

Measures for Environmental Management of New Chemical Substances (2010)

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Order of the Ministry of Environmental Protection

(No. 7)

The Measures for Environmental Management of New Chemical Substances, which were revised and adopted at the 3rd executive meeting of the Ministry of Environmental Protection on December 30, 2009, are hereby promulgated and shall come into force on October 15, 2010.

The Measures for Environmental Management of New Chemical Substances promulgated by the former State Environmental Protection Administration on September 12, 2003 shall be abolished simultaneously.

Minster of the Ministry of Environmental Protection Zhou Shengxian

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Measures for Environmental Management of New Chemical Substances

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Chapter I General Provisions

Article 1 (Legislative Purpose) These Measures are formulated in accordance with the Decision of the State Council on Establishing Administrative Licenses for the Administrative Examination and Approval Items Really Necessary to Be Retained and other relevant laws and administrative regulations for purposes of controlling environmental risks of new chemical substances, guaranteeing human health, and protecting the ecological environment.

Article 2 (Scope of application) These Measures shall apply to the environmental management of the activities in relation to the research, production, import, processing and use of new chemical substances within the territory of the People's Republic of China. The environmental management of the activities in relation to new chemical substances in the bonded areas and export processing areas shall also be governed by these Measures.

The management of pharmaceuticals, pesticides, veterinary medicines, cosmetics, food, food additive, feed additive, etc. shall be governed by the relevant laws and regulations. However, the environmental management of the activities related to new chemical substances used as raw materials and intermediates of the aforesaid products shall be governed by these Measures.

The articles which are designed to intentionally release contained new chemical substances in their normal use shall be governed by these Measures.

Article 3 (Classification) New chemical substances shall be categorized into general new chemical substances and hazardous new chemical substances according to the standards for identification and classification of hazardous properties of chemicals.

Hazardous new chemical substances that are persistent, bio-accumulative, and hazardous to ecological environment or human physical health shall be classified as hazardous new chemical substances of priority environmental management.

The term “new chemical substances” as mentioned in these Measures refers to chemical substances that are not listed in the Inventory of Existing Chemical Substances in China.

The Inventory of Existing Chemical Substances in China is formulated, adjusted and published by the Ministry of Environmental Protection.

Article 4 (Basic System) The State shall conduct classified management of risks of new chemical substances, and implement the systems of notification and registration and follow-up control thereon.

Article 5 (Registration Certificate) A producer or importer of a new chemical substance must submit a notification of the new chemical substance and obtain the registration certificate for environmental management of the new chemical substance (hereinafter referred to as “registration certificate”) prior to production or import.

A new chemical substance without registration certificate shall be prohibited from being produced, imported, processed or used.

A new chemical substance without registration certificate or failed to be filed and notified shall be prohibited from being used for scientific research.

Article 6 (Encouraging Advanced Technology) The State shall support the scientific research on the technologies of assessment and control of environmental and health risks from new chemical substances, promote advanced applicable technologies for controlling environmental risks of new chemical substances, support the research, production, import, processing and use of environment-friendly

alternates to chemical substances, and encourage the notifiers to share notification and registration data of new chemical substances.

Article 7 (Confidentiality) The staff members engaged in environmental management of new chemical substances shall keep confidential the business secrets and technical secrets for the notifiers.

Article 8 (Public Supervision) All entities and individuals are entitled to disclose, report and impeach the violations of these Measures.

Chapter II Notification Procedures

Article 9 (Types of Notification) The notification of new chemical substances shall be classified into regular notification, simplified notification and scientific research filing notification.

Article 10 (Requirements for Regular Notification) Where the annual production or import volume of a new chemical substance is at or above one metric ton, the producer or importer shall submit a notification report on new chemical substances to the Chemical Registration Center of the Ministry of Environmental Protection (hereinafter referred to as “Registration Center”) prior to production and import for going through the regular notification; however, if it meets the conditions for simplified notification, simplified notification shall be gone through.

