification of Commission Decision 1999/164/EC of 17/02/1999.	

2.5.3 Estimated quantity of the chemical produced, imported, exported and used, where available.

	Quantity per year (MT)	Year
Produced	Not available	-
Imported	Not available	-
Exported	Not available	-
Used	Not available	-

2.6	**Indication, to the extent possible, of the likely relevance of the final regulatory action to other states and regions**
	General health problem in states where the substance is used as a plant protection product, particularly for operators, especially in developing countries. Protection of the environment.

2.7	**Other relevant information that may cover:**
2.7.1	**Assessment of socio-economic effects of the final regulatory action**
2.7.2	**Information on alternatives and their relative risks**
2.7.3	**Relevant additional information**

PART III : GOVERNMENT AUTHORITIES

Ministry/Department and authority responsible for issuing/enforcing the final regulatory action	
Institution	European Commission
Address	Rue de la Loi, 200 B-1049 Brussels Belgium
Telephone	+322 299 48 60
Telefax **E-mail address**	+322 295 61 17 klaus.berend@cec.eu.int
Designated National Authority	
Institution **Address**	DG Environment European Commission Rue de la Loi, 200 B-Brussels Belgium
Name of person in charge	Klaus BEREND
Position of person in charge	Administrator
Telephone	+322 299 4860
Telefax	+322 295 6117
E-mail address	klaus.berend@cec.eu.int

Date, signature of DNA and official seal: _____

European Commission
Directorate General for Agriculture
DG VI-B.II-1

7777/VI/98-REV.3
1.12.1998

Review report for the active substance DNOC

Finalised to support a decision concerning the non-inclusion of DNOC as active substance in Annex I to Directive 91/414/EEC and the withdrawal of authorisations for plant protection products containing this active substance.

1. Procedure followed for the re-evaluation process.

This review report has been established as a result of the re-evaluation of DNOC, made in the context of the work programme for review of existing active substances provided for in Article 8(2) of Directive 91/414/EEC concerning the placing of plant protection products on the market, with a view to the possible inclusion of this substance in Annex I to the Directive.

Commission Regulation (EEC) No 3600/92(1) laying down the detailed rules for the implementation of the first stage of the programme of work referred to in Article 8(2) of Council Directive 91/414/EEC, as last amended by Regulation (EC) No 1199/97(2), has laid down the detailed rules on the procedure according to which the re-evaluation has to be carried out. DNOC is one of the 90 existing active substances covered by this Regulation.

In accordance with the provisions of Article 4 of Regulation (EEC) No 3600/92, Elf Atochem on 27 July 1993, Helm AG on 23 July 1993, Cequisa on 23 July 1993, Industrias Afrasa on 27 July 1993 and B.V. Luxan on 21 July 1993 notified to the Commission their wish to secure the inclusion of the active substance DNOC in Annex I to the Directive.

In accordance with the provisions of Article 5 of Regulation (EEC) No 3600/92, the commission, by its Regulation (EEC) No 933/94(3), as last amended by Regulation (EC) No 2230/95(4), designated France as rapporteur Member State to carry out the assessment of DNOC on the basis of the dossiers submitted by the notifiers. In the same Regulation the Commission specified furthermore the deadline for the notifiers with regard to the submission to the rapporteur Member States of the dossiers required under Article 6(2) of Regulation (EEC) No 3600/92, as well as for other parties with regard to further technical and scientific information; for DNOC this deadline was 30 April 1995.

Elf Atochem submitted a dossier to the rapporteur Member State.

In accordance with the provisions of Article 7(i) of Regulation (EEC) No 3600/92, France submitted on 30 September, 1996 to the Commission the report of its examination, hereafter referred to as the monograph, including, as required, a recommendation concerning the possible inclusion of DNOC in Annex I to the Directive. Moreover, in accordance with the same provisions, the Commission and the Member States received also the summary dossier on DNOC from Elf Atochem, on 26 February, 1997.

In accordance with the provisions of Article 7(3) of Regulation (EEC) No 3600/92, the Commission forwarded for consultation the monograph to all the Member States as well as to Elf Atochem being the main data submitter, on 14 February 1997.

The Commission organised an intensive consultation of technical experts from a certain number of Member States, to review the monograph and the comments received thereon (peer review), in particular on each of the following disciplines:

- Identify and physical/chemical properties;
- fate and behaviour in the environment;
- ecotoxicology;
- mammalian toxicology;
- residues and analytical methods;
- regulatory questions.

The meetings for this consultation were organised on behalf of the Commission by the Pesticide Safety Directorate (PSD) in York, United Kingdom, from April to July 1997.

The report of the peer review (i.e. full report) was circulated, for further consultation, to Member States and the main data submitter on 30 July 1997 for comments and further clarification.

