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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
(Geneva, 10-12 December 2003)

REPORT OF THE SUB-COMMITTEE OF EXPERTS
ON ITS SIXTH SESSION

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REPORT

ATTENDANCE

1. The Sub-Committee of Experts on the Globally Harmonized System of Classification and Labelling of Chemicals held its sixth session in Geneva from 10 to 12 December 2003 with Ms. Kim Headrick (Canada) as Chairperson, Ms. Anna-Liisa Sundquist (Finland) and Mr. Roque Puiatti (Brazil) as Vice-chairpersons.
2. Experts from the following countries took part in the session: Australia, Austria, Belgium, Brazil, Canada, China, Czech Republic, Finland, France, Germany, Greece, Italy, Japan, Netherlands, Norway, South Africa, Spain, Sweden, United Kingdom and the United States of America.
3. Under rule 72 of the rules of procedure of the Economic and Social Council, observers from the following countries took part: Russian Federation and Serbia and Montenegro.
4. Representatives of the United Nations Environment Programme (Secretariat of the Basel Convention (UNEP/SCB), UNEP Chemicals, the Ozone secretariat), of the United Nations Institute for Training and Research (UNITAR) and of the following specialized agencies were present: International Labour Office (ILO) and World Health Organization (WHO(IPCS)).
5. The following intergovernmental organizations were represented: Commission of the European Communities (CEC), Organization for Economic Co-operation and Development (OECD).
6. Representatives of the following non-governmental organizations took part in the discussion of items of concern to their organizations: European Chemical Industry Council (CEFIC), Croplife International, European Industrial Gases Association (EIGA), Federation of Industrial Paints and Coats of Mercosul (IFPCM), Dangerous Goods Advisory Council (DGAC), International Association of the Soap, Detergent and Maintenance Products Industry (AISE), International Council of Chemical Associations (ICCA), International Organization for Standardization (ISO), International Petroleum Industry Environmental Conservation Association (IPIECA), Soap and Detergent Association (SDA).

ADOPTION OF THE AGENDA

Documents: ST/SG/AC.10/C.4/11 and -/Add.1 (Provisional agenda)

Informal document: UN/SCEGHS/6/INF.10

7. The Sub-Committee adopted the provisional agenda prepared by the secretariat, after amending it to include late submissions of informal documents INF.1 to INF.11.
8. The secretariat informed the Sub-Committee that a CD-Rom containing the official texts of the Globally Harmonized System of Classification and Labelling of Chemicals (GHS) and of the fourth edition of the Manual of Tests and Criteria in English and French was now available and could be ordered from the UN Sales Services. She reported on the progress in the GHS translation, pointing out that (1) a first draft of the Spanish version would be ready by mid-May 2004 and that an editing group would be set up for checking terminology before final publication; (2) the Russian version would be issued in March 2004; and (3) the Chinese and Arabic translations were in process and would be finished by the end of 2004.

PROPOSALS OF AMENDMENTS TO THE GLOBALLY HARMONIZED SYSTEM OF CLASSIFICATION AND LABELLING OF CHEMICALS (GHS)

Documents: ST/SG/AC.10/C.4/2003/1
ST/SG/AC.10/C.4/2003/7

9. To reply to a request of the Sub-Committee at its fifth session, the European Industrial Gas Association (EIGA) submitted document ST/SG/AC.10/C.4/2003/7 about classification of toxic gas mixtures. The intention was to bring more evidence that the additivity formula, as contained in 3.1.3.6 of the GHS leads to an underestimation of the gravity of related health hazards. The problem was illustrated through a list of 55 gases comparing the GHS, European Union and EIGA-proposed classification cut-off values. As a conclusion, EIGA suggested to retain the existing four categories applicable to gases as in the GHS but allocating modified cut-off values to each of these categories, following the approach adopted for other health hazard classes, such as carcinogenicity, reproductive toxicity and mutagenicity; EIGA proposal for cut-off values for gas mixtures are summarized in the table on page 4 of ST/SG/AC.10/C.4/2003/7.

10. In general, experts of the Sub-Committee recognized that there might be a problem, in particular for the workplace, and that it should be addressed. However, while a few experts supported the EIGA proposal for new classification criteria, several experts expressed the view that the problem should be rather reconsidered in depth and that a broad consensus should be sought on possible solutions, that might also include the EIGA solution. Some experts noted that the analysis presented in the paper could be misleading because occupational exposure limits are based on risk, not on hazards, and often relates to hazards other than acute toxicity.

11. The Sub-Committee decided to set up an ad hoc correspondence group to work on this question, with a view to reconsidering the classification criteria of toxic gas mixtures as they currently appear in Chapter 3.1 of the GHS. The correspondence group (see membership in Annex 1) will submit an official document to the seventh session of the Sub-Committee.

