

# **Malaysia**

## **EHS NOTIFICATION AND REGISTRATION SCHEME**

### **GlobalChem 2009**

**(The attached (and more) can be found on DOE's website at <http://www.e-ehs.doe.gov.my/>)**

# EHS NOTIFICATION AND REGISTRATION SCHEME

## Registration Of Companies

### NOTE TO INDUSTRY

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#### Registration of Companies

Company registration in the EHS Notification and Registration Scheme of the Department of Environment Malaysia is aimed solely at manufacturers and importers of chemical substances and importers of chemical substances as part of a mixture or finished product. Registration may be required for companies belonging to the following categories:

1) The company is a manufacturer of EHS and these EHS are used by the company or sourced by other companies (local or overseas) down the supply chain, to trade or formulate/manufacture chemical mixtures or products. Chemical industries involved only in the manufacture of chemical mixtures or products using locally manufactured EHS or imported EHS sourced from local suppliers as raw materials are not subject to notification and registration of EHS.

2) The company is an importer of individual EHS and/or chemical mixtures or finished products containing EHS as constituents. Chemical companies involved only in the formulation, distribution, retailing and use of EHS or EHS containing mixtures/products are not subject to notification and registration of EHS.

Registration is required if the chemical company categorized above also fulfills the following conditions:

| Importer or manufacturer of individual substances  | Importer of substances as part of a mixture or finished product  |
|--|--|
| <ul style="list-style-type: none"><li>• The substance is included in the <a href="#">EHS Reference List</a></li><li>• The substance is not included in the EHS Reference List but is classified as hazardous according to GHS criteria as outlined in CLASS regulation/guidance document</li><li>• The substance is not <a href="#">exempted from notification</a></li><li>• The EHS is manufactured or imported annually in amounts exceeding the defined tonnage trigger point and covered by phase-in criteria (see <a href="#">Implementation</a>)</li></ul> | <ul style="list-style-type: none"><li>• The substance is included in the <a href="#">EHS Reference List</a></li><li>• The substance is not included in the EHS Reference List but is classified as hazardous according to GHS criteria as outlined in CLASS regulation/guidance document</li><li>• The substance is not <a href="#">exempted from notification</a></li><li>• The cumulated annual amount of the EHS in mixtures and/or products where the concentration of the substance exceeds 1 % (0.1 % for carcinogenic substances, substances toxic to reproduction, and category 1 and 2 mutagens) is above the defined tonnage trigger point and covered by phase-in criteria (see <a href="#">Implementation</a>)</li></ul> |

# EHS NOTIFICATION AND REGISTRATION SCHEME

## About the HS Notification and Registration Scheme

The objective of the Malaysian HS Notification and Registration Scheme is to collect information from industry about the hazardous substances that are on the Malaysian market by introducing a notification requirement for such substances manufactured in or imported to Malaysia.

### Purpose

The purpose of the notification and registration scheme in Malaysia is to provide the necessary information to the Malaysian Government that will enable the Department of Environment and other agencies involved in chemicals management to identify substances of concern in the country and make decisions about how to manage these substances in a safe and sound manner.

Based on the information submitted by industry, Department of Environment (DOE) will establish the Malaysian Chemicals Register. The Malaysian Chemicals Register will contain information about the identity of substances that have been notified to DOE, their uses in Malaysia, their hazard classification and the accumulated amounts placed on the market in Malaysia.

Information in the Chemicals Register will be available to the public through the Internet. Accumulated amounts manufactured or imported will only be publicised for substances notified by three or more manufacturers or importers. A particular use of a substance will likewise only be publicised if notified by three or more manufacturers or importers.

### Scope

The notification scheme covers:

- ✍ All substances not covered by other notification/registration schemes in Malaysia and fulfilling the criteria for classification as hazardous according to the Globally Harmonised System of Classification and Labelling (GHS), or until GHS is fully implemented, the classification according to the current classification requirements for chemicals in Malaysia.
- ✍ Other substances that are considered substances of concern due to properties not covered by the GHS classification scheme.

