



OSPAR
COMMISSION

Review Statement for the
OSPAR Background Document on Trifluralin

OSPAR Convention

The Convention for the Protection of the Marine Environment of the North-East Atlantic (the "OSPAR Convention") was opened for signature at the Ministerial Meeting of the former Oslo and Paris Commissions in Paris on 22 September 1992. The Convention entered into force on 25 March 1998. The Contracting Parties are Belgium, Denmark, the European Union, Finland, France, Germany, Iceland, Ireland, Luxembourg, the Netherlands, Norway, Portugal, Spain, Sweden, Switzerland and the United Kingdom.

Convention OSPAR

La Convention pour la protection du milieu marin de l'Atlantique du Nord-Est, dite Convention OSPAR, a été ouverte à la signature à la réunion ministérielle des anciennes Commissions d'Oslo et de Paris, à Paris le 22 septembre 1992. La Convention est entrée en vigueur le 25 mars 1998. Les Parties contractantes sont l'Allemagne, la Belgique, le Danemark, l'Espagne, la Finlande, la France, l'Irlande, l'Islande, le Luxembourg, la Norvège, les Pays-Bas, le Portugal, le Royaume-Uni de Grande Bretagne et d'Irlande du Nord, la Suède, la Suisse et l'Union européenne.

Acknowledgement

This report has been prepared by the Federal Environment Agency (UBA), Germany as lead country.

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Update with regard to the use as active ingredient in plant protection products

Since the submission of the background document in 2005, trifluralin was subject of an in-detail evaluation within the programme of Directive 91/414/EEC with regard to an inclusion into the list of active substances (Annex I of Directive 91/414/EEC).

A consortium of European companies manufacturing trifluralin ("European Union Trifluralin Task Force - EUTTF") was formed in March 2001 by agreement between Agan Chemical Manufacturers Ltd. of Ashdod, Israel and Dintec Agroquímica Produtos Químicos Lda. of Madeira, Portugal. Dintec is an incorporated company formed in 1994 between Dow AgroSciences, B.V., established at Rotterdam, The Netherlands, and I.Pi.Ci. S.p.A. Industria Prodotti Chimici (I.Pi.Ci.), established at Novate, Milanese, Italy. This consortium applied for the inclusion of trifluralin into Annex I of the EU-Directive 91/414/EEC ("placing of plant protection products on the market") in 2001.

The Draft Assessment Report (DAR) was finalised in July 2003 and submitted by the Rapporteur Member State (RMS) Greece to the European Commission and the European Food Safety Agency (EFSA).

Following several commenting periods, and EFSA Evaluation Meetings the Member States agreed in September 2007 not to include trifluralin into Annex I of Directive 91/414/EEC due to insufficient information with regard to:

- the aquatic risk assessment
- the toxicity of certain metabolites to sediment dwelling organisms
- the consumer exposure for non-cereal applications.

In addition to that, concerns were identified with regard to

- the high toxicity to aquatic organisms, in particular fish
- the high potential for bioaccumulation
- the high persistence in soil, and
- the potential for long range transport via air.

On 29 September 2007, the Commission Decision No. 2007/629/EC (notified under document number C(2007) 4282) which did not include trifluralin into Annex I of Directive 91/414/EEC was published in the Official Journal of the European Union (L 255/42). With this conclusion Member States were requested to withdraw authorizations for Plant Protection Products containing trifluralin as active ingredient by 28 March 2008 at the latest. In addition to that, Member States were requested not to grant or not to renew authorizations of Plant Protection Products with this active ingredient from the date of publication of the Decision (29 September 2007).

In January 2009, additional information concerning the risk assessment were submitted by EUTTF and discussed between EFSA and the EU-Member States.

Considering all available information, on 25 June 2010, the European Commission proposed again not to include trifluralin into Annex I of Directive 91/414/EEC. With this decision (2010/355/EU) trifluralin is no longer authorized as Plant Protection Product and has been phased out in the European Union.

Update with regard to Registration under the European REACH Regulation, and the Regulation on Classification and Labelling (CLP Regulation)

Within the notification under the European Regulation on Classification and Labelling (Regulation (EC) No. 1272/2008), several dossiers were submitted to the European Chemicals Agency proposing classification and labelling of trifluralin.

Within the pre-registration period of the European REACH Regulation in 2010, in total 57 registrants announced an interest to register trifluralin. However, no registration was submitted within the first registration period till December 2010.

Update with regard to consider trifluralin as a Persistent Organic Pollutant

In 2007, the European Union proposed to add trifluralin to the Protocol to the Convention on Long-Range Transboundary Air Pollution on Persistent Organic Pollutants (LRTAP Protocol on POPs).

The European Commission prepared a dossier in support of a proposal for trifluralin to be considered as a candidate for inclusion in the Annex 1 of the LRTAP Protocol on POPs. In December 2008, the Task Force on POPs was requested to scrutinize the nomination for compliance with the POPs criteria under the Protocol and to start exploring management options for trifluralin.

At the meetings in 2009 and 2010 the task Force on POPs was not able to reach consensus on considering trifluralin as POP under the Protocol. The task force still questioned whether sufficient information existed to suggest that the substance is likely to have significant adverse human health and/or environmental effects as a result of its Long Range Atmospheric Transport.

In September 2011, the Working Group on Strategies and Review took note of new information on trifluralin as presented by Canada and decided to forward it to the Executive Body for consideration in further deliberations and decisions on possible additional amendments to the Protocol on Persistent Organic Pollutants.

In December 2011, the Executive Body requested the Working Group on Strategies and Review to defer any work on the Protocol on Persistent Organic Pollutants (Protocol on POPs) in 2012, and decided to address the issue further at the meeting of the Executive Body in December 2012, taking into account ongoing activities under the Stockholm Convention on Persistent Organic Pollutants.

Till December 2011, trifluralin was not nominated for consideration as a POP under the Stockholm convention on Persistent Organic Pollutants.

Germany is still convinced that trifluralin is fulfilling the criteria and need to be considered as POP under the Protocol on Persistent Organic Pollutants and the Stockholm convention on Persistent Organic Pollutants.

Conclusions

As there is an up to date dossier for a review of the OSPAR Background Document on trifluralin, a revision seems to be unnecessary for the moment.

The pre-registrations under the REACH-Regulation indicate that several companies in Europe are still manufacturing or importing trifluralin to the European Union. When the registrations become available, the need for additional activities to address the remaining concerns should be considered.



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**OSPAR's vision is of a clean, healthy and biologically diverse
North-East Atlantic used sustainably**

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