

Regulatory Alert

Global Environmental and Chemical Regulations, Policies, and Standards

**Alert
15.2**



Stockholm Convention 2019 Amendment - Update

Region: Global

WHY IS THIS ALERT IMPORTANT?

This updated alert provides a status of Parties that had ratified the Conventions since the 28 August 2019 amendment to the Convention, updates Annex A, and provides an update on the Australian regulations concerning POPs. [The updates from the previously published alert are shown herein in green.](#)

The Stockholm Convention on Persistent Organic Pollutants (POPs) was adopted in 2001 and entered into force on 17 May 2024. This global treaty aims to protect human health and the environment from harmful chemicals that persist in the environment. The Convention requires parties to eliminate and/or reduce POPs, which are considered to have a potential to cause significant health effects.

The Stockholm Convention is managed by the United Nations Environment Program (UNEP). The role of Convention Parties is to implement the obligations of the Convention that include 1) eliminating or restricting the production and use of POPs, 2) prohibiting and eliminating production and use or import of POPs, 3) conducting research, identifying areas contaminated with POPs, and 4) providing financial support and incentives for the Convention.

INTENDED AUDIENCE

This Regulatory Alert is intended for IAEG members and their supply chain who manufacture, import, export or use persistent organic pollutants (POPs) on their own, in mixtures, and in articles.

EXECUTIVE SUMMARY

On 28 August 2019, Annexes A and B of the Stockholm Convention¹ were amended with the following substances:

- » Annex A: Dicofol, Perfluorooctanoic acid (PFOA), its salts and PFOA-related compounds
- » Annex B: Perfluorooctane sulfonic acid (PFOS), its salts and perfluorooctane sulfonyl fluoride

¹ The Stockholm Convention is an international treaty that defines measures to eliminate or restrict the production and use of POPs. When a substance is listed under Annex A of the Stockholm Convention, the parties to the Convention must take measures to eliminate the production and use of it. Specific exemptions for use or production are listed in the Annex and apply only to the parties that registered for them. When a substance is listed under Annex B, the Parties must take measures to restrict the production and use of it, considering any applicable acceptable purposes and/or specific exemptions listed in the Annex. The import and export of chemicals listed in Annexes A and B can take place under specific restrictive conditions, as set out in Paragraph 2 of Article 3.

The restriction of these substances was ratified on 3 December 2020 by most countries party to the Stockholm Convention.

BACKGROUND ON REGULATION

Background:

The Stockholm Convention requires that Parties to the treaty take measures to eliminate or restrict the production and use of certain hazardous chemicals on the list of POPs in the Convention.

The list of POPs is distributed between three annexes with measures that must be taken to:

- » eliminate the production and use of these chemicals – Annex A
- » restrict the production and use of these chemicals – Annex B
- » reduce the unintentional releases of these chemicals – Annex C

Signatory countries ratify the Stockholm Convention through national law.

The following countries have not ratified the Stockholm Convention: USA, Italy², Malaysia, Israel, Haiti, and Brunei.

Definitions:

- » Parties: defined as a State or regional economic integration organization that has consented to be bound by this Convention and for which the Convention is in force
- » Persistent Organic Pollutants: defined as hazardous organic chemical substances that adversely affect human health and the environment around the world
- » Secretariat: headed by the Secretary-General, the organ that administers and coordinates the activities of the United Nations

APPLICABILITY

The Stockholm Convention applies to the production and use of POPs on their own, in mixtures, and in articles.

- » The production, use, import and export of chemicals in Annex A is prohibited, except for permitted uses detailed in Annex A, or export to a country not bound by the Convention with the provision of certification specifying the intended use of the chemical.
- » The production, use, import and export of chemicals in Annex B is restricted unless specific exemptions or acceptable uses apply.

General exclusions to the prohibition include the use of the substance for laboratory-scale research or as a reference standard.

Chemicals listed in Annex A and Annex B may be imported or exported for the purpose of environmentally sound disposal.

² As a European Union (EU) member state, Italy falls under the obligations of EU law.

RELEVANT DATES

- » Stockholm Convention adopted: 22 May 2001
- » Stockholm Convention in force: 17 May 2004
- » Substances (Dicofol, PFOA, PFOS) added to the Stockholm Convention: 28 August 2019
- » Substances (Dicofol, PFOA, PFOS) ratified by majority of Parties: 3 December 2020³
- » Perfluorohexane sulfonic acid (PFHxS) added to the Stockholm Convention: 16 November 2023

REGULATORY OBLIGATIONS

Obligations:

- » Substances listed under Annexes A or B must not be manufactured, imported, used, or transferred except for the specified allowable uses or exemptions.
- » In the case of stockpiles including products or articles upon becoming wastes, containing, or contaminated with a chemical in Annex A, B or C, appropriate strategies must be implemented to identify, manage, and destroy the chemicals in an environmentally sound manner.
- » Manufacturers must adhere to any rules involving the unintentional release of substances listed in Annex C.
- » Manufacturers and importers must follow any further measures made under amendments to the convention to minimize the release of POPs.
- » Equipment containing greater than 0.05% polychlorinated biphenyls and volumes greater than 5 liters must be labelled.
- » Annexes A and B set forth a number of specific exemptions (see “Useful Links” section below) for which Parties may register by means of a notification in writing to the Secretariat.
- » To Parties that are registered for the specific exemptions, any expanded polystyrene and extruded polystyrene containing hexabromocyclododecane must be easily identified by labelling.
- » To Parties that are registered for the exemption, any utility poles and cross-arms containing pentachlorophenol can be easily identified by labelling.

