



Act on Registration and Evaluation, etc. of Chemicals (Act No.17326)

화학물질의 등록 및 평가 등에 관한 법률

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Content

CHAPTER I General Provisions	3
CHAPTER II Registration of Chemical Substances	8
CHAPTER III Review of Hazards and Assessment of Risks of Chemical Substances	16
CHAPTER IV Designation and Change of Substances, etc. Subject to Permission	19
CHAPTER V Provision of Information on Chemical Substances	21
CHAPTER VI Management of Products Containing Hazardous Chemical Substances	22
CHAPTER VII Supplementary Provisions	23
CHAPTER VIII Penalty Provisions	28
ADDENDA	30

ACT ON REGISTRATION AND EVALUATION, ETC. OF CHEMICALS

[Enforcement Date: May 26th, 2020.] [Act No. 17326, May 26th, 2020, Partial Amendment]

CHAPTER I General Provisions

Article 1 (Purpose)

The purpose of this Act is to protect public health and the environment by providing for matters concerning the registration and reporting of chemical substances, the review and assessment of the hazards and risks of chemical substances, and the designation of hazardous chemical substances and by producing and utilizing information on chemical substances. <Amended by Act No. 15512, Mar. 20, 2018>

Article 2 (Definitions) <Amended by Act No. 15512, Mar. 20, 2018, Act 15584, Apr. 17>

The terms used in this Act shall be defined as follows:

1. The term "chemical substance" means an element, its compounds, and substances obtained by artificial chemical reaction thereto, and substances obtained by chemical modification, extraction, or purification of substances in their natural state;
2. The term "mixture" means a substance or solution composed of at least two substances;
3. The term "existing chemical substance" means any of the following chemical substances:
 - (a) Chemical substances publicly notified by the Minister of Environment in consultation with the Minister of Employment and Labor, which were domestically distributed for commercial purposes before February 2, 1991;
 - (b) Chemical substances publicly notified by the Minister of Environment, the hazard reviews thereof have been conducted pursuant to the former Toxic Chemicals Control Act after February 2, 1991.
4. The term "new chemical substance" means any of the chemical substances excluding existing chemical substances;
5. Deleted <Amended by Act No. 15512, Mar.20, 2018>;
6. The term "toxic substance" means a hazardous chemical substance designated and publicly notified by the Minister of Environment according to standards prescribed by Presidential Decree;
7. The term "substance subject to permission" means a chemical substance likely to pose a risk, for which permission by the Minister of Environment is required prior to manufacture, importation, or use, and which is publicly notified by the Minister of Environment after consultation with the heads of relevant central administrative agencies in accordance with Article 25 and deliberation by the Chemical Substance Evaluation Committee under Article 7;
8. The term "restricted substance" means a chemical substance deemed to pose a great risk, if used for a certain use, that the Minister of Environment publicly notifies after consultation with the heads of relevant central administrative agencies in accordance with Article 27 and deliberation by the Chemical Substance Evaluation

Committee under Article 7 to prohibit such chemical substance from being manufactured, imported, sold, kept, stored, transported, or used for such use;

