



Secretariat

Distr.
GENERAL

ST/SG/AC.10/C.4/10
24 July 2003

ORIGINAL: ENGLISH

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
(7-9 July 2003)

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

CONTENTS

	<u>Paragraphs</u>
ATTENDANCE.....	1-6
OPENING OF THE SESSION.....	7-9
ADOPTION OF THE AGENDA.....	10-12
REPORTS OF INTER-SESSIONAL CORRESPONDENCE GROUPS.....	13-17
COOPERATION WITH OTHER INTERNATIONAL ORGANIZATIONS.....	18-30
PROPOSALS OF AMENDMENTS TO THE GLOBALLY HARMONIZED SYSTEM OF CLASSIFICATION AND LABELLING OF CHEMICALS (GHS).....	31-36
IMPLEMENTATION OF THE GHS	37-44

CONTENTS (cont'd)

	<u>Paragraphs</u>
CAPACITY BUILDING	45-49
OTHER BUSINESS	50-52
ADOPTION OF THE REPORT	53 and 54

* * * * *

Annex 1: Draft amendments to the Globally Harmonized System of Classification and Labelling of Chemicals (GHS) (ST/SG/AC.10/30).....	page 12
Annex 2: Outcome of the discussions on Safety Data Sheets (SDS)	page 13
Annex 3: Outcome of the discussions on Precautionary Statements	page 14
Annex 4: Outcome of the discussions on Labelling	page 15

REPORT

ATTENDANCE

1. The Sub-Committee of Experts on the Globally Harmonized System of Classification and Labelling of Chemicals held its fifth session in Geneva from 7 to 9 July 2003 with Ms. Kim Headrick (Canada) as Chairperson, Ms. Anna-Liisa Sundquist (Finland) and Mr. Roque Puiatti as Vice-chairpersons.
2. Experts from the following countries took part in the session: Australia, Austria, Belgium, Brazil, Canada, China, Czech Republic, Denmark, Finland, France, Germany, Italy, Japan, Netherlands, New Zealand, Norway, South Africa, 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: Bulgaria, Senegal, Switzerland and Zambia.
4. Representatives of the United Nations Environment Programme (Secretariat of the Basel Convention (UNEP/SCB)), of the United Nations Institute for Training and Research (UNITAR) and of the following specialized agency were present: International Labour Office (ILO) .
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 Council on Mining and Metals (ICMM), International Organization for Standardization (ISO), International Petroleum Industry Environmental Conservation Association (IPIECA), Soap and Detergent Association (SDA),

OPENING OF THE SESSION

7. Mr. J. Capel Ferrer, Director of the Transport Division of the United Nations Economic Commission for Europe, welcomed the participants. He congratulated them for having finalized and adopted the Globally Harmonized System of Classification and Labelling of Chemicals (GHS) at their previous session, and paid tribute to the several countries and international groups that had worked hard at its elaboration in a high spirit of international cooperation. He announced that the GHS publication was available both in English and in French, and that the GHS official text would also be put on a CD-Rom in the course of the summer.
8. He pointed out that this fifth session was somehow a “turning point” for the Sub-Committee, as the Sub-Committee would now have to devote most of its efforts to the implementation of the GHS. He noted that “a worldwide implementation of the GHS by 2008”, as requested in the implementation plan of the World Summit on Sustainable Development (Johannesburg, 2002), would not be an easy task and would again require a lot of attention, international cooperation and certainly the development of assistance to those countries which want to implement the system. He mentioned Senegal who had recently applied for full membership, and whose application had been approved by the Secretary-General, subject to endorsement by ECOSOC at its ongoing 2003 substantive session. He perceived the requests for membership, in particular from developing countries and countries in transition, as a positive signal

that great interest was being paid to the work of the Sub-Committee. He noted that this increasing interest would deserve to be further encouraged and facilitated.

9. He also recalled that, in accordance with the terms of reference of the Committee, countries have to make experts available at their own expense and that some countries would certainly have difficulties in participating in the work of the Sub-Committee and attending its sessions unless financial assistance would be provided in this respect, an issue that would deserve the attention of the Sub-Committee and further discussion.

