

Standard Operating Procedures for Permitting of Chemicals and Hazardous Materials in Abu Dhabi

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Table of Contents

List of Abbreviations	iii
Definition of Terms.....	iv
1. Introduction	1
1.1 What Is an Environmental Permit for Trading in Chemicals and Hazardous Materials?	1
1.2 Why Is It Required?.....	1
1.3 What Facilities Are Subject to Chemical and Hazardous Materials Permitting?	1
1.4 How Do I Obtain a Permit for Trading in Chemicals and Hazardous Materials?	4
1.5 How Do I Renew My Permit?	4
2. Environmental Permitting Process for Chemicals and Hazardous Materials	4
2.1 Submitting a Permit Application	4
Application	4
Review and Approval	6
2.2 Renewing a Permit Application.....	6
Application	6
Review and Approval	7
2.3 Communications with EAD.....	8
3. Permit Conditions.....	8
3.1 Import and Export.....	8
3.2 Production.....	9
3.3 Distribution.....	10
3.4 Advertisement.....	10
Annex 1 Application for Trading in Chemicals and Hazardous Materials	11
Annex 2 List of Chemicals and Hazardous Materials Banned and Restricted in UAE	12

List of Figures

1. The process for obtaining a permit for trading in chemicals and hazardous materials.....	5
2. The process for renewing a permit for trading in chemicals and hazardous materials.	7

List of Tables

1. UN Classes and Subclasses of Hazardous Materials	3
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List of Abbreviations

AD EHS Center	Abu Dhabi Environment, Health, and Safety Center
CAS No. or CAS RN	Chemical Abstract Service Number
EAD	Environment Agency–Abu Dhabi
EHSMS	Environment, Health and Safety Management System
MSDS	Material Safety Data Sheet
SOP	Standard Operating Procedure
SRA	Sector Regulatory Authority
UN No.	United Nations Number

Definition of Terms

Auto-ignition Temperature—The minimum temperature required to initiate or cause self-sustained combustion in any substance in the absence of a spark or flame.

Adverse—An abnormal, undesirable, or harmful change.

Carcinogens—Any chemical or substance that is capable of causing or inducing cancer.

Chemical—Any element, compound, or mixture of elements and/or compounds. A substance that possesses hazardous properties including but not limited to flammability, toxicity, corrosivity, or reactivity.

Chemical Abstract Service Number (CAS No. or CAS RN)—An internationally recognized registration number assigned by the Chemical Abstract Service to uniquely describe either a chemical, a group of similar chemicals, or a mixture. The CAS Number (sometimes described as a Registry Number or RN) consists of up to nine digits and provides an accurate way of retrieving a substance from a computer database. The CAS Number is simply a reference number, and unlike the UN Number, cannot be linked to any particular chemical or physical properties.

Chemical Product—A mixture of any combination of two or more chemicals that may or may not be the result, in whole or in part, of a chemical reaction, which itself has hazardous properties.

Compatible—Two or more substances or items that will not react together to cause fire, explosion, harmful reaction, or the evolution of flammable, toxic, or corrosive vapours.

Competent Authority—The local environmental authority.

Corrosive (Class 8)—Any liquid or solid that causes full-thickness destruction of human skin tissue at the site of contact, within a specified period of time. Acids and Bases are common corrosives.

Explosives—Any substance, article, or device that is designed to function by explosion (i.e., an extremely rapid release of gas and heat) or by which a chemical reaction occurs within itself or is able to function in a similar manner even if not designed to function by explosion. A variety of terms are used when determining the chemical stability of a material to ignite or explode. These are lower explosive limit, upper explosive limit, flash point, flammable range, and auto-ignition temperature.

Flash Point—The minimum temperature at which a liquid gives off vapour in sufficient concentration to form an ignitable mixture with air near the surface of the liquid.

Flammable/Inflammable Liquids—Liquids, mixtures of liquids, or liquids containing solids in solution or suspension (e.g., paints, varnishes, etc.) that have a flash point of 60.5 °C (141°F) or lower.

Flammable Range—The difference between the lower and upper flammable limits, expressed in terms of percentage of vapour or gas in air by volume. It is also sometimes referred to as the “exchange rate.”

