

The measures for the administration of registration of hazardous chemicals(2012) – an introduction

**Jinhe Chen, 26 Sept 2012, CW Webinar
National Registration Center for Chemicals,
the State Administration of Work Safety(SAWS)**

The measures for the administration of registration of hazardous chemicals (SAWS's Order 53)

- 1 Background and Legal Framework
- 2 Main Changes
- 3 The Scope
- 4 Time, Content and Procedure
- 5 Other Required Documents
- 6 Responsibilities of Registrants
- 7 Legal Liabilities

1. Background & Legal Framework

| <u>Background of Revision</u> | <u>Reference to Decree 591</u> |
|---|--------------------------------|
| The State Administration of Work Safety is responsible for the safety supervision and administration of hazardous chemicals and the registration of hazardous chemicals | Article 6.1 |
| The State operates a system of chemicals registration and provides technical and information support for the safety management of hazardous chemicals, chemical accident prevention and emergency rescue. | Article 66. |
| Manufacturers and importers of hazardous chemicals shall register hazardous chemicals with as Hazardous Chemicals Registration Office of State Administration of Work Safety . | Article 67 |
| The Hazardous Chemicals Registration Office shall provide information and data related to hazardous chemicals registration to various ministries such as MIIT, MEP, AQSIQ, etc. | Article 68 |

2.Main Changes

| <u>Items</u> | <u>Revision</u> |
|------------------|---|
| Registrant | Registrants have changed to manufacturers and importers of hazardous chemicals. Storage companies and downstream users do not need to register. |
| Required Content | More detailed info will be now required for HazChem registration: <ul style="list-style-type: none">✓ Classification and labeling(GHS);✓ Phyiso-chemical properties;✓ Main uses;✓ Hazard properties;✓ Safety requirement for storage, use and transport;✓ Emergency responses; |

2.Main Changes

| <u>Items</u> | <u>Revision</u> |
|-----------------------------|---|
| Registration Procedure | 1) More clear procedure is given(online registration); 2) Required types of documents have been adjusted: New requirements for importers have been added; Hazard identification report is no longer required; 3) New requirement & procedure for the update of registration; 4) New procedure for the renewal of registration certificate. |
| Emergency Telephone Number. | Article 22(1) sets detailed requirements on emergency telephone number. |
| New Supervision Measures | 1) HazChem registration will become part of inspection; 2) New reporting obligations related to registration office and registration centre. |

3. The Scope of Registration

- Hazardous chemicals listed in the Catalog of Hazardous Chemicals;
- **For chemicals with unknown hazard properties**, the registrants shall entrust the eligible institute to do hazard identification. If the chemical is identified to be hazardous, the applicants shall register it in accordance with this Measures.

Chemicals requiring physio-chemical hazard identification:

- A chemical that is already listed in the Catalog when a new physical hazard is found for the chemical;
- A mixture containing more than 1 chemical that is listed in the Catalog (with physical hazards);
- A chemical that is not listed in the Catalog but doubted to be physically hazardous;
- For a new chemical product without any hazard information.

Definition of Producer and Importer

According to SAWS's order 41 - The Measures for the Administration of Production Licenses for Hazardous Chemicals:

Manufacturers are enterprises that have obtained business license to manufacture finished products or intermediate products that are listed in the Catalog of Hazardous Chemicals.

Enterprises who make concentrated hazardous chemicals belong to manufacturers. Companies who purchase hazardous chemicals and repack them or dilute the hazardous chemicals with non-hazardous solvents do not belong to manufacturers.

Intermediate products refer to raw materials that are produced in order to participate chemical reactions in the next step(article 54)

Importers of hazardous chemicals are enterprises that have obtained business licenses and the following documents to engage in the activities of importing hazardous chemicals:

- (I) Foreign trader registration certificate; or
- (II) Import and export enterprise qualification certificate; or
- (III) Foreign investment approval certificate; or
- (IV) Hong Kong and Macao and overseas Chinese investment enterprise approval certificate.

