

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
Transport of Dangerous Goods

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HAZARD COMMUNICATION ISSUES

Miscellaneous Proposals

Labelling of very small packagings

Transmitted by the European Chemical Industry Council (CEFIC)

Introduction

At the seventh session of the Sub-Committee, CEFIC submitted a paper ST/SG/AC.10/C.4/2004/4 concerning the labelling of very small packagings. There was no common understanding reached at the session on the principles that should be considered when determining labelling for such packagings.

Background

CEFIC was requested to prepare a Detailed Review Document (DRD) on current provisions in existing systems for the labelling of very small packagings in order to identify common elements, and then to report findings back to the Sub-Committee. To this end a questionnaire was prepared and submitted to members of the sub-committee. A number of replies have been received to date and these are summarised below. In addition, further investigations were undertaken to discover how various other administrations dealt with the small pack problem. This extra information is also outlined below and more detail is shown on the accompanying spreadsheet (see Annex).

Discussion

CEFIC is proposing that, taking into account the discussions at this session, a formal proposal should be submitted for the eleventh session in July 2006.

Summary of official responses

Australia does not have specific legislation but they have guidance on the workplace labelling of small containers of 500 ml or less. In these cases, only the product and supplier identifiers and signal words are required.

Brazil allows that when the package is too small or inappropriate to accept a label, instructions must be given in a sheet or tag. No specific limits are however defined.

In Canada, there are exemptions from labelling for small packs of consumer products. Workplace chemicals of 100 ml or less can also bear reduced labelling. In the latter case, only the product and supplier identifiers, hazard symbols and a statement that an SDS is available are necessary. Consumer products need only show

hazard symbol, the signal word and the primary hazard statement on the main display panel if this is below 35cm².

The EU Dangerous Substances and Dangerous Preparations Directives go some way towards recognising the difficulties of labelling small packagings. Packagings which contain 125 ml or less can have reduced labelling in that safety phrases (GHS precautionary statements) can be omitted from the label and many risk phrases (GHS hazard statements) can also be omitted dependent upon the classification. Furthermore, if a packaging is of such a size that the potential for harm is very low then the Directives allow Member States the discretion of permitting the product to be unlabelled or labelled in some other way.

Japan has no specific legislation covering this although gas cylinders do not need to be labelled if the capacity is below 100 ml.

Mexico does have requirements for small packages in both consumer and workplace legislation. A small pack is one with a capacity of less than 250 ml. Only basic information on the product, supplier and main hazards are required.

South Africa has no specific legislation in this area but has guidance based on EU requirements in that a small pack is defined as being less than 125 ml and in these cases, S phrases and some R phrases may be omitted.

The US Code of Federal Regulations has different requirements depending upon whether the product is for consumer or workplace use. There are some exemptions set down in the Regulations for consumer products, and suppliers of small packs can request exemptions from the authorities. Fold out labels are not permitted and the Regulations do set out certain legibility requirements. There are no specific derogations permitted for workplace products.

Extra information derived from study of the Regulations

Hong Kong has legislation that is closely aligned to the EU requirements in this area as it allows packs of less than 125 ml to bear reduced labelling in some circumstances.

India has legislation that says if it is impractical to label due to size constraints, the use of tags or other accompanying documents is acceptable.

Malaysia has legislation that is closely aligned to the EU requirements in this area as it allows packs of less than 125 ml to bear reduced labelling in some circumstances

New Zealand legislation recognises that packages that are too small and have no outer package need to bear reduced labelling.

Philippines requirements allow for small packs to bear reduced labelling but the risk resulting from the expected use and the likely skill of the user has to be taken into account.

Annex**Provisions for the labelling of very small packagings (responses to the questionnaire)**

Question 1: Do you have specific legislation allowing reduced labelling for small packs of hazardous chemicals?

