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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
Transport of Dangerous Goods

Thirty-third session
Geneva, 30 June-9 July (a.m.) 2008
Item 11 of the provisional agenda

**ISSUES RELATED TO THE GLOBALLY HARMONIZED SYSTEM OF CLASSIFICATION
AND LABELLING OF CHEMICALS (GHS)**

Addressing issues relating to the implementation of the GHS in member countries

Transmitted by the expert from Australia*

Background

1. At its 13th session, the Sub-Committee of Experts on the Globally Harmonized System of Classification and Labelling of Chemicals GHS (Sub-Committee) discussed two informal documents submitted by Australia (UN/SCEGHS/13/INF.14) and South Africa (UN/SCEGHS/13/INF.10). The informal documents raised issues of consistency in approaches to GHS implementation and what role the GHS Sub-Committee might play in providing a mechanism for exchange of information on GHS implementation, and/or as a source of advice on implementation issues for members.

* In accordance with the programme of work of the Sub-Committee for 2007-2008 approved by the Committee at its third session (refer to ST/SG/AC.10/C.3/60, para. 100 and ST/SG/AC.10/34, para. 14) (Provisions for the transport of dangerous goods in open cryogenic receptacles).

2. The expert from Australia suggested that since a number of countries had started to implement the GHS, the GHS Sub-Committee should focus on the different implementation issues identified by countries or organizations. Implementation issues may include:

- (a) Implementation timetables being further advanced in some sectors than in others and in some countries than in others. As a result, implementation processes and transition arrangements are likely to be highly variable.
- (b) Possible implementation of GHS classification only but not labelling elements, as this is a decision for the competent authorities in different sectors.
- (c) The need to avoid duplication of effort and promote consistency in GHS classification. The possible concept of sharing classification experiences needs to be considered.
- (d) Competent authorities in different sectors and different countries will have different approaches to training.
- (e) As countries adopt different implementation schedules, some arrangements to minimise trade disruption may be necessary.

3. The GHS Sub-Committee was invited to provide feedback on how to improve the exchange of experiences related to the implementation of the GHS as a way to find solutions to the difficulties encountered during the implementation process. The expert from Australia reported that a formal document on GHS implementation issues would be prepared for the consideration of the Sub-Committee at the 14th session in December 2007.

4. At the 14th session, the expert from Australia presented an agenda paper addressing issues relating to implementation of the GHS in a number of countries. The agenda paper proposed to establish an informal working group to facilitate a more useful and targeted exchange of information relating to GHS implementation (ST/SG/AC.10/C.4/2007/11). An informal paper accompanying the agenda paper proposed draft terms of reference for such a group (UN/SCEGHS/14/INF.26).

5. The agenda paper expanded on the impediments to implementation presented in the informal paper at the 13th session (UN/SCEGHS/13/INF.14). It was noted that not all sectors in all countries are represented on delegations to the GHS Sub-Committee, and not all delegations are necessarily familiar with the GHS implementation issues being addressed by sectors other than their own. Consequently, the lack of guidance on implementation or insufficient communication of GHS implementation issues between the various countries could be an impediment to realization of the potential of the GHS. Furthermore, it was noted that work on implementation of the GHS is included in the work plan for the 2007 – 08 biennium (ST/SG/AC.10/C.4/24, page 16, Annex 2), and the GHS document is now in its 2nd revised edition. Therefore, there are not likely to be significant technical changes to the document in the immediate future, and the focus of the Sub-Committee is likely to be on implementation issues, probably for the remainder of the current biennium and possibly into the next biennium.

6. The Sub-Committee welcomed the proposal for the establishment of the working group on the condition that membership to the informal working group is open to Sub-Committee members and that the relevant proposals on how to solve specific implementation issues would be submitted to the Sub-Committee to be discussed during plenary at each session. This should not prevent countries from submitting feedback on implementation directly to the Sub-Committee.

7. The Sub-Committee decided to adopt provisionally the draft terms of reference, as amended and presented in Annex 1. The terms of reference were adopted provisionally by the Sub-Committee noting that some of the implementation issues might be related to transport and/or physical hazards, and therefore this should be brought to the attention of the TDG Sub-Committee at its thirty-third session, for endorsement.

Proposal

8. The TDG Sub-Committee is asked to endorse the following:
- (a) The establishment of an inter-sessional working group on GHS implementation;
and
 - (b) The draft terms of reference for the working group as provided in Annex 1.

Annex 1

Provisionally adopted¹ terms of reference for the informal working group on GHS implementation issues

Tasks: To contribute to the role of the Sub-Committee to assist countries in implementing the GHS in a consistent and timely manner by:

1. Facilitating exchange of information relating to GHS implementation in countries;
2. Providing a forum for discussion for particular issues faced by specific sectors and allowing the sharing of information from experiences on sector-specific GHS implementation dealing with, for example, consumer chemicals, transport, workplace, etc. This should not prevent each country submitting their implementation issues directly to the Sub-Committee. If transport-related issues are identified, these will be referred to the TDG Sub-Committee;
3. Identifying general issues arising in the implementation of the GHS, such as building block approaches, problems relating to specific hazard classes or categories, transitional arrangements, and training;
4. Analysing and summarising issues identified on the implementation of the GHS. If possible, suggestions for how such issues can be addressed in a harmonized way will be submitted to the Sub-Committees for their consideration and resolution.

Lead country: Australia

Membership: Current participants are Australia, Canada, South Africa, Thailand, the United Kingdom of Great Britain and Northern Ireland, the United States of America and the World Health Organization. Membership is open to other experts, observers and intergovernmental organizations by expression of interest to the lead country².

¹ *Note by the secretariat:* Pending final endorsement by the Sub-Committee of Experts on the Transport of Dangerous Goods at its thirty-second session (July 2008).

² The experts from Brazil, Denmark, Italy, Japan and Norway have also expressed an interest to participate in the working group.

Schedule: A meeting by correspondence and/or by teleconference (depending on the size of the working group³) will be organized between sessions and a face-to-face meeting of the informal group held in the margins of each Sub-Committee session. Participants in the work of the informal working group can also take the opportunity to meet in the margins of other international meetings.

Course of action: A report of issues from the informal working group will be presented to the Sub-Committee at each session

³ Due to the size of the working group and the time zones between participating members, the initial discussion of implementation issues by working group members is being conducted via the exchange of information by email.