

SECTION B

INDUSTRIAL DECLARATIONS

(DECLARATIONS DUE UNDER PARTS VII, VIII AND IX
OF
THE VERIFICATION ANNEX)

OPCW

November 2008

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1. Declarations under this section

1.1 Overview of declarations under this section and deadlines for submission

This section of the handbook applies to declarations of activities and facilities related to Schedule 2 and Schedule 3 chemicals, as well as to other chemical production facilities producing unscheduled discrete organic chemicals (DOCs) including DOCs containing the elements phosphorus, sulfur or fluorine (PSF chemicals).

Table 1 below contains a brief summary of the obligations of States Parties with regard to industrial declarations.

Table 1: Declaration requirements and deadlines for submission

| TYPE | DECLARATION REQUIREMENT AND DEADLINES FOR SUBMISSION | | |
|---|--|--|---|
| | Schedule 2 | Schedule 3 | DOC incl. PSF |
| Initial Declarations | Aggregate National Data EIF(SP) + 30 days | Aggregate National Data EIF(SP) + 30 days | |
| | Declarations for Plant Sites EIF(SP) + 30 days | Declarations for Plant Sites EIF(SP) + 30 days | Declarations for Plant Sites EIF(SP) + 30 days |
| Annual Declarations of Past Activities* | Aggregate National Data Year End + 90 days | Aggregate National Data Year End + 90 days | |
| | Declarations for Plant Sites Year End + 90 days | Declarations for Plant Sites Year End + 90 days | Update Year End + 90 days |
| Annual Declarations of Anticipated Activities** | Declarations for Plant Sites Begin of Year - 60 days | Declarations for Plant Sites Begin of Year - 60 days | |
| Initial Declaration of Past Production of Scheduled Chemicals for CW Purposes | Declarations for Plant Sites EIF(SP) + 30 days | Declarations for Plant Sites EIF(SP) + 30 days | |
| Additionally Planned Activities | Change After Annual Anticipatory Declarations Change - 5 days | Change After Annual Anticipatory Declarations Change - 5 days | |

* Implementation of the obligation to make annual declarations of past activities will start in the calendar year following the year when the Convention enters into force for the State Party.

** Submission of annual declarations of anticipated activities will be due 60 days before the beginning of the calendar year following the year in which the Convention enters into force for the State Party.

Abbreviations:

| | |
|--------------------------|--|
| EIF(SP) + 30 days: | Not later than 30 days after the CWC enters into force for the State Party. |
| Year End + 90 days: | Not later than 90 days after the end of the previous calendar year (i.e. 90 days after the end of the year which the declaration covers). |
| Begin of Year - 60 days: | Not later than 60 days before the beginning of the following calendar year (i.e. 60 days before the beginning of the year which the declaration covers). |
| Change - 5 days: | Not later than 5 days before an activity begins which is additionally planned after the annual declaration on anticipated activities has been submitted. |
| DOC: | Unscheduled discrete organic chemicals (see the definition in subparagraph 3.2 in this section). |
| PSF: | DOCs containing phosphorus, sulfur or fluorine (see the definition in subparagraph 3.2 in this section). |

In accordance with Council decision EC-51/DEC.1, dated 27 November 2007, States Parties should adopt the necessary measures to ensure that their declarations are submitted in accordance with the deadlines provided for in the Convention (see Table 1). States Parties that anticipate difficulties in regard to the timely submission of their declarations in accordance with these deadlines are to inform the Secretariat at the earliest possible date of the circumstances of such

difficulties and indicate whether they would welcome assistance from the Secretariat in order to meet their obligations on time.

1.2 Primary declaration identification

Each State Party is requested to use **Forms B, B-1, B-2 and B-3** to identify specific types of industrial declaration (initial declarations, annual declarations on past activities, annual declarations on anticipated activities and declarations on additionally planned activities). Declarations of Schedule 2 and Schedule 3 chemicals and their related facilities contain three sub-categories: aggregate national data, plant sites, and past production of these scheduled chemicals for chemical weapons purposes.

A State Party having any activities subject to the declaration requirements of the CWC is requested to make appropriate use of one of the above-mentioned B forms.

- Form B: for initial declarations (within 30 days after the CWC enters into force for the State Party)
- Form B-1: for annual declarations on past activities (not later than 90 days after the end of the previous calendar year)
- Form B-2: for annual declarations on anticipated activities (not later than 60 days before the beginning of the following calendar year)
- Form B-3: for declarations on additionally planned activities (not later than 5 days before the declarable activity begins which is additionally planned after the annual declaration on anticipated activities has been submitted)

In any of the above-mentioned instances, the appropriate B form should be used at the beginning of the declaration. Please note that only a single B form should be submitted per declaration: there is no requirement to submit separate B forms for each declared plant site or section of the declaration.

1.3 Clarification of declarations

In accordance with Council decision EC-36/DEC.7, dated 26 March 2004, all States Parties are urged to expedite responses to requests from the Secretariat for clarification of their declarations. When these declarations do not involve other States Parties (i.e. transfer discrepancies) States Parties are urged to send an initial response within 90 days after the official transmittal of the Secretariat's request which either responds fully to the request or indicates what steps they are taking to develop and communicate a full response.

When the Secretariat issues a clarification request regarding possible errors or missing information in a submitted declaration that preclude the Secretariat from determining a facility's inspectability and receives no response from the State Party concerned within 90 days after the official transmittal of the Secretariat's request, the Secretariat will inform the Council about the specific request in advance of its next regular session as recommended by EC-36/DEC.7. The Secretariat will provide, 60 days following the issuance of the clarification request, a reminder to the State Party concerned if no response has been received by that date. Please note that in these cases the Secretariat will consider the start point for these time periods ("the official transmittal") to be the sending of a fax informing the State Party that there is a request for clarification to be

collected. This fax will specifically state that the request for clarification deals with an inspectability issue and will refer to decision EC-36/DEC.7.

1.4 Amendments to declarations

When amending previously declared data States Parties should provide a replacement copy of the page on which the data to be amended was originally declared and preferably indicate which data was to be amended by underlining the amended data.

The cover letter accompanying the amendment should state which declaration the amendment relates to and in cases where the amendment arises as a result of the findings of an inspection the code of the inspection should be indicated to allow for a prompt closure of the inspection file.

1.5 Common definitions and explanations

1.5.1 Common definitions

The following CWC definitions apply to most or all types of industrial declarations:

"Production" of a chemical is defined as its formation through chemical reaction (*Paragraph 12 (a) of Article II of the CWC*). For scheduled chemicals "production" should be understood to include the production of a scheduled chemical (i.e. a Schedule 1, Schedule 2 or Schedule 3 chemical) by a biochemical or biologically mediated reaction (*reference C-II/DEC.6, dated 5 December 1997*).

"Processing" of a chemical is defined as a physical process, such as formulation, extraction and purification, in which a chemical is not converted into another chemical. (*Paragraph 12 (b) of Article II of the CWC*)

"Consumption" of a chemical is defined as its conversion into another chemical via a chemical reaction. (*Paragraph 12 (c) of Article II of the CWC*)

"Plant site" (works, factory) is defined as the local integration of one or more plants, with any intermediate administrative levels, which are under one operational control, and includes common infrastructure, such as:

- (a) administration and other offices;
- (b) repair and maintenance shops;
- (c) medical centre;
- (d) utilities;
- (e) central analytical laboratory;
- (f) (research and development laboratories;
- (g) central effluent and waste treatment area; and
- (h) warehouse storage. (Paragraph 6 (a) of Part I of the Verification Annex [hereinafter "VA"])

"Plant" (production facility, workshop) is defined as a relatively self-contained area, structure or building containing one or more units with auxiliary and associated infrastructure, such as:

- (a) small administrative section;
- (b) storage/handling areas for feedstock and products;
- (c) effluent/waste handling/treatment area;
- (d) control/analytical laboratory;
- (e) first aid service/related medical section; and
- (f) records associated with the movement into, around and from the site, of declared chemicals and their feedstock or product chemicals formed from them, as appropriate. (Paragraph 6 (b) of Part I of the VA)

"Production capacity" is defined as the annual quantitative potential for manufacturing a specific chemical on the basis of the technological process actually used or, if the process is not yet operational, planned to be used at the relevant facility. The production capacity shall be deemed to be equal to the nameplate capacity or, if the nameplate capacity is not available, to the design capacity. The nameplate capacity is the product output under conditions optimised for maximum quantity for the production facility, as demonstrated by one or more test runs. The design capacity is the corresponding theoretically calculated product output. (*Paragraph 10 of Article II of the CWC*)

"Tonne" means metric ton, i.e. 1,000 kg. (*Paragraph 26 of Part I of the VA*)

1.5.2 Specific explanations which relate to most or all industrial declarations

(a) Quantity

"Quantity" means the actual quantity of a chemical, i.e. the net weight excluding the weight of any containers or packaging. In declaring any quantity the rounding rules below should be applied. Where products contain less than 100 per cent of the chemical, the contained quantity of the chemical in the product should be declared, see the following examples.

Example 1: In reporting an import of 50 tonnes of a mixture of chemicals containing 40% of the Schedule 3 chemical triethanolamine the quantity of triethanolamine to be included in the aggregate national data should be **20.0 tonnes** (40% of 50 tonnes).

Example 2: In the previous calendar year a Schedule 2 plant site consumed 12 tonnes of a 65% solution of the Schedule 2B chemical 2-(N,N-Dimethylamino)ethyl chloride hydrochloride. In making their annual declaration of past activities the amount of this chemical consumed should be reported as **7.80 tonnes** (65% of 12 tonnes)

(b) Rounding Rules (*reference EC-XIX/DEC.5, dated 7 April 2000*)

In relation to the declaration of scheduled chemicals, quantities will be declared to three figures:

- (i) quantities with more than three figures are to be rounded to three figures;

- (ii) quantities having fewer than three figures are to be extended to three figures by the addition of zeros; and
- (iii) zeros in front of the first non-zero digit are not counted.

Quantities may be declared in the following units only:

| | | |
|--------------|---------|--------------|
| picogramme | pg | 10^{-12} g |
| nanogramme | ng | 10^{-9} g |
| microgrammes | μ g | 10^{-6} g |
| milligrammes | mg | 10^{-3} g |
| grammes | g | g |
| kilogrammes | kg | 10^3 g |
| tonnes | t | 10^6 g |
| kilotonnes | kt | 10^9 g |

Plant site/facility data for Schedule 1, 2 and 3 chemicals should be declared in the units that relate to the declaration threshold in the appropriate Part of the Verification Annex for the scheduled chemical being declared.

(c) **Mixed plant sites** (*reference C-I/DEC.34, dated 16 May 1997*)

"Mixed plant sites" are plant sites which contain:

- (i) a plant or plants which are individually covered under more than one Part of the Verification Annex related to Article VI ("mixed plants"); or
- (ii) different plants covered by different Parts of the Verification Annex related to Article VI.

Mixed plant sites should be declared in accordance with all the appropriate Parts of the Verification Annex related to Article VI.

(d) **Mixed plants** (*reference C-I/DEC.40, dated 16 May 1997*)

"Mixed plants" are plants which are individually covered under more than one Part of the Verification Annex related to Article VI. The term covers, for example, a multipurpose plant that manufactures, in the same process line but at different points in time or in parallel in several process lines, Schedule 2 and Schedule 3 chemicals. However, here the term does not relate to a case where a plant produces a Schedule 3 chemical in a multiple-step reaction involving the production of a DOC in the initial steps, or to a case when, during the production of a Schedule 3 chemical, a low concentration of a Schedule 2 chemical is simultaneously produced (this would be classified as either a Schedule 3 or a Schedule 2 plant depending on the applicable rules for low concentrations).

"Mixed plants" should be declared in accordance with all the appropriate Parts of the Verification Annex related to Article VI.

2. Declaration requirements for Schedule 2 and Schedule 3 chemicals and facilities related to such chemicals

For quick reference, Table 2 below provides an overview of the relevant forms to be used for each type of Schedule 2 declaration. The equivalent information for Schedule 3 declarations is shown in Table 3.

Table 2: Schedule 2 chemicals and facilities

| Declarations | Applicable Forms | Declaration Deadline |
|---|--|---|
| Aggregate National Data | | |
| Initial Declarations | B; 2.1 and 2.1.1 | EIF (SP) + 30 days |
| Annual Declarations of Past Activities | B-1; 2.1 and 2.1.1 | Year End + 90 days |
| Declarations of Plant Sites | | |
| Initial Declarations | B; 2.2; 2.3; 2.3.1; 2.3.2; and 2.4 | EIF (SP) + 30 days |
| Annual Declarations of Past Activities | B-1; 2.2; 2.3; 2.3.1; 2.3.2; and 2.4 | Year End + 90 days |
| Annual Declarations of Anticipated Activities | B-2; 2.2; 2.3; 2.3.1; 2.3.2; and 2.5 | Begin. of Year - 60 days |
| Additionally Planned Activities | B-3; 2.2; 2.3; 2.3.1; 2.3.2; and 2.5 as required | Change - 5 days |
| Notification of Cessation of Declarable Activities | 2.9 | Submitted on voluntary basis as soon as possible after cessation. |
| Declaration of Past Production of Schedule 2 Chemicals for CW Purposes | B; 2.6; 2.7; 2.7.1; 2.7.2, 2.8 and 2.8.1 | EIF (SP) + 30 days |

Abbreviations:

| | |
|--------------------------|---|
| EIF (SP) + 30 days: | Not later than 30 days after the Convention enters into force for the State Party |
| Year End + 90 days: | Not later than 90 days after the end of the previous calendar year. |
| Begin of Year - 60 days: | Not later than 60 days before the beginning of the following calendar year. |
| Change - 5 days: | Not later than 5 days before the additionally planned activity begins. |

Table 3 Schedule 3 chemicals and facilities

| Declarations | Applicable Forms | Declaration Deadline |
|---|-----------------------------------|---|
| Aggregate National Data | | |
| Initial Declarations | B; 3.1 and 3.1.1 | EIF (SP) + 30 days |
| Annual Declarations of Past Activities | B-1; 3.1 and 3.1.1 | Year End + 90 days |
| Declarations of Plant Sites | | |
| Initial Declarations | B; 3.2; 3.3 and 3.4 | EIF (SP)+ 30 days |
| Annual Declarations of Past Activities | B-1; 3.2; 3.3 and 3.4 | Year End + 90 days |
| Annual Declarations of Anticipated Activities | B-2; 3.2; 3.3 and 3.4 | Begin. of Year - 60 days |
| Additionally Planned Activities | B-3; 3.2; 3.3 and 3.4 as required | Change - 5 days |
| Notification of Cessation of Declarable Activities | 3.8 | Submitted on voluntary basis as soon as possible after cessation. |
| Declaration of Past Production of Schedule 3 Chemicals for CW Purposes | B; 3.5; 3.6; 3.7 and 3.7.1 | EIF (SP) + 30 days |

Abbreviations:

| | |
|--------------------------|--|
| EIF (SP) + 30 days: | Not later than 30 days after the Convention enters into force for the State Party |
| Year End + 90 days: | Not later than 90 days after the end of the previous calendar year. |
| Begin of Year - 60 days: | Not later than 60 days before the beginning of the following calendar year. |
| Change - 5 days: | Not later than 5 days before an activity which is additionally planned after the annual declaration has been submitted begins. |

2.1 Declarations of aggregate national data for Schedule 2 and 3 chemicals**2.1.1 Declaration requirements**

Initial and annual declarations to be provided by each State Party pursuant to Article VI, paragraphs 7 and 8, shall include aggregate national data for the previous calendar year on the quantities produced, processed, consumed, imported and exported of each Schedule 2 chemical, as well as a quantitative specification of import and export for each country involved. (*Paragraph 1 of Part VII of the VA*)

The initial and annual declarations to be provided by a State Party pursuant to Article VI, paragraphs 7 and 8, shall include aggregate national data for the previous calendar year on the quantities produced, imported and exported of each Schedule 3 chemical, as well as a

quantitative specification of import and export for each country involved. (*Paragraph 1 of Part VIII of the VA*)

Each State Party shall submit declarations of aggregate national data (AND) in accordance with the deadlines for submission shown in Tables 2 and 3.