AUSTRALIA	
Consumer	No
Workplace	No
BRAZIL	
Consumer	when the package is too small or inappropriate to accept a label, instructions must be given in a sheet or tag
Workplace	There is not a specific recommendation for small packages.
CANADA	
Consumer	Yes, there are exemptions from labelling for small containers under Section 25 (2) of the Consumer Chemicals and Containers Regulations, 2001 (CCCR, 2001).
Workplace	The Workplace Hazardous Materials Information System [WHMIS] is Canada's hazard communication standard. Supplier labelling requirements are set out under the Hazardous Products Act (HPA) and associated Controlled Products Regulations (CPR).
EUROPEAN UNION	
Consumer	Exemptions for labelling of small packages are set out under the Dangerous Substances Directive 67/548/EEC (DSD) and the Dangerous Preparations Directive 1999/45/EC (DPD)
Workplace	Exemptions for labelling of small packages are set out under the Dangerous Substances Directive 67/548/EEC (DSD) and the Dangerous Preparations Directive 1999/45/EC (DPD)
JAPAN	
Consumer	No - not covered in "High Pressure Gas Safety Law" and "Poisonous and Deleterious Substances Control Law"
Workplace	No - not covered in "High Pressure Gas Safety Law" and "Poisonous and Deleterious Substances Control Law"
MEXICO	
Consumer	Product labelling covered by various Standards issued by the Ministry of Health. NORMA Oficial Mexicana NOM-003-SSA1-1993 (covering the labelling of paints, inks, varnishes, lacquers and enamels) includes requirements for small packages.
Workplace	Product labelling covered by various Standards issued by the Ministry of Health. NORMA Oficial Mexicana NOM-003-SSA1-1993 (covering the labelling of paints, inks, varnishes, lacquers and enamels) includes requirements for small packages.
SOUTH AFRICA	
Consumer	No
Workplace	No
USA	
Consumer	Yes, both the statute and its implementing regulation cover the labeling of small packages of hazardous substances. Section 3(c) of the Federal Hazardous Substances Act (FHSA, 15 U.S.C. § 1262(c)) and 16 C.F.R. § 1500.14(b)(8)(i)(E)(8) and 16 C.F.R. § 1500.83 address small packages.
Workplace	The labelling requirements are already limited (identity and appropriate hazard warnings), and it is expected that these requirements will be met.

Question 2: Do you have guidance for reduced labelling of small packs?

AUSTRALIA	
Consumer	No
Workplace	Reduced requirement for labelling small containers of 500 ml capacity or less. Also test tubes or columns for laboratory labels. There is no specific requirement for test tubes.
BRAZIL	
Consumer	There is no guidance for reduced labelling defined by the Government. The guide “Basic Manual for Labelling of Chemicals”, published by the Brazilian Association of the Commerce of Chemicals and Petrochemicals presents a summary of all applicable law concerning the labelling of chemicals.
Workplace	There is no guidance for reduced labelling defined by the Government. The guide “Basic Manual for Labelling of Chemicals”, published by the Brazilian Association of the Commerce of Chemicals and Petrochemicals presents a summary of all applicable law concerning the labelling of chemicals.
CANADA	
Consumer	See question 1
Workplace	WHMIS legislation allows for reduced labelling for small volume containers. Subsection 19(1) of the CPR lists the information that is required on a WHMIS label for a “controlled” product. Small size containers that are of a volume of 100 ml or less only require the information specified in paragraphs (a) to (d); product identifier, supplier identifier, a statement that a MSDS is available, and appropriate hazard symbols. Note that the 100 ml size refers to the volume of the container and not the volume of the product
EUROPEAN UNION	
Consumer	No
Workplace	No
JAPAN	
Consumer	No
Workplace	No
MEXICO	
Consumer	No
Workplace	No
SOUTH AFRICA	
Consumer	Guidance based on EU requirements
Workplace	Guidance based on EU requirements
USA	
Consumer	Yes, 16 C.F.R. § 1500.83 has specific requirements for reduced labeling or exemptions from full labeling requirements for certain small packages, minor hazards and special circumstances. All of the exemptions from full labeling were formally granted requests for exemption (petitions) under Section 3(c) of the FHSA (15 U.S.C. § 1262(c)).
Workplace	No

Question 3: Can you supply web addresses for the relevant legislation/guidance or can you provide an electronic copy, preferably in English?

