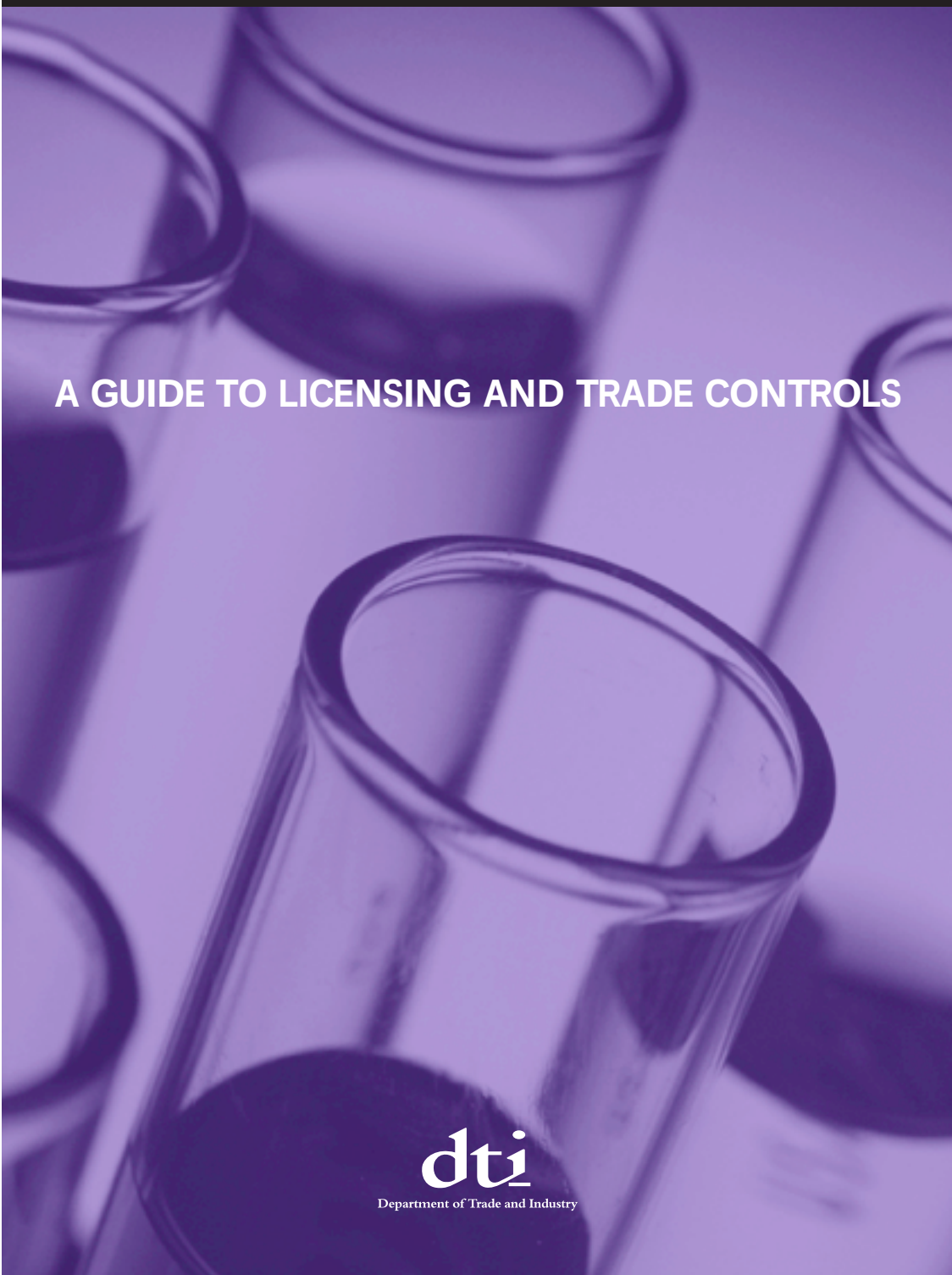
CHEMICAL WEAPONS CONVENTION

A GUIDE TO LICENSING AND TRADE CONTROLS



dti

Department of Trade and Industry

1 WHAT IS THE CHEMICAL WEAPONS CONVENTION?

The Chemical Weapons Convention (CWC) is an international arms control treaty, designed to eliminate an entire class of weapons of mass destruction. However, as many chemicals with legitimate peaceful uses can also be used as chemical weapons, the CWC has implications for both industry and the academic community.

2 WILL THE CHEMICAL WEAPONS CONVENTION AFFECT ME?

The Chemical Weapons Act 1996 (the CW Act) introduced a number of controls on Schedule I chemicals to ensure that the UK can comply with its obligations under the CWC. If you produce, possess, or use any of the Schedule 1 chemicals listed in the table on pages 4-5, you must be covered by a licence from the UK CWC National Authority which is vested in the Department of Trade and Industry (DTI).

3 ARE THERE ANY RESTRICTIONS ON THE USE OF THE SCHEDULE 1 CHEMICALS?

To ensure that the UK can comply with its obligations under the CWC, we must restrict any activity involving Schedule 1 chemicals to certain permitted purposes. These are pharmaceutical, research and medical purposes and purposes related to protection against toxic chemicals. Licences will be issued only for these activities.

4 WHEN DID THE LICENSING OF SCHEDULE 1 CHEMICALS COMMENCE?

After the CW Act came into force on 16 September 1996, Schedule 1 chemicals became subject to control by an Interim Open General Licence and could only be used for permitted purposes. From 1 January 1997, the possession, use and production of Schedule 1 chemicals have been subject to formal licensing by the CWC National Authority.

