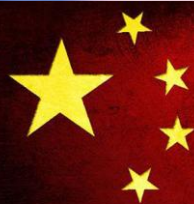




# CIRS



## Chemical Regulations Updating In China

Report for 2016

### Disclaimer and Statement

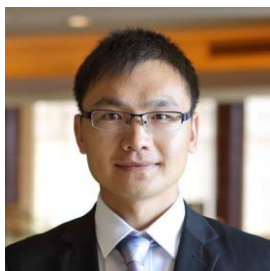
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## Table of contents

This report covers most significant regulatory reform in China during 2016. We focus on the regulations concerned chemicals supply chain. In the past year, many regulations concerned chemicals were revised. Hopefully, some regulations will enter into force in 2017. The chemical regulations in China are quite complicated. We choose significant changes which may mostly impact the chemical enterprises.

1	NEW CHEMICAL SUBSTANCE NOTIFICATION.....	3
2	HAZARDOUS CHEMICAL.....	4
	2.1 MEP repealed the Measures for Environmental Administrative Registration of Hazardous Chemical (Trial) .....	4
	2.2 Chemical physical risk classification and identification.....	4
	2.3 Updates on Transportation of Dangerous Goods.....	7
	2.4 Amendment of Criterion of Dangerous Goods Storage.....	9
3	TOXIC CHEMICALS RESTRICTED TO BE IMPORTED/EXPORTED IN CHINA.....	10
4	CHINA GHS UPDATING.....	12
5	REGULATION COMPLIANCE FOR CONSUMER PRODUCTS.....	12
6	LABORATORY SITUATIONS IN CHINA.....	14
7	NATIONAL CATALOGUE OF HAZARDOUS WASTES” (EDITION 2016) WERE RELEASED .....	16
8	CHEMICAL PRODUCT SUPERVISION IN CHINA.....	17
	8.1 Supervision on chemical substances themselves.....	17
	8.2 Supervision on the uses of chemical products.....	18
	8.3 Supervision on hazardous information communication and transportation of chemical product.....	19



## New Chemical Substance Notification

On March 8, 2016, according to the TBT agreement, [World Trade Organization \(WTO\) released \*Guidance Documents on New Chemical Substances Registration \(Draft\)\* notified by China Ministry of Environmental Protection \(MEP\)](#) on their website and accepts comments from other member states. The administration adjusted some crucial contents on the basis of the actual situation of industry and requirements of regulation management. The main adjustments including but not limited to:

1. As “chemicals that managed by relevant regulations”, pesticide technical materials and pharmaceutical APIs can be exempted from new chemical substance notification.
2. For scientific research purpose, producing/importing new substances with annual volume less than 10 KG they can be exempted from scientific research record.
3. For the test reports that testing methods have been revised for more than 5 years, enterprises shall conduct new testing according to up-to-date testing methods.
4. The group of mutagenicity testing has been adjusted by adding “in vivo gene mutation testing” and “DNA damage and repair testing” as optional higher tier test.
5. Simplified notification (of the polymer of low concern) doesn't apply to the degradable/unstable polymer or water-absorbing polymer.

After WTO published the [Guidance \(Draft\)](#), more than 10 proposals were proposed by enterprises and Industry Associations within a 60-day-comment-period. Based on the conclusion of member states comments, MEP is revising the *Guidance (Draft)* which includes but is not limited to:

1. Further simplified testing data requirement, more closed to the EU REACH;
2. Remove the qualification requirements for ecotoxicology testing labs within China. However, all suitable testing labs will be published on the website of MEP.
3. Polymer meets the conditions of simplified notification can apply for the record notification.
4. An administrative fee may be levied by MEP in the future.



It is learned that the revised *Guidance (Draft)* is under review by MEP, which is supposed to be released officially in the first quarter of 2017. Meanwhile, MEP will comprehensively launch the amendment of [Provision on Environmental Administration of New Chemical Substance” \(MEP Decree No.7\)](#) in 2017.



