

TOXIC CHEMICALS REGULATIONS, 2007

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LEGAL NOTICE NO. 153

REPUBLIC OF TRINIDAD AND TOBAGO

THE PESTICIDES AND TOXIC CHEMICALS ACT, 1979

REGULATIONS

MADE BY THE MINISTER UNDER SECTION 12 OF THE PESTICIDES AND
TOXIC CHEMICALS ACT

THE TOXIC CHEMICALS REGULATIONS, 2007

PART I

PRELIMINARY

1. These Regulations may be cited as the Toxic Chemicals Regulations, 2007. Citation

2. In these Regulations—

Interpretation

“Board” means the Pesticides and Toxic Chemicals Control Board established under the Act;

“controlled chemical” means a substance listed in Schedule I; Schedule I

“highly toxic chemical” means a substance listed in Schedule II which is characterized by a high risk of carcinogenic or teratogenic effects; Schedule II

“manufacture” includes preparing, synthesizing, reacting, mixing, diluting or formulating in relation to the use, production or packaging of a toxic chemical;

“manufacturer” means a person who manufactures a toxic chemical for his own use or for sale;

“package” means any movable container used to transport, store, sell by wholesale or retail or to dispense a toxic chemical;

“pipeline” means any pipe, tube or conduit which contains a toxic chemical;

“Registrar” means the Registrar of Pesticides and Toxic Chemicals Control referred to in the Pesticides and Toxic Chemicals Act; Act No. 42 of 1979

“storage container” means any fixed tank, reservoir, reactor, receptacle or other fixed container used in connection with a toxic chemical;

“toxic chemical” means any chemical, other than a pesticide, antiseptic, disinfectant, drug or preservative, which through its chemical action on life processes can cause death, temporary incapacitation or permanent harm to humans or animals, and includes all such chemicals irrespective of their origin or method of production or use;

“toxic industrial chemical” means a substance listed in Schedule II whose toxicity is higher than that of highly toxic chemicals for which there is less carcinogenic or teratogenic risk; and

“workplace” includes a factory, warehouse, shop, farm, laboratory or educational establishment.

PART II

GENERAL

Prohibition of import, export, manufacture, use, etc. 3. No person shall import, export, manufacture, store, transport, label, sell, distribute or otherwise dispose of any toxic chemical except in accordance with the Act or these Regulations.

Registered toxic chemicals Schedules I, II, III, IV and VII 4. (1) The Toxic Chemicals listed in Schedules I, II, III, IV and VII are deemed to be registered for the purpose of the Act.
(2) The Minister may by Order amend Schedules I, II, III, IV and VII.

PART III

REGISTRATION OF NEW CHEMICALS

Requirement for registration of toxic chemicals 5. A person who wishes to import or manufacture a toxic chemical not listed in Schedules I through IV and Schedule VII shall apply to the Board for the registration of that toxic chemical.

Application for registration of new toxic chemical 6. An application for the registration of a toxic chemical shall be addressed to the Board and submitted in duplicate to the Registrar by the manufacturer or his agent.

Form of application Schedule V Form A 7. (1) An application under regulation 6 shall—
(a) be made in the form set out as Form A of Schedule V;
(b) contain the following information:
(i) the existing or proposed trade name of the toxic chemical;
(ii) the common names and chemical names of the toxic chemical;
(iii) the names and addresses of the manufacturer, agent and importer;
(iv) information of the stability in storage of the toxic chemical;
(v) the recommended conditions of storage and form of package;
(vi) information on the oral, dermal and inhalation toxicity of the toxic chemical and any active ingredient present therein;

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- (vii) information on hazards to persons using or handling the toxic chemical and precautions, equipment, protective clothing and facilities recommended to prevent the exposure of those person to those hazards and information on measures to guard against flammable toxic chemicals;
 - (viii) a statement indicating the physical form of the toxic chemical and information relative to each physical form;
 - (ix) full details of first aid and medical treatment which may be effectively used in cases of suspected poisoning by the toxic chemical;
 - (x) a copy or a draft of the labels and any accompanying instructions which are to be used in connection with the toxic chemicals;
 - (xi) information on hazards which the toxic chemical may pose to domestic animals, bees, fishes, birds and other wildlife and adverse effects on soil, air and water;
 - (xii) information on methods of safe disposal of waste toxic chemicals and any containers in which the toxic chemical was stored;
 - (xiii) information on decontamination of spillages;
 - (xiv) a certified copy of the certificate of registration or any similar document issued in the country of origin of the toxic chemical by a competent authority acceptable to the Board, and certified copies of the labels and accompanying instructions used in that country together with certified English translations, where necessary, and if the toxic chemical is not sold in that country, the reason for it not being sold there shall be stated; and
 - (xv) such other particulars as the Board may require; and
- (c) be accompanied by a non-refundable application fee of seven hundred and fifty dollars.
- (2) Every application shall be treated as confidential by the Board and shall be considered by the Board within one hundred and twenty days of its receipt by the Registrar.
- (3) Where an applicant supplies a certified copy of a Certificate of Registration or any similar document issued by a competent authority of another country, the Board may, if the application is accompanied by a copy of the conditions imposed on the sale or use of the toxic chemical in that country, dispense with any or all other particulars required to be submitted under subregulation (1).

(4) Where an application is not accompanied by all the particulars required to be submitted by this regulation, the Board may give the applicant such time as it considers necessary to satisfy the requirements of this regulation.

Registration
of toxic
chemical

8. (1) The Board shall, before granting approval for the registration of a toxic chemical, consider all information made available to it and, where the Board is satisfied that the use of the toxic chemical is justified, approval shall be granted.

(2) Where the Board grants approval for the registration of a toxic chemical, the Registrar shall assign a registration number for use in connection with the toxic chemical.

(3) Where a toxic chemical is registered under subregulation (2), the Registrar shall issue to the applicant a Certificate of Registration of the toxic chemical.

(4) The registration of a toxic chemical shall be subject to such conditions as the Board considers necessary for the protection of human, animal and plant life and any other conditions the Board may consider appropriate.

Form B

(5) A Toxic Chemical Registration Certificate shall be in the form set out as Form B of Schedule V.

(6) A duly authenticated certificate of the Board is conclusive evidence of registration of a toxic chemical.

Refusal to
grant
approval for
registration

9. (1) The Board may refuse to grant approval for the registration of a toxic chemical where in its opinion—

- (a) the application is not accompanied by all the particulars or samples required to be submitted under regulation 7;
- (b) the application contains information that is misleading, false, deceptive or likely to deceive or create an erroneous impression on the Board;
- (c) the person applying for the registration has failed to comply with the conditions subject to which any toxic chemical is registered;
- (d) the toxic chemical is not shown to be safe or efficacious when used as recommended;
- (e) the use of the toxic chemical is likely to constitute a hazard to public health, domestic animals, bees, fishes, birds or other wildlife or produce adverse effects to soil, air and water; or
- (f) the toxic chemical, or any residue thereof, is so persistent that it may result in a long-lasting pollution of the water or land on which it is used.

(2) Where the Board decides not to grant approval for the registration of a toxic chemical it shall as soon as practicable thereafter, notify the applicant of its decision and the reasons therefor.

10. (1) Where the Board refuses to grant approval for the registration of a toxic chemical or where it cancels the registration of a toxic chemical, the applicant or the person to whom the certificate of registration was issued, as the case may be, shall, whether he has appealed or not against the decision of the Board, collect all packages of the toxic chemical, whether on sale or in storage, into such a place as the Board may direct, and shall keep it there until the Board decides the manner of its disposal.

(2) Where the Board cancels the registration of a toxic chemical the Board shall, by Notice published in the *Gazette* and at least one daily newspaper, inform the public of the cancellation of registration.

11. A certificate of registration shall be signed by the Registrar or the Chairman of the Board and shall state—

- (a) the trade name of the toxic chemical and the physical form in which it may be manufactured, imported, stored, sold or used;
- (b) the common name of the active ingredients in the toxic chemical and the percentage of each;
- (c) the registration number;
- (d) the conditions subject to which the registration is granted and the hazard class of the formulation; and
- (e) any other information which the Board considers necessary.

12. The registration of a toxic chemical shall remain valid notwithstanding a change in any or all of the following:

- (a) the trade name of the toxic chemical;
- (b) the names and addresses of the manufacturer and his agent, if the change is notified to the Registrar within one month thereof; and
- (c) a defect in the certificate other than a defect in the signature on the certificate.

13. (1) The Board may, at any time, review a toxic chemical which has been registered under this Act where evidence suggests that the chemical nature of the product requires such review.

(2) Where the Board is satisfied under subregulation (1) that—

- (a) the use of a toxic chemical is likely to endanger public health or to be dangerous to domestic animals, bees, fishes, birds, or other wildlife or produce adverse effects to soil, air and water;

(b) information which was misleading, false, deceptive or likely to deceive or create an erroneous impression on the Board was submitted in support of an application for registration and on the basis of which the toxic chemical was registered; or

(c) the toxic chemical is significantly less efficacious than was made to appear in the application,

it may amend the conditions subject to which the toxic chemical was registered or cancel the registration and the certificate of registration.

(3) Where there has been a breach of any condition subject to which a toxic chemical was registered, the Board may cancel the registration and the certificate of registration.

