



10 August 2017

(17-4318)

Page: 1/3

Committee on Technical Barriers to Trade

Original: English

NOTIFICATION

The following notification is being circulated in accordance with Article 10.6

1. Notifying Member: <u>THAILAND</u> If applicable, name of local government involved (Article 3.2 and 7.2):
2. Agency responsible: Department of Industrial Works Tel: (66 2) 202 4149 Fax: (66 2) 202 4230 Name and address (including telephone and fax numbers, email and website addresses, if available) of agency or authority designated to handle comments regarding the notification shall be indicated if different from above: Thailand WTO/TBT Enquiry Point and Notification Authority Thai Industrial Standards Institute Tel: (66 2) 202 3504, 202 3523 Fax: (66 2) 202 3511, 354 3041 E-mail: thaitbt@tisi.go.th Website: http://www.tisi.go.th
3. Notified under Article 2.9.2 [X], 2.10.1 [], 5.6.2 [], 5.7.1 [], other:
4. Products covered (HS or CCCN where applicable, otherwise national tariff heading. ICS numbers may be provided in addition, where applicable): Hazardous Substances
5. Title, number of pages and language(s) of the notified document: Draft Notification of Ministry of Industry on List of Hazardous Substances (No.4) (7 page(s), in Thai)
6. Description of content: To rectify and add some hazardous substances attached to the Notification on List of Hazardous Substance 2013 dated 28 August 2013 as follows: 1. Regarding List 4.1, No. 159, Food and Drug Administration (FDA) will cancel the prohibition of using "methanol" in case it is mixed in products being used as fuel for cooking or warming food. Due to such products have already been controlled by Thai Industrial Standard Regulations. 2. Regarding List 4.3, FDA will revise the controlling of two items of hazardous substance (No.2 and No.3) by adding the condition of exemption as follow. 2.1) No.2; "Products used in household or public health activity with purposes for inhibiting, preventing, controlling, getting rid of insects and other pests" "Except any of the following products: 1. <i>Products containing essential oils derived from plants or animals as an active ingredient.</i> 2. <i>Products containing parts of plant as the main components that may be processed by cutting, grinding, chopping, shredding, etc.</i> 3. <i>Products containing substances derived from plants or animals by the process of boiling, fermentation, distillation, extraction, burning or any other process and without any addition of other substances as an important ingredient that aims to make a chemical reaction.</i> <i>The above products must not contain synthetic chemicals as an active ingredient."</i>

2.2) No.3; "Products used in household or public health activity with purposes for killing germs, cleaning floor, wall, sanitary wares, and other materials or for anti-clogging of drainage system or sewer line"

"Except any of the following products:

1. *Products containing enzymes as an active ingredient.*
2. *Products containing parts of plant as the main components that may be processed by cutting, grinding, chopping, shredding, etc..*
3. *Products containing substances derived from plants or animals by the process of boiling, fermentation, distillation, extraction, burning or any other process and without any addition of other substances as an important ingredient that aims to make a chemical reaction.*
The above products must not contain synthetic chemicals as an active ingredient."

3. According to the Minamata Convention, Department of Industrial Works (DIW) will add 3 items which are "mercury (I) chloride", "mercury (II) sulfate", "mercury (II) nitrate" into List 5.1, and other "mercury compound" in List 5.4 as hazardous substance type 3 that need to register and apply for a permit before production, import, export, or having in possession. In case of other mercury compound in List 5.4, they will be allowed in case of using in the laboratory only. Meanwhile, the Department of Agriculture (DOA), who has prohibited the using of mercury compound in List 1.2 No.7, will clarify their responsibility by adding the condition "Except the part on responsibility of DIW".

4. According to Stockholm Convention, 15 items of Persistent Organic Pollutant (POPs) will be added into List 5.1 as hazardous substance type 3 of DIW responsibility as follow.