### Hazardous Chemical

#### ***MEP repealed the Measures for Environmental Administrative Registration of Hazardous Chemical (Trial)***

On July 13, 2016, China Ministry of Environmental Protection (MEP) announced its decision to some regulations and normative documents on its website. According to this decision, [a total of 10 regulations and 121 normative documents were repealed](#) this time, including *Measures for the Environmental Administration Registration of Hazardous Chemicals (Trial)* (MEP Order 22).

The [Measures for Environmental Administrative Registration of Hazardous Chemical \(Trial\)](#) was officially released on October 11, 2012, which mainly regulated the environmental administration registration of manufacture, usage, import and export of hazardous chemicals, supervision requirements are also mentioned. The *Measure* was implemented since March 1, 2013, and revised in October 2015 on the basis of implementation status.



Currently, a comprehensive survey of the hazardous chemicals relevant enterprises (Manufacturers or Users) is conducted by the administration. The result of the survey will play an important role in pattern adjustment of environmental administration of hazardous chemicals in the future. It is learned that the authority has discussed the idea of chemical environmental administration

legislation in a symposium. Referring to the international experience of hazardous chemicals management, China will launch relative legislation of chemical environmental management in order to protect the environment as well as human health. In addition, China Solid Waste and Chemicals Management in Ministry of Environmental Protection (MEP-SCC) have already proposed draft technical measures on environmental and health risk assessment for chemical substances. Meanwhile, the first batch of priority control chemicals is evaluated, and it is predicted to be announced by the end of 2017. The production and use of high-risk chemicals will be restricted strictly and they will be eliminated and substituted gradually.

#### ***Chemical physical risk classification and identification***

Following the announcement of the list of physical risk identification institutions, the requirements for chemical-physical risk classification and identification are determined more clearly this year.



According to related articles in the [Regulations on Safety Management of Hazardous Chemicals in China \(Decree 591\)](#) and the [Measures for the Administration of Registration of Hazardous Chemicals \(SAWS Order 53\)](#), the chemicals of unknown hazard shall conduct physical risk classification and identification on the basis of the [Measures for Administration of Physical Risk Identification and Classification of Chemicals \(SAWS Order 60\)](#). In addition to this, SAWS Order 60 requires enterprises to establish physical risk identification and classification files for chemicals to manage information about hazardous characteristic, identification report, classification report and so on, together. In case enterprises have following behaviours, they shall be fined up to 30,000 RMB and reform within a time limit:

1. The enterprise failed to conduct physical risk identification or classification in accordance with SAWS Order 60;
2. The enterprise failed to establish documentary files for chemical risk identification and systematic management in accordance with SAWS Order 60;
3. The enterprise concealed the hazardous components, contents and other information or offered false materials during chemical-physical risk identification.



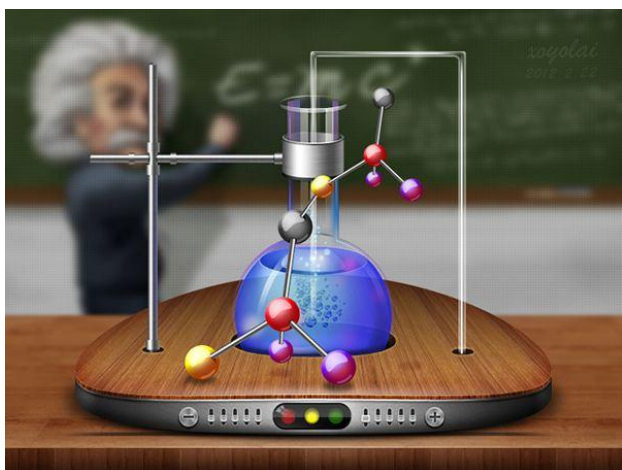
In accordance with Article 4 in SAWS Order 60, the following 3 categories chemicals shall conduct physical risk identification and classification:

1. Chemicals containing components that are listed in the Catalogue of Hazardous Chemicals yet the physical risks of the chemicals are unclear;
2. Chemicals that have not been listed in the Catalogue of Hazardous Chemicals and the physical risk of which are not clear;
3. Chemicals for the purpose of scientific research, the annual output or usage amount of which is larger than 1 ton and the physical risk is not clear;

The [first batch of Catalogue of chemicals exempted from physical risk identification and classification](#) was released by SAWS in January 2017, which includes about 100 chemicals. The Catalogue



consists of List 1 and List 2 (each list contains 50 chemicals). List 1 indicates the chemicals without physical risk while List 2 contains 50 chemicals with their physical risk classifications. However, health and environmental risks of these chemicals are not presented. Enterprises shall supplement the toxicity and the ecotoxicity classifications of those substances when they conduct hazardous chemicals management and registration in accordance with Decree No.591.



