

[Home Page](#) > [Executive Branch](#) > [Code of Federal Regulations](#) > [Electronic Code of Federal Regulations](#)

Electronic Code of Federal Regulations  
*e-CFR*  
TM

**e-CFR Data is current as of September 1, 2011**

## Title 15: Commerce and Foreign Trade

[Browse Previous](#) | [Browse Next](#)

### PART 745—CHEMICAL WEAPONS CONVENTION REQUIREMENTS

---

#### Section Contents

[§ 745.1 Advance notification and annual report of all exports of Schedule 1 chemicals to other States Parties.](#)

[§ 745.2 End-Use Certificate reporting requirements under the Chemical Weapons Convention.](#)

[Supplement No. 1 to Part 745—Schedules of Chemicals](#)

[Supplement No. 2 to Part 745—States Parties to the Convention on the Prohibition of the Development, Production, Stockpiling, and Use of Chemical Weapons and on Their Destruction](#)

[Supplement No. 3 to Part 745—Foreign Authorized Agencies Responsible for Issuing End-Use Certificates Pursuant to §745.2](#)

---

**Authority:** 50 U.S.C. 1701 *et seq.*; E.O. 12938, 59 FR 59099, 3 CFR, 1994 Comp., p. 950; Notice of November 4, 2010, 75 FR 68673 (November 8, 2010).

**Source:** 64 FR 27143, May 18, 1999, unless otherwise noted.

#### **§ 745.1 Advance notification and annual report of all exports of Schedule 1 chemicals to other States Parties.**



Pursuant to the Convention, the United States is required to notify the Organization for the Prohibition of Chemical Weapons (OPCW) not less than 30 days in advance of every export of a Schedule 1 chemical, in any quantity, to another State Party. In addition, the United States is required to provide a report of all exports of Schedule 1 chemicals to other States Parties during each calendar year. If you plan to export any quantity of a Schedule 1 chemical controlled under the EAR and licensed by the Department of Commerce or controlled under the International Traffic in Arms Regulations (ITAR) and licensed by the Department of State, you are required under this section to notify the Department of Commerce in advance of this export. You are also required to provide an annual report of exports that actually occurred during the previous calendar year. The United States will transmit the advance notifications and an aggregate annual report to the OPCW of exports of Schedule 1 chemicals from the United States. Note that the notification and annual report requirements of this section do not relieve the exporter of any requirement to obtain a license from the Department of Commerce for the export of Schedule 1 chemicals subject to the EAR or from the Department of State for the export of Schedule 1 chemicals subject to the ITAR.

(a) *Advance notification of exports.* You must notify BIS at least 45 calendar days prior to exporting any quantity of a Schedule 1 chemical listed in Supplement No. 1 to this part to another State Party. This is in addition to the requirement to obtain an export license under the EAR for chemicals controlled by

ECCN 1C350 or 1C351 for any reason for control, or from the Department of State for Schedule 1 chemicals controlled under the ITAR. Note that such notifications may be sent to BIS prior to or after submission of a license application to BIS for Schedule 1 chemicals controlled subject to the EAR and under ECCNs 1C350 or 1C351 or to the Department of State for Schedule 1 chemicals controlled on the ITAR. Such notices must be submitted separately from license applications.

(1) Such notification should be on company letterhead or must clearly identify the reporting entity by name of company, complete address, name of contact person and telephone and fax numbers, along with the following information:

- (i) Common Chemical Name;
- (ii) Structural formula of the chemical;
- (iii) Chemical Abstract Service (CAS) Registry Number;
- (iv) Quantity involved in grams;
- (v) Planned date of export;
- (vi) Purpose (end-use) of export;
- (vii) Name of recipient;
- (viii) Complete street address of recipient;
- (ix) Export license or control number, if known; and
- (x) Company identification number, once assigned by BIS.

(2) Send the notification either by fax to (202) 482-1731 or by mail or courier delivery to the following address: Information Technology Team, Treaty Compliance Division, Bureau of Industry and Security, U.S. Department of Commerce, Room 4515, 14th Street and Pennsylvania Avenue, NW., Washington, DC 20230. Attn: "Advance Notification of Schedule 1 Chemical Export".

