

# UN/SCEGHS/17/INF.15

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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

Seventeenth session,  
Geneva, 29 June – 1 July 2009  
Item 6 (a) of the provisional agenda

### IMPLEMENTATION OF THE GHS

#### Reports from Governments or organizations

Transmitted by the representatives of the European Commission  
(DG ENTERPRISE and DG ENVIRONMENT)

### BACKGROUND

1. 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.

### EU IMPLEMENTATION UPDATE

#### Supply and use

2. On 16 December 2008 the European Parliament and the Council adopted the new Regulation on classification, labelling and packaging of substances and mixtures (CLP Regulation) which aligns existing EU legislation to the United Nations Globally Harmonised System (GHS). The publication of the adopted acts in the Official Journal by 31 December 2008 made the EU one of the international leaders in the actual uptake of the UN GHS ([Regulation \(EC\) No 1272/2008, OJ L 353](#)). The Regulation entered into force on 20 January 2009. According to the Regulation, the deadline for substance classification according to the new rules will be 1 December 2010. For mixtures, the deadline will be 1 June 2015. The CLP Regulation will ultimately replace the current rules on classification, labelling and packaging of substances (Directive 67/548/EEC) and preparations (Directive 1999/45/EC) after this transitional period.

3. The Commission proposal on the CLP Regulation has been notified to the TBT and was published by WTO in September 2007 under the reference number G/TBT/N/EEC/163. An addendum to the EC TBT notification concerning the Regulation has been made in January 2009.

4. A more detailed summary of the aim, scope and provisions of the Regulation can be found on our websites:

[http://ec.europa.eu/enterprise/reach/ghs/index\\_en.htm](http://ec.europa.eu/enterprise/reach/ghs/index_en.htm)  
[http://ec.europa.eu/environment/chemicals/ghs/index\\_en.htm](http://ec.europa.eu/environment/chemicals/ghs/index_en.htm)

5. Together with the CLP Regulation, the European Parliament and the Council adopted two related acts which adapt further Community acts to the new rules on classification and labelling, [Directive 2008/112/EC, OJ L 345](#) and [Regulation \(EC\) No 1336/2008, OJ L 354](#).

## CLP/GHS AWARENESS RAISING

6. On the 17 June 2009 the European Commission organised in Brussels a **Conference on EU and world-wide rules for classification, labelling and packaging of chemicals**. Approximately 450 participants attended the conference. It aimed to inform authorities, industry and other stakeholders about the new provisions for classification, labelling and packaging in the EU, placing them in the global context of GHS. It explained the main features of the new legislation, focusing on practical aspects. It provided up-to-date information on the CLP guidance documents and tools.

7. The conference was webstreamed and can be accessed for one year. Further information about the conference is available via the following website:

[http://ec.europa.eu/enterprise/reach/information/events/index\\_en.htm](http://ec.europa.eu/enterprise/reach/information/events/index_en.htm)

## GUIDANCE DOCUMENTS and HELPDESKS

8. The preparation of detailed guidance for the application of the GHS criteria is under development taking account of the expertise of EU Member State and other stakeholder experts. The guidance documents have been developed at the European Commission's Joint Research Centre (JRC) within the REACH Implementation Project 3.6 (RIP 3.6), cf. also <http://ecb.jrc.it/reach/rip/>. It is expected that this guidance will be available mid 2009 from the ECHA site ([http://echa.europa.eu/classification/clp\\_guidance\\_en.asp](http://echa.europa.eu/classification/clp_guidance_en.asp)).

9. In parallel to specific guidance, general guidance is also being developed, focusing on the basic features and procedures related to classification and labelling in the EU context. The guidance is addressed to those who want to have a quick overview of the new legal requirements for classification and labelling in the EU, i.e. suppliers of chemicals and non-EU target groups. This guidance document will be available from the [ECHA website](#) as well around summer 2009.

10. Details of EU **national helpdesks** are available from the [ECHA website](#) [http://echa.europa.eu/reach/helpdesk/nationalhelp\\_contact\\_en.asp](http://echa.europa.eu/reach/helpdesk/nationalhelp_contact_en.asp).

## NEXT STEPS

### 1<sup>st</sup> Adaptation to Technical Progress (ATP) to the CLP Regulation

11. The 1<sup>st</sup> ATP to amend Regulation (EC) No 1272/2008 was approved by the REACH Committee on 25 March and has been sent to the European Parliament for scrutiny at end of March. The 1<sup>st</sup> ATP is a transfer of the 30<sup>th</sup> and 31<sup>st</sup> ATP to Directive 67/548/EEC. The 1<sup>st</sup> ATP will most probably be published in summer 2009 and would enter into force 20 days after publication in the Official Journal of the European Union. However, it is envisaged that a certain period of time will be considered to allow operators to adapt the labelling and packaging of substances and mixtures to the new classification. It is foreseen that suppliers should apply the harmonised classifications set in the 1<sup>st</sup> ATP and adapting the labelling and packaging provisions accordingly before 1 December 2010 at the latest.

12. Additional ATPs are foreseen in a near future in particular to align the CLP Regulation with the third revision of the UN GHS.

## Safety Data Sheets (SDS)

13. The Commission services are in the process to adapt Annex II of the REACH Regulation which includes the provisions on Safety Data Sheets, to align them fully with the UN GHS provisions.

## LINKS TO THE LEGISLATION

### Supply and use

14. The text of the CLP Regulation is available via the following website:

[http://ec.europa.eu/enterprise/reach/ghs/legislation/index\\_en.htm](http://ec.europa.eu/enterprise/reach/ghs/legislation/index_en.htm)

15. All 23 language versions of the Regulation are available in Eur-Lex:

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2008:353:0001:1355:EN:PDF>

### Transport

16. The Commission Services responsible for transport have already introduced the GHS in its Directive on the Transport of Dangerous Goods, based on the “Recommendations on the Transport of Dangerous Goods, Model Regulations”, itself amended to reflect the current GHS.

- The Directive, 2008/68/EC, published 30 September 2008, to be implemented by member states by 30 June 2009, amalgamating the road and rail provisions and extending the scope to inland waterways, hence applying the GHS amendments included in the 2009 transport revisions, as reflected in the international agreements, to the transport sector.

17. The new Directive can be found on the following website:

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2008:260:0013:0059:EN:PDF>

18. The European Commission will keep the SCEGHS informed about further progress.

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