

Notification of the Ministry of Agriculture and Co-operatives
“Registration, Certification and Renewal of the License for the Hazardous
Materials under the Control of the Department of Agriculture”

By virtue of Article No. 5, Clause 3; Article No. 20 (1) and (4); Article 36, Clause 3 and Article 37 of the Hazardous Materials Act, B.E. 2535 (A.D. 1992) with revised version of the Hazardous Materials Act (3rd Edition), B.E. 2551 (A.D. 2008) which contains certain provisions restricting the rights and liberty of individuals set forth in Article 29, conjoined with Articles 32, 33, 41, 43 and 45 of the Constitution of the Royal Kingdom of Thailand which was endorsed in the Act, the Minister of Agriculture and Cooperatives in conjunction with the Committee for the Hazardous Materials issues the following Proclamation as follow:

Article 1. The previous Proclamation of the Ministry of Agriculture and Cooperatives for the Registration of the Hazardous Materials under the Control of the Department of Agriculture B.E. 2538 (A.D. 1995) is nullified.

Article 2. The hazardous materials in this proclamation means the hazardous materials class 2 or class 3 under the control of the Department of Agriculture according to the Proclamation of the Ministry of Industry containing the list of the hazardous materials according to the Article 18 Clause 2 and not included in the Proclamation of the Ministry of Industry in Article 36 Clause 1 of the Hazardous Materials Act, B.E. 2535 (A.D. 1992).

Article 3. Any individuals who wish to produce or import the hazardous materials must apply for registration of the materials according to the form ๑๐./กษ./กรม 1 mentioned below together with the documents and evidence specified in the form to the Department of Agriculture or the assigned representative agent.

If the data included in the registration application contain a trade secret according to the Regulation of the Ministry of Agriculture and Cooperatives for the Trade Secret Protection of the Agricultural Products, the applicant must notify this to the staff involved.

Article 4. Registration of the hazardous materials involving 3 steps.

Step 1. The preliminary experiment to show the efficacies, acute and residual toxicity. A restricted amount of the hazardous materials shall be produced or imported for the purpose as appropriate.

Step 2. The temporary trial for demonstration of the utilization and learned about the medium-term and chronic toxicity in newborns, reproductive system, genetic change, neurotoxicity, tumorigenicity and carcinogenicity (if any) and toxic residuals. A restricted amount of the materials shall be produced or imported for demonstration of the use in the specified area.

Step 3. The final evaluation before registration as the hazardous materials. All experimental data and results are evaluated for the efficacies, human safety and environment, sufficiency for use including long-term chronic toxicity (2 years) in experimental animals.

The applicant may skip the Step 2 process (temporary trial) in case the data in Step 3 process (final evaluation) are already complete and available.

Article 5. For the Step 1 operation mentioned above, the applicant for registration of the hazardous materials must submit the academic documents, details of the data of the hazardous materials, acute toxicity, experimental plans for the efficiency determination and toxic residue as specified by Department of Agriculture in the Royal Gazette relating to the data required for registration of the hazardous materials, such as toxicity of the concentrated and commercial products from the OECD GLP accredited laboratories and the production license of the manufacturer from its own country. All documents must be certified in the international format by the official agency as the representative of the country.

Article 6. After the staff has considered the details in Articles 3 and 4 and agreed to approve the application, the staff will specify the amount of the hazardous materials to be produced or imported, the methods for controlling and utilizing the materials for the experiments, prohibition of use or consumption of the experimental products, submission or destruction of the leftover of the materials from the experiment and specifying the period for the efficiency result report and notify these details to the applicant.

After the preliminary experimental result is obtained or the specified period of the preliminary experiment has been met, the applicant must report the details stated by the Department of Agriculture in the Royal Gazette.

Article 7. In the case of Step 1, preliminary experiment for the production or importation of the sample of the hazardous materials or other hazardous materials required for the production, the applicant must submit the application for the production or importation of the materials using the form ภ.รช.รท. 12 as shown below.

After the staff has considered and agreed to the application, the staff will issue the production license according to the form ภ.รช.รท. 13 or the importation license according to the form ภ.รช.รท. 14 as shown below.

