



May 27, 2021

EMB MEMORANDUM CIRCULAR
No. 2021 - **09**

SUBJECT: GUIDELINES IN THE IMPLEMENTATION OF GLOBALLY HARMONIZED SYSTEM (GHS) CLASSIFICATION AND LABELLING REQUIREMENTS FOR CHEMICAL MIXTURES

I. RATIONALE

Pursuant to Republic Act 6969, otherwise known as “Toxic Substances and Hazardous and Nuclear Wastes Act of 1990, Joint Administrative Order (JAO) 2009-01 on “Adoption and Implementation of Globally Harmonized System of Classification and Labelling of Chemicals”, DENR Administrative Order 2015-09 “Implementing Rules and Procedures for the Implementation of the Globally Harmonized System (GHS) of Classification and Labelling of Chemical Substances and EMB Memorandum Circular 2015- 011 on GHS Guidance Manual in the Preparation of Safety Data Sheets (SDS) and Labelling requirements of Toxic Chemical Substances, the following guidelines are developed for industry sectors’ compliance for the importation, manufacture, handling, storage, and transport of chemical mixtures.

II. OBJECTIVES

This Memorandum Circular aims to:

- 2.1 Provide the necessary guidelines for the proper implementation of DAO 2015-09 with regards to chemical mixtures.
- 2.2 Guide the chemical industry sectors to comply with the requirements under DAO 2015-09 and EMB Memorandum Circular 2015-011 on the preparation of Safety Data Sheet (SDS) and labelling of toxic chemical mixtures.
- 2.3 Provide the EMB Central Office and Regional Offices with the required mechanism for the monitoring of compliance of the chemical industry sector for chemical mixtures.

III. DEFINITION OF TERMS

- 3.1 Mixtures – Combination of two or more chemical substances if the combination does not occur in nature and is not, in whole or in the past, the result of a chemical reaction, if none of the chemicals comprising the combination is a new chemical, and if the combination could have been manufactured for commercial purposes without a chemical reaction at the time the chemical substances comprising the combination were combined. This definition includes non-biodegradable mixtures.
- 3.2 Manufacturer – Any individual, entity, or institution engaged in the production or extraction of controlled or regulated chemicals.



IV. SCOPE AND COVERAGE

- 4.1 All chemical mixtures are within the scope of this Circular.
- 4.2 The aforementioned chemical mixtures are either reagent grades, technical or commercial grades.

V. IMPLEMENTING GUIDELINES FOR CHEMICAL MIXTURES

- 5.1 All chemical mixtures shall be properly labelled and shall have SDS complying with the requirements of GHS as stipulated in DAO 2015-09 or any revisions made thereafter, through the entire life cycle of the chemical substances.
 - 5.1.1 Importers shall require suppliers to submit SDS and to properly label the packages of chemical mixtures in accordance with DAO 2015-09.
 - 5.1.2 Manufacturers shall be required to classify the hazards and prepare SDS of the chemical mixtures they produce and provide transporters, handlers, and users with updated SDS and label chemical mixtures in accordance with DAO 2015-09 requirements.
- 5.2 Chemical mixtures considered as wastes shall be considered hazardous thus shall comply with the requirements of DAO 2013-22.
- 5.3 Manufacturers, importers, users and distributors shall undertake continuing training on GHS for the proper implementation of this Memorandum Circular.

VI. EXEMPTIONS

Chemical substances used solely in the preparation/production of pharmaceuticals, cosmetics, foods, and pesticides are excluded from this circular. However, for those with dual uses, SDS should indicate the actual use(s) of such chemical substances.

VII. COMPLIANCE MONITORING

Compliance with this Memorandum Circular shall be monitored by the EMB Regional Offices.

VIII. PENALTY PROVISION

Existing and operating industries and related sectors violating DAO 2015-09, specifically provisions under this Memorandum Circular (MC), shall be imposed sanctions and fines in accordance with the Graduated Administrative Fines under Sections 15 of RA No. 6969 and Section 43 of DAO29-1992.

IX. EFFECTIVITY

This Circular shall take effect fifteen (15) days after its complete publication in a newspaper of general circulation and upon acknowledgment of receipt of a copy thereof by the Office of the National Administrative Register (ONAR), UP Law Center.


ENGR. WILLIAM P. CUÑADO
Director