4. Time, Content & Procedure

4.1 Time

- 1) **Newly built chemical plant** - Prior to the issue of acceptance statement of a construction project.
- 2) **Importer** - Prior to importation;

Note:

1. *Enterprises producing and importing the same type of hazardous chemicals shall register as production entities by providing the information of the imported hazardous chemicals.*
2. *Enterprises importing the same type of hazardous chemicals from different manufacturers shall register the chemical for the first time and from the first importers, and providing the information of such chemicals from other manufacturers.*
3. *Manufacturers and importers importing the same type of hazardous chemicals from the same manufacturers for many times only need to register the chemical once.*

4.2 Content/Required Information

- 1). **Classification and labeling information**, including hazard category, pictogram, warning signals, hazard statements, precautionary statements, etc.
- 2). **Physical properties** (appearance, features, solubility, melting point, boiling point, etc.) and **chemical properties** (flashing point, explosion limit, spontaneous ignition temperature, decomposition temperature, etc.);
- 3). **Main uses**, including recommend uses, prohibited or restricted uses, etc
- 4). **Hazard properties**, including physical hazards, health hazards and environmental hazards of dangerous chemicals;

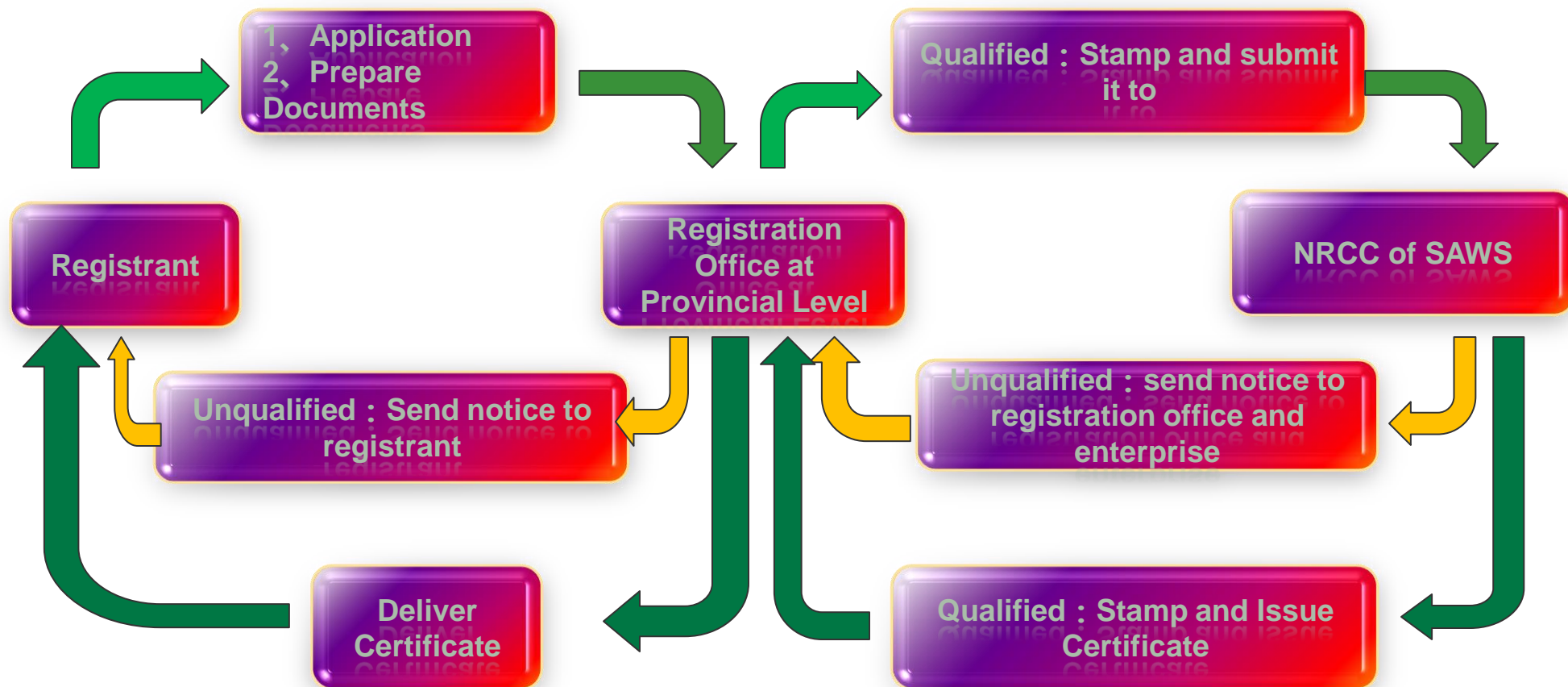
5) safety requirements on storage, usage and transportation,

- I. **safe storage requirements** on buildings such as warehouses, security conditions, environment, sanitation, temperature and humidity;
- II. **safe use requirements** on operation conditions, protective measures for operators, and hazard control measures for use areas; safe transportation;
- II. **safe transportation requirements** on transport or delivery methods, approaches for disclosure of hazard information to related transportation staff, and protective measures for loading, unloading and transportation.