Low Concentration Mixtures: Declarations are not required for mixtures of chemicals containing 30 percent or less of a Schedule 2B or 3 chemical (*reference C-V/DEC.19, dated 19 May 2000*). In relation to the applicable concentration limits for mixtures of chemicals containing Schedule 2A and 2A* chemicals, guidelines are still under consideration by States Parties.

Production of a Schedule 2 or Schedule 3 chemical is understood, for declaration purposes, to include all steps in the production of a chemical in any units within the same plant through chemical reaction, including any associated processes (e.g. purification, separation, extraction, distillation, or refining) in which the chemical is not converted into another chemical. (*reference C-8/DEC.7, dated 23 October 2003*).

Captive Use: Production of a Schedule 2 or Schedule 3 chemical is also understood, for declaration purposes, to include intermediates, by-products, or waste products that are produced and consumed within a defined chemical manufacturing sequence, where such intermediates, by-products, or waste products are chemically stable and therefore exist for a sufficient time to make isolation from the manufacturing stream possible, but where, under normal or design operating conditions, isolation does not occur. (*reference C-9/DEC.6, dated 30 November 2004*).

2.1.2 Guidelines relating to declarations of AND

(a) Guidelines regarding declarations of aggregate national data for Schedule 2 chemical production, processing, consumption, import and export and Schedule 3 import and export (*C-7/DEC. 14, dated 10 October 2002*)

The Seventh Conference of States Parties agreed guidelines for the declaration of AND, the key elements of which are outlined below with additional explanations provided in italics:

- (i) that import and export data aggregated by each State Party in fulfilment of the declaration obligations of paragraph 1 of Part VII and paragraph 1 of Part VIII of the Verification Annex shall include activity by natural and legal persons transferring a declarable chemical between the territory of the declaring State Party and the territory of other States, as specified below; (*this means that the activities of individuals, companies and organisations, including traders, transferring Schedule 2 or 3 chemicals should be included*)
- (ii) that declarations by States Parties under paragraph 1 of Part VII of the Verification Annex shall include, using the relevant low concentration limit, production, processing, consumption, import, and export quantities of a given Schedule 2 chemical if the total for the year for that activity is more than the threshold specified for that chemical in subparagraphs 3(a), 3(b), or 3(c) of Part VII of the Verification

Annex; *(this means that an activity must be included if the total quantity for the State Party is more than:*

- 1 kg of a chemical designated "*" in Schedule 2, part A;*
 - 100 kg of any other chemical listed in Schedule 2, part A; or*
 - 1 tonne of a chemical listed in Schedule 2, part B.)*
- (iii) that declarations by States Parties under paragraph 1 of Part VIII of the Verification Annex shall include, using the relevant low concentration limit, import and export quantities of a Schedule 3 chemical if the total for the year for that activity is more than the threshold specified in paragraph 3 of Part VIII of the Verification Annex; *(this means that an activity must be included if the total quantity for the State Party is more than 30 tonnes)*
- (iv) that, in addition, where declarations by States Parties under paragraph 1 of Part VII and paragraph 1 of Part VIII of the Verification Annex have reported the import or export of a Schedule 2 or Schedule 3 chemical in accordance with the above paragraphs, separate declarations shall also include, using the relevant low concentration limit, the aggregate quantities of each chemical imported from, or exported to, each given sending or receiving State, which shall be specified. When a quantity reported in this particular declaration is less than the threshold specified for that chemical in paragraph 3 of Part VII or paragraph 3 of Part VIII of the Verification Annex, the quantity should be expressed as "< (relevant threshold quantity)"; *(this means that when the aggregate quantities imported or exported of a chemical have been reported the quantities imported from or exported to each sending or receiving State shall be specified and when that amount is below the relevant declaration threshold there is no need to specify the exact quantity but only to indicate that it is below the relevant declaration threshold set out above. For example, the export of 25 tonnes of a Schedule 3 chemical to a specific State should be indicated as <30 tonnes.)*

Please note that no guidelines have yet been agreed for declarations of aggregate national data for Schedule 3 chemical production.

(b) Guidelines regarding declarations of import and export data for Schedule 2 and Schedule 3 chemicals (EC-53/DEC.16*, dated 27 June 2008)

The Executive Council in its Fifty-Third Session agreed voluntary guidelines solely for the purposes of submitting declarations under paragraphs 1, 8(b) and 8(c) of Part VII and paragraph 1 of Part VIII of the Verification Annex:

- (i) The term 'import' shall be understood to mean the physical movement of scheduled chemicals into the territory or any other place under the jurisdiction or control of a

State Party from the territory or any other place under the jurisdiction or control of another State, excluding transit operations.

- (ii) The term ‘export’ shall be understood to mean the physical movement of scheduled chemicals out of the territory or any other place under the jurisdiction or control of a State Party into the territory or any other place under the jurisdiction or control of another State, excluding transit operations.
- (iii) Transit operations referred to above shall mean the physical movements in which scheduled chemicals pass through the territory of a State on the way to their intended State of destination. Transit operations include changes in the means of transport, including temporary storage only for that purpose.
- (iv) For the purposes of declaring imports under paragraphs 1, 8(b) and 8(c) of Part VII and paragraph 1 of Part VIII of the Verification Annex, the declaring State Party shall specify the State from which the scheduled chemicals were dispatched, excluding the States through which the scheduled chemicals transited and regardless of the State in which the scheduled chemicals were produced.
- (v) For the purposes of declaring exports under paragraphs 1, 8(b) and 8(c) of Part VII and paragraph 1 of Part VIII of the Verification Annex, the declaring State Party shall specify the intended State of destination, excluding the States through which the scheduled chemicals transited.

2.1.3 Forms to be used

For each Schedule 2 chemical produced, processed, consumed, imported or exported above the declaration threshold, the State Party shall provide its aggregate national data for the previous calendar year. **Form 2.1** is to be used to declare aggregate national data for both initial and annual declarations. **Form 2.1.1** should be used to declare the quantitative specification of imports and exports of each country involved.

For each Schedule 3 chemical produced, imported or exported above the declaration threshold, the State Party shall provide its aggregate national data for the previous calendar year. **Form 3.1** is to be used to declare aggregate national data for both initial and annual declarations. **Form 3.1.1** should be used to declare the quantitative specification of imports and exports of each country involved.

2.2 Transfers of Schedule 2 and 3 chemicals to States not Party to the CWC

2.2.1 Transfers of Schedule 2 chemicals

As of 29 April 2000, Schedule 2 chemicals shall only be transferred to or received from States Parties, in accordance with paragraph 31 of Part VII of the Verification Annex, i.e. both the transfer of Schedule 2 chemicals to States not Party and the receipt of Schedule 2 chemicals from States not Party are prohibited, with the exception of the exemptions set out below.

The Conference of States Parties at its Fifth Session decided (*reference C-V/DEC.16, dated 17 May 2000*) that, with regard to the application of the provisions on transfers of Schedule 2

chemicals to and from States not Party to the Convention, paragraph 31 of Part VII of the Verification Annex shall not apply to:

- (a) products containing one percent or less of a Schedule 2A or 2A* chemical;
- (b) products containing 10 percent or less of a Schedule 2B chemical; and
- (c) products identified as consumer goods packaged for retail sale for personal use or packaged for individual use

2.2.2 Transfers of Schedule 3 chemicals

In accordance with paragraph 26 of Part VIII of the Verification Annex when transferring Schedule 3 chemicals to States not Party to this Convention, each State Party shall adopt the necessary measures to ensure that the transferred chemicals shall only be used for purposes not prohibited under this Convention. Inter alia, the State Party shall require from the recipient State a certificate stating, in relation to the transferred chemicals:

- (a) That they will only be used for purposes not prohibited under this Convention;
- (b) That they will not be re-transferred;
- (c) Their types and quantities;
- (d) Their end-use(s); and
- (e) The name(s) and address(es) of the end-user(s).

The Conference of States Parties in its Third Session decided (*reference C-III/DEC.6, dated 17 November 1998*) that the terms “(d) Their end-use(s); and (e) The name(s) and address(es) of the end-user(s)”, in cases of transfers to importers in States not Party to the Convention who are not the actual end-users (e.g. trading firms), shall be understood to mean that, in these cases, before authorising transfers, a statement of the importer, in a manner consistent with paragraph 26 of Part VIII of the Verification Annex of the Convention, and of national legislation and practices, shall be obtained, whereby the importer will be obliged to specify name(s) and address(es) of the end-user(s).

The Conference of States Parties in its Third Session decided (*reference C-III/DEC.7, dated 17 November 1998*) that the term “shall require from the recipient State a certificate”, as used in paragraph 26 of Part VIII of the Verification Annex, shall be understood to mean “end-use certificates issued by the competent government authority of States not Party to this Convention”, and shall contain all the requisites established in subparagraphs (a) to (e) of the paragraphs referred to above.

The Conference of States Parties in its Sixth Session decided (*reference C-VI/DEC.10, dated 17 May 2001*) that with regard to the application of the obligation to require an end-use certificate for transfers of Schedule 3 chemicals to States not Party to the Convention, and without prejudice to the right of any State Party to adopt a more restrictive approach, that end-use certificates are not required for:

- (a) products containing 30 percent or less of a Schedule 3 chemical;
- (b) products identified as consumer goods packaged for retail sale for personal use, or packaged for individual use

Each end-use certificate should be initiated by the exporter, importer or end user. It should be certified by the end user(s) and by a responsible official from the recipient State in a government agency which is appropriate to the end-use for each Schedule 3 chemical to be exported to a State not party to the Convention.

It is important for end users in States not Party to the Convention to note that end-use certificates, appropriately certified by a responsible official of the recipient State in a government agency which is appropriate to the end-use, should be in the safekeeping of either the exporting State Party's National Authority for CWC implementation or its government agency responsible for export control before the Schedule 3 chemical in question is exported.

There is no requirement for end-use certificates to be submitted to the Secretariat.

Sample End- Use Certificate

A sample End-use Certificate form (**Form T30**) is attached in Annex C. This form should be completed prior to transfers of Schedule 3 chemicals to States not Party to the Convention.

The exporter's transfer identification at the beginning of Form T30 should be obtained from the exporting State Party's National Authority for CWC implementation or from the government agency which is responsible for export control:

- (a) the country code to be provided is that of the exporting State Party, and is not to be that of the recipient State (see Appendix 1 of the Declarations Handbook);
- (b) "Year" refers to the calendar year in which it is anticipated that the transfer of the Schedule 3 chemical in question will actually take place; and
- (c) the "transfer number" refers to a sequential number that will be uniquely assigned to each transfer of a Schedule 3 chemical.

Each Schedule 3 chemical to be transferred should be identified by its IUPAC chemical name and by its CAS registry number. The total quantity (in kilograms) of each Schedule 3 chemical to be transferred should be specified.

The end use(s) of each Schedule 3 chemical to be transferred should be specified using the product group codes listed in Appendix 4 of the Declarations Handbook.

For each end user who is to process or consume the Schedule 3 chemical in question, the following information should be provided:

- (a) Name of authorised representative of end user
- (b) Position of authorised representative of end user
- (c) Up-to-date and complete organisational title of end user
- (d) Up-to-date and complete address of end user including, and if applicable, postal code, PO box number, fax number, and e-mail address
- (e) Quantity (in kilograms) of the Schedule 3 chemical to be transferred to the end user

If more than three end-uses or more than three end users are to be involved in a single export transaction, additional forms should be completed using the same transfer identification number.

2.3 Schedule 2 facilities

2.3.1 Declarations of plant sites producing, processing or consuming Schedule 2 chemicals

(a) Declaration requirements

In accordance with paragraph 3 of Part VII of the Verification Annex initial and annual declarations are required for plant sites that comprise one or more plant(s) which produced, processed or consumed during any of the previous three calendar years, or are anticipated to produce, process or consume in the next calendar year more than:

- (i) 1 kg for a chemical designated "*" in Schedule 2, Part A;
- (ii) 100 kg for any other chemical listed in Schedule 2, Part A; or
- (iii) 1 tonne for a chemical listed in Schedule 2, Part B.

Low Concentration Mixtures: Declarations are not required for mixtures of chemicals containing 30 percent or less of a Schedule 2B chemical (*reference C-V/DEC.19, dated 19 May 2000*). In relation to the applicable concentration limits for mixtures of chemicals containing Schedule 2A and 2A* chemicals, guidelines are still under consideration by States Parties.

Sub-distribution and packaging: The activities of sub-distribution and packaging are not to be considered as processing of Schedule 2 chemicals and are therefore not subject to declaration (*reference C-I/DEC.36, dated 16 May 1997*).

Waste disposal: A plant site containing a plant in which a Schedule 2 chemical is consumed in a waste management or disposal system in quantities above the threshold for that chemical shall declare this consumption in accordance with Part VII, paragraph 8 (*reference C-I/DEC.37, dated 16 May 1997*).

Captive Use: Production of a Schedule 2 chemical is understood, for declaration purposes, to include intermediates, by-products, or waste products that are produced and consumed within a defined chemical manufacturing sequence, where such intermediates, by-products, or waste products are chemically stable and therefore exist for a sufficient time to make isolation from the manufacturing stream possible, but where, under normal or design operating conditions, isolation does not occur (*reference C-9/DEC.6, dated 30 November 2004*).

Production of a Schedule 2 chemical is understood, for declaration purposes, to include all steps in the production of a chemical in any units within the same plant through chemical reaction, including any associated processes (e.g. purification, separation, extraction, distillation, or refining) in which the chemical is not converted into another chemical. The exact nature of any associated process (e.g. purification, etc.) is not required to be declared. The processing steps which are part of declared production shall not be declared separately as processing (*reference C-8/DEC.7, dated 23 October 2003*).

(b) Definitions and explanations specifically pertaining to Schedule 2 plant sites

For definitions and explanations common to most industrial declarations see section 1.5.

Groups (families) of alkylated chemicals as contained in the Annex on Chemicals of the Convention (reference C-I/DEC.35, dated 16 May 1997)

The terms 'alkyl', 'cycloalkyl', 'alkylated' or 'Me' (methyl), 'Et' (ethyl), 'n-Pr' (n-propyl) or 'i-Pr' (iso-propyl) are to be understood literally, i.e. as not including any substituted alkyl, methyl, ethyl, etc. For example, this means that for the Schedule 2 chemicals which contain one carbon-phosphorus bond (Schedule 2B04), the criterion for inclusion is that, irrespective of the structure of the rest of the molecule, the alkyl (Me, Et, n-Pr, i-Pr) bonded to the phosphorus is unsubstituted.

Dedicated versus multipurpose Schedule 2 chemical plants

A Schedule 2 plant is dedicated when its process configuration is dedicated to the declarable activity/ies in relation to the declared Schedule 2 chemical(s) (production/processing/consumption).

A Schedule 2 plant is multipurpose when the plant is designed to provide the means for the production of a variety of products by virtue of enabling more than one process configuration, i.e. the reconfiguration of the equipment and the piping as required for these different processes.

Capacity of a multipurpose plant producing Schedule 2 chemicals

- (i) The capacity of a multipurpose plant producing a Schedule 2 chemical is calculated by assuming that the plant would be used solely for the production of that chemical over a period of one year.
- (ii) For a multipurpose plant producing more than one Schedule 2 chemical using separate process lines, the calculated capacity for each individual chemical assumes that the plant would be used solely for the production of that chemical over a period of one year.