(4) Where the Board amends the conditions subject to which a toxic chemical was registered or it cancels the registration of a toxic chemical, it shall as soon as practicable thereafter, notify in writing, the person to whom the Certificate of Registration was issued and the notice shall state the reasons for amending the conditions or cancelling the registration, as the case may be.

(5) Prior to the cancellation of registration under this regulation, the Board shall notify the initial applicant of such cancellation and publish a Notification of such cancellation in the *Gazette* and in at least one newspaper in daily circulation in Trinidad and Tobago.

(6) Upon receipt of the notice referred to in subregulation (4), the person to whom the Certificate of Registration was issued shall, within thirty days, return the certificate to the Board for amendment or cancellation, as the case may be.

Research
permit and
general
research
permit

14. (1) The Board may grant a research permit to any competent person authorizing him to manufacture, import, use, store and transport a registered toxic chemical in a manner not provided for in the Certificate of Registration, or an unregistered toxic chemical, solely for research purposes.

(2) An application for a research permit and a general research permit shall be—

Form C

(a) made in the Form set out as Form C in Schedule V;

(b) addressed to the Board and submitted through the Registrar; and

(c) accompanied by non-refundable fee of seven hundred and fifty dollars.

(3) A research permit shall be subject to such conditions as the Board considers necessary for the protection of public health, domestic animals, bees, fishes, birds, other wildlife and the environment and shall, subject to subregulation (4), be valid for such period as the Board shall specify therein.

- (4) A research permit may be—
- (a) renewed from time to time subject to any condition the Board considers necessary to impose; and
 - (b) be amended or cancelled at any time.
- (5) The Board may, before granting a research permit under subregulation (1), request—
- (a) satisfactory evidence of the competence of the person proposing to do the research;
 - (b) satisfactory evidence of the research facilities available to him;
 - (c) a dossier upon completion of the research;
 - (d) information regarding the uses to which the toxic chemical may be put; and
 - (e) any other information it considers necessary.
- (6) A research permit shall be in the form set out as Form D in Form D Schedule V.

15. (1) The Board may grant a general research permit to a General research permit government department, or to any other department, institution or organization authorizing it to manufacture, import, use, store or transport a registered toxic chemical in a manner not provided for in the Certificate of Registration, or for an unregistered toxic chemical, solely for research purposes, if it is satisfied that the government department or that other department, institution or organization is capable of—

- (a) observing the conditions subject to which the general research permit may be issued; and
- (b) controlling the use, storage and disposal of the toxic chemical.

(2) The provisions of subregulations (3) and (4) of regulation 14 apply to a general research permit issued under subregulation (1).

16. The Board may—

- (a) refuse to issue a research permit to any person or a Discretion of Board to refuse to grant permit general research permit to a government department or any other department, institution or organization on the grounds of non-compliance with any condition of a research permit or a general research permit, which was previously issued to that person, government department, or other department, institution or organization;

- (b) cancel or amend a research permit or a general research permit if it is satisfied that any information given to the Board was misleading, false, deceptive or likely to create an erroneous impression on the Board;
- (c) refuse to issue a research permit or a general research permit, if, in its opinion, the use of the toxic chemical is likely to constitute a hazard to public health, domestic animals, bees, fishes, birds and other wildlife, and to produce adverse effects to soil, air and water.

PART IV

REGISTRATION OF PREMISES FOR STORAGE OF TOXIC CHEMICALS
FOR THE PURPOSE OF SALE, PACKAGING OR MANUFACTURING

Requirement
for premises
to be
registered

17. (1) No person may store for the purpose of—

- (a) sale by wholesale;
- (b) packaging; or
- (c) manufacturing,

toxic chemicals in marketable quantities except in premises registered by the Board for the storage of toxic chemicals.

(2) The owner or occupier of any premises who desires to store marketable quantities of toxic chemicals on that premises for the purpose of sale, packaging or manufacturing shall before doing so, apply to the Board for the premises to be registered.

Form E

(3) An application under subregulation (2) shall be made in the form set out as Form E of Schedule V.

(4) An application under this regulation shall be accompanied by a non-refundable fee of three hundred dollars and shall include—

- (a) the name and address of the applicant;
- (b) the type of toxic chemicals which will be manufactured, stored or sold at the premises; and
- (c) the number of persons to be employed at the premises, their names and where applicable, their qualifications.

(5) The owner or occupier of premises used for the storage of marketable quantities of toxic chemicals for the purpose of sale, packaging or manufacturing before the commencement of these Regulations, may apply to the Registrar for the premises to be registered within one hundred and twenty days in the manner prescribed.

18. (1) Where an application for the registration of premises has been made, the Registrar shall arrange for an inspection of the premises by an inspector, an analyst, a medical examiner or a member of the Board who shall prepare a report to be submitted to the Board as early as possible. ^{Inspection of Premises}

(2) Upon consideration of a report submitted under subregulation (1), if in the opinion of the Board, the premises, facilities or staffing need to be altered to comply with the requirements of these Regulations, the Registrar shall issue a notice to the owner or occupier specifying the alterations to be made, and shall withhold the registration of the premises until the alterations are satisfactorily completed.

19. (1) Where the Board is satisfied that the premises in relation to an application made under this regulation is suitable to be used for the storage of marketable quantities of toxic chemicals for the purpose of sale, packaging or manufacturing and meet the requirements of these regulations, it may register the premises for such purpose and issue a Toxic Chemical (Premises) Registration Certificate for a period of three years and attach such condition to the registration of the premises as it deems necessary.

(2) A Toxic Chemical (Premises) Registration Certificate issued under subregulation (1) shall be in the form set out as Form F of Schedule V.

20. Where the owner or occupier of premises registered under the Act has been convicted of an offence under the Act or these Regulations, the Board may direct the Registrar to cancel or vary any Toxic Chemical (Premises) Registration Certificate issued in respect of those premises.

21. Notice of cancellation or variation of a Toxic Chemical (Premises) Registration Certificate shall be sent to the owner or occupier of the premises and such cancellation or variation shall have effect on his receipt of the notice.

PART V

REQUIREMENTS FOR PREMISES REGISTERED FOR THE STORAGE OF MARKETABLE QUANTITIES OF TOXIC CHEMICALS FOR THE PURPOSE OF SALE, PACKAGING OR MANUFACTURING

22. Premises referred to in Part IV which are registered for the storage of marketable quantities of toxic chemicals for the purpose of sale, packaging or manufacturing, shall be constructed in accordance with the requirements of regulations 23 to 28.

23. Premises shall be constructed as follows:

- (a) the site shall not be such as to cause or allow entry to runoff and liquid effluent into adjoining or adjacent property;

Schedule VI

- (b) facilities for run-off from the premises, especially from the storage areas, shall be constructed so as to avoid contamination of public waterways, and such run-offs shall not enter septic tanks;
- (c) areas and sections of the premises used for the storage or the exposure for sale of toxic chemicals shall be clearly defined and shall be separated from other areas and sections of the premises which shall be identifiable by permanent signs, and the appropriate warning marks contained in Schedule VI fixed above their entrances;
- (d) buildings shall be of sound materials and shall be constructed in such a way as to minimize contamination of adjacent premises;
- (e) floors shall be capable of being easily cleaned;
- (f) the sales area shall be separated from areas used for mixing, formulating or repackaging toxic chemicals so as to minimize the movement of toxic chemicals, dust or vapours into the sales area where customers have access;
- (g) natural or artificial lighting shall be adequate to ensure easy reading of labels and instructions and for identification of materials;
- (h) electrical wiring shall comply with the National Wiring Code of Trinidad and Tobago;
- (i) filament lamps shall be placed or guarded so as to prevent ignition of any flammable materials, and any guard or shade used for this purpose shall be suitable to withstand the heat from the lamp;
- (j) switchgear, switches and power points (such as socket outlets) shall be approved for use in hazardous situations and shall not be placed where flammable dusts and vapours accumulate;
- (k) an adequate supply of water shall be readily available on the premises at all times for the purpose of washing of the body and washing away spillages into sumps; and
- (l) eye fountains with a regular supply of clear water shall be available at all times.

Disposal of
waste

24. (1) Waste materials containing toxic chemicals shall be destroyed or disposed of by a method specified by the Registrar so as to prevent any risk to the public or the environment.

(2) Facilities for the disposal of empty packages and containers and spilled or waste toxic chemicals shall be such as to avoid contamination of the environment.

(3) Covered dustbins and other receptacles for waste and spillage shall be made of materials able to resist corrosion by toxic chemical waste and shall be made sufficiently secure to discourage the

removal of waste material by unauthorized persons and to prevent spillage of toxic chemicals.

25. (1) First Aid facilities shall be readily available on the premises ^{First Aid} to assist in countering the adverse effects of toxic chemicals in intimate contact with humans through cuts, wounds, eyes, nostrils and otherwise.

(2) Advice on antidotes and instructions will be provided to the owner or occupier by the Minister responsible for health.

26. (1) The storage areas and shelf areas for packages of toxic ^{Storage and} chemicals to be sold shall be effectively and conspicuously separated ^{storage areas} from the storage areas and shelf areas used for all foods or animal feeds, pharmaceuticals, cosmetics and non-pharmaceuticals intended for use by humans.