Hexabromodiphenyl ether and heptabromodiphenyl ether (5 items)

- "1) octabromodiphenyl ether CAS No. 32536-52-0
- 2) 2,2',4,4',5,5'-hexabromo diphenyl ether (BDE-153, CAS No. 68631-49-2)
- 3) 2,2',4,4',5,6'-hexabromodiphenyl ether (BDE-154, CAS No. 207122-15-4)
- 4) 2,2',3,3',4,5',6-heptabromodiphenyl ether (BDE-175, CAS No. 446255-22-7)
- 5) 2,2',3,4,4',5',6-hepta bromodiphenyl ether (BDE-183, CAS No. 207122-16-5)"

Perfluorooctane sulfonic acid (PFOS) and Perfluorooctane sulfonyl fluoride (PFOSE) (8 items)

- "1) Perfluorooctane sulfonic acid CAS No. 1763-23-1
- 2) Perfluorooctane sulfonyl fluoride CAS No. 307-35-7
- 3) Potassium perfluorooctane sulfonate CAS No. 2795-39-3
- 4) Lithium perfluorooctane sulfonate CAS No. 29457-72-5
- 5) Ammonium perfluorooctane sulfonate CAS No. 29081-56-9
- 6) Diethanolammonium perfluorooctane sulfonate CAS No.70225-14-8
- 7) Tetraethylammonium perfluorooctane sulfonate CAS No. 56773-42-3
- 8) Didecyldimethyl ammonium perfluorooctane sulfonate CAS No. 251099-16-8"

Tetrabromodiphenyl ether and Pentabromodiphenyl ether (2 items)

- "1) 2,2',4,4'-tetrabromodiphenyl ether (BDE-47, CAS No. 40088-47-9)
- 2) 2,2',4,4',5-pentabromodiphenyl ether (BDE-99 CAS No. 32534-81-9)"

5. DIW will add two kinds of sprout inhibitor which are "1,4-dimethyl naphthalene" and "isopropyl N-(3-chlorophenyl) carbamate or chlorpropham" as hazardous substance type 3 in

List 5.1 and will be considered in case the industrial sector need to use only for treating potatoes in the industrial. In addition, such chemicals as hazardous substance of DOA in List 1.2 No. 9 will scope responsibility by adding the condition "Except the substance on responsibility of DIW".

6. "Silane" will be added into List 5.1 as hazardous substance type 3 in responsibility of DIW due to its property that is highly flammable substance and it is used as raw material in solar cell manufacturing in Thailand.

7. "1-phenyl-2-nitropropene" will be controlled as hazardous substance type 3 in List 5.1 of DIW because it can be used as precursor of phenyl-2-propanone that can be illegal used for drug producing.

- 7. Objective and rationale, including the nature of urgent problems where applicable:**
To have more appropriate controlling measures for each substance or product according to safety and relevant conventions.

8. Relevant documents: <ul style="list-style-type: none">- G/TBT/N/THA/430: Notification of the Ministry of Industry Regarding List of Hazardous Substances B.E. 2556(2013)- G/TBT/N/THA/446: Draft Notification of Ministry of Industry on List of Hazardous Substances (No.2) B.E. 2557(2014)- G/TBT/N/THA/493: Draft Notification of Ministry of Industry on List of Hazardous Substances (No.3) B.E. ...
9. Proposed date of adoption: Approximately September 2017 Proposed date of entry into force: On the date that the regulation is adopted
10. Final date for comments: 60 days from notification
11. Texts available from: National enquiry point [X] or address, telephone and fax numbers and email and website addresses, if available, of other body: Thailand WTO/TBT Enquiry Point and Notification Authority Thai Industrial Standards Institute Tel: (66 2) 202 3504, 202 3523 Fax: (66 2) 202 3511, 354 3041 E-mail: thaitbt@tisi.go.th Website: http://www.tisi.go.th https://members.wto.org/crnattachments/2017/TBT/THA/17_3568_00_x.pdf