ADOPTION OF THE AGENDA

Document: ST/SG/AC.10/C.4/9 (Secretariat)

Informal document: INF.1 (Secretariat)

10. The secretariat introduced the list of documents and agenda items and the time schedule for the session. The secretariat indicated that due to the limited number of documents submitted to this first session of the biennium, it was possible to allocate some of the time for the plenary to the discussions on the work of the correspondence groups, thus benefiting from the availability of interpretation services. A few delegates expressed their concern about this time distribution. They were of the opinion that the plenary session should not be replaced by the discussions of the informal correspondence groups. Some other delegates, however, had no major concern with the proposed use of time as participation in the discussions of the informal correspondence groups was open to all participants in the meeting. The Chairperson concluded that in future informal meetings would not be held during time allocated for the plenary session.

11. The expert from France informed the meeting of his decision to withdraw document ST/SG/AC.10/C.4/2003/5 on self-reactive substances with oxidizing properties that had been submitted by his delegation. This proposal had already been submitted to the Sub-Committee of Experts on the Transport of Dangerous Goods (TDG) the week before and it had been decided to defer this question to the next December session of the TDG Sub-Committee on the basis that more data on this issue would be available by that time. As a consequence, the expert from the United Kingdom withdrew his comments to document ST/SG/AC.10/C.4/2003/5 as contained in INF.12.

12. The Sub-Committee then adopted the provisional agenda prepared by the secretariat without other modifications.

REPORTS OF INTER-SESSIONAL CORRESPONDENCE GROUPS

Informal documents: INF.5 (Germany)

INF.6 and INF.6/Add.1 to 9 (Australia)

INF.17 and INF.17/Add.1 to 5 (United States of America)

13. At its fourth session, the Sub-Committee established three inter-sessional correspondence working groups, namely the Group on Labelling, the Group on Precautionary Statements, and the Group on Safety Data Sheets, respectively led by the experts from the United States of America, Germany and Australia. The objective of these groups is to give precise guidance on the three related issues with a view to facilitating the practical implementation of the GHS. Informal papers INF.5, INF.6 and INF.17, and their respective addenda as well as a report on the progress made by the three groups, were respectively introduced by the experts from the lead countries.

14. The expert from Germany, when introducing his report (INF.5) on precautionary statements, indicated that this thought starter, which proposed different options and was circulated within the Correspondence Group, had received very little feedback. He also expressed the view that the precautionary statements should be user-friendly and as simple as possible.

15. The expert from Australia introduced work on the elaboration of a guidance document on Safety Data Sheets (SDS) (UN/SCEGHS/5/INF.6). He also pointed out the comments received on this document from 8 members after it had been circulated to the Group (see UN/SCEGHS/5/INF.6/Add.1-7 and Add.9). He mentioned that a teleconference had been held in mid-June with a view to drawing the main conclusions of the work carried out so far, the main outcomes of which were that a timeframe was to be developed for the future work of this Group, and that the guidance document would be a stand-alone document (UN/SCEGHS/5/INF.6/Add.8).

16. The expert from the United States of America explained that the members of the Correspondence Group on labelling had been contacted earlier this year and invited to submit proposals to address the issue noted in the terms of reference of the group, but that the comments received mostly from industry were few (INF.17 and INF.17/Add.1 to 5).

17. After these introductions, discussions led by the leader expert of each Correspondence Group were held in Plenary. The outcome of these discussions is reflected in Annexes 2, 3 and 4.

