

# **LA W OF GEORGIA ON HAZARDOUS CHEMICAL SUBSTANCES**

## **CHAPTER I GENERAL PROVISIONS**

### **Article 1. Purview**

1. The present Law regulates the legal relations between the authorities and natural and legal persons in the sphere of development, testing and official expertise, standardization, registration, production, packing, marking and labeling, transportation, use, export and import, processing, rendering harmless, placing, limitation, prohibition and elimination of hazardous chemical substances as well as the rules of state and department supervision over them.

2. The Law is not applied to:

- a) Preventive and medical preparations against human and animal diseases in me finished form;
- b) Cosmetics;
- c) Chemical substances used for the educational and scientific purposes at the amount not having harmful effect on the human health and environment;
- d) Micro-organisms and agents of microbial origin;
- e) Admixtures and substances in kind of remnants;
- f) Dietary additions;
- g) Chemical substances for agricultural purpose (except their united state Register);
- h) Radioactive substances and materials;
- I) Hazardous industrial wastes;
- j) Chemical substances for the everyday purpose attended for personal consumption.

### **Article 2. Definitions of Terms**

The terms used in the Law have the following meaning:

a) Chemical substances are the substances and their components in the natural form or obtained as a result of any production process, together with any additions required for preservation of the product's stability and all admixtures obtained as a result of the applied production process, except the solvent, isolated without alternation of stability and composition of the substances and preparations of those substances;

b) Preparations are mixtures or solutions composed of two or more substances;

c) Hazardous chemical substances are substances and preparations having harmful effect on the human health and environment and attributed to the following classes of toxicity and hazard:

ca) explosive substances and preparations in the solid, liquid, paste-like or gel state causing the exothermal reaction without the atmospheric oxygen and quickly isolating gases, detonating, easily igniting or exposing when heated in the half-closed conditions;

cb) oxidizing substances and preparations causing the strong-exothermal reaction in touch with other inflammable substances;

cc) the super-inflammable substances and preparations having low igniting and boiling points. They ignite in touch with air in conditions of the room temperature and normal atmospheric pressure;

cd) easily inflammable substances and preparations:

cda) substances and preparations heating and igniting in touch with air at the room temperature

when other power sources are not available;

cdb) solid substances and preparations igniting in slight and short touch with the heat sources and continuing burning after removal of this source;

cdc) liquid substances and preparations having low igniting point;

cdd) substances and preparations isolating easily inflammable gases in the hazardous amount in touch with water or damp air;

ce) substances and preparations igniting the living tissue in touch with it;

cf) toxic substances and preparations causing death, acute or chronic poisoning of organism when getting into the organism in a small amount;

cg) irritating substances and preparations causing physical irritation and inflammation when getting into the organism;

ch) allergic substances and preparations causing hypersensitivity (allergic reaction) when getting into the organism;

ci) cancerogenic substances and preparations causing or activating development of tumors when getting into organism;

cj) mutafacient substances and preparations causing or activating degeneration of the genetic system when getting into organism;

ck) teratogen substances and preparations causing or activating upset of fetus development process and abnormalities when getting into the organism;

cl) gonadotropic substances and preparations causing or activating degeneration of sexual glands when getting into the organism;

cm) embryotrophic substances and preparations causing disintegration of embryo development when getting into organism;

m) Import is taking hazardous chemical substance into the custom territory of Georgia without the obligation of its taking out;

d) New hazardous chemical substance is the developed substance or that one under development, which was not in use until the effective date of this Law;

e) Use of hazardous chemical substance is production, import and export, marking and labeling, transportation, storing and stocking, sale and distribution, processing, consumption, withdrawal from use or another use of substance beginning from its development and preparation;

f) Consumption of hazardous chemical substance is purposeful use of substance;

g) Originator of hazardous chemical substance is a natural or legal person developing (synthesizing) the substances;

h) Producer of hazardous chemical substance is a natural or legal person who produces the substance in accordance with the law of Georgia;

i) Strictly limited hazardous chemical substance is the substance the use of which in any of its form is prohibited for the purpose of protection of human health and environment, though its use in some form is allowed;

j) Prohibited hazardous chemical substance is the substance the use of which in any its form is prohibited for the purpose of protection of the human health and environment;

k) International trade in hazardous chemical substance is export or import of substances;

l) Export is taking hazardous chemical substances from the custom territory of Georgia without the obligation of its taking in;

m) Import is taking hazardous chemical substance into the custom territory of Georgia without the obligation of its taking out;

n) Preliminary substantiated consent is the principle by which displacement of prohibited or strictly limited chemical substances is prohibited, for the purpose of protection of human health and environment without the consent of the respective body (if available) of the importer country, or contra its decision;

- o) Procedure of preliminary substantiated consent is the procedure of making and dissemination of official decisions of the importer countries on continuation of import of strictly limited or prohibited hazardous chemical substances;
- p) Chemical safety is the complex of measures securing the safe conditions of operation of objects producing and using hazardous. Chemical substances and excluding their harmful effect on the human health and environment;
- q) Processing of hazardous chemical substances is the production process altering the aggregate state of the substance or its physical and chemical features;
- r) Activity related to hazardous chemical substances is any activity related to the processes of development, testing and official expertise, standardization, registration, production, packing, marking and labeling, transportation, use, export and import, processing, treatment, disposal, limitation, prohibition and elimination of the substance;
- s) Sanitary protection area is the area established around the enterprise that in conditions of its normal operation protects the population residing on the adjacent territory from the harmful effect of enterprise;
- t) Respective authorities are the bodies of executive power specially authorized in the sphere of management and control of hazardous chemical substances.

### **Article 3. Purposes of Law**

Purposes of the Law are:

- a) Determination of legal relations in the sphere of development, testing and state expertise, standardization, registration, production, packing, marking and labeling, transportation, use, export and import, processing, rendering harmless, placing, limitation, prohibition and elimination of hazardous chemical substances and established of their norms; protection of the human right established by the Constitution of Georgia - to live in the healthy environment; Protection of human health and environment from the harmful effect of hazardous chemical substances;
- d) Introduction of the principles of safe use of hazardous chemical substances which will reduce their harmful effect on the human health and environment and secures the safe conditions of life of the present and future generations;
- e) Determination of the state policy in the sphere of management and control of safe use of the hazardous chemical substances;
- f) Revealing chemical substances less hazardous for the human health and environment, working out of the standard procedures of their appraisal and control;
- g) Establishment of territorial boundaries and procedures of management of the hazardous chemical substances;
- h) Determination of the rights and obligations of natural and legal persons taking part in the sphere of use of hazardous chemical substances;
- i) Creation of the united system of management and control of the safe use of hazardous chemical substances used and intended for use in the country.

### **Article 4. Aims of Law**

Aims of the Law are:

- a) regulation of the legal relations between the authorities and natural and legal (regardless the property and organizational and legal kind of them) persons in the sphere of the safe use of hazardous chemical substances;

- b) prohibition of un systematic and non-permitted use of hazardous chemical substances;
- c) estimation and registration of hazardous chemical substances;
- d) use of hazardous chemical substances on the territory of country at the established norm, prevention of harmful effect of them on human health and environment and liquidation of me estimated results;
- e) regulation of processes of notification about the hazardous chemical substances aimed for sale, their testing and official expertise, standardisation, registration, packing, marking, import and export;
- f) keeping the population informed and arising of public awareness on those hazards caused by the hazardous chemical substances.