Document: ST/SG/AC.10/C.4/2003/9

Informal document: UN/SCEGHS/6/INF.6

12. The OECD introduced document ST/SG/AC.10/C.4/2003/9 proposing a new hazard class for the GHS, i.e. a Water-Activated Toxicity Hazard Class (WAT) for the “Substances/mixtures, which in contact with water, release toxic gases”, an element of the Sub-Committee Work Programme which is currently under preparation at the OECD. The representative of the OECD pointed out that the document takes into account the concern expressed by the transport authorities as (1) it provides that the classification is based on the Acute Toxicity Estimate of the emitted gas with inhalation cut-off values based on 4 hour testing exposure; and (2) may include consideration of the gas evolution rate, thus making it possible for the transport authorities to assign corresponding packing groups as it is done for the “Substances/mixtures, which in contact with water release flammable gases” (see Test N.5 in Part I, para. 33.4.1.4, of the *Manual of Tests and Criteria, UN Recommendations on the Transport of Dangerous Goods*).

13. Introducing UN/SCEGHS/6/INF.6, the expert from France welcomed the OECD proposal for this new hazard class. However, he was concerned that the gas evolution rate has not been truly incorporated in the classification criteria, and that the text was leaving too much room for interpretation to the competent authorities. In his view, taking account of the gas evolution rate could be done in a way to enhance safety. He offered to draft modifications to the proposed text for the next session of the Sub-Committee, welcoming possible drafting partners.

14. The expert from Germany considered that the OECD proposal was not the final solution and pointed out that the issue had common grounds with the EIGA proposal on toxic gases.

15. Responding to a comment of CEFIC, the Chairperson indicated that the issue of gas corrosivity would be covered at the next session of the Sub-Committee, when the Sub-Committee expects to receive the results of OECD work on this issue.

16. After an exchange of views, it was recognized that the problem deserved to be further examined. However, the next question was how to proceed with the proposal.

17. Several delegations reminded the Sub-Committee of the working procedure between the Sub-Committee and the OECD that was reaffirmed at the fifth session of the Sub-Committee (para. 22 of ST/SG/AC.10/C.4/2003/10) in case of substantial differences of opinion.

18. The representative of the OECD proposed that, according to the said procedure, OECD would re-address the issue and report back to the Sub-Committee the outcome of these deliberations. She considered that the issue discussed was important and urged the Sub-Committee to send the proposal back to the OECD for further work. She also indicated that the collaboration of the Sub-Committee and the OECD might otherwise need to be rediscussed.

19. The Sub-Committee reaffirmed its full support to using OECD as a focal point for health and environment hazards, and that all participants of the GHS should be involved in that work.

20. Nevertheless, recognizing the tight time constraints and the commitment of the Sub-Committee regarding the achievement of this work programme element by the end of the current biennium, the Chairperson proposed to make an exception and to set up a correspondence group under the Sub-Committee, as the time was not sufficient to address the problem given the procedural mechanisms at the OECD. This correspondence group would submit an official proposal on WAT to the seventh session of the Sub-Committee.

21. As a general conclusion, the Chairperson expressed the wish that there would be improved coordination inside national delegations of the OECD countries and that transparency in the work of the Sub-Committee and the OECD about the GHS would be enhanced. She invited the two secretariats to work out practical ways to ensure that information would be easily accessible and participation in the work of the OECD would be facilitated for all participants of the Sub-Committee.

HARMONIZATION WITH THE RECOMMENDATIONS ON THE TRANSPORT OF DANGEROUS GOODS

Informal document: UN/SCEGHS/6/INF.11

22. The Chairperson of the TDG Sub-Committee informed the Sub-Committee of the ongoing work of his Sub-Committee regarding the harmonization of chemicals criteria and classification as applied in the transport sector with those of the GHS, and in particular those regarding hazards of self-reactive chemicals, of flammable liquids and hazards for the aquatic environment; and the establishment of an OECD Group on Physical Hazards.

23. Regarding the proposal for a new label for organic peroxides for the transport sector (Division 5.2 of the Model Regulations) that will be under discussion at the TDG Sub-Committee at its next session, the expert from the United States of America pointed out that this subject should have been brought to the attention of the GHS Sub-Committee first, as transport pictogrammes that are according to the GHS may now be used for other sectors and therefore this issue was relevant for the GHS Sub-Committee.

24. The Sub-Committee reaffirmed its full support to use the TDG Sub-Committee for addressing physical hazards.

25. After lengthy discussions on procedures, it was agreed that, whenever pre-session documentation submitted to the TDG Sub-Committee of Experts in the context of transport regulations might imply an amendment to the GHS, such proposals should be submitted simultaneously to the GHS Sub-Committee. It was also agreed that proposals submitted to the Sub-Committee, which are relevant for physical hazards in transport, should be simultaneously transmitted to the TDG Sub-Committee.

26. Furthermore, the Chairperson, concerned by the shortness of the session and the number of issues which had arisen, entrusted a group of volunteers to clarify what the procedure should be with the focal points, and to submit a proposal for the consideration of the Sub-Committee at its next session.