(3) Upon receipt of the notification, BIS will inform the exporter of the earliest date the shipment may occur under the notification procedure. To export the Schedule 1 chemical, the exporter must have applied for and been granted a license (see §§742.2 and 742.18 of the EAR, or the ITAR at 22 CFR part 121.

(b) *Annual report of exports.* (1) You must report all exports of any quantity of a Schedule 1 chemical to another State Party during the previous calendar year, starting with exports taking place during calendar year 1997. Reports for exports during calendar years 1997 and 1998 are due to the Department of Commerce August 16, 1999. Thereafter, annual reports of exports are due on February 13 of the following calendar year. The report should be on company letterhead or must clearly identify the reporting entity by name of company, complete address, name of contact person and telephone and fax numbers along with the following information for *each* export:

- (i) Common Chemical Name;
- (ii) Structural formula of the chemical;
- (iii) CAS Registry Number;
- (iv) Quantity involved in grams;
- (v) Date of export;
- (vi) Export license number;
- (vii) Purpose (end-use) of export;

(viii) Name of recipient;

(ix) Complete address of recipient, including street address, city and country; and (x) Company identification number, once assigned by BIS.

(2) The report must be signed by a responsible party, certifying that the information provided in the annual report is, to the best of his/her knowledge and belief, true and complete.

(3) Send the report either by fax to (202) 482-1731 or by mail or courier delivery to the following address: Information Technology Team, Treaty Compliance Division, Bureau of Industry and Security, U.S. Department of Commerce, Room 4515, 14th Street and Pennsylvania Avenue, NW., Washington, DC 20230. Attn: "Annual Report of Schedule 1 Chemical Export".

[64 FR 27143, May 18, 1999, as amended at 64 FR 28909, May 28, 1999; 65 FR 12923, Mar. 10, 2000; 73 FR 38910, July 8, 2008]

## **§ 745.2 End-Use Certificate reporting requirements under the Chemical Weapons Convention.**



Note: The End-Use Certificate requirement of this section does not relieve the exporter of any requirement to obtain a license from the Department of Commerce for the export of Schedule 3 chemicals subject to the Export Administration Regulations or from the Department of State for the export of Schedule 3 chemicals subject to the International Traffic in Arms Regulations.

(a)(1) No U.S. person, as defined in §744.6(c) of the EAR, may export from the United States any Schedule 3 chemical identified in Supplement No. 1 to this part to countries not party to the Chemical Weapons Convention (destinations *not* listed in Supplement No. 2 to this part) unless the U.S. person obtains from the consignee an End-Use Certificate issued by the government of the importing destination. This Certificate must be issued by the foreign government's agency responsible for foreign affairs or any other agency or department designated by the importing government for this purpose. Supplement No. 3 to this part includes foreign authorized agencies responsible for issuing End-Use Certificates pursuant to this section. Additional foreign authorized agencies responsible for issuing End-Use Certificates will be included in Supplement No. 3 to this part when known. End-Use Certificates may be issued to cover aggregate quantities against which multiple shipments may be made to a single consignee. An End-Use Certificate covering multiple shipments may be used until the aggregate quantity is shipped. End-Use Certificates must be submitted separately from license applications.

(2) Submit a copy of the End-Use Certificate, no later than 7 days after the date of export, either by fax to (202) 482-1731 or by mail or courier delivery to the following address: Information Technology Team, Treaty Compliance Division, Bureau of Industry and Security, U.S. Department of Commerce, Room 4515, 14th Street and Pennsylvania Avenue, NW., Washington, DC 20230. Attn: "CWC End-Use Certificate Report".

(b) The End-Use Certificate described in paragraph (a) of this section must state the following:

(1) That the chemicals will be used only for purposes not prohibited under the Chemical Weapons Convention;

(2) That the chemicals will not be transferred to other end-user(s) or end-use(s);

(3) The types and quantities of chemicals;

(4) Their specific end-use(s); and

(5) The name(s) and complete address(es) of the end-user(s).