9. The term "prohibited substance" means a chemical substance deemed to pose a great risk that the Minister of Environment publicly notifies after consultation with the heads of relevant central administrative agencies in accordance with Article 27 and deliberation by the Chemical Substance Evaluation Committee under Article 7 to prohibit such chemical substance from being manufactured, imported, sold, kept, stored, transported, or used for any use;
10. The term "hazardous chemical substance" means any of the toxic substances, substances subject to permission, restricted substances, prohibited substance;
- 10-2. The term "substance subject to priority management" means a chemical substance likely to pose a risk, deliberated by the Chemical Substance Evaluation Committee under Article 7 and designated and publicly notified by the Minister of Environment, falling any of the following:
- (a) Substances causing or likely to cause cancer, mutation, reproductive disorder or endocrine disorder in people or animals;
 - (b) Substances accumulating chronically in the people or animal's body, or remaining long in the environment;
 - (c) Substances causing harm in lung, liver or kidney when people are exposed to.
 - (d) Substances causing harm in people or animals equal to or serious than that in from (a) to (c);
11. The term "hazard" means the inherent properties of any chemical substance that causes adverse effects to human health or the environment, such as the toxicity of a chemical substance;
12. The term "risk" means the degree of damage to human health or the environment caused by exposure to a hazardous chemical substance;
13. The term "generic name" means a name given in place of an actual chemical name for the protection of confidential data;
14. The term "business entity" means an entity that manufactures, imports, uses, or sells chemical substances for business purposes;
15. The term "product" means any of the following products that may expose consumers to chemical substances, which are goods used by consumers under subparagraph 1of Article 2 of Framework Act on Consumers, or components or accessories thereof:
- (a) A product composed of a mixture of substances;
 - (b) A product that fulfills a certain function in solid state with specific shape without discharging any chemical substance in its use.
16. Deleted. <Amended by Act No. 15512, Mar.20, 2018>
17. The term "downstream users" means persons who use chemical substances or mixtures in the process of business activities (in cases of corporations, limited to where they are incorporated in the Republic of Korea): Provided, that manufacturers, importers, sellers, or consumers of chemical substances or mixtures shall be excluded;
18. The term "sale" means the act of placing chemical substances, mixtures, or products on the market.
19. The term "alternative tests of vertebrate animals" means tests in which the use of living vertebrate animals is

minimized or the unnecessary pain is reduced where the vertebrate animal is used unavoidably during the process of producing information of hazard or risks of chemical substances.

Article 3 (Scope of Application)

This Act shall not apply to chemical substances falling under any of the following: <Amended by Act No. 15512, Mar.20, 2018>

1. Radioactive materials under subparagraph 5 of Article 2 of the Nuclear Safety Act;
2. Pharmaceutical drugs and quasi-drugs under subparagraph 4 and subparagraph 7 of Article 2 of the Pharmaceutical Affairs Act;
3. Narcotics under subparagraph 1 of Article 2 of the Act on the Narcotics Control Act;
4. Cosmetics and raw materials used for cosmetics under subparagraph 1 of Article 2 of the Cosmetics Act;
5. Pesticides and raw materials under subparagraph 1 and subparagraph 3 of Article 2 of the Pesticide Control Act;
6. Fertilizers under subparagraph 1 of Article 2 of the Fertilizer Control Act;
7. Food, food additives, utensils and containers and packaging under subparagraph 1, subparagraph 2, subparagraph 4 and subparagraph 5 of Article 2 of the Food Sanitation Act;
8. Feed under subparagraph 1 of Article 2 of the Control of Livestock and Fish Feed Act;
9. Explosives under Article 2 (3) of the Act on the Safety Management of Firearms, Knives, Swords, Explosives, Etc.;
10. Military supplies under Article 2 of the Act on the Management of Military Supplies and subparagraph 2 of Article 3 of the Defense Acquisition Program Act (excluding ordinary commodities under Article 3 of the Act on the Management of Military Supplies);
11. Health functional foods under subparagraph 1 of Article 3 of the Health Functional Foods Act;
12. Medical devices under Article 2 (1) of the Medical Devices Act;
13. Sanitation supplies under Article 2 (1) of Sanitation Supplies Control Act;
14. Biocide and biocide products under Article 3 (7) and (8) of Consumer chemical Product and Biocide Safety Control Act.

Article 4 (Duties of State)

- (1) The State shall formulate and implement policies necessary to ascertain the hazards and risks of chemical substances and prevent harm caused thereby.
- (2) The State shall provide technical, administrative and financial support so that information on the hazards and risks of chemical substances may be prepared, secured, and systematically managed, and that the relevant information may be delivered in the process of the transfer and acquisition of chemical substances by transfer.
- (3) The State shall formulate and implement policies on the safety management of products to protect public health and the environment from chemical substances in products. <Amended by Act No. 17326, May 26, 2020>
- (4) The State shall provide support, such as surveys, research, education, and public relations, in connection with the registration, evaluation, etc. of chemical substances of small and medium enterprises. < Amended by Act No.



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