

Guidelines of chemical trading for the safe handling of chemicals, their marketing and for the appropriate information of the public

(Status May 1995)

1. Scope of the guidelines

These guidelines are valid for all activities which chemical trading companies carry out with chemicals, such as storage, loading and unloading, filling and transferring, mixing, processing and manufacturing, in-house transport as well as transport on public routes with motor vehicles, or by rail or by ship.

These guidelines also apply to the placing on the market of chemicals, their transfer to third parties, and also even then, when the trading company does not touch the goods physically.

2. Plant safety

The storage of chemicals and all the associated actions such as loading and unloading as well as in-house transport are to be carried out strictly in accordance with all the relevant laws, directives and technical regulations.

Stores, filling and transshipment plants which require approval from the authorities are to be operated in such a manner that no pollution of the environment, other hazards, substantial disadvantages and considerable disturbances for the general public and the neighborhood can be caused.

Stores, filling and transshipment plants, which do not require approval, are, as a basic rule, to be operated just as safely as those requiring approval. Here too, those damaging effects on the environment, which can be avoided using the latest technology, are then to be prevented.

Simultaneously, all stores, filling and transshipment plants are to be operated in such a manner, that no pollution of groundwater or surface waters occur. The soil must be protected in such a manner that its functionality remains intact. Damage which has occurred in the past is to be rectified. Precautions are to be taken against possible future harmful effects.

3. Transport safety

For the transportation of chemicals, which due to their nature, properties or condition, could present hazards for the public safety or the public order during their transportation, all safety and due diligence obligations of the hazardous goods laws, including specific modes of transport regulations, must be carefully respected and complied with.

All hazardous goods are to be packed in secure, design-certified packing materials and transported in safety-related, tested and authorized means of transportation such as tanks and containers. Packages and the means of transportation are to be labeled according to the hazardous goods regulations.

The transportation of chemicals by road with own vehicles must be carried out exclusively by trained and specially instructed drivers.

Other transporters/haulage companies are only to be commissioned if they and, if the circumstances apply, their sub-contractors guarantee a safe transportation.

4. Delivery to professional and private customers

In the marketing of chemicals, chemical trading differentiates between delivery to professional recipients – industrial sites and chemical laboratories – and the supply of private individuals.

Before they are delivered, all hazardous substances and preparations are classified, labeled and securely packed. At the latest with the first delivery of substances or preparations, professional recipients are provided with a safety data sheet, which contains answers to all the important questions concerning safety, as well as occupational and environmental protection.

Particularly dangerous substances and preparations, such as poisons, are only supplied to private individuals in exceptional circumstances. This also only occurs when the private person receiving such goods has been instructed about the hazards of handling such substances and preparations. These instructions include how the person must react if such substances are released or spilled, and how he is able to dispose of such substances correctly. At the same time, care is taken to ensure that such substances and preparations are only supplied by those employees of the chemical trader who have successfully taken a specific, official expertise examination on this subject.

Furthermore, other hazardous substances and preparations will only be provided to private individuals if the packaging is sealed with child-resistant fastenings and carry a tactile warning of danger for blind people. In case this is necessary, product information will be specially harmonized for the private consumer market. Upon request, the private customer also is supplied with a safety data sheet for the product he has received.

5. Delivery of particularly sensitive products

When delivering, and particularly when exporting, chemicals which can serve as precursors for the production of chemical weapons, chemical trading observes the internationally introduced precautionary measures and the national legislation, and also pays special attention to the code of conduct which the industrial sector has stipulated for itself.

When delivering, and particularly when exporting, chemicals which can be misused as precursors or additives for the manufacture of narcotics, the chemical trading sector adheres strictly to the agreed international and national precautionary regulations as well as the code of conduct which

the industrial sector has stipulated for itself.

When exporting – in particular to developing countries – chemicals, whose use is limited, or even forbidden, in Germany or in the countries of the European Union for reasons of industrial safety or, in particular, environmental protection, chemical trading strictly observes the European export regulations. Furthermore, chemical trading abides by the voluntary commitment declaration which the Chemical Traders' Association has given to the Federal German Minister of the Environment.

6. Company organization, transfer of responsibilities and supervision

Owners, CEOs and board members of chemical trading companies must ensure that the employees also know exactly the obligations which the company must fulfill and that, due to their position in the company, these employees also share the responsibility.

For this purpose, employees are specifically appointed who are given entrepreneurial duties. These persons are carefully selected, regularly trained and given the necessary resources, material and time to fulfill their responsibilities. Nonetheless, the heads of the company recognize their overall responsibility, including the subsequent supervisory obligation.

For certain tasks, company management appoints authorized representatives or officers, as e.g. the Emission Control Officer, the Major Incidents Officer, the Water Protection Officer, the Waste Management Representative, the Working Safety Representative and the Hazardous Goods Representative.

Company management ensures that the representatives, as with other employees for special tasks, participate in seminars, training courses and advanced training courses – in particular those of the Chemical Traders' Association.

7. Informing the general public

Chemical trading companies carry out public relations work according to their individual possibilities and to the best of their ability.

They ensure that the responsible authorities have all the operational information concerning the environment, which the authorities need to satisfy the entitlement of every citizen to free access to information about the environment.

The Chemical Traders' Association issues various publications which are distributed free of charge, if possible in large editions, to interested parties. As basic information, there is the publication "Chemikaliengroßhandel - was ist das?" ("Chemical wholesaling – what is that?"). Further publications are issued and updated on selected technical or legal themes, such as e.g. the transportation of dangerous goods, the disposal of used halogenated solvents or the recycling of transportation packaging. Special publications, such as e.g. on the safe in-house handling of highly volatile chlorinated hydrocarbons, are passed on to their relevant customers, unprompted and free-of-charge, by the trading companies.

If large volumes of particularly dangerous chemicals are stored or transshipped at chemical trading company locations, which could, in case of a serious incident such as a fire, mean a grave danger for people and/or the environment, the company, as a precaution, informs the neighborhood, to the extent that it could be affected in the most unfavorable circumstances.

8. Self-commitments and fiduciary duties

The chemical wholesalers and foreign trade specialists organized in the Chemical Traders' Association strictly observes its own codes of conduct and self-commitment agreements. For example, substances or preparations which are a potential danger for the environment are only exported to developing countries, when adherence to the general conditions of the corresponding self-commitment is assured. Cooperation agreements, such as e.g. with the European Chlorinated Solvent Association, are adhered to by the member companies within the scope of their fiduciary duty towards their Association.

Recommendations of the Association, such as e.g. on the consistent handling of the provision and return of chemical packaging, are given unlimited support to the extent that they are aiming at safety technology improvements or increased occupational and environmental protection.

9. Exchange of safety-related findings

The companies which belong to the Chemical Traders' Association know that responsible actions in handling and marketing chemicals are also characterized by the exchange of safety-related findings from technology and chemistry. In case of danger, upon request, recommendations and technical support are provided. Competition, yes - but not at the expense of safety.

10. Chemical trading as part of the wider chemical industry

The wholesalers and foreign trading companies organized in the the Chemical Traders' Association recognize that they are also part of the wider chemical industry. Therefore, they promote the interests of the entire chemical industry by maintaining and improving the level of safety in chemical trading.

The members of the Chemical Traders' Association cultivate the technical and economic cooperation with their important suppliers and circle of customers.