[64 FR 27143, May 18, 1999, as amended at 64 FR 49381, Sept. 13, 1999; 66 FR 49525, Sept. 28, 2001; 73 FR 38910, July 8, 2008]

### **Supplement No. 1 to Part 745—Schedules of Chemicals**



	<b>C.A.S. Registry No.</b>
<b>Schedule 1</b>	
<b>A. Toxic chemicals:</b>	
(1) O-Alkyl ( $\leq C_{10}$ , incl. cycloalkyl) alkyl (Me, Et, n-Pr or i-Pr)-phosphonofluoridates	
e.g. Sarin: O-Isopropyl methylphosphonofluoridate	107-44-8
Soman: O-Pinacolyl methylphosphonofluoridate	96-64-0
(2) O-Alkyl ( $\leq C_{10}$ , incl. cycloalkyl) N,N-dialkyl (Me, Et, n-Pr or i-Pr) phosphoramidocyanidates	
e.g. Tabun: O-Ethyl N,N-dimethyl phosphoramidocyanidate	77-81-6
(3) O-Alkyl (H or $\leq C_{10}$ , incl. cycloalkyl) S-2-dialkyl (Me, Et, n-Pr or i-Pr)-aminoethyl alkyl (Me, Et, n-Pr or i-Pr) phosphonothiolates and corresponding alkylated or protonated salts	
e.g. VX: O-Ethyl S-2-diisopropylaminoethyl methyl phosphonothiolate	50782-69-9
(4) Sulfur mustards:	
2-Chloroethylchloromethylsulfide	2625-76-5
Mustard gas: Bis(2-chloroethyl)sulfide	505-60-2
Bis(2-chloroethylthio)methane	63869-13-6
Sesquimustard: 1,2-Bis(2-chloroethylthio)ethane	3563-36-8
1,3-Bis(2-chloroethylthio)-n-propane	63905-10-2
1,4-Bis(2-chloroethylthio)-n-butane	142868-93-7
1,5-Bis(2-chloroethylthio)-n-pentane	142868-94-8
Bis(2-chloroethylthiomethyl)ether	63918-90-1
O-Mustard: Bis(2-chloroethylthioethyl)ether	63918-89-8
(5) Lewisites:	
Lewisite 1: 2-Chlorovinylchloroarsine	541-25-3
Lewisite 2: Bis(2-chlorovinyl)chloroarsine	40334-69-8
Lewisite 3: Tris(2-chlorovinyl)arsine	40334-70-1
(6) Nitrogen mustards:	

HN1: Bis(2-chloroethyl)ethylamine	538-07-8
HN2: Bis(2-chloroethyl)methylamine	51-75-2
HN3: Tris(2-chloroethyl)amine	555-77-1
(7) Saxitoxin	35523-89-8
(8) Ricin	9009-86-3
B. Precursors:	
(9) Alkyl (Me, Et, n-Pr or i-Pr) phosphonyldifluorides	
e.g. DF: Methylphosphonyldifluoride	676-99-3
(10) O-Alkyl (H or $\leq C_{10}$ , incl. cycloalkyl) O-2-dialkyl (Me, Et, n-Pr or i-Pr)-aminoethyl alkyl (Me, Et, n-Pr or i-Pr) phosphonites and corresponding alkylated or protonated salts	
e.g. QL: O-Ethyl O-2-diisopropylaminoethyl methylphosphonite	57856-11-8
(11) Chlorosarin: O-Isopropyl methylphosphonochloridate	1445-76-7
(12) Chlorosoman: O-Pinacolyl methylphosphonochloridate	7040-57-5
<b>Schedule 2</b>	
A. Toxic chemicals:	
(1) Amiton: O,O-Diethyl S-[2-(diethylamino)ethyl] phosphorothiolate and corresponding alkylated or protonated salts	78-53-5
(2) PFIB: 1,1,3,3,3-Pentafluoro-2-(trifluoromethyl)-1-propene	382-21-8
(3) BZ: 3-Quinuclidinyl benzilate	6581-06-2
B. Precursors:	
(4) Chemicals, except for those listed in Schedule 1, containing a phosphorus atom to which is bonded one methyl, ethyl or propyl (normal or iso) group but not further carbon atoms,	
e.g. Methylphosphonyl dichloride	676-97-1
Dimethyl methylphosphonate	756-79-6
Exemption: Fonofos: O-Ethyl S-phenyl ethylphosphono-thiolothionate	944-22-9
(5) N,N-Dialkyl (Me, Et, n-Pr or i-Pr) phosphoramidic dihalides	
(6) Dialkyl (Me, Et, n-Pr or i-Pr) N,N-dialkyl (Me, Et, n-Pr or i-Pr)-phosphoramidates	
(7) Arsenic trichloride	7784-34-1
(8) 2,2-Diphenyl-2-hydroxyacetic acid	76-93-7
(9) Quinuclidine-3-ol	1619-34-7

