



FORUM V
Chemical Safety
for Sustainable Development
IFCS
Budapest, Hungary
25-29 September 2006

Plenary Information/Discussion Session on Tools and Approaches for Applying Precaution in the Context of Chemicals Safety

Information Request for Background Paper

Dear Colleague,

A Forum V Plenary Open Information/Discussion Session has been organized to advance open dialogue and understanding about how precaution is applied in practice with regards to chemical safety to protect health and environment and implementation of goals identified in IFCS declarations and recommendations and the SAICM Overarching Policy Strategy (OPS). A Forum V Thought Starter paper presents the rationale, objectives and organization of the session.¹

Through a series of practical case examples, the session will explore tools and approaches for applying precaution in chemical safety decision-making as well as commonalities and differences in these approaches. Following these presentations, guided discussion with delegates will occur, with the goal of identifying some key commonalities and differences in approaches and providing practical next steps for the future.

To ensure adequate thinking occurs in individual countries before the start of Forum V and thoughtful discussion at the Forum, an Information Background Document will be provided to delegates in advance of Forum V. This Backgrounder Document will summarize information collected on how governments and other organizations domestically apply precaution in chemicals management including:

- A collection of structured information requested from governments and organizations to provide examples of tools and frameworks for how they have applied precaution in the context of domestic chemicals safety efforts.
- Interviews with selected active members in IFCS to understand differences in how precaution is applied and some of the controversies in its application; how they are applying precaution in chemicals management including tools and approaches and the types of tools and processes that would support precautionary decision-making in the context of chemicals management.

¹ Thought Starter: Forum V Plenary Open Information/Discussion Session On Tools And Approaches For Applying Precaution In The Context Of Chemicals Safety, Prepared By: Forum Standing Committee (IFCS/FORUM-V/01-TS
http://www.who.int/ifcs/documents/forums/forum5/meet_docs/en/index.html)

Information Request

The purpose of this structured information collection process is to collect examples of tools, approaches and frameworks for applying precaution (or making decisions in the face of uncertainty) with regards to national chemical safety efforts. The goal is to understand similarities and differences in how precautionary decisions (or decisions in circumstances of uncertainty) are made across countries; what tools and approaches countries use to apply precaution in chemicals management; how policy, regulatory and scientific processes support precautionary decision-making in the context of chemicals management; the challenges and needs for applying precaution in the context of chemicals management; and varying perceptions with its application.

This information will be collected via the template questionnaire (Annex) which consists of specific and more open-ended questions. We ask that you fill in the template as thoroughly as possible. *Please provide any links or additional supporting materials that provide information on particular policies, tools, or activities.*

Process of soliciting information

The request for information submissions is being sent to the entire IFCS mailing list. Submissions are welcomed from everyone and government staff are encouraged to coordinate submissions through the IFCS National Focal Point (see IFCS website for list of designated NFP: <http://www.who.int/ifcs/focalpoints/en/>).

We ask that submissions be returned by **20 July 2006**. Please return completed form to:

IFCS Secretariat
Email: ifcs@who.int
Fax: +41 22 791 4875

If you have any questions, please do not hesitate to contact us.

Thank you for your willingness to participate in this important effort.

Sincerely,

Joel A. Tickner, ScD
Special Advisor, IFCS
Email: joel_tickner@uml.edu

Judy A. Stober, PhD
Executive Secretary, IFCS
Email: ifcs@who.int

Annex

IFCS Forum V
Plenary Information/Discussion Session on Tools and Approaches for
Applying Precaution in the Context of Chemicals Safety

Information Request for Background Paper

Structured Questionnaire

Background Information

Country: Switzerland

Ministry/Agency/Institute/Organization:

Federal Department of the Environment, Transport, Energy and Communications/
Federal Office for the Environment

Contact Person: Dr. Franz Xaver Perrez
Dr. Andreas Weber

Contact Details:

Mailing address:

Federal Office for the Environment
International Affairs Division
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For telephone and fax numbers, please indicate country and city codes:

Tel : +41 31 322 9308
Fax : +41 31 323 0349

41 31 322 68 59
41 31 324 79 78

Please submit completed questionnaire by 20 July 2006 to:

IFCS Secretariat
Email: ifcs@who.int
Fax: +41 22 791 4875

Please note: Unless you indicate otherwise in your response, these submissions will be posted on the IFCS website.

