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**COMMITTEE OF EXPERTS ON THE TRANSPORT OF
DANGEROUS GOODS AND ON THE GLOBALLY
HARMONIZED SYSTEM OF CLASSIFICATION
AND LABELLING OF CHEMICALS**

**Sub-Committee of Experts on the Globally Harmonized
System of Classification and Labelling of Chemicals**
(12-14 December 2001)

**REPORT OF THE SUB-COMMITTEE OF EXPERTS
ON ITS SECOND SESSION**

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REPORT

ATTENDANCE

1. The Sub-Committee of Experts on the Globally Harmonized System of Classification and Labelling of Chemicals held its second session in Geneva from 12 to 14 December 2001.
2. Experts from the following countries took part in the session: Argentina, Australia, Austria, Belgium, Brazil, Canada, Czech Republic, Finland, France, Germany, Greece, Iran (Islamic Republic of), Italy, Japan, Netherlands, New Zealand, Norway, Poland, South Africa, Sweden, United Kingdom and United States of America.
3. Under rule 72 of the rules of procedure of the Economic and Social Council, observers from the following countries took part: Bulgaria, China, Denmark, Mexico, Portugal, Switzerland and Zambia.
4. Representatives of the United Nations Institute for Training and Research (UNITAR) and of the following specialized agency were present: International Labour Office (ILO).
5. The following intergovernmental organizations were represented: European Commission (EC), Intergovernmental Forum on Chemical Safety (IFCS) and Organization for Economic Co-operation and Development (OECD).
6. Representatives of the following non-governmental organizations took part in the discussion of items of concern to their organizations: Compressed Gas Association (CGA), Croplife International, European Chemical Industry Council (CEFIC), European Industrial Gases Association (EIGA), Federation of European Aerosol Associations (FEA), Federation industrial Paints and Coats of Mercosul, Hazardous Materials Advisory Council (HMAC), International Association of the Soap, Detergent and Maintenance Products Industry (AISE), International Air Transport Association (IATA), International Council of Chemical Associations (ICCA), International Council on Mining and Metals (ICMM), International Organization for Standardization (ISO), Soap and Detergent Association (SDA) and International Union of Railways (UIC).

ADOPTION OF THE AGENDA

Document: ST/SG/AC.10/C.4/3 (Secretariat)

Informal documents: INF.1 and INF.2 (Secretariat)

7. The Sub-Committee adopted the provisional agenda prepared by the secretariat with the addition of the late informal documents (INF.3 to INF.18) listed in INF.1 and INF.2. Document ST/SG/AC.10/C.4/2001/29 was withdrawn by the expert from Sweden.

ELECTION OF OFFICERS

8. The Sub-Committee, at its first session, had already elected Ms. K. Headrick (Canada) as Chairperson and Ms. A.L. Sundquist (Finland) as Vice-chairperson for 2001-2002.
9. The Sub-Committee, at its first session, decided also that a second Vice-chairperson should be elected at the present session after further consultation with experts from developing countries. In accordance with this decision, and on a proposal by the expert from Belgium supported by the experts from the United States of America and from Argentina, Mr. Roque Puiatti (Brazil) was also elected Vice-chairperson for 2001-2002.

GLOBALY HARMONIZED SYSTEM OF CLASSIFICATION AND LABELLING OF CHEMICALSInformal documents: INF.10 and INF.4 (ILO)

10. The Sub-Committee noted with satisfaction that the Inter-Organization Programme for the Sound Management of Chemicals (IOMC) Coordinating Group for the Harmonization of Chemical Classification Systems (CG/HCCS) had completed its assigned task. The final draft of the Globally Harmonized System for Hazard Classification and Communication (GHS) prepared by CG/HCCS had been endorsed by the IOMC Inter-organization Coordinating Committee (IOCC) and had therefore been transmitted to the Sub-Committee by the Chairman of IOCC, Mr. J. Takkala (ILO), as follows:

