

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

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IMPLEMENTATION OF THE GHS

Implementation information

Transmitted by the experts from DG ENVIRONMENT and DG ENTERPRISE of the European Commission

Background

In its Plan of Implementation, adopted in Johannesburg on 4 September 2002, the **World Summit on Sustainable Development** encouraged countries to implement the new GHS as soon as possible with a view to having the system fully operational by 2008.

The Current EU System

The current EU classification and labelling system for chemicals is set out in three key instruments:

- the Dangerous Substances Directive (67/548/EEC);
- the Dangerous Preparations (i.e. mixtures of chemicals) Directive (1999/45/EC);
- the Safety Data Sheet Directive (91/155/EEC and 2001/58/EC).

The three Directives are very closely linked. They have Single Market (Article 95 of the EU Treaty) objectives (i.e. the establishment of a Single Market in the trade of chemicals in the EU while protecting health and environment). Preparations make up about 95% of all chemicals on the market.

The EU Context

The recommendation of the World Summit on Sustainable Development have been signed up to by all the then EU Member States. The Member States in several instances called upon the Commission to implement the GHS. Accordingly, the Commission services have indicated in various fora that the GHS will be implemented.

On 29 October 2003, the Commission stated in the explanatory memorandum to the amendment to Directive 67/548/EC, linked to the proposal of REACH Regulation, that:

“it is the intention of the Commission to propose the inclusion of the internationally agreed GHS into Community law as soon as possible”

and, more specifically, that:

“the Commission will come forward with the necessary proposals for having it adopted at the same time as the final adoption of the REACH legislation”.

Implementation update

Beginning of 2004 the European Commission commissioned a study on “Technical assistance to the Commission on the GHS implementation” to assess the differences between the current system of classification and labelling of substances and preparations in the European Community (EC) and the GHS as adopted in July 2003. The outcome of the study will be soon available on the Commission web-site.

Following earlier work in 2004, it was decided to prepare a new tender on the possible impact of implementing GHS in the EU.

Technical consultations with EU MS and stakeholders (i.e. industry, consumer and environmental NGOs) as well as with other Commission Services responsible for downstream legislation (i.e. transport of dangerous goods, workers safety, control of major-accident hazards) on GHS implementation are ongoing to identify issues that may occur as consequence of changes to the current system.

In this context Finland hosted an EU MS GHS co-ordination meeting, 14 July 2005, to provide a platform for the exchange of information and ideas on issues related to the GHS and the implementation of the GHS in the EU regulatory systems for transport, supply and use.

To ease the implementation of the GHS we would like to request the SCEGHS to continue to work on up-dating of the GHS and to develop further elements which are needed to ease the practical implementation of the GHS, e.g. codification of hazard statements, precautionary statements, hierarchy of GHS label elements.

Although there are a number of issues that need to be resolved, it is the intention of the Commission to come forward with the necessary proposals for having GHS adopted in the EU legislation at the same time as the final adoption of the REACH legislation. A draft proposal for implementing the GHS for supply and use is under preparation. A public stakeholder consultation is foreseen for the first quarter of 2006 and a formal Commission proposal expected to be available around summer 2006.

The Commission services responsible for implementation in transport, in the framework of the Directives on Transport of Dangerous Goods, intend to update in 2007 and 2009 based on the “Recommendations on the Transport of Dangerous Goods, Model Regulations”.

We will keep the SCEGHS informed about the progress of implementing the GHS.