Regarding the chemical with physical risk data and completed mixture registration, it is not necessary for enterprises to retest these products, which means these products are not required to go through the "Identification Procedure". However, the enterprise shall prepare physical risk classification report and submit the report to NRCC, which means the "Classification Procedure" are completed for these products, and then create physical risk classification and identification files

for them. The physical risk classification provided by enterprise shall possess relevant data support, and the data can be searched from following 3 sources:

1. The data sources listed in the appendix of National Standard GB/T 17519-2013;
2. The data obtained from conclusion of the testing conducted by abroad GLP laboratory;
3. The data obtained from the conclusion of the testing conducted by qualified physical risk identification institution within China.

When enterprises author classification reports, they shall attach these related testing reports and the laboratory qualification certification as supplementary materials. For those classification data obtained by enterprises themselves, from the unqualified or unauthorized laboratory, the classification report will not be adopted.

SAWS will release the Notice about Strengthening Management of Risk Identification, Classification and Registration of Chemicals soon. According to the Notice, if the chemicals concern physical risk identification and classification, enterprises shall classify the physical risk of these chemicals with Recommendations on the Transport of Dangerous Goods- Manual of Tests and Criteria in advance, and then collect testing report with authoritative data. In case enterprises think the data of physical risk classification is flawed when they complete above steps, they can authorize the qualified institution to classify and identify the physical risk conforming to GB 30000-Chemical Classification and Label Standards. In addition, enterprises can conduct a series of classification for similar products.



The published [name list of 11 physical risk identification institutions concerning chemical](#) is as follow:

1. China Academy of Safety Science and Technology
2. National Registration Center for Chemicals under State Administration of Work Safety (Sinopec Research Institute of Safety Engineering)
3. Shenyang Research Institute of Chemical Industry
4. Zhejiang Province Chemical Products Inspection Station (Zhejiang Research Institute of Chemical Industry)
5. Sichuan Dangerous Chemical Products Quality Supervision and Inspection Institute
6. Chemicals Testing Center of Nanjing University of Science and Technology
7. National Chemicals and Products Safety Supervision and Inspection Center (Shanghai Research Institute of Chemical Industry)
8. Chemical Industry Synthetic Material Aging Quality Supervision and Inspection Center
9. Energetic Materials Measurement and Evaluation Center of CAEP
10. Hubei Institute of Aerospace Chemical Technology
11. Guizhou Academy of Testing and Analysis



### *Updates on Transportation of Dangerous Goods*

2016 was the most remarkable year on the alteration of transportation regulations for dangerous good in China. [Measures for Safety Management of Dangerous Goods by Road Transportation](#) and its supportive document- Regulation of Automobile Transportation of Dangerous Goods (JT617)





were all under revision, hereinto, JT617 which can be regarded as China ADR is supposed to be implemented in the latter half of 2017.

1) Measures for Safety Management of Dangerous Goods by Road Transportation (Draft) :

Compared with former version, the main amendments of *Measures for Safety Management of Dangerous Goods by Road Transportation* (Exposure Draft) focus on following 3 aspects:

- Designate Exempted Scope
- Introduce Limited Quantities (LQ) and Excepted Quantities (EQ)
- Establish Consignment List of Dangerous Goods

1. Exempted Scope

The latest exempted scope increases radiopharmaceutical for diagnosis use and some products for personal or domestic use: Personal or domestic used dangerous goods carried by individuals, with the retailing packages that can prevent contents from leakage under normal transportation conditions. Those dangerous goods which are classified as flammable liquids only and filled in reusable containers with the capacity of each container and transport unit less than 60L and 240L