COOPERATION WITH OTHER INTERNATIONAL ORGANIZATIONS

Cooperation with OECD

Document: ST/SG/AC.10/C.4/2003/2 (OECD)

Informal document: INF.19 (OECD)

18. At its fourth session, the Sub-Committee invited the OECD to prepare a scoping document on hazardous to the terrestrial environment relevant for the GHS. Document ST/SG/AC.10/C.4/2003/2, drafted and introduced by the OECD secretariat, gives an overall overview of past and current work in the area of terrestrial hazard assessment. Since the early '90s, at the time the activities started, test methodology which needed to be developed has progressed significantly. A number of tests are now available covering several groups of organisms and other tests are in development. Two options are now possible (1) to conduct a literature and database survey of aquatic and terrestrial effect assessments by analyzing actual assessment cases of industrial chemicals and pesticides; or (2) to continue developing test methods only and postpone any work on terrestrial hazard classification. At the OECD Joint Meeting of last June, it was agreed that the first option would be pursued and that test method development should continue without any delay. Spain, together with a few other countries, offered to take the lead in this survey.

19. The expert from Italy expressed his appreciation that the two options were investigated. He also wondered whether a different classification and labelling were necessary for aquatic and terrestrial hazards, considering however that the use of the same labelling should be looked at in the context of sea transport.

20. It was concluded that the ongoing OECD work in this field should continue and that more information on the topic would be provided to the Sub-Committee for its next session, meaning that option (1) was supported. More information on terrestrial effects should help to find a suitable decision on the inclusion of terrestrial hazard classification and communication into the GHS.

21. The representative of OECD then introduced document INF.19 which is the draft report of the 12th meeting of the OECD Task Force on Harmonization of Classification and Labelling (HCL) held in Helsinki, 23-25 June 2003. He indicated the progress made on the different elements that are included in the programme of work of the Sub-Committee for the next biennium, and stressed the heavy workload which was before the Task Force.

22. The expert from Italy requested some clarification about the process for the submission of proposals related to GHS from the OECD Task Force and Joint Meeting to the Sub-Committee, in particular what the situation would be if the OECD and the Sub-Committee were not of the same opinion. It was confirmed that when differences would be of minor importance or within the competence of the Sub-Committee, the Sub-Committee would not necessarily need to come back to the OECD bodies for further consideration. However, in case of substantial differences of opinion, OECD would re-address the issue(s) by its Task Force on HCL and report back to the Sub-Committee on the outcome of these deliberations.

23. Regarding the Water-Activated Toxicity Hazard Class (WAT) (para. 20, INF.19), the expert from Italy expressed his concern that the gas evolution rate must be considered as part of the intrinsic properties and not as optional. The expert from Germany suggested that 3 points should be considered on this issue: evolution rate for the Water-Activated Toxicity Hazard Class; viscosity in comparison to the definitions and test methods of the UN Model Regulations on the Transport of Dangerous Goods; and definition of «airways » for aspiration toxicity hazards. The OECD took note of all the remarks and informed the Sub-Committee that the various expert groups of the Task Force on HCL will make an effort in coming months to reach agreement on the issues raised and report on the outcome to the next session of the Sub-Committee.

24. The expert from France expressed the wish that the members of the Sub-Committee would be informed in advance of the venue of the meetings of the OECD Task Force on Classification and Labelling in order to better coordinate the national interventions in the two instances. It was decided that this information, which is routinely transmitted by the OECD to the secretariat of the Sub-Committee, will be forwarded by the secretariat to the Sub-Committee members by e-mail or through the UNECE GHS website.

Cooperation with the Parties to the Montreal Protocol on Substances that deplete the ozone layer (ODS)

Document: ST/SG/AC.10/C.4/2003/3 (ODS Secretariat)

25. The secretariat informed the Sub-Committee that, due to the fact that the 23rd Open-ended Working Group Meeting of the Montreal Protocol was being conducted at the same time as the fifth session of the Sub-Committee, the ODS Secretariat was not able to be present to introduce background document ST/SG/AC.10/C.4/2003/3. This document summarizes the rationale for the request under the Montreal Protocol to evaluate the possibilities for and feasibility of including ozone depleting substances in the GHS Sub-Committee's programme of work. It was decided that the discussion would be postponed to the sixth session of the Sub-Committee.

