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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**

(Second session, 12 -14 December 2001,
agenda item 3)

**GLOBALLY HARMONIZED SYSTEM OF CLASSIFICATION
AND LABELLING OF CHEMICALS (GHS)**

Part 4

**Transmitted by the Inter-Organization Programme
for the Sound Management of Chemicals (IOMC)**

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4. GENERAL CONSIDERATIONS FOR THE IMPLEMENTATION OF THE GHS

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Chapter 4.1

Implementation and maintenance of the GHS

How the GHS fits into chemical life cycle management?

1. It is important to understand how a national system will implement the GHS, understand the various elements of the GHS, and how the GHS will be used to meet the needs of the various interested parties. The implementation of the GHS should be considered in light of national circumstances. It is hoped that those countries that are capable of implementing the GHS will do so by 2008, but the actual implementation timeframe is country specific. Governments in consultation with affected stakeholders should determine a realistic timetable for implementation. A national implementation program should consider both domestic production and chemical imports, and resources available for the implementation and maintenance of the system. Issues to consider, but not limited to, are:
 - Have adequate instructions, information and training been given to industry – both domestic and importing manufacturers – to be able to comply with implementing the GHS?
 - Is sufficient time given to allow industry to implement and maintain the system, e.g., to hire necessary staff to handle the workload associated with the system?
 - Is sufficient time given to allow for a reasonable transition to the new system?
 - Are there ministries/agencies ready to implement and maintain the systems, e.g., do they have adequate staff to handle the workload associated with the system?
 - What is the relationship between government and industry in the context of a self-implementing (both classification and hazard communication) system?
 - Time to consider and prepare mechanisms concerning CBI.
 - Development of mechanisms to ensure participation of labour and consumer organizations in the implementation strategy.

2. National and regional systems should address how imported chemicals are labelled for supply (e.g., distributors) and use (e.g., product directly imported by end users). When a chemical is imported the shipment should be labelled in accordance with transport regulations. National and regional systems are best suited to determine individual approaches to ensure that their GHS requirements are met in other sectors, i.e., the workplace and consumer settings. The practices currently used in some countries for imported chemicals could serve as a model for the GHS. For example, some countries require an importer who imports hazardous products that comply with UN transport requirements for labelling but do not comply with national workplace or consumer labelling requirements, to label the products in accordance with national requirements, a) when the product is delivered to the importer for his use or sale, before the product is used or sold; or b) when the products are delivered to a distributor to whom the importer has sold the products, before the distributor uses or sells them. Alternatively, the supplier, distributor, importer or manufacturer may generate a label to accompany the products that the end user may apply.

Who has a role in GHS?

3. At the government level it is important to co-ordinate between different ministries and agencies to ensure an integrated approach to implementing the GHS. It is also important to involve non-governmental organizations (NGOs). UNITAR has developed a process to identify individual country needs and provides a good step-by-step process to stakeholder involvement in, "Preparing a National Profile to Assess the National Infrastructure for Management of Chemicals." This information may have already been compiled in the country's National Profile. The profile provides an overview of existing national legal, regulatory and non-regulatory instruments to chemical management and should facilitate better understanding of how the GHS fits within a country's national infrastructure.
4. For example, several different ministries, agencies and other governmental institutions may be responsible for classification of chemicals: transport, consumer product and industrial workplace standards could differ. An understanding of ministerial responsibilities and activities related to chemical management for each stage of the life cycle will ensure a coordinated division of responsibility related to implementing the GHS. (See Table 1.)
5. In most cases industry, as the source of most of the information available on chemical hazards and their risks, is responsible for classification and labelling of their products. Industry, as the producer and primary user of chemicals, has a major responsibility to reduce chemical risks throughout the chemical life cycle. National, regional and international industry trade groups are good links to the relevant industry sectors and should play an important role in the implementation and maintenance of the GHS. In many countries, industry has taken responsibility through initiative of voluntary initiatives, programs and commitments, which include, for example, Responsible Care[®], Product Stewardship programs and other product stewardship programs. While such initiatives are not meant to replace government control systems, they do represent an increasing commitment by industry to take responsibility for the management of chemicals.
6. It is important to understand and build relationships through an open dialog with suppliers of chemical products and other parties that support national efforts to manage chemicals. Again this information may have already been compiled in the country's National Profile. If not, UNITAR's guidance document on preparing a National Profile provides an example on how to assess the level of involvement NGOs, suppliers, and other parties have with chemicals management, this in turn will help to determine their appropriate role in implementing the GHS within the national infrastructure.
7. Parties with related expertise may be found at local universities, which can help with translation efforts, e.g., chemical names, etc. Other stakeholders include environmental and consumer groups, labour unions and university/academic and professional organizations. These groups can contribute to a better understanding of issues related to chemicals management, improve transparency of the requirements and assist in the development and implementation of problem-solving strategies.