2. Limited Quantities (LQ) and Excepted Quantities (EQ)

“LQ” and “EQ” are the highlights of the update this time. Although China formally implemented GB 28644.1 and GB 28644.2 at the end of 2012, aiming at the use of EQ and LQ during road transportation, however, many provinces still do not accept EQ and LQ in the actual situation. Relevant articles concerning EQ and LQ are particularly added into the updated Measures: When dangerous goods are transported in the form of EQ or LQ, the consignor shall provide the carrier with the packaging performance test report issued by professional test institutions or a written statement. The written statement shall meet following requirements: *General Specifications for Transport Packages of Dangerous Goods (GB 12463)*, *Excepted Quantities and Packing Requirements of Dangerous Goods (GB 28644.1)*/*Limited Quantities and Packing Requirements of Dangerous Goods (GB 28644.2)* and *Safety Code for Inspection of Packaging of Dangerous Goods Transported by Road (GB 19269)*. *The driver shall carry on the test report or the written statement.*

3. Consignment List of Dangerous Goods

Compared with previous Measures, more contents shall be included in the consignment list of dangerous goods besides the proper shipping name, quantity and emergency response. The consignment list shall include the following contents: *the consignor, the consignee, the loading enterprise, the transportation origin and destination of the dangerous goods, the carrier, the proper shipping name,*





code, class, packing group, package, specification and quantity of the dangerous goods as well as the 24-hour emergency contact number. In addition, the safety information of the dangerous goods such as hazard characteristics, transportation precaution, first aid, fire-fighting measures and accidental release measures shall also be enclosed. All those information shall be kept for at least one year.

### 2) Regulation of Automobile Transportation of Dangerous Goods (JT617)

The *Regulation of Automobile Transportation of Dangerous Goods (JT617)* is now under revision. Most articles in JT617 were adopted from EU ADR. Hence, it is called China ADR. The earliest version of JT617-2004 was published 12 years ago. Some articles in the rule are too simple while part of the articles doesn't meet the requirements for current transportation. It is necessary to be updated or improved immediately.

JT617 will be the enforcement rules for the *Measures for Safety Management of Dangerous Goods by Road Transportation*. After implementation, the new *Measures*, especially the new introducing LQ and EQ which can solve the problem of high logistics cost of low volume dangerous good, is a benefit for transportation of final products and reagent products. In the latest *Regulation on Administration of Articles Prohibited to Delivery*, it is definite that hazardous chemicals are prohibited to transport by postal delivery. Since most DG substances are also hazardous substances, hence, LQ and EQ is the only way to decrease the cost of transportation of dangerous good efficiently.

## ***Amendment of Criterion of Dangerous Goods Storage***



On September 27, 2016, Dangerous Good Branch of China Association of Warehousing and Distribution (CAWD) and Foreign Enterprises Cooperation Committee of China Petroleum Chemical Industry Association (CPCIA) jointly announced that *GB 15603 General Rules for Storage of Common Dangerous Goods* would be revised in the headquarters of Shanghai BASF. At present,

*GB 18265-2000 Operation Conditions and Technical Requirements for Enterprises Concerning Hazardous Chemical* and *GB 15603-1995 General Rules for Storage of Common Dangerous Goods* are amending by Standardization Administration of China (SAC). Due to the publication of [Catalogue of Hazardous chemical \(2015\)](#), the requirements of dangerous goods warehouse shall comply with the new Catalogue and the service scope of some dangerous goods warehouse shall be updated. In



this circumstance, whereas several national standards are based on a criterion of dangerous goods, these standards shall be revised as well. *GB17914-2013 Specifications for Storage and Preservation of Combustible and Explosive Commodities*, *GB17915-2013 Specification for Storage and Preservation of Corrosive Commodities* and *GB17916-2013 Specification for Storage and Preservation of Toxic Commodities* as well as *General Rules for Storage of Common Chemicals* are combined into a new simplified standard which name, content, and appendix are amended drastically. The first draft of the new standard will be completed in the near future.