Flammable Solids—Solids or waste solids, other than those classed as explosives that are readily combustible, or may cause or contribute to fire through friction, under conditions encountered in transport.

Handling—Conveying, manufacturing, processing, using, treating, dispensing, packing, selling, transporting, or disposing of a chemical or hazardous material.

Hazard—A source of danger (i.e., material, energy source, or operation) with the potential to cause illness, injury, or death to personnel or damage to a facility or to the environment.

Hazardous Material—A substance with potential to cause harm to persons, property, or the environment due to one or more of the following:

- Chemical properties of the substance;
- Physical properties of the substance; or
- Biological properties of the substance.

Hazardous Substance—A substance that has the potential to harm the health or safety of persons in the workplace, including substances that may be produced in the workplace.

Importer—Any individual or company in Abu Dhabi Emirate who arranges with a foreign company or an overseas agent to provide chemical and hazardous materials to the Emirate.

Infectious Substance (Division 6.2)—“A viable microorganism, or its toxin, which causes or may cause disease in humans or animals, or any other agent that causes or may cause severe, disabling, or fatal disease.” The terms *infectious substance* and *etiologic agent* are synonymous. Examples include biological cultures and medical waste.

Irritants—Chemicals that can inflame the eyes, skin, or respiratory system (e.g., ammonia).

Label—A printed hazard warning notice that identifies the primary and secondary hazards specific to a material and contains handling information. Labels must be at least be 100 mm × 100 mm unless otherwise specified.

Material Safety Data Sheet—A document which contains information on the material, manufacturer, potential chemical hazards, first aid advice, precautions for use, and safe handling information (see “Attachment 3 of Code of Practice and Permitting Procedures, Environmental Services Providers” for sample MSDS).

Package—The complete product of the packing of chemicals and hazardous materials for transport, which consists of materials and their packaging.

Packaging—The container in which materials or goods are received or held for transport, including anything that enables the container to receive or hold the material or goods.

Oxidizers—Substances or wastes that in themselves are not necessarily combustible but may yield oxygen, causing or contributing to the combustion of other materials.

Organic Peroxides—Any organic substance or waste that contains oxygen (O) in the bivalent —O—O— structure, which may be considered a derivative of hydrogen peroxide, where one or more of the hydrogen atoms have been replaced by organic radicals.

Risk—The quantitative or qualitative expression of possible loss that considers both the probability that a hazard will cause harm and the consequences of that event.

Safety—Often referred as the opposite of risk. It is the practical certainty that adverse effects will not result when a substance is used in the quantity and in the manner proposed for its use.

Safety case – A plan that details the prevention measures for all high-risk activities, substances, processes, and materials within the facility and also the emergency-response plans for the said activities.

Toxicity—A physiological or biological property that determines the capacity of a chemical to do harm or injury to a living organism by other than mechanical means.

United Nations Number—The identification serial number assigned to any chemical or hazardous material by the United Nations (UN) Committee of Experts on the transportation of these materials and as published in the UN recommendations on the transport of dangerous goods.

Waste—Any material or by-product that is discarded by being abandoned (i.e., disposed of, burned, incinerated, recycled), or considered inherently waste-like.

1. Introduction

The Environment Agency–Abu Dhabi’s (EAD’s) establishes standards of conduct for all public and private entities for the promotion of environmentally sound management practices for chemicals and hazardous materials in Abu Dhabi Emirate. The code is developed in line with the Federal Law No. 24 and its bylaws regarding the management of chemicals and hazardous materials.

These standard operating procedures (SOPs) clearly define the roles of the proponent and EAD in order to put in place practices that will minimize potential health and environmental risks associated with the handling of chemicals and hazardous materials.

These SOPs are intended to support the requirements of Abu Dhabi Emirate Environment, Health and Safety Management System (EHSMS) Regulatory Framework (Decree 42 of 2009). The proponent must comply with any additional requirements for the import, export, handling, storage, and use of chemicals or hazardous materials within the EHSMS Regulatory Framework (without exception). Failure to comply with these conditions will result in the environmental permit being revoked.

Furthermore, EAD is developing an integrated system for hazardous materials management that contains a distribution module that will allow hazardous materials storage and industrial facilities to record and track quantities of materials they store, distribute, and use, and to maintain an inventory of their stocks.