The license in Clause 2 is only a single permit.

The licensee in Clause 2 is exempted from the requirement for application for the permit to possess the hazardous materials.

Article 8. The samples of the hazardous materials permitted for production or importation must be clearly and properly labeled in Thai with the details shown at least as follows:

1. Commercial name or code number of the products.
2. Common names according to ISO or other system.
3. Scientific names of the main ingredient, the names according to IUPAC for chemicals.
4. Mixture ratio and specification of the products.
5. Type of use.
6. Warning notice.
7. Manufacturer and production source.
8. The statement "Hazardous materials for specified experiment only".

Article 9. In the case where the applicant intends to operate Step 2, the temporary trial, the applicant must submit the academic document for the registration of the hazardous materials, the place where the temporary trial takes place and the experimental plan according to the details stated by the Department of Agriculture in the Royal Gazette.

Article 10. After the staff has considered the academic document, the place and the temporary trial plan according to Article 9 and agreed, the staff will specify the amount of the hazardous materials to be produced or imported, the methods for controlling and utilizing the materials for the experiments, making list of the items and amount of the hazardous materials to be produced or imported, amount to be utilized and left-over from the trial, names of the users, method of utilization, place for the trial, program for the use of the product, submission or

destruction of the leftover materials from the trial and specifying the period for the temporary trial and plan for compensation for the damage to the injured individual and notify these details to the applicant.

After the temporary trial result is obtained or the specified period of the temporary trial has been met, the applicant must report the details stated by the Department of Agriculture in the Royal Gazette.

Article 11. In the case of Step 2, temporary trial, requires the production or importation of the hazardous material or other hazardous material required for the production, the applicant must submit the details of the application as stated in Article 7.

Article 12. The hazardous materials permitted for production or importation must be clearly and properly labeled in Thai with the details shown at least as follows:

1. Commercial names or code numbers of the product.
2. Common names according to ISO or other system.
3. Scientific names of the main ingredient, the names according to IUPAC for chemicals.
4. Mixture ratio and specification of the products.
5. Name and operation place of the applicant.
6. Names of the manufacturer in the case if the material is not produced by the applicant.
7. Packaging size.
8. Details of the utilization, methods of use and maintenance, warning notice, toxicity, preliminary detoxification and recommendation to bring the affected person to the physician with the labels.
9. The statement "Not for sale".
10. The statement "Sample of hazardous materials for temporary use in the specified area".

Article 13. The person whose name is in the list of those who performs the temporary trial is exempted from the requirement for application for the permit to possess the hazardous materials.

Article 14. In the case where applicant has completed the Step 1, preliminary experiment, and Step 2, temporary trial, intends to receive the license of the registered hazardous materials, the applicant must proceed with the followings:

1. Submit the academic document, list of the hazardous materials to be registered as stated by the Department of Agriculture in the Royal Gazette.
2. Submit the analysis result of the hazardous materials according to the terms specified from the laboratories of the Department of Agriculture or other government agencies and private laboratories as stated by the Department of Agriculture in the Royal Gazette.
3. Submit the samples of the package, container, leaflet or photograph showing the package or container of the materials.

Article 15. Registration of the hazardous materials in the form of mixture, the applicant must use the same procedure for the single component hazardous materials. The applicant must submit the academic document of each component of the hazardous material as well as those of the mixture according to the details stated by the Department of Agriculture in the Royal Gazette.

Article 16. After the staff has evaluated the preliminary experimental result, temporary trial result, the academic document, details for the registration of the hazardous material, analysis result according to the specification of the material, packaging or container, and agreed for the registration, the staff will issue the license according to the form ๖๐./กษ./กรม. 2 as shown below.

The license for the hazardous material is valid for 6 years starting from the issuing date.

Article 17. For the consideration of the registration of the hazardous materials, the staff may ask the applicant to submit any data beside those mentioned for the registration or any other details relating to the material, or asking for additional study as stated by the Department of Agriculture in the Royal Gazette.

Article 18. In the case where the hazardous material was registered or permitted to be produced or imported legally, the application procedure must be performed accordingly and no requirement to submit the whole set of the documents as stated in the terms and regulations. It is prohibited to use the previous approval document or toxicity data for the consideration.

