

## Submission by Portugal

### Background

Parties and stakeholders, pursuant to letter Ref: MC/COP6/2026/1 of 9 February 2026, are invited to submit, on a voluntary basis, available information on the supply, use, and trade of mercury compounds. They are also invited to share their views and contributions regarding mercury compounds that could potentially be listed in an annex under Article 3(13). Submissions should be sent by email to the Secretariat by 31 March 2026.

Furthermore, the Council of the European Union, in document WK 3972/2026 INIT of 13 March 2026, invites delegations to submit, on a voluntary basis, available information on the supply, use, and trade of mercury compounds, as well as corrections to the report on global supply, production, and trade (UNEP/MC/COP.6/5/Add.1).

### Under Article 3 – Sources of supply and trade of mercury, the following are covered:

- a) Mixtures of metallic mercury with other substances, including mercury alloys, with a mercury content of at least 95% by weight;
- b) Mercury compounds, including mercury(I) chloride (also known as calomel), mercury(II) oxide, mercury(II) sulfate, mercury(II) nitrate, cinnabar, and mercury sulfide.

### Databases

The databases where this information could be detailed, in the case of EU Member States, as already said at the document UNEP/MC/COP.6/INF/5 from 23 July 2025, includes:

#### (a) UN Comtrade Database (United Nations Statistics Division)

As noted in the study, all global databases rely on the 6-digit Harmonized System (HS) codes of the World Customs Organization (WCO). The current structure groups several mercury compounds under a single HS code, making it impossible to identify trade in individual mercury compounds.

The system uses HS code **285200** for mercury compounds, divided into two main subheadings:

- **285210** – Mercury compounds of defined chemical composition
- **285290** – Mercury compounds of undefined chemical composition

Additionally, several parties have observed that Comtrade data accurately reflect some, but not all, trade in mercury compounds. One key limitation is intra-EU trade, which in the case of Portugal represents 100% of the trade, as mentioned in the study.

The study further notes *“Because free trade governs imports and exports between EU Member States, the only data is based on a simple declaration by the importer and exporter in their respective countries, which sometimes include errors in the use of customs tariff codes. Since the intra-European trade agreement many years ago, no checks or controls are carried out on these declarations. Each national body in charge of data collection and transmission to Eurostat, which generally receives the same data as Comtrade, uses its own system. Based on these facts and given the discrepancies observed in the trade data between Member States, these data should be used with particular caution. However, the EU is more attentive to the accuracy of data on trade between the European Union and non-EU countries, which is also subject to errors.”*

#### **(b) Eurostat**

The Eurostat database (<https://ec.europa.eu/eurostat>) includes general, economic, and industrial information on EU trade. The “Comext” section covers external trade between the 27 EU Member States and non-EU countries. The data are based on HS commodity codes, which do not allow for the identification of individual chemical compounds.

#### **(c) Prodcom**

Prodcom (“PRODUCTION COMMUNAUTAIRE”) is a database (<https://ec.europa.eu/eurostat/web/prodcom/data/database>) covering the physical production of manufactured goods in Europe. Production data do not necessarily correspond to imports, exports, or trade flows.

All EU Member States, as well as Norway and Iceland (EFTA countries) and candidate countries, are required to report the volume and value (in euros) of their industrial production of listed products.

As with the databases mentioned above:

- **Prodcom code 20135270** corresponds to HS code 285210 (mercury compounds of defined chemical composition, excluding amalgams). Reported quantities refer to the total mass of compounds, not just mercury content. For the period 2021–2023, no Member State reported production under this code.
- **Prodcom code 20135275** corresponds to HS code 285290 (mercury compounds of undefined chemical composition, excluding amalgams). Again, quantities refer to total mass. For 2021–2023, only Germany reported production under this code:
  - 53,292 metric tonnes in 2021

- 46,337 metric tonnes in 2022

These large quantities suggest that by-products or waste may be included in the German figures, although this has not been confirmed.

#### **(d) National Databases (National Statistics Institute – INE)**

Most national authorities maintain comprehensive databases on imports and exports of goods. For reasons of commercial confidentiality, the identity of companies involved in international trade is generally not disclosed without a duly justified request.

#### **Conclusions and Proposed Contributions**

Firstly, it is considered that the European Union should be treated as a single entity (single market), since legally the concept of imports refers to entry into the EU and exports to exit from the EU.

It is also noteworthy that, under Regulation (EU) No 649/2012, Portugal did not receive any notifications in 2023 regarding imports (entry into the EU) or exports (exit from the EU) of mercury and its compounds, consistent with previous years.