Recycled Schedule 2 chemicals (reference C-I/DEC.42, dated 16 May 1997)

Recycled Schedule 2 chemicals are Schedule 2 chemicals that are partly converted or consumed in a process and then recovered and re-introduced into the process upstream for another cycle of conversion or consumption followed by recovery. Any loss of Schedule 2 chemical from the process cycle through incomplete recovery shall be compensated for by make-up quantities (net loss).

A plant site containing a plant in which a Schedule 2 chemical undergoes a cycle of consumption and regeneration shall, in accordance with Part VII, paragraph 8, make a declaration if, in total, **(X+Y)** exceeds the declaration threshold where:

X, expressed in the same unit as the declaration threshold, equals:

- for batch processes, the total amount of the Schedule 2 chemical charged (then consumed, regenerated and subsequently recovered in a separate process step); **or**
- for continuous processes, the total amount present in the reaction vessels and process streams; **and**

Y, expressed in the same units as the declaration threshold, equals the aggregate annual compensation for the net loss of that chemical.

It is understood that the regeneration process is not required to be declared as a production of a Schedule 2 chemical in the cycle.

(c) Forms to be used

For each declarable plant site, the following information has to be declared on the following forms:

- (i) plant site information: **Form 2.2**;
- (ii) plant information: **Forms 2.3, 2.3.1 and 2.3.2**; and
- (iii) in the case of the initial declaration and annual declarations of past activities information on Schedule 2 chemical(s) at the plant site, use **Form 2.4**. In the case of annual declarations on anticipated activities, use **Form 2.5**.

In case of initial declarations States Parties shall declare the total amount produced, processed, consumed, imported and exported by the plant site in each of the three previous calendar years, while for the annual declaration on past activities it is for the previous year only. In the case of annual declarations of anticipated activities the States Parties shall declare the total amount anticipated to be produced, processed or consumed by the plant site in the following calendar year.

For each declarable plant, **Form 2.3.1** shall be used for the declaration of activities in relation to Schedule 2 chemical(s). The production capacity, if applicable, for each declared Schedule 2 chemical should be declared using **Form 2.3.2**. If this Schedule 2 plant also produces Schedule 3 chemical(s) above the declaration threshold, this **mixed plant** should also have been declared under the Schedule 3 plant site declaration. (For the definition of a "mixed plant", see section 1.5).

For each declarable Schedule 2 chemical produced, processed or consumed at the plant site, each State Party shall complete **Form 2.4**.

In the case of annual declarations of anticipated activities, the time periods shall be declared using **Form 2.5**. The time periods of the activities that are anticipated to occur should be as precise as possible, but preferably should be accurate to within a 3-month period. The declaration requirement in relation to these time periods does not necessarily mean that individually planned production (processing, consumption) campaigns need to be declared.

Declarations of additionally planned activities

After the annual declaration of anticipated activities has been submitted, the CWC requires any State Party to declare additionally planned activities for that calendar year not later than 5 days before this activity begins, using **Form B-3 and the appropriate additional or amended Schedule 2 forms set out below.**

Declarations of additionally planned activities shall be made for:

- (i) any additionally planned activity during the year which is covered by the annual anticipatory declaration that involves:
 - an undeclared plant that initiates the production, processing or consumption of a Schedule 2 chemical during that year above the declaration thresholds: **Forms 2.2 and 2.3, 2.3.1, 2.3.2 and 2.5;**
 - an additional Schedule 2 chemical that is produced, processed or consumed in a declared plant during that year: **Forms 2.2, 2.3, 2.3.1, 2.3.2 and 2.5;**
 - an additional type of activity related to a Schedule 2 chemical (processing, consumption, direct export, or sale or transfer) at the declared plant site: **Forms 2.2, 2.3, 2.3.1, 2.3.2 and 2.5;**
 - any other non-quantitative change in relation to the anticipatory declarations (except the name of the plant site or plant, the name of the owner, company, or enterprise operating it, and the address of the plant site or plant): **Forms 2.2, 2.3, 2.3.1, 2.3.2 and 2.5 as appropriate;**
- (ii) any quantitative upward change that changes the status of a declared Schedule 2 plant (thus crossing the verification threshold), **Forms 2.2 and 2.5;**
- (iii) any additional period in which a declarable activity in relation to a Schedule 2 chemical takes place. Any change related to the declared period has to be declared when the starting or ending date of the declared anticipated production, processing or consumption falls outside of the declared three-month time window in the annual anticipated declaration; **Form 2.5;** and
- (iv) any increase in the declared anticipated annual production, processing or consumption figure for a Schedule 2 chemical: **Form 2.5.**

Cessation of declarable activities

When a declared Schedule 2 plant site ceases declarable activities States Parties are encouraged to voluntarily inform the Secretariat of this cessation using **Form 2.9** (*reference paragraph 9.62 of RC-2/4, dated 18 April 2008*).

2.3.2 Declarations of plant sites which produced Schedule 2 chemicals for chemical weapons purposes

Each State Party shall declare all plant sites which comprise plants that at any time since 1 January 1946 produced a Schedule 2 chemical for chemical weapons purposes.

Note that for the declaration of plant sites, on **Form 2.6**, there is no declaration threshold. The same applies for information on Schedule 2 chemical(s) produced at the plant site since 1 January 1946 for chemical weapons purposes.

- (a) **For each plant site in this category**, the following information has to be declared for each plant at the plant site: in case plant sites produced, processed or consumed a Schedule 2 chemical during the previous calendar year, submit information on plants at the plant site: **Forms 2.7, 2.7.1 and 2.7.2**.
- (b) **For each Schedule 2 chemical** that was produced at the site for chemical weapons purposes at any time since 1 January 1946, **Form 2.8** shall be used. For the declaration of the location, if known, to which the chemical was delivered and where the final product, if known, was produced, **Form 2.8.1** shall be used.
- (c) Please note that for **Forms 2.6, 2.7, 2.8 and 2.8.1** declarations are triggered because of past activities (since 1 January 1946). In **Form 2.7** however, the item "Main Activities" relates to present activities of the plant. Similarly, the information required for **Forms 2.7, 2.7.1 and 2.7.2** also relates to present activities at declarable plants that, in the past, produced Schedule 2 chemicals for chemical weapons purposes. For that reason these plants should have also been declared using **Forms 2.3, 2.3.1 and 2.3.2**.

2.4 Schedule 3 facilities

2.4.1 Declarations of plant sites producing Schedule 3 chemicals

(a) Declaration requirements

In accordance with paragraph 3 of Part VIII of the VA initial and annual declarations are required for plant sites that comprise one or more plant(s) which produced during the previous calendar year or are anticipated to produce in the next calendar year more than 30 tonnes of a Schedule 3 chemical.

Low Concentration Mixtures: Declarations are not required for mixtures of chemicals containing 30 percent or less of a Schedule 3 chemical (*reference C-V/DEC.19, dated 19 May 2000*).

Captive Use: Production of a Schedule 3 chemical is understood, for declaration purposes, to include intermediates, by-products, or waste products that are produced and consumed within a defined chemical manufacturing sequence, where such intermediates, by-products, or waste products are chemically stable and therefore exist for a sufficient time to make isolation from the manufacturing stream possible, but where, under normal or design operating conditions, isolation does not occur (*reference C-9/DEC.6, dated 30 November 2004*).

Production of a Schedule 3 chemical is understood, for declaration purposes, to include all steps in the production of a chemical in any units within the same plant through chemical reaction, including any associated processes (e.g. purification, separation, extraction, distillation, or refining) in which the chemical is not converted into another chemical. The exact nature of any associated process (e.g. purification, etc.) is not required to be declared (*reference C-8/DEC.7, dated 23 October 2003*).

For definitions and explanations common to most industrial declarations see section 1.5.

(b) Forms to be used

For each declarable plant site, the following information has to be declared:

- (i) plant site information: **Form 3.2**
- (ii) plant information: **Form 3.3**; and
- (iii) information on Schedule 3 chemicals at the plant site: **Form 3.4**.

If the declared Schedule 3 plant also produces, processes or consumes Schedule 2 chemical(s) above the declaration threshold, this **mixed plant** should also have been declared under the Schedule 2 plant site declaration. (For the definition of a "mixed plant", see section 1.5).

Declarations of additionally planned activities

After the annual declaration of anticipated activities has been submitted, the CWC requires any State Party to declare additionally planned activities at that plant site not later than 5 days before these activities begin using **Form B-3 and the appropriate additional or amended Schedule 3 forms set out below**

"Additionally planned activity" means:

- (i) any additionally planned activity during the year which is covered by the annual anticipatory declaration that involves:
 - an undeclared plant that initiates production of a Schedule 3 chemical during that year above the declaration thresholds: **Forms 3.2 and 3.3**;
 - an additional Schedule 3 chemical that is produced in a declared plant during that year **Forms 3.3 and 3.4**;
 - a change of the purpose for which Schedule 3 chemical(s) will be produced at the declared plant site: **Form 3.4**;
 - any other non-quantitative change in relation to the anticipatory declarations (except the name of the plant site or plant, the name of the owner, company, or enterprise operating it, and the address of the plant site or plant): **Form 3.4**;
- (ii) any quantitative upward change that changes the status of a declared Schedule 3 plant (thus crossing the verification threshold), **Form 3.2**; and
- (iii) any upward change in the production range given in the declared anticipated annual production of the Schedule 3 chemical: **Form 3.4**.

Cessation of declarable activities

When a declared Schedule 3 plant site ceases declarable activities States Parties are encouraged to voluntarily inform the Secretariat of this cessation using **Form 3.8** (*reference paragraph 9.62 of RC-2/4, dated 18 April 2008*).

2.4.2 Declarations of past production of Schedule 3 chemicals for chemical weapons purposes

Each State Party shall declare all plant sites which comprise plants that at any time since 1 January 1946 produced a Schedule 3 chemical for chemical weapons purposes.

Note that, for these declarations, there is no declaration threshold.

- (a) **For each plant site**, the following information has to be declared:
 - (i) information on the plant site: **Form 3.5**;
 - (ii) information on the plants: **Forms 3.6**.

- (b) **For each Schedule 3 chemical** that was produced for chemical weapons purposes at any time since 1 January 1946 at the site, **Form 3.7** shall be used. For the declaration of the location, if known, to which the chemical was delivered and where the final product, if known, was produced, **Form 3.7.1** shall be used.

- (c) Please note that for **Forms 3.5, 3.6, 3.7** and **3.7.1** declarations are triggered because of past activities for chemical weapons purposes. In **Form 3.6** however, the item "Main Activities" relates to present activities of the plant.

3. Declarations of “other chemical production facilities” (OCPFs)

3.1 Declaration requirements for OCPFs

In accordance with paragraph 1 of Part IX of the VA each State Party has to provide information on all plant sites that:

- (a) produced by synthesis during the previous calendar year more than 200 tonnes of unscheduled discrete organic chemicals (DOCs); or
- (b) comprise one or more plants which produced by synthesis during the previous calendar year more than 30 tonnes of a DOC containing the elements phosphorus, sulfur or fluorine (PSF chemicals).

Plant sites that exclusively produced explosives or hydrocarbons shall be exempted from the above-mentioned declaration requirements (*reference paragraph 2 of Part IX of the VA*). Note, however, that if there is any production by synthesis of other unscheduled discrete organic chemicals in addition to the production of hydrocarbons or explosives at the plant site, that plant site is **not** exempted from declaration and the amounts of hydrocarbons or explosives produced must be counted when considering if the site is above the declaration thresholds set out above.

3.2 Definitions and explanations pertaining to OCPFs

3.2.1 Definitions which pertain to OCPFs declarations

The following CWC definitions specifically pertain to declarations of **OCPFs**:

"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 (CAS) registry number, if assigned. (*Paragraph 4 of Part I of the VA*)

"PSF-chemical" is defined as an unscheduled discrete organic chemical containing the elements phosphorus, sulfur or fluorine. (*Paragraph 1(b) of Part IX of the VA*)

"PSF-plant" is defined as a plant which produced by synthesis during the previous calendar year more than 30 tonnes of a PSF-chemical. (*Paragraph 1(b) of Part IX of the VA*)

For definitions and explanations common to most industrial declarations see section 1.5.

3.2.2 Specific explanations which pertain to OCPF declarations

- (a) Chemicals not covered by the definition of "unscheduled discrete organic chemical" (*Reference C-I/DEC.39, dated 16 May 1997*)

The term "unscheduled discrete organic chemical" referred to in subparagraph 1(a) of Part IX of the Verification Annex and the term "PSF-chemical" referred to in subparagraph 1(b) of the same Part do not cover:

-
- (i) oligomers and polymers, whether or not containing phosphorus, sulfur or fluorine; and
 - (ii) chemicals containing only carbon and a metal.

The term "oxides of carbon" in the definition of unscheduled discrete organic chemicals (DOCs) refers to carbon monoxide and carbon dioxide. The term "sulfides of carbon" in the same definition refers to carbon disulfide. Both terms refer to carbonyl sulfide.

- (b) "hydrocarbon" (*Reference C-I/DEC.39, dated 16 May 1997*)

The term "hydrocarbon", referring to production which is excluded from the coverage of Part IX, includes all hydrocarbons (i.e. chemicals containing only carbon and hydrogen), irrespective of the number of carbon atoms in the compound.

- (c) "approximate aggregate amount of production of unscheduled discrete organic chemicals" (*Reference C-I/DEC.39, dated 16 May 1997*)

In calculating the "approximate aggregate amount of production of unscheduled discrete organic chemicals" at the plant site pursuant to subparagraph 1(a) of Part IX of the Verification Annex, the production data shall be aggregated in a way that includes:

- (i) in the case of the production of two or more unscheduled DOCs at the same plant, the aggregate of all of these unscheduled DOCs;
 - (ii) in the case of multistep processes, only the quantity of the final product if it is an unscheduled DOC, or the quantity of the last intermediate in the multistep synthesis that meets the definition of an unscheduled DOC; and
 - (iii) in the case of intermediates meeting the definition of an unscheduled DOC and being used by another plant at the site to produce an unscheduled DOC, the amount of the intermediate and of the product manufactured from it at that other plant.
- (d) "main activities"

Paragraph 4 of Part IX of the Verification Annex details the information that needs to be provided for each OCPF declared, including "its main activities", a term not defined in the Convention. The previous understanding of "main activities" was set out in a Note by the Director-General (*S/101/99, dated 8 April 1999*), which introduced the use of product group codes (based on SITC codes) to identify the main activities of the site. The codes were to be used to describe the ultimate products manufactured at the plant or plant site. However, it is now recommended that for **declarations of OCPFs** product group codes are selected which describe the production activities that **make the plant site declarable** rather than to describe the ultimate end products manufactured at the site, as was the previous practice. This change will help both the Secretariat and States Parties in identifying those sites that do not have any declarable activities and hence avoid inspections at these non-declarable sites. In particular product group codes 522, 523, 525, 571, 572, 573, 574, 575, 579, 581, 582, 583 describe production activities

that are not declarable under Part IX of the Verification Annex and hence their use, if not accompanied by other product group codes, may indicate a non-declarable site.

More details on the reasoning for this change is set out in a Note by the Director General (*EC-53/DG.11, dated 17 June 2008*).

3.3 Declaration timelines and forms to be used

Each State Party is required to provide an **initial declaration** on their "other chemical production facilities" not later than 30 days after the convention enters into force for it (*reference paragraph 3 of Part IX of the VA*).

Each State Party is required **to update** yearly the information provided in the initial declaration, not later than 90 days after the beginning of the following calendar year (*reference paragraph 3 of Part IX of the VA*).

For each declarable plant site, the information with regard to the plant site and its declarable activities should be provided using **Form 4.1**. Detailed question-by-question guidance on completing Form 4.1 is provided in Annex D.

