

# The description of enforcement of the PIC Regulation on the national level and Forum activities related to the PIC Regulation

Regulation (EU) No 649/2012 of the European Parliament and of the Council of 4 July 2012 concerning the export and import of hazardous chemicals



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## 1. Introduction

This document contains a description of the enforcement of the PIC Regulation on a national level in the EU Member States, the various actors involved and their scope of activities.

The following document was prepared to ensure good coordination of a network of the Member States' authorities responsible for the enforcement of Regulation (EU) No 649/2012<sup>1</sup> (henceforth: the PIC Regulation), which is according to Article 18(2) of this Regulation the obligation of the Forum for Exchange of Information on Enforcement (Forum). The PIC Regulation implements the Rotterdam Convention on the Prior Informed Consent procedure for certain hazardous chemicals and pesticides in international trade.

This document forms the basis for future Forum decisions on enforcement activities related to the PIC Regulation.

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<sup>1</sup> Regulation (EU) No 649/2012 of the European Parliament and of the Council of 4 July 2012 concerning the export and import of hazardous chemicals

## 2. Purpose and scope of the document

The document is intended to provide a good overall understanding of how the obligations of the PIC Regulation are checked and what tools are used by different actors involved in the enforcement of the PIC Regulation, covering both the routine activities of customs and the investigations by National Enforcement Authorities (NEAs). It is not intended as an exhaustive description of every enforcement action or a work instruction for inspectors.

The purpose of this document is to be a reference in Forum discussions and for developing tools needed for coordination of the enforcement of the PIC Regulation. In particular it forms a basis for the Forum to define its activities related to the PIC Regulation and for requirements for IT tools needed for the control of the obligations of the PIC Regulation.

The document gives a high level, holistic description of the enforcement of the PIC Regulation, the actors involved and their scope of activities. It also defines to what extent the Forum can be expected to coordinate specific enforcement activities related to the PIC Regulation.

The document concentrates on provisions of the PIC Regulation relevant for enforcement and describes:

- the role of all authorities involved in or supporting enforcement of the PIC Regulation (e.g. Designated National Authorities (DNAs), NEAs, customs, and the Forum);
- how the key requirements of the PIC Regulation are fulfilled and by which actors;
- the scope of Forum interest in relation to coordination of Member States' authorities responsible for enforcement and, in particular, which enforcement actions are outside of the scope of the Forum.

Main provisions of the PIC Regulation with involvement of enforcement are listed in Annex 1 to this document.

### 3. Background

The PIC Regulation regulates export and import of certain hazardous chemicals and places obligations on companies who wish to export these chemicals to non-EU countries. It implements, within the European Union, the Rotterdam Convention on the prior informed consent procedure for certain hazardous chemicals and pesticides in international trade.

Article 18(2) of the PIC Regulation states that “The Forum (...) shall be used to coordinate a network of the Member States’ authorities responsible for enforcement of this Regulation”.

The date of the PIC Regulation’s entry into operation was 1 March 2014. From this date, the Forum is responsible for the coordination of a network of Member States’ authorities responsible for enforcing the PIC Regulation.

There are many authorities on the national level who deal with various aspects of the enforcement of the PIC Regulation. The coordination of enforcement activities undertaken by these authorities must be done on a basis of common understanding of both the division of responsibilities and the enforcement actions that are needed to ensure compliance with the PIC Regulation.

In order to arrive at such common understanding, the Forum agreed to develop a holistic description of enforcement requirements of the PIC Regulation in order to form a basis for future Forum decisions on activities related to the PIC Regulation and to elaborate the requirements for tools intended to facilitate the enforcement of the PIC Regulation.

For this reason, the Forum decided at the Forum-16 plenary meeting to establish the Forum PIC Task Force to prepare such description of enforcement of the PIC Regulation at the national level and to recommend Forum activities related to the PIC Regulation.

## 4. Actors involved in enforcement of the PIC Regulation

This chapter describes the roles of different actors involved in or supporting the enforcement of the PIC Regulation, focusing on the main tasks.

### 4.1 DESIGNATED NATIONAL AUTHORITIES OF THE MEMBER STATES (DNAS)

Each Member State has designated an authority or multiple authorities to carry out the administrative functions required by the PIC Regulation. When an exporter makes an export notification pursuant to Article 8(2) using the prescribed submission system<sup>2</sup>, the relevant DNA checks that the notification is compliant with the export notification requirements. When the notification is complete, the relevant DNA forwards it to ECHA for another check<sup>3</sup> and sending to the importing country. The DNA has at least 10 days<sup>4</sup> for carrying out this duty.