1.1 What Is an Environmental Permit for Trading in Chemicals and Hazardous Materials?

Environmental permits are issued by an environmental agency to facilities that import, export, produce, store or manage chemicals or hazardous materials to ensure that necessary measures to minimize adverse effects on the environment are maintained. The permit must be renewed annually to ensure compliance with its conditions and to update the permit to reflect current operations at the facility.

1.2 Why Is It Required?

Federal Environmental Law 24/1999 and its bylaws require that all projects or establishments obtain a license prior to starting the activity. In order to receive this license, the facility owner (proponent) must assess the environmental impacts of the activities.

The permitting of chemical and hazardous materials facilities supports the requirements of the Abu Dhabi Emirate EHSMS Regulatory Framework (Decree 42 of 2009).

Furthermore, facilities that are nominated under the EHSMS Regulatory Framework and are required to apply for an environmental permit will automatically be required to develop a safety case. The requirements for developing a safety case are outlined within COP 05 of the EHSMS.

The developed safety case will be monitored by the Sector Regulatory Authority (SRA; the SRAs are responsible for implementing EHSMS Regulatory Framework in each Emirate sector), in conjunction with EAD and the Abu Dhabi Environment, Health, and Safety Center (AD EHS Center; i.e., the Competent Authority for the EHSMS Regulatory Framework). EAD reserves the right to undertake audits and inspections on the facility over and above those of the SRA.

1.3 What Facilities Are Subject to Chemical and Hazardous Materials Permitting?

The proponent of a new facility that intends to primarily deal with chemicals or hazardous materials (e.g., import, export, produce or distribute) should apply for a Trading in Chemicals and Hazardous Materials permit through EAD and comply with the conditions related to this activity as set forth by EAD. An application for a Technical Modification must be submitted to EAD for any modification at

an existing permitted facility, including the addition of new chemicals or hazardous materials and process changes. Permits must be renewed annually.

Based on the UN classification system (UN, 1998) there are nine major hazard classes as shown in **Table 1** below.

Facilities/companies dealing with chemicals and hazardous materials in other ways (e.g., industrial facilities and waste treatment facilities) will also have to be permitted by EAD. However, permitting procedures for most of these facilities and the relevant conditions and codes of practice are contained in other EAD documents.

Table 1. UN Classes and Subclasses of Hazardous Materials

UN Class	UN Classes and Subclasses of Hazardous Materials
1	<p>Explosives</p> <p>1.1 Explosives that have a mass explosion hazard. A mass explosion is one that affects almost the entire load instantaneously. Examples include ammonium perchlorate, barium styphnate, and trinitronaphthalene.</p> <p>1.2 Explosives that have a projection hazard but not a mass explosion hazard. Examples include smoke ammunition, tear-producing ammunition, and toxic ammunition.</p> <p>1.3 Explosives that have a fire hazard and either a minor blast hazard or a minor projection hazard or both, but not a mass explosion hazard. Examples include deflagrating metal salts of aromatic nitro derivatives, toxic ammunition, practice ammunition, and smoke ammunition.</p> <p>1.4 Explosives that present a minor explosion hazard. The explosive effects are largely confined to the package and no projection of fragments of appreciable size or range is to be expected. Examples include nonelectric detonator assemblies for blasting, electric detonators for blasting, detonators for ammunition, practice ammunition, cartridges for weapons, safety fuses, and fuse lighters.</p> <p>1.5 Very insensitive explosives. These are substances that have a mass explosion hazard but are so insensitive that there is little probability of initiation or of transition from burning to detonation under normal conditions of transport. Examples include blasting explosives and other very insensitive explosive substances.</p> <p>1.6 Extremely insensitive articles that do not have a mass explosion hazard. These are substances that contain only extremely insensitive detonating substances and demonstrate a negligible probability of accidental initiation or propagation.</p>
2	<p>Gases</p> <p>2.1 Flammable gases (e.g., propane, butane, ethyl fluoride, and anhydrous trimethylamine).</p> <p>2.2 Non-flammable, nonpoisonous compressed gases (e.g., compressed oxygen, carbon dioxide, compressed nitrogen, and nitrogen trifluoride).</p> <p>2.3 Poisonous gas (by inhalation). Presumed to be poisonous because they have an LD50 value equal to or less than 5,000 ppm.</p>
3	<p>Flammable Liquids</p> <p>Liquids, mixtures of liquids, or liquids containing solids in solution or in suspension (e.g., paints, varnishes, lacquers) that give off a flammable vapor at temperatures of not more than 61°C.</p>
4	<p>Flammable Solids</p> <p>4.1 Flammable solids (e.g., gelatin-coated, nitrocellulose-based films and trinitrotoluene).</p> <p>4.2 Spontaneously combustible materials (e.g., pyrophoric titanium trichloride, sodium hydrosulfite).</p> <p>4.3 Dangerous when wet (e.g., lithium hydride, magnesium powder, alkaline earth metal alloys, and amalgams).</p>
5	<p>Oxidizers and Organic Peroxides</p> <p>5.1 Oxidizers (e.g., calcium permanganate, sodium chlorite, and lead perchlorate).</p> <p>5.2 Organic peroxides (e.g., methyl ethyl ketone peroxides (types B, C, and D), liquid, and dicytyl peroxide (type D), liquid, temperature controlled).</p>
6	<p>Toxic Materials and Infectious Substances</p> <p>6.1 Toxic substances (e.g., liquid triazine pesticides, thioglycal, thallium nitrate, and carbon tetrachloride).</p> <p>6.2 Infectious substances (e.g., biological cultures and medical wastes).</p>
7	<p>Radioactive Material</p> <p>Examples of this class include cobalt, gallium, plutonium, and other radio nuclides.</p>
8	<p>Corrosive Materials</p> <p>Examples of this class include zinc chloride, sodium hydrogen fluoride solution, and calcium oxide.</p>
9	<p>Miscellaneous Hazardous Material</p> <p>Examples of this class include plastic molding material in dough, sheet, or rope form; expandable polystyrene bead; and evolving flammable vapor.</p>

