Different Obligations for 4 Types of Hazardous Substances

The control of business-related activities (produce, import, export and having in possession) of chemicals in Thailand is mainly regulated through the Hazardous Substance Act (B.E. 2551) of which the latest amendment is the 2nd revised (No. 3) B.E. 2555 (2012). The Department of Industrial Works (DIW) is responsible for the control of the hazardous substances used for industrial purpose. According to the Act, to ensure control, hazardous substances shall be classified into 4 types which are Type 1, Type 2, Type 3 and Type 4, respectively.

1. Substances that have production/import volume ≥ 10T/Y and meeting the following criteria will be prioritized for Full Risk Assessment. A full risk assessment report will be required. The full risk assessment report of CMR substances is required. Any new substances that have production/import volume ≥ 10T/Y will be evaluated the hazard classification according to the GHS classification system and will be included in Priority List and the Full Risk Assessment report will be submitted. The substances in the Priority List are: substances of PBT (persistent, bioaccumulative and toxic) and/or vPvB (very persistent and very bioaccumulative); Carcinogenic, mutagenic, reproductive (CMR) substances; Substances of equivalent concern; Substances included in internal conventions; Substances of equivalent concern.

2. According to the 4th national strategic plan on chemical management, DIW might change the information from “hazard based” to “risk based” in the future and once it changes, substances in the TECI will be screened. Substances that has production/import volume ≥ 10T/Y will be evaluated the hazard classification according to the GHS classification system. Substances that are not hazardous or do not meet SVHC criteria qualify for a simplified risk assessment. New chemical substances that are not hazardous or do not meet SVHC criteria qualify for a simplified risk assessment. New chemical substances that are hazardous or meet SVHC criteria may require a full risk assessment report. DIW also plan to include the chemicals listed in the DDB database and possibly the National Single Window List from the Customs. Many companies have submitted hazardous substance notifications in 2016 – present. Those substances will be evaluated and might be listed up to the inventory. After the closure of nomination, substances not listed on the existing chemical inventory will be considered to be new substances. However, even if the substances are on the TECI, the obligation of registering hazardous products still exists. This will not change.

3. Current Management of Hazardous Chemicals

Information System

The information presented in this document is deemed to be accurate and reliable. The data contained herein has been compiled from the best of our knowledge and belief. However, we cannot guarantee the accuracy and completeness of any data presented herein and shall not accept any liability for the consequences resulting from its use. The document information may be reviewed and updated from time to time. It is not intended to be a substitute for any regulatory or professional advice or to replace any national or international legal requirements.

Confidential business information (CBI)

No, the TECI has been released in 2018. The Department of Industrial Works (DIW) is responsible for the control of the hazardous substances used for industrial purpose. To do the hazardous substances notification, registration, DWI strictly requires full disclosure on the chemical composition of hazardous items produced or imported into the territory. Suppliers may require to keep some combination information due to confidential business information (CBI) concern by submitting the CBI to DWI via email. For component considered as the hazardous substances, suppliers shall disclose the information of these components including the chemical name, CAS No., and percentage of the hazard ingredients. Thailand chemical regulations underwent large-scale reforms in the past years. The most significant updates were in the annexes of the Hazardous Substances and the nomination to the Inventory of Existing Chemicals. The intent of this poster is to share perspectives and understanding of existing chemical legislation in Thailand as the recent changes are challenging to keep an overview of the regulatory landscape. An early in-depth knowledge is important that has production/import volume ≥ 10T/Y and meeting the following criteria will be prioritized for Full Risk Assessment. The full risk assessment report of CMR substance is required. Any new substances that has production/import volume ≥ 10T/Y will be evaluated the hazard classification according to the GHS classification system. New chemical substances that are not hazardous or do not meet SVHC criteria qualify for a simplified risk assessment. New chemical substances that are not hazardous or do not meet SVHC criteria qualify for a simplified risk assessment.

Chemical Substance

Thailand Existing Chemical Inventory (TECI)

The TECI is the national inventory that contains chemical substances imported and produced in Thailand. The development of TECI is a part of a project listed under the 4th National Strategic Plan on Chemical Management (2012-2021). TECI database stores information of existing chemical substances in August 2015. It consists of names of chemicals which registered or notified in 2016 - present. Those substances will be evaluated and might be listed up to the inventory. After the closure of nomination, substances not listed on the existing chemical inventory will be considered to be new substances. However, even if the substances are on the TECI, the obligation of registering hazardous products still exists. This will not change.

Abstract

The main chemical legislation in Thailand is the Hazardous Substance Act B.E. 2535, of which the latest amendment is the 2nd revised (No. 3) B.E. 2555 and the 3rd revision is expected to be released in 2018. The Department of Industrial Works (DIW) is responsible for the control of the hazardous substances used for industrial purpose. To do the hazardous substances notification registration, DWI strictly requires full disclosure on the chemical composition of hazardous items produced or imported into the territory. Suppliers may require to keep some composition information due to confidential business information (CBI) concern by submitting the CBI to DWI via email. For component considered as the hazardous substances, suppliers shall disclose the information of these components including the chemical name, CAS No., and percentage of the hazard ingredients. Thailand chemical regulations underwent large-scale reforms in the past years. The most significant updates were in the annexes of the Hazardous Substances and the nomination to the Inventory of Existing Chemicals. The intent of this poster is to share perspectives and understanding of existing chemical legislation in Thailand as the recent changes are challenging to keep an overview of the regulatory landscape. An early in-depth knowledge is important...