

RESOL-2019-75-APN-SGAYDS # SGP

SEEN: The file EX-2018-55314830-APN-DRIMAD # SGP of the Registry of the SECRETARIAT OF GOVERNMENT OF ENVIRONMENT AND SUSTAINABLE DEVELOPMENT, Law N° 27,356, Decree N° 958/2018 dated October 26, 2018, and

CONSIDERING:

That the principle of sustainable development has been enshrined in Article No. 41 of the NATIONAL CONSTITUTION.

That pursuant to Decree No. 958/2018 are objectives of the SECRETARIAT OF GOVERNMENT OF ENVIRONMENT AND SUSTAINABLE DEVELOPMENT with dependence on the GENERAL SECRETARIAT of the PRESIDENCY OF THE NATION, understand the formulation, implementation and execution of the environmental policy and its sustainable development as a State policy, within the framework of provided in article 41 of the NATIONAL CONSTITUTION, in the technical aspects related to the environmental policy and the environmental management of the Nation, proposing and elaborating regimes regulations relating to the environmental order of the territory and its environmental quality.

That pursuant to the aforementioned rule is the responsibility of the Secretariat of Control and Monitoring Environmental assistance to the Secretary of Government in the representation that exercises the National State before international and interjurisdictional organisms, within the framework of multilateral environmental agreements on substances, chemicals and waste subscribed by the Argentine Republic, coordinating actions with the Undersecretariat interjurisdictional and interinstitutional.

That through Law No. 27,356 the MINAMATA CONVENTION ON MERCURY was approved, which aims to protect human health and the environment from emissions and anthropogenic releases of mercury and mercury compounds.

That the aforementioned Convention establishes in its article 4 paragraph 1 that each Party shall prohibit the Manufacturing, import and export of products with added mercury included in Part I of Annex A, taking appropriate action. That said obligation shall not be application when an exclusion is specified in Annex A or when the country have an exemption granted pursuant to article 6 paragraph 1, subsection a.

That there is a variety of regulations at the national level that include regulations on products with mercury prior to the ratification of the Convention, but it remains to be regulated aspects not contemplated.

That the Law N° 26.184 of Portable Electric Power, establishes in its Art 1 °, the prohibition in all the territory of the Nation, of the manufacture, assembly and import of batteries primary, cylindrical or prism-shaped, common Zinc Coal (Zn / C) and alkaline manganese (Zn / MnO₂) whose content exceeds 0.0005% by weight of mercury.

That Law No. 26,473 prohibits the importation and marketing of incandescent lamps.

That the Ministry of Health adopted in 2009 the Policy of the World Health Organization for the minimization of mercury exposure and replacement of the health sector, through the MSN Resolution No. 139/2009; through which all the hospitals and centers were instructed health of the country so that, based on the new procedures for the purchase of inputs, the Sphygmomanometers and clinical thermometers were acquired mercury-free.

That in this context the Ministry of Health banned in 2010 the production, import, marketing or free transfer of mercury column sphygmomanometers for the evaluation of blood pressure for the general public, medical care and veterinary, through MSN Resolution No. 274/2010.

That Mercury and its compounds are forbidden as a cosmetic ingredient by ANMAT Provision No. 6433/2015, order 221, on all products except as preservative agent of the formulation in products for the eye area, in Maximum concentrations of 0.007%, Disposition ANMAT N° 2035/2012 order 15 and 16.

That SENASA Resolution No. 532/11 prohibited the elaboration, importation, exportation, fractionation, commercialization and use of active substances, including the mercury chloride, as well as phytosanitary products formulated on the basis of these, for agricultural use, throughout the territory of the Argentine Republic. Likewise, by Resolution SAGPyA No. 750/2000 of the Secretariat of Agriculture, Livestock, Fisheries and Food of the Nation was banned the pesticide Phenylacetate of mercury.

That for the exposed thing it is necessary to establish the prohibition of the manufacture, import and export of products with added mercury, listed in the Convention, not yet regulated.

That, for all the above, it is necessary that the SECRETARY OF GOVERNMENT OF ENVIRONMENT AND SUSTAINABLE DEVELOPMENT in its capacity as an operational focal point of the Convention Minamata, dictate the present measure in order to fulfill the commitments assumed internationally within the framework of the same and with the duty to provide for the protection of right guaranteed in article 41 of the National Constitution in its second paragraph.