DNAs are also responsible for seeking the explicit consent of the importing country where necessary and for uploading the received consents to the database. A DNA can decide, in consultation with the Commission, to apply a waiver to enable export if the importing country is a member of the OECD or if no response to the request for explicit consent has been received within 60 days and if certain conditions are met (Article 14(7) of the Regulation).

DNAs should also forward to ECHA the export notifications concerning imports into the EU customs territory they receive directly from non-EU countries.

The exporters and importers of chemicals subject to the PIC Regulation are required to report on their annual exports and imports. DNAs receive these reports from exporters and importers located in the referenced Member State and check whether the reported exports correspond to the export notifications made by the exporters. Furthermore, DNAs submit aggregated reports for the respective Member State to ECHA.

DNAs also work in close cooperation with customs authorities to provide them with information on both exports and imports, if required.

DNAs are also responsible for activating a special reference identification number (Special RIN) that is assigned to an exporter for the export of a chemical in a quantity not exceeding 10 kg per year per importing country that is intended for research or analysis. A special RIN is furthermore used and needs to be activated by the relevant DNA in case of a positive response from the importing country according to the PIC procedure and in cases where an importing country waives the necessity for notification.

Depending on national laws and competences, the authorities that have been designated as DNAs may also have been given controlling responsibility according to Article 18 of the PIC Regulation. These tasks are described in sub-chapter 4.5.

<sup>2</sup> The use of the EDEXIM database is foreseen until the end of 2014. Export notifications concerning the year 2015 will be handled by the new database ePIC, which will go live in September 2014.

<sup>3</sup> See subchapter on the European Chemicals Agency for details.

<sup>4</sup> The exporter shall make the export notification no later than 35 days before the expected date of export. The DNA shall forward the export notification to ECHA no later than 25 days before the expected date of export. This leaves the DNA 10 days if the export notification is submitted at the last possible date, and more than 10 days if it is submitted earlier.

## 4.2 EUROPEAN COMMISSION

The European Commission (the Commission) acts as a common designated authority for the administrative functions of the Rotterdam Convention on behalf of and in cooperation with the DNAs of the Member States.

The Commission is consulted by the DNA when deciding whether no explicit consent is required for the export of a chemical listed in Part 2 of Annex I to an OECD country. The Commission also has to be consulted by the DNA of the Member State when deciding to grant a waiver for an export where no response to a request for explicit consent has been received within 60 days.

Where the export of a chemical relates to an emergency situation, the Commission needs to be consulted by the DNA of the exporter's Member State on a possible exemption from the obligations set out in Article 8(2), (3) and (4).

The Commission shall compile a report every three years on the performance of the functions provided for in the PIC Regulation for which it is responsible. The report is in part based on the information received from Member States and ECHA.

## 4.3 EUROPEAN CHEMICALS AGENCY (ECHA)<sup>5</sup>

Since the entry into force of the PIC Regulation, ECHA has taken over administrative, technical and scientific tasks in this area. ECHA maintains a database on export and import of hazardous chemicals (ePIC) and makes the lists of chemicals subject to the PIC Regulation publicly available by means of this database. ECHA is also responsible for drawing up technical notes for guidance to assist DNAs and industry in the application of the PIC Regulation.

Regarding the notification procedure, ECHA registers each export notification and assigns it a RIN in the database. After receipt of an export notification from a Member State DNA, ECHA transmits it to the importing country, if it is the first yearly notification for a given chemical/mixture/article to a particular importing country, or stores it in the database. The Agency takes all necessary measures to ensure that the appropriate authority of the importing country receives the notification at least 15 days before the first intended export in the calendar year in question. In the absence of an acknowledgement of receipt after 30 days, ECHA sends a second copy of the export notification to the importing country and is requested to make reasonable efforts to ensure that the DNA of the importing country receives the notification.

ECHA checks that a valid consent or waiver is available if required for a certain export, before activating the RIN in the database to indicate that the export is allowed. If a response to the request for explicit consent has not been received within 30 days, ECHA sends a reminder to the importing country. It sends a second reminder when another 30 days have passed with no response.