- ST/SG/AC.10/C.4/2001/20: Foreword, Table of contents, Part 1, Introduction
(INF.13 for the French version) (with corrections in INF.3)
- ST/SG/AC.10/C.4/2001/21: Part 2: Physical hazards
- ST/SG/AC.10/C.4/2001/22: Part 3: Health and environmental hazards (Chapters 3.1 to 3.4)
(INF.11, INF.12 and INF.16 for the French version of Chapters 3.1 to 3.3)
- ST/SG/AC.10/C.4/2001/23: Part 3: Health and environmental hazards (Chapters 3.5 to 3.10)
- ST/SG/AC.10/C.4/2001/24: Part 4: General considerations for the implementation of the GHS
- ST/SG/AC.10/C.4/2001/25: Annex 1: Definitions and abbreviations
Annex 2: Allocation of label elements
(INF.14 for the French version of Annex 1)
- ST/SG/AC.10/C.4/2001/26: Annex 3: Classification and labelling summary tables
(with corrections in INF.3)
Annex 4: Precautionary statements, pictograms
- ST/SG/AC.10/C.4/2001/27: Annex 5: Consumer product labelling based on the likelihood of injury
Annex 6: Comprehensibility testing methodology
Annex 7: Examples of arrangements of the GHS label elements
Annex 8: An example of classification in the GHS
- ST/SG/AC.10/C.4/2001/11,
Annex 2: Annex 9: Guidance document on the use of the Harmonized System for the Classification of Chemicals which are hazardous for the aquatic environment
- ST/SG/AC.10/C.4/2001/11,
Annex 3: Annex 10: Guidance document on transformation/dissolution of metals and metal compounds in aqueous media
- ST/SG/AC.10/C.3/38/Add.2: Annex 11: Testing of aerosols
- ST/SG/AC.10/C.4/2001/28: Annex 12: Areas to be considered for future work

11. The experts from the United States of America, Germany, Finland and Canada and a representative of the European Commission explained respectively the following topics through PowerPoint presentations:

- Introduction to the GHS
- Physical hazards
- Health and environmental hazards (substances)
- Health and environmental hazards (mixtures)
- Hazard communication.

12. The expert from the United States of America said that the Department of Transportation had initiated a study to evaluate the GHS red diamond border pictograms and their impact on the effectiveness of transport regulations, transport emergency response, transport safety, compliance and enforcement. This initiative had been presented and explained to the Sub-Committee of Experts on the Transport of Dangerous Goods at its twentieth session (3-11 December 2001) (document ST/SG/AC.10/C.3/2001/44). The Department of Transportation would amend the methodology of this study on the basis of the constructive comments of the Sub-Committee of Experts on the Transport of Dangerous Goods and of this Sub-Committee and the results would be presented at the July sessions of both Sub-Committees (see also the report of the Sub-Committee of Experts on the Transport of Dangerous Goods, ST/SG/AC.10/C.3/40, paras. 113-117).

COMMENTS ON THE GHS

Documents: ST/SG/AC.10/C.4/2001/30 and Add. 1-3 (ISO)

13. The representative of ISO informed the Sub-Committee of the activities of ISO Technical Committee TC 145 "Graphical Symbols" and of the standards and draft standards which would be relevant for the GHS. Since some of these standards are applied worldwide, she recommended that certain examples referring to national standards be replaced by references to ISO standards, e.g. in Annex 4 of the GHS for precautionary pictograms.

14. Several experts stressed the need for cooperation with ISO, and ISO could make proposals for adding references to its standards as deemed appropriate.

15. On behalf of ISO a representative of ICCA, as a chairperson nominee of the ISO Technical Committee TC 47 (Chemistry), drew attention to ISO standard 11014-1 (Safety Data Sheet for chemical products). He said that he intended to initiate a revision of this standard on the basis of Chapter 1.4 of the GHS and that he would seek the support of the Sub-Committee.

Informal document: INF.3 (Secretariat)

16. This document contained corrections to the text transmitted by the IOMC. For the foreword, the Sub-Committee noted that in any case a different foreword would have to be prepared for the United Nations publication, and a draft text would be prepared by the secretariat.

GHS symbol for serious health effects

Informal documents: INF.5 (Sweden)
INF.18 (France)

17. The expert from Sweden considered that the "double exclamation mark" developed by the IOMC CG/HCCS did not provide an appropriate warning for the severe health effect that this symbol will cover, i.e. effects that may lead to death. She proposed to adopt a more comprehensible symbol with a stronger warning effect than the double exclamation mark. Three symbols had been developed by an international advertising company for this purpose, as presented in INF.5.