1.4 How Do I Obtain a Permit for Trading in Chemicals and Hazardous Materials?

You must complete an Application for Trading in Chemicals and Hazardous Materials. EAD will thoroughly review the application and, if approved, will issue a permit valid for one year to the applicant. This process is detailed in Section 2.

To help identify the types of information you will need to complete the permit application, a sample permit application form is provided in Annex 1.

1.5 How Do I Renew My Permit?

An inspection will be performed by EAD 60 days prior to the expiration of your permit. After completing any corrective actions outlined in the inspection report, you must submit an application form and required documentation within 30 days of your permit's expiration. This process is outlined in Section 3.

2. Environmental Permitting Process for Chemicals and Hazardous Materials

This section provides step-by-step instructions for obtaining and renewing a permit for importers, exporters, producers and distributors of chemicals and hazardous materials.

For both new permit applications and renewals, if some requirements are missing the proponent will be notified either by phone or in writing to revise his application to meet the requirements. He does not necessarily need to fill a new application. If the proponent cannot meet the requirements of EAD, the Application will be rejected; however the proponent has the right to appeal.

2.1 Submitting a Permit Application

This section provides step-by-step instructions for obtaining a permit for importers, exporters, producers and distributors of chemicals and hazardous materials. **Figure 1** provides an overview of the process for obtaining a permit for Trading in Chemicals and Hazardous Materials and the actions of the permitting agency.

Application

Applicants should submit the Permit Application for Trading in Chemicals and Hazardous Material (Provided in Annex 1). The application form must be filled out clearly and completely, with all the required documents attached. Incomplete application forms will not be processed.

The following administrative documents must be provided with the permit application:

- Certificate from Abu Dhabi Chamber of Commerce and Industry (membership or trade name reservation)
- Copy of License issued by the Municipality or forwarding letter from them
- Copy of License issued by the Department of Economic Development
- Copy of License issued by the Ministry of Environment and Water (for Pesticides Handlers only)
- Signature authorization for owner and authorized manager
- Copies of passports of owner, technical / administration manager, and applicant
- Letter of delegation from owner/ authorized manager for agent submitting the application and receiving permit
- Partnership and Sponsorship Agreement authenticated by the Notary Public
- Map of company location and storage sites authorized by a government agency.