A notification report on new chemical substances shall include the following contents:

- (1) A regular notification form for new chemical substances, attached with classification and labels and msds conducted according to the safety rules for classification, precautionary labeling and precautionary statements of chemicals and other relevant national standards;
- (2) a risk assessment report, including hazard assessment of the notified substance, exposure scenarios assessment and risk control measures, assessment results of environment and health risks, etc.; and
- (3) a test report or materials of the substance’s physicochemical properties and toxicological and ecotoxicological properties, and the eligibility testimonial of the relevant testing institutions. The eco-

toxicological testing report must include the data of test conducted on a Chinese test species within the territory of China according to the relevant standards.

Article 11 (Quantity Grades of Regular Notification) A regular notification shall follow the principle of “the higher the quantity grade of notification, the stricter the requirements for test data”. The notifier shall, according to the guide for notification and registration of new chemical substances formulated by the Ministry of Environmental Protection, provide corresponding test data or materials.

The regular notification is classified into four grades in an ascending sequence as follows according to the notified quantity of new chemical substances:

(1) Grade 1: the new chemical substance produced or imported is more than 1 metric ton but less than 10 metric tons per annum;

(2) Grade 2: the new chemical substance produced or imported is more than 10 metric tons but less than 100 metric tons per annum;

(3) Grade 3: the new chemical substance produced or imported is more than 100 metric tons but less than 1,000 metric tons per annum; and

(4) Grade 4: the new chemical substance produced or imported is more than 1,000 metric tons per annum.

Article 12 (Basic Circumstances for Simplified Notification) Where a new chemical substance produced or imported is less than 1 metric ton per annum, the producer or importer shall make a simplified notification to the Registration Center prior to production or import.

To make a simplified notification, the following materials shall be submitted:

(1) a simplified notification form for the new chemical substance; and

(2) a report on eco-toxicological testing conducted on Chinese test species within the territory of China.

Article 13 (Special Circumstances for Simplified Notification) Where a new chemical substance produced or imported falls under any of the following circumstances, a simplified notification shall be made:

(1) the new chemical substance is used as an intermediate or only for export with an annual production or import volume of less than 1 metric ton;

(2) the new chemical substance is used for the purpose of scientific research with an annual production or import volume of more than 0.1 metric ton but less than 1 metric ton;

(3) the new chemical substance is a polymer with a monomer concentration less than 2% or a low concern polymer; or

(4) the new chemical substance is used for purposes of technics and product research and development with an annual production or import volume of less than 10 metric tons over a period of not more than two years.

To make a simplified notification for special circumstances, a simplified notification form for new chemical substance and the certification materials in line with the circumstances shall be submitted.

Article 14 (Requirements for Filing Notification) Under any of the following circumstances, a producer or importer shall, prior to production or import, submit a scientific research filing form for new chemical substances to the Registration Center to handle the scientific research filing notification:

(1) the new chemical substance is used for the purpose of scientific research with an annual production or import volume of less than 0.1 metric ton; or

(2) importing test samples of new chemical substances in order to conduct tests of eco-toxicological properties of new chemical substances on Chinese test species within the territory of China.

Article 15 (Serial, Joint and Repeated Notifications) When making a regular notification, under any of the following circumstances, the notifier may go through the formalities for notification according to the following provisions:

(1) With respect to several new chemical substances with similar molecular structures, identical or similar uses, or similar test data, the same notifier may propose a serial notification of new chemical substances;

(2) Where two or more notifiers make notifications of the same new chemical substance simultaneously, and submit notification materials jointly, they may make a joint notification of the new chemical substance; or

(3) Where two or more notifiers make notifications for the same new chemical substance successively, and the latter notifier uses the test data of the former notifier upon approval thereof, it may submit a repeated notification of new chemical substance. The sharing method of the cost of data testing shall be negotiated by the notifiers themselves.

Article 16 (Qualification of Notifiers) The notifier or agent thereof of a new chemical substance shall be an institution registered in China.