AUSTRALIA	
Consumer	Standard for the Uniform Scheduling of Drugs and Poisons (SUSDP) – drugs and poisons http://www.tga.gov.au/ndpsc/susdp.htm
Workplace	http://www.nohsc.gov.au/PDF/Standards/LabellingCOPNOHSC_2012_1994.pdf
BRAZIL	
Consumer	www.desenvolvimento.gov.br/sitio/secex/negInternacionais/claRotSubQuimicas/legislacao.php
Workplace	www.desenvolvimento.gov.br/sitio/secex/negInternacionais/claRotSubQuimicas/legislacao.php
CANADA	
Consumer	Consumer Chemicals and Containers Regulations, 2001 (CCCR, 2001) SOR/DORS/2001-269: http://canadagazette.gc.ca/partII/2001/20010815/pdf/g2-13517.pdf
Workplace	the Health Canada Reference Manual for the WHMIS requirements of the HPA and the CPR on the national WHMIS Web site provide unofficial versions of the CPR and HPA at the following URL: http://www.hc-sc.gc.ca/hecs-sesc/whmis/reference_manual.htm
EUROPEAN UNION	
Consumer	The relevant legislation is found in the Official Journal. http://europa.eu.int/eur-lex/lex/en/index.htm
Workplace	The relevant legislation is found in the Official Journal. http://europa.eu.int/eur-lex/lex/en/index.htm
JAPAN	
Consumer	High Pressure Gas Safety Law and Poisonous and Deleterious Substances Control Law (available only in Japanese): High Pressure Gas Safety Law : http://law.e-gov.go.jp/htmldata/S26/S26HO204.html (Poisonous and Deleterious Substances Control Law) : http://law.e-gov.go.jp/htmldata/S25/S25HO303.html
Workplace	High Pressure Gas Safety Law and Poisonous and Deleterious Substances Control Law (available only in Japanese): High Pressure Gas Safety Law: http://law.e-gov.go.jp/htmldata/S26/S26HO204.html Poisonous and Deleterious Substances Control Law: http://law.e-gov.go.jp/htmldata/S25/S25HO303.html
MEXICO	
Consumer	http://www.cofepris.gob.mx/mj/documentos/noms.htm (available only in Spanish)
Workplace	http://www.cofepris.gob.mx/mj/documentos/noms.htm (available only in Spanish)
SOUTH AFRICA	
Consumer	No
Workplace	No
USA	
Consumer	www.access.gpo.gov/nara/cfr/waisidx_04/16cfr1500_04.html
Workplace	http://www.osha.gov

Question 4 : How do you define a small package of hazardous chemical in your legislation/guidance?

AUSTRALIA	
Consumer	None specified
Workplace	Capacity of 500 ml or less and small package define in laboratory labels.
BRAZIL	
Consumer	Products for personal care are usually in small packages but a limit is not defined.
Workplace	Not specified
CANADA	
Consumer	The exemption for small containers from certain labelling requirements depends on the area of the main display panel (cm ²). There are reduced labelling requirements if the main display panel of a container has an area of less than 35 cm ² and also when the area is 35 cm ² or more but less than 70 cm ²
Workplace	A small package is described in the CPR as a container of a WHMIS “controlled” product that is of a volume of 100 ml or less.
EUROPEAN UNION	
Consumer	Not defined as such. However, packages of containing not more than 125 ml can bear reduced labelling for some hazard categories: R(isk) and S(afety) phrases need not be shown in the case of irritant, highly flammable, flammable or oxidising substances; R- and S-phrases need not be shown in the case of preparations classified as highly flammable, oxidising, irritant (with the exception of those assigned R41 severe eye irritant) or dangerous for the environment and assigned the N symbol. R- phrases but not S-phrases are required on preparations classified as flammable or dangerous for the environment and not assigned the N symbol.
Workplace	Not defined as such. However, packages of containing not more than 125ml can bear reduced labelling for some hazard categories: R(isk) and S(afety) phrases need not be shown in the case of irritant, highly flammable, flammable, oxidising or harmful substances; R- and S-phrases need not be shown in the case of preparations classified as highly flammable, oxidising, irritant (with the exception of those assigned R41 severe eye irritant) or dangerous for the environment and assigned the N symbol. R- phrases but not S-phrases are required on preparations classified as flammable or dangerous for the environment and not assigned the N symbol.
JAPAN	
Consumer	Not defined
Workplace	Not defined
MEXICO	
Consumer	No definition of a small container/package as such but NOM-003 sets out reduced labelling requirements for packages with a capacity of less than 250 ml
Workplace	No definition of a small container/package as such but NOM-003 sets out reduced labelling requirements for packages with a capacity of less than 250 ml
SOUTH AFRICA	
Consumer	Smaller than 125 ml
Workplace	Smaller than 125 ml
USA	
Consumer	Section 3(c) of the FHSA does not define small package. Each substance is exempted by regulation based upon information presented formally to the Commission. For hazardous substances in small packages, there must be a labeling exemption listed at 16 CFR § 1500.83 (FHSA § 3(c) rule) or the Commission can find that full labeling is not necessary because of the minor hazard. In the latter case the Commission would have to detail the exemption granted in the Federal Register.
Workplace	N/A

Question 5: Is there a lower cut-off below which is it not necessary to label at all?

