

A GUIDE FOR PRODUCERS AND USERS  
OF CHEMICALS ON MAKING DECLARATIONS





## 1 WHAT IS THE CHEMICAL WEAPONS CONVENTION?

The Chemical Weapons Convention (CWC) covers **ALL TOXIC CHEMICALS** and their precursors. It is the most intrusive arms control treaty ever agreed and is the first arms control treaty to impose a verifiable ban on an entire category of weapons of mass destruction.

The UK played a major part in the negotiation of this important Convention which has been signed by more than 170 countries; the UK does not possess chemical weapons and has not done so since the 1950s.

## 2 AM I COVERED BY THE CWC?

The CWC will affect any site in the UK which, as part of its legitimate business:

- **PRODUCES, PROCESSES OR CONSUMES** any of the chemicals listed in Schedule 1 or Schedule 2
- **PRODUCES** any of the chemicals listed in Schedule 3
- **PRODUCES** by synthesis a “discrete organic chemical”

Thus the chemical industry and its close relatives in the agrochemical and pharmaceutical businesses bear the brunt of the data reporting and inspection obligations. Other sectors of industry may also be affected.

**CHECK SCHEDULES 1, 2, 3 AND DISCRETE ORGANIC CHEMICALS ON PAGES 4 - 9**

## 3 HOW DOES THE CWC WORK?

The CWC requires each country to submit detailed **ANNUAL DECLARATIONS** on activities relating to chemicals of concern.

Internationally, the CWC is overseen by the Organisation for the Prohibition of Chemical Weapons (OPCW), which is based in The Hague.

## 4 WHAT DO I HAVE TO DO?

If you think you may need to make a declaration: **CONTACT THE NATIONAL AUTHORITY AT THE DEPARTMENT OF TRADE AND INDUSTRY (DTI)** who will provide:

- the necessary forms
- Information on how to complete them

The CWC requires the UK to make a number of declarations. The DTI, as the CWC National Authority, will gather the necessary information from industry and from other Government departments to enable these declarations to be made. Declarations cover past and anticipated activity. The former is declared to the OPCW in the Annual Past Declaration by the end of March each year and the latter in the Annual Anticipated Declaration by the beginning of November each year.

**FAILURE TO DISCLOSE INFORMATION TO THE DTI OR THE DISCLOSURE OF FALSE OR MISLEADING INFORMATION CARRIES SEVERE PENALTIES**

## 5 WHAT ABOUT CONFIDENTIALITY?

The OPCW has stringent rules for handling information. Many companies will be concerned about releasing information which may be the result of expensive research or may be useful to competitors. The OPCW rules are designed to prevent the inadvertent disclosure of information to third parties.

The Chemical Weapons Act 1996 makes the unauthorised disclosure in the UK of information obtained under the Act - with exceptions in certain clearly defined circumstances - a criminal offence. Companies have the right to take measures to protect commercially confidential information and data not relevant to the purposes of the CWC.

**YOU WILL BE ASKED TO INDICATE WHICH INFORMATION SHOULD BE PROTECTED**

## 6 WILL MY PLANT BE INSPECTED?

The criteria for inspections are described in the DTI leaflet entitled 'An Inspector Calls! - Your Company Site and the Chemical Weapons Convention'.

## 7 WHAT DO I HAVE TO DO DURING AN INSPECTION?

You will be required to **GIVE SITE ACCESS TO INTERNATIONAL INSPECTORS** who will be accompanied by National Authority escort staff. The Inspectors will want to interview personnel, inspect records and see relevant parts of the site.

You will have to provide sufficient staff to accompany the inspection team (including a liaison officer if possible) and you will need to ensure that your health and safety responsibilities are fulfilled.

The aforementioned DTI leaflet provides more detailed advice.

## 8 WHAT HELP CAN I EXPECT FROM THE DTI?

The DTI gives general advice on the implications for industry of the CWC.

There is a legal responsibility on industry to make accurate declarations and receive inspections. **HOWEVER:**

- The DTI is responsible for ensuring that accurate declarations are lodged promptly with the OPWC
- The DTI provides the necessary declarations forms and advises on the correct way to present returns.
- The DTI is the first point of contact for incoming inspection teams.
- The DTI ensures that industry is not left to cope alone with inspection teams.