(2) Toxic chemicals referred to in Schedule I, II, III, IV, or VII shall be securely stored by the importer, exporter, manufacturer or user and all quantities received or removed from stores shall be recorded and signed for by the person responsible for the keeping of the stores.

(3) Access to the stores referred to in subregulation (2) shall be limited to authorized persons who are aware of the hazards of the toxic chemicals and who have been trained in the appropriate safety procedures needed to handle the toxic chemicals.

(4) The premises in which toxic chemicals are stored shall, in addition to conforming with other written laws relating to land development, be designed to resist high winds, floods and unauthorized access.

27. (1) The Registrar may issue directions requiring the ^{Directions on} manufacturer, his agent or the person in charge of a workplace to take ^{use handling} the following precautions for the use of, handling or storing a toxic ^{and storage} chemical:

- (a) display appropriate warning signs with information about the precautions and methods of handling and use to be observed in connection with the toxic chemical;
- (b) provide suitable protective clothing and equipment for the use of workers engaged in the use, handling or storage of the toxic chemical;
- (c) advise in writing, of the manner of use, handling or storage of the toxic chemical so as to prevent any hazard to the health of workers, the public, or the environment;
- (d) provide such equipment as is necessary to contain, neutralize and remove any toxic chemical that is accidentally spilt, discharged or allowed to escape;
- (e) advise in writing, of the manner in which wastes, used storage containers or packages, damaged machines or apparatus are to be disposed of;

- (f) report to the Registrar at intervals set by the Registrar, the quantity of the toxic chemicals listed in Schedule I, II, III, IV or VII that is stored on the premises;
- (g) inform the Commissioner of Police, the Chief Fire Officer, the Director of disaster preparedness in the Office of the Prime Minister and the Ministry with responsibility for health, that a toxic chemical referred to in Schedule I, II, III, IV or VII is used, handled or stored on the premises and indicate the parts of the premises where it is stored or used; or
- (h) request the employer to arrange annual medical examination of workers in the workplace with the appropriate investigation.

(2) Notwithstanding subregulation (1), the Registrar may issue general directions to manufacturers, wholesalers, retailers and users of toxic chemicals referred to in Schedule I, II, III, IV or VII concerning the precautions to be taken when such toxic chemical is used, handled or stored in the workplace.

Variation of directions

28. Where directions have been issued by the Registrar under regulation 27, they may be varied according to the particular conditions and circumstances of the workplace and the use or methods of handling or storage employed therein.

PART VI

MANUFACTURE OF TOXIC CHEMICALS

Approval required to manufacture or use a toxic chemical
Form G

29. (1) A person who intends to manufacture a toxic chemical, or to use a toxic chemical as an input, ingredient or part of a manufacturing process of another chemical, shall apply to the Registrar for his prior approval to do so in the form set out as Form G of Schedule V.

(2) A person who applies for approval under subregulation (1) shall pay the application fee of \$750.00 and provide the Registrar with the following information:

- (a) address of the premises where manufacture or use as a part of a manufacturing process is intended;
- (b) manufacturing processes to be applied;
- (c) chemical name, common name and formula of the toxic chemical to be manufactured or to be used as a part of a manufacturing process;
- (d) trade name or brand under which sale of the toxic chemical is proposed;
- (e) type of packaging and labelling to be used;
- (f) precautions to be used to protect workers, the public and the environment against toxic effects;

- (g) hazards associated with toxic chemicals and the precautions to be taken;
- (h) methods of analysis of toxic chemicals and their detection in air, soil, water or biological materials; and
- (i) methods proposed to be used for the disposal of wastes, effluents or materials which may be contaminated by toxic chemicals.

30. The Registrar may require a manufacturer to provide any Determination of hazard additional information which may assist in determining the hazard that may be caused to man or animal or to the environment if a toxic chemical is used as a part of a manufacturing process, manufactured, or transported in Trinidad and Tobago.

31. (1) Subject to subregulation (2), the Registrar shall consider the Decision of Registrar information provided under regulations 29 and 30 and may—

- (a) approve the manufacture of the toxic chemical as proposed;
- (b) approve the use of the toxic chemical in the manufacturing process of another toxic chemical;
- (c) approve the manufacture of the toxic chemical subject to conditions additional to, or different from those proposed; or
- (d) reject the application.

(2) Where an application for approval to manufacture or use a toxic chemical as a part of a manufacturing process is made under regulation 29, the Registrar shall approve the application where he is satisfied that the manufacturer is capable of complying with the requirements or conditions which will reasonably ensure that the toxic chemical will not cause harm to humans, animals or to the environment.

(3) Where the Registrar rejects an application he shall provide the applicant with the reasons in writing, for so doing.

32. Regulation 31 shall not apply to a laboratory operated by an Additional directions for safety institution recognized by the Registrar as a *bona fide* institution for education purposes or established for carrying out research or testing on toxic chemicals, but such institution shall be subject to any directions that the Registrar may issue on safety and other measures to be adopted in the course of its activities.

33. (1) The Registrar shall grant approval to the applicant under regulation 31, in the form set out as Form H of Schedule V. Form of approval Form H

(2) An approval under subregulation (1) may contain conditions to be observed by the manufacturer that are peculiar to the particular toxic chemical.

Revocation of approval 34. Where approval has been granted by the Registrar under regulation 31, and the Registrar subsequently receives information that the toxic chemical for which approval was granted has a particular hazard that was not known at the time approval was given, the Registrar may amend or revoke the approval.

PART VII

IMPORT OF TOXIC CHEMICALS

Import of toxic chemical 35. (1) No person shall import a toxic chemical listed in Schedules I, II, III, IV or VII unless he holds a licence and where applicable, a permit to so import issued under these Regulations.

Form I (2) Subject to subregulation (6) where a person wishes to import a toxic chemical referred to in Schedules I, II, III, IV or VII, he shall apply to the Board, in the form set out as Form I of Schedule V, for a licence to import the toxic chemical.

(3) An application under subregulation (2) shall contain—

- (a) the name, place of business and the nature of business of the applicant;
- (b) the name and address of the manufacturer;
- (c) the trade name of the toxic chemical;
- (d) the quantity of the toxic chemical which is to be imported during the life of the licence; and
- (e) such other particulars as the Board may require.

(4) An application under this regulation shall be accompanied by a non-refundable application fee of two hundred dollars.

(5) Where the Board is satisfied that an applicant under subregulation (2) meets the requirements of the Act and these Regulations, it may grant an import licence to the applicant for the importation of the toxic chemical and attach such conditions to the licence as it considers necessary.

(6) The Board may on application by an importer, allow any toxic chemical listed in Schedule VII to be imported into Trinidad and Tobago in such quantity as determined by the Registrar.

(7) The Registrar in determining the quantity of a toxic chemical under subregulation (6) that may be imported in any given year shall refer to the amount that the applicant uses or sells in any given year.

(8) Where the amount of the quota on a licence is expended the quota may be increased on application to the Board.

(9) An import licence granted under this regulation shall be in the form set out as Form J of Schedule V.

Form J

(10) A licence shall be signed by the Registrar or the Chairman of the Board and shall state—

- (a) the trade name of the toxic chemical and the physical form in which it may be imported, stored, sold or used;
- (b) the conditions subject to which the licence is granted;
- (c) the quantity of the toxic chemical which is to be imported during the life of the licence; and
- (d) such other requirement and information as the Board considers necessary.

(11) Subregulation (10) does not preclude the Registrar from requiring of an importer any other information relevant to the importation or distribution of a toxic chemical referred to in Schedules I, II, III or IV.

(12) The Registrar shall not grant approval to import a toxic chemical referred to in subregulation (1), unless satisfactory details are provided by the importer.

(13) Where the Board decides not to grant or renew a licence to import a toxic chemical, it shall as soon as practicable thereafter, inform the applicant of its decision and the reasons thereof.

36. (1) Subject to subregulation (2), a licence to import a toxic chemical—

Validity of
licence

- (a) listed under Schedules I, II, III or IV shall be valid for a period of three years or for such lesser period as the Board may determine;
- (b) listed under Schedule VII shall be valid for a period of one year,

and may be renewed from time to time on such conditions as the Board considers necessary.

(2) A licence to import a toxic chemical shall remain valid notwithstanding a change in any or all of the following:

- (a) the trade name of the toxic chemical; and
- (b) the name and address of the importer or the manufacturer,

if the change is notified to the Registrar within one month thereof.

Application for permit to draw down on import licence 37. (1) Prior to the importation of a toxic chemical under Schedule VII for which a licence is granted under regulation 35, the importer shall provide the Registrar with—

- (a) all information required by regulation 29(2)(a), (b), (c), (d), (f), (g) and (i);
- (b) information as to the means of transport to be used;
- (c) the estimated date of arrival of the toxic chemical; and
- (d) such other information as the Registrar may require.

Form K (2) Notwithstanding the issuance of a licence under section 35, where a person wishes to draw down from the total quantity approved on an import licence for the purpose of a particular entry, he shall apply to the Board for a permit to import the draw down, in the form set out as Form K of Schedule V.

Import licence to be entered in Register of Licences 38. Where the Board grants a licence to import a toxic chemical, the Registrar shall enter particulars of the licence in the Register of Licences.