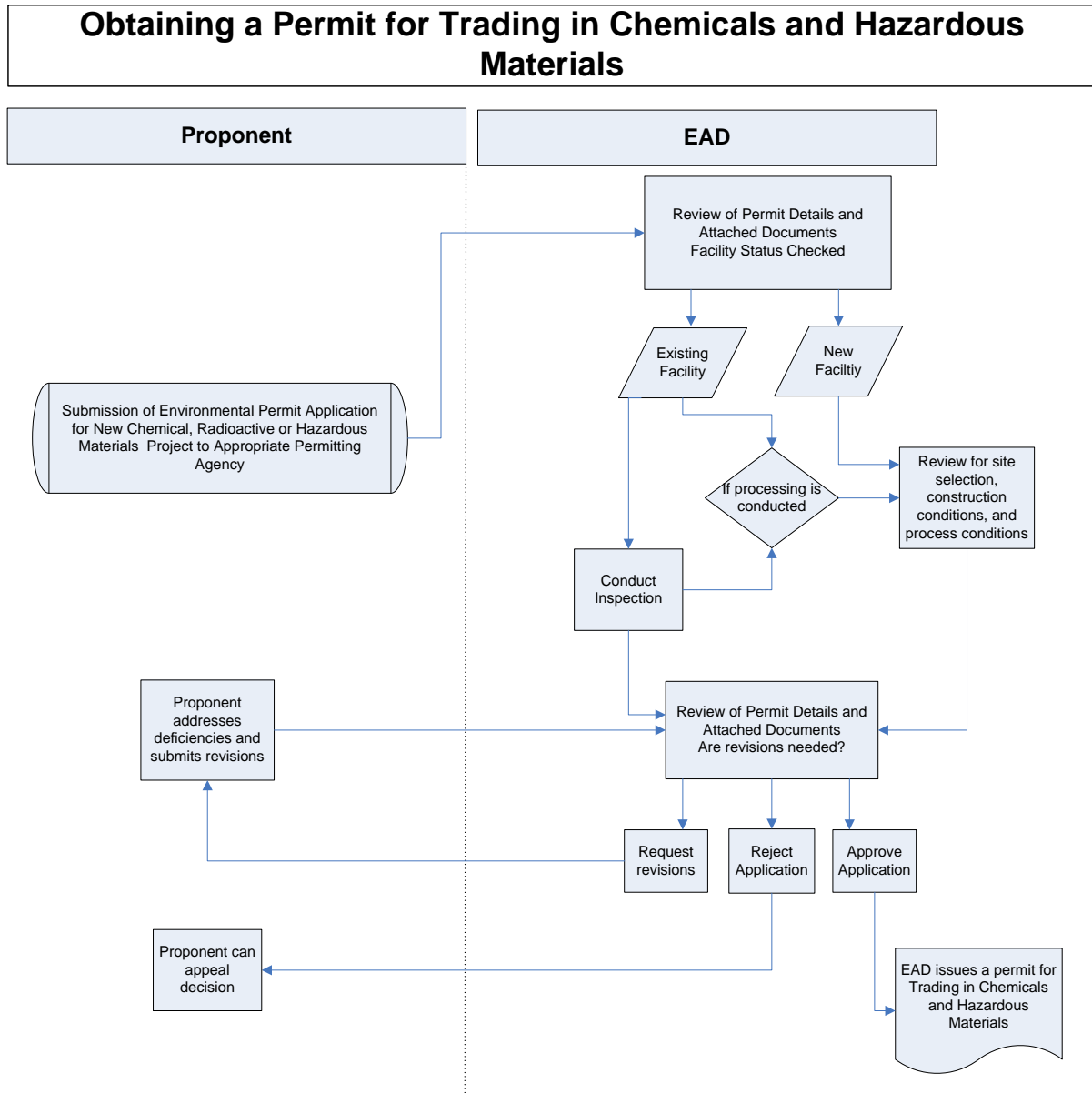


Figure 1. The process for obtaining a permit for trading in chemicals and hazardous materials.

If all administrative documents are provided, the application is forwarded for further review.

