

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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ENVIRONMENTAL HAZARDS

Comments on the need for a harmonised terrestrial hazard scheme

Transmitted by the International Council on Mining and Metals (ICMM)

Introduction and background

1. ICMM has long participated in the discussions of the OECD Expert Group on Terrestrial Hazards as well as in the OECD Task Force meeting on Harmonisation of Classification and Labelling.
2. The 17th OECD Task Force Meeting on Harmonisation of Classification and Labelling adopted recently the report submitted to the OECD by the Expert Group following the UN Sub-committee mandate for developing criteria for the classification and labelling of substances to the terrestrial environment. The final report has been submitted to the UN SCEGHS by the OECD secretariat.
3. Industry representatives of different sectors including the Mining and Metals industry have raised, during the discussions of the Expert Group on Terrestrial Hazard and the Task Force meetings on Harmonisation of Classification and Labelling, that a *cost-benefit analysis* should be conducted before establishing a harmonised classification and labelling scheme. So far the Expert Group has not conducted such a study since it was felt not to be appropriate given the mandate it had received.
4. Given the restricted mandate received under the running biennium, the OECD Task Force suggested further activities and the following text was provisionally agreed, based upon the Expert Group opinion :

“As a result of the progress report on the work related to terrestrial Environmental hazards, it is suggested that the work should be continued with the development of a proposal for a classification scheme, including a scientific issues paper related to the development of this scheme, and analysis of benefit and potential costs associated to its implementation.”
5. Industry recognised that the activity of the Expert Group was already planned to cover more than one biennium. It therefore raised, during the presentation of the OECD Expert Group report, the suggestion that the cost-benefit analysis should be done first to demonstrate added value prior to

developing a harmonised Terrestrial Hazard scheme. In order to contribute to the discussion ICMM submits the following thoughts and suggestions:

Is there really a need to harmonise existing schemes?

6. As also raised in the Croplife International paper it is fair to state that the limited number of existing terrestrial assessment schemes have either different objectives, are different in scope, and are mainly, if not exclusively, applied to pesticides. However any GHS system will be applicable to most chemicals and to all countries, meaning that in essence, a new system needs to be developed and cannot build on harmonising existing schemes. It is obvious that the lack of (need for) harmonisation will have its cost or reduces the benefits, since implementation has to start from the beginning.

Cost-benefit evaluation

7. The benefits associated with the harmonisation of existing schemes for chemicals will be limited, if any, given that no existing scheme exists except for pesticides. Most of the potential benefit may rise from an increased protection level due to the introduction of a new protection endpoint. However, the Expert Groups suggests not introducing a new endpoint but to use the terrestrial classification scheme as a contributor to the overall environmental hazard assessment. A new terrestrial hazard assessment system would consequently only create benefits when it identifies substances not classified for the aquatic system, or classified in a lower hazard group for aquatic toxicity. Evidence on metals does not seem to demonstrate this being the case, to the contrary. It is suggested therefore that a cost-benefit analysis should be conducted before the development of a scheme to demonstrate that added value is created (e.g. that a potential scheme could identify additional substances or substances classified in a lower environmental hazard category to date).

8. Finally it should be noted that evidence and data on terrestrial toxicity are at present limited and restricted mainly to pesticides and metals. This is confirmed by other studies including a study carried out by the UK in 2000 demonstrating the limited available evidence on terrestrial hazard data. Moreover, most of these data sets were developed for risk assessment purposes rather than hazard assessment schemes. The Expert Group indicated that REACH may develop such data soon for most substances. This expectation is however somewhat optimistic given that terrestrial data are only required for substances > 100 t/y and only if their "safe use" cannot be demonstrated/proven. **Probably somewhat different** than for the aquatic environment, most producers of chemicals will be capable to demonstrate safe use in respect to the terrestrial compartment. Without terrestrial hazard data each new scheme would not provide the expected benefit; to the contrary it could only lead to greater emphasis for substitution of the limited number of substances for which such info is available.

9. The introduction of the terrestrial scheme will require re-labelling, assessing if data are available and other additional costs. These costs may be relatively high given the limited number of substances for which this information is available.

Recommendation

10. ICMM would recommend the UN experts to receive and welcome the OECD Task Force report on the terrestrial classification as submitted by the Expert Group and invite delegates to request a carefully conducted cost-benefit analysis that would analyse aspects such as the availability of terrestrial hazard data and the additional protection they will/can deliver, before considering a mandate to further develop a generic harmonised terrestrial classification system.