Importer to keep records 39. The holder of a licence to import a toxic chemical shall keep records showing—

- (a) the quantity of the toxic chemical he has imported;
- (b) the date of importation of the toxic chemical;
- (c) the name and address of the manufacturer of the toxic chemical; and
- (d) such other information as the Board may require.

Cancellation of import licence 40. (1) Subject to subregulation (2), the Board may cancel a licence to import a toxic chemical—

- (a) upon breach of a condition subject to which the import licence was granted;
- (b) where the holder of the import licence contravenes any provision of the Act or the regulations;
- (c) where the Board is satisfied that information which was misleading, false or deceptive or likely to deceive or create an erroneous impression on the Board was submitted in support of the import licence and on the basis of which the import licence was granted or renewed;
- (d) upon failure of the importer to keep up-to-date import records in accordance with regulation 39;

- (e) where the licensee has been convicted of an offence in any country relating to the manufacture of—
 - (i) illicit drugs; or
 - (ii) chemical weapons; and
- (f) for any other reason where the Board thinks it proper to do so.

(2) Where the Board cancels a licence, it shall as soon as practicable thereafter, notify in writing the person to whom the licence was granted and such notice shall state the reason for the cancellation.

41. A person who imports a toxic chemical into Trinidad and Tobago by a freight container shall do so only by means of a freight container that is designed, constructed, tested, and used in accordance with—

- (a) International Standards;
- (b) the rules of the International Maritime Organisation;
- (c) the rules of the International Civil Aviation Organisation; or
- (d) regulations or standards of the country of origin; and
- (e) relevant standards of the Trinidad and Tobago Bureau of Standards.

(2) The importer of a toxic chemical under this regulation shall, as soon as he knows that the toxic chemical is ready for removal from the freight container, give due notice to the Inspector, who shall as soon as possible thereafter, examine the said container to determine whether it is contaminated.

(3) Where a freight container is found to be contaminated with a toxic chemical it shall be cleaned and decontaminated by the agent or importer to the satisfaction of the inspector who, upon being satisfied that the container has been decontaminated, shall issue to the importer or his agent a certificate of decontamination in the manner set out as on Form L of Schedule V.

Form L

(4) A person who does not comply with the requirements of subregulation (1), shall not be allowed to remove the toxic chemical from the container.

42. (1) Shipments of toxic chemicals imported into Trinidad and Tobago shall be accompanied by documents printed in the English language clearly stating—

- (a) the common name of the active ingredient of the toxic chemicals;
- (b) the percentage of the active ingredient;
- (c) the hazard class of the toxic chemicals formulation;

- (d) any other hazard associated with the cargo; and
- (e) remedial action to be taken in case of emergency.

(2) The documents referred to in subregulation (1) shall be delivered by the importer to the Port Authority or Airports Authority through which the cargo or shipment of toxic chemicals passes at least forty-eight hours before its arrival so that the relevant Authority may ensure that safe and appropriate methods of handling, transport and storage are being used.

PART VIII

EXPORT OF TOXIC CHEMICALS

Export of toxic chemicals
Form M

43. (1) A person who proposes to export a toxic chemical referred to in Schedules I, II, III, IV or VII shall apply to the Board in the form set out as Form M of Schedule V for a licence to export each shipment of the toxic chemical.

- (2) An application under subregulation (1) shall contain—
 - (a) the name, place of business and the nature of business of the applicant;
 - (b) the name and address of the manufacturer;
 - (c) the trade name of the toxic chemical; and
 - (d) such other particulars as the Board may require.

(3) Where the Board is satisfied that the exporter meets the requirement of the Act and these Regulations it may grant the exporter a licence to export the toxic chemical.

(4) A licence for the export of a toxic chemical shall be in the form set out as Form J of Schedule V and shall be accompanied by a non-refundable application fee of two hundred dollars.

(5) Before exporting a chemical for which a licence is granted under subregulation (1), the exporter shall provide to the Registrar—

- (a) information as to the means of transport to be used;
- (b) the estimated date of export of the toxic chemical;
- (c) the name of the importing country; and
- (d) such other information as may be required by the Registrar.

(6) The Board shall not grant approval to export a toxic chemical referred to in subregulation (1), unless satisfactory details are provided by the exporter.

(7) Where the Board decides not to grant or renew a licence to export a toxic chemical, it shall as soon as practicable thereafter, inform the applicant of its decision and the reasons thereof.

(8) Subregulation (6) does not preclude the Registrar from requiring of an exporter any other information relevant to the export of a toxic chemical referred to in Schedule I, II, III, IV or VII.

44. A licence to export a toxic chemical shall remain valid Validity of export licence notwithstanding a change in any or all of the following:

- (a) the trade name of the toxic chemical; and
 - (b) the name and address of the consignee or the manufacturer,
- if the change is notified to the Registrar within one month thereof.

45. The holder of a licence to export a toxic chemical shall keep Exporter to keep records records showing—

- (a) the quantity of the toxic chemical he has exported;
- (b) the date of export of the toxic chemical;
- (c) the name and address of the manufacturer of the toxic chemical;
- (d) the name of the consignee to whom the toxic chemical is to be exported; and
- (e) such other information as the Board may require.

46. (1) Subject to subregulation (2), the Board may cancel a licence Cancellation of export licence to export a toxic chemical—

- (a) upon breach of a condition subject to which the licence to export a toxic chemical was granted;
- (b) where the holder of the licence to export a toxic chemical contravenes any provision of the Act or the Regulations;
- (c) where the Board is satisfied that information which was misleading, false or deceptive or likely to deceive or create an erroneous impression on the Board was submitted in support of the licence to export a toxic chemical and on the basis of which the licence to export a toxic chemical was granted or renewed;
- (d) upon failure of the exporter to keep up-to-date export records in accordance with regulation 45;
- (e) where the licensee has been convicted of an offence in any country relating to the manufacture of—
 - (i) illicit drugs; or
 - (ii) chemical weapons; and
- (f) for any other reason where the Board thinks it proper to do so.

(2) Where the Board cancels a licence to export a toxic chemical it shall as soon as practicable thereafter, notify in writing the person to whom the licence was granted and such notice shall state the reason for the cancellation.

Applicability
of Part XII to
export

47. Part XII shall apply to all containers used for the export of toxic chemicals.

PART IX

APPEALS

Appeals

48. (1) Any person who is aggrieved by a decision of the Board may, at any time within 60 days of the decision, by notice in writing, appeal to the Minister against such decision.

(2) A notice under subregulation (1) shall state the grounds on which the appeal is based and shall be filed with the Registrar.

(3) Within 21 days of the receipt of the notice the Board shall send to the Minister the notice of appeal, the reasons for its decision and any other documents that the Minister may require.

Minister to
consult

49. (1) In reviewing a decision of the Board, the Minister may consult with any person he considers competent for the purpose.

(2) The Board shall regulate the procedure on appeal.

Mode of
disposing of
appeals

50. (1) The Minister may dispose of an appeal either by confirming or reversing the decision of the Board and by giving such directions as may be necessary for giving effect to his decision.

(2) Where the Board refuses to grant a licence under these Regulations or the Minister confirms such a decision of the Board, the appellant is not precluded from making a new application in respect of the same toxic chemical.

PART X

PACKAGING OF TOXIC CHEMICALS

Construction
of packages

51. Packages which are used for the import, export, transport, storage or sale of toxic chemicals shall be designed, constructed, tested and used in accordance with—

- (a) recommendations on the Transport of Dangerous Goods published by the United Nations;
- (b) International Standards;
- (c) rules of the International Maritime Organisation; or
- (d) rules of the International Civil Aviation Organisation; or
- (e) regulations or standards in foreign countries recognized as equivalent to or more stringent than the above; and
- (f) Trinidad and Tobago Standards.

52. (1) Packages other than shipping cartons and retail packages^{Labelling and marking of packages} which contain a toxic chemical shall be labelled with—

- (a) the common name in English of the active ingredient of the toxic chemical;
- (b) the concentration of the toxic chemicals;
- (c) the appropriate warning marks in accordance with Part XII;
- (d) a statement or warning mark that the package should not be stored or transported in close proximity to food, feeds, or any substance intended for consumption by humans or animals.

(2) Shipping cartons and retail packages containing prepackaged toxic chemicals for retail sale shall be labelled with—

- (a) the common name in English of the active ingredient of the toxic chemicals;
- (b) the concentration of the toxic chemicals;
- (c) the hazard class of the toxic chemicals or of the toxic chemicals formulation;
- (d) the appropriate warning marks in accordance with Part XII;
- (e) a statement that the carton should not be stored or transported in close proximity to food, feeds or any substance intended for consumption by humans or animals;
- (f) instructions for proper storage; and
- (g) any other information required by the Board.

PART XI

TRANSPORT OF TOXIC CHEMICALS

53. Where the Registrar approves the importation or exportation of^{Date of entry} a toxic chemical referred to in Schedule I, II, III, IV or VII the importer or exporter shall inform the authority controlling the port of entry that the shipment is expected to arrive or depart and shall provide the authority with a copy of the relevant approval granted under these Regulations.