REPORTS OF INTER-SESSIONAL CORRESPONDENCE WORKING GROUPS

Informal Documents: UN/SCEGHS/6/INF.1
UN/SCEGHS/6/INF.8

Correspondence Group on Safety Data Sheets (SDS)

27. The expert from Australia presented the report on the informal inter-sessional correspondence group on Safety Data Sheets (INF.8), as summarized in Annex 2.

28. The Sub-Committee discussed whether the guidance document on Safety Data Sheets should be a "stand-alone" document or, alternatively, should be added as an annex to the GHS.

29. It has been stated that, in any case, the scope of application of the SDS guidance was only linked to GHS requirements and that it should be made clear that national authorities might have their own requirements which do not necessarily have to be reflected on the GHS SDS guidance document.

30. Some delegations expressed their preference on having the text added as a new annex to the existing GHS text on the basis that this would avoid duplication of information. In such a case, the definitions as proposed in INF.1 will be replaced by appropriate references to existing GHS text (e.g. Chapter 1.2 of the GHS for definitions) and/or paragraphs.

31. Others expressed the opinion that the official text should be restricted to the essential description required and that additional information could then be distributed in an electronic form, for example a CD-Rom, also considering the GHS itself and with appropriate links to the corresponding parts of the GHS.

32. It was finally agreed that the text should be redrafted to avoid unnecessary duplications, including references to existing paragraphs or chapters in the GHS and that it would be included as an annex to the official publication.

33. The Sub-Committee invited the Correspondence Group to come back in July with a formal proposal on this issue, taking into account the comments received.

**Informal Documents: UN/SCEGHS/6/INF.2 and -/INF.2/Add.1
UN/SCEGHS/6/INF.9**

Correspondence Group on Precautionary Statements

34. The expert from Germany presented the results of the work of the Correspondence Group on Precautionary Statements (Annex 3). He expressed his appreciation to IPCS for their willingness to cooperate in this work, with the objective that the GHS precautionary statements and the ICSC should be compatible on the GHS basis. He indicated his strong preference for having the document on Precautionary Statements as an annex to the GHS, in particular because regular adjustments and updating would be needed in the beginning. He announced that a consolidated text would be submitted as an official proposal to the next Sub-Committee session.

35. The representative of ISO noted that certain ISO signs and symbols used in the proposed text might be misinterpreted as they have a precise ISO terminology. It would be necessary to make a clear distinction between graphical symbols and mandatory instructions signs.

36. The expert from Germany said that although the safety signs in the ISO standards were intended to have a mandatory meaning, due to the fact that in practice the adoption of ISO standards was voluntary, the ISO safety signs should be taken into account for precautionary instruction signs, as far as the GHS is concerned. This view was shared by other delegations.

37. After some discussion on that issue, it has been decided that the text for precautionary statements would be a revision of current Annex 3 of the GHS.

Informal Document: UN/SCEGHS/6/INF.7

Correspondence Group on Labelling

38. The expert from the United States of America presented the outcome of the discussions of the last meeting of the Correspondence Group on Labelling, held prior to the Sub-Committee session (see Annex 4). She indicated that the results obtained, i.e. guidance text and label example, were only for the situation where both transport and other GHS information appear on a single package and that consensus had been found on this issue. She expressed the opinion that, in her view, the work was complete if the text was to simply modify para. 1.4.10 or Annex 6 of the GHS; but should the Sub-Committee decide that there should be a separate guidance document, then the Correspondence Group should continue its deliberations.

39. Regarding the size of the pictograms, some delegations were of the opinion that the GHS environmental signs should be larger. Others, on the contrary, stated that the dimensions of the labels and pictograms in the example proposed in UN/SCEGHS/6/INF.7 were intended only to establish a clear difference between GHS pictograms and labels used in transport. It was also advised to carefully review this label example before inserting it into the final text.

40. In answer to a question regarding the adequacy of the current environmental mark for the purposes of hazard communication at the GHS level, a member of the secretariat informed the Sub-Committee that the usage of an environmental pictogram was being considered at the Transport of Dangerous Goods Sub-Committee and that the International Maritime Organization (IMO) was also revising the aquatic pollutant mark. He therefore suggested to the GHS Sub-Committee to wait until a decision on this issue was made at transport level before updating the above-mentioned label example.

41. A representative from industry (CEFIC) expressed his concern about the labelling of very small packages which was a real problem for industry. He asked the Correspondence Group to discuss this issue.

42. The Chairperson invited the Correspondence Group to prepare a revised formal proposal taking into account the comments received, with a label example which would be consistent with the examples currently found in Annex 6. She also invited CEFIC to examine the labelling of very small packages, and make a formal proposal for the Sub-Committee's consideration. The Sub-Committee would then decide the appropriate course of action. Finally, she noted the need to continue cooperation between the Sub-Committee and ISO to avoid duplication of work.

