

**JOINT DTI-DENR-DA-DOF-DOH-DILG-DOLE-DOTC ADMINISTRATIVE ORDER NO. 01
Series of 2009**

Subject: The Adoption and Implementation of the Globally Harmonized System of Classification and Labeling of Chemicals (GHS)

Whereas, the Philippines is a participating government during the United Nations Conference on Environment and Development (UNCED) held in Rio de Janeiro, Brazil in June 1992;

Whereas, the Philippine Government adheres to the principles embodied in Agenda 21, which were adopted at the UNCED;

Whereas, Chapter 19, Program B of Agenda 21 mandates that a globally harmonized hazard classification and compatible labeling system, including material safety data sheets and easily understandable symbols, should be available, if feasible, by the year 2000;

Whereas, at the World Summit for Sustainable Development (WSSD) held in Johannesburg, South Africa in September 2002, governments reaffirmed their commitments and agreed on a 2008 implementation target for the GHS;

Whereas, at the 14th Asia-Pacific Economic Corporation (APEC) APEC Ministerial Meeting held in Los Cabos, Mexico in October 2002, the APEC members were encouraged to work towards implementing the Globally Harmonized System on hazard classification and labeling of chemicals and safety data sheets by 2006;

Whereas, the first version of the GHS was adopted in December 2002 by the UN Sub-Committee on the Globally Harmonized System of Classification and Labeling of Chemicals (UN SCEGHS), and endorsed by the UN Committee on the Transport of Dangerous Goods and the Globally Harmonized System of Classification and Labeling of Chemicals (UN CTDGGHS);

Whereas, at the 18th APEC Ministerial Meeting held in Hanoi, Vietnam in November 2006, the member economies were encouraged to continue their efforts to implement the GHS with a view to having it fully implemented by the recommended target date of 2008;

Whereas, the identified sectors of the GHS implementation are: agriculture, industrial workplace/production, transport and consumer products;

Whereas, based on the Situation and Gap Analysis conducted on the identified sectors, there are already existing laws in the Philippines addressing the management of chemicals, particularly on labeling;

Whereas, there is a need to revise the Implementing Rules and Regulations (IRR) of the concerned laws to implement the provisions of GHS;

Whereas, to ensure the involvement and commitment of concerned government agencies in addressing these target sectors of the GHS implementation, a Joint Administrative Order is hereby promulgated.

NOW, THEREFORE, this Order is hereby prescribed by the undersigned Departments for the information, guidance and compliance of all concerned:

Section 1. Objective

The objective of this Joint Administrative Order is the adoption and implementation of classification criteria, labeling and Safety Data Sheet (SDS) requirements of the GHS.

Section 2. Definitions

- a. GHS is an acronym for Globally Harmonized System of Classification and Labeling of Chemicals. The GHS is a system for standardizing and harmonizing the classification and labelling of chemicals. It is a logical and comprehensive approach to
 - Defining health, physical and environmental hazards of chemicals
 - Creating classification processes that use available data on chemicals for comparison with the defined hazard criteria; and
 - Communicating hazard information, as well as protective measures, on labels and Safety Data Sheets (SDS).
- b. Harmonization refers to establishing a common and coherent basis for hazards classification and communication of chemicals, and the appropriate elements relevant to means of transport, consumers, workers and environmental protection can be selected/chosen.
- c. Label refers to an appropriate group of written, printed or graphic information elements that are affixed to, printed on, or attached to the immediate container of a hazardous product, or to the outside packaging of a hazardous product.
- d. Hazards refer to the inherent characteristics of chemical substances and mixtures that exist in the workplace and in the environment regardless of quantity that are potentially dangerous or which have the capacity to harm, i.e., its capacity to interfere with normal biological processes, and its capacity to burn, explode, corrode, etc.
- e. "Chemical substance" means any organic or inorganic substance of a particular molecular identity including any element or uncombined chemical and any combination of such substances, or any mixture of two and excluding radioactive materials.
- f. "Mixtures" refer to combination of two or more chemical substances with no chemical reaction taking place.
- g. "Toxic or hazardous substances" refer to the chemical substances or mixtures that may be harmful to the environment and/or to human health in a short-term and long-term basis if it is inhaled, swallowed, or absorbed through the skin.
- h. The Safety Data Sheet (SDS) is a document that provides important physical characteristics, ecological, health, safety and toxicological information on chemical substances or mixtures of ingredients used at the workplace, transported and may be utilized by the consumer.