ECHA registers all requests for explicit consent, responses obtained and decisions to proceed without explicit consent in the database according to Art. 14(9) of the PIC Regulation. Each explicit consent obtained or decision to proceed without explicit consent is assigned an identification number and listed with all relevant information concerning any conditions attached.

ECHA also receives export notifications concerning imports into the EU customs territory from non-EU countries, makes them available in the database, acknowledges their receipt and makes a copy available to the DNA of the importing Member State.

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<sup>5</sup> The term ECHA refers to the Secretariat of the Agency as stipulated in Article 6(2) of the PIC Regulation.



ECHA prepares a European Union summary report on information received from DNAs on trade in chemicals subject to the PIC Regulation and makes the non-confidential information publicly available.

Every three years the Member States and ECHA shall forward information to the Commission concerning the operation of the procedures provided for in the PIC Regulation, including customs controls, infringements, penalties and remedial action, as appropriate.

#### 4.4 THE FORUM

According to Article 18(2) of the PIC Regulation, the Forum “shall be used to coordinate a network of the Member States’ authorities responsible for enforcement of this Regulation”. Since the enforcement competence lies solely with the Member States, the Forum itself does not perform any enforcement actions. However, it organises coordinated projects on enforcement, which are called REACH-EN-FORCE or “REF” projects. It is foreseen that these projects will also cover PIC related topics in the future. In addition, the Forum foresees a number of specific activities in relation to the PIC Regulation.

In principle, the Forum has a coordinating role and thus serves to provide a link between the actors involved in the enforcement of the PIC Regulation on the national and international levels. The scope of its coordination activities is further described in Chapter 6 of this document.

#### 4.5 NATIONAL ENFORCEMENT AUTHORITIES (NEAS)

The PIC Regulation states in Article 18(1) “[...] each Member State shall designate authorities such as customs authorities that shall have the responsibility of controlling the import and export of chemicals [...]”. It leaves room for Member States to assign this responsibility within their national legislation to customs authorities, to the same authority that carries out the DNA tasks or to other authorities. Hence, most Member States clarify in their Chemicals Acts the responsibilities of the various national authorities (including customs authorities) involved in the enforcement of the PIC Regulation and the cooperation between them.

Since a significant number of Member States have designated customs as one of the NEAs, a separate sub-chapter is dedicated to customs.

##### 4.5.1 Customs

Depending on the national arrangements based on Article 18(1) of the PIC Regulation customs authorities in some of the EU Member States have the responsibility of controlling the import and export of chemicals listed in Annex I to the PIC Regulation. In addition to ensuring compliance with the obligations related to the import and export of these chemicals and articles containing them, customs may supervise that the export ban on chemicals and articles referred to in Annex V is obeyed.

Customs may control that the exporter of chemicals listed in Annex I has provided a RIN or, in certain cases, a so-called special RIN in the export declaration (box 44 of the Single Administrative Documents or corresponding data element in an electronic export declaration), as stipulated in Articles 2(3), 19(1) and 19(2). Customs may check the validity of the RIN in the ePIC database and that the consignment is in accordance with the export notification.

Customs may also cooperate with other NEAs to facilitate the enforcement of the PIC Regulation and other

chemicals legislations. It may do so by e.g. checking information that needs to accompany the export of all chemicals (i.e. including those not listed in Annex I), such as labelling requirements, Safety Data Sheets (SDSs) or language requirements.

#### 4.5.2 Other enforcement authorities

Depending on the national arrangements, there might be other authorities in a Member State in addition or instead of customs that have been designated according to Article 18(1) of the PIC Regulation. In some Member States, customs authorities may for example be competent to control imports and exports while focussing on regulated chemicals (i.e. including chemicals listed in Annexes I and V) during routine surveillance, whereas for example chemical inspectorates may be responsible for controlling obligations of the PIC Regulation, which are relevant for all dangerous chemicals (such as classification and labelling and provision of SDS for substances intended for export). However, in some cases, such as when controlling exporters, these authorities can also control compliance with the requirements of the PIC Regulation as regards export notifications or Annex V bans. In these cases close cooperation and exchange of information between the national authorities that are involved, including customs authorities, is crucial for the success of enforcement actions.

Authorities responsible for the enforcement of the PIC Regulation may be organised in a centralised or de-centralised way, according to national structures and requirements. In some Member States those authorities are also responsible for the enforcement of other chemical legislation, such as the REACH, CLP or Biocidal Product Regulations etc. Inspectors from those enforcement authorities will most likely have a chemical background and may thus play an important role as expert advisers to other national authorities dealing with the enforcement of the PIC Regulation.