### Toxic chemicals Restricted to be Imported/Exported in China

China Solid Waste and Chemical Management Centre under Ministry of Environmental Protection released a [Notice regarding the Adjustment of the HS Code of Toxic Chemicals Restricted to be Imported/Exported in China](#). The notice announces that HS codes of toxic chemicals are adjusted and it will be implemented from Jan 1, 2017. The revised List of Toxic Chemicals Restricted to be Imported/Exported in China is also enclosed in this Notice. Major amendments are as follows:

1. Addition of two chemicals



Two chemicals are added in the *List of Toxic Chemicals Restricted to be Imported/Exported in China*. They are hexabromocyclododecane (item 49; HS code: 2903890020) and perfluorooctanesulfonamide (item 101; HS code: 2935500000).

### 2. Separation of chemicals in the same item and change of their HS code

Chemicals of three different categories that were on the same item are now separated and these chemicals are redistributed new HS codes accordingly. Although the number of those chemicals remains the same, the HS codes of those chemicals are changed. For instance:

- a) In the original *List*, perfluorooctanesulfonic acid, ammonium perfluorooctanesulfonate, lithium perfluorooctanesulfonate, potassium perfluorooctanesulfonate and perfluorooctanesulfonyl fluoride were in the same item (Item 94; HS code: 2904209020). Now, the above 5 chemicals are in 5 different items (item 52-item 56) in the revised *List* and each of them has a new HS code (2904310000, 2904320000, 2904330000, 2904340000, 2904360000).
- b) In the original *List*, tetraethylammonium perfluorooctanesulfonate and perfluorooctanesulfonic acid bis decyl two methyl ammonium were in the same item (Item 115; HS code: 2923900013). After the amendments, the above 2 chemicals are in 2 different items (item 74-item 75) and each of them has a new HS code (2923300000, 2923400000).
- c) In the original *List*, ethylperfluorooctanesulfonamide, N-Methyl perfluorooctanesulphonamide, 2-Perfluorooctylsulfonyl-N-ethylaminoethylalcohol and N-(2-Hydroxyethyl)-N-methylperfluorooctanesulfonamide were in the same item (Item 156; HS code: 2935009033). After the amendments, the above 4 chemicals are in 4 different items (item 97-item 100) and each of them has a new HS code (2935100000, 2935200000, 2935300000, 2935400000).

### 3. Alteration of HS codes



Several HS codes have been directly altered in this adjustment. HS codes of 34 chemicals in the *List of Toxic Chemicals Restricted to be Imported/Exported in China* have been revised directly. For instance, in the original *List*, HS code of Zirconium silicate (item 125), Cacodylic acid (item 126) and Sodium Cacodylate (item 127) share the same HS code. However, they merge into item 83 in the revised *List*.

Meanwhile, the HS code has been changed from 2931909014 to 2931900014.

Previously, enterprises did not need to apply for import registration certificate or import/export release permit for hexabromocyclododecane and other perfluorooctanesulfonamide. However, the above two chemicals are added in the *List of Toxic Chemicals Restricted to be Imported/Exported in China* from Jan 1, 2017. As a result, the import registration certificate or import/export release permit



is required for these two chemicals in accordance with provisions relevant to the environmental administration of toxic chemicals import and export.

## China GHS updating

The overarching regulation governing [GHS and SDS in China](#) is the State Council *Decree No. 591 – “Regulations on Safe Management of Hazardous Chemicals (2011)”*. The requirements are specified in Articles 15 and 37 of Decree 591. Companies involving in the manufacture, import, storage, use, sale and transportation of hazardous chemicals shall author, obtain and maintain relevant SDS and labels of their products. The violation penalty is specified in Article 78.

Other ministry level orders give some more detailed or additional requirements for China SDS and labels. In the regulations that govern hazardous chemicals registration (SAWS Order 53) and new substance notification (MEP Order 7/Article 10), China SDS and labels are required as part of the necessary documents to be submitted along with hazardous chemical registration and typical application of new substances. Under the Ministry of Transportation Decree No.2 (2013) Article 32, SDS, and Labels are required for all dangerous goods in China. According to the Administration of Quality Supervision, Inspection and Quarantine (AQSIQ) Announcement No. 30 (2012), China SDS and labels are required for imported chemicals, whilst for export, SDS, Label and equivalent Chinese translations are required.

