



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 Background 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: THAILAND

Ministry/Agency/Institute/Organization: Food and Drug Administration
Chemical Safety Section

Contact Details:

Mailing address:
Ministry of Public Health, Tiwanon Road, Nonthaburi 11000 Thailand

Email: forum4@health.moph.go.th

For telephone and fax numbers, please indicate country and city codes:

Tel : 662 5907289

Fax : 662 5907287

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

Please provide greater detail (1 para).

Legal Aspect: *Hazardous Substance Act 1992, Public Health Act 1992, and related legal instruments authorize competent agencies to make decisions on the reduction of risk posed by chemicals of their respective concerns. For example in Hazardous Substance Act 1992, concept of precaution is incorporated in the following sections:*

Section 7 *The committee shall have the following powers and duties:*

(8) To prepare opinions to the Minister of Industry for recommendation to the Cabinet regarding the control of hazardous substance and the protection of and remedies for damage caused by hazardous substance as the operation guidelines for various government agencies.

Section 18 *The hazardous substance is classified according to the needs for control as follows:*

Type 1 *hazardous substance that requires only monitoring due to low degree of hazard. The production, import, export, or having in possession of Type 1 hazardous substance does not require a licence or registration certificate, but business operator must comply with specified criteria and procedures.*

Type 2 *hazardous substance that is subject to both monitoring and controlling. The production, import, export, or having in possession of Type 2 hazardous substance must be notified to the authorities and must be complied with the specified criteria and procedures, and must obtain a registration certificate.*

Type 3 *hazardous substance that is subject to stricter control procedure*

due to its higher degree of hazard, compared to Type 2 hazardous substance. The production, import, export, or having in possession of Type 3 hazardous substance requires both a permit and a registration certificate.

Type 4 hazardous substance that is considered to pose significant risk to humans. The production, import, export, or having in possession of Type 4 hazardous substance is prohibited.

Section 40 For any hazardous substance already registered which later appears to lack the benefits as registered or if used is likely to cause injury to the persons, animals, plants, property, or environments, without a reasonably normal means for prevention, the authority with the recommendations of the Committee shall have the power to revoke the register of such hazardous substance. The order of the authority revoking the register shall be final.

Policy Aspect: The 3rd Thailand National Master Plan on Chemical Management (2007-2011) has been formulated in order for the improvement of National Chemical Safety scheme, the reduction of chemical risks, and the public participation & empowerment.

New chemical notification will be introduced.

Guidances on Risk Assessment and Management have been established for hazardous substances and consumer products.

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?

- *Inter-ministerial Committee for chemical policy development*
- *Standing Committees, established by chemical-related legislation [refer to item 1](#)*

The above-mentioned committees are responsible for creating administrative and legislative measures to protect public health and the environment from chemical threats.

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?

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

Please check all that apply.

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

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

- *Risk assessment, when feasible, is applied for decision making on the registration of pesticides, household & health products.*
- *Business and Public Interest groups have been increasingly involved in the process of chemical policy and legislative development.*

c. How are gaps in knowledge addressed?

Please check all that apply.

- | | |
|-------------------------------------|--|
| <input checked="" type="checkbox"/> | ○ Though conservative risk assessment assumptions |
| <input type="checkbox"/> | ○ Through safety factors |
| <input type="checkbox"/> | ○ Through modeling techniques |
| <input checked="" type="checkbox"/> | ○ Through an assumption that lack of information is indication of potential harm |
| <input type="checkbox"/> | ○ Through requesting additional research |
| <input type="checkbox"/> | ○ Gaps are not addressed |

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

- *Risk assessment assumptions, based on worst case scenario, have been applied for protecting vulnerable populations, particularly children.*
- *In most cases, registration can not be granted when there is insufficient information regarding chemical hazard.*

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?

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

Please check all that apply.

- | | |
|-------------------------------------|--|
| <input type="checkbox"/> | ○ Government concern over hazards and/or exposures |
| <input type="checkbox"/> | ○ Stakeholder concerns over the particular threat |
| <input checked="" type="checkbox"/> | ○ International policy requirements/pressures |
| <input checked="" type="checkbox"/> | ○ Negative impacts/experience(s) from not acting on a previous chemical risk |
| <input type="checkbox"/> | ○ Other |

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

- *Beta-agonist drug and anti-biotic residues in meat and seafood.*

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

- *International trade pressure and highthened public awareness has driven government decision and action to control drug residues in foods. Since 2002, Thai government has strictly controlled the importation of 16 pharmaceutical chemicals to prevent the abuse in animal farming, and conducted national-wide mornitoring programme of chemical contamination in foods.*

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 checked="" type="checkbox"/>	Economic impacts	<input type="checkbox"/>
Improved government/industry image	<input checked="" type="checkbox"/>	Substitutes/alternatives did not work	<input type="checkbox"/>
Improved government/public morale	<input 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.

Economic benefit: *Reduction of trade pressure from EU*

Government Administrative & Public Health benefit:

Improvement of National Food Safety Scheme

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

Positive – please describe

- *Consumer & Public Awareness in related issues has been significantly increased.*
- *Research on safer alternatives used in livestock farming and aquaculture has been promoted.*

Negative - please describe

- *Illegal importation and use of beta-agonist drugs and antibiotics in animal farming.*

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

- *Potassium Chlorate was misused in agriculture for longan plantation, and improper storage & handling resulted in severe accidents of explosion and fire.*

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

- *Apart from the regulation of Potassium Chlorate under Armament Control Act 1987 by Ministry of Defence, Ministry of Agriculture and Cooperatives has strictly controlled the production and registration of plant growth regulator formula having Potassium Chlorate not more than 15% as active ingredient and fire retardant, since 2006.*

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.

- *Several inter-ministerial committees for chemical policy and legislative development usually welcome concerns raised by stakeholders in order to improve their decision and action to protect public health and environment from chemical hazards.*

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?

- *Other challenges include low public awareness & concern, and insufficient leadership in applying precaution in the field of chemical safety.*

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.

- | | | |
|-----------------------|---|-------------------------------------|
| <input type="radio"/> | Data on chemical toxicity/risks | <input checked="" type="checkbox"/> |
| <input type="radio"/> | Tools for prioritization | <input type="checkbox"/> |
| <input type="radio"/> | Tools for risk assessment | <input type="checkbox"/> |
| <input type="radio"/> | Decision-making tools/frameworks | <input checked="" type="checkbox"/> |
| <input type="radio"/> | Technical assistance in risk assessment processes | <input checked="" type="checkbox"/> |
| <input type="radio"/> | Technical assistance in risk management processes | <input checked="" type="checkbox"/> |
| <input type="radio"/> | Financial support for implementation | <input type="checkbox"/> |
| <input type="radio"/> | International dialogue | <input type="checkbox"/> |
| <input type="radio"/> | Information sharing to facilitate understanding of the issues | <input type="checkbox"/> |
| <input type="radio"/> | Other | <input type="checkbox"/> |

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

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.

- *For most of developing countries, Precaution is not considered as a priority for national agenda, but sometimes recognized as a tool for trade barrier set by developed countries.*

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.

Developed countries, when applying precaution, should place restrictions on export of those banned chemicals / products , in order to prevent the movement of such risky chemicals and products to developing countries.

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