The Secretariat encourages States Parties to replace their entire list of declarable OCPF each year and clearly state in a covering letter that this list replaces all previous lists. This approach will help to ensure that the Secretariat holds the most up to date information about each plant site and will minimize the risk of inspections at sites which have ceased activities but for which no update has been received (see section 3.4.2 for further details on this problem). For States Parties which wish to continue updating individual plant site declarations rather than replacing their full list the Secretariat will follow the procedure below in interpreting the submitted 4.1 forms, unless requested otherwise by the submitting State Party:

- (a) If a Form 4.1 is provided for a plant site, which is not already on the list of declared plant sites, the plant site will be added to the list of declared plant sites.
- (b) If a Form 4.1 is provided for a plant site, which is already on the list of declared plant sites, the information for that plant site will be treated as an update which replaces any previously submitted data.
- (c) If no Form 4.1 is submitted for a plant site, which is on the list of declared plant sites, the previously submitted information will be considered to have remained unchanged and the plant site will remain on the list unless its removal is specifically requested by the State Party concerned.

In addition to the annual update States Parties are encouraged to inform the Secretariat in writing as soon as practicable of any OCPF which has ceased declarable activities during the year.

For quick reference, Table 4 below provides an overview of the relevant forms to be used for each type of declaration of other chemical production facilities.

Table 4: Other chemical production facilities

| Declarations | Applicable Forms | Declaration Deadline |
|---|------------------|----------------------|
| Declarations of Plant Sites | | |
| Initial Declarations | B; 4.1; | EIF (SP) + 30 days |
| Annual Update of the List of Declarable Plant Sites | B-1; 4.1; | Year End + 90 days |

Abbreviations:

EIF (SP) + 30 days: Not later than 30 days after the Convention enters into force for the State Party

Year End + 90 days: Not later than 90 days after the end of the previous calendar year.

3.4 Common Problems in declaring OCPFs**3.4.1 Declaration of non-declarable sites**

Errors in the interpretation of OCPF declaration requirements by the site or National Authority can result in the declaration of non-declarable OCPFs. Such errors include:

- (a) Declaration of sites or plants only processing discrete organic chemicals (DOCs) - only production by synthesis is declarable under paragraph 1 of Part IX of the VA.
- (b) Inclusion of polymers in the aggregate amount of production - the First Conference decided that oligomers and polymers are not to be considered as DOCs (*reference C-I/DEC.39, dated 16 May 1997*).
- (c) Inclusion of chemicals in the aggregate amount of production which do not meet the definition of DOCs as set out in paragraph 4, Part I of the VA, such as inorganic chemicals.
- (d) Declaration of plant sites that exclusively produce hydrocarbons or explosives – such plant sites are specifically excluded under paragraph 2 of Part IX of the VA.

In some cases the Secretariat can identify potentially non-declarable sites from information provided in declarations, particularly if the State Party has voluntarily provided additional information such as which chemicals were produced. Due to the very limited information required for OCPF declarations, however, in most cases these issues are only identified when the site receives an on-site inspection. Such interpretation errors have accounted for approximately 50% of all unnecessary OCPF inspections. Using product group codes which describe the production activities that **make the plant site declarable** rather than to describe the ultimate end products manufactured at the site, as was the previous practice, will help both the Secretariat and States Parties in identifying those sites that do not have any declarable activities.

3.4.2 Lack of timely updates of OCPF declarations

Timely updates as required by paragraph 3 of Part IX of the VA are critical to keeping the list of inspectable OCPFs current. Approximately 40% of unnecessary OCPF inspections have been attributable to the lack of a timely update of the declaration for the site to indicate it was no longer declarable. In some cases, the National Authority was aware that the site was no longer

declarable but believed that they were informing the Secretariat properly by not including any information on this site in their update, thinking that, in doing so, they were removing the site from the declared list. The Secretariat's interpretation of paragraph 3 of Part IX of the VA has, however, always been that where no update had been provided for a specific OCPF, the facility must be considered to still be operating at the same production level as last declared. In other cases, the National Authority was not informed by the plant site personnel of the change in status of the site in question.

One obvious solution to the problem of updates would be for all States Parties to adopt the practice of replacing their entire list of declarable OCPF each year, as is already done by a number of States Parties. Some States Parties have in the past been under the impression that they have been replacing their OCPF list each year. However as this was not indicated in their annual declaration of past activities, their declaration has been considered an update only for those sites specifically mentioned in the declaration. The Secretariat therefore encourages States Parties replace their entire list of declarable OCPF each year and to indicate in a covering letter that this list replaces all previous lists.

3.4.3 Other common problems specific to OCPF declarations

PSF vs DOC: One of the most common problems in declaring OCPFs is confusion over the status of PSF chemicals in relation to DOCs. In several cases the State Party concerned has considered PSF chemicals as a completely separate class of chemicals from DOCs and hence have not included PSF chemicals in calculating the aggregate amount of production of the unscheduled discrete organic chemicals. However, a PSF chemical is defined in paragraph 1 (b) of Part IX of the VA as “an unscheduled discrete organic chemical containing the elements phosphorus, sulfur or fluorine”. Hence PSF chemicals are only a subcategory of DOCs and must be included when calculating the aggregate amount of production.

Hydrocarbons and explosives not considered as DOCs: In a few cases some National Authorities or plant site staff were under the impression that hydrocarbons and explosives are not to be considered as DOCs resulting in incorrect numbers of plants or incorrect production ranges being declared. Although plant sites that **exclusively** produce hydrocarbons and explosives do not need to be declared in accordance with paragraph 2 of Part IX of the Verification Annex, hydrocarbons and explosives are still DOCs if they meet the DOC definition (see 3.2.1). Hence, if there is any plant in the plant site which produced by synthesis unscheduled discrete organic chemicals in addition to the production of hydrocarbons or explosives at the plant site, that plant site is not exempt from declaration and the amounts of hydrocarbons or explosives produced must be counted when considering if the site is above the declaration thresholds set out above.

4. Description of scheduled chemicals

When a scheduled chemical is declared, all required information with regard to the chemical, IUPAC chemical name, structural formula and CAS Registry Number (if assigned), shall be declared unless this is specified otherwise in the declaration forms. In relation to declarations of Schedule 2 and Schedule 3 plant sites, each State Party is also required by the CWC to provide common and trade names of the declared chemicals used by the facility unless this is specified otherwise in the declaration forms.

The list of scheduled chemicals is contained in the Annex on Chemicals of the CWC. To assist States Parties in preparing industrial declarations related to scheduled chemicals, the chemical names and CAS Registry Numbers of scheduled chemicals which have previously been declared are contained in the Handbook on Chemicals (**Appendix 2**).

For each **chemical not contained in the Handbook on Chemicals**, a declaration must include the structural formula as an attachment.

5. Code descriptions

Unless specified otherwise, each State Party is requested to use the following code descriptions described below in Table 5:

Table 5: Code descriptions

| Code descriptions | Appendix | Contents | Occurrences of usage |
|---|----------|--|--|
| Country Codes | 1 | Codes (Alpha 3 country codes contained in ISO 3166-1: 2006) for countries which are listed in the UN bulletin 347/Rev.1 "Terminology: Country Name." | All forms in this section. |
| Handbook on chemicals | 2 | Chemicals listed by occurrence with their position in the Schedules of Chemicals; scheduled chemicals listed by Chemical Abstracts Service Registry Number and Scheduled Chemicals: Common names and synonyms. | All forms containing declarations of chemicals |
| Main Activity Codes | 3 | Codes for the declaration of the main activities of Schedule 2 and 3 plants. | - Forms 2.3.1, 2.7, 2.7.1 and 3.6 |
| Product Group Codes | 4 | Product group codes were developed based on the 3 digit SITC code (Rev. 3 SITC: Commodity Indexes for the Standard International Trade Classification, developed by the United Nations.).* | - Forms 2.3, 2.4, 2.5, 2.7, 3.3, 3.6 and 4.1 |
| Production Purpose for a Schedule 3 Chemical Production Facility | 5 | Codes for the declaration of production purposes for each Schedule 3 chemical | - Form 3.4 |
| Codes for Schedule 3 Chemical Production Ranges | 6 | Codes for the production ranges of plant sites that produce Schedule 3 chemicals | - Form 3.4 |
| Codes of Production Ranges for Plant Sites that Produce Unscheduled Discrete Organic Chemicals | 7 | Codes for the production range of plant sites that produce unscheduled discrete organic chemicals | - Form 4.1 |

* Subcategories have been added to the list of product group codes which will allow the Secretariat to identify OCPF's producing one of six chemical products normally associated with bulk production of chemicals of low relevance to the Convention allowing lower weightings to be assigned to such sites in the OCPF site selection methodology. See the Director General's note on Information on the Enhancement of Other Chemical Production Facility Declarations (*EC-53/DG.11, dated 17 June 2008*) for further details.

"**Name of Country**," in the first data entry of **Form A-1**, has to be provided with the full description of the name of a declaring State Party.

"Plant site code" and "plant code"

Names of plant sites or plants are to be declared by a declaring State Party. The Secretariat strongly recommends that the declaring State Party also assign a unique **plant site code**, and where appropriate **plant code**, for each declared facility and use these codes for relevant data entries on declaration forms. In the initial declaration and whenever a plant site or plant is declared for the first time, plant or plant site name, operator, address, location and code have to be provided. In any subsequent declaration, the codes assigned to the plant site or plant, preferably in combination with the plant site name, can be used to identify the facility without the

other information, unless this is specified otherwise in the declaration forms or unless any of the other information has to be updated.

It is essential that these codes be used in a consistent manner in subsequent declarations to ensure that the Secretariat can identify previously declared sites in cases of changes to the name, owner/operator and/or address of the plant site and hence avoid unnecessary inspections. It is recommended that the same plant site code be retained if the site's ownership changes. If a plant site code changes it is recommended that the declaring State Party indicate what the previous code was and provide a written explanation as to why the code has changed. In particular any changes in codes due to mergers or demergers should be explained.

6. Confidentiality classification

The classification of a field on a declaration form should be provided in the column entitled “Confidentiality mark” . The OPCW’s recognised classification system is as follows:

R – OPCW Restricted, P – OPCW Protected, H – OPCW Highly protected.

If no classification is provided for a particular field of a declaration form it will be assumed that the data is unclassified unless indicated otherwise in a covering letter or in the header or footer of the individual form.

For further guidance see the Confidentiality Supplement (Section M) to the Declarations Handbook.

ANNEX A OF SECTION B

**DATA FORMATS AND TECHNICAL GUIDELINES FOR
COMPLETING THE DECLARATION FORMS**

OPCW

November 2008

1. Instructions in regard to data formats

- 1.1 **"Page identification expression"**: In the header of every declaration form to be submitted (except for declarations in electronic form), a submitting State Party shall provide a unique sequential page number together with other identification information ("page identification expression") to enhance the accountability of the declaration form in the following data format:

(Country code);(Section of the Declaration Handbook);(Page number) of (Total pages);(Date prepared) (e.g. IDN;B;1 of 15;1996-01-01)

- 1.2 **Dates** are to be specified in accordance with the extended format specified by ISO 8601: CCYY-MM-DD (e.g. 1995-03-31).

- 1.3 **Periods** are to be specified in the following manner:

CCYY-MM(starting month)/CCYY-MM(ending month)

Use "/" to separate the year and month with which the time period starts and ends.

- 1.4 When several data items have to be provided for a declaration form entry, use ";" to separate the data items. For example:

"1994-08/1994-12;1995-02/1995-05" to indicate two time periods; and "511;515;542; 593" to indicate four product group codes (see Appendix 4).

- 1.5 The default value of all **Yes/No Questions** is "No". It will always be assumed that the response is "No", unless the State Party indicates otherwise by entering either a "tick" (✓) or a "cross-check" (✗) in the open check box "☐".

If there is no symbol "☐" in the form, an appropriate narrative answer has to be provided.

- 1.6 **Geographical co-ordinates**, if provided to describe precise location, are to be declared to the nearest second (specify geographic reference system) in accordance with the following formats:

Latitude: 00 (degree)/00(minute)/00(second)/0(North or South)

Example: "55/45/28/N"

Longitude: 000 (degree)/00(minute)/00(second)/0(East or West)

Example: "005/32/53/E"

- 1.7 **Attachments**, if any, are to be identified by unique labels or file names.

ANNEX B OF SECTION B

INDEX OF DECLARATION FORMS AND FLOWCHARTS

OPCW

November 2008

1. Index of Declaration Forms

Primary Declaration Identification Forms

Regime for Schedule 2 and Schedule 3 Chemicals and Facilities Related to Such Chemicals (Verification Annex, Parts VII and VIII) as well as the Regime for Other Chemical Production Facilities (Part IX)

B Initial Declarations

B-1 Annual Declaration of Past Activities

Regime for Schedule 2 and Schedule 3 Chemicals and Facilities Related to Such Chemicals (Verification Annex, Parts VII and VIII)

B-2 Annual Declaration of Anticipated Activities

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Schedule 2 Declaration Forms

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2.1.1 Aggregate National Data: Specification of Imports or Exports of the Schedule 2 Chemical by Country

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2.6 Declaration of Past Production of Schedule 2 Chemicals for Chemical Weapons Purposes

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Aggregate National Data on Schedule 3 Chemicals

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- 3.6 Declaration of Plant(s) that Produced Schedule 3 Chemicals for Chemical Weapons Purposes
- 3.7 Declaration of Past Production of Schedule 3 Chemicals for Chemical Weapons Purposes
- 3.7.1 Locations to which Schedule 3 Chemicals Produced at the Plant Site for Chemical Weapons Purposes were Delivered
- 3.8 Notification of Cessation of Declarable Activities at Schedule 3 Plant Sites

Other Chemical Declaration Forms

Information on Plant Sites

- 4.1 Declaration of Other Chemical Production Facilities

2. Flowcharts

The relationship between the different declaration forms is illustrated for the various types of declaration on the following charts.

The A forms

Form A-1: should be provided with each submitted declaration in order to list general reference data on the National Authority/organisation and information on individual contacts within the National Authority.

Form A-2: should be submitted in order to specify the nature of the content of the initial declaration.

The B forms:

(Primary declaration identification for industrial declarations under Section B of the Declaration Handbook.)

Form B: is to be submitted with the **initial industrial declaration**. In this form B States Parties can indicate which types of industrial declarations (e.g. Schedule 2 chemicals and facilities related to such chemicals; Schedule 3 chemicals and facilities related to such chemicals; other chemical production facilities (DOC/PSF)) are submitted in the initial declaration.

Form B-1: is to be submitted with each **annual declaration on past activities**. In this Form B-1 States Parties can indicate which types of industrial declarations (e.g. Schedule 2 and Schedule 3 chemicals and facilities related to such chemicals or other chemical production facilities (DOC/PSF)) are submitted.