AUSTRALIA	
Consumer	No
Workplace	No
BRAZIL	
Consumer	For consumers, labelling is required for any product which poses risk to public's health. For some products, a specific regulation is in force. For example, for products containing benzene
Workplace	No
CANADA	
Consumer	No
Workplace	There is no lower cut-off below which is it not necessary to affix a label to a container of a controlled product in WHMIS legislation.
EUROPEAN UNION	
Consumer	No specific lower cut-off but Member States may permit information on some hazardous properties to be omitted if there is no reason to fear any danger to persons handling such substances/preparations or to other persons. Labelling exemption for substances/preparations classified R65 (aspiration hazard) when placed on the market in aerosol containers or in containers fitted with a sealed spray attachment; also preparations containing polymers or elastomers .
Workplace	No specific lower cut-off but Member States may permit information on some hazardous properties to be omitted if there is no reason to fear any danger to persons handling such substances/preparations or to other persons. Labelling exemption for substances/preparations classified R65 (aspiration hazard) when placed on the market in aerosol containers or in containers fitted with a sealed spray attachment; also preparations containing polymers or elastomers .
JAPAN	
Consumer	It is not required to place the labels which capacity is below 1 dl because these packages are out of application by High Pressure Gas Safety Law.
Workplace	It is not required to place the labels which capacity is below 1 dl because these packages are out of application by High Pressure Gas Safety Law.
MEXICO	
Consumer	No
Workplace	No
SOUTH AFRICA	
Consumer	No, but for very small packs it is permissible to include safety info as an insert
Workplace	No, but for very small packs it is permissible to include safety info as an insert
USA	
Consumer	There is no lower cut-off below which labeling is not necessary except for products containing chronic hazards (items less than one ounce). However, if a product does not meet the two part FHSA statutory definition of a hazardous substance it would not require labeling
Workplace	There are mixture provisions that have cut-offs for determining a hazard. However, it would still have to be labelled if there is remaining risk to employees at the levels below the cut-offs.

Question 6: Do you have any requirements for suppliers to retain, or have available for inspection, data that has enabled them to reach labelling decisions?

AUSTRALIA	
Consumer	Not specified
Workplace	NOHSC Labelling Code of Practice does not specify.
BRAZIL	
Consumer	No
Workplace	No
CANADA	
Consumer	Yes, Section 5 sets out requirements for record keeping and provision of information. This relates to all-records relating to the determinations required under subsection 4(1) which includes labelling information
Workplace	There are no specific requirements in the HPA or CPR for suppliers to retain, or have available for inspection, data that has enabled them to reach labelling decisions.
EUROPEAN UNION	
Consumer	Data on the classification of mixtures has to be kept for at least 3 years after the product supplied
Workplace	Data on the classification of mixtures has to be kept for at least 3 years after the product supplied
JAPAN	
Consumer	When it is considered not-confusing, the authority accept the labels attached on the products. They conduct container inspection. (High Pressure Gas Safety Law)
Workplace	When it is considered not-confusing, the authority accept the labels attached on the products. They conduct container inspection. (High Pressure Gas Safety Law)
MEXICO	
Consumer	Yes, the regulation establishes it.
Workplace	Yes, the regulation establishes it.
SOUTH AFRICA	
Consumer	No
Workplace	No
USA	
Consumer	The FHSA does not have mandatory requirements to test or specific general record keeping requirements; however, our inspectional authority allows us to review records. If we collect a sample and perform an analysis we are required by law to provide to the owner, operator, or agent in charge, a copy of the agency analysis. (15 U.S.C. § 1270(c))
Workplace	They must be able to document their hazard determination procedures.

Question 7: In the case where reduced labelling is permitted, what label elements are still required (eg symbol, supplier details etc.)?

