NOTIFICATION

The following notification is being circulated in accordance with Article 10.6

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| **1.** | **Notifying Member:** CHILE  **If applicable, name of local government involved (Articles 3.2 and 7.2):** |
| **2.** | **Agency responsible:**  *Servicio Agrícola y Ganadero*, SAG (Agriculture and Livestock Service)  **Name and address (including telephone and fax numbers, email and website addresses, if available) of agency or authority designated to handle comments regarding the notification shall be indicated if different from above:**  *Subsecretaría de Relaciones Económicas Internacionales,* SUBREI *- Ministerio de Relaciones Exteriores de Chile* (Under-Secretariat for International Economic Relations, Ministry of Foreign Affairs of Chile) |
| **3.** | **Notified under Article 2.9.2 [X], 2.10.1 [ ], 5.6.2 [ ], 5.7.1 [ ], 3.2 [ ], 7.2 [ ], other:** |
| **4.** | **Products covered (HS or CCCN where applicable, otherwise national tariff heading. ICS numbers may be provided in addition, where applicable):** Agricultural pesticides |
| **5.** | **Title, number of pages and language(s) of the notified document:** *Prohíbe la fabricación, importación, exportación, distribución, venta, tenencia y uso de plaguicidas que indica; y ordena actualizar listados sistematizados de plaguicidas Prohibidos con sustancias activas y con productos formulados; y modifica resoluciones que indica* (Prohibiting the manufacture, import, export, distribution, sale, possession and use of the pesticides indicated; ordering the updating of systematized lists of prohibited pesticides with active substances and formulated products; and amending the resolutions indicated) (6 pages, in Spanish) |
| **6.** | **Description of content:** The notified measure is intended to prohibit pesticide active substances listed in Annex III of the Rotterdam Convention owing to their undesirable effects on human, animal and environmental health and, in addition, an active substance listed in Annex A to the Stockholm Convention.  None of the pesticides that are prohibited are sold in existing products and none have ever been authorized for use in Chilean agriculture.  Through this measure, the Agriculture and Livestock Service (SAG) prohibits the manufacture, import, distribution, sale, possession and application of the following pesticides: binapacryl, captafol, chlorobenzilate, ethylene dichloride, DNOC and its salts, dinoseb and its salts and esters, fluoroacetamide, phorate, phosphamidon, HCH, monocrotophos, ethylene oxide, trichlorfon and dicofol. It also prohibits the manufacture, import, distribution, sale, possession and application of dry powder (DP) formulations with ≥ 7% of benomyl, ≥ 10% of carbofuran and ≥ 15% in thiram.  The proposed measure draws up two systematized lists of prohibited pesticides, one list of active substances, which may be in any formulation, and another list of formulated products whose formulations are hazardous, even if their active substances are not prohibited, taking account of the original administrative acts.  The creation of this list facilitates coordination between the SAG, the National Customs Service, the Ministry of Health, the Ministry of the Environment, the National Fisheries Service, the National Customs Directorate and the Directorate-General of the Maritime Territory and Merchant Marine, and provides systematized information for enterprises holding pesticides authorizations, as well as non-governmental organizations, universities and think tanks, and generally for any persons interested in the area of pesticides for agricultural use.  Further details can be reviewed in the document attached to this notification. |
| **7.** | **Objective and rationale, including the nature of urgent problems where applicable:** Protection of human health or safety; Protection of animal or plant life or health; Protection of the environment |
| **8.** | **Relevant documents:**  *Ley N° 18.755 Orgánica del Servicio Agrícola y Ganadero*; *Ley Nº 4.601 sobre Caza*; *Ley Nº 20.089 que Crea Sistema de Certificación de productos Orgánicos Agrícolas*; *Decreto Ley N° 3.557 de 1980 sobre Protección Agrícola*; *Decreto con Fuerza de Ley R.R.A. del Ministerio de Hacienda Nº 16 de 1963 sobre Sanidad y Protección Animal*;  *Decretos del Ministerio de Relaciones Exteriores N°s 38 de 2005, que promulga el Convenio de Estocolmo, y 37 de 2005, que promulga el Convenio de Róterdam; los decretos Nº 719, de 1990, Nº 238, de 1990, Nº 1.536, de 1991, Nº 735, de 1994, Nº 483, de 1996, Nº 387, de 2000 y Nº179, de 2002, todos del Ministerio de Relaciones Exteriores, que promulgaron, respectivamente, el Convenio de Viena para la Protección de la Capa de Ozono y sus Anexos I y II; el Protocolo de Montreal Relativo a las Sustancias Agotadoras de la Capa de Ozono y sus sucesivas Enmiendas de Londres, de Copenhague, de Viena, de Montreal y de Beijing; el DS Nº 75 de 2012 del Ministerio Secretaría General de la Presidencia, las Resoluciones del SAG Nºs 1.557 de 2014; 1.819 de 2005, 7.136 de 2005, 3.577 de 2006, 1.404 de 2003, 432 de 2015, 1.720 de 1982; 639 de 1984; 2.142 de 1987; 2.003 de 1988; 1.573 de 1989; 996 de 1993; 3.195 de 1994; 2.179 de 1998; 2.180 de 1998; 312 de 1999; 90 de 2002; 91 de 2002, 78 de 2004, 8.231 de2011, 6.129 de 2017, 4.245 de 2019, 5.328 de 2022 y 5.810 de 2022*.  Decision RC-1/3: Amendments to Annex III, which includes binapacryl, DNOC, dinoseb and dinoseb salts, ethylene dichloride, monocrotophos and ethylene oxide, and dry powder (DP) formulations with ≥ 7% benomyl, ≥ 10% carbofuran and ≥15% thiram; Decision RC-8/3: Inclusion of trichlorfon in Annex III to the Rotterdam Convention; and Decision RC-9/4: Inclusion of phorate in Annex III to the Rotterdam Convention. Decision SC-9/11, which includes dicofol in Annex A to the Stockholm Convention. |
| **9.** | **Proposed date of adoption:** 60 days from the date of publication of the notification  **Proposed date of entry into force:** 60 days from the date of publication of the notification |
| **10.** | **Final date for comments:** 60 days from notification |
| **11.** | **Text available from: National enquiry point [ ] or address, telephone and fax numbers and email and website addresses, if available, of other body:**  Subsecretaría de Relaciones Económicas Internacionales - Ministerio de Relaciones Exteriores de Chile  Teatinos 180, piso 11  Tel.: (+56) 2 2827 5250 Fax: (+56) 2 2380 9494  Email: [tbt\_Chile@subrei.gob.cl](mailto:tbt_Chile@subrei.gob.cl)  <https://members.wto.org/crnattachments/2023/TBT/CHL/23_0989_00_s.pdf> |