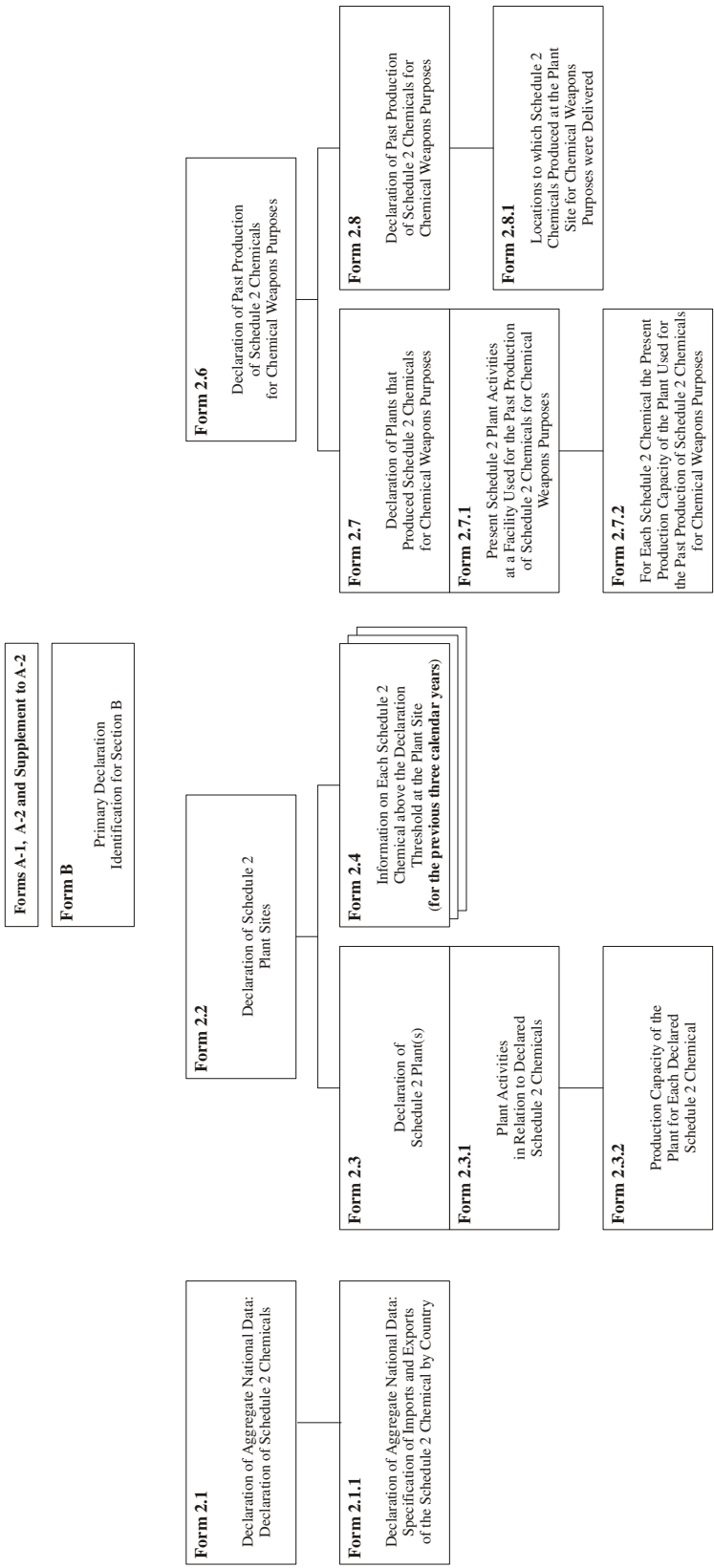
Form B-2: is to be submitted with each **annual declaration of anticipated activities**. Once completed, the form will indicate whether plant site information for Schedule 2 chemicals and facilities related to such chemicals or Schedule 3 chemicals and facilities related to such chemicals is submitted.

Form B-3: is to be submitted with each declaration for **additionally planned activities**. Once completed, the form will indicate whether the declaration refers to Schedule 2 and/or Schedule 3 chemicals and facilities related to such chemicals.

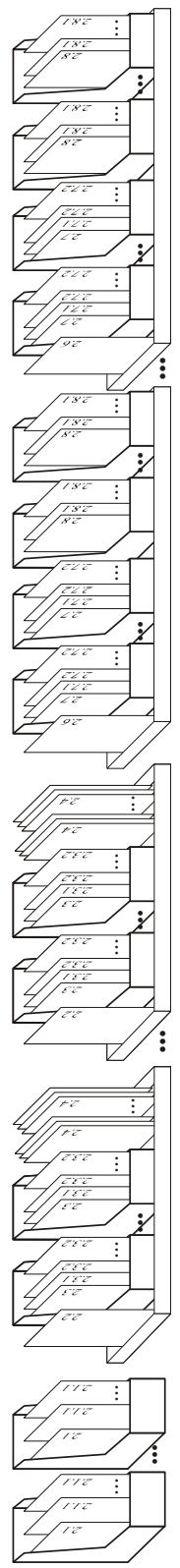
The other declaration forms

All other declaration forms will be filled out in accordance with the activities, types of scheduled chemicals, facilities related to such chemicals, and other chemical production facilities and types of declarations. These forms are all reflected in the flowcharts below.

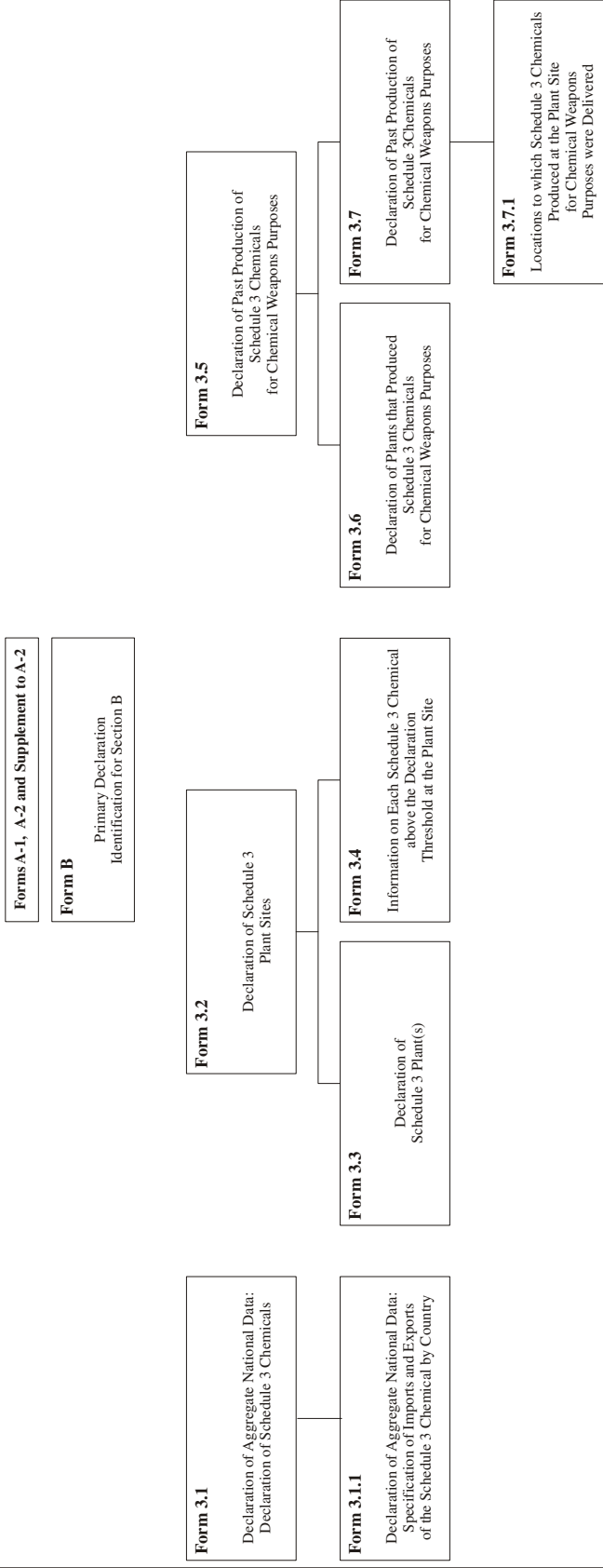
Flowchart Section B
Initial Declaration of Schedule 2 Chemicals and Plant Sites related to such Chemicals



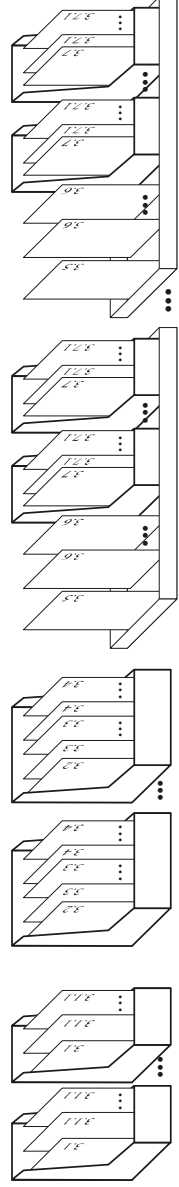
Please group the Forms as follows:



Flowchart Section B
Initial Declaration of Schedule 3 Chemicals and Plant Sites related to such Chemicals



Please group the Forms as follows:



Flowchart *Section B*
Initial Declaration of Other Chemical Production Facilities (DOC/PSF)

Forms A-1, A-2 and Supplement to A-2

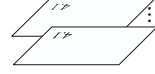
Form B

Primary Declaration
Identification for Section B

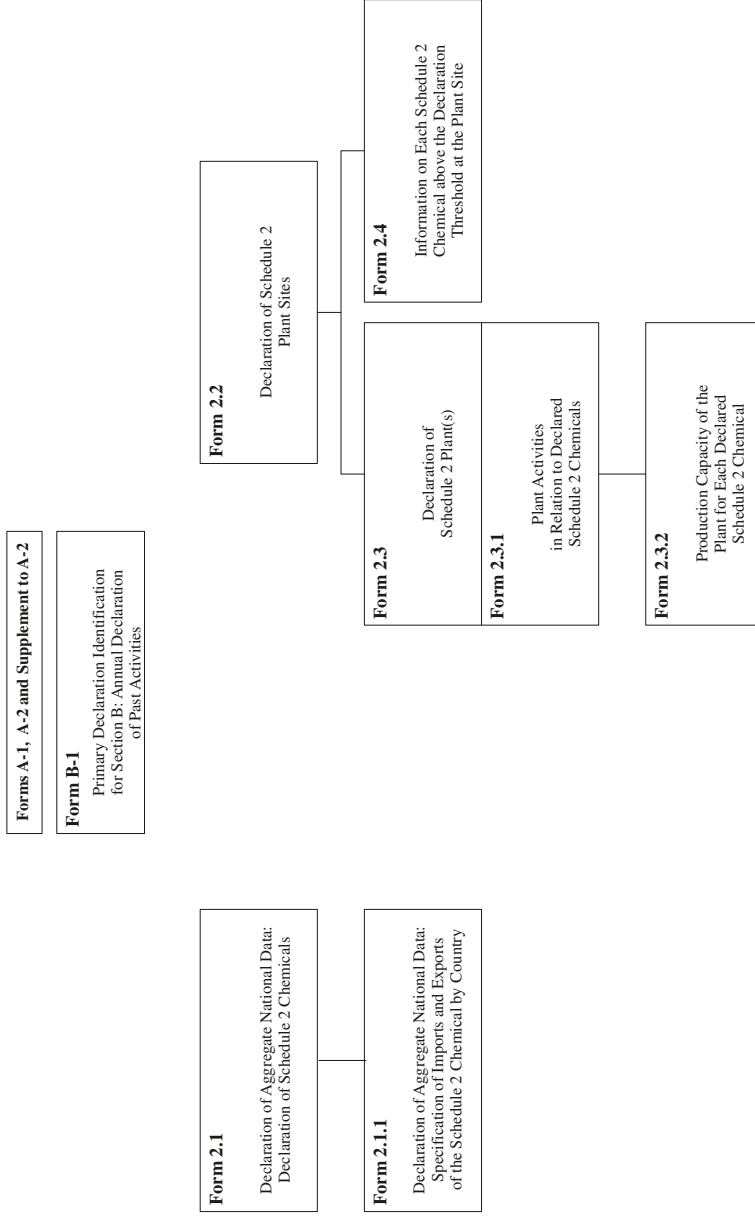
Form 4.1

Declaration of
Other Production Facilities

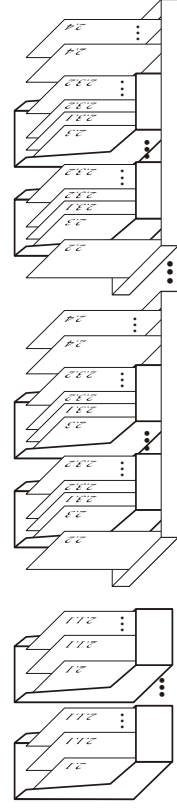
Please group the Forms as follows:



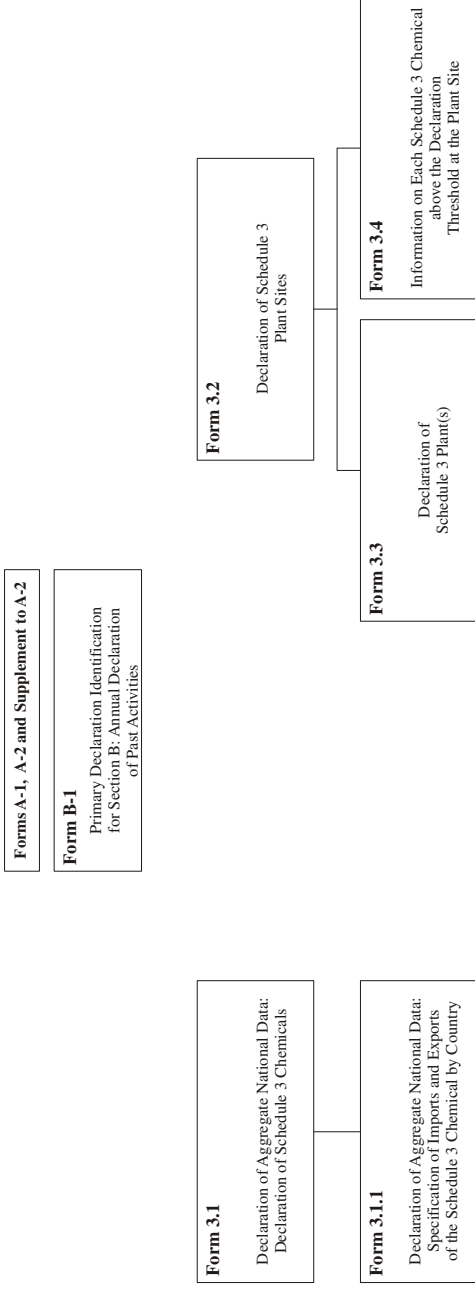
Flowchart Section B
Annual Past Declaration of Schedule 2 Chemicals and Plant Sites related to such Chemicals



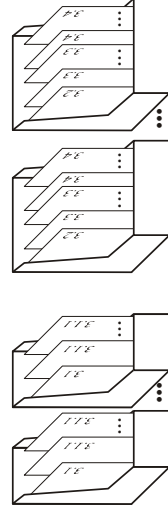
Please group the Forms as follows:



Flowchart Section B
Annual Past Declaration of Schedule 3 Chemicals and Plant Sites related to such Chemicals



Please group the Forms as follows:



Flowchart *Section B*
Annual Update Declaration of Other Chemical Production Facilities (DOC/PSF)

Forms A-1, A-2 and Supplement to A-2

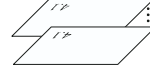
Form B-1

Primary Declaration Identification
for Section B: Annual Declaration
of Past Activities