Cooperation with the Parties to the Basel Convention

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

Informal documents: INF.4 (Basel Convention)
INF.13 (Secretariat)

26. At its fourth session, the Sub-Committee invited the secretariat of the Basel Convention to provide information on the work done by their technical group about the classification hazardous wastes and the possible use of the GHS criteria. The representative of the secretariat of the Basel Convention introduced document ST/SG/AC.10/C.4/2003/4. He mentioned the work which was under way regarding the revision of the definitions and criteria for the hazard categories contained in Annex III of the Convention (in particular categories H6.2/infectious substances, H10/liberation of toxic gases and H11/delayed or chronic toxicity). He also indicated that for physical hazards, adjustments were made following the Manual of Test and Criteria of the UN Recommendations on the Transport of Dangerous Goods.

27. Some experts noted that the definitions given in the Annex III to the Convention were not in full accordance with those in the GHS. It was also mentioned that the work on both instruments should also be coordinated as far as category H10/liberation of toxic gases is concerned.

28. The Chairperson stressed that there was an opportunity for the Sub-Committee to provide comments on the currently revised H categories and decided to set up a correspondence group to draft comments for consideration by the next session of the Sub-Committee, with the goal of providing coordinated comments to the Parties to the Basel Convention before the third meeting of its Open-Ended Working Group. The experts from Finland, Germany and the United States of America volunteered to be members of this correspondence group.

Cooperation with other international organizations

Informal documents: INF.8 (Secretariat)
INF.9 (Secretariat)
INF.10 (Secretariat)
INF.14 (Secretariat)

29. The secretariat informed the meeting that information about the GHS has been reflected since the fourth session of the Sub-Committee in different instances, namely at the recent Kiev Ministerial Conference where UNECE member States have been encouraged in the Ministerial Declaration to implement the GHS without delay (INF.10); in an IFCS information circular which is broadly disseminated in countries through IFCS national focal points (INF.8); and in an ISO bulletin in which the GHS was extensively described (INF.9).

30. With a view to pursuing its overview of the work under other international programmes and instruments that have links with the GHS, the Sub-Committee asked the secretariat to invite, to its next session, the secretariats of the Stockholm Convention on Persistent Organic Pollutants (POPs) and of the Rotterdam Convention on Prior Informed Consent (PIC) on Trade in Dangerous Chemicals and ask them to explain how they foresee possible linkages between the provisions of the GHS regarding the classification and labelling of the chemicals that are covered under their respective instruments.

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

Amendments to the GHS text

Documents: ST/SG/AC.10/C.4/2003/1 (EIGA)

Informal documents: INF.7 (Secretariat)
INF.15 (Secretariat)

31. Regarding the classification of gas mixtures for their toxic effects, EIGA suggested that the approach through applying the additivity formula as contained in 3.1.3.6 of the GHS is not appropriate for toxic gases and may lead to a serious underestimation of the hazard. EIGA proposed revised cut-off values for gas mixtures (ST/SG/AC.10/C.4/2003/1).

32. Several experts expressed the views that the classification criteria should include provisions to consider human experience, and that this should be clearly stated in the GHS text where appropriate. Other experts explained that the GHS contains sufficient provisions to avoid applying the additivity formula, and in such cases the weight of evidence was favoured in the decision-making. Such additional criteria to help decision were contained in note (e)(ii) of Table 3.1 of Chapter 3.1 on Acute Toxicity for substances, in para. 3.1.3.1 on Acute Toxicity for mixtures, and in 1.3.3.2.1 for General Provisions. The expert from Sweden also raised the concern that the EIGA document focused only on gas mixture but should be relevant for mist, dust and vapours, and that hazards which were underestimated for inhalation exposure may also well be underestimated for oral and dermal exposures to mixtures.

33. After extensive discussion on the subject, it was recognized that it was difficult to measure the real extent of the problem solely on the basis of the information contained in ST/SG/AC.10/C.4/2003/1, and that EIGA should further build the case to reopen the classification of such toxic gas mixtures according to their intrinsic hazards. EIGA accepted to submit a paper to the next Sub-Committee session which will contain more evidence of the problem and a better insight on why the additivity formula does not provide the appropriate classification results. This would eventually be exemplified through the 51 gases on which EIGA possesses data. The paper would also contain options on how the problem could be solved. EIGA also agreed to provide a list of the 51 gases of concern prior to that time.