5 WHAT ARE THE DIFFERENT TYPES OF LICENCES?

Open General Licence

The Open General Licence (OGL) permits those registered under it to produce, have in their possession and use up to an aggregate of 5g of any Schedule 1 chemical in a calendar year. Those wishing to operate under the OGL must notify the CWC National Authority. The chemicals must be intended for pharmaceutical, medical or research purposes and must be of a type and quantity demonstrably consistent with that purpose. The OGL also permits possession and use for protective purposes. It does not permit production for protective purposes.

The Open General Licence requires that records be maintained about the production and use of any Schedule 1 chemicals and these records must be open to inspection by the CWC National Authority.

Individual Possession and Use Licence

A Possession and Use Licence will be required if either possession or use of Schedule 1 chemicals is to exceed 5g in a calendar year. An application for this licence must detail the chemicals, their quantities, the location at which they will be held or used, and the purposes for which they are required. When the licence is issued it will state the maximum amount of each Schedule 1 chemical that may be held at any one time.

Detailed records must be maintained about the use of the chemicals specified in the licence. These records must be open to inspection by the CWC National Authority, to whom a copy must also be sent, within 14 days of the expiry of the licence.

Individual Production Licence

A Possession and Use Licence allows Licensees to use and/or to have in their possession specified amounts of Schedule 1 chemicals. However, a separate, additional licence is required to produce a Schedule 1 chemical. An application for a Production Licence must detail the chemical to be produced, the quantity to be produced, when and where it will be produced and the purpose of production. When the licence is issued, it will show the maximum quantity of chemical that may be produced at the specified location in a given period, and will state the purpose of the production.

A Production Licence is required for the production of Schedule 1 chemicals for pharmaceutical, medical or research purposes in excess of 5g in any calendar year. Production for protective purposes will not normally be permitted.

Detailed records must be kept about the production of the chemicals specified in the licence. These records must be open to inspection by the CWC National Authority, to whom a copy must also be sent, within 14 days of the expiry of the licence.

6 TRADE CONTROLS

Import Licence

Any person wishing to import Schedule 1 chemicals must, IN ADDITION, apply for an Import Licence, which may be obtained from the CWC National Authority. An application for an Import Licence must detail the chemical to be imported, the quantity, the proposed date of shipment, the consignor, the country of origin of the chemicals, and the purpose for which it is to be imported. Applications should be made at least 45 days in advance of the proposed date of shipment. Confirmation that the import has taken place must be forwarded to the CWC National Authority, within 14 days of importation.

Export Licences

Export Licences will be issued by the Export Control Organisation, under existing arrangements.

Controls on transfers of Scheduled chemicals

Schedule 1 chemicals may be transferred only to CWC States Parties and only for research, medical, pharmaceutical, or protective purposes. A list of Schedule 1 chemicals is on pages 4 and 5 of this leaflet.

Schedule 2 chemicals may only be transferred to States Parties. Schedule 3 chemicals may, in addition, be transferred to States that are not Party so long as they are to be used only for purposes not prohibited under the CWC. The regulations on Schedule 3 chemicals will be reviewed early in 2002.

A list of Schedule 2 and Schedule 3 chemicals is in the DTI leaflet entitled 'A Guide for Producers and Users of Chemicals on making Declarations'.

7 WHERE CAN I GET FURTHER INFORMATION?

Further information about licensing under the CW Act is available from:

For all but export licences:

CWC National Authority
Department of Trade & Industry
Bay 122
4 Abbey Orchard Street
LONDON SW1P 2HT

Tel: 020 7215 0697
Fax: 020 7215 0695
Website:
www.dti.gov.uk/non-proliferation/cwcna

For export licences:

Export Control Organisation
Department of Trade & Industry
Bay 417
4 Abbey Orchard Street
LONDON SW1P 2HT

Tel: 020 7215 8070
Fax: 020 7215 0558
Email:eco.help@xnpd.dti.gov.uk
Website:
http://www.dti.gov.uk/export.control

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

CHEMICALS			
	Chemical of concern	Chemical abstract service number (CAS)	Annual production, processing, or consumption over which declarations are required
5	Lewisites: Lewisite 1: 2-Chlorovinyldichloroarsine Lewisite 2: Bis(2-chlorovinyl)chloroarsine Lewisite 3: Tris(2-chlorovinyl)arsine	 (541-25-3) (40334-69-8) (40334-70-1)	100 grammes
6	Nitrogen mustards: HN1: Bis(2-chloroethyl)ethylamine HN2: Bis(2-chloroethyl)methylamine HN3: Tris(2-chloroethyl)amine	 (538-07-8) (51-75-2) (555-77-1)	100 grammes
7	Saxitoxin	(35523-89-8)	100 grammes
8	Ricin	(9009-86-3)	100 grammes
B	PRECURSORS		
9	Alkyl (Me, Et, n-Pr or i-Pr) phosphonyldifluorides eg DF: Methylphosphonyldifluoride	 (676-99-3)	100 grammes
10	O-Alkyl (H or ($\leq C_{10}$, 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	 (57856-11-8)	100 grammes
11	Chlorosarin: O-Isopropyl methylphosphonochloridate	(1445-76-7)	100 grammes
12	Chlorosoman: O-Pinacolyl methylphosphonochloridate	(7040-57-5)	100 grammes

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.

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