That the GENERAL DIRECTORATE OF LEGAL AFFAIRS of the UNDER SECRETARIAT FOR COORDINATION ADMINISTRATIVE OF THE SECRETARIAT OF GOVERNMENT OF ENVIRONMENT AND SUSTAINABLE DEVELOPMENT has taken the intervention of its competence.

That this measure is issued by virtue of the powers conferred by Decree No. 958/2018 dated October 26, 2018.

Thus,

THE SECRETARY OF GOVERNMENT OF ENVIRONMENT AND SUSTAINABLE DEVELOPMENT OF THE SECRETARIAT GENERAL OF THE PRESIDENCY OF THE NATION

RESOLVES:

Article 1 - Prohibit, as of January 1, 2020, the manufacture, importation and export of products with added mercury detailed in Annex I (IF-2019-07915757-APN-DSYPQ # SGP), in order to comply with the MINAMATA CONVENTION ON THE MERCURY.

Article 2 - The SECRETARIAT OF GOVERNMENT OF ENVIRONMENT AND SUSTAINABLE DEVELOPMENT - or whoever it designates will develop the mechanisms to ensure compliance with this, in order to guarantee the international commitments assumed under the CONVENTION OF MINAMATA ON THE MERCURY.

Article 3° - Give intervention to the DIRECTORATE GENERAL OF CUSTOMS, to the MINISTRY OF PRODUCTION AND WORK, to the MINISTRY OF HEALTH AND SOCIAL DEVELOPMENT and to the NATIONAL ADMINISTRATION OF MEDICINES, FOOD AND MEDICAL TECHNOLOGY (ANMAT), so that within the framework of their competences they dictate complementary regulations necessary to ensure effective compliance with this measure.

Article 4 - Communicate, publish, give to the NATIONAL DIRECTORATE OF REGISTRATION OFFICIAL and archive. Sergio Alejandro Bergman

Argentine Republic - National Executive Branch
2019 - Year of Exportation

Report

Number: IF-2019-07915757-APN-DSYPQ # SGP

BUENOS AIRES CITY
Friday, February 8, 2019

Reference: Annex Resolution Products with added mercury - Minamata Convention on Mercury

ANNEX I

1. Batteries, except silver oxide button cells with a mercury content of less than 2% and batteries of zinc-air button with a mercury content of less than 2%.
2. Switches and relays, with the exception of capacitance measuring bridges and high precision loss switches and high frequency radio frequency relays used in monitoring instruments and control with a maximum mercury content of 20 mg per bridge, switch or relay.
3. Compact fluorescent lamps (CFL) for general lighting applications of power less than or equal to 30 watts with a mercury content greater than 5 mg per lamp burner.
4. Linear fluorescent lamps (LFL) for general lighting applications: a) Tri-band phosphorus power less than 60 watts with a mercury content greater than 5 mg per lamp; b) Phosphorus in halophosphate of a power not exceeding 40 watts with a mercury content exceeding 10 mg per lamp.
5. High pressure mercury vapor lamps (HPMV) for general lighting applications.
6. Mercury in cold cathode fluorescent lamps and external electrode fluorescent lamps (CCFL and EEFL) for electronic displays: a) Short length (less than or equal to 500 mm) with a content of mercury greater than 3.5 mg per lamp; b) Medium length (greater than 500mm and less than or equal to 1,500 mm) with a mercury content greater than 5 mg per lamp; c) Long length (greater than 1 500 mm) with a mercury content greater than 13 mg per lamp.
7. Pesticides, biocides and antiseptics for topical use.
8. The following non-electronic measuring devices, with the exception of measuring devices, do not electronic devices installed on large-scale equipment or those used for high-precision measurements, when no suitable alternative without mercury is available: a) barometers; b) hygrometers; c) pressure gauges; d) thermometers;

Those who have obtained an exemption in the

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terms of Article 6, paragraph 1, subparagraph a) of the Minamata Convention, as well as the following Products with added mercury:

- a) Essential products for military uses and civil protection;
- b) Products for research, calibration of instruments, for use as reference standard
- c) When no alternative is available without viable mercury for spare parts, switches and relays, cold cathode fluorescent lamps and external electrode fluorescent lamps (CCFL and EEFL) for electronic displays, and measuring devices;
- d) Products used in traditional or religious practices; Y
- e) Vaccines containing thimerosal as a preservative

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Alejandra Acosta
Director
Substance and Chemical Products Division
General Secretary

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