6) emergency response measures

- I. emergency response measures, including measures against and consultation line for fire, explosion, leakage, poisoning suffocation, burns and other chemicals-related accidents.

4.3 Registration Procedure



Electronic copies and hard copies are submitted separately

5. Other Required Documents

1. hazardous chemicals registration forms (2 copies)
2. for production entities: One copy of of business license from the industrial and commercial administration;
for importing entities: One copy of foreign trade dealer registration form, or qualification certificate of import and export enterprises in the People's Republic of China, or certificate of approval for establishment of enterprises with foreign investment, or certificate of approval for establishment of enterprises with investment from Taiwan, Hongkong, Macao and overseas Chinese.
3. One copy of Safety Data Sheet and precautionary label of the hazardous chemicals compliant with national standards;
4. Emergency consultation phone number meeting the requirements specified in Article 22 of the Measures, or emergency service agency agreement (one copy);
5. product standard of the hazardous chemicals to be registered

6 Responsibilities of Registrants

- 6.1 Build a file for hazardous chemicals;
- 6.2 Register hazardous chemicals & accept inspection;
- 6.3 Designate staff to be responsible for registration.
- 6.4 Entrust qualified institutions to conduct hazard identification;
- 6.5 Set up 24h emergency telephone consultation.

7 Legal Liabilities

Article 29 If the Applicants fail to go through procedures for registration of hazardous chemicals, or fail to renew registered items of hazardous chemicals when finding new hazard properties on hazardous chemicals they make or import, the departments of work safety supervision and management of counties or above shall order them to correct, and impose a fine of less than 50000 Yuan; if they refuse to do so, they shall be fined between 50000 Yuan and 100000 Yuan; if circumstances are serious, they shall be ordered to suspend business for rectification.

Article 30 If the Applicants commit any of the following acts, the departments of work safety supervision and management of counties or above shall order them to correct, and impose a fine of 30,000 Yuan

1. failed to provide emergency consultation service to users or in line with specified requirements;
2. failed to renew registered items of hazardous chemicals when any of the enterprise name, registered address, registered variety or emergency consultation phone number, changes in the validity of hazardous chemicals registration certificate;
3. continue production or import without renewing hazardous chemicals registration certificate upon expiry thereof;
4. transfer, fraudulent use or use fraud certificates for hazardous chemicals, or failed to provide accurate registration information and relevant dossiers
5. refuse to accept or interrupt field check given by the Registration Authorities on registered items of hazardous chemicals.

Update of the Catalog and Other Information

Catalog of Hazardous Chemicals (Being Revised)

| 序号 | 品名 | 别名 | 英文名 | CAS号 | UN号 | 危险性分类 | 备注 |
|----|----|----|-----------------|---------|------|--|----|
| 47 | 苯 | | benzene; benzol | 71-43-2 | 1114 | 易燃液体, 类别 2 皮肤腐蚀/刺激, 类别 2 严重眼损伤/眼刺激, 类别 2 生殖细胞致突变性, 类别 1B 致癌性, 类别 1A 特异性靶器官毒性-反复接触, 类别 1 吸入危害, 类别 1 危害水生环境-急性危害, 类别 2 危害水生环境-长期危害, 类别 3 | |

Plans for HazChem Registrations

I. Preparation Work (before the end of Nov)

- (1) Publish relevant documents for registration
- (2) Upgrade online registration system.

(II) Training

Provide training to officers at Registration Office(Before the end of Nov)

Training include the interpretation of new measures for registration, how to fill in application forms and evaluate data, GHS classification, national standards for SDSs & label, and introduction to the online registration system.

(III) Prepare Registration Guidance for Chemicals with Unknown Hazard Properties.

Include the definition of chemicals with unknown hazard properties, requirements on hazard identification, list of approved institutions, data requirements, procedure for classification and registration.

(IV) Conduct registration at selected locations

Mainly target at importers beginning from November.

(V) Plans for Nationwide HazChem Registrations

- (1) Complete registrations for importers(in 3 years);
- (2) Complete review and renewal of registration certificates for producers and build a new hazardous chemical database (in 3 years);
- (3) Start hazard identification on chemicals with unknown hazards;

Contact

Website: www.nrcc.com.cn

National Chemical Accident Emergency Consultation

Number: 0532-83889090

Email: cjh53271@163.com