34. The secretariat then pointed out two inconsistencies existing in the current GHS text (INF 15). Regarding aerosols, after a broad exchange of views, it was finally decided (i) to suppress the definition of « aerosol » that is contained in Chapter 1.2 of the GHS as this definition is not relevant for the whole document ; (ii) to keep the definition that appears in Chapter 2.3 which is adequate for physical hazards ; and (iii) to keep unchanged the paragraphs of the text in Part III where «aerosol » is mentioned as those paragraphs are self-explanatory. It was also decided that in the titles of chapters 2.8, 2.11 and 2.12 the words «and mixtures » would be inserted after the word «substances » ; this change applies to the English text of the GHS only (see also Annex 1).

Corrigendum

35. Having noticed that a few errors in the GHS English text have remained after its formatting, the secretariat submitted to the Sub-Committee a list of proposed corrections (INF.7). These corrections were adopted with a few modifications in the decision logic schemes 3.5, 3.6 and 3.7 as proposed by the expert of the United States of America and reported during the session in Conference Room Paper ST/SG/AC.10/C.4/2003/CRP.2. These corrections will be issued as document ST/SG/AC.10/30/Corr.1.

36. The secretariat invited all delegations to bring any possible other mistake to its attention as soon as detected.

IMPLEMENTATION OF THE GHS

37. The expert from Italy, as Chairman of the TDG Sub-Committee, gave a summary report on the work of the TDG Sub-Committee on questions related to the work of the GHS Sub-Committee. The main issues were:

38. Toxic by inhalation substances: Based on a proposal from the United States of America (document ST/SG/AC.10/C.3/2003/22), the TDG Sub-Committee considered the need for a new labelling system for toxic by inhalation substances (TIH substances). It was agreed that, due to their specific hazards, additional hazard communication different from the one used to identify Division 6.1 (toxic substances) could be necessary, in order to allow emergency responders to clearly and quickly identify the hazards associated with TIH substances. After some discussion on this issue, the TDG Sub-Committee had decided to postpone the discussions to its next December session and had invited the expert from the United States of America to present a revised formal proposal on the basis of the comments received.

39. Future programme of work: Taking into account that the GHS criteria for environmentally hazardous substances will already be implemented through national legislation as from 1 January 2005, the first priority for the TDG Sub-Committee in this biennium, as far as the harmonization with the GHS is concerned, is the harmonization of existing acute toxicity criteria and, where necessary, physical hazard ones. Corrosivity criteria will also probably be considered during this biennium. It is not envisaged that the TDG Sub-Committee will embark on the re-classification of classified substances according to GHS criteria, apart from case by case consideration. The TDG Sub-Committee will not discuss during this biennium the hazard classes which are outside the scope of transport regulations. Also, a proposal will be worked out by the Netherlands on addressing the environmental hazards (aquatic toxicity) of substances already classified under Classes 1 to 8 of the Model Regulations.

40. The expert from Germany explained that in spring 2003 two meetings at national level have been held, one on the GHS and the other on Safety Data Sheets (SDS) and the quality of such SDS; and that there was good feedback from both meetings.

41. The expert from Canada reported that her country is proceeding with the implementation of the GHS. One of the objectives of Canada's implementation is the harmonization of classification criteria and hazard communication elements between sectors to the greatest extent possible. A comparison of the GHS with the actual systems would be completed by August this year, followed by a kick-off meeting to launch the harmonization work in October 2003.

42. The representative of the European Commission indicated that the Commission's working assumption was that the GHS will be implemented by the European Union. A preliminary assessment of the technical aspects had already been completed, and an impact analysis would be undertaken. The plan was that the GHS would be added to the proposed new EU chemicals legislation (REACH) in 2004. REACH including GHS would then enter into force at the same time, but at a date which was currently difficult to foresee.