In accordance with the provisions of Article 6(4) of Directive 91/414/EEC concerning consultation in the light of a possible unfavourable decision for the active substance the Commission organised a tripartite meeting with the main data submitter and rapporteur Member State for this active substance on 2 February 1998.

In accordance with the provisions of Article 7(3) of Regulation (EEC) No 3600/92, the dossier, the monograph, the peer review report (i.e. full report) and the comments and clarifications on the remaining issues received after the peer review, were referred to the Standing Committee on Plant Health, and specialised working groups of this Committee, for final examination, with participation of experts from the 15 Member States. This final examination took place from May to November 1998, and was finalised in the meeting of the Standing Committee on 1.12.1998.

The present review report contains the conclusions of this final examination; given the importance of the monograph, the peer review report (i.e. full report) and the comments and clarification submitted after the peer review as basic information for the final examination process, these documents are considered respectively as background documents A, B and C to this review report and are part of it.

2. Purposes of this review report

This review report including the background documents has been developed and finalised in support of the Decision 199/164/EC concerning the non-inclusion (at this stage) of DNOC in Annex I to Directive 91/414/EEC.

In accordance with the provisions of Article 7(6) of Regulation (EEC) No 3600/92, Member States will keep available or make available this review report for consultation by any interested parties or will make it available to them on their specific request. Moreover the Commission will send a copy

of this review report (not including the background documents) to all operators having notified for this active substance under Article 4(1) of this Regulation.

3. Overall conclusion in the context of Directive 91/414/EEC.

Based on the information available and the proposed conditions of use it was concluded from the evaluation that DNOC cannot fulfil the safety requirements laid down in Article 5 (1) (a) and (b) of council Directive 91/414/EEC and therefore a decision should be taken not to include this active substance in Annex I to the Directive. This conclusion has been reached primarily because the evaluation has identified concerns with regard to the safety of this active substance, in particular with regard to operator exposure and non-target organisms.

Additionally, the re-evaluation identified important data gaps which made it impossible to further investigate the human/animal health and environment safety of this active substance in all its detailed aspects. The main notifier for this active substance did not give undertakings that the data gaps would be fulfilled on short term.

2.3.1999 EN Official Journal of the European Communities L54/21

COMMISSION DECISION
of 17 February 1999
concerning the non-inclusion of DNOC of active substance in Annex I to Council Directive 91/414/EEC and the withdrawal of authorisations for plant protection products containing this active substance

(notified under document number C (1999) 332)

(Text with EEA relevance)

(1999/164/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES ,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 91/414/EEC of 15 July 1991 concerning the placing of plant protection products on the market (1), as last amended by Commission Directive 97/73/EC(2),

Having regard to Commission Regulation (EEC) No 3600/92 of 11 December 1992 laying down the detailed rules for the implementation of the first stage of the programme of work referred to in article 8(2) of Council Directive 91/414/EEC concerning the placing of plant protection products on the market (3), as last amended by Regulation (EC) No 1199/97 (4), and in particular Article 7(3a)(b) thereof,

Whereas Commission Regulation (EC) No. 933/94(5), as last amended by Regulation (EC) No 2230/95 (6) has laid down the active substances of plant protection products designated by the rapporteur Member States for the implementation of Commission Regulation (EEC) No 3600/92 and identified the notifiers for each active substance;

Whereas DNOC is one of the 90 active substances covered by the first stage of the work programme provided for in Article 8(2) of Council Directive 91/414/EEC;

Whereas in accordance with Article 7(1)(c) of Regulation (EEC) No 3600/92, France, being the designated rapporteur Member State, submitted on 30 September 1996 to the Commission, the report of its assessment of the information submitted by the notifiers in accordance with the provisions of Article 6(1) of this Regulation;

[1]whereas on receipt of the report of the rapporteur Member State, the Commission undertook consultations with experts of the Member states as well as with the main notifier (Elf Atochem Agri SA) as provided for in Article 7(3) of Regulation (EEC) No 3600/92;

Whereas the submitted report has been reviewed by the Member States and the Commission within the standing Committee on plant health; whereas this review has been finalised on 1 December 1998 in the format of the Commission review report for DNOC, in accordance with the provisions of Article 7(6) of Regulation (EC) No 3600/92;

Whereas it has appeared form the assessments made that the submitted information has not demonstrated that plant protection products containing the active substance concerned satisfy the requirements laid down in Articles 5(1)(a) and (b) and 5(2)(b) of Directive 91/414/EEC, in particular with regard to acceptable operator exposure and the exposure of non-target organisms;

Whereas, therefore, it is not possible to include this active substance in Annex I to Directive 91/414/EEC;

