

**Annex 8**

**On Safety of Chemical Products**

The Law of the Republic of Kazakhstan No.302 of 21 July 2007

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This Law establishes a legal framework for ensuring safety of chemical products to protect human life and health, environment and consumers interests within the territory of the Republic of Kazakhstan.

**Chapter 1. GENERAL PROVISIONS**

**Article 1. Main terms used in the present Law**

The following main terms are used in the present Law:

**Article 2. The legislation of the Republic of Kazakhstan in the area of chemical products safety**

1. The legislation of the Republic of Kazakhstan in the area of chemical products safety is based on the Constitution of the Republic of Kazakhstan and consists of this Law and other normative legal acts of the Republic of Kazakhstan.

2. If an international treaty ratified by the

- 5) oxidizing substances and organic peroxides;
  - 6) toxic substances;
  - 7) corrosive substances;
- according to toxicological properties:
- 1) extremely poisonous substances;
  - 2) poisonous substances;
  - 3) harmful substances;
  - 4) caustic substances;
  - 5) substances irritating mucous tunic of eyes and/or skin;
  - 6) sensitizing substances;
- according to specific influence on human health:
- 1) carcinogens;
  - 2) mutagens;
  - 3) substances rendering toxic effect on reproductive functions;
- according to environment effect:
- 1) hazardous substances for water;
  - 2) hazardous substances for air and soil.

5. Information about the categories of chemical products, types of hazards and measures to ensure safe handling of chemical products shall be fixed in technical regulations in the area of chemical products safety.

6. The testing criteria and methodology for chemical products, their physical, chemical and toxicological properties, specific effect on human life and health and the environment shall be determined in accordance with technical regulations in the area of chemical products safety.

7. The classification of chemical products according to the chemical substances' categories shall be indicated by an applicant (manufacturers, suppliers, importers) when registering the appropriate documents necessary to place the products in the market.

## **Chapter 2. STATE REGULATION IN THE FIELD OF CHEMICAL PRODUCTS SAFETY**

### **Article 6. Authorized bodies**

- 1. The following shall be the authorized bodies:
  - 1) authorized body in the field of industry and trade;
  - 2) authorized body in the field of circulation of narcotics, psychotropic substances, and precursors;
  - 3) the authorized body in the field of health care;
  - 4) the authorized body in the field of industrial safety;
  - 5) the authorized body in the field of environment protection;
  - 6) the authorized body in the field of agricultural and industrial complex development;
  - 7) the authorized body in the field of energy and mineral resources;
  - 8) the authorized body in the field of energy and mineral resources;
  - 9) the authorized body in the field of labor and social protection of population;
  - 10) the authorized body in the field of transport.

2. The authorized bodies shall carry out state regulation in the field of chemical products safety in accordance with sectoral trends.

### **Article 7. The authority of the Government of the Republic of Kazakhstan**

The authority of the Government of the Republic of Kazakhstan shall include:

- 1) development of main directions of the state policy in the area of chemical products safety;
- 2) approval of technical regulations in the area of chemical products safety;
- 3) approval of sectoral programs;
- 4) establishment and abolishment of consultation and advisory bodies on the issues of ensuring safety of chemical products;
- 5) approval of registration procedures for chemical products;
- 6) determination of the state body on intersectoral coordination in the area of chemical products safety out of the authorized bodies according to sectoral trend.

#### **Article 8. The authority of the authorized bodies**

The authorized bodies shall:

- 1) implement state policy in the area of chemical products safety;
- 2) represent the Republic of Kazakhstan in international organizations on chemical products safety issues;
- 3) carry out, within their authority, state control on observance of the requirements set by this Law and technical regulations in the area of chemical products safety;
- 4) develop technical regulations in the area of chemical products safety;
- 5) establish experts councils for the development of technical regulations in the area of chemical products safety and preparing proposals in the area of technical regulation of chemical products;
- 6) monitor consumers markets in order to detect chemical products which is not compliant with the requirements of this Law and technical regulations in the area of chemical products safety, and work out measures to prevent their sale;
- 7) coordinate technical documentation in the area of chemical products safety;
- 8) approve the procedure of registration and account of certain types of chemical products;
- 9) register chemical products within the territory of the Republic of Kazakhstan and keep their account;
- 10) develop and implement sectoral programs in the area of chemical products safety, stipulating as well the research on the chemical products safety issues;
- 11) check the assessment of chemical products' hazards for human life and health and the environment based on the information submitted by the applicant (manufacturers, suppliers, importers);

12) issue instructions on withdrawal of one or several processes of the chemical products life cycle which do not comply with the safety requirements established by this Law and technical regulations.