A new national standard *GB/T 32374-2015 “Phrase and codification of chemical hazard statements”* became effective on Jan 1, 2017 ([Please click here for more effective dates](#)). This standard is authored based on the 4th revised edition of the purple book (UN GHS). The Chinese hazard statements and precautionary statements are listed in this standard.

## Regulation Compliance for Consumer Products



The Tianjin warehouse explosion on August 12, 2015, undoubtedly contributes to the reinforcement of Chinese hazardous chemical supervision. Hazardous chemicals including consuming goods are regulated more strictly. Regulatory compliance is also required for automobile, coating, printing and dyeing industry and other sectors which use a lot of mixtures (or preparations). Similar to industrial



chemicals' compliance requirements, consuming goods' (regarded as hazardous chemicals) regulatory compliance mainly fall into these sections as following:

#### Production/ Operating licenses and Hazardous Chemical Registration

For mixtures which main constituents are all listed in *Catalogue of Hazardous Chemical (2015)*, and the total mass or volume percentage of main constituents is not less than 70%, they are considered and administrated as hazardous chemicals in *Catalogue of Hazardous Chemical (2015)*. Those hazardous chemicals manufacture or importers are requested to obtain production licenses and operating licenses, respectively. Actually, for most production and operation enterprises, the most likely products to be listed in the inventory are those products which flash points are lower than 60 Celsius such as paints, diluents, etc. Those products are required to gain licenses before producing or importing. To our knowledge, many consumer products operation enterprises are [applying for the licenses](#) for those products listed in the Catalogue now. For the hazardous chemical not listed in *Catalogue of Hazardous Chemical (2015)* yet, manufacturers or importers should carry out registration (NRCC) according to Measures for the Administration of Registration of Hazardous Chemicals.



#### Dangerous Goods Storage

The chemicals whose main constituents are listed in *Catalogue of Hazardous Chemical (2015)* are administrated to be stored in specified hazardous warehouses. If the manufacturers fail to store the hazardous chemicals in specified warehouses, according to relevant regulation, they will be punished by officials. For example, Siegwark Shanghai Ltd. was fined 0.1 million Yuan because they have not place hazardous chemicals in a special hazardous warehouse. The news was shown on the related website of the public.

At present, how to classify hazardous chemical is the blur, especially in the storage process, a lot of management problems emerge and hinder the enforcement authorities. Sometimes, it's better for enterprises to consult local authority for the answer. At the same time, each local department may



have their own interpretations regarding the same regulation, which brings great difficulties to enterprises.

### Dangerous Goods Transport

If the products belong to dangerous goods, they must be transported by a qualified carrier. In addition, their packaging must meet the requirements of DG packaging. China Ministry of Transport (MOT) published the draft of *Regulation of Automobile Transportation of Dangerous Goods* for public comment on June 28, 2016. *Provision of Road Transport of Dangerous Goods (Draft)* was also issued on November 14, 2016. Most ADR chapters will be introduced into China, which is supposed to be implemented in 2017. Both limited quantity (LQ) and expected quantity (EQ) exemptions are mentioned in the above regulation or rule. It's good news for the consuming enterprises.

### Hazardous Wastes Disposal

The *National Catalogue of Hazardous Wastes* was originally published in 2008 to regulate solid and semi-solid wastes that pose hazardous risks to the environment and human beings. And the Ministry of Environmental Protection (MEP) started the revision of the *Catalogue* from 2013 and published a new version in July 2016. The new version will take effect from Aug 1, 2016. Compared to the 2008 version, this revision made adjustments to 46 major categories with a total of 479 items and added a total of 117 new items. 16 kinds of hazardous waste are included in the List of Hazardous Waste Management Exemptions. How to classify hazardous chemicals will determine how to dispose of the hazardous wastes directly.

If enterprises feel hard to classify if their product wastes are hazardous wastes or not, it's recommended to look for a qualified institution to identify whether it's a waste solid. If it's confirmed as a waste solid, it must be disposed and treated by a certified agency.