Section 3. Scope

This Joint Administrative Order sets out the duties and responsibilities of the GHS implementing and coordinating government agencies in the adoption of the classification criteria, labeling, and SDS requirements of the GHS (Please see Annex A).

The GHS adoption shall cover chemicals and mixtures. In the case of pesticides for agriculture and other uses, due consideration shall be given to incorporating the GHS principles, where appropriate, into the FAO/WHO basic principles and guidelines which the Fertilizer and Pesticide Authority (FPA) uses particularly with regard to toxicity and hazard classification and other labeling requirements. In the transport sector, the GHS is implemented through the United Nations Recommendations on the Transport of Dangerous Goods (UNRTDG).

Pharmaceuticals, food additives, cosmetics, and pesticide residues in food shall not be covered at the point of intentional intake, except at the workplace and during transport.

Section 4. Creation of a National GHS Implementing and Coordinating Committee

A National GHS Implementing and Coordinating Committee shall be created which will be headed by the Department of Trade and Industry – Board of Investments. The following shall be the GHS implementing and coordinating government agencies:

- a. Department of Agriculture (DA);
- b. Department of Environment and Natural Resources (DENR);
- c. Department of Finance (DOF);
- d. Department of Health (DOH);
- e. Department of Interior and Local Government (DILG);
- f. Department of Labor and Employment (DOLE);
- g. Department of Transportation and Communications (DOTC); and
- h. Department of Trade and Industry (DTI).

Section 5. Duties and Responsibilities of the Implementing and Coordinating Committee

The National GHS Implementing and Coordinating Committee shall have the following duties and responsibilities:

- a. Oversee the development and formulation of the Implementing Rules and Regulations of concerned agencies in adopting the GHS and its principles of application set out in Part 1 of the GHS Manual, which shows the GHS Pictograms and Hazard Classes (Annex B) and Safety Data Sheets Format and Guidelines (Annex C).
- b. Convene and attend inter-agency meetings and other related activities concerning GHS development;
- c. Coordinate, monitor and provide guidance on the implementation of the GHS.

Section 6. Repealing Clause

All other issuances inconsistent with this Joint Administrative Order and all its annexes are hereby repealed or modified accordingly.

Section 7. Effectivity

This Joint Administrative Order shall take effect immediately after 30 days from completion of publication in the Official Gazette or in a newspaper of general circulation and registration with the UP Law Center.

Issued this 25th day of May 2009 in Makati City, Philippines.

Approved:

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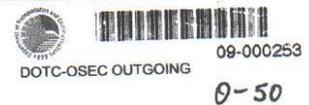
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MANDATES AND COVERAGE OF THE IMPLEMENTING AND COORDINATING AGENCIES

AGENCY	MANDATE/THRUST	GHS RESPONSIBILITY
DEPARTMENT OF AGRICULTURE (DA)		
Fertilizer and Pesticides Authority (FPA)	PD 1144 - Creation of Fertilizer and Pesticide Authority (FPA)	Specify the basic requirements for a pesticide label including the prescribed statements, language, FPA control number, precautionary measures consistent with FAO/WHO* labeling guidelines. * The FAO and WHO are currently studying how the GHS labeling requirements can be incorporated in the FAO/WHO guidelines.
	Article V of the FPA Rules and Regulations No.1, Series of 1977, in particular Sections 1 to 4,6 and 8 of PD 1144.	Develop training and guidance materials adoptable to the needs of agricultural workers.
DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES (DENR)		
Environmental Management Bureau (EMB)	E.O. 192 – Creation of the EMB	
	Republic Act 6969 "Toxic Substances and Hazardous and Nuclear Waste Control Act of 1990." Section 4, Item C of RA 6969 mandated "to inform and educate the populace regarding the hazards and risks attendant to the manufacture, handling, storage, transportation, processing, distribution, use and disposal of toxic chemical substances and other mixtures"	To formulate, review and draft relevant policies and procedural guidelines for GHS implementation of industrial chemicals.
	Sections 17,18, and 19 of the DENR DAO No. 92-29 (Philippine Inventory of Chemicals and Chemical Substances, Priority Chemical List).	Initiate and assist in the GHS dissemination and capability building for the concerned industrial chemical stakeholders in cooperation with the Samahan sa Pilipinas ng mga Industriyang Kimika (SPIK).

