

## 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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### IMPLEMENTATION OF THE GHS

#### Implementation information

Transmitted by the experts from DG ENTERPRISE and DG ENVIRONMENT  
of the European Commission

#### **Background**

In its Plan of Implementation, adopted in Johannesburg on 4 September 2002, the **World Summit on Sustainable Development** encouraged countries to implement the new GHS as soon as possible with a view to having the system fully operational by 2008.

#### **The Current EU System**

The current EU classification and labelling system for chemicals is set out in three key instruments:

- the Dangerous Substances Directive (67/548/EEC);
- the Dangerous Preparations (i.e. mixtures of chemicals) Directive (1999/45/EC);
- Annex II of the REACH Regulation (EC) 1907/2006; originally the Safety Data Sheet Directive (91/155/EEC).

These Directives and the Regulation are very closely linked. They have Internal Market (Article 95 of the EU Treaty) objectives (i.e. the approximation of laws aiming at the establishment of an Internal Market, in this case in the trade of chemicals, in the EU, taking as a basis a high level of protection of health, safety, consumers and environment).

#### **The EU Context**

The recommendation of the World Summit on Sustainable Development has been signed up to by all EU Member States. The Member States in several instances called upon the Commission to take up the GHS. Accordingly, the Commission services have indicated in various fora that the GHS will be incorporated into Community legislation.

## **Implementation update – new**

The Commission Services launched a public stakeholder consultation on a draft Regulation incorporating the GHS into Community legislation and related studies. The consultation was open from 21/08/06 till 21/10/06. The Commission Services have analysed the responses and adopted the draft proposal accordingly and have drafted a Commission impact assessment.

On 27th of June 2007, the European Commission has adopted the “Proposal for a Regulation of the European Parliament and of the Council on classification, labelling and packaging of substances and mixtures, and amending Directive 67/548/EEC and Regulation (EC) No 1907/2006” (COM(2007) 355 final). The proposed act aligns the EU system of classification, labelling and packaging substances and mixtures to the United Nations Globally Harmonised System (GHS).

The proposal incorporates the classification criteria and labelling rules agreed at UN level, while at the same time taking account of elements which are part of the current EU legislation.

The proposed regulation also takes over provisions of the REACH Regulation regarding the notification of classifications, the establishment of a list of harmonised classifications and the creation of a classification and labelling inventory.

The proposal will undergo co-decision, seeking agreement of the European Parliament and the Council. After entry into force the deadline for substance reclassification is proposed to be 1 December 2010 and for mixtures 1 June 2015.

The proposed Regulation, the executive summary of the Commission impact assessment and the full Commission impact assessment are available via the following web-site:

[http://ec.europa.eu/enterprise/reach/ghs\\_en.htm](http://ec.europa.eu/enterprise/reach/ghs_en.htm)

All 23 language versions of the proposed Regulation and of the executive summary of the Commission impact assessment will be made available in Eur-Lex in the coming weeks.

The Commission Services responsible for implementation in transport have introduced GHS, in the framework of the Directives on Transport of Dangerous Goods, based on the “Recommendations on the Transport of Dangerous Goods, Model Regulations”.

- ADR/RID 2005: directives 94/55 and 96/49 (amendments 2004/111 and 2004/110) included most elements;
- ADR/RID 2007: directives 94/55 and 96/49 (amendments 2006/89 and 2006/90) added some further categories;
- Proposed Directive, COM(2006)852, published 22 Dec.2006, implementation by MS by 31 December 2008.

We will keep the SCEGHS informed about further progress.

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