**Table 1: Responsibilities of Government Ministries, Agencies, and Other Institutions
(table taken from UNITAR: Preparing a National Profile to Access the National Infrastructure
for Management of Chemicals, page 76)**

Stage of Life-Cycle/Ministry Concerned	Importation	Production	Storage	Transport	Distribution /Marketing	Use/ Handling	Disposal
Environment							
Health							
Agriculture							
Labour							
Trade/Commerce							
Industry							
Finance							
Transport							
Interior/ Civil Defence							
Justice							
Customs							
Foreign Affairs							
Other							

What are mechanisms for implementing GHS?

8. It is important to understand existing legal instruments and non-regulatory mechanisms for managing chemicals, including their implementation and enforcement, and identify how they relate to the GHS implementation. Again this information may have already been compiled in the country's National Profile.

9. Due to the cross-sectoral nature of chemicals management, it is likely that laws, regulations, or standards in the country address chemicals in different ways. Many of these laws, regulations, standards, decrees or other legal instruments may be relevant even when they are not limited to, or specifically target, chemicals. For example, general transport laws or environmental laws may have some control provisions that are applicable to hazardous chemicals. Some countries may already use the GHS as the basis for establishing a national system of classifying and labelling chemicals while other national systems have an existing regulatory regime for classifying and labelling chemicals that may need to be revised to reflect the classification criteria and hazard communication elements of the GHS.

Where is the information found?

10. The GHS permits the use of existing data already used to classify chemicals under pre-existing regulatory systems. It is intended to be a classification system that relies on the most up-to-date scientific knowledge and principles.
11. One of the general principles established by the IOMC-CG-HCCS states that test data already generated for the classification of chemicals under the existing systems should be accepted when classifying these chemicals under the harmonized system thereby avoiding duplicative testing and the unnecessary use of test animals. This policy has important implications in those cases where the criteria in the GHS are different from those in the existing system. In some cases, it may be difficult to determine the quality of existing data from older studies. In such cases, expert judgment will be needed.
12. For the purpose of classification or re-classification, tests that determine hazardous properties conducted according to internationally recognized scientific principles could be used for purposes of a hazard determination for health and environmental hazards. The criteria for classifying health and environmental hazards are test method neutral; they allow for different approaches as long as they are scientifically sound and validated according to international procedures and criteria already referred to in existing systems for the endpoint of concern and produce mutually acceptable data.
13. The criteria for determining physical hazards relies on the recommendations in the “Manual of Tests and Criteria” which supplement the UN “Recommendations on the Transport of Dangerous Goods”, commonly referred to as the Orange Book. The purpose of the Manual of Tests and Criteria is to present the United Nations schemes for the classification of certain types of dangerous goods. It gives descriptions of the test methods and procedures considered to be the most useful for providing competent authorities with the necessary information to arrive at a proper classification of substances and articles for transport. The Manual of Tests and Criteria should be used in conjunction with the latest version of the Model Regulations on the Transport of Dangerous Goods annexed to the Recommendations on the Transport of Dangerous Goods.

What is the role of the guidance?

14. This document contains recommendations concerning the classification, labeling, and preparation of SDS with a national system that can be used by government or industry since the GHS is designed to permit self-classification. The Guidance presents a basic scheme of provisions that will allow uniform development of national and international regulations governing the GHS, while remaining flexible enough to accommodate any special requirements that might have to be met. It is expected that governments, intergovernmental organizations and other international organizations, when revising or developing regulations for which they are responsible, will conform to the principles laid down in the Guidance, thus contributing to worldwide harmonization in this field. Furthermore, the new structure, format and content should be followed to the greatest extent possible in order to create a more user-friendly approach, to facilitate the work of enforcement bodies and to reduce the administrative burden.

How is GHS updated?

15. The updating of the GHS will be undertaken by **United Nations Economic and Social Council's Sub-Committee of Experts on the Globally Harmonized System of Classification and Labelling of Chemicals (GHS Sub-Committee) which will consider proposals submitted by governments and international governmental or non-governmental organizations.** It is anticipated that proposals may be submitted to the sub-committee to correct problem areas in the classification criteria or hazard communications elements that arise as the system is implemented or to initiate new areas of work (e.g., classification criteria for additional hazard classes). The actual technical work may be delegated to other entities like OECD or ILO.

When should labels and SDS be updated to reflect new information under the GHS?

16. It is important to convey appropriate, up-to-date information to workers and employers about products that are supplied to the workplace and to provide advice for safe use of products to people who work with them or use them as consumers. This information should identify the hazards of chemicals and provide advice for safe use of the products to people that work with them or use them as consumers. National or regional systems implementing the GHS should specify a means of responding in an appropriate and timely manner to new information and updating labels and SDS information accordingly.

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Chapter 4.2

Resources

Possible Area of Future Work
