



LEHMAN, LEE & XU

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PRESS RELEASE

Amended New Chemical Notification Regulations Have Been Released

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On January 19, 2010, the Ministry of Environmental Protection (MEP) released the officially-promulgated version of its amended regulations for notification of new chemical substances in China (MEP Ministry Order No. 7 Regulations on the Management of New Chemical Substances Regulations, referred to in this article as “the Regulations”). The Regulations finalize MEP’s proposed draft regulations, which were released for public comment in late May 2009: China Releases Draft of Amended New Chemical Notification Regulations (June 17, 2009). The Regulations will supersede the existing 2003 regulations with the same title and will be effective on October 15, 2010.

The Regulations make few substantive changes to the proposed or draft regulations issued in the Spring of 2009. The many language and organizational changes in the final text primarily serve to clarify the earlier draft. The basic regulatory scheme and classification structure was retained. The Regulations clarify the streamlined filing requirements for new chemical substances being manufactured or imported in quantities below one tonne per year, as well as the quantity thresholds for additional data requirements for new chemical substances registered under the “regular” filing category.

Edward Lehman, Managing director of Lehman, Lee and Xu said that “the Regulations stipulate a number of obligations for filers both before and after registration. For example, an applicant is to “truthfully submit all known information” regarding “hazardous characteristics and environmental risks (Article 17). Registrants are to communicate the approved risk classification and appropriate risk controls to downstream users and processors (Article 30). These new measures make the registration more difficult and more complex. Lehman, Lee & Xu looks forward to helping our clients smooth the process.”

Lehman, Lee & Xu is a prominent Chinese corporate law firm and trademark and patent agency with offices in Beijing, Shanghai, Shenzhen, Hong Kong, Macau, and Mongolia. The firm has been recognized as one of the top trademark firms in China by several intellectual property magazines and is managed by Mr. Edward Lehman, a leading expert on corporate law with 20 years of practice experience in Mainland China.

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