



BUILD ELECTRONICS BETTER

CHEMICAL AND PRODUCT REGULATIONS AFFECTING ELECTRONICS:

PHILIPPINES



IPC 2020 White Paper

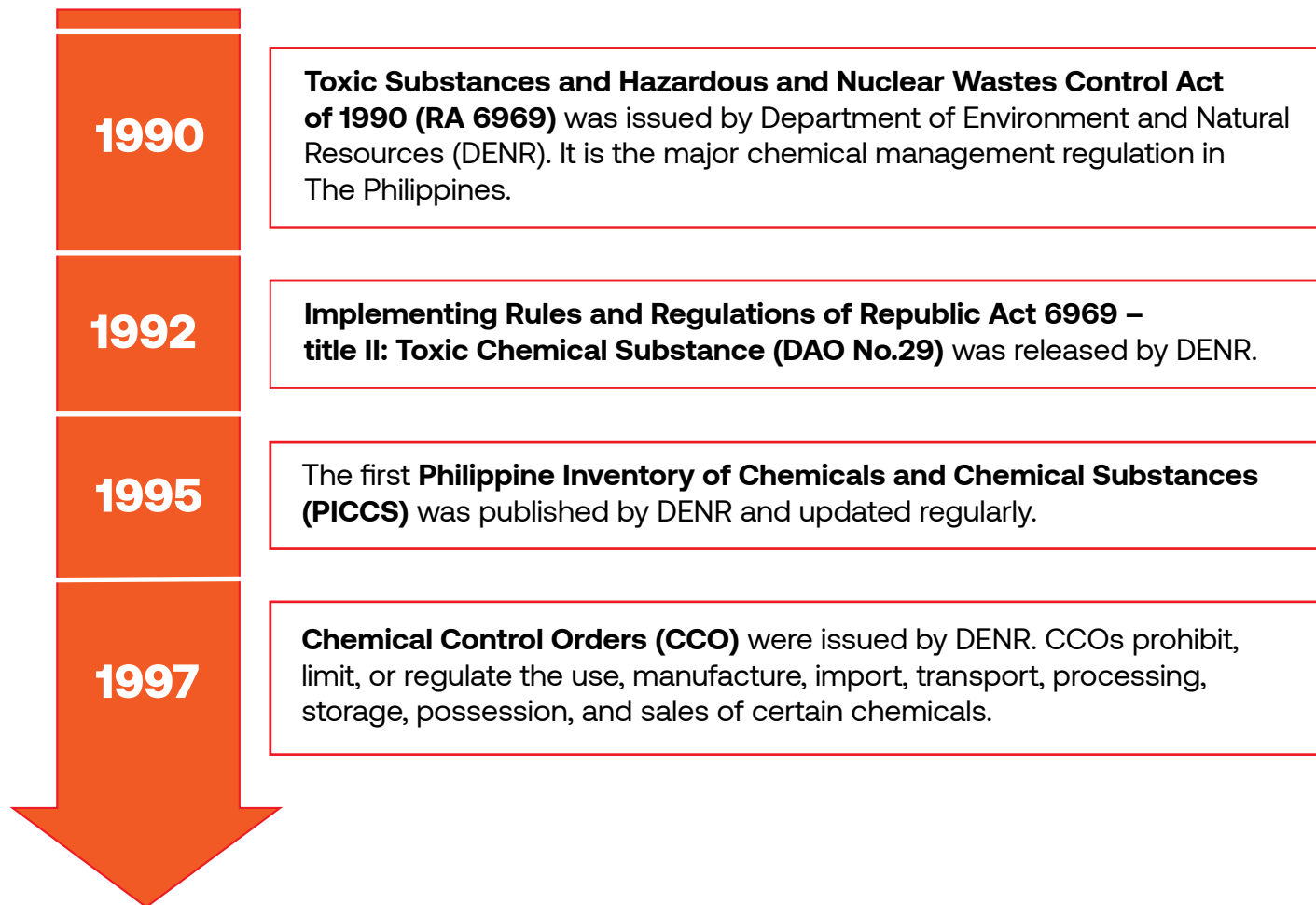
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1. INTRODUCTION

To lower the health and environmental impacts from chemicals, countries and regions around the globe have published various policies and regulations for chemical management. The Philippines started its chemical regulation in the 1990s with the Republic Act 6969, an act to control toxic substances and hazardous and nuclear wastes, the act is still the most major chemical regulation in the country and could be of great importance to enterprises in the electronics industry around the globe. This white paper provides a history of chemical regulations development in the country, a status of current activity, and recent updates.

2. HISTORY OF CHEMICAL REGULATION DEVELOPMENT



3. CURRENT CHEMICAL REGULATORY SYSTEMS

3.1 REACH-like Regulations: RA No. 6969 and DAO No.29

Philippine Department of Environment and Natural Resources (DENR) issued the Republic Act Number.6969 “Toxic Substances and Hazardous and Nuclear Wastes Control Act of 1990” and DENR Administrative Order 29 Implementing Rules and Regulations of RA 6969 (DAO 29) in 1992. RA 6969 is a structural regulation regulating importation, manufacturing, storage, transit, sales and usage of hazardous chemicals. RA 6969 and DAO 29 request that new chemicals or existing chemicals with new use to apply for pre-manufacturing and pre-importation notification (PMPIN) before entering the Philippine market.