Please provide any links or additional supporting materials that provide additional information on particular policies, tools, or activities.

National chemicals policy or management:

1. How is the concept of precaution explicitly or implicitly (in terms of decision-making under conditions of uncertainty) incorporated in national chemicals policy or management in your country/organization?

Please check all that apply.

- | | |
|--|--------------------------|
| In the country constitution ? | X |
| In legislation? | X |
| In agency/ministry/organization policy? | X |
| In specific guidance documents for risk assessment or risk management? | X |
| Applied in specific cases but no particular policy? | <input type="checkbox"/> |
| Not applied at all? | <input type="checkbox"/> |

Please provide greater detail (1 para).

Precaution is incorporated, either explicitly or implicitly in different Swiss acts such as the

- Federal Constitution
- Federal Law relating to the Protection of the Environment
- Federal Law on Protection of Waters
- Federal Law relating to Agriculture
- Federal Chemicals Law
- Federal Law relating to Food

Tools and approaches for applying precaution:

2. What are some of the key tools and approaches used by your country/organization in applying precaution (or making decisions in circumstances of uncertainty) in the context of chemicals safety?

Product sector:

Marketing and use restrictions

Marketing permits for plant protection products and biocides

Limit values for food contaminants

Other Sectors:

Limit values for emissions to air and water

Quality standards in air, soil, water and groundwater

a. Is there a defined approach to applying precaution or decision-making under uncertainty?

Yes No

If yes, can you outline the elements of that approach or provide references to it?

The approaches to applying precaution are different in the different sectors mentioned above.

b. Is precaution integrated in other decision-making processes, tools and approaches such as;

Please check all that apply.

- o Data collection?
- o Prioritization of substances for risk management actions
- o Uncertainty characterization?
- o Socio-economic analysis (e.g., social impact, proportionality/cost-benefit assessment, trade concern)?
- o Risk assessment and risk management options?
- o Screening, comparison of alternatives, informed substitution?
- o Stakeholder and Public involvement?
- o Other

For those boxes checked, please briefly provide greater detail or links to additional information.

c. How are gaps in knowledge addressed?

Please check all that apply.

- o Though conservative risk assessment assumptions

- Through safety factors X
- Through modeling techniques X
- Through an assumption that lack of information is indication of potential harm
- Through requesting additional research
- Gaps are not addressed

For those boxes checked, please briefly provide greater detail or links to additional information.

In assessing the risks of chemicals Switzerland normally follows the technical guidance document of the European Commission
http://ecb.jrc.it/DOCUMENTS/TECHNICAL_GUIDANCE_DOCUMENT/EDITION_1/tgdpart1.pdf

3. Please provide details of a particular case (or example) where precaution was applied (or decisions made in the face of uncertainty) in the context of chemicals management?

Example: Recent ban for the agricultural use of sewage sludge

- a. What stimulated/initiated the precaution process/action?

Please check all that apply.

- Government concern over hazards and/or exposures X
- Stakeholder concerns over the particular threat X
- International policy requirements/pressures
- Negative impacts/experience(s) from not acting on a previous chemical risk
- Other X

For those boxes checked, please briefly provide greater detail or links to additional information.

There was concern that contaminants in sewage sludge accumulate in soil and that the fertility of the soil might not be maintained at the long term.

- b. What process was used to make the decision? (please briefly describe the process or tools used to make the decision)

A draft regulation was circulated for comments to all stakeholders. A joint decision by the federal council was finally taken after involvement of all ministries.

c. Were there positive or negative impacts of this process/action?

Please check all that apply.