## **Article 5. Legislation of Georgia on Hazardous Chemical Substances**

The legislation of Georgia on Hazardous Chemical Substances consists of the Constitution of Georgia, international agreements and covenants of Georgia, the laws of Georgia On Environmental Protection and On Public Health Care, the present Law and other normative acts.

## **Article 6. Principles of Safe Use of Hazardous Chemical Substances**

The principles of safe use of hazardous chemical substances are:

- a) optimization of the process of state management of use of hazardous chemical substances;
- b) for prevention of harmful effect of hazardous chemical substances on the human health and environment introduction of the updated technologies in the process of their use;
- c) rating and classification of hazardous chemical substances, their products and materials;
- d) testing, official expertise; standardization, registration, packing, marking, accounting and control of hazardous chemical substances, issuing permits for their use;
- e) substitution of hazardous chemical substances, their products and products with the less hazardous chemical substances, their products and materials;
- f) readiness for the possible accidents and state of emergency when using hazardous chemical substances, their products and materials;
- g) publicity of information about hazardous chemical substances;
- h) fulfillment of obligations taken by Georgian under international agreements and covenants.

# **CHAPTER 11 CLASSIFICATION OF HAZARDOUS CHEMICAL SUBSTANCES**

## **Article 7. Classification of Hazardous Chemical Substances**

1. In order to appraise the effect on human health and environment the classes of toxicity and hazard of hazardous chemical substances are specified.
2. The rule of attribution to the classes of toxicity and hazard of hazardous chemical substances is determined by Regulations On Classification of Hazardous Chemical Substances to be worked out and approved by the Ministry of Health in co-ordination with the interdepartmental board for regulation of the safe use of hazardous chemical substances.

## **CHAPTER III STATE MANAGEMENT IN SPHERE OF SAFE USE OF HAZARDOUS CHEMICAL SUBSTANCES**

### **Article 8. Competence of Higher Bodies of Georgian State Authorities in the Sphere of Safe Use of Hazardous Chemical Substances**

1. The competence of the higher bodies of the Georgian State authorities in the sphere of safe use of hazardous chemical substances covers:

- a) determination of the state policy in the sphere of safe use of hazardous chemical substances;
- b) passing normative acts related to the safe use of hazardous chemical substances and control over their fulfillment;
- c) arrangement of official expertise, official testing and registration of hazardous chemical substances according to the established rule;
- d) working out of standards of new hazardous chemical -substances and methodical instructions of those substances;
- e) working out and approval of the admissible limits of effect of hazardous chemical substances on the human health and environment and the methods of their determination;
- f) registration of the used and aimed for use hazardous chemical substances;
- g) establishment of state supervision and control of the safe use of hazardous chemical substances;
- h) Carrying out the state ecological expertise and issuing environmental permit in frames determined by me laws of Georgia On State Ecological Expertise and On Environmental Permit on any activity that may have harmful effect on the human health and environment;
- i) issuing permits on import and export of hazardous chemical substances subject to the procedure of preliminary substantiated consent;
- j) conducting the single scientific and technical policy in the sphere of safe use of hazardous chemical substances, co-ordination, organization and financing have scientific and research and other works;
- k) creation of the united system of management and control of the safe use of hazardous chemical substances;
- l) making international agreements and covenants in the sphere of the safe use of hazardous chemical substances
- m) carrying out other required measures in compliance with the law of Georgia on Hazardous Chemical Substances

2. The respective state bodies in the sphere of management and control of safe use of hazardous chemical substances is:

- a) The Ministry of Health of Georgia - in the sphere of human health protection from the harmful effect of hazardous chemical substances;
- b) Ministry of Environment of Georgia - in the sphere of protection of environment from the harmful effect of hazardous chemical substances;
- c) Ministry of Industry of Georgia - in the sphere of use of hazardous chemical substances;

3. The functions of Ministry of Health of Georgia in the sphere of management and control of the safe use of hazardous chemical substances are:

- a) co-ordination of conducting the state policy;
- b) rendering consultative and informative aid to natural and legal persons;
- c) In case of infringement of sanitary and hygienic norms, labor protection and other requirements established under the law of Georgia by the objects using the hazardous chemical

substances, suspension of their operation till the total elimination of those breaches on the ground of decision of the respective state bodies;

d) working out the roles of import and export of hazardous chemical substances and control over their fulfillment;

e) carrying out the state expertise of hazardous chemical substances;

f) approval of the rule of carrying out the official testing of hazardous chemical substances in accordance with the law of Georgia;

g) carrying out the official testing of hazardous chemical substances;

h) The official registration of hazardous chemical substances and establishment of the list of substances in use;

i) keeping the single state register of hazardous chemical substances and their end products according to the international standard system;

j) determination of requirements for packing, marking and labeling of hazardous chemical substances;

k) limitation or prohibition of use of hazardous chemical substances inside the country on the ground of decision of the respective authorities;

l) establishment of strict control over withdrawal of the worthless chemical substances from the use;

m) exchange of scientific and technical, economic and legal information concerning hazardous chemical substances with appropriate structures of other states and international organizations, informing the public about the new important data in the sphere of human health care;

n) annual establishment and publishing of the list of hazardous chemical substances subject to the procedure of preliminary substantiated consent in co-ordination with the respective authorities.

## **Article 9. Body Co-ordinating Management of Safe Use of Hazardous Chemical Substances**

1. For co-ordination of measures to be conducted for management of the safe use of hazardous chemical substances there is established under the Ministry of Health of Georgia and by decision of the President of Georgia the interdepartmental board for regulation of safe use of the hazardous chemical substances (hereinafter - the Interdepartmental Board) composed of the representatives of authorized persons of the respective authorities and other departments concerned.

2. The rules of work of the interdepartmental board are determined by the Statute to be approved by the President of Georgia.

## **Article 10. Competence of Higher Bodies of Authorities of Abkhazia and Ajara Autonomous Republics in the Sphere of Safe Use of Hazardous Chemical Substances**

The competence of higher bodies of the authorities of Abkhazia and Ajara Autonomous Republics in the sphere of safe use of the hazardous chemical substances covers:

a) conducting control of the safe use of hazardous chemical substances on the territory of autonomous republics;

b) management of safe use of hazardous chemical substances on the territory of autonomous republics;

c) registration of hazardous chemical substances in use and intended for use on the territory of autonomous republic;

d) taking part in determination and implementation of the single scientific and technical policy in the sphere of safe use of hazardous chemical substances;

- e) conducting the single scientific and technical policy in the sphere of safe use of hazardous chemical substances on the territory of autonomous republic, co-ordination, arrangement and financing have scientific and research and other works;
- f) limitation or prohibition of use of hazardous chemical substances on the territory of autonomous republic;
- g) prohibition of non-permitted use of hazardous chemical substances on the territory of autonomous republic;
- h) resolution of disputes connected with the safe use of hazardous chemical substances on the territory of autonomous republic within their competence;
- i) hardening the conditions of safe use of hazardous chemical substances on the territory of autonomous republic;
- j) solution of other matters connected with the safe use of hazardous chemical substances in accordance with the rule established by the law of Georgia.