The notification requirement does not apply to substances for which information is already submitted to a Government agency in Malaysia by means of other legislations. This regards substances notified/registered under the following legislations:

- ✍ The Pesticides Act 1974 (Act 149)
- ✍ The Poisons Act 1952 (Act 366)
- ✍ Chemical Weapons Convention Act 2005 (Act 641)

Only substances manufactured or imported in certain amounts by the individual manufacturer/importer will require notification. For other exemptions to the notification requirement, please refer to the **Guidance Document for Industry**.

The notification requirement will be phased in over a number of years. The first phase will include substances that are defined as **environmentally hazardous substances (EHS)** under The Environmental Quality Act (1974). Please refer to **Definition of EHS** and Implementation of HS Notification and Registration.

### Output

Parallel to the notification and registration scheme, the Department of Environment is also introducing a scheme for risk assessment of chemical substances of concern in Malaysia. The chemicals of concern that will be considered in the risk assessment scheme will be prioritised based on their classification according to the Globally Harmonised System of Classification and Labelling (GHS) or until GHS is fully implemented, classification according to the current classification requirements for chemicals in Malaysia, and in addition the total annual tonnage of substance manufactured or imported to Malaysia. Substances of concern due to effects which are not covered by the GHS classification criteria will be prioritised based on annual tonnage and use in the country.


Based on the outcome of the risk assessment, DOE and other agencies in chemicals management will decide upon the risk reduction strategy and the risk reduction actions to be implemented.

For further information, please contact:

Hazardous Substances Division  
Department of Environment  
Level 2, Block 3, Lot 4G3, Precinct 4  
62574 Putrajaya Malaysia  
Tel: 03-8871 2115 Fax: 03-8888 6120  
[ehs@doe.gov.my](mailto:ehs@doe.gov.my)

Notification and Registration of Hazardous Substances (HS)  
Department of Environment Malaysia

**Difference Between Basic and Detail Notification of HS**

| Basic   | Detail  |
|---|---|
| Chemical manufacturer or importer are only required to furnish the following data:  | Chemical manufacturer or importer are required to furnish the following data:   |
| Substance identification (CAS No, EC No or Index No)<br>Annual tonnage in metric tons<br>Use of the substance<br>Concentration interval of substance in raw materials or finished products (maximum and minimum concentration)<br>Country of export (if imported) | Substance identification (CAS No, EC No or Index No)<br>Annual tonnage in metric tons<br>Use of the substance<br>Concentration interval of substance in raw materials or finished products (maximum and minimum concentration)<br>Country of export (if imported)   |
|    | Data on Substance Identification (e.g. structural formula, molecular weight, etc)<br>Data on Physical Chemical Properties (e.g. melting point, auto-ignition temperature, etc)<br>Data on Physical Hazards (e.g. flammability, corrosivity to metals, etc)<br>Data on Hazards to Human Health (e.g. acute toxicity, skin corrosion/irritation, etc)<br>Data on Hazards to Aquatic Environment (e.g. acute aquatic toxicity and properties like bio-accumulation, etc)<br>Overall GHS Classification |

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# EHS NOTIFICATION AND REGISTRATION SCHEME

## Implementation Plan for EHS Notification and Registration

The Notification and Registration of EHS by chemical industries in Malaysia will be implemented in phases. Initially the scheme will be on a voluntary basis, where in 2009 all chemical industries, irrespective of the tonnage imported or manufactured, can register to participate in the scheme. However, beginning Year 2010, the notification of EHS by manufacturers and importers will only be based on the total tonnage of EHS manufactured and imported. The phase-in year for the notification based on tonnage is given in the Table below.

Applicable to All Industry Sectors

| Annual Tonnages (MT) | Year of Implementation of EHS Notification |      |      |      |      |      |      |      |
|----------------------|--|------|------|------|------|------|------|------|
|                      | 2009                                       | 2010 | 2011 | 2012 | 2013 | 2014 | 2015 | 2016 |
| > 100                | Voluntary Notification and Registration    | /+   | /+   |      |      |      |      |      |
| 10 - 100             |  | /+   | /+   |      |      |      |      |      |
| 1 - 10               |  | /+   | /+   |      |      |      |      |      |
| 0.1 - 1              |  | /+   | /+   |      |      |      |      |      |

All substances that, under GHS classification, are assigned an aquatic toxicity classification of "chronic 1" (/) or are suspected or known human carcinogens, reproductive toxicants or mutagens? (+) must also be notified during years 2010 and 2011.