

Toxic Substances Control Act (TSCA) Hazardous Substances Import Guidelines

The Toxic Substances Control Act (TSCA) is a federal regulation intended to prevent the commercial distribution of hazardous substances.

How TSCA Affects Research

Before a hazardous substance can be manufactured or imported, it must be on the [TSCA Chemical Inventory list](#). Any hazardous substance that is not on the TSCA Chemical Inventory list is considered “new”.

The [TSCA Research and Development Exemption](#) is the mechanism through which a “new” hazardous substance can be manufactured imported for research use.

The exemption allows research activities, while continuing to restrict commercial uses of “new” hazardous substances. For the Research and Development Exemption, research laboratories must comply with the following requirements:

- The hazardous substance must be used solely for the purposes of scientific experimentation, analysis, or research.
- Distribution or commercial use of the “new” hazardous substance is prohibited for non-research activities.
- If a “new” hazardous substance is transferred to another laboratory for further research and development activity, the new owner must also comply with Research and Development Exemption requirements.
- The hazardous substance must be manufactured or imported in a small quantities.
- The manufacture or importer must notify all individuals that are engaged in research on the hazardous substance of any risk to health.
- The hazardous substance must only be used by, or directly under the supervision of, a technically qualified individual.
- Any person working with the hazardous substance must be trained on the potential risks of exposure.
- Prudent, safe laboratory practices must be exercised in compliance with [UC Irvine’s Chemical Hygiene Plan](#).
- Disposal of TSCA hazardous substances must be managed as [hazardous waste](#) through EH&S.

Importing Hazardous Substances under the Research and Development Exemption

A [TSCA certification form](#) must be completed and signed by the importer and included with the airway bill and/or shippers declaration. The importer is the researcher/Principle Investigator importing the hazardous substance into the United States.

- Complete the TSCA certification by checking either the ‘positive’ or ‘negative’ certification boxes:
 - **Positive Certification:**
Check this box if the hazardous substance is being used at the University for research under the “Research and Development Exemption”.
 - **Negative Certification:**
Check this box only if the hazardous substance being imported is not subject to TSCA regulation and is regulated by the following agencies:
 - Tobacco and tobacco products regulated by the Bureau of Alcohol, Tobacco, and Firearms (ATF)
 - Food, food additives, drugs, and cosmetics regulated by the Food and Drug Administration (FDA)
 - Radioactive materials regulated by the Nuclear Regulatory Commission (NRC)
 - Pesticides regulated by the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA)
- Complete the identification section:
 - Enter the Principle Investigator as the authorized name and signature.
 - Contact the vendor or shipper to obtain an airway bill number for the shipment.
- Keep a copy of each certification you submit. Having a record on file will help in the event of a regulatory audit.

If you have questions about TSCA regulation, contact EH&S at (949) 824-6200.