

SOUTH KOREA OSHA/ISHA AMENDMENT OBLIGATIONS

Comprehensive Regulatory Support

Intertek Assuris supports its customers with the technical know-how needed to comply with the obligations outlined under South Korea's OSHA/ISHA Act (as amended).



Background

On January 15, 2019, South Korea published the amended Occupational, Safety and Health Act (OSHA) also known as the Industrial, Safety and Health Act (ISHA). The amended Act entered into force on January 16, 2020.

Notably, the amendments related to hazard communication, including Safety Data Sheet (SDS) requirements will come into force on January 16, 2021.

As a result, submission of a Korean SDS to the Ministry of Environment and Labour (MoEL), before manufacture or import will be required, for a chemical substance or mixture, which is classified as hazardous under Korean GHS.

There are three options:

- **Option 1:** disclose 100% composition information in the SDS (including non-hazardous components), and submit the SDS to MoEL through the SDS IT System.
- **Option 2:** only disclose hazardous components in the SDS and submit the SDS along with a separate document providing the name and content of non-hazardous components to MoEL.
- **Option 3 (for imported products only):** only disclose hazardous components in the SDS and submit the SDS along with a statement signed by the foreign company stating that all the non-disclosed components are non-hazardous substances.

Korea Only Representative Services

Through our legal entity in South Korea, Intertek can deliver a comprehensive Korean Only Representative (OR) Service according to ISHA, Enforcement Rule, Article 166. It should be noted that an Only Representative appointed under ISHA is a distinct OR compared to one appointed under K-REACH.

By appointing an ISHA Only Representative, a foreign manufacturer can protect Confidential Business Information (CBI). Our ISHA OR service builds on our experience of Only Representation under K-REACH, European Union REACH Regulation OR services, and Notifying Agent services under China's Order No. 7.

CBI Protection

If your company does not want to disclose CBI such as the chemical name and content of a hazardous component in their Korean SDS(s), an application to the MoEL needs to be made. The application must be approved by the MoEL and lasts for five years after which another application for extension of CBI protection must be made.

SDS Author and Submission

Intertek Assuris experts have extensive expertise and experience having supported many companies with K-REACH and ISHA registration.

Intertek has expert resources able to support your company to author SDSs according to the amended ISHA and can submit compliant SDSs on your behalf through the SDS IT System.


About Intertek

Intertek is a leading Total Quality Assurance provider to industries worldwide. Our network of more than 1,000 laboratories and offices in more than 100 countries, delivers innovative and bespoke Assurance, Testing, Inspection and Certification solutions for our customers' operations and supply chains. Intertek Total Quality Assurance expertise, delivered consistently with precision, pace and passion, enabling our customers to power ahead safely.

Total Quality. Assured.

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