#### **Article 11. Competence of Local Self-government and Administration Bodies in the Sphere of Safe Use of Hazardous Chemical Substances**

1. The competence of local self-government and administration bodies covers the observance of requirements of the law of Georgia in the sphere of safe use of hazardous chemical substances on the territory subordinate to them and security of their fulfillment.
2. The local self-government and administration bodies are entitled to harden the conditions of production, storage and stocking, consumption and otherwise use of hazardous chemical substances on the territory subordinated to them.

#### **Article 12. Participation of Natural and Legal Persons in Implementation of (Measures for Safe Use of Hazardous Chemical Substances**

1. Natural and legal persons take part in the implementation of measures for the safe use of hazardous chemical substances in accordance with the rule established by the law of Georgia.
2. Natural and legal persons are obliged:
  - a) to observe the provisions of the Law of Georgia in the sphere of safe use of hazardous chemical substances and secure fulfillment of them;
  - b) to support the state authorities and public organisations in implementation of the measures for safe use of hazardous chemical substances;
  - c) to promote the appropriate official programs.
3. Natural and legal persons are entitled:
  - a) to get complete, timely and impartial information from the state authorities (except information containing the state or commercial secrecy) about the current state in the sphere of use of hazardous chemical substances;
  - b) to take part in consideration and making significant decision in the sphere of control over the hazardous chemical substances.

### **CHAPTER IV TESTING OF HAZARDOUS CHEMICAL SUBSTANCES, OFFICIAL EXPERTISE, OFFICIAL TESTING AND REGISTRATION**

#### **Article 13. Aims of Testing of Hazardous Chemical Substances**

Testing of hazardous chemical substances is conducted for establishment of their physical and chemical qualities, the toxicity and hazard classes of substances, establishment of admissible limits of their effect on human health and environment, as well as for prevention of harmful effect and elaboration of prophylactic measures.

#### **Article 14. Testing of New Hazardous Chemical Substances**

1. Any new hazardous chemical substance intended for use is subject to the obligatory testing to be carried out by the originator with participation of independent experts.
2. The originator of a hazardous chemical substance shall secure its gradual testing at the stages of scientific research, working out the production process scheme and pilot production of the substance.
3. Testing of a hazardous chemical substance is conducting in amount determined by Article 16 of this Law.
4. If the hazardous chemical substance is registered in the international register the physical and chemical analysis for the testing and expertise shall identify it.

#### **Article 15. Testing of Hazardous chemicals Substance in Use**

Testing of all hazardous chemical substances in use shall be carded out anew, if the amount of testing carded out on its development does not conform to the conditions determined by Article 16 of this Law.

#### **Article 16. Methods of Testing of New Hazardous Chemical Substance. Testing Amount and Criteria**

1. For testing of a new hazardous chemical substance the originator shall apply such methods of testing which give the entire and exact information about the substance with respect to Provisions of item 2 of this Article.
2. When testing a new hazardous chemical substance, the originator shall:
  - a) study all toxic qualities of the substance, including its harmful effect on the human health and environment;
  - b) work out the methods of exposure and determination of substances in the environment and biosubstrates, preventive measures;
  - c) determine the possible sphere, roles and conditions of use of the substance.

#### **Article 17. Documents to be Prepared According to the Results of Testing of a New Hazardous Chemical Substance**

The originator of a new hazardous chemical substance according to the test results shall prepare:

- a) the primary toxicological certificate of the substance;
- b) Informational card about the safe treatment with the substance;
- c) the material for establishment of toxicity and hazard classes of the substance;
- d) the material about marking, labeling and packing of the substance;
- e) the draft of state standard or technical conditions of the substance in accordance with the law of Georgia;
- f) the material for establishment of the admissible limit of the substance in atmospheric air and working zone air, water and soil as well as for working out the methods of exposure and



determination of the substance in the environment and bio-substrates;  
g) the material for elaboration of preventive measures rendering the first medical aid in the harmful effect of the substance and the technical safety rules.

#### **Article 18. Information Card on Safe Treatment with a New Hazardous Chemical Substances**

1. The information card to be prepared by the originator on the safe treatment with a new hazardous chemical substance shall contain the data about the sphere of use of the substance, the rules and conditions of safe treatment with it, amount of its production, and other information.
2. The Ministry of Health determines the requirements for preparation of the information card about the safe treatment with the new hazardous chemical substance in co-ordination with the Interdepartment Board.
3. If the name of a new hazardous chemical substance or the concentration of some ingredients composing this substance is the commercial secret, these data may be withdrawn from the information card as per article 30 of this Law.
4. The form of information card is worked out and approved by the Ministry of Health of Georgia.

#### **Article 19. Application for Presentation of Hazardous Chemical Substance for Official Expertise and Registration**

1. The originator shall apply to the Ministry of Health of Georgia for obtaining the official expert conclusion and registration of hazardous chemical substances.
2. The application enclosed with the documents mentioned in Article 17 shall be accompanied with:
  - a) the material on identification of the substance;
  - b) protocol of substance testing;
  - c) description of methods used in the testing of substances.

#### **Article 20. Official Expertise of Hazardous Chemical Substance**

1. The official expertise of a hazardous chemical substance establishes the character and quality of the harmful effect of the hazardous chemical substance on the human health and environment when using it as well as the sufficiency and validity of the safety measures recommended when using the substance.
2. If the documents presented by the originator for the official expertise and registration do not conform to the provisions of this law, the Ministry of Health of Georgia has the right to request the originator of hazardous chemical substance for carrying out the additional researches as well as for the additional information and documents about the substance.
3. Within one month from laying the application for the official expertise and registration of a hazardous chemical substance the Ministry of Health of Georgia will carry out the official expertise with participation of the Interdepartmental Board members and specially invited experts.
4. After obtaining the official expertise conclusion the Ministry of Health of Georgia shall hand in the originator of hazardous chemical substance the copy of conclusion within three days.
5. The favorable conclusion of the official expertise of the hazardous chemical substance is the ground of registration of the substance.

## **Article 21. Official Testing of Hazardous Chemical Substance**

1. In case of unfavorable conclusion of the official expertise of a hazardous chemical substance the Ministry of Health of Georgia makes decision on carrying out the official testing of the substance. The official testing is carried out in one month following the decision-making.
2. The official testing of a hazardous chemical substance is carried out by a scientific or other organization of the appropriate profile on the contractual basis at the expense of the state or originator.
3. According to the results of official testing the appropriate report and findings are prepared.
4. If the results of official testing of the hazardous chemical substance do not coincide with the results of testing carried out by the originator; the Ministry of Health of Georgia dismisses the application of originator. The official testing costs are not paid back to the customer.
5. The rule and procedure of the official expertise and official testing of a hazardous chemical substances are determined by the Regulations on Rule and Procedure of Official expertise and Official Testing of Hazardous Chemical Substance to be worked out and approved by the Ministry of Health of Georgia.

## **Article 22. Registration of Hazardous Chemical Substance**

1. Registration of hazardous chemical substances implies putting the substance in the united state register of hazardous chemical substances.
2. The Ministry of Health of Georgia carries out registration of a hazardous chemical substance.