[1] (1) OJ L 230, 19. 8. 1991, P.1

(2) OJ L 353, 24. 12. 1997, p. 26
(3) OJ L 366, 15. 12. 1992, p. 10
(4) OJ L 170, 28. 6. 1997, P. 19
(5) OJ L 107, 28. 4. 1994, P. 8
(6) OJ L 225, 22. 9. 1995, P.1
(7) OJ L 33, 8. 2. 1979, p. 36

Whereas a limited period of grace for disposal, storage, placing on the market and use of existing stocks in accordance with the provisions of Article 4(6) of Directive 91/414/EEC has to be provided;

Whereas this Decision does not prejudice any action the Commission may undertake at a later stage for this active substance within the framework of Council Directive 79/117/EEC (7);

Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Plant Health,

HAS ADOPTED THIS DECISION:

Article 1

DNOC is not included as active substance in Annex I to Directive 91/414/EEC.

Article 2

The Member States shall ensure:

1. that authorisations for plant protectiuon products containing DNOC are withdrawn within a period of six months form the date of notification of the present Decision
2. that from the edate of notification of the present Decision no authorisations for plant protection products containing DNOC will be granted or renewed under the derogation provided for in Article 8(2) of Directive 91/414/EEC.

Article 3

Member States shall grant a period of grace for disposal, storage, placing on the market and use of existing stocks in accordance with the provisions of Article 4(6) of Directive 91/414/EEC, which is as short as possible and not longer than 15 months from the date of notification of the present Decision.

Article 4

This Decision is addressed to the Member States.

Done at Brussels, 17 February 1999.

For the Commission
Franz FISCHLER
Member of the Commission

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

FORM FOR NOTIFICATION OF FINAL REGULATORY ACTION TO BAN OR SEVERELY RESTRICT A CHEMICAL

IMPORTANT: See instructions before filling in the form

COUNTRY: THAILAND

PART I: PROPERTIES, IDENTIFICATION AND USES

1.	**IDENTITY OF CHEMICAL**	
1.1	**Common name**	DNOC
1.2	**Chemical name according to an internationally recognized nomenclature (e.g. IUPAC), where such nomenclature exists**	4,6-dinitro-o-cresol
1.3	**Trade names and names of preparations**	Ibertox, Trifanex, Trifocide, Trifina
1.4	**Code numbers**	
1.4.1	**CAS number**	CAS RN [534-52-1]
1.4.2	**Harmonized System customs code**	
1.4.3	**Other numbers (specify the numbering system)**	EEC. No. 208-601-1

1.5	**Indication regarding previous notification on this chemical, if any**
1.5.1	☑ This is a first time notification of final regulatory action on this chemical.
1.5.2	❑ This is a modification of a previous notification of final regulatory action on this chemical. The sections modified are: _____ ❑ This notification replaces all previously submitted notifications on this chemical.
	Date of issue of the previous notification: _____

PLEASE RETURN THE COMPLETED FORM TO:

Interim Secretariat for the Rotterdam Convention
Plant Protection Service
Plant Production and Protection Division, FAO
Viale delle Terme di Caracalla
00100 Rome, Italy

Tel: (+39 06) 5705 3441
Fax: (+39 06) 5705 6347
E-mail: pic@fao.org

OR

Interim Secretariat for the Rotterdam Convention
UNEP Chemicals
11-13, Chemin des Anémones
CH – 1219 Châtelaine, Geneva, Switzerland

Tel: (+41 22) 917 8183
Fax: (+41 22) 797 3460
E-mail: pic@unep.ch

1.6 Information on hazard classification where the chemical is subject to classification requirements	
International classification systems	**Hazard class**
WHO (Technical products)	Ib
Other classification systems	**Hazard class**
EPA (Formulation)	I
EC Risk (R44)	T+

1.7	**Use or uses of the chemical**
1.7.1	☑ **Pesticide**
	Describe the uses of the chemical as a pesticide in your country:
	Insecticide, acaricide and herbicide. This pesticide has never been imported for use in Thailand.
1.7.2	☐ **Industrial**
	Describe the industrial uses of the chemical in your country:

1.8	**Properties**
1.8.1	**Description of physico-chemical properties of the chemical**
	Technical product is 95-98% pure. Molecular weight: 198.1. Molecular formula: $C_7H_6N_2O_5$ Form: Yellow crystal (pure), explosive when dry. Melting point: 88.2 – 89.9 C. Vapour pressure: 16 mPa(25 C) K_{ow}: log P = 0.08 (pH7). Specific gracity/density: 1.58(20 C). Solubility: In water 6.94 g/1(20 C, pH 7). Soluble in toluene, methanol, hexane, ethyl acetate, acetone and dichloromethane. Stability: Degrades very slowly in water DT_{50} > 1 y. Photolysis DT_{50}: 253 (20 C). Risk of explosion reduced by moistened with ~10% water.

