

## 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 document UN/SCEGHS/15/INF.28

Transmitted by CropLife International

#### **Introduction**

1. CropLife International has participated in the discussions of the OECD Expert Group on Terrestrial Hazards. During these discussions, Industry representatives requested that a discussion should be held on the costs and benefits of a harmonised scheme. The expert group felt that it was not appropriate to hold such a discussion in the expert group.

2. To date, a considerable amount of resources has already been devoted to the subject of terrestrial hazards. If a harmonised scheme were to be developed, significant resource is likely to be required in order to implement such a scheme. Ultimately the costs of implementing such a scheme will be borne by the purchasers of the affected products and their customers. CropLife International strongly believes that as a matter of basic good management, the potential costs and benefits of such a scheme should be critically examined in a broad forum. CropLife International expects that the UN Subcommittee of Experts on the GHS has sufficient expertise and breadth of experience to be able to lead such a discussion. Whilst such a discussion at this stage can not be expected to arrive at precise answers, we believe that it is possible to assess whether or not the reasonably anticipated benefits are justified by the estimated costs. We especially believe that it is important that this debate is led by the UN Subcommittee of Experts on the GHS as the low priority that many countries have given this topic means that only 5 countries participated in the last meeting of the OECD expert group and a debate within the expert group would not benefit from a wide range of views.

3. In order to contribute to such debate, CropLife International submits the following thoughts:

#### **Harmonisation of existing systems or creation of a new system?**

4. Table 1.1 of the OECD paper identifies existing systems. CropLife International questions the inclusion of the EU as an existing system: if a system has not been applied nor contains criteria after more than 30 years, how can this be considered to be existing? We also note that only 5 countries have been

identified as having existing and implemented schemes. These schemes, with the exception of New Zealand are also only applied to one sector : pesticides.

5. The GHS is intended to apply to all countries and, with a few small exceptions, to all chemicals. When the narrow scope and small number of existing schemes is taken into consideration, we believe that in reality there are no existing and implemented schemes that are consistent with the scope of GHS to harmonise and therefore that if the current work continues, any scheme would be a new scheme and not a harmonisation of existing schemes. The costs and benefits should be considered in this respect.

### **Benefits**

6. The benefits that are usually assumed to be derived from harmonising existing classification are not relevant as the vast majority of chemicals currently do not have any labelling for terrestrial hazards. For pesticides, a small benefit might be considered from harmonisation of the small number of existing schemes. However this needs to be considered in the context that the majority of a pesticide label will continue to contain non-GHS, non-harmonised information. Harmonising a small number of a small part of a label can only lead to a small benefit.

7. Developing a scheme for classification and labelling of terrestrial hazards could be argued to improve the handling of chemicals and hence protect the environment. This argument could be especially relevant to products that are deliberately designed to be released into the environment such as pesticides. Before a pesticide can be sold, it is subject to an authorisation process. This process already takes into account potential effects on the terrestrial environment by issuing mandatory conditions of use, instructions and risk management measures. It is widely accepted that risk management measures are more effective at changing behaviour than hazard communication. Hence the development of a classification scheme for terrestrial hazards is unlikely to improve behaviours for pesticides.

8. Considering chemicals that are not intended to be released into the terrestrial environment, we need to take account of data availability. Without applicable data, a classification and labelling scheme would have little practical value.

9. An analysis of existing data, carried out by the UK and industry in 2000, showed that currently there is very little information available on non-pesticides for the terrestrial environment. A review of SIDS submitted since 2000 shows little change in the situation. The implementation of REACH in the EU is expected, by some, to dramatically increase the availability of data on terrestrial organisms. We believe that this expectation is optimistic. Substances manufactured below 100 tonnes per year do not trigger any data generation requirements for terrestrial organisms under REACH. For substances manufactured at greater than 100 tonnes per year, testing for the terrestrial environment is only required if safe use cannot be demonstrated. We expect that for a large proportion of affected substances, safe use including safe disposal of wastes and residues, will be demonstrated and hence that data generation will not be required. In summary, we expect the availability of data on the terrestrial environment to remain broadly similar to the current situation.

### **Costs**

10. Although the detailed criteria have not yet been developed, it is possible to produce a first estimate of the costs to industry of implementing a new classification scheme. These costs are divided into variable costs, such as the time required to analyse data and decide on the classification, and fixed costs such as changing the plates used to print labels. The balance between fixed and variable costs will vary between industries. For the pesticide industry, the costs of implementing a new classification scheme are dominated by the fixed costs and therefore it is possible to produce a first estimate of the costs at an early stage. We estimate that for the pesticide industry, the costs of globally implementing a scheme for

classification and labelling of terrestrial hazards would be in excess of one hundred million dollars. As the pesticide industry makes up only a small proportion of the global chemical industry, the costs for the global chemical industry can be expected to be significantly higher.

11. Governments would also need to invest significant resources to develop and implement a new classification scheme.

**Conclusion**

12. CropLife International has examined possible benefits and costs of a classification and labelling scheme for terrestrial hazards. Our examination shows that currently the costs of such a scheme significantly exceed the reasonable expected benefits.

13. We invite experts to carry out their own examination of the benefits and costs of such a scheme and look forward to a broad debate before deciding whether or not this work should continue.

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