## **CHAPTER V UNITED STATE REGISTER OF HAZARDOUS CHEMICAL SUBSTANCES**

### **Article 23. United State Register of Hazardous Chemical Substances**

1. The united state register is the standardized information data system of new and used hazardous chemical substances, the objects using them and permits issued for their activity.
2. The entire information about the use of hazardous chemical substances (regardless the sphere and kind) is consolidated by the Ministry of Health of Georgia under the centralized rule. The Ministry in one or some data banks keeps this information.
3. The standardized information data system shall be included in the international information network for the exchange of information with other countries.
4. The united state register shall contain data on the life cycle of hazardous chemical substances and their products (all stages that are passed by the substance from its origin to its final disposal) that includes:
  - a) the registration number of substance;
  - b) the information about the international identification of the substance;
  - c) the information about amount of production of the substance, sphere of use and their characteristics;
  - d) the data on qualities and characters of the substance;
  - e) the data about transportation, storage, amount in the economic circulation, export and import;
  - f) the data about the harmful effect when using the substance;
  - g) the substance classification according to the toxicity and hazard classes;

- h) the information about the effect of substance on human health and environment;
  - i) the information about the safety measures, rules and conditions when transporting, storing, consuming, withdrawing from the use and otherwise use of the substance;
  - j) the data about the measures to be carried out in case of leaking of the substance, accident, poisoning and crash.
5. There shall be put in the register the entire information about natural and legal persons - producer, depositor, carrier and user of hazardous chemical substances, placed on the territory of Georgia. The Ministry of Health of Georgia determines the form and amount of information in co-ordination with the Ministry of Agriculture and Food of Georgia and other respective authorities.
6. There shall be put in the register the list of enterprises related with production, transportation, consumption, storage, rendering harmless and withdrawal from use of hazardous chemical substances, which undertake to establish the emergency service.
7. The data concerning the commercial secret shall be kept in the register under the secret stamp. Access to and work with them without the special permit is prohibited.
8. The Ministry of Health of Georgia for accesses to and work with the data kept under the secret stamps in the register issues the special permit.
9. The rule of providing information on the hazardous chemical substances is determined by the Regulations on Rule of Providing Confidential Information of Hazardous Chemical Substances to be worked out and approved by the Ministry of Agriculture and Food of Georgia and Interdepartment Board.
10. The following is attributed to the non-confidential information on hazardous chemical substances:
- a) the trade name and universally recognized name of a substance;
  - b) name of country producing or importing a substance;
  - c) the data on substance producer or importer;
  - d) the data on physical and chemical qualities of the substance;
  - e) the data on entering the substance into the environment and its spreading;
  - f) the rules of safety treatment with the substance;
  - g) the data on measures in the state of emergency;
  - h) recommendations on withdrawal from use, treatment and disposal of the substance;
  - i) the data on effect of the substance on the human health and environment;
  - j) any information limiting the conduct of experiments on animals;
  - k) the methods giving possibility to determine the rates of effect of the substance on the human health and environment.
11. Use of hazardous chemical substances not registered in the register is prohibited, except such use that is related to the necessary measures of their processing, treatment and disposal.
12. Within the production, transportation, storage, consumption and withdrawal from use of hazardous chemical substances and in case of obtaining new data the Ministry of Health of Georgia shall make the appropriate amendments in the register, the information card on the safe treatment with the substances and other necessary documents.
13. There shall be separately created in the register the data bank of registration of the permits issued for use of hazardous chemical substances.
14. The register shall be kept for the unlimited term.
15. The rule of keeping of the united state register of hazardous chemical substances and their registration is determined by the Regulations on Rule of Keeping the United State Register of Hazardous Chemical Substances and Their Registration to be worked out and approved by the Ministry of Health of Georgia in co-ordination with the Ministry of Agriculture and Food of Georgia and respective authorities.

16. The united state register of chemical substances of the agriculture purpose is kept and the Ministry of Agriculture and Food of Georgia carry out their registration in compliance with this law and the legislation of Georgia.

## **CHAPTER VI PACKING, MARKING AND LABELING OF HAZARDOUS CHEMICAL SUBSTANCES**

### **Article 24. Packing of Hazardous Chemical Substances**

- I. For security of the safe treatment with the hazardous chemical substances and preservation of their consumer qualities, the substance originator or producer shall determine the kind (facility) of packing, marking and labeling of the substance and make the appropriate inscription to the substance.
2. For protection of human health and environment the packing of hazardous chemical substance shall conform to the recognized international standards, requirements, rules and norms.
3. A hazardous chemical substance shall be hermetic ally packed in the tare made of the inactive and steady material having the appropriate label and mark.
4. The tare shall be sealed twice in order to exclude the infringement of its safety by strangers.
5. The hazardous chemical substance tare shall differ from the tare of non-hazardous chemical substances.
6. The second use of the tare of the hazardous chemical substances is prohibited.
7. A hazardous chemical substance shall be packed according to the state standard to be worked out and approved by the State Department for Standardization, Metrology and Certification of Georgia.
8. The State Department carries out the control over the safe packing of hazardous chemical substance and conformity of the packing with the state standard for Standardization, Metrology and Certification of Georgia.

### **Article 25. Marking and labeling of Hazardous Chemical Substances**

- I. For identification of a hazardous chemical substance, obtaining information of it, noting the nature and quality of its effect on the human health and environment, for safety protection and security of rendering the first aid all hazardous chemical substances shall be marked and labeled.
2. The Ministry of Health of Georgia determines the requirements for mark and label in accordance with the recognized international standards.
3. The design of mark and label shall be worked out by the originator of this substance prior to the presentation for the official expertise and laying the application for registration.
4. Persons who use a hazardous chemical substance shall keep its mark and label.
5. The mark of hazardous chemical substances is indicated by the letters in words and symbols. The content of mark implies the name, nature of effect and safety classification of the substance.
6. The label shall exactly reflect the data on results of study of the hazardous chemical substance.
7. The label shall indicate the appropriate symbols or pentagrams including any misunderstanding.
8. There shall be indicated on the label that the second use of the marking tare or material is prohibited.
9. The label shall be strongly fastened on the packed tare or material.
10. The label shall contain information about the batch and series of the hazardous chemical

substance.

11. The said information shall be indicated on the label in Georgian and some foreign language and be easily understandable for the carrier and professional consumer.

12. The label and mark of the exportable hazardous chemical substance shall differ from the label and mark of substance used inside the country.

13. The quality of hazardous chemical substance shall conform to the information indicated on the label.

14. The use of two kinds of label is possible:

a) the label for transportation;

b) the label for consumer.

15. If the hazardous chemical substance due to its measurement or packing nature cannot be labeled or marked, the appropriate information shall be reflected in the enclosed documents.

16. The rule of marking and labeling of a hazardous chemical substance is determined by the Regulations on Rule of Marking and Labeling of Hazardous Chemical Substance to be worked out and approved by the Ministry of Health of Georgia in co-ordination with the interdepartmental board.

17. The state standard of marking and labeling of the hazardous chemical substance will be worked out and approved by the State Department for Standardization, Metrology and Certification of Georgia on the ground of system containing the standard phrases concerning the estimated hazard and safety as approved in the European Union.

18. The control in the sphere of marking and labeling of hazardous chemical substances is carried out by the State Department for Standardization, Metrology and Certification of Georgia.

## **CHAPTER VII STATE STANDARD AND TECHNICAL CONDITIONS OF NEW HAZARDOUS CHEMICAL SUBSTANCE**

### **Article 26. State Standard and Technical Conditions of a New Hazardous Chemical Substance**

1. The state standard is worked out or the technical conditions are established in accordance with the recognized international standards on each new hazardous chemical substance that has passed the official expertise and registration.