The following technical documents must be provided with the permit application:

- Company profile for previous experience
- Emergency plan approved by Civil Defence
- Copy of Civil Defence certificate for Radioactive, and hazardous materials transporting vehicle and certificate for driver in this field
- Map of company location and storage sites authorized by a government agency
- Copy of the facility and stores layout with the technical specifications approved by the Civil Defence
- List of chemicals and hazardous materials being dealt with, showing the following for each:
 - Chemical name
 - Customs harmonized system code (HS)

- CAS No.
- UN No.
- Annual consumption rates
- Copies of MSDS forms
- Copy of the Company EHSMS or Safety Manual, including record-keeping, measures to minimize environmental pollution, personnel and ambient monitoring, material transport, warning signs, and surveillance and security
- List of personnel qualified for handling of hazardous materials
- List of ambient monitoring and personnel dosimeter equipment.

Review and Approval

If the application involves the building of a new facility or involves processing of chemicals or hazardous materials, it will be forwarded to the appropriate section within EAD for review. Any resulting requirements will be communicated to the proponent.

EAD will review the application and required documents, and conduct an inspection of the facility. The application will be approved, signed, and Special Conditions attached if:

- The required administrative documents are attached
- The required technical documents are attached
- The inspection requirements are fulfilled
- Any requirements related to construction and processing are met.

2.2 Renewing a Permit Application

This section provides step-by-step instructions for renewing a permit for importers, exporters, producers and distributors of chemicals and hazardous materials. **Figure 2** provides an overview of the process for renewing a permit for Trading in Chemicals and Hazardous Materials and the actions of the permitting agency.

Application

EAD will conduct an inspection of the proponent's facility 60 days prior to the expiration of the permit and state any necessary corrective action in the inspection report. The proponent is required to complete corrective actions and submit an application for renewal (along with required documentation) within 30 days of permit expiration. The documents required to be submitted along with the renewal application are:

- An original copy of the environmental permit
- The safety case (if required, including supporting documentation to demonstrate compliance)
- Updates of documents mentioned in Section 2.1, *Submitting a Permit Application*.