43. The expert from the United States of America indicated that awareness raising activities have been undertaken and that there has been considerable interest expressed by the chemical industry, including the pharmaceutical, paint and pesticide sectors. She also mentioned that North American Free Trade Agreement countries are considering development of a GHS consistent labelling system for pesticides, and that work has been initiated on workplace issues related to the GHS as well. In addition, she indicated that implementation of the GHS will be discussed at a US/EU conference on occupational safety and health in October 2003.

44. The Chairperson thanked the countries for the interesting information presented and encouraged the Sub-Committee members to increasingly report on the national implementation of the GHS in future Sub-Committee sessions.

CAPACITY BUILDING

**Informal documents: INF.2 (UNITAR)
INF.3 (UNITAR)
INF.18 (UNITAR)**

45. The representative of UNITAR informed the Sub-Committee about the activities of the UNITAR/ILO GHS Capacity Building Programme and the UNITAR/ILO/OECD WSSD Global GHS partnership, and of the status of the pilot projects. He informed the Sub-Committee about UNITAR's activities for assisting pilot countries to elaborate their national chemical hazard communication situation analysis, and to develop and implement a National Chemical Hazard Communication and GHS Action Plan. He also indicated that guidance documents proposed as INF.2 and INF.3 were going to be updated in view of the experience gained through the pilot projects that were coming to an end. Continuation of the UNITAR/ILO programme will be subject to financial contributions from donors.

46. After UNITAR having been congratulated for its excellent work and helpful guidance documents about the implementation of the GHS and capacity building, the Chairperson invited the members of the Sub-Committee to propose written inputs to UNITAR for the document updating. The expert from Germany suggested that the text of both guidance documents should be completed with more consideration paid to the road, rail and inland waterways national transport of dangerous goods; and also that environmental information should be included. The expert from Austria also advised to update the elements of the text regarding the EU requirements.

47. The observer from Zambia informed the Sub-Committee of the progress made in the implementation of the GHS in his country, stressing that existing legislation has been reviewed, gaps identified and new legislation drafted; and that training and capacity building needs and means necessary to raise awareness were also under review. A committee on emergency response will be set up. He concluded that despite the progress which has already been made, in order to continue GHS activities further financial support would be needed to meet the 2008 target.

48. The expert from Senegal indicated that an action plan for implementing the GHS has been elaborated in his country and that, in 2002, a national Committee for Chemicals Management has been set up in which all stakeholders participate. It has also been decided to set up poison centres. He stressed the importance in his country to protect the population against the misuse of chemicals and to raise the understanding of the people about chemicals hazards. The GHS action plan is targeted toward information, training and awareness raising of the potential chemicals end-users. The expert from Senegal also explained that no further progress would be possible if they do not receive additional support.

49. The Sub-Committee welcomed Senegal as a probable new full member of the Sub-Committee GHS (see para. 8), and expressed to both Senegal and Zambia its high appreciation for the work they have already done regarding the implementation of the GHS.

OTHER BUSINESS

Informal document: **INF.11 (Report of the Secretary-General)**
 INF.16 (Regional cooperation for development)
 INF.20 (Strategic approach to international chemicals management)

50. The secretariat informed the Sub-Committee of the report of the Secretary-General to the Economic and Social Council (ECOSOC) 2003 session on the work of the Committee of Experts on the Transport of Dangerous Goods and on the Globally Harmonized System of Classification and Labelling of Chemicals (INF.11). The expert from Japan informed of his intention to ask ECOSOC to delete the words "through their national legislation" in para. 3, Sub-section B of part I of document E/2003/46, as he considered that, depending on a country's specific administrative structure, the GHS can be implemented through other ways than the legislative framework.