## Laboratory situations in China



On December 29, 2016, the Ministry of Environmental Protection (MEP) released an [Announcement on the Administration of Chemical Testing Institutions](#) (2016 No. 85), which will be implemented from Apr 1, 2017. According to this Announcement, MEP will no longer conduct the assessment for chemical testing institutions and the name list of testing institutions qualified for chemical tests for new chemical substance will also be



repealed. At the same time, MEP will strengthen its supervision and administration of the testing institutions providing test data for new chemical substance notification.

The name list of testing institutions qualified for chemical tests for new chemical substance will be repealed from Apr 1, 2017. Then, the chemical testing institutions providing data for new chemical substance notification shall meet the following conditions:

- ✧ Gain the China Metrology Accreditation (CMA) certifications;
- ✧ Testing institutions having the intention to carry out eco-toxicological tests shall make self-check according to *The guidelines of Chemical Testing Good Laboratory Practices* and make self-declarations on whether they are in compliance with Good Laboratory Practice (GLP);
- ✧ Testing institutions carrying out physicochemical and toxicological tests shall be in compliance with the requirements of *Regulation on Safe Management of Hazardous Chemicals* in China and other regulations.



In addition, MEP requires testing institutions to strengthen information disclosure. The self-declaration of the testing institution shall be published on the official website of the testing institution as well as the MEPSCC website. The detailed information of the testing institution shall also be published for social supervision. The testing institutions shall be responsible for the accuracy and authenticity of the declaration.

Besides, all the testing institutions should be responsible for the whole life of the test reports issued by them and bear the legal responsibility.

MEP will also tighten its review on the data for new chemical substance notification. MEP will supervise the testing institutions, especially the testing institutions providing eco-toxicological data. The result of inspection will be also published. Testing reports with severe problems such as faked data, mistaken testing methods, and false results will not be accepted for new chemical substance notification in China. What is worse, MEP will stop accepting test data if the testing institutions provide a false declaration, amend the original report, forge test results and issue false test reports. The credit information of the testing institutions will be recorded and made public.

When choosing testing institutions for physicochemical and health toxicological tests, enterprises should particularly pay attention to qualifications acquired by the testing institution. As the State





Administration of Work Safety just announced 11 institutions for the identification of physical risks of chemicals, enterprises may choose one of the 11 laboratories for physiochemical tests.

### National Catalogue of Hazardous Wastes” (Edition 2016) were released

On June 14, 2016, the Ministry of Environmental Protection released “*National Catalogue of Hazardous Wastes*” (Edition 2016) which came into force on August 1, 2016. Since the last



amendments in 2008, the “*National Catalogue of Hazardous Wastes*” has played an important role in supporting hazardous wastes management in China. However, with the deepening of hazardous wastes management and the changes of major concerns on current environmental issues, the previous edition of the *Catalogue* is unable to meet the needs of new circumstances any longer. As a result, the new edition was finally released after considerate research and discussion. On June 21, the interpretation document to “*National Catalogue of Hazardous Wastes*” (Edition 2016) was also published by MEP.

According to the interpretation document, 5 main points are modified, compared to the edition 2008.

1. The foreword is amended. The foreword defines the management content of medical wastes. Besides, it revises the property determination description for mixtures of hazardous wastes and other solid wastes, as well as the hazardous wastes after the treatment. Furthermore, the foreword adds the list of hazardous wastes exempt from the administration, as well as classification description after identified as hazardous wastes.
2. Adjusts wastes categories in “*Catalogue*”. There were 400 hazardous wastes in 49 categories in the previous edition. The new edition adjusts the catalogue with 479 hazardous wastes in 46 categories.
3. Add “*List of Hazardous Wastes Exempt from Administration*”. The exemption management of hazardous wastes can reduce the overall environmental risk in the process of hazardous wastes management and enhance the management efficiency. In the newly added the exemption list, 16 hazardous wastes were included. Once meet the requirements of exemption, some part of obligations will be exempted in certain stages. For example, for the first category of hazardous



wastes exempt from administration, the waste nickel-cadmium battery and mercuric oxide battery can be exempted in the collection stage if they meet the requirements of sorting collection.

