

Additional Explanation for Consideration of Hazardous Substance List 5.6

According to the Notification of Ministry of Industry on List of hazardous substances (No.2) B.E. 2558 (2015), which has been published on the Government Gazette on 19 February 2015 and effective on 20 February 2015, Hazardous Substance Control Bureau, Department of Industrial Works herewith prepares the additional explanation for the implementation related to the control of hazardous substances specified in List 5.6 that are under the responsibility of Department of Industrial Works in order to comply with such Notification, as follows:

Hazardous Substance List 5.6 is hazardous substances listed in the annexed of the Notification of Ministry of Industry on List of hazardous substances (No.2) B.E. 2558 (2015), responsible and controlled by Department of Industrial Works as hazardous substance type 1, which comprises Substance or Mixture that have never been under the control and supervision of any agency for production or import, and have any following properties:

1. Explosive
2. Flammable substance
3. Oxidizing agent, or Peroxide
4. Toxic substance
5. Mutagen
6. Corrosive
7. Irritant
8. Carcinogen
9. Toxic to reproductive organ
10. Environmentally hazardous substance

Therefore, it shall be considered that the imported or produced substances are Substance or Mixture, then whether they are controlled by any specific law or are under responsibility of any agency or not. The consideration can be made by checking the List of Hazardous Substance i.e. List 1.1, 1.2, 2.1, 2.2, 2.3, 3.1, 3.2, 3.3, 4.1, 4.2, 4.3, 5.1, 5.2, 5.3, 5.4, 5.5 and List 6. If they do not fall into any List, then we must consider if they have any property as specified or not. If they have property as specified in the Notification, they will be controlled as hazardous substance of List 5.6. Consideration procedure is shown in the diagram.

Definitions of Substance or Mixture have been prescribed in the Notification of Ministry of Industry on Declaration of the production or import of hazardous substances of list 5.6 under the responsibility of Department of Industrial Works B.E. 2558 (2015) as follows:

“Substance” means a chemical element and its compounds in the natural state or obtained by any manufacturing process, including any additive necessary to preserve its stability and any impurity deriving from the process used, but excluding any solvent which may be separated without affecting the stability of the substance or changing its composition”

“Mixture” means a mixture or a solution composed of two or more substances in which they are not inter-reactive”

The objective of controlling hazardous substance as in List 5.6 is to collect chemicals information used in the country to establish the chemicals inventory and to use as the basic chemicals information for preparation of the appropriate chemicals management measures in the future. Producer or importer of chemicals with 10 properties aforementioned therefore has a duty to declare the chemicals information in accordance to the Notification of Ministry of Industry on Declaration of the production or import of hazardous substances of list 5.6 under the responsibility of Department of Industrial Works B.E. 2558. However, as to not create additional burden to producer or importer, they will be exempted from compliance with the MOI Notifications as follows:

1. Exempted from the declaration of WoAo/AoKo 6 and WoAo/AoKo 7
2. Exempted from the GHS’s classification and labelling system
3. Exempted from compliance with the MOI Notification regarding storage of chemicals and hazardous substance
4. Exempted from having personal responsible for hazardous substance storage

Consideration procedure of hazardous substance List 5.6

As shown in a diagram

Consideration procedure of hazardous substance List 5.6