51. The secretariat also informed the Sub-Committee of the regular programme of technical cooperation that will be discussed at the next session of the UN General Assembly in September 2003 (INF.16), and indicated that this was a way amongst others that should be explored by the eligible countries to be granted possible financing to participate in the work and sessions of the Sub-Committee. It was noted that the question of funding was a multi-faceted issue, faced by all international instruments in a similar manner; and that if twinning arrangements can be made as short-term solutions, long-term solutions including the creation of a trust fund, would deserve more thought. The Sub-Committee invited the secretariat to prepare a paper for its next session exploring the various possibilities for long-term solutions to this problem.

52. The Chairperson introduced document INF.20 on the Strategic Approach to International Chemicals Management (SAICM) currently being developed by UNEP, and indicated that a range of international organizations have been invited to collaborate actively in the further development of this open, transparent and inclusive process, and asked the members of the Sub-Committee whether they wished the Sub-Committee to be involved in this undertaking. Several delegations expressed their support. Considering that classification is the cornerstone of any chemicals management system and in order to be able to further decide on its possible contribution to the development of the Strategic Approach, the Sub-Committee decided to invite UNEP to its next session and ask them to provide a progress report on the status of their work. It was also decided that the secretariat would create a link from the GHS web page to the UNEP SAICM specific website (<http://www.chem.unep.ch/saicm/>).

ADOPTION OF THE REPORT

53. The Sub-Committee adopted the report of its fifth session and its four annexes on the basis of a draft prepared by the secretariat.

54. The next session of the Sub-Committee will be from 10 December 2003 (afternoon) to 12 December 2003. Delegations are invited to submit their official documents in due time, and by no later than 24 September 2003.

* * * * *

Annex 1

Draft amendments to the Globally Harmonized System of Classification
and Labelling of Chemicals (GHS) (ST/SG/AC.10/30)

Part 1:

Chapter 1.2:

Delete the definition of "aerosols".

Part 2

In the title of chapters 2.8, 2.11 and 2.12, add "and mixtures" after "substances". *(This amendment does not apply to the French version of the publication).*

* * * * *

Annex 2

Outcome of the discussions on Safety Data Sheets (SDS)

Lead country: Australia

1. The expert of the lead country provided a background on the development of the draft guidance material for SDS (UN/SCEGHS/5/INF.6), and the issues to be further considered by the Correspondence Group in revising the draft document were identified.
2. The issues identified by the Correspondence Group at its 16 June 2003 teleconference (UN/SCEGHS/5/INF.6/Add.8) were noted, including the fact that the guidance document would be stand-alone. It was agreed that a timeline for the development of the document should be discussed.
3. The target audience for the SDS guidance document was discussed and it was agreed that the definitions and headings in the document should remain consistent with the GHS. It was also agreed to form a drafting group to revise the draft document in light of the comments received from the Correspondence Group, such as the issue of cut-off values and how to provide adequate information on mixtures.
4. It was suggested that the current draft document should be revised to include first aid measures for physical hazards in section 4 and to address environmental protection in sections 7 and 8.
5. Some experts expressed a preference for the revised document to be provided as a formal document for the next session. However, given the need for formal documents to be provided to the secretariat by September, it was agreed to provide additional written comments to Australia by 31 July 2003, and that an informal paper on this issue should be developed for December 2003. To allow for sufficient consultation within countries, it was requested that the revised document be made available four to six weeks before the meeting.