### **Article 9. State control in the area of chemical products safety**

1. State control in the area of chemical products safety shall be carried out by authorized bodies in accordance with the procedure and within their authority established by the laws of the Republic of Kazakhstan.

2. State control in the area of chemical products safety shall be carried out in a form of scheduled and unscheduled inspections.

3. Scheduled inspection can be conducted not more than once a year.

4. Unscheduled inspection can be conducted in case of receiving by the authorized bodies the information on:

non-compliance of chemical products with the safety requirements set by this Law and technical regulations in the area of chemical products safety;  
facts of harm caused by chemical products to human life and health and the environment.

5. Inspection of chemical products safety shall be conducted in two stages:

- 1) documentary inspection;
- 2) risk assessment inspection.

6. A documentary inspection of chemical products safety shall be conducted by means of:  
examining whether information meant for consumers and marked on packages, containers and accompanying documents is reliable and complies with the requirements of this Law and technical regulations in the area of chemical products safety;

inspection of compliance of the information in safety passports of the chemical products, in the registration certificates and in the conformity assessment document with the information on packages and containers.

7. When checking risk assessment, the authorized bodies organize selection of samples of chemical products and send them to the laboratories (centers) for testing (research).

## **Chapter 3. RIGHTS AND DUTIES OF APPLICANTS (MANUFACTURERS, SUPPLIERS, IMPORTERS) IN THE AREA OF CHEMICAL PRODUCTS SAFETY**

### **Article 10. Applicants' (manufacturers, suppliers, importers) rights in the area of chemical products safety**

Applicants (manufacturers, suppliers, and importers) according to their activities have the following rights:

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5) to obtain reliable information about chemical substances which may have negative effect on human life and health and the environment;

6) to apply to state bodies on conducting examination of chemical products risk assessment.

**Article 11. Applicants' (manufacturers, suppliers, importers) duties in the area of chemical products safety**

Applicants (producers, suppliers, and importers) according to their activities shall:

1) ensure observance of the requirements of the legislation of the Republic of Kazakhstan in the area of chemical products safety;

2) provide industrial inspection of chemical products safety in their life cycle stages;

3) inform authorized bodies on any revealed incompliance of chemical products and their life cycle processes with the requirements of this Law and technical regulations in the field of chemical products safety;

4) suspend one or several processes of chemical products life cycle which do not comply with the safety requirements set by this Law and technical regulations;

5) submit reliable information about chemical products safety to consumers and authorized bodies upon their request;

6) provide state bodies with information necessary to conduct state supervision such as chemical products safety passport, registration certificate, conformity assessment certificate or declaration, other documents and technical information (under unscheduled inspections);

7) conduct obligatory risk assessment of chemi



- 2) definition of a risk (s);
- 3) composition, information on chemical products;
- 4) measures of first aid;
- 5) fire-prevention measures;
- 6) measures for emergency situations;
- 7) handling and storage;
- 8) irradiation protection, individual protection;
- 9) physical and chemical properties;
- 10) stability and reactivity;
- 11) toxicological information;
- 12) ecological information;
- 13) waste management;
- 14) information on transportation;



4) general requirements to transportation and storage (temperature, pressure, moisture, illumination);

5) special measures for chemical products which are able to cause spontaneous combustion and spontaneous decomposition including resulting in hazardous products generation;

6) measures on safe and repeated use of packages and/or its utilization;

7) measures preventing emergency situations and liquidation of their consequences;

8) means of workers individual protection.

4. Transportation and storage of chemical prod

2. Warning labels of chemical products' packages shall include the following:
- 1) applicant's (supplier's, manufacturer's, importer's) name and full address including phone number, fax, telex and e-mail address;
  - 2) product's name (names);
  - 3) type of hazard;
  - 4) mass or volume;
  - 5) lot number;
  - 6) date of manufacture (issue) and expiration date;
  - 7) standard danger symbols.
3. Warning labels should be marked in clear letters and/or symbols with indelible paint.
4. Supply to the market and selling of chemical products without warning labels shall not be allowed.

#### **Article 20. Requirements to chemical products under circulation in the market**

1. A chemical product can be supplied to the market and be used if it is compliant with the requirements established by the legislation of the Republic of Kazakhstan in the area of technical regulation.

2. Applicant (supplier, manufacturer, importer) shall provide every necessary conditions for safe circulation of a chemical product in the market.

Upon retail sale a chemical product shall be accompanied with the instruction which shall

protection and have appropriate permissions to work with chemical products in accordance with the procedure established by the legis