§ 710.5 Authority.

The CWCR (parts 710 through 729 of this subchapter) implement certain provisions of the Chemical Weapons Convention under the authority of the Chemical Weapons Convention Implementation Act of 1998 (Act), the National Emergencies Act, the International Emergency Economic Powers Act (IEEPA), as amended, and the Export Administration Act of 1979, as amended, by extending verification and trade restriction requirements under Article VI and related parts of the Verification Annex of the Convention to U.S. persons. In Executive Order 13128 of June 25, 1999, the President delegated authority to the Department of Commerce to promulgate regulations to implement the Act, and consistent with the Act, to carry out appropriate functions not otherwise assigned in the Act but necessary to implement certain reporting, monitoring and inspection requirements of the Convention and the Act.

§ 710.6 Relationship between the Chemical Weapons Convention Regulations and the Export Administration Regulations, the International Traffic in Arms Regulations, and the Alcohol, Tobacco, Firearms and Explosives Regulations.

Certain obligations of the U.S. Government under the CWC pertain to exports and imports. The obligations on exports are implemented in the Export Administration Regulations (EAR) (15 CFR parts 730 through 774) and the International Traffic in Arms Regulations (ITAR) (22 CFR parts 120 through 130). See in particular §§742.2 and 742.18 and part 745 of the EAR, and Export Control Classification Numbers 1C350, 1C351, 1C355 and 1C385 of the Commerce Control List (supplement no. 1 to part 774 of the EAR). The obligations on imports are implemented in the Chemical Weapons Convention Regulations (§§712.2 and 713.1) and the Alcohol, Tobacco, Firearms and Explosives Regulations in 27 CFR part 447.

[71 FR 24929, Apr. 27, 2006, as amended at 73 FR 78182, Dec. 22, 2008]
Bureau of Industry and Security, Commerce

Micronesia (Federated States of)
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
Sandi Arabia
Senegal
Serbia
Seychelles
Sierra Leone
Singapore
Slovak Republic*
Slovenia
Solomon Islands
South Africa
Spain
Sri Lanka
Sudan
Suriname
Swaziland
Sweden
Switzerland
Tajikistan
Tanzania, United Republic of
Thailand
Timor Leste (East Timor)
Togo
Tonga
Trinidad and Tobago

Turkmenistan
Tuvalu
Uganda
Ukraine
United Arab Emirates
United Kingdom
United States
Uruguay
Uzbekistan
Vanuatu
Venezuela
Vietnam
Yemen
Zambia
Zimbabwe

* For export control purposes, these destinations are identified using a different nomenclature under the Commerce Country Chart in supplement no. 1 to part 738 of the Export Administration Regulations (EAR) (15 CFR parts 730 through 774).

** For export control purposes, Cook Islands and Niue are not identified on the Commerce Country Chart in supplement no. 1 to part 738 of the EAR and are treated the same as New Zealand, in accordance with §738.3(b) of the EAR.

*** For CWC States Parties purposes, a territory, possession, or department of any country that is listed in this supplement as a State Party to the CWC, is treated the same as the country of which it is a territory, possession, or department (e.g., China includes Hong Kong and Macau; the Netherlands includes Aruba and the Netherlands Antilles).


### Supplement No. 2 to Part 710—Definitions of Production

<table>
<thead>
<tr>
<th>Schedule 1 chemicals</th>
<th>Schedule 2 and Schedule 3 chemicals</th>
<th>Unscheduled discrete organic chemicals (UDOCs)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Produced by a biochemical or biologically mediated reaction</td>
<td>All production steps in any units within the same plant which includes associated processes—purification, separation, extraction distillation or refining.*</td>
<td></td>
</tr>
</tbody>
</table>

*Intermediates used in a single or multi-step process to produce another declared UDOC are not declarable.

**Intermediates are subject to declaration, except “transient intermediates,” which are those chemicals in a transition state in terms of thermodynamics and kinetics, that exist only for a very short period of time, and cannot be isolated, even by modifying or dismantling the plant, or by altering process operating conditions, or by stopping the process altogether are not subject to declaration.

### Part 711—General Information Regarding Declaration, Reporting, and Advance Notification Requirements, and the Electronic Filing of Declarations and Reports

Sec.

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711.8 How to request authorization from BIS to make electronic submissions of declarations or reports.