

Persistent Organic Pollutants and Prior Informed Consent

Background



The United Nations has promulgated three major international treaties, called “conventions,” dealing with potential impacts of specific pesticides on the environment and human health. A

convention is first adopted by a group of nations acting under the auspices of the United Nations (UN), but enters into effect only after it is ratified by a specified number of countries, who become Parties to the Convention. Each convention is administered by a designated secretariat and governed by a Conference of Parties (COP) that meets periodically to consider changes, additions and decisions to the treaty. A review committee conducts technical work for each convention and passes its recommendations on to the Conference of Parties.

The Convention on Long Range Transboundary Air Pollution (LRTAP) is one such convention which was ratified by the United States and entered into force in 1983. The LRTAP has grown by eight additional protocols, including the 1998 Aarhus Protocol on Persistent Organic Pollutants (POPs), which the United States has not ratified. The Aarhus Protocol addresses 11 pesticides, banning the production and use of some products outright, scheduling others for elimination at a later stage and severely restricting the use of still others.

The Stockholm Convention on POPs went into effect in 2004 but has not been ratified by the United States. It identifies certain chemicals that have been shown to persist in the environment for long periods, bioaccumulate in living organisms, harm humans or the environment and move long distances in the environment.

This Convention established global prohibitions on production, use and distribution of 12 chemicals, nine of which are pesticides already banned in the United

States. The Stockholm Convention allows Parties to make specific exemptions from prohibitions based on risk and benefit factors and establishes a process for identifying additional POP chemicals.

The Rotterdam Convention on Prior Informed Consent (PIC) also entered into effect in 2004 and has not been ratified by the United States. It enables countries to make informed decisions about the importation of certain banned and severely restricted chemicals or severely hazardous pesticides formulations.

The implementation of these conventions is well underway. American delegations have only observer status with severely restricted ability to influence the proceedings, decisions or outcomes of these conventions. Under strong influence from European countries and environmental NGOs acting through delegations of developing nations, the administrative structures for the conventions have demonstrated a willingness and propensity to add new chemicals easily to the PIC and POPs lists without adequate regard for scientific principles or the terms of the conventions.

Position

CropLife America supports the intent of the LRTAP POPs Protocol, the Stockholm Convention and the Rotterdam Convention to protect humans and the environment from the ill effects of persistent organic pollutants. CLA respects the right of countries to make informed decisions about the risks and benefits of products imported to protect their crops and public health. CropLife America supports responsible legislation to amend FIFRA and TSCA to implement these Conventions. This legislation should preserve American sovereignty in regulating pesticides manufactured and used within our borders and protect export markets for American produce and farm commodities. Prompt enactment of such legislation is essential to enable full participation by the United States as a party to these Conventions.