Official version of R.A. 6969 can be viewed at: <https://www.officialgazette.gov.ph/1990/10/26/republic-act-no-6969/>

3.1.1 PICCS – Philippine Inventory of Chemicals and Chemical Substances

The Philippine Inventory of Chemicals and Chemical Substances, also known as the PICCS, was first published by DENR in 1995 and is being updated on a regular basis to include all new chemicals with PMPIN certification: It now includes more than 44,000 chemicals. Before manufacture or importation of chemicals that are in the PICCS, PICCS Certification should be applied.

PICCS can be viewed at: [119.92.161.2/internal/CasREgistry.aspx](http://19.92.161.2/internal/CasREgistry.aspx)

3.1.2 PMPIN – Pre-manufacturing and Pre-importation Notification

Chemicals that are not listed in PICCS are considered new chemicals. In order to identify hazardous chemicals before such chemicals enter the Philippine market, new chemicals are required to submit Pre-Manufacture and Pre-Importation Notification (PMPIN) to DENR.

PMPIN includes two notification types: abbreviated PMPIN and detailed PMPIN. Abbreviated PMPIN does not require testing data; it applies when new chemicals are not restricted for manufacture and importation in other countries, and information submitted by the notifier proves chemicals do not pose any risk. Detailed PMPIN applies when the notifier cannot provide information on chemical risk, or DENR determines that the information submitted is insufficient. PMPIN should be done between 90 to 180 days prior to new chemical manufacture or importation activities by manufacturers or importers.

PMPIN exemption includes small enterprises, chemicals with small quantity, polymers, existing chemicals, articles, non-isolated intermediate, chemicals for exportation only.

For new chemicals with small quantity (<1000kg/year) that are exempt from PMPIN, Small Quantity Importation (SQI) certification should be applied instead.

PMPIN Guidance can be viewed at: <http://r5.emb.gov.ph/chemical-management/permitting/pmpin/>

3.1.3 PCL – Priority Chemical List

The Priority Chemical List (PCL) is a list of 48 highly hazardous existing and new chemicals that DENR determines to potentially pose unreasonable risk to public health and the environment.

All importers, manufacturers, distributors and users of chemicals that are listed in the PCL are required to secure the PCL Compliance Certificate from DENR. Information needed includes a letter request and notarized application form, intended use and volume information, safety data sheet, chemical management plan and contingency plan, and hazard and environmental release information.

PCL can be viewed at: <http://chemical.emb.gov.ph/wp-content/uploads/2017/03/DAO-2005-27-PCL-List.pdf>

PCL requirement can be viewed at: <http://chemical.emb.gov.ph/wp-content/uploads/2017/03/DAO-2007-23-PCL-Additional-Requirements.pdf>

3.1.4 CCO – Chemical Control Order

Department of Environment and Natural Resources-Environmental Management Bureau (DENR-EMB) issues Chemical Control Orders (CCOs) that prohibit, limit, or regulate the use, manufacture, import, transport, processing, storage, possession, and sales of chemicals that DENR determined to be regulated, phased-out, or banned due to the serious risks they pose to public health and the environment. Each year, after due consideration of industrial needs, health and environment risks, Philippine commitment to international and regional treaties and conventions, and DENR's capabilities and resources to manage the controlled chemicals, DENR may determine what chemicals listed in PCL should be regulated, controlled, or phased out.

Chemicals subject to CCO are shown in the table below

CCO	Chemicals
DAO 1997-39	Cyanide and Cyanide Compounds
DAO 2000-02	Asbestos
DAO 2004-01	PCBs
DAO 2013-24	Lead and Lead Compounds
DAO 2013-25	Ozone Depleting Substances
DAO 2019-17	Arsenic and Arsenic Compounds
DAO 2019-20	Mercury and Mercury Compounds

CCO requirements:

- Registration with DENR-EMB and obtain import clearance
- Limitation in industrial use
- Self-inspection
- Annual Report to DENR-EMB
- Label and storage requirements
- Treatment and disposal requirements
- Reporting and recordkeeping requirements

Reference: Republic of Philippines, Department of Environment and Natural Resources, Environmental Management Bureau: <http://r5.emb.gov.ph/chemical-management/permitting/chemical-control-order/>

4 RECENT REGULATORY UPDATES AND REGULATION TRENDS FOR THE FUTURE

4.1 PICCS Tool

In 2020, DENR-EMB released the Tool for PICCS Validation and Determination of RA 6969 Requirements (PICCS Tool) to help importers, distributors, users and manufacturers to get the permits required. With the tool, clients can input the chemical components themselves and produce a certificate. The tool is accessible through the DENR-EMB Online Permitting and Monitoring System website.

PICCS Tool: <https://opms.emb.gov.ph/accounts/login/>

4.2 Chemical Control Orders

DENR-EMB published two CCOs draft for public consultation:

- Chemical Control Order (CCO) for Cadmium and Cadmium Compounds ()
- Chemical Control Order (CCO) for Chromium VI and Chromium VI Compounds ()

Comments on the regulations can be submitted to EMB via phone at (02)928-8892 or via e-mail at chemicals@emb.gov.ph



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