AGENCY	MANDATE/THRUST	GHS RESPONSIBILITY
	Section 20 of the DENR DAO No. 92-29 (Chemical Control Order) on the Labeling and Re-labeling Requirements.	
DEPARTMENT OF FINANCE		
Bureau of Customs (BOC)		Monitor the importation and export of all kinds of chemical substances, mixtures and products in accordance with the GHS requirements for labeling and preparation of Safety Data Sheets (SDS).
DEPARTMENT OF HEALTH (DOH)	PD 881- Empowering the Secretary of Health to Regulate the Labeling, Sale and Distribution of Household Hazardous Substances	Develop framework of activities in support to the implementation of GHS.
Bureau of Food and Drugs (BFAD)	<p>Administrative Order # 311- Series 1977- Labeling Requirements of Hazardous Substances</p> <p>Chapter IV of RA 7394 on "Labeling and Fair Packaging" of RA 7394, states that the State "shall enforce compulsory labeling, and fair packaging to enable the consumer to obtain accurate information as to the nature, quality and quantity of the contents of consumer products and to facilitate its comparison of the value of such products.</p>	<p>Provide technical assistance to concerned government agencies related to health/toxicological concerns on GHS for hazardous household substances.</p> <p>Issue implementing rules and regulations on GHS implementation.</p>
DEPARTMENT OF INTERIOR AND LOCAL GOVERNMENT (DILG)	Section 5 of RA 6975 (DILG Act of 1990) and IRRs	Formulate and promulgate pertinent laws, policies, programs, rules and regulations and other issuances regarding the implementation of GHS, wherein the Department has general supervision over the local government units that issues business licenses and permits.
Bureau of Fire Protection (BFP)	Section 54 of RA 6975. Power and Functions of BFP, Section 8.a.2 & 8.b of PD 1185 (Fire Code of the Philippines) and Rule 27 (Hazardous Materials and Chemicals) of its IRRs	Conduct inspection and prescribe safety measures on the storage, handling and/or use of explosives or of combustible, flammable, toxic and other hazardous materials.

AGENCY	MANDATE/THRUST	GHS RESPONSIBILITY
		<p>Issue implementing rules and regulations on GHS implementation.</p> <p>Responsible in developing emergency and contingency preparedness and responses.</p>
Philippine National Police-Aviation Security Group (PNP-ASG)		Responsible in the handling/monitoring of dangerous goods and in developing emergency and contingency preparedness and responses.
DEPARTMENT OF LABOR AND EMPLOYMENT (DOLE)	Art 162 and 165, Chapter 2, Book IV, Title I & II of the Labor Code of the Philippines (PD 442) and its IRR.	<p>Enforce GHS provisions in the Occupational Safety and Health (OSH) standards.</p> <p>Facilitate GHS implementation through review of existing policies and laws in consultation with social partners and other stakeholders.</p>
Occupational Safety and Health Center (OSHC)	Industrial Chemicals Rule 1070 of the Occupational Health and Safety Standards (Occupational Health and Environmental Control)	<p>Develop information materials and training modules for capability building of concerned government and private sector to implement GHS.</p> <p>Develop and implement awareness raising program and skills training program for employees and workers in the private sector, and in government (labor inspectors).</p> <p>Provide technical inputs in policy formulation and standard setting on occupational safety and health.</p>
Bureau of Working Conditions (BWC)	Rule 1090 of the Occupational Health & Safety Standards (Handling of Hazardous Substances)"	<p>Develop and prescribe standard guidelines for the implementation of GHS, including program development and advisory function for the administration and enforcement of the same.</p> <p>Technical supervision over the sixteen (16) labor inspectorate – enforcement in the regions.</p>

AGENCY	MANDATE/THRUST	GHS RESPONSIBILITY
DEPARTMENT OF TRADE AND INDUSTRY (DTI)	RA 7394 – Consumer Act of the Philippines	Conduct information and education campaign for GHS awareness raising
Board of Investments (BOI)		<p>Coordinate, monitor, and provide guidance on the implementation of the GHS.</p> <p>Initiate and assist in the GHS dissemination and capability building for the concerned stakeholders.</p> <p>Provide technical inputs in policy formulation and network.</p>
Bureau of Product Standards (BPS)		<p>Prepare label standards for chemical substances and mixtures for consumer products.</p> <p>Ensure the clear differences of risk and hazard- based labeling for consumer products.</p>
Philippine Economic Zone Authority (PEZA)		Monitor in the economic zones the importation and export of all kinds of chemical substances, mixtures and products in accordance with the GHS requirements for labeling and preparation of SDS.
DEPARTMENT OF TRANSPORTATION AND COMMUNICATIONS (DOTC)	EO 125 & 125-A or the Reorganization Act of the Ministry of Transportation and Communications,	<p>Mandated to be the primary policy, planning, and programming in the promotion, development and regulation of dependable, efficient, affordable, safe, environment-friendly transportation and communication systems.</p> <p>Coordinate/ monitor the implementation of the rules and regulations on the proper handling of chemicals/ dangerous goods in transit by the various modes of transportation.</p> <p>Implement GHS through the UN Model Regulations on the Transport of Dangerous Goods and the major legal instruments regulating transport of dangerous goods, e.g., International Maritime Dangerous Goods Code (IMDG Code) and International Civil Aviation Organization Technical Instructions for the Safe Transport of Dangerous Goods by Air (ICAO TI).</p>

