



IPEN Guide to Listing PFOS in Annex A or Annex B

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The POPs Review Committee (POPRC) recommended that the Conference of Parties (COP) decide whether PFOS and PFOSF should be listed in Annex A, the elimination annex, or Annex B, which would subject the substances to restrictions but not necessarily elimination. IPEN believes that PFOS and PFOSF should be listed in Annex A.

An Annex B listing would allow a potentially very large number of uses for “acceptable purposes”, and permit them to continue for an indefinite period of time. This would result in substantial and continuing increases in the amount of extremely persistent PFOS accumulating in the global environment.¹ An Annex A listing, on the other hand, would still permit continued use of PFOS for specific exempted applications where technically feasible alternatives are not available. However, the exempted uses would need to be listed in a Register of specific exemptions, would be time-limited, and could be renewed only by action of the COP.

An Annex A listing for PFOS and PFOSF is most appropriate because Annex B is best suited to substances that have an essential public health use or some other equivalently essential use for which restriction, rather than elimination, is appropriate. Currently, only DDT is listed in Annex B, and its use is restricted to disease vector control in accordance with WHO recommendations and guidelines. None of the current candidate substances before the POPRC, including PFOS, are required for public health or some other equivalently essential use. All legitimate issues regarding phase-out periods or exemptions for PFOS can be adequately handled by an Annex A listing.

	Annex A	Annex B
Type of substance	Intentionally produced	Intentionally produced
Objective	Elimination of production, use, import, and export	Restriction of production and use for acceptable purposes
Exemptions possible?	Yes	Yes
Exemption process	Specific exemption: Register (Article 4); five year period; can be extended by decision of the COP	Same as in Annex A
Acceptable purposes	No, because goal is elimination; uses for which there are no current alternatives are handled by specific exemptions	Yes, decided by COP; open-ended time period with the goal of reduction and ultimately elimination
Use of substance as a closed system site-limited intermediate²	Permitted for 10 years; can be extended unless COP decides otherwise	Same as in Annex A
Substances currently listed	Aldrin, Chlordane, Dieldrin, Endrin, Heptachlor, Hexachlorobenzene (HCB), Mirex, Toxaphene, Polychlorinated Biphenyls (PCBs)	DDT for use in disease vector control in accordance with WHO guidelines (Annex B Part II)

¹ PFOS “has not shown any degradation in tests of hydrolysis, photolysis or biodegradation in any environmental condition tested.” UNEP/POPS/POPRC.3/20/Add.5

² Currently the only POPs for which this category of exemption can be applied are DDT and HCB. They must be used as an intermediate ingredient in the production of another chemical; both production and use must take place at the same location (site-limited); the production and use must take place in a closed-system; no significant quantities of the DDT or HCB should reach humans and the environment; and the DDT or HCB must be chemically transformed during its use so that the final chemical produced by the process does not exhibit POPs characteristics.