## 9 WHERE CAN I GET HELP?

A DTI Helpline Service is available from:

The CWC National Authority  
Department of Trade & Industry  
Bay 101  
4 Abbey Orchard Street  
London SW1P 2HT

Tel: 020 7215 0697

Fax: 020 7215 0695

Website:

[www.dti.gov.uk/non-proliferation/cwcna](http://www.dti.gov.uk/non-proliferation/cwcna)

### Notes:

Whenever reference is made to groups of dialkylated chemicals, followed by a list of alkyl groups in parentheses, all chemicals possible by all possible combinations of alkyl groups listed in the parentheses are considered as listed in the respective Schedule as long as they are not explicitly exempted.

“Discrete Organic Chemical” means any chemical belonging to the class of chemical compounds consisting of all compounds of carbon except for its oxides, sulfides and metal carbonates, identifiable by chemical name, by structural formula, if known, and by Chemical Abstracts Service registry number, if assigned.

For the purposes of the CWC “discrete organic chemical” means ALL organic chemicals EXCEPT those which are solely hydrocarbons or explosives. Plant sites that produce exclusively explosives or hydrocarbons need not, therefore, be declared.

## CHEMICALS

Chemical of concern	Chemical abstract service number (CAS)	Annual production, processing, or consumption over which declarations are required
Schedule 1		
<b>A TOXIC CHEMICALS</b>		
1 O-Alkyl ( $\leq C_{10}$ , incl cycloalkyl) alkyl (Me, Et, n-Pr or i-Pr)- phosphonofluoridates eg Sarin: O-Isopropyl methylphosphonofluoridate Soman: O-Pinacolyl methylphosphonofluoridate	(107-44-8) (96-64-0)	100 grammes
2 O-Alkyl ( $\leq C_{10}$ , incl cycloalkyl) N,N-dialkyl (Me, Et, n-Pr or i-Pr) phosphoramidocyanidates eg Tabun: O-Ethyl N,N-dimethyl phosphoramidocyanidate	(77-81-6)	100 grammes
3 O-Alkyl ( H or $\leq C_{10}$ , incl cycloalkyl) S-2-dialkyl (Me, Et, n-Pr or i-Pr)-aminoethyl alkyl (Me, Et, n-Pr or i-Pr) phosphonothiolates and corresponding alkylated or protonated salts eg VX: O-Ethyl S-2-diisopropylaminoethyl methyl phosphonothiolate	(50782-69-9)	100 grammes
4 Sulfur mustards: 2-Chloroethylchloromethylsulfide Mustard gas: Bis(2-chloroethyl)sulfide Bis(2-chloroethylthio)methane Sesquimustard: 1,2-Bis(2-chloroethylthio)ethane 1,3-Bis(2-chloroethylthio)-n-propane 1,4-Bis(2-chloroethylthio)-n-butane 1,5-Bis(2-chloroethylthio)-n-pentane Bis(2-chlorethylthiomethyl)ether O-Mustard: Bis(2-chloroethylthioethyl)ether	(2625-76-5) (505-60-2) (63869-13-6) (3563-36-8) (63905-10-2) (142868-93-7) (142868-94-8) (63918-90-1) (63918-89-8)	100 grammes
5 Lewisites: Lewisite 1: 2-Chlorovinylchloroarsine Lewisite 2: Bis(2-chlorovinyl)chloroarsine Lewisite 3: Tris(2-chlorovinyl)arsine	(541-25-3) (40334-69-8) (40334-70-1)	100 grammes

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Chemical of concern	Chemical abstract service number (CAS)	Annual production, processing, or consumption over which declarations are required
<p>6 Nitrogen mustards:                      HN1: Bis(2-chloroethyl)ethylamine                      HN2: Bis(2-chloroethyl)methylamine                      HN3: Tris(2-chloroethyl)amine</p> <p>7 Saxitoxin</p> <p>8 Ricin</p>	<p>(538-07-8)                      (51-75-2)                      (555-77-1)</p> <p>(35523-89-8)</p> <p>(9009-86-3)</p>	<p>100 grammes</p> <p>100 grammes</p> <p>100 grammes</p>
<b>B PRECURSORS</b>		
<p>9 Alkyl (Me, Et, n-Pr or i-Pr) phosphonyldifluorides                      eg DF: Methylphosphonyldifluoride</p> <p>10 O-Alkyl (H or (<math>\leq</math>C10, incl cycloalkyl) 0-2-dialkyl                      (Me, Et, n-Pr or i-Pr)-aminoethyl alkyl                      (Me, Et, n-Pr or i-Pr) phosphonites                      and corresponding alkylated or protonated salts                      eg QL: O-Ethyl 0-2-diisopropylaminoethyl                      methylphosphonite</p> <p>11 Chlorosarin: O-Isopropyl                      methylphosphonochloridate</p> <p>12 Chlorosoman: O-Pinacolyl                      methylphosphonochloridate</p>	<p>(676-99-3)</p> <p>(57856-11-8)</p> <p>(1445-76-7)</p> <p>(7040-57-5)</p>	<p>100 grammes</p> <p>100 grammes</p> <p>100 grammes</p> <p>100 grammes</p>