AUSTRALIA	
Consumer	Not specified
Workplace	See section 6.5 of NOHSC labelling CoP Container 500 ml or less should be labelled with at least: signal words, product identifier and supplier details
BRAZIL	
Consumer	For products containing benzene, adhesives containing solvents, or other solvents like thinners, ethanol, for example, there are obligatory phrases or signal words. Transportation risk symbols for flammables and toxics are usually employed, when size the of package allows.
Workplace	For products containing benzene, adhesives containing solvents, or other solvents like thinners, ethanol, for example, there are obligatory phrases or signal words. Transportation risk symbols for flammables and toxics are usually employed, when size the of package allows.
CANADA	
Consumer	If the main display panel is less than 35 cm ² , only the hazard symbol and the signal word need to be displayed b) 35 cm ² or more but less than 70 cm ² and more than one hazard symbol is required, then the required negative and positive instructions, other than the positive instructions referred to in subsection 11 (2), may be omitted.
Workplace	Small size containers that are of a volume of 100 ml or less require the information specified in CPR 19 (a) to (d) to be disclosed on the WHMIS compliant label. This information is as follows: the product identifier, supplier identifier, a statement that a MSDS is available, and appropriate hazard symbols.
EUROPEAN UNION	
Consumer	Except where the risk is negligible, hazard symbols need to be shown along with most R phrases
Workplace	Except where the risk is negligible, hazard symbols need to be shown along with most R phrases
JAPAN	
Consumer	Trade mark of inspector. Name or trade mark of company. Kind of high pressure gas. Container's specific mark and number. Volume. Month and year of the inspection. And more, owner of the container needs to colour by the sort of high pressure gas. For example, black for oxygen gas, red for hydrogen gas. Owner's name, address and telephone number also needed. (High Pressure Gas Safety Law). Maker or importer's name, address. (Poisonous and Deleterious Substances Control Law)
Workplace	As previous answer
MEXICO	
Consumer	In general, basic commercial information and safety aspects
Workplace	In general, basic commercial information and safety aspects
SOUTH AFRICA	
Consumer	No specific requirements but TWDs required in certain circumstances whatever the package size
Workplace	No specific requirements but TWDs required in certain circumstances whatever the package size
USA	
Consumer	Each individual substance exempted under 16 C.F.R. § 1500.83 has its individual provisions for exception from full labeling; sometimes the product will not require any cautionary labeling. Art materials that have the potential to produce chronic adverse health effects that are in small packages must have the signal word required by that section of the regulation and a list of the potentially harmful or sensitizing components in conformance with the Regulation. In addition, the label would require the statement, "Keep out of the reach of children"
Workplace	N/A

Question 8: What are the minimum label data requirements?

AUSTRALIA	
Consumer	Set out in the Standard for the Uniform Scheduling of Drugs and Poisons. Not available in internet.
Workplace	Details of manufacturer or importer, signal words, product name.
BRAZIL	
Consumer	Generally, for chemicals, controlled products, phytosanitary products and additives: information about hazards and risks, safety instructions for handling and use (R/S phrases), risk symbols (for transportation).
Workplace	Generally, for chemicals, controlled products, phytosanitary products and additives: information about hazards and risks, safety instructions for handling and use (R/S phrases), risk symbols (for transportation).
CANADA	
Consumer	The minimum information required to be displayed on the container includes the following: on the main display panel, a hazard symbol, the signal word and the primary hazard statement; and on any part of the display surface, the specific hazard statement, negative instructions, positive instructions, and the first aid statement.
Workplace	The information required to be disclosed on WHMIS compliant labels for small volume containers of 100 ml or less constitutes the minimum data requirements for labelling of containers of WHMIS “controlled” products.
EUROPEAN UNION	
Consumer	Product identifier, supplier identifier, some R phrases and hazard symbols
Workplace	Product identifier, supplier identifier, some R phrases and hazard symbols
JAPAN	
Consumer	as previous question
Workplace	as previous question
MEXICO	
Consumer	Information in relation to commercial name, product type, toxicity, usage, registration data etc.
Workplace	Information in relation to commercial name, product type, toxicity, usage, registration data etc.
SOUTH AFRICA	
Consumer	Product identifier, Supplier identifier, some R phrases and hazard symbols
Workplace	Product identifier, Supplier identifier, some R phrases and hazard symbols
USA	
Consumer	The substance or mixture must present one of the hazards addressed under the statute and with customary and reasonably foreseeable use may cause substantial injury or substantial illness. All of the acute hazards addressed have test methods in the regulation to assess the hazard. The regulation also contains a summary for assessing chronic hazards. There is no guidance in the regulation for making the exposure assessment for the acute or physical hazards.
Workplace	Identity and appropriate hazard warnings. Shipped containers must also identify the supplier.