## 5. Enforcement of the provisions of the PIC Regulation

In this chapter, the key enforceable obligations of the PIC Regulation and how they are enforced in practice are described. An overview of main provisions of the PIC Regulation with involvement of enforcement is provided in Annex I to this document.

### 5.1 GENERAL DUTIES

Pursuant to Article 8 of the PIC Regulation, the chemicals listed in Part 1 of Annex I are subject to export notification. In addition, Article 14 provides that chemicals listed in Parts 2 or 3 of Annex I require the explicit consent of the importing country for export. There is an export ban for chemicals and articles listed in Annex V. According to Article 17, all chemicals that are intended for export shall be subject to the provisions on packaging and labelling established by the CLP Regulation. Also, SDSs in accordance with the REACH Regulation shall accompany chemicals that are intended for export.

Article 10 (1) provides that each exporter and importer of chemicals subject to the PIC Regulation (i.e. substances listed in Annex I or mixtures containing such substances in a concentration that triggers labelling obligations under the CLP Regulation or of articles containing certain chemicals) shall, during the first quarter of each year, inform the DNAs of the respective Member State of the quantity of the chemical, as a substance and as contained in mixtures or in articles, shipped to or received from each Party or other country during the preceding year.

Other general duties are the provision of further information on chemicals on request (e.g. Article 10(2)) or the obligation for exporters to use ePIC (Article 19(3)).

### 5.2 EXPORT NOTIFICATION REQUIREMENTS

The chemicals listed in Part 1 of Annex I shall be subject to the export notification procedure laid down in Article 8, with detailed information being given on:

- the identity of the substance;
- the use category and/or subcategory subject to restriction;
- the type of restriction;
- and where appropriate, additional information, in particular on exemptions to requirements for export notification.

Some Member States have reported that this obligation is part of the enforcement in their country.

### 5.3 EXPLICIT CONSENT REQUIREMENTS

The chemicals listed in Part 2 of Annex I are, in addition to being subject to the export notification procedure laid down in Article 8, subject to the explicit consent requirement pursuant to Article 14.

The chemicals listed in Part 3 of Annex I shall be subject to the PIC procedure with the use category being given and, where appropriate, additional information, in particular on any requirements for export notification. Also, these provisions are addressed by NEAs in some countries.

#### 5.4 BAN ON EXPORT OF ANNEX V SUBSTANCES

Article 15(2) provides for an export ban for chemicals and articles listed in Annex V, which in some countries is also part of the national enforcement activities.

#### 5.5 REQUIREMENTS ON PROVISION OF INFORMATION (LABELLING, PACKAGING, SDS)

Pursuant to Article 17, chemicals that are intended for export shall be subject to the provisions on packaging and labelling established by the CLP Regulation. SDSs in accordance with the REACH Regulation shall accompany chemicals that are intended for export. For labelling and SDS, as far as practicable, the official language of the country of designation is required. Some Member States have reported that this obligation is part of the enforcement in their country and mostly this is integrated in the enforcement of the export notification, explicit consent and/or export ban.

#### 5.6 ORGANISATION OF THE ENFORCEMENT

Although the organisation of the enforcement is different in each country, some common traits can be identified that allow for a general approach. The main elements of this approach are:

- **Tasks of customs:**  
The role of customs authorities is in several countries the surveillance of exports relevant under the PIC Regulation. This includes, specific conformity checks for those consignments requiring a RIN and controls of the validity of the RIN. Also a general consistency check is done for the export declaration by comparing it with the PIC export notification data (EDEXIM or ePIC). Furthermore, spot checks of the exported goods and the availability of the accompanying information (label and SDS) can be part of the customs activities.
- **Activities done by other enforcement authorities:**  
Chemical or designated Inspectorates may carry out separate or combined (with REACH or CLP) inspections to enforce the PIC Regulation. Information from customs about (suspected) non-compliance is further enforced by the other enforcement authorities. In addition, on-site spot checks in premises of exporters subject to obligations of the PIC Regulation (in depth investigations) or thematic inspection actions (e.g. linked to control of transport of dangerous goods, joint control at borders or investigations based on export declaration data) are performed.