AGENCY	MANDATE/THRUST	GHS RESPONSIBILITY
Maritime Industry Authority (MARINA)	EO 125 & 125 –A, Clean Air Act, Philippine Merchant Marine Rules and Regulations (PMMRR).	Regulate, formulate, and issue policies on the safe carriage of dangerous, hazardous, and harmful cargoes on board Philippine registered commercial ships.
Philippine Coast Guard (PCG)	PD 61- Revised Coast Guard Law PD 979- marine Pollution Decree of 1979	Enforce all applicable laws governing the promotions of safety of line and property at sea and marine environment protection of the territorial waters of the Philippines. Implementation of rules and regulations governing marine pollution.
Philippine Ports Authority (PPA) / Other Port Authorities	Various laws, rules, and regulations on the handling of dangerous goods.	Regulate and enforce the safe handling of dangerous goods/ cargoes within the port. Conduct Training for cargo handlers and other port users.
Land Transportation Office (LTO)	RA 4136 or the Land Transportation and Traffic Code, and Clean Air Act.	Responsible for ensuring the safety operation and environmentally sustainable road transport system. Issue rules and regulations in the issuance of driver’s license and registration to all motor vehicles and field enforcement of land transport laws.
Land Transportation and Franchising Regulatory Board (LTFRB)	CA #146 or Public Service Act	Issue rules and regulations pertaining to the issuance of franchise to all for-hire motor vehicles (PUV).
Civil Aviation Authority of the Philippines (CAAP) / Manila International Airport Authority (MIAA)	International Civil Aviation Organization (ICAO)/ International Air Transport Association (IATA) Manual on the handling of dangerous goods	Monitor the handling of dangerous goods in the aircrafts and within the airport perimeter. Provide training to the personnel who are responsible for the handling of dangerous goods.
Civil Aeronautics Board (CAB)	RA 776, as amended CAB Economic Regulation No. 4 ICAO/ IATA Manual on the handling of dangerous goods	General supervision, jurisdiction, and control over the operations of international and domestic carriers and airfreight forwarders through close monitoring of shipments for protection and promotions of public interest and convenience in the air commerce. Provide procedures for the shipper and operators by which articles and substances with hazardous properties can be safely transported by air on all commercial transport.

GHS Pictograms and Hazard Classes

		
<ul style="list-style-type: none"> • Oxidizers • Organic Peroxides 	<ul style="list-style-type: none"> • Flammables • Self reactives • Pyrophorics • Self-heating • Emits flammable gas 	<ul style="list-style-type: none"> • Explosives • Self reactives • Organic peroxides
		
<ul style="list-style-type: none"> • Acute toxicity (severe) 	<ul style="list-style-type: none"> • Corrosives 	<ul style="list-style-type: none"> • Gases under pressure
		
<ul style="list-style-type: none"> • Carcinogen • Respiratory Sensitizer • Reproductive Toxicity • Target Organ Toxicity • Mutagenicity • Aspiration hazard 	<ul style="list-style-type: none"> • Hazard to the aquatic environment 	<ul style="list-style-type: none"> • Irritant • Dermal Sensitizer • Acute toxicity (harmful) • Transient target organ effects (narcotic or respiratory)

SAFETY DATA SHEETS (SDS) FORMAT AND GUIDELINES

SDS Format

The information in the SDS should be presented using the following 16 headings in the order given below.

1. Identification
2. Hazard(s) identification
3. Composition/information on ingredients
4. First-aid measures
5. Fire-fighting measures
6. Accidental release measures
7. Handling and storage
8. Exposure controls/personal protection
9. Physical and chemical properties
10. Stability and reactivity
11. Toxicological information
12. Ecological information
13. Disposal considerations
14. Transport information
15. Regulatory information
16. Other information.