4. Deleted all “\*” marks in the previous edition. It means all the hazardous wastes listed in the new edition shall be regulated.
5. The wastes originate from chemicals listed in the *Catalogue of Hazardous Chemicals (2015)* are also hazardous wastes.
6. It is notable that some categories included in the “*List of Hazardous Wastes Exempt from Administration*” still belong to hazardous wastes. They are only exempt from the management in very limited exemption stage, such as transport, collection or utilization, etc.

The interpretation document also states that the “*National Catalogue of Hazardous Wastes*” and “*List of Hazardous Wastes Exempt from Administration*” will be revised based on fundamental research in proper time. We need to keep long-term eyes on any updates on the management of hazardous wastes.

## Chemical Product Supervision in China

There are three aspects should be considered when we talking about the chemical product supervision in China.

There are:

- Supervision on chemical substances themselves
- Supervision on the uses of chemical products
- Supervision on hazardous information communication and transportation of the chemical product.



### *Supervision on chemical substances themselves*

There are lots of chemical substance inventories in China, including the inventory of Existing Chemical Substances Produced or Imported in China (IECSC), Catalogue of Hazardous Chemical (2015), List of Toxic Chemicals Restricted to be Imported/Exported, Inventory of Prohibited Chemicals and List of Hazardous chemical for Priority Management.

The supervision on chemical substances themselves is affected by these inventories and followed with corresponding obligations.



### 1. IECSC - the inventory of Existing Chemical Substances Produced or Imported in China

Check out if the chemical substances are listed in IECSC should be the very first step for producing or importing them in/into China. The IECSC, issued and maintains by China MEP, includes approximately 46k substances and divided into two parts – public parts and confidential parts. If you cannot find a substance listed in the public parts of IECSC, submit an inquiry for this substance should be done as the final step to identify if this substance is included convincingly or not. Please note, 5000 RMB will be required as inquiry fee for confidential parts checking.

If the substance is not listed in either public parts or confidential parts of IECSC, it will be identified as New Chemical Substance in China. And the followed obligation including notification, permission, registration and annual report to Authorities shall be complied according to Administrative measures of New chemical substance in China (MEP decree No. 7)

### 2. Other Inventories

There are no confidential parts for other inventories. Companies just need to confirmation if substances are listed and then fulfil the obligations according to specific requirements.

## *Supervision on the uses of chemical products*

There are series provisions and requirements on the uses of chemical substances in different industries, including foods, food contact materials, pharmaceuticals, pesticides, cosmetics, toys, electric and electronic, etc.



Three important aspects are:

✓ Regulated as positive list

Chemical used as cosmetic ingredients should be listed in Inventory of existing cosmetic ingredient in China – IECIC;

Chemical used as food contact material additives should be listed in GB 9685-2016 issued on 19 October 2016

✓ Regulated as negative list

Chemical prohibited and/restricted in electrical and electronic products - Measures for the administration of the use of hazardous substances in electrical and electronic products issued on January 2016

✓ Others



Coating used in food contact products - GB 4806.10-2016 Food safety national standards for food contact coatings

### *Supervision on hazardous information communication and transportation of chemical product*



GHS was implemented in China due to the amendment of the Administrative measures of the Hazardous chemical in 2011. Consequently, the chemical product should be classified according to GB 13690-2009 and GB 30000. SDS should be composed according to both GB/T16483-2008 Safety Data Sheet for chemical products content and Order of Sections and GB/T17519-2013 Guidance on the compilation of Safety Data Sheet for chemicals products. Besides, the label should be prepared according to GB15258-2009 General Rule for Preparation of Precautionary Label for Chemicals. Meanwhile, the GHS classification in implementation guidance of catalog of hazardous chemical 2015 (Draft) must be considered to harmonize the chemical product classification, if it listed in the inventory.

SDS and label inspection is very serious on actual supervision. Punishment cases of not providing SDS and not sticking precaution label could be found at local SAWS all over the China. Meanwhile, a lot of such cases could be also recognized from the Customs of Shanghai, Ningbo, Guangzhou, etc.