## 6. Scope of coordination of the enforcement of the PIC Regulation by the Forum

According to Art 18(2) of the PIC Regulation the Forum shall be used to coordinate a network of Member State authorities responsible for enforcement of the PIC Regulation requirements. The coordination of Forum will focus on those NEAs that have been designated by the Member States according to Art 18(1), i.e. this designation can involve enforcement authorities, DNAs or customs authorities.

When clarifying the scope of the Forum activities with respect to coordination of the enforcement of the PIC Regulation, the role of the Forum has to be separated from the activities of the other coordinating bodies for Member State Competent Authorities for the PIC Regulation (the Meeting of Designated Member State National Authorities, PIC DNA Meeting) under the responsibility of DG ENV and bodies involved in coordination of the national customs authorities under the umbrella of DG TAXUD (e.g. the PARCS Expert Group, the group dealing with customs action to protect health, cultural heritage, the environment and nature).

The coordinating body for DNAs and a coordinating body for national customs authorities have already been successfully coordinating specific tasks stipulated in the PIC Regulation for DNAs and for national customs authorities, both with and without enforcement related character for more than ten years under the previous legislative frameworks on PIC (Regulation (EC) No 689/2008 and Regulation (EC) No 304/2003). Since the involvement of the Forum is new, it is necessary to clarify its role in order to ensure good coordination and to avoid overlaps with the existing bodies.

The basis for the clarification of Forum's role are the specific duties that the DNAs and the national customs authorities have according to the PIC Regulation for which coordination of tasks has been in place before.

DNAs together with DG ENV and ECHA are coordinating actions on those provisions of the PIC Regulation that require involvement of DNAs with duty holders and that are related to individual export authorisations for regulated chemicals (export notifications and export decisions). On a routine basis those provisions in the PIC Regulation that are completely covered by the DNAs do not require further actions by NEAs (in such context "enforcement" typically takes place when DNAs decide on the authorisation of exports, e.g. not granting the desired export authorisations). Consequently, there is no need for Forum to take additional coordination action on those provisions.

However, while DNAs are involved with duty holders seeking an export authorisation, it remains on the NEAs to focus their surveillance and inspection work on those duty holders that do not observe the export authorisation requirements at all (e.g. do not file any export notification). This is relevant in Art 8 (2) and (4), Art 15 (1) and 16 (2) which are subject to enforcement by NEAs in case of duty holders failing to observe the notification or information obligations or in cases of Art 8 (2) and 16 (2) when duty holders fail to meet the required deadlines.

Accordingly, the coordination bodies for national customs authorities of DG TAXUD have put focus on implementing an harmonised scheme of effective and efficient checks of export consignments of regulated chemicals for the presence of the obligatory RIN in the export declarations (e.g. the single administrative document) and thus have successfully implemented the compliance checks required by Articles 2(3), 19(1) and 19(2) of the PIC Regulation as a TARIC measure in routine customs procedures under the Community Customs Code. In addition, the coordination bodies of DG TAXUD have implemented into TARIC other specific control measures of customs authorities for specific export and import consignments of dangerous chemicals as well as appropriate risk profiles for specified combined nomenclature codes (e.g. banned or restricted chemicals).

Moreover, the coordination role of DG TAXUD also applies for the specific customs control actions carried out by national customs authorities mainly in course of routine customs procedures according to Article 13 of the Community Customs Code. This includes spot-checks of documents accompanying consignments and physical checks of the consignments. In the context of the PIC Regulation, this encompasses for example:

- investigations of SDSs;
- packaging and labelling;
- expiry dates; and
- taking of examination samples of chemicals (regulated and non-regulated chemicals).

Due to those already existing coordination structures of DG TAXUD, implementation and inclusion of enforcement of the PIC Regulation in the routine customs surveillance scheme based on the Community Customs Code should not be within the focus of Forum's coordination of the Member States' PIC Regulation enforcement authorities.

Taking due account of the role of existing coordination bodies for DNAs and for national customs authorities the complementing coordination role of the Forum on the enforcement of the PIC Regulation should encompass all enforcement activities described in Section 5 and in Annex I except those already addressed by other bodies. This means in practice that the following specific enforcement actions are excluded:

- Actions carried out by national customs authorities under the Community Customs Code in the course of a customs procedure, which are either related to Article 2(3) and Articles 19(1) or 19(2) of the PIC Regulation (checks for RIN and special RIN in the applicable export declaration based on implemented TARIC measures);
- The implementation and inclusion of enforcement of the PIC Regulation in routine surveillance actions of customs authorities under the Community Customs Code (e.g. implementation of the PIC Regulation specific measures in TARIC);
- Physical checks of consignments for compliance with requirements of the PIC Regulation according to Article 13 of the Community Customs Code which take place during a customs procedure.