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Schedule 2		
<b>A TOXIC CHEMICALS</b>		
1 Amiton: 0,0-Diethyl S-[2-(diethylamino)ethyl] phosphorothiolate and corresponding alkylated or protonated salts	(78-53-5)	100Kg
2 PFIB: 1,1,3,3,3-Pentafluoro-2-(trifluoromethyl)-1-propene	(382-21-8)	100Kg
3 BZ: 3-Quinuclidinyl benzilate(*)	(6581-06-2)	1 Kg
<b>B PRECURSORS</b>		
4 Chemicals, except for those listed in Schedule 1, containing a phosphorus atom to which is bonded one methyl, ethyl or propyl (normal or iso) group but not further carbon atoms, eg Methylphosphonyl dichloride Dimethyl methylphosphonate Exemption: Fonofos: O-Ethyl S-phenyl ethylphosphonothiolothionate	(676-97-1) (756-79-6) (944-22-9)	1 tonne
5 N,N-Dialkyl (Me, ET, n-Pr or i-Pr) phosphoramidic dihalides		1 tonne
6 Dialkyl (Me, ET, n-Pr or i-Pr) N, N-dialkyl (Me, ET, n-Pr or i-Pr)-phosphoramidates		1 tonne
7 Arsenic trichloride	(7784-34-1)	1 tonne

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8 2,2-Diphenyl-2-hydroxyacetic acid	(76-93-7)	1 tonne
9 Quinuclidine-3-ol	(1619-34-7)	1 tonne
10 N,N-Dialkyl (Me, ET, n-Pr or i-Pr) aminoethyl-2-chlorides and corresponding protonated salts		1 tonne
11 N,N-Dialkyl (Me, ET, n-Pr or i-Pr) aminoethane-2-ols and corresponding protonated salts		1 tonne
Exemptions: N,N-Dimethylaminoethanol and corresponding protonated salts	(108-01-0)	
N,N-Diethylaminoethanol and corresponding protonated salts	(100-37-8)	
12 N,N-Dialkyl (Me, ET, n-Pr or i-Pr) aminoethane-2-thiols and corresponding protonated salts		1 tonne
13 Thiodiglycol: Bis(2-hydroxyethyl) sulfide	(111-48-8)	1 tonne
14 Pinacolyl alcohol: 3,3-Dimethylbutane-2-ol	(464-07-3)	1 tonne

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Chemical of concern	Chemical abstract service number (CAS)	Annual production over which declarations are required
Schedule 3		
<b>A TOXIC CHEMICALS</b>		
1 Phosgene: Carbonyl dichloride	(75-44-5)	30 tonnes
2 Cyanogen chloride	(506-77-4)	30 tonnes
3 Hydrogen cyanide	(74-90-8)	30 tonnes
4 Chloropicrin: Trichloronitromethane	(76-06-2)	30 tonnes
<b>B PRECURSORS</b>		
5 Phosphorus oxychloride	(10025-87-3)	30 tonnes
6 Phosphorus trichloride	(7719-12-2)	30 tonnes
7 Phosphorus pentachloride	(10026-13-8)	30 tonnes
8 Trimethyl phosphite	(121-45-9)	30 tonnes
9 Triethyl phosphite	(122-52-1)	30 tonnes
10 Dimethyl phosphite	(868-85-9)	30 tonnes
11 Diethyl phosphite	(762-04-9)	30 tonnes
12 Sulfur monochloride	(10025-67-9)	30 tonnes
13 Sulfur dichloride	(10545-99-0)	30 tonnes
14 Thionyl chloride	(7719-09-7)	30 tonnes
15 Ethyldiethanolamine	(139-87-7)	30 tonnes
16 Methyl-diethanolamine	(105-59-9)	30 tonnes
17 Triethanolamine	(102-71-6)	30 tonnes

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Chemical of concern	Chemical abstract service number (CAS)	Annual production over which declarations are required
Unscheduled Discrete Organic Chemicals Discrete organic chemicals which include the elements phosphorus, sulfur, or fluorine Other discrete organic chemicals		30 tonnes  200 tonnes

