

## 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

18 June 2010

### Nineteenth session

Geneva, 30 June–2 July 2010

Item 4 (b), of the provisional agenda

### Implementation of the GHS:

Reports from governments or international organizations

## Implementation of the GHS in the European Union

### Transmitted by the European Union

### Background

#### Supply and use

1. On 16 December 2008 the European Parliament and the Council of the European Union (EU) 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.

2. The Commission proposal for the CLP Regulation had 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.

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


[http://ec.europa.eu/enterprise/sectors/chemicals/classification/index\\_en.htm](http://ec.europa.eu/enterprise/sectors/chemicals/classification/index_en.htm)

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


[http://echa.europa.eu/clp\\_en.asp](http://echa.europa.eu/clp_en.asp)

## EU implementation update

### Adaptations to Technical Progress (ATPs) to the CLP Regulation

4. The 1st ATP to amend Regulation (EC) No 1272/2008 entered into force on 25 September 2009; [COMMISSION REGULATION \(EC\) No 790/2009](#) .
5. It transfers the harmonised classifications for substances agreed in the 30th and 31st ATPs of Directive 67/548/EEC to Annex VI of the CLP Regulation. A transition period is included to allow operators to adapt the labelling and packaging of substances and mixtures to the new classification. Suppliers have to apply the harmonised classifications set in the 1st ATP and have to adapt the labelling and packaging accordingly as of 1 December 2010 at the latest but are allowed to apply those harmonised classifications already before that date.
6. The responsible Commission services have prepared a draft proposal for a 2<sup>nd</sup> ATP to the CLP Regulation (Regulation (EC) No 1272/2008) to tackle some outstanding issues and to adapt the CLP Regulation to the 3<sup>rd</sup> revision of the UN GHS. The draft proposal will go now through the legislative procedural process. It is envisaged to publish the 2<sup>nd</sup> ATP in the first half of 2011.

### Adaptation to Technical Progress (ATP) to REACH - Safety Data Sheets (SDS)

7. The SDS requirements are not part of the CLP Regulation. They are set out in Annex II to REACH. The European Commission has adopted on 20 May 2010 a [Regulation amending the REACH Annexes relevant for SDS](#)  – Annex II and, to a lesser extent, Annex VI. The revision brings the SDS requirements into line with the CLP Regulation and with the guidance on the preparation of SDSs as laid down in the UN GHS. More information is available on the following website:

[http://ec.europa.eu/enterprise/sectors/chemicals/documents/reach/review-annexes/index\\_en.htm](http://ec.europa.eu/enterprise/sectors/chemicals/documents/reach/review-annexes/index_en.htm)

### Guidance documents and helpdesks

8. Detailed guidance for the application of the CLP/GHS criteria has been developed taking account of the expertise of EU Member State and other stakeholder experts. The guidance document has been developed at the European Commission's Joint Research Centre (JRC).
9. In parallel to specific guidance, general guidance has been 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.
10. Both guidance documents are available from the European Chemicals Agency (ECHA) website: [http://echa.europa.eu/clp/clp\\_help\\_en.asp](http://echa.europa.eu/clp/clp_help_en.asp)
11. Contact details of EU **national helpdesks** are available from the ECHA website as well: [http://echa.europa.eu/clp/clp\\_help/clp\\_helpdesks\\_en.asp](http://echa.europa.eu/clp/clp_help/clp_helpdesks_en.asp)

## CLP/GHS awareness raising

12. In 2009, ECHA initiated awareness raising activities on CLP and established a network of contact points at Member State level. At the so-called “Stakeholders’ Day” in December 2009, it launched the first stage of the awareness raising by publishing a special CLP web section in 22 EU languages. Prior to this the Agency had already published the introductory guidance and the guidance on the classification criteria in summer 2009 as well as questions and answers documents in May and November 2009 and a general leaflet. Further leaflets are going to be published in summer 2010.

13. In 2010, ECHA has so far been busy preparing the guidance, (IT-) tools and processes for the CLP system. The C&L notifications of substances placed on the market by 1 December 2010 is due on 3 January 2011. A C&L webinar took place on 9 April 2010; the webinar recording and slides are available in the Webinar section of ECHA’s website. In addition to the events organised by ECHA several presentations concerning CLP and C&L notification have been and will be given in various international meetings and workshops.

## Transport

14. The European Commission Services responsible for transport have introduced the GHS in the 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.

15. Directive 2008/68/EC, published 30 September 2008, implemented by MS by 30 June 2009, amalgamates the road and rail provisions and extends 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.

16. The 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>

17. The Commission services responsible for transport intend to update the annexes of the Directive on the Transport of Dangerous Goods (2008/68/EC), to bring ADR/RID/ADN 2011 into Community legislation.

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

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