54. Before removing the shipment of a toxic chemical referred to in^{Transport routes} Schedule I, II, III, IV or VII from a port, the importer, exporter, manufacturer or shipping agent shall inform—

- (a) the Transport Commissioner that the shipment will be removed, indicating the date and time during which public transport routes will be used; and

- (b) the Commissioner of Police, Chief Fire Officer, Director of disaster preparedness in the Office of the Prime Minister, and the Ministry with responsibility for health of—
- (i) the nature of the shipment;
 - (ii) the means and route of transport;
 - (iii) the place where it is destined to be stored, used or manufactured; and
 - (iv) the appropriate means for handling the material in case of accident or emergency,

who may give such directions in accordance with regulation 55, as they see fit.

Transportation
of toxic
chemicals

55. (1) Where toxic chemicals are transported in bulk, they shall be transported in packages or containers which are constructed, handled and labelled in accordance with the recommendations of the United Nations Economic and Social Council on the Transport of Dangerous Goods, the International Civil Aviation Organisation or the International Maritime Organisation.

(2) The owner of every vehicle used to transport toxic chemicals shall ensure that—

- (a) there is attached thereto prominent warning signs as required by Part XII indicating that the load which is carried is hazardous; and
- (b) the driver and operators of the vehicle understand the procedures to be used in emergencies or accidents, to minimize the risks from exposure to these chemicals.

(3) The Transport Commissioner or the Commissioner of Police may require that vehicles transporting toxic chemicals—

- (a) be escorted;
- (b) follow a specified route;
- (c) travel at a specified speed; or
- (d) travel during specified hours or days,

to minimize the risk of accident to the vehicle and hazards to the public.

PART XII

WARNING MARKS

Requirement
to have
warning
marks
Schedule VI

56. All containers used to hold toxic chemicals whether for the purpose of sale, storage, transport or manufacture shall have affixed to it the appropriate warning marks set out in Schedule VI.

Warning
marks for
transportation
and storage

57. (1) Every freight container and every bulk unit used for the transportation or storage of a toxic chemical shall be clearly marked with the warning marks in accordance with subregulation (2) and including marks indicating whether the toxic chemicals is a toxic hazard.

- (2) The warning marks used shall be in accordance with—
- (a) recommendations on the Transport of Dangerous Goods published by the United Nations;
 - (b) rules of the International Maritime Organisation for shipments by sea;
 - (c) rules of the International Civil Aviation Organisation for shipments by air;
 - (d) Appendix B of the Trinidad and Tobago Standard TTS 21 10 500 Part 8; or
 - (e) regulations or standards in foreign countries recognized as equivalent to or more stringent than the above,

and shall comply with such other written laws relating to transportation of dangerous materials.

PART XIII

MISCELLANEOUS

58. (1) Where an importer or manufacturer sells or distributes a toxic chemical, he shall record the quantity sold or distributed and inform the Registrar of the name and address of the place where the toxic chemical is to be stored, used or manufactured. Records of sale and distribution of toxic chemicals

(2) Records of transactions in toxic chemicals referred to in Schedule I, II, III, IV or VII shall be kept securely by the importer, exporter or manufacturer, for a period of not less than five years.

59. (1) Fees payable under these Regulations shall be paid to the Comptroller of Accounts or to any Revenue Officer and the receipt shall be submitted with the application. Fees

(2) The provisions of these Regulations requiring the payment of fees shall not apply to the State.

60. The Minister may amend the Schedules from time to time by Notice published in the *Gazette* and in at least two newspapers in daily circulation in Trinidad and Tobago. Amendment to Schedules

61. These Regulations shall come into effect on 1st September, 2007. Commencement

SCHEDULE I

(Regulations 2, 4, 5, 26, 27, 35, 36, 43, 53, 54 and 60)

TOXIC INDUSTRIAL CHEMICALS

1. Acetaldehyde
2. Acetates (ethyl, propyl, isopropyl, butyl and amyl)
3. Acrolein
4. Acrylamide
5. Acrylates (methyl, ethyl, butyl and isobutyl)
6. Acrylonitrile
7. Amines (diethylamine, isopropanolamine, triethylamine)
8. Ammonium chloride
9. Ammonium thioglycollate
10. Aniline
11. Benzyl alcohol
12. Butane
13. Butanols
14. Calcium carbide
15. Cadmium and its compounds
16. Carbon dioxide
17. Carbon disulphide
18. Carbon monoxide
19. Carbon tetrachloride
20. Chlorine
21. Chlorobenzene
22. Chloropicrin
23. Copper and its compounds
24. Cresol (cresylic acid)
25. Cyclohexane
26. Cyclohexanone
27. Cumene (isopropylbenzene)
28. Diacetone alcohol
29. Dichloro ethane
30. 1,1-Dichloro-1-fluoroethane
31. Dichloropropane
32. Dichloropropene
33. Diethyl phthalate
34. Dimethylamine solutions
35. Dioctyl phthalate
36. Diphenylmethane diisocyanate
37. Epichlorhydrin
38. Ethyl acetate
39. Ethyl benzene
40. Ethyl glycol
41. Ethylene dibromide
42. Ethylene dichloride
43. Ethylene glycol
44. Ethylene oxide
45. Fluorides
46. Formaldehyde
47. Formamide
48. Formic acid
49. Gasoline
50. Glycol ethers

51. Glycol ethers acetates
52. Heptane
53. Hexamethylene diisocyanate
54. Hexane
55. Hydrazine
56. Hydrogen peroxide (40% to 80%)
57. Hypochlorites (sodium and potassium)
58. Isobutyl alcohol
59. Isoprene (inhibited)
60. Isopropyl acetate
61. Isopropyl alcohol
62. Isopropyl benzene
63. Kerosene
64. Lead and its compounds
65. Maleic anhydride
66. Mercury and its compounds
67. Methacrylates
68. Methacrylic acid (inhibited)
69. Methanol
70. Methylisobutyl carbinol
71. Methylene chloride
72. Naphthalene
73. Naphthenic Acid and its salts
74. Nickel and its compounds
75. Nitric acid
76. N-Nitrosodiethanolamine
77. Pentachlorophenol and sodium pentachlorophenate
78. Pentane
79. Pentanols
80. Perchloroethylene
81. Petroleum ethers (spirit)
82. Petroleum jelly
83. Phenols
84. Phenylmercuric compounds
85. Phosphonic acid
86. Phosphoric acid
87. Picric acid
88. Propane
89. Propanols
90. Propylene glycol
91. Propylene oxide
92. Selenious acid, selenates and selenites
93. Sodium metabisulphite
94. Sodium nitrate
95. Sodium nitrite
96. Styrene
97. Sulphonic acid
98. Tetrachloroethylene
99. Tetrahydrofuran
100. Tin and its compounds
101. Toluene diisocyanate
102. Tributin oxide
103. Tricalcium phosphate
104. 1,1,1-Trichloroethane
105. Trichloroethylene

106. Triethanolamine
107. Trisodium phosphate
108. Turpentine
109. Urea
110. Vinyl acetate monomer
111. Vinyl chloride
112. White spirits
113. Xylenes
114. Zinc and its compounds

SCHEDULE II

(Regulations 2, 4, 5, 26, 27, 35, 36, 43, 53, 54 and 60)

CONTROLLED CHEMICALS

1. Acetic acid
2. Acetic anhydride
3. Acetone
4. N-acetylanthranilic acid and its salts and esters
5. Ammonia
6. Ammonium hydroxide
7. Ammonium nitrate
8. Anthranilic acid and its salts and esters
9. Benzaldehyde
10. Benzene
11. Benzyl chloride
12. Benzyl cyanide
13. Chloroform
14. Ethyl alcohol
15. Ethylamine and its salts
16. Ethyl ether
17. Hydroiodic acid
18. Hydrochloric acid
19. Iodine
20. Isosafrol
21. Methylamine and its salts
22. Methylene chloride
23. 3,4-Methylenedioxyphenyl-2-propanone
24. Methyl ethyl ketone (2-Butanone)
25. Methyl isobutyl ketone
26. Nitroethane
27. Phenylacetic acid and its salts and esters
28. Phenyl-2-propanone
29. Piperidine and its salts
30. Piperonal
31. Potassium carbonate
32. Potassium hydroxide
33. Potassium permanganate
34. Propionic anhydride
35. Radioactive substances of high activity or long half life
36. Safrole
37. Sodium carbonate
38. Sodium hydroxide
39. Sodium sulfate
40. Sulfuric acid
41. Toluene

SCHEDULE III

(Regulations 2, 4, 5, 26, 27, 36, 43, 53, 54 and 60)

HIGHLY TOXIC CHEMICALS

1. Arsenic and its compounds
2. Asbestos and related compounds
3. Benzidine
4. Benzoic acid, 3-amino-diazotized
5. Beryllium and its compounds
6. Bis (2-chloroisopropyl) ether
7. Bromine
8. Chromium and its compounds
9. Crocidolite
10. Cyanides
11. Dianisidine
12. Dimethyl sulphate
13. "Dioxin" (chlorinated dibenzodioxins, chlorinated dibenzofurans)
14. Fluorine
15. Hydrocyanic acid
16. Hydrofluoric acid
17. Hydrogen sulphide
18. Lead Arsenate
19. Methyl isocyanate
20. 1-Naphthylamine
21. 2-Naphthylamine
22. 2,4-Pentanedione
23. Organic phosphates (other than pesticides)
24. p-Phenylenediamine
25. Phosphine
26. Phosphorus and its compounds
27. Polybrominated biphenyls (PBBs)
28. Polychlorinated biphenyls (PCBs)
29. Polychlorinated terphenyls (PCTs)
30. Plutonium and its compounds
31. Tetra-ethyl lead
32. Tetra-methyl lead
33. Thallium and its compounds
34. Trifluoroethane
35. Tris (2,3 dibromopropyl) phosphate
36. o-Toluidine