All other enforcement activities undertaken by NEAs (Article 18(1) of the PIC Regulation) including customs authorities of Member States, which have appointed their national customs authorities with the competence of a specific enforcement authority for the PIC Regulation, shall be subject to the coordination competence of the Forum stipulated in Art 18(2) of the PIC Regulation.

It can be regarded as yet another task of the coordination competence of the Forum in the context of Art 77(4)(g) of the REACH Regulation to seek for cooperation with DG TAXUD and the applicable coordination bodies for national customs authorities as well as with the PIC DNA Meeting and DG ENV in order to arrive at a good overall performance of enforcement of the PIC Regulation and in mutual cooperation of all relevant coordination bodies.

In accordance with Article 2 of the Rules of Procedures for the Forum (Document MB/31/2013 final, dated 19.06.2013), the coordination role of Forum related to the identified relevant PIC enforcement provisions encompasses:

- a. spreading good practice and highlighting problems at European Union level;
- b. proposing, coordinating and evaluating harmonised enforcement projects and joint inspections;
- c. coordinating exchange of inspectors;
- d. identifying enforcement strategies, as well as best practice in enforcement;
- e. developing working methods and tools of use to local inspectors;
- f. developing an electronic information exchange procedure;

- g. liaising with industry, taking particular account of the specific needs of SMEs, and other stakeholders, including relevant international organisations, as necessary;
- h. the Forum may agree on common issues to be covered in the report indicated in Article 22(1) and Article 18(3) of the PIC Regulation;
- i. the Forum may agree to advise on other issues related to enforceability of the PIC Regulation.

## 7. Annex 1: Main provisions of the PIC Regulation with involvement of enforcement

Article	Description	Entry into force (*)	Target group
2 (3)	This requires the provision of a special RIN in the applicable export declaration for certain exports that are not subject to the Regulation.	1 March 2014	Exporters
8 (2)	This requires the notification of the first and all subsequent exports on an annual basis and within a deadline for substances and substances in mixtures listed in Part 1 of Annex I.	1 March 2014	Exporters
8 (4)	This requires the revision of a previous export notification in the form of a new export notification when the European Union legislation concerning the marketing, use or labelling of the substances in question has been amended or when the composition of the mixture has changed so that the labelling is altered.	1 March 2014	Exporters
8 (5)	This requires a reasoned request for an exemption granted in case of an emergency situation where an export of substances and substances in mixtures listed in Part 1 of Annex I shall take place without any delay.	1 March 2014	Exporters
8 (6)	This establishes that certain requirements of Article 8 relating to export notification shall cease under certain conditions.	1 March 2014	Exporters
8 (7)	This requires the provision of any available, additional information concerning the exported chemical on request by the importing Parties or other countries.	1 March 2014	Exporters
10 (1)	This requires the provision of information (quantities, identity of the foreign importers/exporters) on annual exports and imports of substances and substances in mixtures listed in Annex I within the preceding year during the first quarter of each year.	1 March 2014	Exporters, importers
10 (2)	This requires the provision of any additional information relating to chemicals on request by the Commission, ECHA or the DNA.	1 March 2014	Exporters, importers
11 (4)	This requires the provision of available information about chemicals qualifying for PIC notification on request by the Commission within a deadline.	1 March 2014	Exporters, importers