Initially twelve POPs were regulated by the Stockholm Convention. These were:

- » Annex A: aldrin, chlordane, dieldrin, endrin, heptachlor, mirex, toxaphene
- » Annex B: dichloro-diphenyl-trichloroethane (DDT)
- » Annex C: hexachlorobenzene (HCB), polychlorinated biphenyls (PCBs), polychlorinated dibenzo-p-dioxins (PCDD), polychlorinated dibenzofurans (PCDF)

Amendments:

Amendments to the Annexes of the Stockholm Convention enter into force, for all parties, one year after the date of their communication unless 1) a party opts out of the amendment within the one-year period, or 2) a party has not deposited an instrument of ratification, acceptance, approval, or accession with respect to these amendments (known as opt in parties).

The following substances were added to the Stockholm Convention on 28 August 2019. The restriction of these substances was ratified by most countries party to the Stockholm Convention on 3 December 2020.

³ See the updated section below for additional ratifications by additional Parties.

- » Annex A: dicofol, perfluorooctanoic acid (PFOA), its salts, and PFOA-related compounds
- » Annex B: perfluorooctane sulfonic acid (PFOS), its salts, and perfluorooctane sulfonyl fluoride (POSF)

The following countries are parties to the Stockholm Convention and have not yet fully ratified the 28 August 2019 amendment⁴ with some exceptions: Argentina, Australia, Bahrain, Bangladesh, Botswana, Canada, China, Guatemala, India, Japan, Mauritius, Micronesia, Republic of Moldova, Slovenia, South Korea, Uzbekistan, Vanuatu, and Venezuela. Japan has ratified only for PFOS.

The text of the Convention with the 2019 Amendments adopted has been finalized and is available on the Convention website.

Update on the 28 August 2019 amendment

- » Argentina: Ratified for both Dicofol and PFOS (Effective: 06 April 2023)
- » Bangladesh: Ratified for both Dicofol and PFOS (Effective: 02 February 2023)
- » Canada: Ratified only for Dicofol (Effective: 1 August 2022)
- » Slovenia: Ratified for both Dicofol and PFOS (Effective: 20 November 2023)
- » Japan: Ratified for Dicofol (Effective: 24 October 2023)
- » Republic of Korea: Ratified for both Dicofol and PFOS (Effective: 3 June 2021)

Update to Annex A

Perfluorohexane sulfonic acid (PFHxS), its salts and PFHxS-related compounds have been added (Effective: 16 November 2023). The Annex has also been updated to include dechlorane plus and UV-328 adopted by the Conference in June 2023 but has yet to enter into force.

Update: Australia

The Australian government strengthened regulations on POPs with the Industrial Chemicals Environment Management (Register) Amendment (2023 Measures No. 1) Instrument 2023. Published in December 2023, the Instrument adds various POPs to Schedules 6 and 7 of the Industrial Chemicals Environment Management (IChEMS) Register 2022, restricting or prohibiting their manufacture, import, and use. Schedule 6 lists industrial chemicals likely to cause serious environmental harm with essential uses, and Schedule 7 lists chemicals with no essential uses. The restrictions are phased in, with some chemicals coming into effect on the first day of July 2023, 2024, and 2025. More information on the specific chemicals and regulations can be found in the [Federal Register of Legislation](#).

RISKS TO AEROSPACE AND DEFENSE

Specific acceptable purposes and exemptions that are directly relevant to the aerospace industry include:

- » PFOA, its salts, and PFOA-related compounds- in fire-fighting foam, textiles for oil and water repellency
- » PFOS, its salts and POFS - in aviation hydraulic fluids
- » PFHxS, its salts, and PFHxS related compounds – in fire-fighting foam and surfactant in industrial processes

⁴ See the updates below on the status of ratification.

Regulatory Alert



Failure to comply with the provisions of the Stockholm Convention poses risks for reputational damage, closure of facility and/or high fines, and varies by Party.

USEFUL LINKS

- » [Stockholm Convention](#)
- » [Specific Exemptions](#)**Error! Hyperlink reference not valid.**
- » [Chemicals Proposed for Listing under the Convention](#)
- » [Status of Ratification by Country](#)

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