Those submitting notifications of new chemical substances not for the first time must not have a bad record of administrative punishment for violation of the provisions on environmental management of new chemical substances in recent three years.

Article 17 (Truthful Reporting) A notifier shall, when going through the formalities for notification of a new chemical substance, truthfully submit all known information regarding hazardous properties and environmental risks of the new chemical substance.

Article 18 (Disclosure of Environmental Information) Where a notifier makes a request for keeping confidential any business secret or technical secret involved in the notification materials it submits, it shall indicate this request in the notification materials.

The notifier shall not make a request for keeping confidential the information involving hazard to human health and environmental safety.

The notifier shall, when intending to disclose the contents required to be kept confidential, inform the Registration Center in writing.

Article 19 (Testing Institutions) The domestic testing institutions providing test data for the notification of new chemical substances shall be the testing institutions of chemical substances announced by the Ministry of Environmental Protection and shall accept the supervision and inspection of the Ministry of Environmental Protection.

The domestic testing institutions shall observe the Guidelines for Chemical Testing Good Laboratory Practices promulgated by the Ministry of Environmental Protection, and conduct eco-toxicological testing of new chemical substances according to the guidelines on chemical testing or relevant national standards on chemical testing.

An overseas testing institution which completes eco-toxicological testing of new chemical substances overseas and provides test data must pass the inspection of the competent department of the country where it is located or comply with the good laboratory practice.

Chapter III Registration Management

Article 20 (Procedures for Registration of Regular Notification) The registration of regular notification of new chemical substances shall be conducted according to the following procedures:

(1) The Registration Center shall, after accepting a regular notification, submit the notification report on new chemical substances to the experts review committee for environmental management of chemical substances of the Ministry of Environmental Protection (hereinafter referred to as the “review committee”). The review committee shall be composed of experts in terms of chemistry, chemical engineering, health, security, environmental protection, etc.

(2) The review committee shall, according to the guidelines and norms for new chemical substance hazard and risk assessment promulgated by the Ministry of Environmental Protection and the relevant national standards on identification and classification of hazardous properties of chemicals, conduct identification and technical review on the following aspects of new chemical substances:

1. name and mark;
2. hazardous properties regarding physicochemistry, human health, environment, etc.;
3. exposure and risks to human health and environment; and
4. appropriateness of control measures of risks to human health and environment.

If the review committee considers that the existing notification materials are not sufficient to make a comprehensive evaluation conclusion on the risks of new chemical substances, the registration center shall inform the notifier in writing that the latter shall supplement the notification materials.

(3) The review committee shall put forward technical review opinions on registration of new chemical substances and submit them to the Ministry of Environmental Protection. The technical review opinions on registration of new chemical substances shall include:

1. opinions on classification of management category which identify a new chemical substance as general or hazardous or hazardous new chemical substance of priority environmental management;
2. review opinions on risks to human health and environment;
3. review conclusion on appropriateness of risk control measures; and
4. suggestions on whether to approve the registration.

(4) The Ministry of Environmental Protection shall examine the technical review opinions on registration of a new chemical substance, determine the management category of the new chemical substance, and make a decision in light of the actualities:

1. If there are proper risk control measures for the new chemical substance, the Ministry of Environmental Protection shall approve the registration and issue a registration certificate; and

2. If there are no proper risk control measures for the new chemical substance, the Ministry of Environmental Protection shall disapprove the registration, notify the notifier in writing and give reasons.

The Ministry of Environmental Protection shall, before making a decision on registration, publicize the registration contents of the new chemical substance.

Article 21 (Procedures for Registration of Simplified Notification) The registration of simplified notification of a new chemical substance shall be conducted according to the following procedures:

(1) The Registration Center shall, after accepting a simplified notification, put forward handling opinions in writing and submit them to the Ministry of Environmental Protection.

For a notifier who submits an eco-toxicological testing report as required, the review committee shall conduct technical review of the notification materials, put forward technical review opinions and submit them to the Ministry of Environmental Protection.