Article	Description	Entry into force (*)	Target group
14 (4)	This requires compliance with decisions in each import response of Parties within a deadline.	1 March 2014	Exporters
14 (6)	This requires an explicit consent by the importing party or importing other country for export of substances and substances in mixtures listed in Part 2 or Part 3 of Annex I.	1 March 2014	Exporters
14 (10)	This requires chemicals to be exported no later than six months before its expiry date.  This also requires pesticides to be exported in an optimized size and packaging of containers so as to minimise the risk of creating obsolete stocks.	1 March 2014	Exporters
14 (11)	This requires labels of pesticides to be exported to contain specific information about storage conditions and storage stability and exported pesticides to comply with the purity specification laid down in European Union legislation.	1 March 2014	Exporters
15 (1)	This requires the submission of an export notification (article 8) for certain articles containing chemicals listed in Parts 2 or 3 of Annex I) in unreacted form.	1 March 2014	Exporters
15 (2)	This provides for an export ban for chemicals and articles as listed in Annex V, the use of which is prohibited in the European Union.	1 March 2014	Exporters
16 (2)	This requires the provision of certain information to specified countries in case of transit movements of chemicals listed in Part 3 of Annex I.	1 March 2014	Exporters
17 (1)	This requires exported chemicals to comply with provisions on packaging and labelling pursuant to respective legislation (e.g. CLP, BP, PPP).	1 March 2014	Exporters
17 (2)	This requires, where appropriate, the provision of information on expiry date (together with climatic zone) and production date on the label of exported chemicals.	1 March 2014	Exporters
17 (3)	This requires that an SDS that complies with certain rules is sent to each importer of exported chemicals.	1 March 2014	Exporters
17 (4)	This requires that information provided on the label or in an SDS of exported chemicals complies with certain rules on language.	1 March 2014	Exporters

Article	Description	Entry into force (*)	Target group
19 (1)	This requires the provision of the RIN in the applicable export declaration, e.g. in box 44 of the SAD.	1 March 2014	Exporters
19 (2)	This requires the provision of a special RIN in the applicable export declaration for certain exports that are not subject to export notification pursuant to article 8.	1 March 2014	Exporters
19 (3)	This requires the use of the applicable database (ePIC <sup>6</sup> ) for submission of information on exports of chemicals, where requested by the Agency.	1 March 2014	Exporters

<sup>6</sup> EDEXIM is to be used up to the time when ePIC will be launched in September 2014

## 8. Glossary of terms

BPR	Biocidal Product (BP) 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
CLP	Regulation (EC) No 1272/2008 on the classification, labelling and packaging of substances and mixtures Regulation EC No 1272/2008
CN	combined nomenclature codes
Convention	Rotterdam Convention on the Prior Informed Consent procedure for certain hazardous chemicals and pesticides in international trade, which entered into force on 24 February 2004, and replaces 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
DG ENV	the European Commission's Environment Directorate-General
DG TAXUD	the European Commission's Taxation and Customs Union Directorate-General
DNAs	Designated National Authorities
ECHA	European Chemicals Agency
EIES	Electronic Information Exchange System
ePIC	applicable database for PIC Regulation
Export notification	Article 8 of the PIC Regulation - 'the chemical subject to export notification' means any chemical that is banned or severely restricted within the Union within one or more categories or subcategories, and any chemical listed in Part 1 of Annex I that is subject to the PIC procedure
Forum	Forum for Exchange of Information on Enforcement established by REACH Regulation
ICSMS	The internet-supported information and communication system for the pan-European market surveillance
MAWP	Forum Multi-Annual Work Programme
NEAs	National Enforcement Authorities
OECD	The Organisation for Economic Co-operation and Development
ONIP	Network of National Competent authorities fighting illegal international Trade of Pesticides

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PARCS Expert Group	group under umbrella DG TAXUD who deals with customs action to protect health, cultural heritage, the environment and nature (Prohibitions and Restrictions Customs Controls Strategy)
PIC	Regulation (EU) No 649/2012 of the European Parliament and of the Council Of 4 July 2012 concerning the export and import of hazardous chemicals
PIC notification	Article 11 of the PIC Regulation - is not an enforceable duty 'the chemical qualifying for PIC notification' means any chemical that is banned or severely restricted within the Union or a Member State within one or more categories. Chemicals banned or severely restricted in the Union within one or more categories are listed in Part 2 of Annex I to the PIC Regulation
PIC procedure	Article 13 and 14 of the PIC Regulation - 'the chemical subject to the PIC procedure' means any chemical listed in Annex III to the Convention and in Part 3 of Annex I to the PIC Regulation
PPP	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
REACH	Regulation (EC) No 1907/2006 of the European Parliament and of the Council concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals
RIN	Reference Identification Number
RIPE	REACH Information Portal for Enforcement
SAD	Single Administrative Documents
SDS	Safety Data Sheet
SVHC	Substance of Very High Concern
TARIC	Integrated Community Tariff. A multilingual database covering all measures relating to tariff, commercial and agricultural legislation. It gives economic operators a clear view of what they need to do when importing or exporting goods.

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