(10) N,N-Dialkyl (Me, Et, n-Pr or i-Pr) aminoethyl-2-chlorides and corresponding protonated salts	
(11) N,N-Dialkyl (Me, Et, n-Pr or i-Pr) aminoethane-2-ols and corresponding protonated salts	
Exemptions: N,N-Dimethylaminoethanol and corresponding protonated salts	108-01-0
N,N-Diethylaminoethanol and corresponding protonated salts	100-37-8
(12) N,N-Dialkyl (Me, Et, n-Pr or i-Pr) aminoethane-2-thiols and corresponding protonated salts	
(13) Thiodiglycol: Bis(2-hydroxyethyl)sulfide	111-48-8
(14) Pinacolyl alcohol: 3,3-Dimethylbutane-2-ol	464-07-3
<b>Schedule 3</b>	
<b>A. Toxic chemicals:</b>	
(1) Phosgene: Carbonyl dichloride	75-44-5
(2) Cyanogen chloride	506-77-4
(3) Hydrogen cyanide	74-90-8
(4) Chloropicrin: Trichloronitromethane	76-06-2
<b>B. Precursors:</b>	
(5) Phosphorus oxychloride	10025-87-3
(6) Phosphorus trichloride	7719-12-2
(7) Phosphorus pentachloride	10026-13-8
(8) Trimethyl phosphite	121-45-9
(9) Triethyl phosphite	122-52-1
(10) Dimethyl phosphite	868-85-9
(11) Diethyl phosphite	762-04-9
(12) Sulfur monochloride	10025-67-9
(13) Sulfur dichloride	10545-99-0
(14) Thionyl chloride	7719-09-7
(15) Ethyldiethanolamine	139-87-7
(16) Methyldiethanolamine	105-59-9
(17) Triethanolamine	102-71-6

**Supplement No. 2 to Part 745—States Parties to the Convention on the Prohibition of the Development, Production, Stockpiling, and Use of Chemical Weapons and on Their Destruction**



List of States Parties as of May 21, 2009

Afghanistan  
Albania  
Algeria  
Andorra  
Antigua and Barbuda  
Argentina  
Armenia  
Australia  
Austria  
Azerbaijan  
Bahamas  
Bahrain  
Bangladesh  
Barbados  
Belarus  
Belize  
Belgium  
Benin  
Bhutan  
Bolivia  
Bosnia-Herzegovina  
Botswana  
Brazil  
Brunei Darussalam  
Bulgaria  
Burkina Faso  
Burundi  
Cambodia  
Cameroon  
Canada  
Cape Verde  
Central African Republic  
Chad  
Chile  
China\*  
Colombia  
Comoros  
Congo (Democratic Republic of the)  
Congo (Republic of the)  
Cook Islands  
Costa Rica  
Cote d'Ivoire (Ivory Coast)  
Croatia  
Cuba  
Cyprus  
Czech Republic  
Denmark  
Djibouti  
Dominica  
Dominican Republic  
Ecuador  
El Salvador  
Equatorial Guinea  
Eritrea  
Estonia  
Ethiopia  
Fiji  
Finland  
France  
Gabon  
Gambia  
Georgia  
Germany  
Ghana  
Greece  
Grenada  
Guatemala  
Guinea  
Guinea-Bissau  
Guyana  
Haiti