(2) The Ministry of Environmental Protection shall register those meeting the requirements, and issue registration certificates; refuse to register those failing to meet the requirements, inform the notifiers in writing and give reasons.

Article 22 (Procedures for Registration of Filing Notification) The scientific research filing for new chemical substances shall be carried out according to the following procedures:

(1) The Registration Center shall, after receiving the scientific research filing notifications, collect and submit them monthly to the Ministry of Environmental Protection; and

(2) The Ministry of Environmental Protection shall announce them regularly on the government website.

Article 23 (Announcement of Registration) The Ministry of Environmental Protection shall announce such information as the name of the new chemical substances approved for registration, notifiers, category of notification, management category of registered new chemical substances on the government website.

Article 24 (Time Limit) The Registration Center shall, within 5 workdays upon acceptance of a regular notification, submit the notification report for new chemical substances to the review committee; submit the handling opinions in writing to the Ministry of Environmental Protection within 5 workdays upon acceptance of a simplified notification.

The time for expert review of the registration of a regular notification shall not exceed 60 days, and the time for expert examination of the registration of a simplified notification shall not exceed 30 days. If the Registration Center informs the notifier that the latter shall supplement the notification materials, the time for expert review shall exclude the time required by the notifier for submission of any supplementary notification materials.

The Ministry of Environmental Protection shall, within 15 workdays upon receipt of the registration documents of new chemical substances from the Registration Center or the review committee, make a decision on whether or not to approve the registration. If it can not make a decision within 15 workdays, the time limit may be extended by 10 workdays upon the approval of the person in charge of the Ministry of Environmental Protection.

Article 25 (Contents of Registration Certificate) A registration certificate shall specify the following major issues:

(1) name of the notifier or agent thereof;

(2) name of the new chemical substance;

(3) registered purpose;

(4) quantity grade and quantity of the substance registered; and

(5) management category of the new chemical substance.

The registration certificate of a regular notification shall specify the risk control measures and administrative management requirements.

Article 26 (Reporting and Handling of New Properties) When a holder of a registration certificate finds that the new chemical substance approved for registration has any new hazardous property, it shall immediately submit the new information on the hazardous property of such chemical substance to the Registration Center.

The Registration Center shall submit the new information on hazardous property of the new chemical substance approved for registration to the review committee for technical review.

The Ministry of Environmental Protection shall, on the basis of the technical review opinions of the review committee, take the following measures:

(1) If the risks can be controlled through increasing the risk control measures, it shall supplement the relevant risk control measures in the registration certificate and request the holder of the registration certificate to implement the corresponding additional risk control measures; and

(2) If appropriate risk control measures are not available for controlling the risks, it shall withdraw the registration certificate of the new chemical substance and make an announcement.

Article 27 (Re-notification) Where a new chemical substance which is not yet listed in the Directory of Existing Chemical Substances in China and has been approved for registration falls under any of the following circumstances, the holder of the registration certificate shall submit a notification anew according to the procedures prescribed in these Measures:

(1) increasing the registered quantity grade; or

(2) changing the registered purpose of the hazardous new chemical substance of priority environmental management.

If a hazardous new chemical substance of priority environmental management which is listed in the Directory of Existing Chemical Substances in China and has been approved for registration changes the registered purpose, the processor or user of the registered new chemical substance may submit a notification anew.

Article 28 (Information Sharing) The Ministry of Environmental Protection shall notify the relevant information on the new chemical substances approved for registration as hazardous new chemical substances (including the hazardous new chemical substances of priority environmental management) to the relevant management departments.

Chapter IV Follow-up Control

Article 29 (Preconditions for Examination and Approval of Environmental Assessment) The environmental protection departments shall take the registration of new chemical substances as conditions for examining and approving the assessment documents of environmental impacts of construction projects producing, processing or using such new chemical substances.