COOPERATION WITH OTHER INTERNATIONAL ORGANIZATIONS

(a) Cooperation with UNEP Ozone secretariat on ozone depleting substances

Documents: ST/SG/AC.10/C.4/2003/3
ST/SG/AC.10/C.4/2003/6

Informal document: UN/SCEGHS/6/INF.13 (submitted after the session)

43. The representative of the Ozone Secretariat introduced document ST/SG/AC.10/C.4/2003/3 from the Parties to the Montreal Protocol, requesting the Sub-Committee in their Decision XIV/8 of 2002 to "evaluate the possibilities for and feasibility of including ODSs on its work programme". He also mentioned that, at the last meeting of the Parties, concerns were expressed that the process would develop without proper directions if an agreed position by the Parties was not preliminarily reached.

44. A group of countries also submitted a proposal in favour of classifying ozone depleting substances and mixtures into the GHS (ST/SG/AC.10/C.4/2003/6) based on the criteria of the Montreal Protocol.

45. A number of experts supported the proposal. Other expressed the view that it was premature to decide this issue and suggested that on-going collaboration with the Montreal Protocol was essential.

46. However, some experts expressed reservations regarding the proposed cut-off value for mixtures, the hazard communication elements of the label and the fact that, for the first time in the GHS, the classification would address a list of chemicals.

47. It was also recognized that, while the Sub-Committee was fully entitled to decide on its own what classes and criteria were to be added to the GHS, it was felt important to coordinate closely with the ODS Secretariat and the Montreal Protocol.

48. Due to the number of issues raised, the Sub-Committee decided to pursue work on this issue and set up a correspondence group with this aim (see membership in Annex 1). The Sub-Committee agreed on not setting a precise time frame for this work.

(b) IFCS Forum IV

Informal document: UN/SCEGHS/6/INF.5

49. The Chairperson, as the main organizer of the event, informed the Sub-Committee of the success of the "dinner-workshop" devoted to the opportunities and challenges of the GHS implementation which took place as a side event of IFCS FORUM IV (held in Bangkok, 1-7 November 2003). She

pointed out that most of the results regarding the GHS were underlined in a letter addressed by the President of IFCS to the Sub-Committee (UN/SCEGHS/6/INF.5), and she drew the attention of the Sub-Committee to the outcome of the workshop, i.e. a GHS Action Plan that has been adopted by Forum IV .

50. UNITAR indicated that the Action Plan included that 2 pilot projects in each of the 5 IFCS regions of the world were to be carried out, starting in 2004.

51. The Sub-Committee took note of the GHS Action Plan and endeavours to achieve the goals addressed to it therein.

(c) Cooperation with UNEP Chemicals

UNEP Chemicals and the Strategic Approach for International Chemicals Management (SAICM)

52. A representative of UNEP-Chemicals informed the Sub-Committee of the results of the first preparatory session (Prepcom I) of the UNEP Strategic Approach International Chemicals Management (SAICM) that was held in Bangkok, 9-13 November 2003. In the discussions there, the GHS was well noted as a significant potential element, and preliminary suggestions regarding the taking into account of the GHS into the SAICM context were made. (The complete presentation of this issue will be made available on the GHS website as document UN/SCEGHS/6/INF.12).

53. The Chairperson gave an appreciation on the results of SAICM and on consideration given to the GHS.

UNEP Chemicals and the PIC and POPs Conventions

54. Another representative of UNEP-Chemicals updated the Sub-Committee on the recent progress made under the Rotterdam Convention on Prior Informed Consent (PIC) on Trade in Dangerous Chemicals which will be in force in February 2004. He pointed out those provisions in the Convention with relevance to the classification and labelling of chemicals and therefore to the GHS, and indicated that an implementing committee will be created as soon as the Convention is in force, to deal with the practical implementation of the Convention's provisions.

55. The UNEP representative pursued with a presentation of the present status of the Stockholm Convention on Persistent Organic Pollutants (POPs). He mentioned in particular that, thanks to the financing mechanism in place under the Convention, countries eligible by the Global Environment Fund (GEF) can be financed for carrying out their national profile on chemical management, an assessment that can also be useful to go forward in GHS implementation.

56. The Chairperson expressed her thanks for the interesting presentation and reaffirmed that the Sub-Committee was looking for all possible synergies with other instruments of chemical management, and would welcome any occasion to promote the GHS through these instruments.

(d) Cooperation with the Basel Convention

Document: (ST/SG/AC.10/C.4/2003/8)

57. The expert from the United States of America introduced the results of the work of the ad hoc Correspondence Group which had been entrusted to provide comments on the currently revised definitions and criteria for waste hazard characteristics of the Basel Convention with a view to harmonizing them with the GHS.

58. The Chairperson indicated that the draft letter as contained in ST/SG/AC.10/C.4/2003/8, including the paragraph between brackets, would be transmitted to the Executive Secretary of the Basel Convention and that the Sub-Committee was looking forward to further cooperation.