SCHEDULE IV

(Regulations 2, 4, 5, 26, 27, 35, 36, 43, 53, 54 and 60)

TOXIC CHEMICALS AND PRECURSORS USED IN THE
MANUFACTURE OF CHEMICAL WEAPONS

PART A

Toxic Chemicals

1. O-Alkyl ($\leq C_{10}$, incl. cycloalkyl) alkyl (Me, Et, n-Pr or i-Pr)-phosphonofluoridates
 e.g., Sarin: O-Isopropyl methylphosphonofluoridate
 Soman: O-Pinacolyl methylphosphonofluoridate
2. O-Alkyl ($\leq C_{10}$, incl. cycloalkyl) N,N-dialkyl (Me, Et, n-Pr or i-Pr) Phosphoramidocyanidates
 e.g., Tabun: O-Ethyl N, N-dimethyl phosphoramidocyanidate
3. O-Alkyl (H or $\leq C_{10}$, incl. cycloalkyl) S-2dialkyl (Me, Et, n-Pr or i-Pr)-aminoethyl alkyl (Me, Et, n-Pr or i-Pr) phosphonothiolates and corresponding alkylated or protonated salts
 e.g., VX: O-Ethyl S-2 diisopropylaminoethyl methyl phosphonothiolate
4. Sulfur mustards: 2-Chloroethylchloromethylsulfide Mustard gas:
 Bis(2-chloroethyl)sulphide Bis(2-chloroethylthio)methane
 Sesquimustard: 1,2-Bis(2-chloroethylthio)ethane 1,3-Bis(2-chloroethylthio)-n-propane
 1,4-Bis(2-chloroethylthio)-n-butane 1,5-Bis(2-chloroethylthio)-n-pentane
 Bis(2-chloroethylthiomethyl)ether O-Mustard: Bis(2-chloroethylthioethyl)ether
5. Lewisites: Lewisite 1:2-Chlorovinyl dichloroarsine
 Lewisite 2: Bis(2-chlorovinyl)chloroarsine
 Lewisite 3: Tris(2-chlorovinyl)arsine
6. Nitrogen mustards:
 HN1: Bis(2-chloroethyl)ethylamine
 HN2: Bis(2-chloroethyl)methylamine
 HN3: Tris(2-chloroethyl)amine
7. Saxitoxin
8. Ricin
9. Amiton: O,O-Diethyl S-[2-(diethylamino)ethyl] phosphorothiolate and corresponding alkylated or protonated salts
10. PFIB: 1,1,3,3,3-Pentafluoro-2-(trifluoromethyl)-1-propene
11. BZ: 3-Quinuclidinyl benzilate(*)
12. Phosgene: Carbonyl dichloride

13. Cyanogen chloride
14. Hydrogen cyanide
15. Chloropicrin: Trichloronitromethane

PART B

Precursors

1. Alkyl (Me, Et, n-Pr or i-Pr) phosphonyldifluorides
e.g., DF: Methylphosphonyldifluoride
2. O-Alkyl (H or $\leq C_{10}$, incl. cycloalkyl) O2-dialkyl (Me, Et, n-Pr or i-Pr)-aminoethyl alkyl (Me, Et, n-Pr or i-Pr) phosphonites and corresponding alkylated or protonated salts
e.g. QL: O-Ethyl O-2-diisopropylaminoethyl methylphosphonite
3. Chlorosarin: O-Isopropyl methylphosphonochloridate
4. Chlorosoman: O-Pinacolyl methylphosphonochloridate
5. Chemicals, except those listed at Nos. 1 to 4 above, containing a phosphorus Atom to which is bonded one methyl, ethyl or propyl (normal or iso) group but not further carbon atoms
e.g. Methylphosphonyl dichloride
Dimethyl methylphosphonate
Exemption: Fonofos: O-Ethyl S-phenyl ethylphosphonothiolothionate
6. N, N-Dialkyl (Me, Et, n-Pr or i or Pr) phosphoramidic dihalides
7. N, N-Dialkyl (Me, Et, n-Pr or i – Pr) N, N-dialkyl (Me, Et, n-Pr or i-Pr)-phosphoramidates
8. Arsenic trichloride
9. 2, 2-Diphenyl-2-hydroxyacetic acid
10. Quinuclidin-3-ol
11. N, N-Dialkyl (Me, Et, n-Pr or i-Pr) aminoethyl-2-chlorides and corresponding protonated salts
12. N, N-dialkyl (Me, Et, n-Pr or i-Pr) aminoethane-2-ols and corresponding protonated salts
Exemptions: N, N-Dimethylaminoethanol and corresponding protonated salts N, N-Diethylaminoethanol and corresponding protonated salts
13. N, N-Dialkyl (Me, Et, n-Pr or i-Pr) aminoethane-2-thiols and corresponding protonated salts
14. Thiodiglycol: Bis(2-hydroxyethyl)sulfide
15. Pinacolyl alcohol: 3,3-Dimethylbutan-2-ol
16. Phosphorus oxychloride
17. Phosphorus trichloride
18. Phosphorus pentachloride
19. Trimethyl phosphite

20. Triethyl phosphite
21. Dimethyl phosphite
22. Diethyl phosphite
23. Sulfur monochloride
24. Sulfur dichloride
25. Thionyl chloride
26. Ethyldiethanolamine
27. Methyldiethanolamine
28. Triethanolamine

SCHEDULE V

FORM A

(Regulation 7)

REPUBLIC OF TRINIDAD AND TOBAGO

PESTICIDES AND TOXIC CHEMICALS ACT, 1979

Toxic Chemicals Regulations, 2007

Application for Registration of Toxic Chemical

(To be submitted in duplicate)

Name of Applicant

Address of Applicant

I/We

.....
hereby apply to the Pesticides and Toxic Chemicals Control Board for the registration of:

Please answer only those sections that are applicable

	Section I—Identity		REF. TO DOC.
1.1	Common name		
1.2	Chemical name		
1.3	Name in IUPAC, ISO		
1.4	Empirical formula		
1.5	Structural formula		
	Section II—Information about the product		
2.1	Is the toxic chemical, or its production process currently covered by patents? If so, give reference		
2.2	Name, address and country of origin of supplier		
2.3	Name and address of importer		
	Section III—Use of the Product		
3.1	Use of the toxic chemical in production. State in which production process this toxic chemical is to be used Please provide detailed information of such process		

3.2	Quantity of the toxic chemical to be used at any one time in the production process		
	Section IV—Packaging and Labelling of Product		
4.1	Indicate the type of packaging in which the Toxic Chemical can be imported, sold and stored		
	Section V—Disposal		
5.1	Method of destruction, neutralization and recommended procedure for dealing with spillages on land or in water including decontamination and dispersal		
5.2	Please indicate a safe method of disposal for the toxic chemical that would cause minimal contamination and damage to the environment		
	Section VI—Safety Advice		
6.1	Hazards associated with the toxic chemical and precaution to be taken when handling, storage and transportation Please indicate any special requirements		
6.2	Is there any disaster or emergency preparedness plan for chemical accidents?		
	Section VII—Physical, Chemical and Technical Properties of Product		
7.1	Physical state of product flammability, etc.		
7.2	Is the product explosive, inflammable, irritating, oxidizing		
7.3	Acidity or alkalinity		

7.4	Density (for liquids)		
7.5	Particle size (powder or dust)		
7.6	Corrosive properties		
7.7	Method of analyses		
7.8	Brief description of the production process of the toxic chemical, if known		
7.9	Melting point, sublimation point, decomposition temperature (degrees Celsius):		
7.10	Vapour pressure (Pa 25 degrees Celsius)		
7.11	Boiling point (degrees Celsius):		
7.12	Density D_4^{20} :		
7.13	Surface Tension (at 25°C) N/m		
7.14	Water solubility mg/l (25°C):		
7.15	Partition co-efficient n-octanol/water		
7.16	Solubility in organic solvents		
7.17	Hydrolysis stability in: (a) Water (b) Acid (c) Alkali		
7.18	Stability in air		
7.19	Thermo-stability and effect of light		
7.20	Flashpoint (°C)		
7.21	Flammability in accordance with the definitions given in UN, TTS, ISO documents		
7.22	Oxidizing effect		
7.23	Product of combustion or Phrolysis		
7.24	Specific gravity		
7.25	Colour, odour		
7.26	Other characteristics known to applicant		

Section VIII—Toxicological Data			
8.1	Acute oral toxicity	LD ₅₀ mg/kg (mammals)	
8.2	Acute dermal toxicity	LD ₅₀ mg/kg (mammals)	
8.3	Acute toxicity by inhalation	LD ₅₀ mg/kg (mammals)	
8.4	Skin irritation		
8.5	Irritation to eyes		
8.6	Chronic toxicity		
8.7	Carcinogenic effect		
8.8	Mutagenic effect		
8.9	Other studies on mutagenicity		
8.10	Studies on teratogenicity		
8.11	Neuro-toxicity		
8.12	Sensitization		
8.13	Human toxicity. Experience gained in the production process, by use in practice, or by poisoning case		
8.14	Antidote and first-aid measures		
8.15	Symptoms, specific signs of poisoning. Information on reported cases		
8.16	Please submit the following with this application— Technical Data Sheet Safety Data Sheet		
8.17	Are there any restrictions on its use? If yes, state the restrictions		
8.18	Is the Toxic Chemical sold and used in the country of origin? If not, give reason		

N.B.—Every application shall be treated as confidential by the Board.