SDS Content and Guidelines

The SDS should provide a clear description of the data used to identify the hazards. The minimum information in Table 1 should be included, where applicable and available, on the SDS under the relevant headings. If specific information is not applicable or not available under a particular subheading, the SDS should clearly state this. Additional information may be required by competent authorities.

Table 1. Minimum Information for an SDS

1.	Identification of the substance or mixture and of the supplier	<ul style="list-style-type: none"> • GHS product identifier. • Other means of identification. • Recommended use of the chemical and restrictions on use. • Supplier's details (including name, address, phone number etc). • Emergency phone number.
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2.	Hazards identification	<ul style="list-style-type: none"> • GHS classification of the substance/mixture and any national or regional information. • GHS label elements, including precautionary statements. (Hazard symbols may be provided as a graphical reproduction of the symbols in black and white or the name of the symbol e.g. flame, skull and crossbones.) • Other hazards which do not result in classification (e.g. dust explosion)
3.	Composition/information on ingredients	<p>Substance</p> <ul style="list-style-type: none"> • Chemical identity. • Common name, synonyms, etc. • CAS number, EC number, etc. • Impurities and stabilizing additives which are themselves classified and which contribute to the classification of the substance. <p>Mixture</p> <ul style="list-style-type: none"> • The chemical identity and concentration or concentration ranges of all ingredients which are hazardous within the meaning of the GHS and are present above their cut-off levels. <p><i>NOTE: For information on ingredients, the competent authority rules for CBI take priority over the rules for product identification.</i></p>
4.	First aid measures	<ul style="list-style-type: none"> • Description of necessary measures, subdivided according to the different routes of exposure, i.e. inhalation, skin and eye contact and ingestion. • Most important symptoms/effects, acute and delayed. • Indication of immediate medical attention and special treatment needed, if necessary
5.	Firefighting measures	<ul style="list-style-type: none"> • Suitable (and unsuitable) extinguishing media. • Specific hazards arising from the chemical (e.g. nature of any hazardous combustion products). • Special protective equipment and precautions for firefighters.
6.	Accidental release measures	<ul style="list-style-type: none"> • Personal precautions, protective equipment and emergency procedures. • Environmental precautions. • Methods and materials for containment and cleaning up
7.	Handling and Storage	<ul style="list-style-type: none"> • Precautions for safe handling. • Conditions for safe storage, including any incompatibilities.

8.	Exposure controls/ personal protection.	<ul style="list-style-type: none"> • Control parameters e.g. occupational exposure limit values or biological limit values. • Appropriate engineering controls. • Individual protection measures, such as personal protective equipment.
9.	Physical and chemical properties	<ul style="list-style-type: none"> • Appearance (physical state, color etc). • Odor. • Odor threshold. • PH. • Melting point/freezing point. • Initial boiling point and boiling range. • Flash point. • Evaporation rate. • Flammability (solid, gas). • Upper/lower flammability or explosive limits. • Vapor pressure. • Vapor density. • Relative density. • Solubility(ies). • Partition coefficient: n-octanol/water. • Auto-ignition temperature. • Decomposition temperature.
10.	Stability and reactivity	<ul style="list-style-type: none"> • Chemical stability. • Possibility of hazardous reactions. • Conditions to avoid (e.g. static discharge, shock or vibration). • Incompatible materials. • Hazardous decomposition products.
11.	Toxicological information	<p>Concise but complete and comprehensible description of the various toxicological (health) effects and the available data used to identify those effects, including:</p> <ul style="list-style-type: none"> • information on the likely routes of exposure (inhalation, ingestion, skin and eye contact); • Symptoms related to the physical, chemical and toxicological characteristics; • Delayed and immediate effects and also chronic effects from short- and long-term exposure; • Numerical measures of toxicity (such as acute toxicity estimates).

12.	Ecological information	<ul style="list-style-type: none"> • Ecotoxicity (aquatic and terrestrial, where available). • Persistence and degradability. • Bioaccumulative potential. • Mobility in soil. • Other adverse effects.
13.	Disposal considerations	<ul style="list-style-type: none"> • Description of waste residues and information on their safe handling and methods of disposal, including the disposal of any contaminated packaging.
14.	Transport information	<ul style="list-style-type: none"> • UN number. • UN Proper shipping name. • Transport Hazard class(es). • Packing group, if applicable. • Marine pollutant (Yes/No). • Special precautions which a user needs to be aware of or needs to comply with in connection with transport or conveyance either within or outside their premises.
15.	Regulatory information	<ul style="list-style-type: none"> • Safety, health and environmental regulations specific for the product in question.
16.	Other information including information on preparation and revision of the SDS	