Article 30 (Information Communication) A holder of a registration certificate of regular notification shall indicate the hazardous properties of the new chemical substance in the msds, and inform the processor or user of the following information:

(1) risk control measures as specified in the registration certificate;

(2) the material safety data sheet (msds);

(3) results of classification according to the safety rules for classification, precautionary labeling and precautionary statements of chemicals; and

(4) other relevant information.

Article 31 (General Risk Control Measures) A holder of a registration certificate of regular notification and the corresponding processor or user shall take one or more risk control measures as follows according to the requirements as specified in the registration certificate:

(1) conducting education on risks of new chemical substance and prevention and control thereof;

(2) strengthening the personal protection of personnel in contact with new chemical substances;

(3) setting up airtight and isolation security protection facilities, and setting up precautionary signs;

(4) improving the methods of production and use of new chemical substances so as to reduce release and environmental exposure;

(5) improving the pollution control process so as to reduce environmental emissions;

(6) establishing contingency plans and emergency response measures; or (and)

(7) taking other risk control measures.

A holder of a registration certificate of hazardous new chemical substances (including hazardous new chemical substances of priority environmental management) and the processor or user thereof shall comply with the relevant provisions of the Regulation on Safety Management of Hazardous Chemicals and other existing laws and administrative regulations.

Article 32 (Major Risk Control Measures) A holder of a registration certificate of hazardous new chemical substances of priority environmental management and the processor or user thereof shall take the following risk control measures:

(1) During the period of production, processing or use of the said new chemical substance, the processor or user thereof shall monitor or estimate the discharge of the hazardous new chemical substance of priority environmental management to the environmental mediums. Those without the monitoring capacity may entrust the monitoring institution affiliated to an environmental protection department or social monitoring institution accredited by the environmental protection department at or above the level of a prefecture with the monitoring.

(2) During the delivery thereof, the processor or user shall, according to the relevant provisions, have appropriate equipment, take proper measures, prevent the hazardous new chemical substance of priority environmental management from entering the environment in case of accidents, and indicate the emergency disposal ways in case of accidents.

(3) The processor or user shall dispose of the hazardous new chemical substance of priority environmental management according to the relevant provisions on disposal of hazardous wastes when it is discarded.

Article 33 (Prohibition of Transfer) No holder of a registration certificate of regular notification is allowed to transfer the new chemical substance approved for registration to a processor or user who is incapable of taking risk control measures.

Article 34 (Requirements for Management of Research and Development) The scientific research on new chemical substances and technics and product research and development thereof shall be conducted within special facilities and under the guidance of professionals in strict accordance with the relevant management provisions.

The new chemical substances produced or imported for the purpose of scientific research or technics and product research and development shall be properly preserved and shall not be used for any other purpose. If the substances need to be destroyed, they shall be disposed of according to the relevant provisions on hazardous wastes.

Article 35 (Reporting of Activities) A holder of a registration certificate of regular notification shall, within 30 days from the date of first production activity or within 30 days from the date of delivery of the new chemical substance imported for the first time to the processor or user, submit a report on first activity of the new chemical substance to the Registration Center.

A holder of a registration certificate of hazardous new chemical substance of priority environmental management shall, within 30 days from the date of each delivery of the hazardous new chemical substance of priority environmental management to different processors or users, report the flow of the new chemical substance to the Registration Center.

Article 36 (Annual Report) A holder of a registration certificate of simplified notification shall, prior to February 1 each year, report the actual production or import of new chemical substances approved for registration in the previous year to the Registration Center.

A holder of a registration certificate of hazardous new chemical substances (including hazardous new chemical substances of priority environmental management) shall, prior to February 1 each year, report the following information on the new chemical substances approved for registration in the previous year to the Registration Center:

- (1) information on actual production or import;
- (2) information on implementation of risk control measures;
- (3) information on environmental exposure and release;
- (4) actual impacts on the environment and human health; and
- (5) other relevant information on environmental risks.

A holder of a registration certificate of hazardous chemical substances of priority environmental management shall report the production or import plans for registered new chemical substances for the current year and the preparation for the implementation of risk control measures to the Registration Center at the same time.