Note: A copy of draft of the labels and accompanying instructions and a certified copy of the certificate of registration or similar document issued in the country of origin are to be submitted.

.....
Signature of applicant

.....
Date

FORM B

(Regulation 8)

REPUBLIC OF TRINIDAD AND TOBAGO

PESTICIDES AND TOXIC CHEMICALS ACT, 1979

Toxic Chemicals Regulations, 2007

CERTIFICATE OF REGISTRATION OF A TOXIC CHEMICAL

Name of Applicant
(Surname first, if a person)

Address of Applicant

This is to certify that the following Toxic Chemical is registered by the Pesticides and Toxic Chemicals Board for use in Trinidad and Tobago.

Dated day of 20.....

TRADE NAME OF TOXIC CHEMICAL

PHYSICAL FORM IN WHICH IT MAY BE MANUFACTURED, STORED, SOLD OR USE:

.....
.....

Common Name of Toxic Chemical

Percentage

.....

NAME OF MANUFACTURER

.....

ADDRESS OF MANUFACTURER

.....

REGISTRATION NUMBER

HAZARD CLASS OF TOXIC CHEMICAL

CONDITION SUBJECT TO WHICH REGISTRATION IS GRANTED

.....

.....

OTHER INFORMATION

.....

.....
Registrar, Pesticides and Toxic Chemicals

.....
Date

FORM C

(Regulation 14)

REPUBLIC OF TRINIDAD AND TOBAGO

PESTICIDES AND TOXIC CHEMICALS ACT, 1979

Toxic Chemicals Regulations, 2007

APPLICATION FOR A RESEARCH PERMIT

I/We of
(Name of applicant)

.....
(Address of applicant)

wish to apply for a research permit under which I/We will use,
(Name of Toxic Chemical)
a toxic chemical, for research purposes.

.....
Name of Applicant

.....
Date

FORM D

[Regulation 14(6)]

REPUBLIC OF TRINIDAD AND TOBAGO

PESTICIDES AND TOXIC CHEMICALS ACT, 1979

Toxic Chemicals Regulations, 2007

RESEARCH PERMIT

..... of
(Name of applicant) *(Address of applicant)*

is permitted to use the following toxic chemicals for the purpose of conducting research

at.....
(Address where research is to be conducted)

.....
Registrar, Pesticides and Toxic Chemicals *Date*

FORM E

(Regulation 17)

REPUBLIC OF TRINIDAD AND TOBAGO

THE PESTICIDES AND TOXIC CHEMICALS ACT, 1979

The Toxic Chemicals Regulations, 2007

APPLICATION FOR REGISTRATION OF PREMISES

(To be submitted in duplicate)

Name of applicant
(Surname first, if a person)

Address of applicant

Address of premises to be registered

.....

I/We

.....
(Owner/occupier)

hereby apply to the Pesticides and Toxic Control Board for the above premises to be registered to be used for the storage of toxic chemicals under Schedule I*, Schedule II*, Schedule III*, Schedule IV*, and Schedule VIII* for the purpose of sale*, packaging* or manufacture*.

Do the premises in respect of which the application is made conform to the requirements of Part III of the Toxic Chemicals Regulations, 2007? If not, give particulars

.....
.....
.....
.....

The number of persons employed by me/us is and their names and qualifications are as set out below:

1.
2.
3.
4.
5.
6.

FORM F

[Regulation 19(2)]

REPUBLIC OF TRINIDAD AND TOBAGO

PESTICIDES AND TOXIC CHEMICALS ACT, 1979

Toxic Chemicals Regulations, 2007

THE TOXIC CHEMICALS (PREMISES) REGISTRATION CERTIFICATE

The premises situate at

.....

and owned/leased by

.....

are registered as from

for the period of one year for the storage* of toxic chemicals in Schedule I*, Schedule II*, Schedule III*, Schedule IV* and Schedule VII* for the purpose of sale*, packaging* or manufacturing*.

Licence No.

Registrar, Pesticides and Toxic Chemicals

*Cross out which do/does not apply.

FORM G

(Regulation 29)

REPUBLIC OF TRINIDAD AND TOBAGO

PESTICIDES AND TOXIC CHEMICALS ACT, 1979

Toxic Chemicals Regulations, 2007

APPLICATION FOR APPROVAL FOR MANUFACTURE OF OR USE OF A TOXIC CHEMICAL FOR MANUFACTURE

I of (Surname first, if a person) (Address of applicant)

wish to apply to have the following toxic chemical registered by the Pesticides and Toxic Chemicals Control Board for use in Trinidad and Tobago.

TRADE NAME OF TOXIC CHEMICAL

Physical form in which it may be stored for the purpose of manufacture, packaging, sale or use

Table with 2 columns: Common Name of Active Ingredients in Toxic Chemical, Percentage

NAME OF MANUFACTURER

ADDRESS OF MANUFACTURER

REGISTRATION NUMBER

HAZARD CLASS OF FORMULATION

CONDITIONS SUBJECT TO WHICH REGISTRATION IS GRANTED

.....

OTHER INFORMATION

.....

.....

Signature of applicant

Date

FORM H

(Regulation 33)

REPUBLIC OF TRINIDAD AND TOBAGO

PESTICIDES AND TOXIC CHEMICALS ACT, 1979

Toxic Chemicals Regulations, 2007

APPROVAL FOR MANUFACTURE OF OR USE OF A TOXIC CHEMICAL FOR MANUFACTURE

NAME OF APPLICANT
(Surname first, if a person)

ADDRESS OF APPLICANT
.....

This is to certify that the following toxic chemical is registered by the Pesticides and Toxic Chemicals Control Board for use in Trinidad and Tobago.

Dated day of, 20

TRADE NAME OF TOXIC CHEMICAL

Physical form in which it may be stored for the purpose of manufacture, packaging, sale or use

<i>Common Name of Active Ingredients in Toxic Chemical</i>	<i>Percentage</i>
.....
.....

NAME OF MANUFACTURER

ADDRESS OF MANUFACTURER

REGISTRATION NUMBER

HAZARD CLASS OF FORMULATION

CONDITIONS SUBJECT TO WHICH REGISTRATION IS GRANTED

.....

OTHER INFORMATION

.....

.....
Registrar, Pesticides and Toxic Chemicals

FORM I

[Regulation 35(2)]

REPUBLIC OF TRINIDAD AND TOBAGO

PESTICIDES AND TOXIC CHEMICALS ACT, 1979

Toxic Chemicals Regulations, 2007

APPLICATION FOR APPROVAL TO IMPORT A TOXIC CHEMICAL

1. NAME OF APPLICANT (Surname first, if a person)

2. ADDRESS OF APPLICANT

3. NATURE OF BUSINESS: (Tick where appropriate)

- IMPORTER, WHOLESALER, RESEARCH, RETAILER, OTHER

I/We hereby apply to the Registrar for a licence to import the following Toxic Chemicals:

FULL NAME OF TOXIC CHEMICAL

QUANTITY OF TOXIC CHEMICAL

YEARLY USAGE OF TOXIC CHEMICAL

NAME OF MANUFACTURER

ADDRESS OF MANUFACTURER

4. The receipt for the prescribed fee of dollars is submitted with this application.

5. I/We declare that the particulars provided in this application are correctly and fully stated.

Signed Signature of applicant Date

FORM J

(Regulations 35 and 43)

REPUBLIC OF TRINIDAD AND TOBAGO

THE PESTICIDES AND TOXIC CHEMICALS ACT, 1979

The Toxic Chemicals Regulations, 2007

APPROVAL TO IMPORT/EXPORT A TOXIC CHEMICAL

A licence is hereby granted to
..... to import/export the following toxic
chemicals for a period of

Dated this day of, 20

TRADE NAME OF TOXIC CHEMICAL(S)

PHYSICAL FORM IN WHICH IT MAY BE IMPORTED, EXPORTED, STORED,
SOLD OR USED

REGISTRATION NUMBER OF TOXIC CHEMICAL

CONDITIONS SUBJECT TO WHICH LICENCE IS GRANTED

OTHER INFORMATION

LICENCE NO.

.....
Registrar, Pesticides and Toxic Chemicals

- N.B. (i) A copy of this licence must be attached to the Customs Entry or Bill of Sight and delivered to the Pesticides and Toxic Chemicals Inspector stationed at Customs when an application is made for clearance at Customs.
- (ii) Importers are required to provide a copy of the Invoice or Bill of Sight of the toxic chemical they are importing and deliver it to the Pesticides and Toxic Chemicals Inspector at Customs when an application is made for clearance at Customs.