Holy See  
Honduras  
Hungary  
Iceland  
India  
Indonesia  
Iran  
Iraq  
Ireland  
Italy  
Jamaica  
Japan  
Jordan  
Kazakhstan  
Kiribati  
Kenya  
Korea (Republic of)  
Kuwait  
Kyrgyzstan  
Laos (P.D.R.)  
Latvia  
Lebanon  
Lesotho  
Liberia  
Libya  
Liechtenstein  
Lithuania  
Luxembourg  
Macedonia  
Madagascar  
Malawi  
Malaysia  
Maldives  
Mali  
Malta  
Marshall Islands  
Mauritius  
Mauritania  
Mexico  
Micronesia  
Moldova (Republic of)  
Monaco  
Mongolia  
Montenegro  
Morocco  
Mozambique  
Namibia  
Nauru  
Nepal  
Netherlands\*\*  
New Zealand  
Nicaragua  
Niger  
Nigeria  
Niue  
Norway  
Oman  
Pakistan  
Palau  
Panama  
Papua New Guinea  
Paraguay  
Peru  
Philippines  
Poland  
Portugal  
Qatar  
Romania  
Russian Federation  
Rwanda  
Saint Kitts and Nevis



Saint Lucia  
Saint Vincent and the Grenadines  
Samoa  
San Marino  
Sao Tome and Principe  
Saudi Arabia  
Senegal  
Serbia  
Seychelles  
Sierra Leone  
Singapore  
Slovak Republic  
Slovenia  
Solomon Islands  
South Africa  
Spain  
Sri Lanka  
Sudan  
Suriname  
Swaziland  
Sweden  
Switzerland  
Tajikistan  
Tanzania  
Thailand  
The United Arab Emirates  
Timor Leste (East Timor)  
Togo  
Tonga  
Trinidad and Tobago  
Tunisia  
Turkey  
Turkmenistan  
Tuvalu  
Uganda  
Ukraine  
United Kingdom  
United States  
Uruguay  
Uzbekistan  
Vanuatu  
Venezuela  
Vietnam  
Yemen  
Zambia  
Zimbabwe

\*\*For CWC purposes only, the Netherlands includes Aruba and the Netherlands Antilles.

\*For CWC purposes only, China includes Hong Kong and Macau.

[64 FR 27143, May 18, 1999, as amended at 64 FR 49381, Sept. 13, 1999; 66 FR 49525, Sept. 28, 2001; 67 FR 37983, May 31, 2002; 68 FR 34529, June 10, 2003; 69 FR 12790, Mar. 18, 2004; 69 FR 77894, Dec. 29, 2004; 70 FR 45280, Aug. 5, 2005; 71 FR 33619, June 12, 2006; 71 FR 67788, Nov. 24, 2006; 72 FR 12729, Mar. 19, 2007; 72 FR 52002, Sept. 12, 2007; 73 FR 38910, July 8, 2008; 74 FR 31852, July 6, 2009]

### **Supplement No. 3 to Part 745—Foreign Authorized Agencies Responsible for Issuing End-Use Certificates Pursuant to §745.2**



Israel

Chemical, Environment Technology Administration, Ministry of Industry & Trade, 30 Agron Street,

Jerusalem 94190, Israel

Contact: Josef Dancona, Deputy Director, Telephone: 972-2-6220193, Fax: 972-2-6241987

Taiwan<sup>1</sup>

<sup>1</sup> Two of the three offices (Export Processing Zone Administration and the Science-Based Industrial Park Administration) are in special economic zones and are responsible for the activity in their respective zones.

Board of Foreign Trade, Ministry of Economic Affairs, 1 Hukou St., Taipei, Tel: (02) 2351-0271, Fax: (02) 2351-3603

Export Processing Zone Administration, Ministry of Economic Affairs, 600 Chiachang Rd., Nantze, Kaohsiung, Tel: (07) 361-1212, Fax: (07) 361-4348

Science-Based Industrial Park Administration, National Science Council, Executive Yuan, 2 Hsin-an Rd., Hsinchu, Tel: (03) 577-3311, Fax: (03) 577-6222

[64 FR 27143, May 18, 1999, as amended at 64 FR 43982, Sept. 13, 1999]

[Browse Previous](#) | [Browse Next](#)

---

For questions or comments regarding e-CFR editorial content, features, or design, email [ecfr@nara.gov](mailto:ecfr@nara.gov).

For questions concerning e-CFR programming and delivery issues, email [webteam@gpo.gov](mailto:webteam@gpo.gov).

[Section 508 / Accessibility](#)