



Republic of the Philippines
Department of Environment and Natural Resources
ENVIRONMENTAL MANAGEMENT BUREAU

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Memorandum Circular No. 010
Series of 2014

**SUBJECT : GUIDELINES FOR THE DISCLOSURE OF
CONFIDENTIAL BUSINESS INFORMATION (CBI)
AND MONITORING OF SMALL-QUANTITY
IMPORTATION (SQI), AND PRE-MANUFACTURE
PRE-IMPORTATION NOTIFICATION (PMPIN)**

One of the objectives of RA 6969 is to keep an inventory of chemicals that are presently being imported, manufactured or used; indicating, among others, their existing and possible uses, test data, names of firms manufacturing or using them, and such other information as may be considered relevant to the protection of health and the environment. Thus, pursuant to Section 12 of RA 6969 which is the Public Access to Records, Reports or Notification and Section 40, Chapter 10 of DENR Administrative Order No. 29, Series of 1992 (Implementing Rules and Regulation of RA 6969) also known the Confidentiality of Information, the following rules are hereby promulgated.

I. Objective

This Circular aims to provide guidelines for the disclosure of Pre-Manufacture Pre-Importation Notification (PMPIN) Compliance Certificate and Small Quantity Importation (SQI) Clearance regarding the disclosing of 100% composition of ingredients, Chemical Name, Chemical Abstract Service (CAS) Registry Number and other information that are considered as Confidential Business Information (CBI) by the manufacturer/supplier of chemical(s) that do not want to disclose those information to their client.

II. Scope

All importers-distributors and importers-manufacturers that undergo SQI Clearance and PMPIN Compliance Certificate procedures with CBI on their application.

III. Disclosure Guidelines

3.1 Applicant

3.1.1 The applicant/manufacturer/supplier who do not want to disclose the CBI documents, may directly disclose the said information to:

3.1.1.1 The Toxic and Hazardous Management Section of EMB Regional Office (location of storage plant/facility) and email the information at www.emb.gov.ph REGIONAL LINKS; or

3.1.1.2 The Chemical Management Section (CMS) of EMB Central Office and email the information at chemicals@emb.gov.ph.

3.1.2 Manufacturer/supplier claiming CBI must fill-up the form (see Annex A), attach the CBI document and submit these to the respective EMB Regional Office (RO) where the storage plant/facility is located or the EMB Central Office (CO).

3.2 Small Quantity Importation (SQI)

3.2.1 Chemical Name, CAS RN, 100% composition of the product or substance and other required documents that are not disclosed because it is CBI documents, the Regional Office may suggest to the applicant that the manufacturer/supplier may disclose the CBI of SQI application to 3.1.1.1 of this Circular.

3.2.2 CBI documents forwarded to EMB Central Office, EMB Regional Office shall have to wait for the confirmation coming from the EMB Central Office.

3.2.3 The EMB Regional Offices may proceed with the processing of the applicant's application after receiving the confirmation from EMB Central Office within five (5) working days.

3.2.4 CBI documents shall not be disclosed to any other parties if not authorized by the disclosing company.

3.2.5 Make sure the disclosed CBI of SQI shall be kept in the Confidential Filing.

3.3 PreManufacture and PreImportation Notification (PMPIN)

3.3.2 Confirmation shall be made within 10 working days for the CBI document that was disclosed by the manufacturer/supplier to EMB Central Office.

3.3.3 Product or trade name of the chemical or substance shall only appear in the PMPIN Compliance Certificate if confidential.

3.3.1 The CBI documents for SQI that have been disclosed to EMB Central Office by the manufacturer/supplier shall be processed and make the confirmation to respected EMB Regional Office within five (5) working days.

3.3.4 Ensure the confidentiality as stated on 3.2.4 and 3.2.5 of this Circular.

IV. Monitoring

Monitoring and validation of the company with SQI Clearance and PMPIN Compliance Certificate shall be done randomly or as prescribe by this Office after the submission of Notice Commencement or issuance of permit. The monitoring shall look on to the storage facility with related permit, compliance to terms and conditions, compliance with Material Safety Data Sheet (MSDS)/Safety Data Sheet (SDS), labeling and summary report for the 1st one year of importation.

V. Separability Clause

If any portion or provision of this Circular is declared unconstitutional or invalid, the remaining portions of this Circular shall remain valid and enforceable.

VI. Penalty Clause

Violation or non-compliance to the terms and conditions of issued permit/clearance is under and subject to DENR Memorandum Circular No. 003, Series of 2005 also known as "Prescribing Graduated Administrative Fines Pursuant to RA 6969 and DENR Administrative Order No. 29, Series of 1992".

VII. Effectivity

This Circular shall take effect fifteen (15) days after its complete publication in a newspaper of general circulation.



ATTY. JONAS R. LEONES
DENR Undersecretary
and concurrent EMB Director

Confidential Business Information (CBI) Form**Substance Information**

Trade/Product Name: _____

Exporter (Manufacturer/Supplier)

Company Name: _____

Company Address: _____

Contact Person: _____

Contact Number: _____

Email Address: _____

Importer (Applicant)

Company Name: _____

Company Address: _____

Contact Number: _____

Email Address: _____

CBI Purpose

The CBI will be used in the application for:

- SQI Clearance
- PMPIN Compliance Certificate

EMB Office that needs the CBI document: _____

CBI Document Attached:

- MSDS/SDS
- 100% Composition of Ingredients
- Specific chemical name and CAS RN
- Laboratory Reports
- Others: _____

Signature over Printed Name
Contact Person

President/General Manager/
Pollution Control Officer

Date