59. The representative of the Secretariat of the Basel Convention thanked the Sub-Committee for the proposal, and confirmed that he would transmit this information to the Open-Ended Working Group of the Basel Convention once the letter is received.

(e) Cooperation with the OECD

Informal document: UN/SCEGHS/6/INF.3

60. The representative of the OECD informed the Sub-Committee of the progress made regarding the elements of the GHS programme since the last meeting, as follows:

- (a) Regarding aspiration hazards, she indicated that final approval by the OECD would be requested very soon as the one outstanding issue had recently been resolved by the OECD Task Force HCL. She noted that all members of the Sub-Committee would receive a formal proposal for the July 2004 meeting. The secretariat added that the draft report of the Task Force HCL with its annexes containing in particular the aspiration hazard class proposal was circulated to all participants of the Sub-Committee through email in November 2003;
- (b) For respiratory tract irritation, and narcotic hazards, she explained that the proposal is to re-organize GHS Chapter 3.8 on Specific Target Organ Systemic Toxicity- single exposure- in order to include these two hazards. She also pointed out that, when discussing Chapter 3.8 organization, the OECD experts proposed several changes which would aim at simplifying the chapter and facilitating its understanding and implementation, without changing the classification criteria or hazard communication for the existing categories. Under the proviso that the OECD Joint Meeting also agrees with this approach, she requested advice from the Sub-Committee on this issue, which may be relevant for other work on existing GHS chapters;
- (c) Proposals on revision of GHS Chapter 3.1 is well advanced. The last issue on which agreement of the Task Force is requested are the definitions of dust, mist and vapour;
- (d) Work is going on concerning the validation of the transformation/dissolution protocol for metals and metal compounds;
- (e) The work on sensitization hazards, reproduction toxicity hazards, cancerogenicity, aquatic environment hazards and terrestrial environment hazards has started recently.

61. Experts were reluctant about streamlining chapters of the GHS document as they estimated that when specific issues are considered, it was difficult to estimate the difference between editorial and substantial changes, and any punctual change may have repercussions into other parts of the text.

62. However, experts recognized that amendments consecutive to the insertion of new parts of text are unavoidable.

63. The Sub-Committee was informed of the establishment of an OECD Ad hoc Expert Group on Physical Hazard Characterization under the umbrella of the International Group of Experts on the Explosion Risks of Unstable Substances (IGUS), an issue about which the Sub-Committee on the Transport of Dangerous Goods had also been informed (UNSCGHS/6/INF.3 and para. 22 of this report).

64. A few experts recalled that IGUS had often contributed in the past to the work of the TDG Sub-Committee upon request. It was also mentioned that unnecessary duplication of work and competences should be avoided, and that all new physical hazard issues should be referred to the TDG Sub-Committee for resolution.

65. The expert from Germany noted that criteria and testing for physical hazards in the GHS were referring to the applicable methods described in the UN Manual of Tests and Criteria. Knowing this, he wondered about the need for the OECD to further elaborate test guidelines for physical hazards and expressed the wish that the OECD would reconsider its decision.

66. The Chairperson reaffirmed that all issues about physical hazards were to be referred to the TDG Sub-Committee, which is the technical focal point for the GHS Sub-Committee on this issue, and that all duplications should best be avoided. She also recalled that, regarding the Sub-Committee's focal points, she has committed herself together with a group of volunteers to finding ways of improving the collaboration between the Sub-Committee GHS and the OECD Task Force on Harmonization of Classification and Labelling and to making it more transparent and flexible (see paras. 21 and 26). The membership of the Correspondence Group on Sub-Committee Process is detailed in Annex 1.

IMPLEMENTATION OF THE GHS

67. The expert from Canada informed that her country has started the implementation of the GHS, and has released its situational analysis which compares existing systems with the GHS. A kick-off workshop was held in October this year. The objectives of Canadian GHS implementation include harmonization to the greatest extent possible between the key systems in Canada and with NAFTA countries.

68. The expert from the United States of America said that, together with Canada and Mexico, they have organized, in August 2003, a workshop to raise awareness of the GHS in Mexico and to consider its implementation. She also mentioned a meeting on occupational safety and health issues in October, with the participation of the United States of America and the European Union, and a meeting of a NAFTA technical group on pesticides in early December 2003.

69. The representative of the European Commission (EC) indicated that they have undertaken two studies: (1) on impact assessments, the results of which are expected by mid-next year, and (2) on the implementation of the GHS, which will help to identify the gaps and differences between the new GHS system and existing systems. Furthermore, the EC aimed at putting forward a proposal on how to implement the GHS into the European Union legislation during 2004, in order for it to enter into force at the same time as the Registration, Evaluation and Authorization of Chemicals (REACH) regulation. The proposal for the REACH regulation was adopted by the European Commission on 29 October 2003 and is now at the final decision-making stage by the Council and the European Parliament.