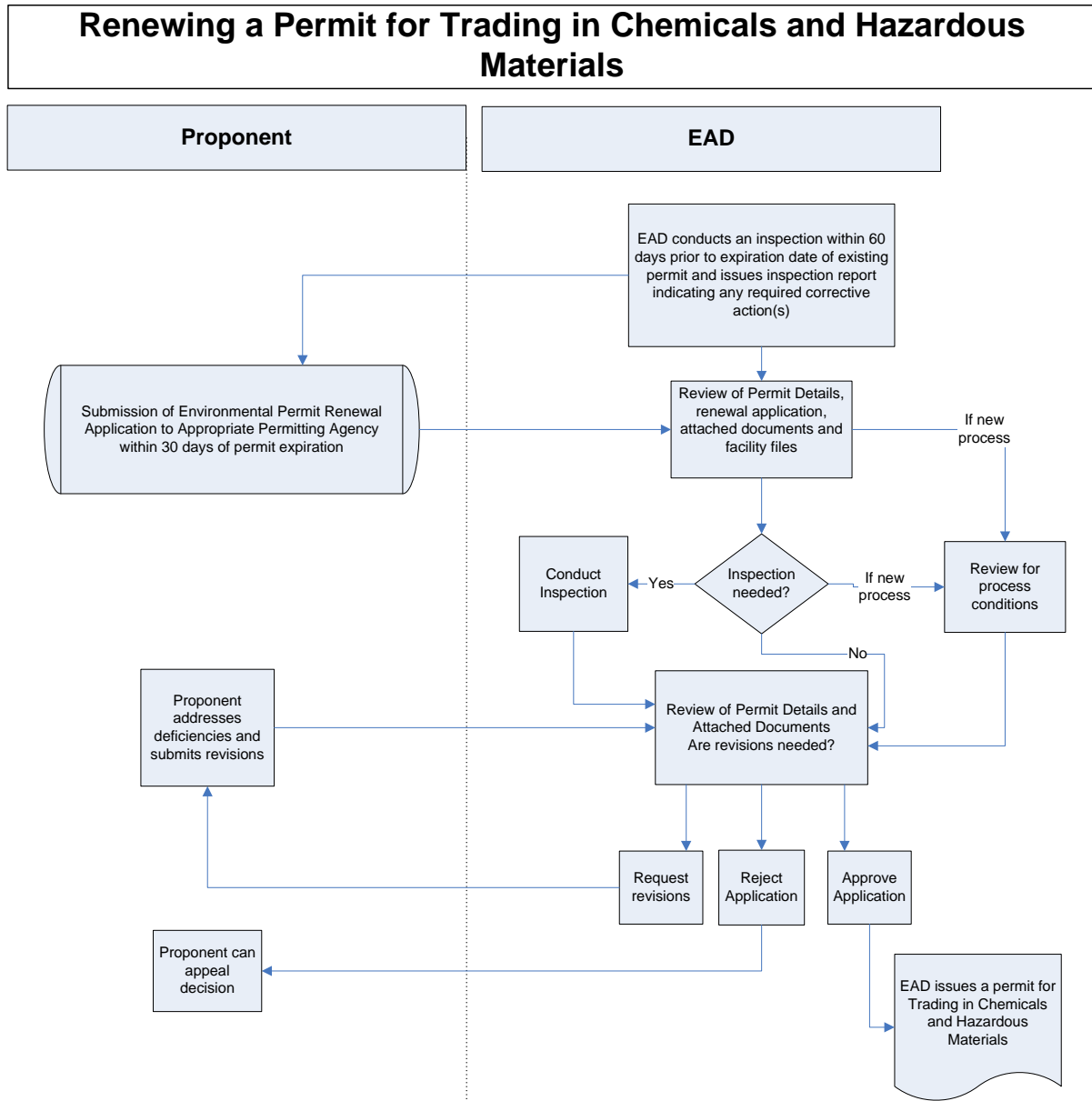


Figure 2. The process for renewing a permit for trading in chemicals and hazardous materials.

Review and Approval

EAD will review the renewal application and documents and determine if any new requirements are warranted. If new requirements are needed, an additional inspection may take place.

The application will be approved, signed, and Special Conditions attached if

- The required administrative documents are attached
- The required technical documents are attached
- The inspection requirements are fulfilled
- Any requirements related to construction and processing are met.

2.3 Communications with EAD

Phone calls and meetings may be used to discuss issues but do not constitute official decisions by EAD. If consultants or proponents provide meeting minutes, EAD can acknowledge them, but the meeting minutes do not constitute official correspondence from EAD.

3. Permit Conditions

The following conditions are related mainly to the permitting procedures for handlers of chemicals and hazardous materials. Specific guidelines for Import and Export, Production, and Distribution facilities are provided in Sections 3.1 through 3.3. All facilities with a permit for Trading in Chemicals and Hazardous Materials must follow the Advertising guidelines in Section 3.4.

EAD reserves the right of cancellation of permit for any breach of the Emirate's environmental laws or permit conditions. After obtaining the permit, the permit holder bears full responsibility for the following:

1. Notifying EAD of any import of chemicals, hazardous materials and wastes, or shipments in transit through Abu Dhabi Emirate, by filling out a release permit form at the point of entry. Shipments are normally released within a short period of time if the materials concerned are not banned and all required documents are attached.
2. Obtaining import permits from EAD or from other concerned agencies for materials requiring such permits (e.g., for pesticides from the Ministry of Environment and Water; and for precursors of narcotics from the Ministry of Health and Ministry of Interior). Radioactive materials exported also require a re-export permit from EAD.
3. Complying with all the national and local environmental regulations and being liable to penalties for any violations.
4. Covering all costs related to any clean up of chemical spillage at company sites or in public places during the process of transportation.
5. Providing all standard international professional training to its employees regarding the handling, transporting, and safe management of chemicals and hazardous materials.
6. Making available on site all emergency and protective equipment required for dealing with chemicals and hazardous materials.
7. Maintaining a register to record the quantity, type, and origin of each restricted chemical and hazardous material generated, collected, transported, stored, distributed, or disposed of, and provide such information to EAD every 6 months. EAD employees will subject such registers to random inspection.

Lack of compliance of permit holders would lead to citations, fines, and revocation or suspension of the permit.

EAD will periodically perform inspections and audits of facilities within its jurisdiction to ensure they are operating properly, safely, and in compliance with their permit requirements. If the project does not comply with the Environmental Conditions, then the proponent must execute corrective actions to comply with the conditions and requirements.

