Under the Toxic Substances Control Act (TSCA), EPA has the authority to regulate the manufacture (including import), processing, use, distribution in commerce, and disposal of chemical substances and mixtures that present, or will present, an unreasonable risk to human health or the environment. Importers of chemicals in bulk or as part of mixtures are required to certify that their imported chemicals or mixtures are either in compliance with TSCA or not subject to TSCA.

**When filing a TSCA certification statement the PGA records that are utilized are:**

|  |
| --- |
| **Description** |
| Commercial description of the shipment |
| Government Agency Program Code (EPA) |
| Program Code (TS1) |
| Product/Component level identifier (Product or Component) |
| TSCA Declaration code (EP4.EP5) |
| Declaration Certification (TSCA Positive / Negative) |
| Certifying Individual |
| Certifying individual point of contact, phone number and email |
| Disclaimer |

**Commercial Description:** The commercial description of the product. For example, ALUMINUM CHLORIDE

**Government Agency Code**: EPA

**Government Agency Program codes for TSCA PGA Message Sets:**

|  |  |
| --- | --- |
| ***Government Agency Program Code*** | ***Description*** |
| TS1 | Toxic Substance Control Act |

**Product /Component Level Identifier**: Indicate whether or not the information being provided relates to a product (P) or a component (C) of a product

**TSCA Declaration Code**

The construction of an EPA PGA Message Set for TSCA certification can be used to declare the positive or negative TSCA certification statement. The certification statements are as follows:

**EP4** (Positive Certification)

* **Positive -** I certify that all chemical substances in this shipment comply with all applicable rules or orders under TSCA and that I am not offering a chemical substance for entry in violation of TSCA or any applicable rule or order under TSCA.

**EP5** (Negative Certification)

* **Negative -** I certify that all chemicals in this shipment are not subject to TSCA.

**List of Entity Role codes applicable to EPA-TSCA Message Sets:**

|  |  |  |
| --- | --- | --- |
| ***Data Element*** | ***Code*** | ***Description*** |
| Entity Role Codes | CI | Certifying Individual |

**Declaration Certification:** Designates that the information provided is correct and all required documents have been provided

**Certifying Individual:**

**TSCA Positive Certification**

The import is subject to TSCA, The Certifying Individual verified a Positive TSCA Certification. The Certifying Individual’s signature is on record.

**Negative TSCA Certification**

The import is not subject to TSCA but is listed in the TSCA Chemical Inventory. The Certifying Individual verified a negative TSCA Certification.

**Certifying Individual Point of Contact:** Name, Phone Number and Email

**HTS Codes;** Flagged? Not Flagged? Where are they found?

**Disclaimer:** Code declaring filing does not require a PGA Message Set.

A code indicating the reason the PGA message set is being disclaimed and not provided.

**Valid codes are:**

A = product is not regulated by this agency

B = data is not required per agency guidance

C = data filed through other agency means

D = data filed through paper

**Codes A and B are NOT allowed if the HTS is flagged as 'Must Be' provided**.

**Document Imaging System:**

**Cargo Release Status Notification**

**For questions about TSCA, please contact:**

Laura Nielsen, Compliance Division, Office of Pollution Prevention and Toxics, U.S. EPA (202) 566-0621 or Nielsen.laura@epa.gov

**TSCA Inventory List:**

http://www.epa.gov/oppt/existingchemicals/pubs/tscainventory/

**Compliance Guide for the Chemical Import Requirements of the Toxic Substances Control Act**

http://www2.epa.gov/compliance/compliance-guide-chemical-import-requirements-toxic-substances-control-act

**EPA Supplemental Guide:**

The PGA Message Set chapter/implementation guide and its related Appendix PGA can be found on CBP.gov at:

<http://www.cbp.gov/trade/ace/catair#field-content-tab-group-tab-4>

The CATAIR chapters and appendices can be found on CBP.gov at:

<http://www.cbp.gov/trade/ace/catair>