The applicant must submit the new application for registration according to the present terms and regulations. For the previous registered hazardous materials listed according to the

Hazardous Material Act, B.E. 2535 (A.D. 1992), the license will be valid for 3 years after the Hazardous Material Act, B.E. 2557 (A.D. 2014) is effective.

Article 19. If the licensee of the hazardous materials intends to modify or change the details in the license for the hazardous material, the licensee must submit details of the modification or the change according to the form วอ./กษ./กรก. 15 as shown below to the Department of Agriculture or the assigned agency. In this case, the staff may request the licensee for additional testing or operating if appropriate. If the request is correct and appropriate, the modification or the change can be made and notified to the licensee.

Article 20. Any person who wish to renew or extend the license for the hazardous materials must submit the application according to the form วอ./กษ./กรก. 3 as shown below to the Department of Agriculture or the assigned agency within 180 days before the present license for the hazardous material expires.

For the consideration to extend the period of the license for hazardous material, the terms and regulations for the registration of the hazardous material are used accordingly.

Article 21. The permission to extend the period of the license of the hazardous material will be shown at the back of the license or a new license can be issued.

This proclamation is effective immediately after the publication in the Royal Gazette.

Announced on 1 December 1998.

Mr. Teerachai Saenkaew

Deputy Minister of Agriculture and Cooperatives
Acting for the Minister of Agriculture and Cooperatives

Application form for registration of the hazardous materials

Date..... Month..... Year.....

Name..... Age.....years Nationality.....
(Individual/Corporate)

Tax identification number

Contact address: Number.....Street City

Zip code Telephone No. Fax No.E-mail address.....

Request for registration of the hazardous materials:

() Class 2 () Class 3 For the purpose of () Importation () Production

With the following details:

1. Name of the hazardous material.....
2. Formulation and mixture ratio of the main component and specification.....
3. Commercial name or code number.....
4. Name of manufacturer and production source.....
5. Name of importer.....
6. Name of dealer/sale agent.....
7. Type, characters of package or container and packaging size.....
8. Type of utilization.....
9. Required documents and sample for the registration:
 - () Copy of the citizen identification/passport/resident certificate for foreigner
 - () Copy of the corporate registration certificate
 - () Letter of attorney (if any)
 - () List of details of the hazardous materials stated by the Department of Agriculture in the Royal Gazette (6 copies).
 - () Experimental plan for the efficacy and toxicity residue (6 copies).
 - () Sample copy or photograph of the characters of the package or the container.
 - () Sample copy of leaflet and insert.
 - () Analysis report of the hazardous materials.
 - () Other (specify)

Signature..... applicant
(.....)

วอ./กษ./กรก. 2

Registration certificate for the hazardous materials

The Department of Agriculture
Ministry of Agriculture and Cooperatives

Date..... Month..... Year.....

License No.

For (Name)..... Nationality.....

Tax identification number

Contact address: Number.....Street City

Zip code Telephone No. Fax No. E-mail address.....

Licensee for the hazardous materials: Class For the purpose of.....

with the following details:

1. Name of the hazardous material.....
2. Formulation and mixture ratio of the main component and specification.....
3. Commercial name or code number.....
4. Name of manufacturer and production source.....
5. Name of importer.....
6. Name of dealer/sale agent.....
7. Purpose and type of utilization.....
8. Characters of the package or the container.....
9. Other (specify)

The registration certificate is valid until: Date..... Month.....Year.....

Signature..... Staff
(.....)

2

List of extension/renewal of the registration certificate for hazardous materials No.....

No.	Extension/renewal of hazardous materials		Name of staff
	Date	Valid until	

3

List of modification/change of the registration certificate for hazardous materials

No.....

No.	Date	Details of modification/change	Name of staff

วอ./กษ./กก. 3

Application form for extension/renewal of registration certificate for the hazardous materials

Date..... Month..... Year.....

Name..... Age.....years Nationality.....

(Individual/Corporate)

Tax identification number

Contact address: Number.....Street City

Zip code Telephone No. Fax No.E-mail address.....