* * * * *

Annex 3

Outcome of the discussions on Precautionary Statements

Lead country: Germany

1. The background document was UN/SCEGHS/5/INF.5 in which the open issues with respect to the terms of reference have been presented. The discussion revealed the following results:
2. It was agreed to regard the Precautionary Statements as a module of the GHS and as such dependent from the Hazard Statement module.
3. There were no objections to use the ICSC (International Chemical Safety Cards) compiler's guide as a major source for the selection of Precautionary Statements, notwithstanding the fact that this compiler's guide is not yet in line with the GHS criteria.
4. It was noted that the IPCS compiler's guide is going to be adapted to the GHS. Due to the tight time scale for the Correspondence Group, an adaptation in advance is envisaged for selecting appropriate Precautionary Statements from the IPCS (International Programme for Chemical Safety) phrases catalogue.
5. There is an agreement that Precautionary Statements should address the physico-chemical, toxicological and environmental hazards equally. Any gaps in the IPCS system should be filled. The expert from the United States of America suggested that the North American emergency response guide book could be useful in the area of physical hazards in particular, since it has been translated in 20 languages for use in 30 countries. Information drawn from other suitable sources should also be taken into account.
6. Reservations have been expressed that the Precautionary Statements should not be designed as a core element too close to the needs of the inexperienced user. In general, no distinction should be made between the types of users, assuming that if a substance or product is too dangerous, it would not be at hand for the public.
7. A modified structure of precautionary aspects, i.e. "Prevention and Response", has been proposed by the expert from the United States of America as a heading. This heading would cover more specific aspects such as storage, use, personal protective equipment, accidents, and disposal.
8. There seems to be a need for establishing a hierarchy of precautionary statements (comparable to a hierarchy of hazards). This will facilitate the choice of appropriate Precautionary Statements with respect to the addressed target audience.
9. No firm conclusions have been drawn regarding the use of precautionary statements or the flexibility of phrase wording.
10. It is obvious that the concept of Precautionary Statements has to be proven by its practicability. This might be a process of development. Examples will be helpful.
11. Any contributions or comments on this issue are to be submitted by 15 August 2003 for circulation within the Correspondence Group.
12. A revised concept for Precautionary Statements with examples will be presented for the next session of the Sub-Committee.

* * * * *

Annex 4

Outcome of the discussions on Labelling

Lead country: United States of America

1. The expert of the lead country provided background on the work done to date and invited the representative of CEFIC to describe the proposal he had submitted to the Correspondence Group. This was followed by a discussion about the group's views on developing guidance or modifying the GHS text in 1.4.10. Ultimately, the group concluded that guidance will be provided first in conjunction with additional examples. Then the Correspondence Group will review 1.4.10 to see what needs to be incorporated into the GHS text itself.
 2. Each of the areas the Group was formed to address were then discussed (i.e. size and placement of the GHS pictograms, specific provisions as appropriate to promote a clear distinction between label elements for transport and those for other sectors; and precedence of hazards in the application of the GHS pictograms). Many opinions were expressed regarding the issue of size and placement of the labels. In particular, comments were provided regarding the size of pictograms used to convey hazards in the transport sector versus those that only address hazards communicated in other sectors. There was general agreement that the transport sector needs to have pictograms of a certain size in order to be seen from a distance in the event of emergency response. Views on aspects related to the size of GHS pictograms for other sectors were more diverse.
 3. It was agreed that a clear understanding of the terminology used in different sectors was lacking and that this should be addressed in the work. There was also some agreement that the second area of work – distinction between transport and other sector pictograms – has already been addressed to some extent and may not need much work by the Group.
 4. With regard to the third issue on precedence of hazards, there was consensus that the Group would not attempt to harmonize the transport precedence to a precedence for hazardous effects to other sectors of activities. The purpose for transport is to identify the most important hazard class in terms of, inter alia, emergency response. In the other sectors the purpose is to avoid having too much information when there are multiple effects but not to be so limiting as transport.
 5. The way forward for the work was agreed. By 15 August 2003, members of the Correspondence Group will send to the leader any additional written comments or suggestions. She will use this information to begin drafting guidance for these areas. Meanwhile, ICCA will collect additional examples of labels that address various packaging or package situations, and will circulate these to the Group by 1 September 2003.
 6. The Group will then review both the examples and the draft guidance to begin refining what will be provided in the guidance document for these issues. The goal is to have an informal paper available 4-10 weeks before the next Sub-Committee's session that will include the work completed by the group for consideration by the Sub-Committee at that time. A formal paper will be available in July 2004 after further work, and will include any recommended changes to 1.4.10.
 7. The expert from the lead country anticipates that most of the work will be done by e-mail, but retains the possibility of teleconferences as appropriate. In addition, a meeting on the margins of the sixth session of the Sub-Committee in December 2003 may also be helpful to the progress of the work.
-