<u>Positive</u>		<u>Negative</u>	
Ecological or Health benefits	<input checked="" type="checkbox"/>	Ecological or health impacts	<input type="checkbox"/>
Economic benefit	<input type="checkbox"/>	Economic impacts	<input checked="" type="checkbox"/>
Improved government/industry image	<input checked="" type="checkbox"/>	Substitutes/alternatives did not work	<input type="checkbox"/>
Improved government/public morale	<input checked="" type="checkbox"/>	Negative public reaction	<input type="checkbox"/>
Improvements to scientific tools/decision processes	<input type="checkbox"/>	Other?	<input type="checkbox"/>
Other?	<input type="checkbox"/>		

For those boxes checked, please briefly provide greater detail or links to additional information.

Instead of being used as a fertilizer, sewage sludge has now to be incinerated in municipal solid waste incinerators. This causes some costs. On the other hand, damage in harvested crops from polluted soils and other adverse effects can be avoided at the long term.

d. Were there any unintended consequences from this process/action?

Positive – please describe

Negative - please describe

-
4. Are there any particular cases in your country/organization where precaution was not applied (decisions not made in the face of uncertain chemical risks) resulting in adverse impacts?

Yes No

If yes, briefly describe if and how decision-making processes have been modified as a result.

5. Does your government have processes in place to re-examine decisions made based on precaution or made in the face of uncertainty as additional data are available?

Yes No

If yes, briefly describe the process and how this process may be used to modify decisions, decision-making process, or tools.

It depends on the case. For the example given above there is a process. Heavy metals and some organic pollutants are regularly monitored in a Swiss soil monitoring network which is used for monitoring the effectiveness for soil protecting measures.

http://www.umwelt-schweiz.ch/buwal/eng/fachgebiete/fg_boden/nabo/index.html

Lessons Learned from applying precaution in chemicals management

6. What are some of the biggest challenges to your country's (organization's) application of precaution in the context of chemicals management or in chemicals management decision-making in the face of uncertainty?

Please check all that apply.

- Scientific capacity
- Lack of scientific information
- Legal challenges
- Technical challenges
- Financial challenges
- Trade Challenges
- Other?

For those checked boxes, please briefly indicate what were the implications of these barriers and how have they been addressed or if not yet addressed, how could they be addressed?

Lack of resources to manage all available information needed to make decisions based upon

The pressure for Switzerland to avoid technical barriers to trade and to harmonize with EU regulations. But as Switzerland is not a member of the EU it does not have access to its committees compiling dossiers which may include critical confidential information and it is not involved in the EU decision making processes.

Are these challenges also applicable to decision-making and actions regarding established risks?

Yes No

Next steps

7. What are the most important needs of your country or organization for more effectively applying precaution (or making decisions in the face of uncertainty) and overcoming barriers in chemicals management decision-making?

Please check all that apply.

- Data on chemical toxicity/risks
- Tools for prioritization
- Tools for risk assessment
- Decision-making tools/frameworks
- Technical assistance in risk assessment processes
- Technical assistance in risk management processes
- Financial support for implementation
- International dialogue
- Information sharing to facilitate understanding of the issues
- Other

For those boxes checked, please briefly provide greater detail or links to additional information.

Switzerland's most important needs to more effectively apply precaution are the ability and resources to manage available information and to be able to share the burden of assessment processes.

8. Briefly describe your perceptions as to some of the concerns regarding application of precaution in the context of chemicals safety?

Please briefly provide details or links to additional information.

Switzerland would like to see the issue being discussed on an international level between nation's various agencies to provide a better mechanism for dialogue and build relationships on the issue. A better understanding of how the principle is actually used can come about from case by case discussions and learning from each other's approaches on individual substances.

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9. Do you have any additional information on tools and approaches for applying precaution that would be helpful to inform discussion?
Please provide any additional materials or web links.

Please note: Unless you indicate otherwise in your response, your submission and those of others will be posted on the IFCS website.