70. The expert from Finland informed of a recent workshop between Baltic countries (Latvia, Estonia, Lithuania and Poland). The workshop was intended to increase the awareness on GHS. The participants showed great interest and willingness to learn about GHS.

71. The expert from Brazil declared that they were working at spreading information about the GHS among all the concerned sectors, compiling existing national regulations to compare them with the GHS

and adjusting national legislation, and improving collaboration with the transport competent authorities and other sectors. His country will host a regional workshop on GHS for Latin American countries in 2004.

72. The expert from Japan mentioned that the translation of the GHS into Japanese would be finished early next year. They have held several workshops on the occupational health sector. The Ministry of the Environment is also preparing a questionnaire for consumers and a brochure for information on the GHS.

73. The expert from Germany highlighted the current work of the TDG Sub-Committee to align its rules with the GHS.

74. A member of the UNECE secretariat encouraged the participants to report to the secretariat, in written form, on workshops and other activities held on the GHS. This information would be useful to the secretariat in the context of programme performance reporting, programme evaluation, and results-based budgeting.

CAPACITY BUILDING

Informal documents: UN/SCEGHS/6/INF.4

75. The representative of UNITAR provided an update of the UNITAR/ILO Capacity Building Programme activities. Regarding country-based activities, he commented on the progress in the two pilot countries, Zambia and South Africa. He also pointed out the commitment made at the regional workshop held for the Southern African Development Community (SADC) for initiating a regional strategy to implement the GHS by 2007. He announced that a e-learning training package was under development, and that a GHS Partnership website and virtual capacity building library are now online, and a CD-ROM on GHS available by UNITAR.

76. The representative of UNITAR also gave information on the outcomes of the first Meeting of Partners for Capacity Building to Implement the GHS (Geneva, 10 July 2003). At this meeting, the participants agreed on a GHS partnership framework work plan structured around four programme areas: capacity building at regional level; capacity building at national level; development of awareness raising, capacity building guidance and training materials; and supporting activities and services for GHS capacity. Activities constitute a contribution to the GHS partnership if they fall within the work plan. Countries and organizations in a position to support project activities can make contact with UNITAR.

77. The Chairperson reaffirmed that building appropriate capacity for implementing the GHS is a key issue for the Sub-Committee. She expressed its appreciation to UNITAR and ILO for their actions to this aim. She also encouraged the participants to keep in mind that countries have to develop their own capacities and that this is resource-consuming.

OTHER BUSINESS

2003 ECOSOC Session

Document: ST/SG/AC.10/C.4/2003/8

78. The secretariat introduced the modifications that had been brought into Resolution 64/2003 before its adoption by ECOSOC. In particular, the insertion of a new paragraph 4 under part B and another new paragraph 2 under part C, both requesting to member countries and international organizations that more financial and technical support would be given to developing countries and

countries in transition with a view to facilitating their participation in the work of the Sub-Committee and in the practical implementation of the GHS in their respective countries.

79. Paragraph 7 of part B of the resolution 64/2003 now requests the Secretary-General to submit a report on the implementation status of the GHS for the 2005 ECOSOC session. In early 2004, the secretariat will elaborate and issue a questionnaire that will be sent to all UN countries. At the same time, the secretariat will put related information on the GHS website to draw the attention of the experts of the Sub-Committee and encourage them to make contact with the potential contributors who will complete the questionnaire inside their respective countries. Based on the replies, a report will be drafted in the course of 2004 for submission to the Sub-Committee before the end of the current biennium.

Membership

80. The secretariat informed the Sub-Committee that Serbia and Montenegro has officially requested to become a member of the Sub-Committee and that the request has been transmitted by the UNECE Executive Secretary to ECOSOC for decision.

81. The expert from Serbia and Montenegro, who participated to the session as an observer, thanked the Sub-Committee and explained the interest and motivation of her country in becoming a member.

82. The Chairperson took note of Serbia and Montenegro's request for membership.

New Correspondence Groups

83. The Chairperson then proceeded to the designation of members to the several new correspondence groups that have been established during the session. All the details about these groups are outlined in Annex 1 to this report.

Next session of the sub-Committee and deadlines for documentation

84. The Chairperson reminded the experts of the date and venue of the seventh session of the Sub-Committee, i.e. 14-16 July 2004. She informed that the deadline for submitting documents for the next session was 3 May 2004 if submitted in one language only, and 31 May 2004 if submitted simultaneously in English and French. The secretariat should be informed by 19 April of the expected length of documents to be submitted.

85. The Chairperson also encouraged the experts to give some thoughts to the work plan for the next biennium as the current biennium will come to its end at the eighth session of the Sub-Committee, and to bring forward their proposals, preferably through the submission of informal documents, to the next Sub-Committee session for discussion.

ADOPTION OF THE REPORT

86. In accordance with established practice, the Sub-Committee adopted the report on its sixth session on the basis of a draft prepared by the secretariat.