2. The state standard or technical conditions shall contain:

a) the requirements for the used raw material and material;

b) the data about characters, qualities and use of the substance;

c) the requirements for transportation and storage of the substances;

d) the requirements for marking, labeling and packing;

3. No use of double standards is allowed for the hazardous chemical substance to be used for export and inside the country.

4. The state standard or technical conditions on the new hazardous chemical substance are worked out and approved by the State Department for Standardization, Metrology and Certification.

5. The control over conformity with the state standard or technical conditions of the new hazardous chemical substance is carried out by the State Department for Standardization, Metrology and Certification of Georgia.

## **CHAPTER VIII PRODUCTION, EXPORT AND IMPORT OF HAZARDOUS**

## **CHEMICAL SUBSTANCE**

### **Article 27. Production of Hazardous Chemical Substance**

1. Production of a hazardous chemical substance is allowed, if it has passed the official expertise and registration in accordance with the role established by the law and if the enterprise obtains the appropriate technology, facilities, specially trained personnel that comply with the law, sanitary rules and norms and the environmental protection law.
2. If within production of the hazardous chemical substance there becomes obvious that the enterprise for the technical or other reason does not comply with the law of Georgia, the respective authorities have the right to make decision on limitation, termination or prohibition of production of the hazardous chemical substance till the complete eradication of grounds caused by the violation of law.
3. Production of the particular hazardous and most toxic chemical substances is prohibited at the cities and densely populated areas, on the territories adjacent to the food and processing industry enterprises, public, medical and prophylactic and children institutions, in the watershed, recreation areas and areas of calamity risks (earthquake, flood, water flow, mudflow, avalanche, land slide).
4. The control in sphere of sanitary safety of hazardous chemical substances is carried out by the Ministry of Health of Georgia.
5. The control over the technical safety conditions and the technical state of equipment and facilities of the hazardous chemical substances production is carried out by the State Technical Supervision Inspection of Georgia.

### **Article 28. Import and Export of Hazardous Chemical Substances and Rule of Issuing Permit for This**

1. Import and export of a hazardous chemical substance is allowed if such substance meets the requirements of the law of Georgia.
2. As per provisions of the law of Georgia, a natural and legal person executing import or export of a hazardous chemical substance subject to the procedure of preliminary substantiated consent shall for conducting of such procedure apply to the Ministry of Health of Georgia.
3. If the imported hazardous chemical substance has not been put in the united state register, its official expertise, official testing and registration takes place in accordance with the same rule and in the same term as it is determined by Articles 19-22 of this Law.
4. The following is prohibited:
  - a) Import or export of unregistered and such new hazardous chemical substances, which do not meet the requirements of the preliminary substantiated consent and the scheme of informing of the import-export of these substances;
  - b) import or export of those hazardous chemical substances the use of which is prohibited by the importer country;
  - c) import of incorrectly marked hazardous chemical substances;
  - d) the illegal import of hazardous chemical substances of any kind and for any purpose into the country.
5. The importer or exporter of a hazardous chemical substance subject to the preliminary substantiated consent procedure shall obtain the permit of Ministry of Health of Georgia.
6. Import, export of a hazardous chemical substance subject to the preliminary substantiated consent procedure and the rule of issuing permit for this are determined by the Regulations on

Rule of Import and Export of Hazardous Chemical Substances to be worked out and approved by the Ministry of Health of Georgia in co-ordination with the respective authorities.

7. The respective authorities and the Custom Department of Georgia execute the control in the sphere of import and export of hazardous chemical substances subject to the preliminary substantiated consent procedure.

## **Article 29. Obligations of Producer of a Hazardous Chemical Substance**

1. The producer of a hazardous chemical substance shall:

- a) observe the provisions of law of Georgia in the sphere of safe use of the substances;
- b) secure observance of production and use standards of the substances and the technical conditions;
- c) work out the training plans and programs for improvement of skills and training of authorized persons in the sphere of technical and sanitary and hygienic safety of work with the substances and labor protection for the officials of production safety service and enterprise workers;
- d) carry out training and testimony of the workers;
- e) prepare the special educational and informational material concerning the correct and safe production, transportation, use of the substance, rendering the first aid in treatment with them and in extraordinary situations, carrying out the safety and prophylactic measures for the professional consumers, medical personnel, as well as for the persons and organizations concerned;
- f) carry out preliminary (prior to the taking on work) and regular medical examinations of the workers;
- g) create the efficient system of production control over the effect of the substances on human organism and environment;
- h) make up the methods and roles of imple regards to the qualities of substance and with the respective authorities;  
of the production control system with due" of the work to be done m co-ordination
- i) regularly provide, information to the workers about production and professional factors on their working places;
- j) manufacture and present for sale the substances of appropriate purity and quality and their products taking into account the specificity of consumption;
- k) carry out measures for reducing the substance wastes up to the minimum and strictly observe the rules and conditions of their collecting, processing, neutralization and purification prior to exposure it to the atmospheric air and discharge to water.
- l) at own expense carry out measures for clearing and rendering harmless the places polluted with the substances;
- m) once a year informs the Ministry of Health of Georgia and the appropriate respective authorities about the amount of substances in production;
- n) provide the Ministry of Health of Georgia and respective authorities with information on the accidents created within production and use of the substances and 'infringement of production processes;
- o) execute decisions, instructions, methodical directions and letters of respective authorities;
- p) protect the civil rights in the sphere of safe use of the substances.

2. If within production of hazardous chemical substances there was revealed the unfavorable result not coinciding with the data revealed within the testing, official expertise and registration of the substance, as well as with those data put in the informational card on the safe treatment with the substance, the enterprise manager shall inform about this the respective authorities and local self-government and administration bodies.

3. Production and import of non-standard hazardous chemical substance is prohibited.

4. Manufacturer of hazardous chemical substances shall prepare the list of safety data on those substances or their products where there are reflected data on substance identification, harmful effect on human health and environment, safety measures and first medical aid measures.
5. The list of safety data of hazardous chemical substances or their products shall be enclosed with the documents required for their transportation and supply.
6. The producer manufactures and stores the hazardous chemical substances in the amount that may be used in the nearest future.
7. If the content of a hazardous chemical substance when being exposed *in the* air and discharge in water exceeds the admissible limit of its concentration in the environment it shall be informed without delay to the Ministry of Environment of Georgia.
8. Producer of hazardous chemical substance shall obtain the sanitary and technical and ecological certificates of the enterprise.
9. Use of woman and minor labor in production of the hazardous chemical substance is prohibited.
10. For the object producing the hazardous chemical substance the sanitary protection area is established.
11. The rule of establishment of the sanitary protection area, its borders is determined by the Regulations on Sanitary Protection Area of Object Producing Hazardous Chemical Substances to be worked out and approved by the Ministry of Health of Georgia.
12. The control in the sphere of safe production of hazardous chemical substance is executed by the respective authorities and local self- government and administration bodies.