Request for extension/renewal of the registration certificate for the hazardous materials No.....

With the details for consideration as follows:

- () Registration certificate for the hazardous materials No.....
- () Copy of the citizen identification/passport/resident certificate for foreigner
- () Copy of the corporate registration certificate
- () Letter of attorney, if any
- () List of details of the hazardous materials stated by the Department of Agriculture in the Royal Gazette (6 copies).
- () Experimental plan for the efficacy and toxicity residue, if any (6 copies).
- () Sample copy or photograph of the characters of the package or the container.
- () Sample copy of leaflet and insert.
- () Analysis report of the hazardous materials.
- () Other (specify)

Signature..... applicant
(.....)

วอ./กษ./กรก. 12

Application form for production or importation of the hazardous materials

Date..... Month..... Year.....

Name..... Age.....years Nationality.....
(Individual/Corporate)

Tax identification number

Contact address: Number.....Street City

Zip code Telephone No. Fax No.E-mail address.....

Request for () Importation () Production of the hazardous materials for the registration

Name and address of the manufacturer/storage of hazardous materials.....

Number.....Street City Zip code

Telephone No. Fax No.E-mail address.....

With the details as follows:

1. Name of the hazardous material.....
2. Formulation and mixture ratio of the main component and specification.....
3. Commercial name or code number.....
4. Name of manufacturer and production source.....
5. Name of importer.....
6. Amount
7. Required documents and sample for the registration:
 - () Copy of the citizen identification/passport/resident certificate for foreigner
 - () Copy of the corporate registration certificate
 - () Letter of attorney (if any)
 - () Experimental plan for the efficacy and toxicity residue
 - () Documents showing the safety information of the hazardous materials
 - () Other (specify)

Signature..... applicant
(.....)

วอ./กษ./กรก. 13

License for production of the hazardous materials

The Department of Agriculture
Ministry of Agriculture and Cooperatives

Date..... Month..... Year.....

License No.

For (Name)..... Nationality.....

Tax identification number

Contact address: Number.....Street City

Zip code Telephone No. Fax No.E-mail address.....

Name and address of the manufacturer/storage of hazardous materials.....

Number.....Street City Zip code

Telephone No. Fax No.E-mail address.....

Licensee for production of hazardous materials for registration as follows:

1. Name of the hazardous material.....
2. Formulation and mixture ratio of the main component and specification.....
3. Commercial name or code number.....
4. Name of manufacturer and production source.....
5. Name of importer.....
6. Amount
7. Other (specify)

This license is valid until: Date..... Month..... Year.....

Signature..... Staff
(.....)

วอ./กษ./กรก. 14

License for importation of the hazardous materials

The Department of Agriculture
Ministry of Agriculture and Cooperatives

Date..... Month..... Year.....

License No.

For (Name)..... Nationality.....

Tax identification number

Contact address: Number.....Street City

Zip code Telephone No. Fax No.E-mail address.....

Name and address of the storage of the hazardous materials.....

Number.....Street City Zip code

Telephone No. Fax No.E-mail address.....

Licensee for importation of hazardous materials for registration as follows:

1. Name of the hazardous material.....
2. Formulation and mixture ratio of the main component and specification.....
3. Commercial name or code number.....
4. Name of manufacturer and production source.....
5. Name of importer.....
6. Amount
7. Other (specify)

This license is valid until: Date..... Month.....Year.....

Signature..... Staff
(.....)

Application form for modification/change of the details of the hazardous material registration

Date..... Month..... Year.....

Name..... Age.....years Nationality.....

(Individual/Corporate)

Tax identification number

Contact address: Number.....Street City

Zip code Telephone No. Fax No.E-mail address.....

Request for modification/change of the hazardous material registration No.....

Details of the modification/change.....

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With the details for consideration as follows:

() Registration certificate for the hazardous materials No.....

() Copy of the citizen identification/passport/resident certificate for foreigner

() Copy of the corporate registration certificate

() Letter of attorney, if any

() Documents related to the modification/change for consideration as follows:

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() Other (specify)

Signature..... applicant

(.....)