18. In INF.18, the expert from France supported the Swedish proposal (INF.5). Several other experts also shared the same views. They considered that consumers and workers had to be clearly made aware of the hazard to their health presented by such substances. The double exclamation mark was not specific enough and could be misinterpreted. Out of the three symbols proposed in INF.5, the experts preferred the first one.

19. Other experts recalled that the double exclamation mark was an IOMC CG/HCCS compromise solution reached after extensive debate and consultation of all its members. The danger of death was not always obvious for the hazard categories concerned and it would be difficult to design a new symbol that would appropriately convey a message corresponding to the type or level of hazard and that would take account of all other relevant factors such as cultural environment, gender neutrality, etc. For these and other reasons, they preferred to maintain the IOMC CG/HCCS symbol. There were also comments indicating that the three proposed symbols might not be acceptable in some countries as they might be understood to convey other types of hazards than those covered by the GHS.

20. Since her proposal had been supported by several experts, the expert from Sweden said that she would continue the work on developing a new symbol in consultation with experts from other countries. The Chairperson said that more consultation was needed indeed and that the issue could be discussed again at the next session.

Informal document: INF.8 (EIGA)

21. The representative of EIGA expressed his appreciation for the work done by the IOMC Coordinating Group and raised a number of issues related to the application of Part 1 of the GHS to the specific case of industrial gases (intrinsic properties, generic cut-off values, labelling, updating of information, pictograms, signal words, hazard statements, product identifier, precedence for the allocation of symbols, special labelling arrangements, workplace labelling, safety data sheets).

22. After a general discussion of the issues raised, he said that he would present more precise proposals for the next session.

Informal document: INF.7 (EIGA)

23. For the comments related to chapter 3.1, the Sub-Committee agreed that the gases concentration should be expressed in parts per million by volume (ppmV) (see annex).

24. For the use of the words "fatal if inhaled", the representative of the European Commission said that this formulation had been agreed by consensus after difficult discussion. The representative of AISE expressed the hope that the Sub-Committee would not reopen discussion on agreed criteria.

25. For the comments related to the corrosivity of gases, the Sub-Committee considered that this should be discussed first by the experts of OECD. The representative of EIGA expressed the wish that his organization would be invited to such debates. Attention was drawn to paragraph 2.2.3 (c) of the UN

Model Regulations on the Transport of Dangerous Goods related to the classification of gas mixtures as corrosive.

Informal document: INF.6 (EIGA)

26. The Sub-Committee agreed that the question of the flammable range of flammable gases should be transmitted to the Sub-Committee of Experts on the Transport of Dangerous Goods.

Informal document: INF.17 (Austria, Belgium, Finland, Norway, Sweden and United Kingdom)

27. The Sub-Committee agreed that modifications for clarification of guidance parts of various chapters of the GHS should be discussed by a correspondence group before being submitted as an official document for the next session.

28. The expert from the United Kingdom and others expressed their appreciation for the IOMC CG/HCCS having delivered the GHS. They suggested that the document be consolidated by the secretariat into its UN publication format for the next session.

29. A member of the secretariat recalled that the secretariat had to comply with General Assembly resolutions concerning the limitation of documentation and multilingualism, including simultaneous distribution of pre-session documents in all working languages. Since very few parts of the GHS had yet been translated into French, the remaining parts would have to be issued as separate documents to facilitate the process of translation and of distribution. Since the texts would be made available on the website of the Transport Division, it would be possible for interested delegations to themselves consolidate the various parts into a single document.

Other comments

30. The Sub-Committee agreed that the numbering of paragraphs should conform to the relevant ISO standards. The secretariat was invited to prepare new documents on this basis.

31. The Sub-Committee agreed that Annex 1 (Definitions, abbreviations) should be transferred to Part 1 as Chapter 1.2.

32. The Sub-Committee agreed that Annex 11 (Testing of aerosols) could be deleted provided that the tests be included in the UN Manual of Tests and Criteria to which reference would then be made.

33. It was suggested that Annex 12 (Possible areas of future work) could be deleted provided that the corresponding texts, updated if necessary, be included as an annex to the Committee's report on its first session in December 2002.