#### **Article 30. Right off Originator and Producer of Hazardous Chemical Substance on Commercial Secret Protection**

1. The originator and producer of a hazardous chemical substance have the right to protect the commercial secrecy about the content and name of the substance.
2. The originator and producer of a hazardous chemical substance shall certify in writing that the classified information is the commercial secret.
3. The Ministry of Health of Georgia, respective authorities and other government bodies and medical institutions shall secure protection of commercial secrets on hazardous chemical substance.
4. The originator and producer of hazardous chemical substance in the state of emergency in order to prevent the growth of threat for the environment and population shall provide the workers and medical institutions with the complete information about that substance including the commercial one.
5. in case of any accident the producer and originator of hazardous chemical substance shall provide the medical institution on the ground of written request with that part of secret information the knowledge of which is necessary for investigation of the state of health of population and the employees under the effect of this substance.
6. The producer and originator of a hazardous chemical substance have the right to demand signing of the agreement on protection of commercial secrecy

### **CHAPTER IX TRANSPORTATION OF HAZARDOUS CHEMICAL SUBSTANCES**

#### **Article 31. Transportation of Hazardous Chemical Substance**

1. Within transportation of the hazardous chemical substance there shall be observed the



measures for security of hazardous goods transportation safety for all kinds of transportation (marine, river, air, railway, and motorcar) in compliance with the law of Georgia.

2. The Ministry of Environment of Georgia determines the rule of transportation of hazardous chemical substance by the Regulations on Norms of Use of Chemical Substances in Environment and Rules of Their Transportation, Storage and Use.

3. The control in sphere of transportation of hazardous chemical substances is executed in accordance with the rule established by the law of Georgia.

## **CHAPTER X**

### **STORAGE OF HAZARDOUS CHEMICAL SUBSTANCES**

#### **Article 32. Rule of Issuing Permit on Storage of Hazardous Chemical Substances**

1. Storage of a hazardous chemical substance is allowed in the warehouses, depositories or other special premises built or arranged by the typical design not located at the cities and densely populated points, on the territories adjacent to the food and processing industry enterprises, public, medical and prophylactic and children institutions, in the watershed zone, recreation zone and calamity risk area (earthquake, flood, water flow, mudflow, avalanche, land slide).

2. Storage and stocking of hazardous chemical substances is allowed only in availability of the sanitary and technical certificate of the storage facilities. This certificate is issued by the State Sanitary Supervision and Hygienic Rating Department of the Ministry of Health of Georgia, on the basis of environmental permit issued by the Ministry of Environment of Georgia on the ground of permit of the State Technical Supervision of Georgia.

3. The certificate is issued for the term of 3 years. On expiration of this term the appropriate bodies shall re-examine the storage entirely for prolongation of the permit term.

4. The state authorities issued the permit on storage of hazardous chemical substance shall inform about this the Ministry of Health of Georgia

#### **Article 33. Premises for Storage of Hazardous Chemical Substances**

1. Only those hazardous chemical substance and their products, which passed the official expertise (ecological, technical and other) and have obtained the positive evaluation, are allowed to be stored in warehouses, depositories or other special premises.

2. A structure where the hazardous chemical substances are stored shall be provided with ventilation, light, first aid set, and special uniform, proper temperature, warning signs and conditions that will preserve the consumer qualities of the hazardous chemical substance.

3. The Regulations on Storage Facilities for Hazardous Chemical Substances are worked out and approved by the joint order by the Ministry of Environment of Georgia, Ministry of Health of Georgia and State Technical Supervision Inspection.

4. The typical design of warehouse for storing of hazardous chemical substances is worked out on the ground of Regulations and approved by the Ministry of Urbanization and Construction of Georgia.

5. The storage facilities of hazardous chemical substance -shall have the sanitary protection zones.

6. The storage facilities of hazardous chemical substances shall have no access for strangers.

7. The stock of hazardous chemical substances and their products in the facilities shall be stored in the minimal amount.

8. The Ministry of Urbanization and Construction of Georgia execute the control over conformity of the warehouses for storing of hazardous chemical substances with the typical design.

#### **Article 34. Rule of Storage of Hazardous Chemical Substances**

1. A hazardous chemical substance shall be stored according to the rule that secures preservation of the customer qualities of substance and excludes the harmful effect on the human health and environment, and accidents.
2. The rule of storage of hazardous chemical substances is determined by the Regulations of Ministry of Environment of Georgia On Norms of Use of Chemical Substances in Environment and Rule of Their Transportation, Storage and Use, and the Instruction On Storage and Stocking of Hazardous Chemical Substances to be worked out and approved by the State Technical Supervision Inspection of Georgia.
3. Persons who store the hazardous chemical substances bear the liability for the safety of their storage.
4. The control of safety of hazardous chemical substances storage is executed by the State Technical Supervision Inspection of Georgia.

#### **Article 35. Enclosing Structures for storing of Hazardous Chemical Substances and equipping it with Warning Signs**

1. In order to secure guarding of the structure for storing of hazardous chemical substances, preventing access of strangers on the territory and protection of them from the effect of those substances the territory of storage shall be enclosed and equipped with the warning signs.
2. The control over enclosing of the premise for storing of hazardous chemical substances and equipping it with the warning signs is executed by the local self-government and administration bodies.

### **CHAPTER XI USE OF HAZARDOUS CHEMICAL SUBSTANCES**

#### **Article 36. Use of Hazardous Chemical Substances**

1. Use of hazardous chemical substances is allowed when observing the provisions of this law the harmful effect on the human health and environment is excluded.
2. Use of hazardous chemical substance is allowed only in those spheres that are mentioned in the register of hazardous chemical substances and the information card on the safe treatment with the substance.
3. A user of hazardous chemical substance shall own the special technical facilities, and the appropriate bodies undertake to examine their state for the safe use of substances.
4. Use of a new hazardous chemical substance not included in the register of hazardous chemical substances is prohibited.
5. Use of hazardous chemical substances in the economic circulation is allowed with regards to the provisions of this law and on the ground of recommendations of the respective authorities.

### **CHAPTER XII LIMITATION AND PROHIBITION OF USE OF HAZARDOUS**

## **CHEMICAL SUBSTANCES**

### **Article 37. Decision on Limitation or Prohibition of Use of Hazardous Chemical Substances**

1. According to the decision of the respective authorities the Ministry of Health of Georgia limits or prohibits the use of hazardous chemical substances, in case if:
  - a) during the use there is revealed the new characteristics and indices of the substance which require the additional data on safety measures;
  - b) during the use the current safety measures do not secure protection of human health and environment;
2. In case of limitation of use of the hazardous chemical substances on the ground of decision of the respective authorities does not reduce the harmful effect up to the fixed level, the Ministry of Health of Georgia will prohibit the use of that substance.
3. The decision on prohibition of use of hazardous chemical substances is published with indication of the grounds caused this.
4. The producer, importer or exporter of the hazardous chemical substances concerned of this decision will be notified in writing on limitation or prohibition of use of the hazardous chemical substances.
5. The information of the strict limitation or prohibition of those hazardous chemical substances that are subject to the procedure of preliminary substantiated consent is sent by the Ministry of Health of Georgia to the appropriate division of the environment program of the United Nations Organizations.
6. The rule determined by item 5 of this Article is not applied to the unused stock of the hazardous chemical substance that shall be eliminated in accordance with the appropriate rule as well as to the substance produced for export or that one under processing.
7. After making the decision on prohibition of the hazardous chemical substance its use is prohibited except those events related to the necessary measures of their treatment, neutralization and disposal.
8. Limitation and prohibition may also concern:
  - a) production technology of the hazardous chemical substances;
  - b) the consumption sphere;
  - c) the rules and methods of consumption;
  - d) natural and legal persons producing, supplying and using the hazardous chemical substances regardless their property and organizational and legal kind;
  - e) the kinds of use;
  - f) substitution with comparatively safe substance;
9. Limitation or prohibition of the use of hazardous chemical substances is also allowed in availability of other grounds provided by the law of Georgia.
10. The rule and procedure of limitation or prohibition of use the hazardous chemical substances is determined by the Regulations on Rules of Limitation or Prohibition of Use of Hazardous Chemical Substances to be worked out and approved by the Ministry of Health of Georgia in co-ordination with the respective authorities.

