

UNITED NATIONS CONSOLIDATED LIST OF PRODUCTS WHOSE CONSUMPTION AND/OR SALE HAVE BEEN BANNED, WITHDRAWN, SEVERELY RESTRICTED OR NOT APPROVED BY GOVERNMENTS

Submission by the UN Secretariat

1. This paper and the presentation of the UN Secretariat at the meeting of the Committee on Trade and Environment on 27–28 June 2001 serves to provide Members with information on the United Nations Consolidated List of Products Whose Consumption and/or Sale Have Been Banned, Withdrawn, Severely Restricted or Not Approved by Governments (the Consolidated List). It builds on the information in the Note of the WTO Secretariat in WT/CTE/W/161, 2 October 2000.
2. The request by the UN General Assembly for the preparation of the Consolidated List resulted from discussions in many international fora, including the GATT, in the early eighties. These discussions centered on the issue of the damage to health and the environment that the continued production and export of products that have been banned or restricted on grounds of human health and safety from domestic markets was causing in importing countries, particularly developing countries.
3. The List complements and consolidates information already available within the UN system and presents restrictive regulatory decisions taken by competent national authorities in a unified manner on both pharmaceutical and chemical products. The provision of information on trade/brand names under which these products are marketed world-wide adds value to the Consolidated List and makes it easier for national authorities, and others concerned with monitoring these products, to identify a restricted product available in the local market. Commercial data provides an easy method to cross-reference trade names with recognized common scientific names under which most regulatory information is available. The UN Secretariat coordinates to ensure that relevant information available within the UN system is utilized, adds commercial information, edits, translates and publishes the List.
4. The Consolidated List is a tool designed to help Governments keep up to date with regulatory decisions taken by other Governments and assists them in considering the scope for eventual regulatory action of their own. Consumer groups also use the List to urge Governments and manufacturers to remove hazardous products from the marketplace.
5. The scope of the information contained in the List is defined by the relevant General Assembly resolutions.
6. With respect to consumer goods, while the List only covers those that are regulated on account of their chemical composition, chemical composition tends to be the subject of greatest concern with respect to DPGs. As a result, the List can play an important role in providing information on these goods. Regulatory information available on pharmaceuticals and chemicals is included but most psychotropic and narcotic substances and many widely used industrial chemicals and food additives are not included in the List as they are already dealt with elsewhere in the UN system.

7. Consumer products are included in the Consolidated List only when they are regulated on account of their chemical composition, which is the main concern as far as hazards to human health and environment are concerned. Consumer products appear under a separate heading in the List, as a consequence of classifying the chemicals by their category of use, which is an effort to make the List more user friendly, as mandated by the General Assembly. The gaps in consumer product data, like information about their export or other similar data, are likely to remain because the mandate of the UN Secretariat does not allow it to gather additional information on its own.

8. In September 1999, the WHO notified the Director-General of the WTO that certain cosmetic products containing mercury were being manufactured in European countries and marketed in the developing world. The WTO Committee on Trade and Environment, concerned with the export of domestically prohibited goods, considered the issue at its subsequent sessions in 1999 and 2000. The case highlights a situation particularly problematic for developing country consumers to whom the products are sold and who do not have access to relevant information and are unaware of the hazards involved. The WTO Secretariat has recognized, however, that some related information is already available in the Consolidated List, which identifies a number of products containing mercury and mercury compounds, along with pertinent regulatory actions. The United Nations Secretariat is ready to pursue further the issue of cosmetic products containing mercury in close cooperation with the WTO Secretariat.

9. The format of the List is reviewed periodically and, in 1995, it was decided to divide the List into two, each being published in alternate years, one focusing on pharmaceuticals and the other on chemicals. Efforts are under way to produce the List on a CD and make it available as a sales item in addition to the printed text; the possibility of providing free internet access is being explored. Cooperation with the WTO can be envisaged to achieve wider dissemination of the List. Every issue of the List contains a questionnaire to obtain feedback from its users; the UN Secretariat has planned a user survey for 2002 to undertake an in-depth analysis of the utilization of the List. The General Assembly, through ECOSOC, will carry out its triennial review of the List later this year.

10. The WTO can play a role in cooperation with the UN system in monitoring trade in domestically prohibited goods (DPGs) and in disseminating information on DPGs. Data could be collected by the WTO through a voluntary notification scheme by the producers and users of DPGs, such as in the area of chemicals.

11. In view of the proposal by Bangladesh in WT/CTE/W/141, 15 June 2000, to enhance information sharing on DPGs with and between developing countries, the UN Secretariat stands ready to cooperate with the WTO and others to respond appropriately in this regard, including through ensuring the wider dissemination of the UN Consolidated List, as well as to build capacity and enhance technical assistance in developing countries.
