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RESOLUTION NO. 20

PRC BOARD OF CHEMISTRY, July 23, 1990

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The Board, in its meeting held today, had for consideration the amendment of Board Resolution No. 2, Series of 1984, dated February 6, 1984 regarding the Rules and Regulations governing the inspection, appraisal, and licensing of Chemical laboratories and related establishments, in pursuance of Sec. 3 (c) of R.A. 754, known as the Chemistry Law of the Philippines, as amended by P.D. 683.

SECTION 1. Definitions . — Chemical laboratories and related establishments include the following:

a. Control Laboratory — a place in an industrial establishment where chemical or physico-chemical analyses or tests on raw materials, intermediates and finished products are conducted;

b. Testing Laboratory — an establishment where chemical or physico-chemical examination services on raw materials, intermediates and finished products are conducted;

c. Chemical Research Laboratory — a place in an establishment where pure and/or applied research are conducted with the use of chemical or physico-chemical methods;

d. Chemical Store — an establishment where chemicals, apparatus and equipment for chemical analyses or research are held, stored and offered for sale to other chemical laboratories;

e. Chemical Consultation Firm — an establishment where a registered chemist or chemists are engaged in rendering professional or technical advice or consultation requiring the application of chemical knowledge.

SECTION 2. Requirements for Licensing . — The Board of Chemistry, with the approval of the Commission and in accordance with the conditions and requirements stipulated in this resolution may issue a certificate of authority to operate to all laboratories and establishments enumerated in Section 1(a through e) meeting the following qualifications and requirements:

a. Must have sufficient safety devices and facilities to ensure the protection of personnel from laboratory hazards;

b. Provide for proper storage and handling of hazardous, toxic and flammable chemicals;

c. Must have the necessary laboratory furniture, glasswares, utilities, equipment and ancillaries necessary for the conduct of competent and professional work;

d. Must have adequate number of Registered Chemists to perform professional work. Registered chemical technicians can provide assistance to the Registered Chemists. A Registered Chemists shall supervise a maximum of five (5) chemical technicians;

e. Laboratory Reports, certificates of chemical and physico-chemical analyses and/or research activities reports should have a letterhead containing the name of the Laboratory or establishment and its certificate number. Reports and services must be certified by a registered chemist under its employ who shall state his registration number under his name and signature;

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f. Must have the illumination and ventilation necessary for the well-being of the people working therein.

SECTION 3. Application . — A laboratory or establishment wishing to apply for a certificate of authority to operate or for the renewal of its certificate shall submit a duly accomplished and notarized form, Chemistry Board Form No. 3. After evaluation of the application and prior to approval, the Board of Chemistry or its authorized representative may inspect the applicant laboratory or establishment.

SECTION 4. Inspection of Laboratories . — Laboratories or establishments, either with an approved authority to operate or applying for an authority to operate, shall be subject to inspection by the Board of Chemistry or its authorized representative as often as may be necessary at the discretion of the Board, or upon request of the firm itself, or to verify claims made in their application, or because of a complaint against the laboratory or establishment. Requirements listed in Section 2 shall be the basis of such inspection. At least one week before inspection, the Chairman of the Board shall notify said laboratory or establishment to be inspected. Those applying for a certificate of authority to operate or requesting for such inspection shall be charged an inspection fee of P500.00 payable to Professional Regulation Commission, P. Paredes St., Sampaloc, Manila.

SECTION 5. Issuance of Certificates . —

a. The Certificate of Authority to operate shall be signed by the members of the Board and the Chairman of the Professional Regulation Commission. The certificate shall be in the following form: "Pursuant to the powers vested in the Board of Chemistry under Section 30 of Republic Act No. 754, the (name of the establishment/company) operating at _____ (address) _____ has been found to meet the requirements of the said Act and the rules and regulations of the Board.

IN VIEW WHEREOF, this Certificate of Authority to operate No. ____ is issued with all rights and privileges appertaining thereto, this _____ day of _____ 19 _____, at Manila, Philippines.

This certificate shall be valid for one year from date of issue unless earlier revoked or suspended by the Board.

b. Application for renewal of the certificate shall be filed by the laboratory or establishment at least one month before the date of expiration of the certificate. The renewal certificate shall be issued by the Board upon the continued compliance with the provisions of R.A. 754 and the Rules and Regulations of the Board and upon payment of the prescribed fee for renewal.

SECTION 6. The Inspection Fee . — Fees for the inspection, certificate of authority to operate, renewal or re-issuance of certificate shall be as provided for in the schedule of fees promulgated by the Professional Regulation Commission.

SECTION 7. Suspension and Revocation of Certificates . — The Board shall have the power to suspend or revoke, upon proper notice and hearing, any subsisting certificate for any of the following causes:

a. The use of perpetration of any fraud or deceit in obtaining the certificate;

b. Gross negligence or incompetency;

c. Unprofessional or dishonorable conduct;

d. Non-compliance with the Board requirements.

SECTION 8. Re-issue of Revoked Certificate or Replacement of Lost Certificate. — After one year following the revocation of a certificate, the Board may, for reasons it may deem sufficient, entertain application for re-issuance.

An application for replacement of a lost, damaged, or mutilated certificate must be accompanied with proof of

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loss, destruction or mutilation.

SECTION 9. Penal Provisions . — It shall be unlawful for any person, firm, co-partnership, corporation or other entity to operate any of the laboratories establishments defined in Section 1 of these rules without a valid and subsisting certificate of authority to operate. Any person who violates any of the provisions of the Rules and Regulations under this Resolution shall upon conviction be sentenced to a fine of not more than P1 ,000.00 or to suffer imprisonment for a period not exceeding three months, or both, at the discretion of the court.

SECTION 10. Professional work or services rendered by laboratories and related establishments cannot be utilized for purposes of satisfying any government rule, regulation or requirement or presented in court as evidence unless such laboratories or establishments have valid certificate of authority to operate and the work or service is cerfied by a registered chemist under its employ.

SECTION 11. This resolution supersedes Board Resolution No. 2, Series of 1984, and all Board Resolutions, rules and regulations or parts thereof, inconsistent therewith.

SECTION 12. Effectivity . — These Rules and Regulations shall take effect upon approval hereof by the Commission and after fifteen days following its publication in the Official Gazette.

Adopted: 23 July 1990

(SGD.) AUGUSTO G. SANTOS-OCAMPO
Chairman

(SGD.) PETRONILO O. JULIANO
Member

(SGD.) VIRGEN L. DEL ROSARIO HERNANDES
Member

Approved as part of the rules and regulations governing the practice of Chemistry.

(SGD.) JULIO B. FRANCIA, JR.
Commissioner

(SGD.) NILO C. MARIANO
Associate Commissioner

(SGD.) MARIANO A. MENDIETA
Associate Commissioner

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