## **CHAPTER XIII EXCHANGE OF INFORMATION ON HAZARDOUS CHEMICAL SUBSTANCES**

## **Article 38. Exchange of Information on Hazardous Chemical Substances**

1. Exchange of information on hazardous chemical substances takes place for co-ordination of its control.
2. Exchange of information takes place officially and unofficially.
3. Official exchange of information takes place through the official mechanism and procedure: a) between the countries concerned;  
b) between the government institutions;  
c) between enterprises, institutions and organizations;  
d) within the frame of financed projects.
4. Unofficial exchange of information takes place, if:  
a) one party asks the other one to render the assistance connected with the concrete matter;  
b) the both parties voluntarily agree to carry out the joint work;
5. Exchange of information in compliance with the procedure of preliminary substantiated consent takes place through the Ministry of Health of Georgia.
6. Exchange of information attributed to the commercial secrecy is prohibited.

## **CHAPTER XIV WITHDRAWAL FROM USE OF HAZARDOUS CHEMICAL SUBSTANCES**

### **Article 39. Withdrawal of Hazardous Chemical Substances from Use**

1. If there gathered the hazardous chemical substances worthless for use at the enterprise, the enterprise manager shall deliver them for treatment or neutralization for the further disposal of those substances.
2. The enterprise shall secure the withdrawal of the worthless hazardous chemical substances from use, its temporary storage, transportation, neutralization and disposal.
3. The enterprise shall formally inform the Ministry of Health of Georgia and respective authorities about the term of carrying out the said measures and works.
4. Neutralization and disposal of wastes of hazardous chemical substances take place in accordance with the rule established by the law of Georgia.

## **CHAPTER XV ADVERTISING RELATED TO HAZARDOUS CHEMICAL SUBSTANCES**

### **Article 40. Advertising Related to Hazardous Chemical Substances**

1. Advertising related to hazardous chemical substances shall base on me results of its research and technical information.
2. The following is prohibited:  
a) spreading improper advertising information about hazardous chemical substances;  
b) advertising of the hazardous chemical substances strictly limited or prohibited for use in the country.
3. The control of advertising related to the hazardous chemical substances is executed in accordance with the rule established by the law On Advertisement.

## **CHAPTER XVI MEASURES PREVENTING STATE OF EMERGENCY WITHIN USE OF HAZARDOUS CHEMICAL SUBSTANCES**

### **Article 41. Emergency Situation Preventive Measures During Use of Hazardous Chemical Substances**

1. For prevention of the state emergency within the use of a hazardous chemical substance enterprises are obliged to secure observance of the safety treatment requirements and technical safety rules provided by this law and other normative acts.
2. For the readiness of rendering the medical aid and protection of workers and population when liquidating the estimated results of accident and state of emergency the managers of objects using the hazardous chemical substances determined by item 6 of Article 23 of this law shall work out:
  - a) the list of tentative accidents and states of emergency with the forecast of their results;
  - b) the plans of measures securing readiness to accidents and state of emergency and activity in it, including rendering the medical aid for workers and population and the criteria of decision-making;
  - c) the technologic scheme and matters of safe withdrawal of use and placing of hazardous chemical substances;
  - d) they shall stop the processes of use of hazardous chemical substances in case of the expected danger of human health and environment.
3. There are created the emergency rescue groups from the workers on the places.
4. The enterprise shall be supplied with the operation communication facilities.

### **Article 42. Action Plan During the Emergency Situation**

1. The managers of all enterprises determined by item 3 of Article 23 of this law shall work out the action plan during the emergency situation in co-ordination with the Ministries of Health, Environment, Internal Affairs and local self-government and administration bodies.
2. The action plan during the emergency situation is worked out with regards to the specifics and characters of those hazardous chemical substances that are used by the enterprise. The plan shall consider the priority of actions as well as:
  - a) the operative warning of emergency service, local self-government and administration bodies and population about the emergency situation;
  - b) the list of persons responsible for liquidation of the accident, their functions and addresses;
  - c) the list of the required forces and means for liquidation of the state of emergency;
  - d) the priority and nature of actions of the own emergency service;
  - e) the list of those institutions which may be engaged in liquidation of the emergency situation, their tasks, functions, conditions of mobilization of communication and transport organizations.

### **Article 43. Emergency Service**

1. For prevention and liquidation of the accident and state of emergency there are created the special emergency services at enterprises determined by item 6 of Article 23 of this law, for arrangement and execution of works.
2. The enterprise manager heads the emergency service.
3. The functions of emergency service are:
  - a) forecasting the state of emergency;

- b) taking part in elaboration of safety measures for the production process connected with the hazardous chemical substance on various sites of enterprise;
- c) forecasting the risk cases as a result of getting out of order of production processes, equipment, and facilities;
- d) securing knowledge of safety technique by the workers and their periodic control together with the enterprise safety service;
- e) arrangement and conducting training on the imitated accidents;
- f) providing the enterprise safety service with the special uniform, gas-masks, necessary technical and transport facilities with respect to the enterprise specifics;
- g) communication with the regional emergency service and the jointly action with it.

#### **Article 44. Spreading information about Accidents and State of Emergency in Use of a Hazardous chemical Substance**

If at the enterprise determined by item 6 of Article 23 of this law there occurs the accident in production, transportation, consumption, storage, neutralization, withdrawal from use or otherwise use, the local self-government and administration bodies shall provide the public and higher bodies of state authorities with the following information via mass media:

- a) on nature and scale of the accident;
- b) the character and the extent of the impact of substance used at the enterprise on the human health and environment;
- c) on the area where the effect of substance may be spread;
- d) on those measures to be carried out for mitigation the accident results,

#### **Article 45. Study of Casualties**

1. Individual or mass acute poisoning and casualties caused by the accidents within production, transportation, consumption, storage, withdrawal from use, rendering harmless and placing by hazardous chemical substances are subject to the obligatory study.
2. The study is carried out in time and full amount for establishment of the causes and elaboration of complex measures for prevention of repeated cases.
3. Study and registration of casualties takes place in accordance with the role established by the law of Georgia.
4. The accidents and casualties shall be urgently informed to the to the neighboring countries of Georgia on territory of which the results of accidents and casualties may be spread.

### **CHAPTER XVII AVAILABILITY, PROVIDING OF INFORMATION ON HAZARDOUS CHEMICAL SUBSTANCE. LAB OR SKILLS. REGISTRATION OF HAZARDOUS CHEMICAL SUBSTANCES AT ENTERPRISE**

#### **Article 46. Availability of Information on hazardous Chemical Substance**

1. Managers and officials of enterprises using the hazardous chemical substance are entitled to obtain the complete information on the substance and safety measures till the beginning of its use. The responsibility for providing such information is borne by the enterprise managers.
2. Commencement of works is prohibited if such information is not available.