Annex 1

Composition of the new correspondence groups

(a) Correspondence Group on Toxic Gas Mixtures (TGM)

Lead country: Belgium

Members: Austria, Canada, France, Germany, Italy, Japan, United States of America, CEFIC, EIGA, ICCA.

(b) Correspondence Group on Water Activated Toxicity (WAT)

Lead country: France

Members: Belgium, Canada, Germany, Japan, United States of America, CEFIC, ICCA.

(c) Correspondence Group on Ozone Depleting Substances (ODS)

Lead country: Finland

Members: Austria, Belgium, France, Germany, Italy, Japan, Norway, United States of America, ICCA.

(d) Correspondence Group on Cooperation with the Basel Convention

A Correspondence group on this issue will be set up if the Open-Ended Working Group of the Basel Convention indicates its wish to set up a joint group of experts from both bodies to further work on the harmonization of the classification criteria of the Basel Convention with relevance to the GHS. Decision about the composition of this group will be made in July 2004, except in case of urgency. If so, the secretariat would constitute this group by e-mail.

(e) Correspondence Group on the Sub-Committee's Process

Chair: The Sub-Committee Chairperson (Mrs. Kim Headrick).

Members: OECD and UNECE secretariats, Brazil, Finland, France and Italy.

Observers: Austria, Belgium, Germany and Norway.

(f) Editing Group for GHS Spanish Translation

Coordinator: Secretariat

Member: Spain.

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Annex 2

Progress report of the Correspondence Group on Safety Data Sheets (SDS)

(Lead Country: Australia)

The first draft of the guidance document on SDS was revised according to the outcome of the discussions of the Correspondence Group and the Sub-Committee in plenary session in July 2003. Later in the summer, a teleconference was held within a drafting group of the Correspondence Group, as agreed at the July meeting. On the basis of the comments provided by the drafting group, a number of changes were introduced into the draft document and are outlined in document UN/SCEGHS/6/INF.1. This document served as a basis for discussion during a second meeting of the Correspondence Group held on 9 December 2003.

The Group discussed a number of general issues. These included:

- Whether information that is provided in the GHS document should be repeated in the SDS guidance document;
- The definitions used in the SDS text should remain current and consistent with the GHS. This issue will be referred back to the Correspondence Group for further discussion after consultation with the Sub-Committee;
- More emphasis should be given to the environmental issues, as most of the emphasis is currently on human health and safety issues;
- A number of experts requested that changes be made to some headings, definitions, and minimum information requirements of the SDS. However, this would require the SDS guidance to deviate from the GHS official text, and the Group agreed that any such proposed changes should be referred to the Sub-Committee secretariat, for consideration by the Sub-Committee at the time that the GHS document is next revised.

A number of issues, however, remained undecided and further discussion will be required by the Correspondence Group. These include the following:

- The scope and application of the guidance document (Section 1.2 and 1.3 of Chapter 1 in INF.1) was raised as an issue by some members. Following further discussion, the Group agreed to draft a text for the beginning of Chapter 4, identifying that this Chapter outlines the minimum information requirements of the GHS, but that additional information might be required by national competent authorities;
- In part 4.1 of chapter 4, there was no agreement on what constituted “Emergency contact details”;
- In part 4.2 of chapter 4, there is a requirement to provide a description of the hazards of the substance and/or the mixture;
- In part 4.3, experts agreed that there should be more flexibility in the requirement to provide concentration ranges for ingredients. Some experts requested that information could be provided in order of hazard and not just in the proportion of ingredients;
- In part 4.3, some experts also felt that the section was intended solely for ingredients in mixtures, and not for substances. There was no consensus on this issue;
- Part 4.8 on Control Parameters will be revised to include an introductory paragraph with explanation of what constitutes such parameters;
- Some members requested changes to the parameters in part 4.9, and/or the provision of additional guidance on the type of information required for this section;

- Part 4.11, on the provision of toxicological information, was drafted to provide detailed advice to authors of SDS on the construction, format and content of Chapter 11 in the SDS. During discussions, a considerable number of issues were raised. There are huge problems in the quality and usefulness of information provided therein. The Correspondence Group agreed that there was a need for more guidance and advice in this area. This section will be redrafted in consultation with the Correspondence Group and/or a smaller drafting group;
- Part 4.12, dealing with the information requirements on environmental hazard, will be redrafted by the Correspondence/Drafting Groups, to make it more consistent with the approach taken in the other sections.

The lead country agreed to liaise with the members of the Correspondence Group to revise the text and to circulate the revised version in early 2004, with the aim of having the third draft available as a formal paper to the seventh meeting of the Sub-Committee in July 2004.