34. The expert from Italy suggested that Annexes 2 and 3 should be revised in order to avoid repetitions.

35. The expert from Italy considered that the inclusion of Annexes 5 (Consumer product labelling based on the likelihood of injury) and 6 (Comprehensibility testing methodology) in the GHS document was not relevant since they were not necessary for the understanding of the GHS itself. Similarly, he questioned the relevance of Part 4.

36. The expert from Germany also felt that the GHS document could be simpler and that it was not necessary to publish all information provided by the IOMC CG/HCCS, e.g. Part 4.

37. The expert from the United States of America was asked, as Chairperson of the IOMC CG/HCCS, to give the rationale for the annexes and other information. She reiterated that the terms of reference of this Sub-Committee were to implement, maintain and update the GHS. She explained that the GHS document

was intended to provide explanation and guidance in addition to criteria. She said that this would help to ensure that the criteria would be appropriately applied in implementation. In response to comments made about Parts 2 and 3 being the core of the document, she pointed out that Part 1 contains the hazard communication elements as well as other information that is essential to the GHS. Inclusion of Part 4 could be further considered as long as the details are maintained for this Sub-Committee. Each annex was explained, as well as the rationale for its inclusion. As noted previously, Annexes 11 and 12 could be chopped as long as they are preserved elsewhere. Others such as Annexes 5, 9 and 10 had to be included in the various chapters if not included as annexes.

38. The expert from Australia, while recognizing the excellence of the work done by the IOMC CG/HCCS, felt that the role of the Sub-Committee was not to accept without change the work of that group but to make the GHS available in a form it deemed appropriate.

39. The representative of the European Commission reminded the Sub-Committee that the IOMC CG/HCCS task had been to develop the GHS. It was the job of the Sub-Committee to implement and maintain the GHS. Any changes to the text should be limited to clarification, issues of format, and the form of the document.

40. The expert from Germany sought clarification of the essence of the text in Chapter 1. He felt that, as presented, the GHS document would leave the freedom to each country to implement the GHS in its own manner. Exporters would have to comply with national GHS requirements of the importing country. He suggested that if this was the intent, it should be more clearly stated for instance in Chapter 1.1 after paragraph 28.

41. The expert from the United States of America and the representative of the European Commission confirmed that this was the intent.

42. A member of the secretariat noted that Annex 9 (Guidance document for use of the harmonized system for the classification of chemicals which are hazardous for the aquatic environment) was particularly bulky and highly technical. Documents referenced therein were mostly available in English only and therefore its use in connection with such documents would require great expertise and knowledge of the English language. Since this guidance document was an official document published by OECD, he wondered whether it would not be preferable to refer to the OECD publication rather than to publish it in the GHS document which would imply long, expensive and difficult translations into the other UN official languages (Arabic, Chinese, French, Russian, Spanish) and would increase the cost of publishing the document.

43. Some experts confirmed that this annex was essential for the application of Chapter 3.10 and should be published with the GHS document.

44. The representative of OECD said that he would provide the secretariat with a translation of this guidance document into French.

45. A member of the secretariat suggested that, if this annex had to be published, it could be published separately as a supplement to the GHS document; this would facilitate a quicker availability of the core part of the GHS document in UN official languages, and would allow the use of this core part in connection with the French or English version of the supplement pending its availability in other languages. The Conference Services Division will be consulted in this respect.

46. The Chairperson summarized the conclusions and outlined the next steps: the secretariat should renumber the paragraphs, make formatting changes as required, make minor editorial changes in consultation with the Chairperson and the two Vice-chairpersons, and otherwise should proceed with the IOMC CG/HCCS document as it is.

OUTSTANDING WORK

47. The representative of OECD informed the Sub-Committee that the OECD Ad hoc Experts Meeting on Aspiration Hazards and the eleventh meeting of the Task Force on Harmonization of Classification and Labelling Systems for Chemicals will be held in Paris respectively on 23 January 2002 and 24-25 January 2002. The task force will discuss in particular questions related to sensitization and validation of the Transformation/Dissolution Protocol.

48. The expert from Italy informed the Sub-Committee that the Sub-Committee of Experts on the Transport of Dangerous Goods had adopted a new chapter 2.9 of the Model Regulations on the Transport of Dangerous Goods, concerning the classification of substances and mixtures hazardous to the environment by reason of aquatic pollution, based on Chapter 3.10 of the GHS.