14. *(For completion by customs office where import authorization is lodged).*

Number of customs import authorization

(Stamp)

.....

15. Registrar, Pesticides and Toxic Chemicals Control Board.

Signature:
Registrar

Date:

(Stamp)

16. Confirmation of entry into Trinidad and Tobago

(For completion by Customs at point of entry)

Date of entry:

Signature of Officer:

Date :

(Stamp)

FORM L

(Regulation 41)

REPUBLIC OF TRINIDAD AND TOBAGO

PESTICIDES AND TOXIC CHEMICALS ACT, 1979

Toxic Chemicals Regulations, 2007

**FORM OF CERTIFICATE OF DECONTAMINATION OF FREIGHT
CONTAINER**

I certify that, after inspection on
(date)

the freight container bearing identification marks:

Owner code

Serial number

Country code

Other marks

Which had been contaminated has
been decontaminated to my satisfaction.

(Signature)

FORM M

REPUBLIC OF TRINIDAD AND TOBAGO

(Regulation 43)

PESTICIDES AND TOXIC CHEMICALS ACT, 1979

Toxic Chemicals Regulations, 2007

APPLICATION FOR EXPORT OF TOXIC CHEMICAL

- 1. Name of applicant:
 - 2. Address of applicant:
 - 3. Importer in country of destination:
 - 4. Date of dispatch envisaged:
 - 5. Other operator/agent:
 - 6. Ultimate consignee:
 - 7. Nature of business:
- Exporter Wholesaler
 Research Other

I/We hereby apply to the Registrar for a licence to export the following toxic chemicals:

.....
(Full name of toxic chemical to be exported)

..... <i>(Number of Units)</i> <i>(Weight / volume)</i>
..... <i>(HS Number)</i> <i>(% mixture)</i>
..... <i>(Invoice Number)</i>	

8. The receipt for the prescribed fee of \$..... is submitted with this application.

9. Declaration by applicant:

I/We declare that all the particulars provided in this application are correctly and fully stated.

Name:
(Applicant)

Representing:

Signature:

Date:

10. **(For completion by customs where export declaration is lodged)**

Number of customs export

Signature of Officer:

(Stamp)

11. Registrar, Pesticides and Toxic Chemicals.

Signature:

(Registrar)

Date:

(Stamp)

12. Confirmation of exit from Trinidad and Tobago.
(for completion by customs at point of exit)

Date of exit:

Signature of Officer:

Date:

(Stamp)

SCHEDULE VI

(Regulation 56)

Warning Marks

Class 1



Explosive

Class 2



Poison Gas

Class 3



Flammable liquid

Class 4



Flammable solid

Class 4



Dangerous when wet

Class 5



Oxidizer

Class 6



Poison-Inhalation Hazard

Class 6



Poison

Class 7



Radioactive- White I

Class 8



Corrosive

Class 9



Miscellaneous

SCHEDULE VII

(Regulations 2, 4, 5, 26, 27, 35, 36, 43, 53, 54, and 60)

QUOTA TOXIC CHEMICALS

1. O-Alkyl ($\leq C_{10}$, incl. cycloalkyl) alkyl (Me, Et, n-Pr or i-Pr)-phosphonofluoridates
e.g., Sarin: O-Isopropyl methylphosphonofluoridate
Soman: O-Pinacolyl methylphosphonofluoridate
2. O-Alkyl ($\leq C_{10}$, incl. cycloalkyl) N,N-dialkyl (Me, Et, n-Pr or i-Pr) Phosphoramidocyanidates
e.g., Tabun: O-Ethyl N, N-dimethyl phosphoramidocyanidate
3. O-Alkyl (H or ($\leq C_{10}$, incl. cycloalkyl) S-2dialkyl (Me, Et, n-Pr or i-Pr)-aminoethyl alkyl (Me, Et, n-Pr or i-Pr) phosphonothiolates and corresponding alkylated or protonated salts
e.g., VX: O-Ethyl S-2 diisopropylaminoethyl methyl phosphonothiolate
4. Sulfur mustards: 2-Chloroethylchloromethylsulfide Mustard gas:
Bis(2-chloroethyl)sulphide Bis(2-chloroethylthio)methane Sesquimustard: 1,2-Bis(2-chloroethylthio)ethane 1,3-Bis(2-chloroethylthio)-n-propane 1,4-Bis(2-chloroethylthio)-n-butane 1,5-Bis(2-chloroethylthio)-n-pentane Bis(2-chloroethylthiomethyl) ether O-Mustard: Bis(2-chloroethylthioethyl)ether
5. Lewisites: Lewisite 1: 2-Chlorovinyl dichloroarsine
Lewisite 2: Bis(2-chlorovinyl)chloroarsine
Lewisite 3: Tris(2-chlorovinyl)arsine
6. Nitrogen mustards:
HN1: Bis(2-chloroethyl)ethylamine
HN2: Bis(2-chloroethyl)methylamine
HN3: Tris(2-chloroethyl)amine
7. Saxitoxin
8. Ricin
9. Amiton: O,O-Diethyl S-[2-(diethylamino)ethyl] phosphorothiolate and corresponding alkylated or protonated salts
10. PFIB: 1,1,3,3,3-Pentafluoro-2-(trifluoromethyl)-1-propene
11. BZ: 3-Quinuclidinyl benzilate(*)
12. Phosgene: Carbonyl dichloride
13. Cyanogen chloride
14. Hydrogen cyanide

15. Chloropicrin: Trichloronitromethane
16. Alkyl (Me, Et, n-Pr or i-Pr) phosphonyldifluorides
e.g., DF: Methylphosphonyldifluoride
17. O-Alkyl (H or $\leq C_{10}$, incl. cycloalkyl) O2-dialkyl (Me, Et, n-Pr or i-Pr)-aminoethyl alkyl (Me, Et, n-Pr or i-Pr) phosphonites and corresponding alkylated or protonated salts

e.g., QL: O-Ethyl O-2-diisopropylaminoethyl methylphosphonite
18. Chlorosarin: O-Isopropyl methylphosphonochloridate
19. Chlorosoman: O-Pinacolyl methylphosphonochloridate
20. Chemicals, except those listed at Nos. 1 to 4 above, containing a phosphorus Atom to which is bonded one methyl, ethyl or propyl (normal or iso) group but not further carbon atoms

e.g., Methylphosphonyl dichloride
Dimethyl methylphosphonate

Exemption: Fonofos: O-Ethyl S-phenyl ethylphosphonothiolothionate
21. N, N-Dialkyl (Me, Et, n-Pr or i-Pr) phosphoramidic dihalides
22. N, N-Dialkyl (Me, Et, n-Pr or i-Pr) N, N-dialkyl (Me, Et, n-Pr or i-Pr)-phosphoramidates
23. Arsenic trichloride
24. 2, 2-Diphenyl-2-hydroxyacetic acid
25. Quinuclidin-3-ol
26. N, N-Dialkyl (Me, Et, n-Pr or i-Pr) aminoethyl-2-chlorides and corresponding protonated salts
27. N, N-dialkyl (Me, Et, n-Pr or i-Pr) aminoethane-2-ols and corresponding protonated salts

Exemptions: N, N-Dimethylaminoethanol and corresponding protonated salts N, N-Diethylaminoethanol and corresponding protonated salts
28. N, N-Dialkyl (Me, Et, n-Pr or i-Pr) aminoethane-2-thiols and corresponding protonated salts
29. Thiodiglycol: Bis(2-hydroxyethyl)sulfide
30. Pinacolyl alcohol: 3,3-Dimethylbutan-2-ol
31. Phosphorus oxychloride
32. Phosphorus trichloride
33. Phosphorus pentachloride

34. Trimethyl phosphite
35. Triethyl phosphite
36. Dimethyl phosphite
37. Diethyl phosphite
38. Sulfur monochloride
39. Sulfur dichloride
40. Thionyl chloride
41. Ethyldiethanolamine
42. Methyldiethanolamine
42. Triethanolamine
43. Acetic acid
44. Acetic anhydride
45. Acetone
46. N-acetylanthranilic acid and its salts and esters
47. Ammonia
48. Ammonium hydroxide
49. Ammonium nitrate
50. Anthranilic acid and its salts and esters
51. Benzaldehyde
52. Benzene
53. Benzyl chloride
54. Benzyl cyanide
55. Chloroform
56. Ethyl alcohol
57. Ethylamine and its salts
58. Ethyl ether
59. Hydroiodic acid

60. Hydrochloric acid
61. Iodine
62. Isosafrol
63. Methylamine and its salts
64. Methylene chloride
65. 3,4-Methylenedioxyphenyl-2-propanone
66. Methyl ethyl ketone (2-Butanone)
67. Methyl isobutyl ketone
68. Nitroethane
69. Phenylacetic acid and its salts and esters
70. Phenyl-2-propanone
71. Piperidine and its salts
72. Piperonal
73. Potassium carbonate
74. Potassium hydroxide
75. Potassium permanganate
76. Propionic anhydride
77. Radioactive substances of high activity or long half life
78. Safrole
79. Sodium carbonate
80. Sodium hydroxide
81. Sodium sulfate
82. Sulfuric acid
83. Toluene
84. Xylenes

Made this 11th day of May, 2007.

J. RAHAEL
Minister of Health