Article 37 (Preservation of Materials) A holder of registration certificate shall keep the notification materials and relevant materials on actual production and import of new chemical substances for at least ten years.

Article 38 (Supervisory Notice) The Ministry of Environmental Protection shall, within 30 days upon receipt of a report on first activity of new chemical substances or the information on flow of new chemical substances from the Registration Center, send a notice on supervision of new chemical substances to the provincial environmental protection department of the place where the producer, processor, or user of the hazardous new chemical substances (including hazardous new chemical substances of priority environmental management) is located.

The provincial environmental protection department shall be responsible for sending the supervisory notice to the environmental protection department at the level of a prefecture or county where the producer, processor or user of such chemical substance is located.

The supervisory notice shall cover: name of the new chemical substance, management category, risk control measures and administrative management requirements specified in the registration certificate, and supervision and inspection focuses, etc.

Article 39 (Supervision and Inspection) The local environmental protection departments bearing the duties of supervision and inspection shall, according to the requirements of the notice on supervision of new chemical substances and the rules for supervision, management and inspection of new chemical substances formulated by the Ministry of Environmental Protection, conduct supervision and inspection on the production, processing and use of new chemical substances.

Where a local environmental protection department finds that any activity of producing, processing or using new chemical substances causes or is likely to cause instant or cumulative hazards of environmental pollution, it shall order the producer, processor or user to immediately take measures to eliminate damages or hazards, and report the relevant information to the Ministry of Environmental Protection level by level.

The Ministry of Environmental Protection may, according to the report, require the holder of registration certificate to provide the information on potential new hazardous properties of the new chemical substance approved for registration, and handle the situation according to the provisions on reporting and handling of new hazardous properties of new chemical substances of these Measures.

Article 40 (Deregistration) Where a holder of registration certificate does not produce or import new chemical substance or stops the production or import of new chemical substance, it may submit an

application for deregistration to the Registration Center, explain the situation and return the registration certificate.

If the Ministry of Environmental Protection confirms the aforesaid situation and considers there is no activity of production or import or no environmental hazards, it may approve the deregistration and announce the information on deregistration of the new chemical substance.

Article 41 (Procedures for Entering a New Chemical Substance in the Inventory of Existing Chemical Substances) A general new chemical substance shall, upon five years from the date of first production or import thereof by the holder of registration certificate, be entered in the Inventory of Existing Chemical Substances in China by the Ministry of Environmental Protection.

A holder of a registration certificate of hazardous new chemical substances (including hazardous new chemical substances of priority environmental management) shall, six months prior to the passage of five complete years as of the date of first production or import of such substance, submit a report on actual activities to the Registration Center.

The Ministry of Environmental Protection shall organize the experts of the review committee to conduct a retrospective assessment on the report on actual activities, and announce and enter the hazardous new chemical substance (including hazardous new chemical substance of priority environmental management) in the Inventory of Existing Chemical Substances in China according to the assessment results.

The new chemical substances subject to the registration of simplified notification and scientific research filing shall not be entered in the Inventory of Existing Chemical Substances in China.

Article 42 (Regular Review) The Ministry of Environmental Protection shall organize a review of new chemical substances every five years.

The Ministry of Environmental Protection shall enter the chemical substances which have been lawfully produced in or imported into the People's Republic of China prior to October 15, 2003 in the Inventory of Existing Chemical Substances in China.

If new chemical substances are produced, imported, processed or used without registration certificate, the environmental protection departments shall impose punishments in accordance with the law.

Chapter V Legal Liabilities

Article 43 (False Notification) If a notifier conceals the relevant information or provides false materials during the notification to violate these Measures,, the Ministry of Environmental Protection shall order it to make a correction, announce its violation, put down its violation into bad records, and impose a fine of 10,000 yuan up to 30,000 yuan; if the new chemical substance has been registered, its registration certificate shall be revoked.