Question 9: Are there any specific requirements for minimum symbol or font size?

AUSTRALIA	
Consumer	Yes. Refer to SUSDP part 2, 3(5) and 4(2). Containers <20 ml letters 1 mm minimum.
Workplace	Yes, Section 5, page 10 states that in lettering of a size and style which is easily legible.
BRAZIL	
Consumer	For products containing benzene font sizes are defined depending on the volumes.
Workplace	For products containing benzene font sizes are defined depending on the volumes.
CANADA	
Consumer	Yes, the size of hazard symbol is based on the area of the main display panel. For example, if the area of the main display panel is less than 9.5 cm ² , the minimum diameter of the hazard symbol is 6 mm. The height of the signal word, which must be at least one quarter of the minimum diameter of a hazard symbol. There are requirements for the height and body size of other information based on the area of the main display panel. For example, if the area of the main display panel is 100 cm ² , the minimum height of type is 2 mm and the minimum body size of type is 6 point
Workplace	There are no minimum requirements for pictogram or font size on a WHMIS compliant label as long as the label is legible and depicted as defined by CPR 21(1) and 22.
EUROPEAN UNION	
Consumer	Minimum hazard symbol is 10 mm ² . Font has to be legible
Workplace	Minimum hazard symbol is 10 mm ² . Font has to be legible
JAPAN	
Consumer	No requirement for pictogram
Workplace	No requirement for pictogram
MEXICO	
Consumer	No
Workplace	No
SOUTH AFRICA	
Consumer	Minimum hazard symbol is 10 mm × 10 mm. Font has to be legible
Workplace	Minimum hazard symbol is 10 mm × 10 mm. Font has to be legible
USA	
Consumer	The FHSA requires that the labeling be prominent and conspicuous. (15 U.S.C. § 1261(p)(2)) The regulation interprets that to mean that the cautionary information be in proportion to the size of the panel on which it resides. (16 C.F.R. § 1500.121) The statute further requires that any statements required by the Act are located prominently and are in the English language in conspicuous and legible type in contrast by typography, layout or color with other printed matter on the label. The prominence and conspicuousness of a label is interpreted to require, in most cases, a minimum type size outlined in Table 1 of 16 C.F.R. § 1500.121. There are exceptions to the minimum type size requirements and there are different minimums required for signal word, statements of hazard and other cautionary information. There is no specific size requirement for the skull and crossbones symbol. The skull and crossbones symbol has only the requirement that it be conspicuous
Workplace	No. The label must be legible and prominently displayed.

Question 10: Does the label need to be firmly attached to the package?

AUSTRALIA	
Consumer	Yes
Workplace	Yes. Section 5, page 10 states that the label should be firmly secured.
BRAZIL	
Consumer	For small packages of hazardous materials, labels identifying primary and subsidiary risks shall be affixed or attached to the package by a securely affixed tag.
Workplace	There is a general decree for industrialized products which establishes that labelling must be appropriated and firmly fixed to the product. For small packages of hazardous materials, labels identifying primary and subsidiary risks shall be affixed or attached to the package by a securely affixed tag.
CANADA	
Consumer	Yes, Information must be displayed on each container that is displayed to the consumer. Information must also be displayed on any packing of a container that is displayed to the consumer. There is an exemption from labelling for some packaging situations. To further ensure durability, the warning information must be displayed on the container, not the label. The common definition of label includes any mark, sign, device, stamp, seal, sticker, ticket, tag or wrapper. Placing hazard information on a hangtag or removable wrapper would not be sufficiently durable.
Workplace	HPA defines a label to include “any mark, sign, device, stamp, seal, sticker, ticket, tag or wrapper” there is nothing in the Act that specifies how the label is to be attached to the container. CPR subsection 21(2) requires a WHMIS compliant label to be applied to a controlled product that is sufficiently durable and resistant under normal conditions of use, transport, and storage as to remain attached and legible.
EUROPEAN UNION	
Consumer	Yes. However, Member States may permit the label to be applied in some other appropriate manner on packages which are either too small or otherwise unsuitable for the required labelling
Workplace	Yes. However, Member States may permit the label to be applied in some other appropriate manner on packages which are either too small or otherwise unsuitable for the required labelling
JAPAN	
Consumer	Yes
Workplace	Yes
MEXICO	
Consumer	Yes
Workplace	Yes
SOUTH AFRICA	
Consumer	Yes
Workplace	Yes
USA	
Consumer	Yes. The regulation requires that the label be permanent and durable to any spillage from the contents of the container. (16 C.F.R. § 1500.3(c)(10)(ii)) Fold out labels do not meet the permanency requirements of the FHSA because the information can be removed from the immediate container.
Workplace	Yes.

