

**INF***IAEA*- INFCIRC/209/Rev.1/Mod.3
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International Atomic Energy Agency
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**COMMUNICATIONS OF 30 JUNE 1995 RECEIVED FROM
MEMBER STATES REGARDING THE EXPORT OF NUCLEAR
MATERIAL AND OF CERTAIN CATEGORIES OF EQUIPMENT
AND OTHER MATERIAL**

1. The Director General has received letters of 30 June 1995 from the Resident Representatives of Argentina, Australia, Austria, Canada, the Czech Republic, Denmark, Finland, Germany, Greece, Hungary, Ireland, Italy, Japan, Luxembourg, the Netherlands, Norway, Poland, Portugal, Romania, the Slovak Republic, South Africa, Spain, Sweden, the United Kingdom, and the United States of America, concerning the export of nuclear material and of certain categories of equipment and other material.
2. In light of the wish expressed at the end of each letter, the text of the letter is attached hereto.

Sir,

I have the honour to refer to the letters of [date] from the Resident Representative of [Member State] to the International Atomic Energy Agency.

In the years since the procedures described in INFCIRC/209 were formulated for the export of certain categories of equipment and material especially designed or prepared for the processing, use or production of special fissionable material, developments in nuclear technology have brought about the need to clarify parts of the Trigger List originally incorporated in Memorandum B of INFCIRC/209. Such clarifications have been covered in INFCIRC/209/Mods.1, 2, 3 and 4 (consolidated in INFCIRC/209/Rev.1) and in INFCIRC/209/Rev.1/Mod.1 and Mod.2.

My Government now thinks it desirable further to clarify those parts of the Trigger List which refer to nuclear grade graphite. I therefore wish to inform you that the existing section 2.2 of the Annex to INFCIRC/209/Rev.1 (Clarification of Items on the Trigger List) should be replaced by the text set out in the attachment to this letter, including the explanatory Note.

As hitherto, my Government reserves to itself the right to exercise discretion with regard to the interpretation and implementation of the procedures set out in the above mentioned documents and the right to control, if it wishes, the export of relevant items other than those specified in the aforementioned attachment to this letter.

[The Government of [Member State], sofar as trade within the European Union is concerned, will implement these procedures in the light of its commitments as a Member State of that Union]^{1/}.

I should be grateful if you would circulate the text of this letter and its attachment to all Member States for their information.

Accept, Sir, the assurances of my highest consideration.

^{1/} This paragraph is included only in letters from members of the European Union.

ANNEX

2.2 Nuclear grade graphite

Graphite having a purity level better than 5 parts per million boron equivalent and with a density greater than 1.50 g/cm³ for use in a nuclear reactor as defined in paragraph 1.1 above in quantities exceeding 3 x 10⁴ kg (30 metric tons) for any one recipient country in any period of 12 months.

Note:

For the purpose of export control, the Government will determine whether or not the exports of graphite meeting the above specifications are for nuclear reactor use.