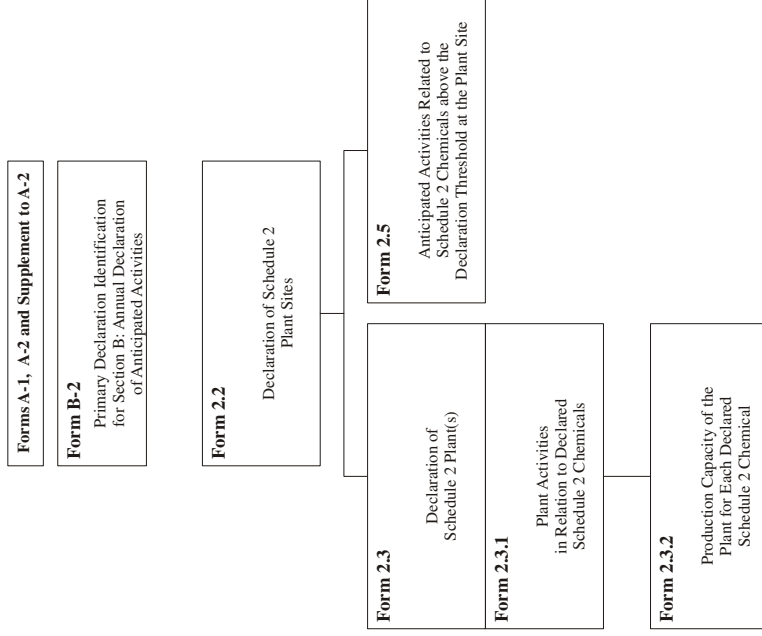
Form 4.1

Declaration of
Other Production Facilities

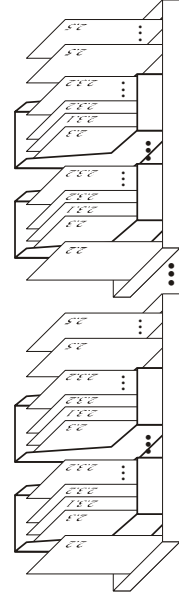
Please Group the Forms as follows:



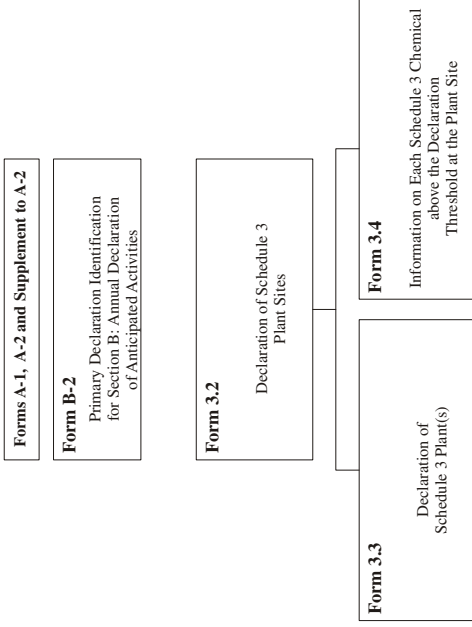
Flowchart Section B
Annual anticipated Declaration of Schedule 2 Chemicals and Plant Sites related to such Chemicals



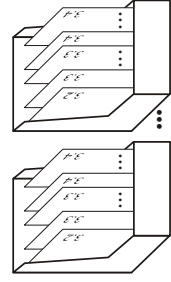
Please group the Forms as follows:



Flowchart Section B
Annual anticipated Declaration of Schedule 3 Chemicals and Plant Sites related to such Chemicals



Please group the Forms as follows:



ANNEX C OF SECTION B

INDUSTRIAL DECLARATION FORMS

OPCW

November 2008



Form B

**Primary Declaration Identification for
Section B: Initial Declaration**

Country Code:
Section: B
Page n of n pages:
Date (ccyy-mm-dd):

Confid.
mark

Please indicate the **year** to which the data relates

Please indicate which of the following items are being declared.

Schedule 2 chemicals and facilities related to such chemicals:

Aggregate national data

Yes No

Declarations of plant sites

Yes No

Declarations of past production of Schedule 2 chemicals for CW purposes

Yes No

Schedule 3 chemicals and facilities related to such chemicals:

Aggregate national data

Yes No

Declarations of plant sites

Yes No

Declarations of past production of Schedule 3 chemicals for CW purposes

Yes No

Other chemical production facilities (DOC/PSF):

Declarations of plant sites

Yes No

Concentration limits:

Are concentration limits applied to **plant site** declarations?

Yes No

If the answer to the above is **YES**, please complete the Table below

| | Production % | Processing % | Consumption % | Export % | Import % |
|--------------|--------------|--------------|---------------|----------|----------|
| Schedule 2A* | | | | | |
| Schedule 2A | | | | | |
| Schedule 2B | | | | | |
| Schedule 3 | | | | | |

Are concentration limits applied to declarations of **aggregate national data**?

Yes No <

If the answer to the above is **YES**, please complete the Table below

| | Production % | Processing % | Consumption % | Export % | Import % |
|--------------|--------------|--------------|---------------|----------|----------|
| Schedule 2A* | | | | | |
| Schedule 2A | | | | | |
| Schedule 2B | | | | | |
| Schedule 3 | | | | | |



Form B-1

**Primary Declaration Identification for
Section B: Annual Declaration of past
activities**

Country Code:
Section: B
Page n of n pages:
Date (ccyy-mm-dd):

Confid.
mark

Please indicate the **year** to which the data relates _____

Please indicate which of the following items are being declared.

Schedule 2 chemicals and facilities related to such chemicals:

Aggregate national data

Yes No

Plant sites

Yes No

Schedule 3 chemicals and facilities related to such chemicals:

Aggregate national data

Yes No

Plant sites

Yes No

Other chemical production facilities (DOC/PSF):

Updated list of plant sites

Yes No

Concentration limits:

Are concentration limits applied to **plant site** declarations? If **YES**, please complete *the Table below*.

Yes No

| | Production % | Processing % | Consumption % | Export % | Import % |
|--------------|--------------|--------------|---------------|----------|----------|
| Schedule 2A* | | | | | |
| Schedule 2A | | | | | |
| Schedule 2B | | | | | |
| Schedule 3 | | | | | |

Are concentration limits applied to declarations of **aggregate national data**? If **YES**, please complete *the Table below*.

Yes No <

| | Production % | Processing % | Consumption % | Export % | Import % |
|--------------|--------------|--------------|---------------|----------|----------|
| Schedule 2A* | | | | | |
| Schedule 2A | | | | | |
| Schedule 2B | | | | | |
| Schedule 3 | | | | | |



Form B-2

**Primary Declaration Identification for
Section B: Annual Declaration of
anticipated activities**

Country Code:
Section: B
Page n of n pages:
Date (ccyy-mm-dd):

Confid.
mark

Please indicate the **year** to which the data relates _____

Please indicate which of the following items are being declared.

Schedule 2 chemicals and facilities related to such chemicals:

Plant sites

Yes No

Schedule 3 chemicals and facilities related to such chemicals:

Plant sites

Yes No

Concentration limits:

Are concentration limits applied to **plant site** declarations? If **YES**, please complete *the Table below*.

Yes No

| | Production % | Processing % | Consumption % | Export % | Import % |
|--------------|--------------|--------------|---------------|----------|----------|
| Schedule 2A* | | | | | |
| Schedule 2A | | | | | |
| Schedule 2B | | | | | |
| Schedule 3 | | | | | |



Form B-3

**Primary Declaration Identification for
Section B: Declaration of Additionally
Planned Activities**

Country Code:

Section: B

Page n of n pages:

Date (ccyy-mm-dd):

Confid.
mark

Please indicate the **year** to which the data relates _____

Please indicate which of the following items are being declared.

Schedule 2 chemicals and facilities related to such chemicals:

Plant sites

Yes No

Schedule 3 chemicals and facilities related to such chemicals:

Plant sites

Yes No

Concentration limits:

Are concentration limits applied to **plant site** declarations? If **YES**, please complete *the Table below*.

Yes No

| | Production % | Processing % | Consumption % | Export % | Import % |
|--------------|--------------|--------------|---------------|----------|----------|
| Schedule 2A* | | | | | |
| Schedule 2A | | | | | |
| Schedule 2B | | | | | |
| Schedule 3 | | | | | |

**Form 2.1****Aggregate National Data: Declaration of
Schedule 2 Chemicals**

Country Code: _____

Section: B

Page n of n pages:

Date (ccyy-mm-dd): _____

Confid.
mark*Please complete one form for each Schedule 2 chemical.***IUPAC chemical name:**If chemical is not contained in handbook for chemicals ,
please identify attachment for structural formula:

CAS registry number:

Unit of weight:

Tonne Kg

Aggregate quantity for the previous calendar year:

Produced:

Processed:

Consumed:

Imported:

Exported:



Form 2.1.1

Aggregate National Data: Specification of Imports or Exports of the Schedule 2 Chemical by Country

Country Code:

Section: B

Page n of n pages:

Date (ccyy-mm-dd):

Confid.
mark

Please complete this form for each Schedule 2 chemical.

IUPAC chemical name:

CAS registry number:

Unit of weight:

Tonne Kg

*Please repeat the following block(s) of information as many times as necessary to declare all **import** and **export** quantities of this chemical for all countries involved in the previous calendar year.*

Country code (see Appendix 1):

Quantity imported (**by Declaring State Party**):

Quantity exported (**by Declaring States Party**):

Country code (see Appendix 1):

Quantity imported (**by Declaring State Party**):

Quantity exported (**by Declaring State Party**):

Country code (see Appendix 1):

Quantity imported (**by Declaring State Party**):

Quantity exported (**by Declaring State Party**):

Country code (see Appendix 1):

Quantity imported (**by Declaring State Party**):

Quantity exported (**by Declaring State Party**):

Country code (see Appendix 1):

Quantity imported (**by Declaring State Party**):

Quantity exported (**by Declaring State Party**):

Country code (see Appendix 1):

Quantity imported (**by Declaring State Party**):

Quantity exported (**by Declaring State Party**):



Form 2.2

Declaration of Schedule 2 Plant Sites

Country Code:

Section: B

Page n of n pages:

Date (ccyy-mm-dd):

Confid.
mark

Please complete one form for each plant site.

Plant Site Code:

Name of plant site:

The name of the owner, company, or enterprise
operating the plant site:

Street address:

City/district:

Province/state/other:

Latitude, longitude/Precise location:

Identify the attachment for additional information on this
plant site (if available):

Number of declared Schedule 3 Plants
at the plant site:

Does this plant site comprise one or more plants
which produced, processed or consumed during any of the
three previous calendar years or is anticipated to produce,
process or consume in the next calendar year above the
verification thresholds?

Yes No



Form 2.3

Declaration of Schedule 2 Plant(s)

Country Code:

Section: B

Page n of n pages:

Date (ccyy-mm-dd):

Confid.
mark

Please complete one form for each plant.

Plant Code:

Plant Site Code:

Name of plant:

The name of the owner, company, or enterprise
operating the plant:

The precise location of the plant within the plant site:

Specific structure number, if any:

Specific building number, if any:

Identify the attachments for additional information on a
voluntary basis on this plant (if available):

Main activities of Schedule 2 plants:

Use product group codes (see Appendix 4) to describe
main activities of the plant in terms of product group(s):

Is or was a chemical specified in subparagraph 8(a) (i) of
Article II of the CWC produced at the facility as an
unavoidable by-product in an amount not exceeding
3 per cent of the total product?

Yes No



Form 2.3.1

Plant Activities in Relation to Declared Schedule 2 Chemicals

Country Code:

Section: B

Page n of n pages:

Date (ccyy-mm-dd):

Confid.
mark

Please complete as many forms as necessary in order to declare the activities of each Schedule 2 plant at the plant site

Plant Code:

Plant Site Code:

Please indicate below whether the plant produces, processes, or consumes the declared Schedule 2 chemical(s):

Production :

Yes No

Processing :

Yes No

Consumption :

Yes No

Is this plant dedicated to such activities or is it multipurpose?

Dedicated

Multipurpose

Specify other activities in relation to the declared Schedule 2 chemical(s), if any: (use appropriate Appendix 3 codes B04-B06 or specify)

*Please declare the production capacity of this plant for each declared Schedule 2 chemical in the following **Form 2.3.2.***

**Form 2.3.2****Production Capacity of the Plant for
Each Declared Schedule 2 Chemical**

Country Code: _____

Section: B

Page n of n pages:

Date (ccyy-mm-dd): _____

Confid.
mark

Please repeat the following block of information as many times as necessary in order to declare the production capacity of the plant for each declared Schedule 2 chemical produced, processed, or consumed at the plant.

Plant Code:

Plant Site Code:

IUPAC chemical name:

CAS registry number:

Production capacity:

Calculation method:

Name plate Design

IUPAC chemical name:

CAS registry number:

Production capacity:

Calculation method:

Name plate Design

IUPAC chemical name:

CAS registry number:

Production capacity:

Calculation method:

Name plate Design

IUPAC chemical name:

CAS registry number:

Production capacity:

Calculation method:

Name plate Design

IUPAC chemical name:

CAS registry number:

Production capacity:

Calculation method:

Name plate Design



Form 2.4

Information on Each Schedule 2 Chemical above the Declaration Threshold at the Plant Site

Country Code:

Section: B

Page n of n pages:

Date (ccyy-mm-dd):

Confid.
mark

*For initial declarations please provide this information for
each of the previous three calendar years*

*Please complete as many forms as necessary in order to
declare all Schedule 2 chemicals at the plant site.*

Plant Site Code:

The year to which the data relates:

IUPAC chemical name:

Common or trade name of the chemical used by the facility:

If chemical is not contained in handbook for chemicals ,
please identify attachment for structural formula:

CAS registry number:

**Total amounts of Schedule 2 chemical produced, processed,
consumed, imported or exported by the plant site.**

Unit of weight:

Tonne Kg

Quantity produced:

Quantity processed:

Quantity consumed:

Quantity imported:

Quantity exported:

**Purposes for which the chemical was produced, processed
or consumed**

Processing and consumption of Schedule 2 chemical
on site; specify product type (use product group
codes in Appendix 4):

Direct export off the plant site?

Yes No

If **YES**, specify States involved (use country codes
in Appendix 1):

Sale or transfer within the territory or to any other place
under the jurisdiction or control of the State Party
(please indicate destination below):

Other industry:

Yes No

Trader:

Yes No

Other destination:

Yes No

Final product types derived from sold/transferred chemicals,
if possible, (Use product group codes in Appendix 4)

Other purpose (specify) for which the Schedule 2
chemical was produced, processed or consumed:



Form 2.5

Anticipated Activities Related to Schedule 2 Chemicals above the Declaration threshold at the Plant Site

Country Code:

Section: B

Page n of n pages:

Date (ccyy-mm-dd):

Confid.
mark

Please repeat the following block of information as many times
as necessary in order to declare **all activities** at the plant site.

Plant Site Code:

For **each Schedule 2 chemical**, please complete this form to
declare all activities related to that chemical at the plant site.

IUPAC chemical name:

CAS registry number:

Unit of weight:

Tonne Kg

Yes No

Production:

Total amount anticipated to be produced during the
next calendar year:

Time Period(s)

Processing:

Total amount anticipated to be processed during the
next calendar year:

Time Period(s)

Yes No

Consumption:

Total amount anticipated to be consumed during the
next calendar year:

Time Period(s)

Yes No

**Purposes for which the chemical will be produced,
processed or consumed**

Processing and consumption of Schedule 2 chemical
on site; specify product type (use product group
codes in Appendix 4):

Direct export off the plant site?