49. The expert from Germany explained that some experts of the Sub-Committee of Experts on the Transport of Dangerous goods were not entirely satisfied with this Chapter 2.9 because it would only apply to substances not already classified as dangerous goods, and because they considered that the question of labelling had not been adequately addressed. He suggested further consideration of this matter.

IMPLEMENTATION

New Zealand

Document: ST/SG/AC.10/C.4/2001/19 (New Zealand)

50. The expert from New Zealand informed the Sub-Committee of the various steps taken in his country for implementation of the 1996 Hazardous Substances and New Organisms (HNSO) Act, in particular through the HNSO (Minimum Degrees of Hazard) Regulations 2001 which are almost entirely based on the GHS, and a class numbering system derived from the class numbering system of the UN Recommendations on the Transport of Dangerous Goods (see ST/SG/AC.10/C.4/2001/19 for details).

European Union

51. The representative of the European Commission informed the Sub-Committee that the European Commission had published a "White Paper" entitled "Strategy for a New Chemicals Policy", which had been broadly welcomed by the European Council of Ministers and the European Parliament. The European Commission was now undertaking the huge task of turning the proposals in the White Paper into proposals for legislation. To help in this process, eight working groups had been set up involving stakeholders, including some international non-governmental organizations.

52. He said that one of the working groups, led by the European Chemicals Bureau, was specifically looking at the role of the GHS in a future European Union Chemicals Policy. The working group had almost completed a detailed comparison of the GHS against the current European Union system, and was now analysing the implications of the differences identified, and considering what the technical annexes would actually look like.

53. The European Commission planned to put forward draft legislation in the first half of 2002, the working assumption being that the GHS would form part of this legislation. Political agreement on implementation of the GHS had not yet been sought.

Australia

54. The expert from Australia said that hazardous substances and dangerous goods were regulated at the State and Territory level in Australia by the various occupational Health and Safety authorities. These authorities had jurisdictional regulations and legislation for the control and use of workplace chemicals.

55. National consistency for hazardous substances and dangerous goods regulations was facilitated by the National Occupational Health and Safety Commission (NOHSC). NOHSC was responsible for the production of documents such as national model regulations for hazardous substances and Codes of Practice for Material Safety Data Sheets (MSDS) and labelling.

56. Hazardous substance classification criteria were already aligned with European classification criteria and the Australian List of Designated Hazardous Substances was currently being updated to reflect additions and amendments in the European (EC) Adoption 27.

57. The 27th Material Safety Data Sheets (MSDS) and Labelling Codes of Practice (COP) were currently under revision. The 16-headers MSDS format had been acceptable in Australia since 1994 and the revised COP was expected to mirror the GHS headings and core information requirements of the GHS Safety Data Sheets. Dangerous goods will be covered by these COPs.

58. Other agencies and sectors (Health, Environment, Agriculture) were also anticipated to conduct impact analysis on the GHS, now that the document was available, and investigate the costs, risks and benefits of implementation at the national level.

Brazil

59. The expert from Brazil said that Brazil had already created a GHS national group, and the GHS document was being translated into Portuguese. A Brazilian GHS web page would also be created. Industry and the Government were developing a preliminary impact analysis study for the implementation of the GHS. Most probably, Brazil would host a regional (Latin America) meeting about GHS in 2002.

Greece

60. The expert from Greece said that implementation in small countries such as Greece would be difficult because harmonizing regulations in all sectors would require national co-ordination between many authorities. Such co-ordination, as well as the work needed for educating and training people would require important financial resources. This would take at least five years. She also said that drafting harmonized legislations would not suffice; it would be important to ascertain that legislation is applied in a harmonized way. She wished that the World Customs Organization could be involved in the implementation process, and that the GHS could become later a legally binding international instrument.

Implementation through international instruments

61. The Sub-Committee noted that the close cooperation with the Sub-Committee of Experts on the Transport of Dangerous Goods would facilitate a quick implementation of the GHS, as relevant, through the UN Recommendations on the Transport of Dangerous Goods and related codes or legal instruments such as the International Maritime Dangerous Goods (IMDG) Code, the ICAO Technical Instructions for the Safe Transport of Dangerous Goods by Air, the European Agreement concerning the International Carriage of Dangerous Goods by Road (ADR), the European Agreement concerning the International Carriage of Dangerous Goods by Inland Waterways (ADN), the Regulations for the International Carriage of Dangerous Goods by Rail (RID). For example, the Sub-Committee of Experts on the Transport of Dangerous Goods was already working on new provisions for environmentally hazardous substances based on the GHS (see also paras. 48-49 above).