Article 44 (Violations to Be Punished by the Ministry of Environmental Protection) Any violator of these Measures who commits any of the following acts shall be ordered to make a correction and fined not more than 10,000 yuan by the Ministry of Environmental Protection:

- (1) failing to timely submit updated information on environmental risks of the new chemical substance approved for registration;
- (2) failing to submit a report on first activity of new chemical substance or the information on flow of new chemical substance as required;
- (3) failing to report the production or import of new chemical substances in the previous year as required;
or
- (4) failing to submit a report on actual activities as required.

Article 45 (Violations to Be Punished by Local Environmental Protection Departments, I) Where any violator of these Measures commits any of the following acts, the local environmental protection department bearing the duties of supervision and management shall order it to make a correction, impose a fine of 10,000 yuan up to 30,000 yuan, and report its violations to the Ministry of Environmental Protection which shall announce its violations and put down its violations into bad records:

(1) refusing or obstructing the supervision and inspection by the environmental protection department, or practicing frauds when accepting the supervision and inspection;

(2) producing or importing new chemical substances without obtaining registration certificate or not in compliance with the requirements as specified in the registration certificate;

(3) processing or using the new chemical substances without the registration certificate;

(4) failing to take risk control measures according to the requirements specified in the registration certificate; or

(5) transferring the registered new chemical substances to the processor or user who is incapable of taking risk control measures.

Article 46 (Violations to Be Punished by Local Environmental Protection Departments, II) Where any violator of these Measures commits any of the following acts, the local environmental protection department bearing the duties of supervision and management shall order it to make a correction, and impose a fine of 10,000 yuan up to 30,000 yuan:

(1) failing to inform the processor or user of the risk control information as required;

(2) failing to keep notification materials and relevant materials on actual production and import of new chemical substances as required; or

(3) using new chemical substances produced or imported for the purpose of scientific research or technics and product research and development for other purposes or failing to manage them as required.

Article 47 (Punishment on Review Experts as Violators) Where any expert of the review committee practices frauds or neglects his duties during the review of new chemical substances, and causes serious inconsistency between the review results and the facts, the Ministry of Environmental Protection shall cancel his qualification for entering into the review expert database and make an announcement.

Article 48 (Punishment on Testing Institutions as Violators) Where a domestic testing institution providing test data for the notification of new chemical substances forges or tampers the data or practices any other frauds during the testing of new chemical substances, the Ministry of Environmental Protection shall remove its name from the name list of testing institutions and make an announcement.

Article 49 (Punishment on Those Abusing Power) Where, in violation of these Measures, any staff member engaged in environmental management of new chemical substances abuses his power or neglects his duties, he shall be subject to punishment according to law; if any crime is constituted, he shall be subject to criminal liabilities.

Chapter VI Supplementary Provisions

Article 50 (Terms) The meanings of the following terms as used in these Measures:

(1) A general new chemical substance refers to the new chemical substance whose hazardous properties haven't been found yet or whose hazardous properties are below the value specified in the relevant standards for identification and classification of hazardous properties of chemical substances; and

(2) A hazardous new chemical substance refers to the new chemical substance which shows physicochemical, human health, or environmental hazard properties, and reaches or exceeds the value specified in the relevant standards for identification and classification of hazardous properties of chemical substances.

Article 51 (Format of Documents) The format of the following documents as prescribed in these Measures shall be formulated uniformly by the Ministry of Environmental Protection:

(1) the regular notification form for a new chemical substance;

(2) the simplified notification form for a new chemical substance;

(3) the scientific research filing form for a new chemical substance;

(4) the environmental management registration certificate of a new chemical substance;

(5) the report on first activity of a new chemical substance; and

(6) the notice on supervision of new chemical substances.

Article 52 (Effective Date) These Measures shall come into force on October 15, 2010.

The Measures for Environmental Management of New Chemical Substances promulgated by the former State Environmental Protection Administration on September 12, 2003 shall be abolished simultaneously.