Yes No

If **YES**, specify States involved (use country codes
in Appendix 1):

Sale or transfer within the territory or to any other place
under the jurisdiction or control of the State Party
(please indicate destination below):

Other industry:

Yes No

Trader:

Yes No

Other destination:

Yes No

Final product types derived from sold/transferred chemicals,
if possible, (Use product group codes in Appendix 4)

Other purpose (specify) for which the Schedule 2
chemical was produced, processed or consumed:



Form 2.6

**Declaration of Past Production of
Schedule 2 Chemicals for Chemical
Weapons Purposes**

Country Code:
Section: B
Page n of n pages:
Date (ccyy-mm-dd):

Confid.
mark

*Please complete one form for each plant site comprising plants that, at any time since 1 January 1946 produced a Schedule 2 chemical for CW purposes. (For each plant, please complete **Form 2.7**).*

Plant Site Code:

Name of plant site:

The name of the owner, company, or enterprise operating the plant site:

Street address:

City/district:

Province/state/other:

Latitude, longitude/Precise location:

Identify the attachment for additional information on this plant site (if available):



Form 2.7

**Declaration of Plants that Produced
Schedule 2 Chemicals for Chemical
Weapons Purposes**

Country Code:
Section: B
Page n of n pages:
Date (ccyy-mm-dd):

Confid.
mark

*For each plant that produced at any time since 1 January 1946 a Schedule 2 chemical for CW purposes, please complete this form, as well as **Forms 2.7.1 and 2.7.2.***

Plant Code:

Plant Site Code:

Name of plant:

The name of the owner, company, or enterprise operating the plant site:

The precise location of the plant within the plant site:

Specific structure number, if any:

Specific building number, if any:

Identify the attachments for additional information on this plant (if available):

Main activities of Schedule 2 plants (present activities)

Use main activity codes (see Appendix 3) to describe main activities of the plant:

Use product group codes (see Appendix 4) to describe main activities of the plant in terms of product group(s):



Form 2.7.1

Present Schedule 2 Plant Activities at a Facility Used for the Past Production of Schedule 2 Chemicals for Chemical Weapons Purposes

Country Code:
Section: B
Page n of n pages:
Date (ccyy-mm-dd):

Confid.
mark

Please complete as many forms as necessary in order to declare the present activities of each Schedule 2 plant at the plant site.

Plant Code:

Plant Site Code:

Please indicate whether the plant produces, processes, or consumes the declared Schedule 2 chemical(s):

Production :

Yes No

Processing :

Yes No

Consumption :

Yes No

Is this plant dedicated to such activities or is it multipurpose?

Dedicated

Multipurpose

Specify other activities in relation to the declared Schedule 2 chemical(s), if any: (use appropriate Appendix 3 codes B04-B06 or specify)

*Please declare the production capacity of this plant for each declared Schedule 2 chemical in the following **Form 2.7.2.***

**Form 2.7.2****Present Production Capacity of the Plant Used for Past Production of Schedule 2 Chemicals for Chemical Weapons Purposes**

Country Code:

Section: B

Page n of n pages:

Date (ccyy-mm-dd):

Confid.
mark

Please repeat the following block of information as many times as necessary in order to declare the production capacity of the plant for each declared Schedule 2 chemical presently produced, processed, or consumed at the plant.

Plant Code:

Plant Site Code:

IUPAC chemical name:

CAS registry number:

Production capacity:

Calculation method:

Name plate Design

IUPAC chemical name:

CAS registry number:

Production capacity:

Calculation method:

Name plate Design

IUPAC chemical name:

CAS registry number:

Production capacity:

Calculation method:

Name plate Design

IUPAC chemical name:

CAS registry number:

Production capacity:

Calculation method:

Name plate Design

IUPAC chemical name:

CAS registry number:

Production capacity:

Calculation method:

Name plate Design



Form 2.8

Declaration on Past Production of Schedule 2 Chemicals for Chemical Weapons Purposes

Country Code:

Section: B

Page n of n pages:

Date (ccyy-mm-dd):

Confid.
mark

*Please complete one form for each Schedule 2 chemical
produced at the plant site.*

The year to which the data relates:

Plant Site Code:

IUPAC chemical name:

Common or trade name of the chemical used by the
facility:

If chemical is not contained in handbook for chemicals ,
please identify attachment for structural formula:

CAS registry number:

Unit of weight:

Tonne Kg

*Please repeat the following block of information as many
times as necessary in order to declare all dates when the
Schedule 2 chemical was produced at the plant site.*

Approximate periods:

Quantity produced:

Approximate periods:

Quantity produced:

Approximate periods:

Quantity produced:

Approximate periods:

Quantity produced:

Approximate periods:

Quantity produced:

Approximate periods:

Quantity produced:

Approximate periods:

Quantity produced:



Form 2.8.1

Locations to which Schedule 2 Chemicals Produced at the Plant Site for Chemical Weapons Purposes were Delivered

Country Code:

Section: B

Page n of n pages:

Date (ccyy-mm-dd):

Confid.
mark

For each Schedule 2 chemical produced for CW purposes, please repeat the following block of information per plant site as many times as necessary in order to declare all locations, if known, to which the chemical was delivered.

Plant Site Code:

IUPAC chemical name:

CAS registry number:

Location:

City/district:

Province/state/other:

Country codes (see Appendix 1):

Final product (if known):

Location:

City/district:

Province/state/other:

Country codes (see Appendix 1):

Final product (if known):

Location:

City/district:

Province/state/other:

Country codes (see Appendix 1):

Final product (if known):

Location:

City/district:

Province/state/other:

Country codes (see Appendix 1):

Final product (if known):



Form 2.9

**Notification of Cessation of Declarable
Activities at Schedule 2 Plant Sites**

Country Code:

Section: B

Page n of n pages:

Date (ccyy-mm-dd):

Confid.
mark

*Please complete one form for each plant site that ceased
to undertake activities in regard to Schedule 2 chemicals*

Plant Site Code:

Name of plant site:

The name of the owner, company, or enterprise
operating the plant site:

Street address:

City/district:

Province/state/other:

Latitude, longitude/Precise location:

Has the plant site permanently ceased all declarable
activities with regard to Schedule 2 chemicals?

Yes No

Year in which the declarable activities ceased

Reason for cessation of activities (*tick all that apply*)

Plant site has been closed

Plant site has been dismantled

Declared Schedule 2 plant(s) have been closed

Declared Schedule 2 plant(s) have been dismantled

Declared plant(s) still operating but no longer
producing, processing or consuming Schedule 2
chemicals

Activities prior to cessation

Was a Schedule 2 chemical produced, processed or
consumed above the applicable declaration threshold in
the calendar year in which the plant site ceased declarable
activities with regard to Schedule 2 chemicals?

Yes No

*If "No" is checked, this form will be considered to be a nil declaration and no
further declarations will be required for this Schedule 2 plant site.*

*If "Yes" is checked, then an annual declaration of past activities is required for the
calendar year in which the plant site ceased declarable activities. This declaration
can either be provided with this notification or 90 days after the end of that
calendar year.*

SCHEDULE 3 CHEMICALS AND FACILITIES RELATED TO SUCH CHEMICALS

**Form 3.1****Aggregate National Data: Declaration of
Schedule 3 Chemicals**

Country Code: _____

Section: B

Page n of n pages:

Date (ccyy-mm-dd): _____

Confid.
mark*Please complete one form for each Schedule 3 chemical.***IUPAC chemical name:**

If chemical is not contained in handbook for chemicals ,
please identify attachment for structural formula:

CAS registry number:

Unit of weight:

Tonne Kg

Aggregate quantity for the previous calendar year:

Produced:

Imported:

Exported:



Form 3.1.1

Aggregate National Data: Specification of Imports or Exports of the Schedule 3 Chemical by Country

Country Code:

Section: B

Page n of n pages:

Date (ccyy-mm-dd):

Confid.
mark

Please complete this form for each Schedule 3 chemical.

IUPAC chemical name:

CAS registry number:

Unit of weight:

Tonne Kg

*Please repeat the following block(s) of information as many times as necessary to declare all **import** and **export** quantities of this chemical for all countries involved in the previous calendar year.*

Country code (see Appendix 1):

Quantity imported (**by Declaring State Party**):

Quantity exported (**by Declaring State Party**):

Country code (see Appendix 1):

Quantity imported (**by Declaring State Party**):

Quantity exported (**by Declaring State Party**):

Country code (see Appendix 1):

Quantity imported (**by Declaring State Party**):

Quantity exported (**by Declaring State Party**):

Country code (see Appendix 1):

Quantity imported (**by Declaring State Party**):

Quantity exported (**by Declaring State Party**):

Country code (see Appendix 1):

Quantity imported (**by Declaring State Party**):

Quantity exported (**by Declaring State Party**):

Country code (see Appendix 1):

Quantity imported (**by Declaring State Party**):

Quantity exported (**by Declaring State Party**):



Form 3.2

Declaration of Schedule 3 Plant Sites

Country Code:

Section: B

Page n of n pages:

Date (ccyy-mm-dd):

Confid.
mark

Please complete one form for each plant site.

Plant Site Code:

Name of plant site:

The name of the owner, company, or enterprise
operating the plant site:

Street address:

City/district:

Province/state/other:

Latitude, longitude/Precise location:

Identify the attachment for additional information on this
plant site (if available):

Number of declared Schedule 2 Plants
at the plant site:



Form 3.3

Declaration of Schedule 3 Plant(s)

Country Code:

Section: B

Page of n pages:

Date (ccyy-mm-dd):

Confid.
mark

Please complete one form for each plant.

Plant Code:

Plant Site Code:

Name of plant:

The name of the owner, company, or enterprise operating the plant:

The precise location of the plant within the plant site:

Specific structure number, if any:

Specific building number, if any:

Identify the attachments for additional information on a voluntary basis on this plant (if available):

Main activities of Schedule 3 plants.

Use product group codes (see Appendix 4) to describe main activities of the plant in terms of product group(s):

Is or was a chemical specified in subparagraph 8(a) (i) of Article II of the CWC produced at the facility as an unavoidable by-product in an amount not exceeding 3 per cent of the total product?

Yes No



Form 3.4

Information on Each Schedule 3 Chemical above the Declaration Threshold at the Plant Site

Country Code:

Section: B

Page n of n pages:

Date (ccyy-mm-dd):

Confid.
mark

Please complete one form for each plant site.

Plant Site Code:

Please repeat the following block(s) of information as often as necessary to declare all Schedule 3 chemicals at the plant site.

IUPAC chemical name:

Common or trade name used by the the plant site:

If chemical is not contained in handbook for chemicals ,
please identify attachment for structural formula:

CAS registry number:

Production range for the Schedule 3 chemical (use code
of production range , see Appendix 6):

Purpose of production (use production purpose codes B11
to B13 in Appendix 5, or specify):

IUPAC chemical name:

Common or trade name used by the the plant site:

If chemical is not contained in handbook for chemicals ,
please identify attachment for structural formula:

CAS registry number:

Production range for the Schedule 3 chemical (use code
of production range , see Appendix 6):

Purpose of production (use production purpose codes B11
to B13 in Appendix 5, or specify):



Form 3.5

Declaration of Past production of Schedule 3 Chemicals for Chemical Weapons Purposes

Country Code:

Section: B

Page n of n pages:

Date (ccyy-mm-dd):

Confid.
mark

*Please complete one form for each plant site comprising plants that, at any time since 1 January 1946 produced a Schedule 3 chemical for CW purposes. (For each site, please complete **Form 3.6**).*

Plant Site Code:

Name of plant site:

The name of the owner, company, or enterprise operating the plant site:

Street address:

City/district:

Province/state/other:

Latitude, longitude/Precise location:

Identify the attachment for additional information on this plant site (if available):



Form 3.6

Declaration of Plants that Produced Schedule 3 Chemicals for Chemical Weapons Purposes

Country Code:

Section: B

Page n of n pages:

Date (ccyy-mm-dd):

Confid.
mark

Please complete one form for each plant that produced at any time since 1 January 1946 a Schedule 3 chemical for CW purposes.

Plant Code:

Plant Site Code:

Name of plant:

The name of the owner, company, or enterprise operating the plant:

The precise location of the plant within the plant site:

Specific structure number, if any:

Specific building number, if any:

Identify the attachments for additional information on a voluntary basis on this plant (if available):

Main activities of Schedule 3 plants (present activities)

Use main activity codes (see Appendix 3) to describe main activities of the plant:

Use product group codes (see Appendix 4) to describe main activities of the plant in terms of product group(s):

**Form 3.7****Declaration of Past Production of
Schedule 3 Chemicals for Chemical
Weapons Purposes**

Country Code:

Section: B

Page n of n pages:

Date (ccyy-mm-dd):

Confid.
mark*Please complete one form for each Schedule 3 chemical
produced at the plant site.***Plant Site Code:**

IUPAC chemical name:

Common or trade name of the chemical used by the
facility:

If chemical is not contained in handbook for chemicals ,
please identify attachment for structural formula::

CAS registry number:

Unit of weight:

Tonne Kg *Please repeat the following block of information as many
times as necessary in order to declare all dates when the
Schedule 3 chemical was produced at the plant site.*

Approximate periods:

Quantity produced:

Approximate periods:

Quantity produced:

Approximate periods:

Quantity produced:

Approximate periods:

Quantity produced:

Approximate periods:

Quantity produced:

Approximate periods:

Quantity produced:

Approximate periods:

Quantity produced:

**Form 3.7.1****Locations to which Schedule 3
Chemicals Produced at the Plant Site for
Chemical Weapons Purposes were
Delivered**

Country Code: _____

Section: B

Page n of n pages:

Date (ccyy-mm-dd): _____

Confid.
mark

*For each Schedule 3 chemical produced for CW purposes,
please repeat the following block of information per plant
site as many times as necessary in order to declare all
locations, if known, to which the chemical was delivered.*

Plant Site Code: _____

IUPAC chemical name: _____

CAS registry number: _____

Location: _____

City/district: _____

Province/state/other: _____

Country code (see Appendix 1): _____

Final product (if known): _____

Location: _____

City/district: _____

Province/state/other: _____

Country code (see Appendix 1): _____

Final product (if known): _____

Location: _____

City/district: _____

Province/state/other: _____

Country code (see Appendix 1): _____

Final product (if known): _____

Location: _____

City/district: _____

Province/state/other: _____

Country code (see Appendix 1): _____

Final product (if known): _____



Form 3.8

Notification of Cessation of Declarable Activities at Schedule 3 Plant Sites

Country Code:
Section: B
Page n of n pages:
Date (ccyy-mm-dd):

Confid.
mark

Please complete one form for each plant site that ceased to undertake activities in regard to Schedule 3 chemicals

Plant Site Code:

Name of plant site:

The name of the owner, company, or enterprise operating the plant site:

Street address:

City/district:

Province/state/other:

Latitude, longitude/Precise location:

Has the plant site permanently ceased all declarable activities with regard to Schedule 3 chemicals?

Yes No

Year in which the declarable activities ceased

Reason for cessation of activities (*tick all that apply*)

Plant site has been closed

Plant site has been dismantled

Declared Schedule 3 plant(s) have been closed

Declared Schedule 3 plant(s) have been dismantled

Declared plant(s) still operating but no longer producing Schedule 3 chemicals

Activities prior to cessation

Was a Schedule 3 chemical produced above the applicable declaration threshold in the calendar year in which the plant site ceased declarable activities with regard to Schedule 3 chemicals?

Yes No

If "No" is checked, this form will be considered to be a nil declaration and no further declarations will be required for this Schedule 3 plant site.

If "Yes" is checked, then an annual declaration of past activities is required for the calendar year in which the plant site ceased declarable activities. This declaration can either be provided with this notification or 90 days after the end of that calendar year.

OTHER CHEMICAL PRODUCTION FACILITIES (OCPF)



Form 4.1

Declaration of "Other Chemical Production Facilities"

Country Code: _____

Section: B

Page n of n pages:

Date (ccyy-mm-dd): _____

Confid.
mark

Please complete one form for each "other chemical production facility".

Plant Site Code: _____

Name of plant site: _____

The name of the owner, company, or enterprise operating the plant site: _____

Street address: _____

City/district: _____

Province/state/other: _____

Latitude, longitude/Precise location: _____

Identify the attachment for additional information on this plant site (if available): _____

Use product group codes (see Appendix 4) to describe main activities of the plant site that make the site declarable, in terms of product group(s): _____

For plant sites producing more than 200 tonnes of DOC chemicals (including PSF chemicals)

Aggregate amount of production of the unscheduled discrete organic chemicals, including PSF chemicals (use Codes of Production Range, see Appendix 7): _____

Approximate number of plants producing unscheduled discrete organic chemicals, including PSF chemicals at the plant site: _____

For plant sites comprising one or more plants producing more than 30 tonnes of a PSF chemical

Number of PSF plants at plant site: _____

Has this plant site during the previous calendar year produced more than 200 tonnes of a PSF-chemical? Yes No

Aggregate amount of production of PSF chemicals produced by each PSF plant.