3.1 Import and Export

Customs clearance of chemical and hazardous materials shipments arriving at Abu Dhabi Emirate point of entries require the following:

- For certain restricted materials, a prior import permit will be required from other Competent Authorities (e.g., Ministry of Environment and Water, in case of pesticides).

- Copies of the following documents will have to be submitted with either the import permit or release permit request:
 - Importer/exporter trade license (if importer/exporter is not already permitted by or registered with EAD)
 - Material Safety Data Sheet
 - Bill of Lading
 - Certificate of Origin.
- All chemicals and hazardous materials imported into or exported from Abu Dhabi Emirate by road, sea, or air must comply with labelling, packaging, placarding, and transporting conditions in the “Code of Practice and Permitting Procedures, Environmental Services Providers.”
- Chemical importers should ensure that the quality of a chemical complies with the information in the attached label and with the literature and specifications published in the MSDS by the manufacturer.
- The classification, packaging, and labelling of chemicals must conform to applicable international rules, regulations, and EAD’s relevant code of practice.
- The chemicals and hazardous materials listed in **Annex 2** are prohibited from entry into Abu Dhabi Emirate and should not be imported.

3.2 Production

Through the application process, chemical producers or manufacturers will have to provide EAD with detailed information about their products, including but not limited to:

- Identification of the chemical
- An explanation of its proposed uses
- The quantity produced
- Chemical hazard classification
- A description of any effect on human health and the environment
- Mitigation/control measures to minimize impacts.

After reviewing the application, EAD may request additional information and testing, allow the manufacturer to proceed with the production of the chemical, or prohibit its production. EAD will notify the applicant of its decision in writing.

Chemical producers should adhere to the following:

- Maintain quality assurance procedures to ensure that the chemicals they produce comply with relevant human health and environmental standards and specifications.
- Educate and train their employees on all levels of the proper management of chemicals, including but not limited to handling, storing, and processing.
- Disseminate information on chemicals that they produce to chemical handlers, traders, and consumers and any other interested party, preferably in the form of an MSDS.
- Take all necessary precautions to protect their employees, communities surrounding their facility, and the environment.
- Report immediately any major chemical incident involving spills or leakage to EAD.

3.3 Distribution

Distributors should keep records/logbooks of all restricted chemicals received, stored, or sold for a 5-year period. Records should contain the following information about each chemical:

- Date received
- Name and address of supplier
- Invoice numbers
- Deliverer (transporter and permit number)
- Quantity received
- Names and addresses of purchasers.

Chemical distributors should also adhere to the following:

- Maintain quality assurance procedures to ensure that the chemicals they distribute comply with relevant human health and environmental standards and specifications, including not selling products that are out of date.
- Refrain from making business in chemicals that have no proper documentation of entry into Abu Dhabi Emirate.
- Never repackage or decant any chemical product into food or beverage containers.
- Carry out packaging, repackaging, or decanting of chemicals only on licensed premises where employees are provided with all personal protection equipment and training necessary for this activity.
- Cooperate with EAD in the inspection and monitoring activities and in reporting chemicals that do not have proper documentation.
- Dispose of expired and waste chemicals only through methods or contractors approved/permitted by EAD. If chemicals are hazardous and cannot be disposed of locally, arrangements must be made to re-export them to their country of origin.

3.4 Advertisement

Advertising is a tool that can pose risks when using false or misleading statements or visual presentations that exaggerate or otherwise misrepresent the safety and effectiveness of a chemical. Advertising may also contribute to the overuse of certain chemicals, leading to impacts on human health and the environment. Therefore, advertising activities should adhere at a minimum with the following requirements:

- Consist of accurate and factual statements that can be substantiated by testing and are technically justified.
- Not contain any statement or visual representation that directly, or by implication or exaggerated claim, is likely to mislead the user, in particular with regard to the “safety” of the product, its nature, composition, or suitability for use.
- Not encourage uses other than those specified on the label attached to the product.
- Not use statements such as “safe,” “non-poisonous,” “harmless,” or “non-toxic” advertisements without a qualifying phrase such as “when used as directed.”
- Should encourage chemical purchasers and users to read the label carefully, or have the label read to them, in order to communicate appropriate safety precautions.

Annex 1

Application for Trading in Chemicals and Hazardous Materials

Annex 2

List of Chemicals and Hazardous Materials Banned and Restricted in UAE