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Annex 3

Report on the progress of the Correspondence Group on Precautionary Statements

(Lead Country: Germany)

1. The major progress of the Correspondence Group on Precautionary Statements since the last session of the Sub-Committee and outcome of the Correspondence Group meeting of 10 December 2003 are summarized here below.
2. The progress of the Correspondence Group since the last Sub-Committee session is summarized in UN/SCEGHS/6/INF.2). ICCA circulated a new draft of the table section summarizing all the interim deliberations as exchanged within the group until now. The proposal includes a system allowing for suggested, open and optional text in order to facilitate flexibility as deemed appropriate.
3. A group of experts in physical hazards also made a proposal as to how to address those hazards by precautionary statements in the form of condensed core information (see document UN/SCEGHS/6/INF.2.Add.1).
4. A point of concern is the concurrent hazards that are not necessarily identified as GHS hazards, i.e. effect of substances on human health due to certain physico-chemical properties (for example peroxides), the latter prevailing in the hazard assessment.
5. Some systems use precautionary phrases that cover other properties, such as volatility, which are not defined per se in the GHS system. The IPCS system provides an inner logic, which takes such properties as conditions for the assignment of precautionary phrases into account.
6. WHO offered that close collaboration with experts in the IPCS/ICSC project would be established so that GHS and IPCS precautionary statements can be developed convergently on a GHS basis. The strict dependence of the harmonized precautionary statements on the GHS hazard statements are to be maintained.
7. A hierarchy of precautionary statements, as proposed by Austria, seems only applicable in the health hazard section. However, more exercise on examples to check the system's workability might open a wider scope.
8. In summary, the Group has elaborated modules, which will be compiled to build up the final proposal.
9. The decision as to whether the GHS precautionary statement system should be a stand-alone document or inserted into the GHS as as revised Annex 3 will be referred to the Sub-Committee.
10. It was concluded that an introductory text placed before the table section was necessary. This text should give general guidance for application of the system under different legal frameworks. In particular, the relationship between standardized core phrases and the corresponding supplemental information has to be explained therein.
11. It should be considered that, in the beginning, the precautionary statement system will be a self-learning system subject to further refinement and improvement so that it would become more user-friendly.
12. A formal proposal will be submitted in due time to the Sub-Committee for its seventh session.

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Annex 4

Report on the progress of the Correspondence Group on Labelling

(Lead Country: United States of America)

1. The Correspondence Group on Labelling met prior to the Sub-Committee session to discuss its work. During the time between Sub-Committee meetings, industry representatives had developed example labels as promised at the July meeting. There was also industry input on labelling guidance. However, broader input on possible guidance was not exchanged, and thus it was not clear what the Group as a whole wanted to achieve in this activity.

2. The Chair provided draft guidance to address the issue that was discussed to the greatest extent, i.e. the relationship of transport related pictograms to other GHS information on a single packaging. The Correspondence Group discussed the draft at length, and it was modified to reflect concerns expressed. The agreed text is as follows:

- *Where transport and other GHS information appear on a single packaging (e.g. a 200 litre drum), consideration must be given to ensuring the label elements are placed in a manner that addresses the needs of the different sectors.*
- *Transport pictograms must convey information immediately in an emergency situation. They must be able to be seen from a distance, as well as in conditions that are smoky or otherwise partially obscure the package.*
- *The transport-related pictograms are distinct in appearance from pictograms intended solely for non-transport purposes which helps to distinguish them.*
- *The transport pictograms may be placed on a separate panel of a GHS label to distinguish them from the other information or may be placed adjacent to the other GHS information on the packaging.*
- *The pictograms may be distinguished by adjusting their size. Generally speaking, the size of the non-transport pictograms should be proportional to the size of the text of the other label elements. This would generally be smaller than the transport-related pictograms, but such size adjustments should not affect the clarity or comprehensibility of the non-transport pictograms.*

3. The Correspondence Group also discussed where this text should be incorporated. It could be in 1.4.10 of the GHS document. However, it appears that it may be more appropriate to put it into Annex 6, which already provides examples of placement of information in various situations. The Group agreed that the industry example used during its discussion should appear with the text. This example displays the label information in 3 adjacent panels, and all agreed that it is an acceptable presentation.

4. The Correspondence Group has not decided where the text and example should finally be placed. There has also been a suggestion that a separate labelling guidance document could be prepared using not only this information but also other information already in the GHS document and its annexes. This could be a companion document to the Safety Data Sheet (SDS) guidance document. The full Sub-Committee should address these suggestions.

5. The Correspondence Group then discussed whether additional guidance should be developed to address other labelling issues. Combination packaging was one suggested area. However, the Group did not agree and it would appear that the guidance provided on single packaging may be the complete contribution it is prepared to address. If the Sub-Committee decides to prepare a separate labelling guidance document, the Correspondence Group could continue its deliberations to propose contents for such a document.

6. It was also expressed that some experience in implementation of the GHS should be gained before deciding what additional guidance may be needed. As countries that have not been involved in developing the GHS implement it, it would be useful to get input from them as well as to address this issue from a different perspective.