Number of plants producing 30 to 200 tonnes of PSF: _____

Number of plants producing 200 to 1,000 tonnes of PSF:: _____

Number of plants producing 1,000 to 10,000 tonnes of PSF: _____

Number of plants producing more than 10,000 tonnes of PSF: _____

Is or was a chemical specified in paragraph 8 of Article II of the CWC produced at the DOC/PSF facility as an unavoidable by-product in an amount not exceeding 3 per cent of the total product? Yes No

END USE CERTIFICATE

Form T30**End-Use Certificate***

(For transfers of Schedule 3 chemicals to States not party to the Convention)

**Exporter's Transfer
Identification:****Country Code****Year****Transfer Number**

| | | |
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| | |
|---|---------------------|
| A. CHEMICAL TO BE TRANSFERRED: | |
| Type: | IUPAC chemical name |
| | CAS registry number |
| Total Quantity (Kilograms): | |
| B. END-USE(S) OF THE CHEMICAL: | |
| 1. | |
| 2. | |
| 3. | |
| C. END USER(S) | |
| I (we) certify that I (we) am (are) the end-user(s) of the chemical referred to under A above. I (we) will not export, resell or otherwise dispose of any amount thereof (1) outside the recipient State on whose territory the end user(s) listed below is (are) located, or (2) to any other person, natural or legal. I (we) further certify that, to the best of my (our) knowledge and belief, all of the facts contained in this certificate are true, and that I (we) do not know of any additional facts that are inconsistent with this certificate. | |
| Name: | Quantity (Kg): |
| Position: | |
| Organisation: | |
| Address: | |
| Signature: | Date: |
| Name: | Quantity (Kg): |
| Position: | |
| Organisation: | |
| Address: | |
| Signature: | Date: |
| Name: | Quantity (Kg): |
| Position: | |
| Organisation: | |
| Address: | |
| Signature: | Date: |
| D. CERTIFICATION ON BEHALF OF THE RECIPIENT STATE | |
| It is hereby certified that the transferred chemical referred to above will be used only for purposes not prohibited under the Convention on the Prohibition of the Development, Stockpiling and Use of Chemical Weapons and on Their Destruction, and that it will not be re-transferred. | |
| Name: | |
| Position: | |
| Organisation: | |
| Address: | |
| Signature: | Date: |

* After 29 April 2002, the transfer of Schedule 3 chemicals to States not party to the Convention shall be subject to any restrictions which may be determined by the Conference of the States Parties of the OPCW.

ANNEX D OF SECTION B

**GUIDANCE ON COMPLETING THE MOST COMMONLY
USED DECLARATION FORMS**

OPCW

November 2008

1. Guidance on completing form headers and confidentiality marks

1.1 Header

Country Code

Identify the State Party making the declaration by entering the appropriate three letter country code from Appendix 1.

Section

For all industry related declarations, i.e. those relating to Schedule 2 or 3 chemicals and facilities, and forms for declaration of other chemicals production facilities the letter “B” should be filled in. In the 2008 versions of the forms this has already been entered into the template.

Page n of n pages

Each page should be numbered and the number of pages in the declaration entered, e.g. page 8 of 50. In the case of large declarations a State Party may wish to number individual sections of the declaration (e.g. all Schedule 2 plant site declarations) separately rather than numbering all pages sequentially from the beginning to the end of the entire declaration. However, State Parties should avoid numbering each form or plant site separately as it becomes difficult to refer to an individual page if there are multiple pages with the same number.

Date (ccyy-mm-dd)

Enter the date on which the form was completed using the format CCYY-MM-DD, e.g. 2009-02-21 for the 21st of February 2009.

1.2 Confidentiality Mark

The classification of a field on a declaration form should be provided in the column entitled “Confid. mark”. The OPCW’s recognised classification system is as follows:

- R – OPCW Restricted,
- P – OPCW Protected,
- H – OPCW Highly Protected.

One of the single letter codes R, P or H should be entered in each field. If the field is left blank it will be considered that the data is unclassified unless indicated otherwise in a covering letter or in the header or footer of the individual form.

For further guidance see the Confidentiality Supplement to the Declarations Handbook (see Section M).

2. Guidance on completing forms for declaring aggregate national data (AND) for Schedule 2 and 3 chemicals: Forms 2.1/3.1 and 2.1.1/3.1.1

For guidance on completion of the form header and the confidentiality mark please see section 1 of this annex. It is strongly recommended that prior to completing any AND forms States Parties should consult subsection 2.1 of Section B.

Forms 2.1/3.1

AND for each Schedule 2 chemical should be declared on forms 2.1 and 2.1.1. AND for Schedule 3 chemicals should be declared on forms 3.1 and 3.1.1. As the fields in forms 2.1 and 3.1 are virtually identical (with only the addition of fields for the aggregate quantities processed and consumed on Form 2.1) the following guidance applies to both forms.

IUPAC chemical name

Scheduled chemicals shall be identified by their chemical names. As a scheduled chemical can have many systematic and non-systematic chemical names, the systematic naming system developed by International Union of Pure and Applied Chemists - the IUPAC chemical name - is preferred. As an alternative the chemical name as listed in the Annex on Chemicals of the CWC can also be provided. The use of common or trade names should be avoided when declaring AND.

CAS registry number

The Chemical Abstracts Service (CAS) registry number for the chemical should also be provided if assigned.

To assist State Parties in preparing industrial declarations related to scheduled chemicals, chemical names and CAS registry numbers (if assigned) of scheduled chemicals which have previously been declared are contained in the Handbook on Chemicals (Appendix 2). For each chemical not contained in the Handbook on Chemicals, the declaration must include the structural formula as an attachment, to help the Secretariat in the identification of the chemical.

Unit of weight

The aggregate quantity of the activity for the previous year should include the units of weight. States Parties should indicate the unit of weight by checking the box for “Tonne” or “Kg” as appropriate. The same unit of weight should be used for all quantities declared on each form. If a State Party wishes to use kilotonnes (kilotonne = 1000 tonnes) to declare large amounts then “kilotonnes” should be entered after each quantity to be declared in kilotonnes.

Aggregate quantity for the previous calendar year

The aggregate quantities produced, processed¹, consumed¹, imported and exported by the State Party during the previous calendar year should be entered in the appropriate fields. For more information on declaration of quantities and rounding rules to be applied please see subsection 1.5.2 of Section B.

¹ Only on form 2.1, i.e. for Schedule 2 chemicals.

If for a specific Schedule 2 or 3 chemical, the aggregate quantity for any of the activities (production, processing, consumption, import and export) was below the appropriate declaration threshold for that chemical (see subsection 2.1 of Section B) then leave the field blank for that activity (in accordance with C-7/DEC.14, dated 10 October 2002).

Forms 2.1.1/3.1.1

As the fields in forms 2.1.1 and 3.1.1 are effectively identical the following guidance applies to both forms. For more information on declaration of quantities and rounding rules to be applied please see subsection 1.5.2 of Section B.

For guidance on completion of the fields **IUPAC chemical name**, **CAS registry number** and **Unit of weight** see the guidance for Forms 2.1/3.1 above.

For each country which was involved in trade in the named Schedule 2 or 3 chemical with the declaring State Party the following three fields should be completed.

Country Code

Identify the other country involved in the transfer by entering the appropriate three letter country code contained in Appendix 1.

Quantity imported

Enter the quantity imported to the declaring State Party from the country which is declared in the field 'Country Code'.

Quantity exported

Enter the quantity exported from the declaring State Party to the country which is declared in the field 'Country Code'.

If the quantity imported or exported by the declaring State Party was below the appropriate declaration threshold for the chemical concerned (reference C-7/DEC.14, dated 10 October 2002) then the following data should be entered:

| Schedule of chemical to be declared | Declaration threshold | Data to be entered² |
|--|------------------------------|---------------------------------------|
| Schedule 2A* | 1 kg | <1 |
| Schedule 2A | 100 kg | <100 |
| Schedule 2B | 1 tonne | <1 |
| Schedule 3 | 30 tonnes | < 30 |

² Please ensure the units of weight indicated in the form are consistent with the units used for the declaration threshold.

3 Guidance on completing Form 4.1 (Declaration of “Other Chemical Production Facilities”)

For guidance on completion of the form header and the confidentiality mark please see section 1 of this annex.

Plant Site Code

The declaring State Party is requested to assign a unique plant site code for each facility and may use those codes for relevant data entries on declaration forms. These codes must be used in a consistent manner in subsequent declarations to ensure that the Secretariat can identify previously declared sites and hence avoid unnecessary inspections. For further details see subsection 5 of Section B.

Name of plant site

Enter the name of the plant site. In general this should be the name by which the site is commonly referred to in official documentation.

The name of the owner, company, or enterprise operating the plant site

Enter the name of the owner of the plant site or in cases where the site is operated by a company or enterprise other than the owner give the name of that company or enterprise. In cases where the site is run by the State, the name of the government department, ministry or agency in charge of operating the site should be given.

Street address, City/district, Province/state/other

Enter the address of the plant site using these three fields, as appropriate. Note the term “state” refers to a territorial division of a country (e.g. the State of California in the United States of America) rather than to the country itself. The address entered should be that of the physical location of the plant site **not** that of the head office of the owner or operator. If the plant site does not have a defined street address the precise location cannot be determined from the address alone and further details should be given in the field “Latitude, longitude/Precise location”.

Latitude, longitude/Precise location

Use this field to provide more details on the precise location of the plant site; this is particularly important in cases where the precise location of the plant site cannot be determined from the address alone, such as where there is no defined address for the plant site. This information can take the form of geographical coordinates (obtained for example from a global positioning system (GPS) or map) or a description of the location of the plant site, such as “xx km along the main road from town A to town B”.

Identify the attachment for additional information on this plant site (if available)

States Parties may use this field to identify any attachment providing additional information that they may wish to provide on a voluntary basis. Some States Parties also use this field to inform the Secretariat of other issues affecting the site such as the fact it has closed.

Use product group codes (see Appendix 4) to describe main activities of the plant site that make the site declarable, in terms of product group(s)

Enter one or more product group codes from Appendix 4 to describe the main activities of the plant site. In selecting product group codes it is recommended that codes are selected which describe the production activities that **make the plant site declarable** rather than to describe the

ultimate end products manufactured at the site, as was the previous practice. This change will help both the Secretariat and States Parties in identifying those sites that do not have any declarable activities and hence avoid inspections at these non-declarable sites. In particular product group codes 522, 523, 525, 571, 572, 573, 574, 575, 579, 581, 582, 583 describe production activities that are not normally declarable under Part IX of the Verification Annex and hence their use may indicate a non-declarable site. More details on the reasoning for this change is set out a Note by the Director General (*EC-53/DG.11, dated 17 June 2008*).

In the 2008 version of Appendix 4 subcategory codes have been introduced for several product group codes. The use of these subcategory codes is strongly encouraged as this will allow the Secretariat to identify sites of lower relevance to which a lower weighting factor will be assigned in the methodology for selecting sites for inspection.

For plant sites producing more than 200 tonnes of DOC chemicals (including PSF chemicals)

The two questions in this section only need to be completed if the plant site produced an aggregate of more than 200 tonnes of discrete organic chemicals (including PSF chemicals). However, many States Parties regularly complete this section regardless to confirm that the site did not produce above 200 tonnes of DOCs and is therefore not inspectable, particularly when making updates for sites that previously were above the 200 tonne threshold.

Aggregate amount of production of the unscheduled discrete organic chemicals, including PSF chemicals (use Codes of Production Range, see Appendix 7):

Enter the appropriate production range code from Appendix 7. If the production of DOCs is less than 200 tonnes it is recommended that the State Party enter "<B31" to indicate this (B31 is the code in Appendix 7 for production of 200 to 1000 tonnes).

In calculating the approximate aggregate amount of production of DOCs at the plant site, the production of PSF chemicals, which are a type of DOC not a separate class of chemicals, should be included.

In accordance with Conference decision C-I/DEC.39, dated 16 May 1997 in calculating the "approximate aggregate amount of production of unscheduled discrete organic chemicals" at the plant site pursuant to subparagraph 1(a) of Part IX of the Verification Annex, the production data shall be aggregated in a way that includes:

- (i) in the case of the production of two or more unscheduled DOCs at the same plant, the aggregate of all of these unscheduled DOCs;
- (ii) in the case of multistep processes, only the quantity of the final product if it is an unscheduled DOC, or the quantity of the last intermediate in the multistep synthesis that meets the definition of an unscheduled DOC; and
- (iii) in the case of intermediates meeting the definition of an unscheduled DOC and being used by another plant at the site to produce an unscheduled DOC, the amount of the intermediate and of the product manufactured from it at that other plant.

Approximate number of plants producing unscheduled discrete organic chemicals, including PSF chemicals at the plant site:

Enter the number of plants at the plant site producing DOCs (including PSF chemicals).

For plant sites comprising one or more plants producing more than 30 tonnes of a PSF chemical

The three questions in this section only need to be completed if there is at least one plant producing more than 30 tonnes of a single PSF chemical (i.e. not an aggregate of all PSF chemicals).

Number of PSF plants at plant site

Enter the number of plants producing PSF chemicals at the site. Note that to be considered as a PSF plant the plant must have produced more than 30 tonnes of a PSF chemical during the previous calendar year.

Has this plant site during the previous calendar year produced more than 200 tonnes of a PSF-chemical?

Tick "Yes" if the plant site has produced more than 200 tonnes of a single PSF chemical (i.e. not an aggregate of all PSF chemicals).

Aggregate amount of production of PSF chemicals produced by each PSF plant

Enter the number of plants producing PSF chemicals in each of the ranges:

- 30 to 200 tonnes
- 200 to 1000 tonnes
- 1000 to 10000 tonnes
- More than 10000 tonnes

Is or was a chemical specified in paragraph 8 of Article II of the CWC produced at the DOC/PSF facility as an unavoidable by-product in an amount not exceeding 3 per cent of the total product?

Paragraph 8 of Article II is the definition of a Chemical Weapons Production Facility. As part of this definition (paragraph 8 (a) (i)) any equipment where during the production of chemicals the material flows would contain

(1) *Any chemical listed in Schedule 1 in the Annex on Chemicals;*
or

(2) *Any other chemical that has no use, above 1 tonne per year on the territory of a State Party or in any other place under the jurisdiction or control of a State Party, for purposes not prohibited under this Convention, but can be used for chemical weapons purposes;*

would be considered a Chemical Weapons Production Facility with the exception of (paragraph 8(b) of Article II):

(i) *Any facility having a production capacity for synthesis of chemicals specified in subparagraph (a) (i) that is less than 1 tonne;*

- (ii) *Any facility in which a chemical specified in subparagraph (a) (i) is or was produced as an unavoidable by-product of activities for purposes not prohibited under this Convention, provided that the chemical does not exceed 3 per cent of the total product and that the facility is subject to declaration and inspection under the Annex on Implementation and Verification (hereinafter referred to as "Verification Annex"); or*
- (iii) *The single small-scale facility for production of chemicals listed in Schedule 1 for purposes not prohibited under this Convention as referred to in Part VI of the Verification Annex.*

Hence the aim of this question is to identify OCPFs which are producing chemicals covered under the Chemical Weapons Production Facility definition but which are exempted from this definition as the chemical is produced as an unavoidable by-product in an amount not exceeding 3% of the total product (under paragraph 8 (b) (ii) of Article II).