62. The Sub-Committee also noted that the International Maritime Organization (IMO) was considering the possibility of amending the provisions of Annexes II and III of the International Convention for the Prevention of Pollution from Ships (MARPOL 73/78, as amended) to reflect the GHS.

63. It was also suggested that several international conventions should be checked in case they would contain chemical classification criteria that should be brought in line with the GHS, or which could be influenced by the GHS, e.g. the Rotterdam Convention on the Prior Informed Consent (PIC) Procedure for Certain Hazardous Chemicals and Pesticides in International Trade, the Stockholm Convention on Persistent Organic Pollutants (POPs), the Montreal Protocol on substances that deplete the Ozone Layer, the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes, the Convention on the Transboundary Effects of Industrial Accidents, the Chemical Weapons Convention, etc.

64. The expert from Germany recalled that the ILO had previously indicated that certain ILO labour conventions would also need to be updated in the light of the GHS.

CAPACITY BUILDING

65. The representative of UNITAR, recalling the information provided at the previous session (ST/SG/AC.10/C.4/2, paras. 49-56) said that the first phase of a two-year three phase country-based pilot project intended for the implementation of the GHS at national level had started in Zambia with the support of IOMC, and draft guidance material had been developed. He also noted the possibility of establishing an IOMC Co-ordinating Group with UNITAR assuming the secretariat, if resources permit, as the pilot programme proceeds.

66. The observer of Zambia indicated that this project gave the opportunity to the various government ministries and other relevant national stakeholders concerned to meet together and discuss national programmes for the multisectoral implementation of the GHS.

67. The Sub-Committee expressed satisfaction at these encouraging developments.

68. The expert from Germany said that such projects on GHS could become the core of chemical management systems in various countries. He informed that the representatives of the European Commission, the experts from the United States of America and Canada had volunteered to prepare a document on the risk manager implication of classification in their countries/regional economic integration. He invited delegations interested in contributions to such project to contact him or UNITAR. A sub-regional workshop could be held in the South African region.

FUTURE PUBLICATION OF THE GHS

69. This item was discussed under "Comments on the GHS" (see also paras. 30 to 45 above).

OTHER BUSINESS

Informal document: INF.9 (Federation Industrial Paints and Coats of Mercosul)

70. The Sub-Committee accepted the request of the "Federation Industrial Paints and Coats of Mercosul" to participate in its work in a consultative status.

ADOPTION OF THE REPORT

71. The Sub-Committee adopted paragraphs 1 to 49 and 65 to 68 of the report on its second session and its annex on the basis of a draft prepared by the secretariat. The Sub-Committee requested the secretariat to complete this draft with paragraphs concerning the discussions held on the last day of the session (paras. 50-64 and 69-71).

ANNEX

Corrections to documents ST/SG/AC.10/C.4/2001/20 to ST/SG/AC.10/C.4/2001/28 adopted by the Sub-Committee

Documents ST/SG/AC.10/C.4/2001/20 to ST/SG/AC.10/C.4/2001/28

Referring to the new health hazard symbol, whenever a symbol should appear (e.g. in Part 2, annexes 2 and 3), replace the mention "new symbol" or "new health hazard symbol" with a double exclamation mark "!!"

Document ST/SG/AC.10/C.4/2001/21

In the decision logic under para. 6, in the 3rd box replace under (a) "when in a mixture of more than 13% by volume in air" with "when in a mixture of 13% or less by volume in air", and under (b), "flammable range with air of less than 12 percentage points" with "flammable range with air of at least 12 percentage points".

Document ST/SG/AC.10/C.4/2001/22

In Chapter 3.1, under paras. 2 (Table 1 and Note(c) to Table 1), 5, 8, 28 (Table 2) and 30, replace "ppm" with "ppmV".

Document ST/SG/AC.10/C.4/2001/26

In Annex 3, Classification and labelling summary tables, in the table for organic peroxides, for Types B, C, D, E and F, replace the "flame symbol" with the "flame over circle symbol".

i.e.:  to read 