1.8.2	**Description of toxicological properties of the chemical**
	Acute oral LD_{50} for rats 25-40, mice 16-47, goats 100, cats 50mg/kg. Skin and eye: Acute percutaneous LD_{50} for rats 200-600, rabbits 1000, mice 187 mg/kg. Skin irritant. Dangerous amounts can be absorbed through skin. NOEL for rats and rabbits > 100, dogs 20mg/kg diet, (28d) for rats 13 mg/kg diet. Powerful cumulative metabolic poison. Danger of chronic poisoning with repeated uptake. No. ADI (JMPR, 1965).
1.8.3	**Description of ecotoxicological properties of the chemical**
	Bird: LD_{50} for Japanese quail 15.7 mg/kg (14d) , ducts 23, partridges 20-25, pheasants 6-85 mg/kg. LD_{50} for Japanese quail 637 mg/kg diet. Fish: LC_{50} for carp 6-13, trout 0.45, bluegill sunfish 0.95mg/l. Bees : LD_{50} 1.77-2.29mg/bee (moderate to low toxicity to bees). Worm : LC_{50} (14 h) for earthworm 15 mg/kg soil. Daphnia LC_{50} (24H) 5.7 MG/1. Algae : LC_{50} (96H) 6mg/l.

PART II: FINAL REGULATORY ACTION

2.	**FINAL REGULATORY ACTION**			
2.1	**The chemical is:**	☑ **banned**	**OR**	❑ **severely restricted**
2.2	**Information specific to the final regulatory action**			
2.2.1	**Summary of the final regulatory action**			
	Banned for import, production, having in possession, and use as an agricultural pesticide.			
2.2.2	**Reference to the regulatory document**			
	Notification of Ministry of Industry dated 26 May 2000, published in the Royal Gazette volume no. 117, section 61 Ng, dated 23 June 2000.			
2.2.3	**Date of entry into force of the final regulatory action**			
	24 June 2000			

2.3	**Was the final regulatory action based on a risk or hazard evaluation?**	☑ **Yes** ☐ **No**
	If yes, give information on such evaluation	
	The oral acute LD_{50} 16mg/kg is very high risk to human.	
	Reference to the relevant documentation	
	The WHO Recommended Classification of Pesticide by Hazard and Guideline to Classification, 1996-1997.	

2.4	**Reasons for the final regulatory action**	
2.4.1	**Is the reason for the final regulatory action relevant to the human health?**	☑ **Yes** ☐ **No**
	If yes, give summary of the known hazards and risks presented by the chemical to human health, including the health of consumers and workers	
	Extremely hazardous to workers during formulating and application by spraying because of very high acute toxicity.	
	Reference to the relevant documentation	
	The WHO Recommended Classification of Pesticide by Hazard and Guidelines to Classification, 1996-1997	
	Expectedeffect of the final regulatory action	
	No poisoning case caused by DNOC is reported.	

2.4.2	**Is the reason for the final regulatory action relevant to the environment?**	☐ **Yes** ☑ **No**
	If yes, give summary of the known hazards and risks to the environment	
	Reference to the relevant documentation	
	Expected effect of the final regulatory action	

2.5	**Category or categories where the final regulatory action has been taken**	
2.5.1	**Final regulatory action has been taken for the chemical category**	❑ **Industrial**
	Use or uses prohibited by the final regulatory action	
	Use or uses that remain allowed	

2.5.2	**Final regulatory action has been taken for the chemical category**	☑ **Pesticide**
	Formulation(s) and use or uses prohibited by the final regulatory action	
	All formulations and uses were prohibited by the final regulatory action.	
	Formulation(s) and use or uses that remain allowed	
	None	

2.5.3 Estimated quantity of the chemical produced, imported, exported and used, where available.

	Quantity per year (MT)	**Year**
Produced	-	
Imported		
Exported		
Used		

2.6	**Indication, to the extent possible, of the likely relevance of the final regulatory action to other states and regions**

2.7	Other relevant information that may cover:
2.7.1	**Assessment of socio-economic effects of the final regulatory action**

2.7.2	**Information on alternatives and their relative risks**
2.7.3	**Relevant additional information**

PART III : GOVERNMENT AUTHORITIES

Ministry/Department and authority responsible for issuing/enforcing the final regulatory action	
Institution	Department of Agriculture
Address	50 Phaholyothin Rd., Chatuchak, Bangkok 10900 Thailand
Telephone	66-2-5790586
Telefax	66-2-5615024
E-mail address	anantad@doa.go.th
Designated National Authority	
Institution	Department of Agriculture
Address	50 Phaholyothin Rd., Chatuchak, Bangkok 10900 Thailand
Name of person in charge	Dr. Ananta Dalodom
Position of person in charge	Director - General
Telephone	66-2-5790586
Telefax	66-2-5615024
E-mail address	anantad@doa.go.th

Date, signature of DNA and official seal: _____