3. The supplier or producer shall provide the user of a hazardous chemical substance with the entire information in accordance with this law.

#### **Article 47. Providing Information of Hazardous Chemical Substance**

At the request of Ministry of Health of Georgia, respective and other authorities, as well as the public organizations concerned, the manager of enterprise using the hazardous chemical substance shall urgently provide them with the information on amount of the used substance and its harmful effect on the human health and environment as well as other information excepts the commercial secret.

#### **Article 48. Labor Skills**

1. Workers engaged in production and use of hazardous chemical substances are obliged to pass the special training in the labor protection, technical safety and industrial sanitary matters.
2. The level of skills of a worker shall be certified by a special document - the certificate.
3. The certificate is subject to periodical renewal.
4. Workers engaged in production and use of hazardous chemical substances shall pass the preliminary (till being taken on) and periodical medical examination in accordance with procedure established by the law of Georgia. They shall be explained of the harmfulness of occupation, provided with the additional length of leave, obligatory medical insurance, shortened working day and other privileges in accordance with the rule established by the law.

#### **Article 49. Registration of Hazardous Chemical Substances at Enterprise**

1. Enterprises manufacturing hazardous chemical substance, executing its transportation, storage, consumption, withdrawal from use, processing, treatment and disposal shall get the special substance registration book.
2. The following shall be registered in the book:
  - a) name, registration and identification number of the substance;
  - b) name of enterprise from where or where the substance was delivered;
  - c) term of delivery and giving of the substances;
  - d) gross and net weight of the substance;
  - e) the document under which the substance is delivered, disposed and given;
  - f) kind and quality of the substance after its delivery to the enterprise or its giving;
  - g) the results of control examination of quality of the produced substance or its products and material;
  - h) the results of lab testing carried out for the control of effect on the human health and environment;
  - i) the data on leaking, emission, discharge of the substance, any kind of revealed or registered hazard, accident and other negative result;
  - j) records on co-operation with the state and other organizations as related to the substances.
3. The special book for registration of hazardous chemical substance shall be available for any inspection.
4. The kind and content of entries in the book in the emergency cases (accident, emission, discharge, poisoning, trauma etc.) shall be used for analysis and report, or for response on the special request.
5. The authorized person appointed by the enterprise shall be responsible for the accuracy in keeping the book.

6. The form and keeping term of the special book of registration of hazardous chemical substances is worked out and approved by the Ministry of Health of Georgia.
7. Delivery and acceptance of hazardous chemical substance without the properly registered documents and records is prohibited.

## **CHAPTER XVIII RESPONSIBILITY FOR VIOLATION OF THIS LAW**

### **Article 50. Responsibility for Violation of This Law**

The responsibility for violation of this law is determined by the legislation of Georgia.

## **CHAPTER XIX TRANSITIONAL PROVISIONS**

### **Article 51. Normative Acts to Be Passed Following This Law**

1. To pass the following normative acts connected with this law till May 1, 1999:
  - a) Order of President of Georgia on Establishment of interdepartment Board for Regulation of Safe Use of Hazardous Chemical Substances;
  - b) Order of President of Georgia on Approval of Statute of interdepartment Board for Regulation of Safe Use of Hazardous Chemical Substances;
  - c) Order of Minister of Health of Georgia on Rule and Procedure of Official Expertise and Official Testing of Hazardous Chemical Substances,
  - d) Order of Chairman of State Department for Standardisation, Metrology and Certification of Georgia on Standards of Methods of Hazardous Chemical Substances Testing;
  - e) Joint Order of Ministries of Health and Agriculture and Food of Georgia on Keeping United State Register of Hazardous Chemical Substances and Rule of Their Registration;
  - f) Order of Minister of Health of Georgia on United State Register of Hazardous Chemical Substances;
  - g) Order of Minister of Agriculture and Food of Georgia on United State Register of Chemical Substances for Agricultural Purposes;
  - h) Order of Minister of Health of Georgia on Approval of Regulations on Classification of Hazardous Chemical Substances;
  - i) Order of Minister of Health of Georgia on Approval of Regulations on Informational Card of Safe Treatment with Hazardous Chemical Substances;
  - j) Joint Order of Ministers of Health and Agriculture and Food of Georgia on Approval of Regulations on Rule of Providing Confidential Information on Hazardous Chemical Substances;
  - k) Order of Chairman of State Department for Standardisation, Metrology and Certification of Georgia on State Standard of Packing Hazardous Chemical Substances;
  - l) Order of Minister of Health of Georgia on Approval of Regulations on Rule of Marking and Labelling of Hazardous Chemical Substances;
  - m) Order of Chairman of State Department for Standardisation, Metrology and Certification on State Standard of Marking and Labelling of Hazardous Chemical Substances;
  - n) Order of Chairman of State Department for Standardisation, Metrology and Certification on State Standard and Technical Conditions on New Hazardous Chemical Substances;
  - o) Order of Minister of Health of Georgia on Approval of Regulations on Rule of Import and Export of Hazardous Chemical Substances;



- p) Order of Minister of Health of Georgia On Sanitary Protection Area of Objects Producing Hazardous Chemical Substances;
  - q) Order of Chairman of State Department for Standardisation, Metrology and Certification on State Standard of Universal Warning Colours and Signs of Safe Work;
  - r) Order of Minister of Health of Georgia on Approval of Regulations on Rules of Limitation or Prohibition of Use of Hazardous Chemical Substances;
  - s) Joint Order of Ministers of Environment and Health of Georgia and Head of State Inspection for Technical Supervision of Georgia on Storage Facilities for Hazardous Chemical Substances;
  - t) Order of Minister of Urbanisation and Construction of Georgia on TypScal Designs of Warehouses for Hazardous Chemical Substances;
  - u) Order of Head of State Technical Supervision Inspection of Georgia *m* Approval of Instructions on Storage and Stocking of Hazardous Chemical Substances;
  - v) Order of Minister of Health of Georgia On Approval of Regulations On Methodical Recommendations State Sanitary Supervision of Labour Conditions of Those Persons Working with Hazardous Chemical Substances;
  - w) Joint Order of Ministers of Environment and Health of Georgia and the Head of State Technical Supervision Inspection of Georgia On Form of Sanitary Technical Certificate of Storage Facilities of Hazardous Chemical Substances and Rule of Its Issue;
  - x) Order of Head of State Technical Supervision Inspection of Georgia on State Technical Supervision over Equipment and Facilities in Process in Use of Hazardous Chemical Substances.
2. In accordance with Order No. 275 of the President of Georgia On Examination of Health State of Citizens for Some Occupations, Right of Activity or Permit of May 30, 1997 to determine:
- a) the list of those occupations, activity rights and permits of those occupations working with hazardous chemical substances that require examination of me state of health;
  - b) the rule of examination of the state of health for getting occupations, right of activity or permits of those persons working with hazardous chemical substances;
  - c) The list of those diseases, physical abnormalities and state of health that contradicts obtaining some occupations, rights of activity and permits;
  - d) the rules, amount and periodicity of examination of the state of health of those persons working with the hazardous chemical substances.

## **CHAPTER XX**

### **CONCLUSIVE PROVISIONS**

#### **Article 52. Effective Date**

The effective date of this law is May 1, 1999.

President of Georgia  
Eduard Shevardnadze  
(signed & sealed)

Tbilisi  
June 12, 1998 No. 1420-IIs