Question 11: How do you provide for “one shot” packages?

AUSTRALIA	
Consumer	No
Workplace	No
BRAZIL	
Consumer	No
Workplace	No
CANADA	
Consumer	Yes. In addition to other label requirements, the following primary hazard statement must be included: “USE ENTIRE CONTENTS ON OPENING”. Additionally, there are requirements for child-resistant, single-use containers.
Workplace	There are no special provisions in the HPA nor CPR for WHMIS “single-trip/usage” packages.
EUROPEAN UNION	
Consumer	No
Workplace	No
JAPAN	
Consumer	No provision
Workplace	No provision
MEXICO	
Consumer	No
Workplace	No
SOUTH AFRICA	
Consumer	No
Workplace	No
USA	
Consumer	In general, there are no provisions to relieve single use packages from the cautionary labeling requirements. There are two provisions under 16 C.F.R. § 1500.83 that exempt packages containing single use spot removers that meet certain conditions, from the full labeling requirements of the Act. In addition, there are provisions for single use products for packaging under the Poison Prevention Packaging Act
Workplace	No.

Question 12: Are there any differences between workplace and consumer requirements in this regard?

AUSTRALIA	
Consumer	No, though focus is consumer chemicals
Workplace	NOHSC labelling CoP states that domestic –section 3.3, page 3 products (consumer products) covered by the SUSDP2 under the State and territory poisons legislation shall comply with the SUSDP2 labelling requirements.
BRAZIL	
Consumer	For consumers, depending on the product, labels are requested to inform, at least: 1. signal words or signal phrases; 2. risk phrases and 3. safety phrases.
Workplace	Labels of materials hazardous to workers health are required to inform: 1. product technical name; 2. signal word; 3. risk phrases; 4. safety phrases; 5. first-aid measures; 6. information to medical attention; 7. fire-fighting measures and response to release.
CANADA	
Consumer	Yes, consumer chemicals and hazardous materials in the workplace are regulated under two separate regulations under the Hazardous Products Act (HPA). Consumer chemicals fall under the Consumer Chemicals and Containers Regulations, 2001 (CCCR, 2001) and workplace chemicals fall under the Controlled Products Regulations.
Workplace	There are differences in the labelling requirements between the CPR for workplace chemicals and the Consumer Chemicals and Containers Regulations (CCCR) for consumer chemicals. The HPA does not place any legal obligation on a supplier/importer to apply a WHMIS supplier label to a material packaged as a consumer product". The proportion of sales of the product to consumers versus industrial customers is irrelevant. In the case of chemical products, the applicable regulations are the CCCR. Note that labelling under the CCCR is not a condition for exemption from WHMIS labelling. The intent of the exemption is, in part, to avoid a requirement for two separate labels for a single product.
EUROPEAN UNION	
Consumer	Only in respect of the need for CRCs and TWDs
Workplace	Only in respect of the need for CRCs and TWDs
JAPAN	
Consumer	No response provided
Workplace	No response provided
MEXICO	
Consumer	No
Workplace	No
SOUTH AFRICA	
Consumer	No
Workplace	No
USA	
Consumer	There is a difference in the required labeling for workplace and hazardous household substances. If a workplace chemical is also available for consumer purchase as a household substance then the cautionary labeling on the product would be required to meet the minimum requirements of the FHSA in addition to any requirements by OSHA.
Workplace	There is a difference in the required labeling for workplace and hazardous household substances. If a workplace chemical is also available for consumer purchase as a household substance then the cautionary labeling on the product would be required to meet the minimum requirements of the FHSA in addition to any requirements by OSHA.
