



**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****Twentieth session**

Geneva, 7–9 December 2010

Item 4 (a) of the provisional agenda

Implementation of the GHS – Implementation issues**Proposals from the informal working group on GHS
implementation issues: Global list of GHS classified
chemicals****Transmitted by the expert from Australia on behalf of the informal
working group¹****Background**

1. At the nineteenth session of the GHS Sub-Committee in July 2010, the informal working group on implementation issues met to continue discussions on the issue of the merits of an internationally-developed and maintained list of chemicals classified according to the GHS. The working group had developed and circulated a survey to obtain views on the issue from member countries in early 2010 but it was agreed that an opportunity be provided to experts and industry and non-government observers on both the Sub-Committee of Experts on the Transport of Dangerous Goods (TDG Sub-Committee) and the GHS Sub-Committee to have input and to consider the implications. It was agreed that the issue should not be rushed and that a considerable period of time should be spent building international consensus.

2. The survey was designed to capture factual information on the development and maintenance of lists of GHS classified chemicals currently in existence or planned, and to elicit views on the benefits and practical issues that would be posed by development of a

¹ In accordance with the programme of work of the Sub-Committee for 2009-2010 approved by the Committee at its fourth session (refer to ST/SG/AC.10/C.4/32, Annex II and ST/SG/AC.10/36, para.14).

future single global list. An initial compilation of the survey responses received from member countries and international organisations was provided as an informal paper to the nineteenth session of the GHS Sub-Committee in July 2010 (INF.4). Australia circulated the survey instrument for a second time to all participants on the two sub-committees immediately after the July 2010 meeting of the GHS Sub-Committee. In particular, industry and other non-government observers were encouraged to fill in the latter part of the survey.

3. Australia agreed to compile all input. After receiving additional thoughtful responses from industry observers and several other government experts, informal document INF.5 contains the final consolidated comments obtained from the survey.

Summary of responses

4. As Chair of the informal working group, Australia agreed to summarise the survey responses and provide an official document to the December 2010 meeting of the GHS Sub-Committee. From the responses received from government and industry experts, there is general support for the concept of a global non-binding list of substances classified according to the GHS, with a focus on high volume and commonly transported substances and substances of serious health, physical and environmental hazard concern. The key benefits identified were to make classification expertise available to small and developing countries, small to medium business, government agencies with limited chemical safety expertise and to save resources worldwide to be expended on testing and duplicated classification work. Several respondents reminded the GHS Sub-Committee of the need to retain the principle of self-classification, i.e. the manufacturer/supplier's responsibility to classify, which is reflected in national regulations implementing the GHS.

5. Substances for which substantial test data already exists, and where there is consensus on the classification between current lists, were suggested as the obvious first priority among these for inclusion in a global list.

6. However, all respondents indicated concern for the resources, process and governance of such a global list with many recommending a slow evolution involving some easier interim steps. Several interim steps were suggested. It could involve first the further development of the Organisation for Economic Co-operation and Development (OECD) eChemPortal as an inventory of classified substances and data for classification with no attempt to harmonise those classifications in the first instance. It may be then possible to establish a process whereby the Dangerous Goods List of the UN Model Regulations on the Transport of Dangerous Goods could be completed with inclusion of all end-points where classification is generally agreed with other current lists, before establishing a process to review and consider chemicals for which the classifications are disputed. The eChemPortal could be used to identify the commonly agreed classifications. It is noted that the Secretariat has already commenced such an interim step by a comparison of the Dangerous Goods List with the European Union Regulation (EC) 1272/2008², which highlights gaps and disputed classifications³.

7. A number of respondents indicated that no single country or region's list should be the starting point but that classifications in all existing lists should be taken into account. It is noted that eChemPortal will make available from the beginning of 2011 the harmonised European Union GHS classification of Annex VI to Regulation (EC) 1272/2008 and further

² Regulation (EC) No 1272/2008 of the European Parliament and of the Council of 16 December 2008 on classification, labelling and packaging of substances and mixtures, amending and repealing Directives 67/548/EEC and 1999/45/EC, and amending Regulation (EC) No 1907/2006.

³ Refer to information document INF.7 submitted to the nineteenth session of the GHS Sub-Committee, available at: <http://www.unece.org/trans/main/dgdb/dgsubc4/c4inf19.html>.

EU GHS classification via the REACH IT dissemination site. It is also noted that the list developed by the Occupational Safety and Health Agency (KOSHA) of the Republic of Korea, containing a large number of chemicals classified to all GHS end points is expected to be available in English in 2011. Inclusion of this database in eChemPortal could also be a next step to making available classifications in one place on the internet.

8. A number of industry respondents were of the view that Governments should provide resources to develop and maintain a global list as part of their GHS implementation commitment. Many respondents commented that the work should be under the auspices of an international organisation (such as the United Nations or the OECD) and within the existing sub-committees.

9. All respondents agreed that for any work to resolve classification differences or complete/correct current lists, there should be clearly-defined processes established for classifying, including submission and consideration of agreed data, with a method for considering exceptions or to challenge the existing classification, if a country or organisation has data casting doubt on the validity or applicability of a classification in the list. It is noted that modern tools of collaborative working of experts on the internet could be considered rather than traditional methods such as formal meetings.

Proposal

10. That the GHS Sub-Committee consider the information and views expressed by member experts and observers to the TDG and GHS sub-committees on the issue of a global list of chemicals classified according to the GHS, as contained in informal document INF 4 (nineteenth session), and also the summary of those responses above prepared by Australia as the chair of informal working group on implementation issues in informal document INF 5.

11. Since a considerable period of international and national consensus building is required on this topic, as well as consideration of priorities, resources, existing lists, governance and processes, Australia proposes that the GHS Sub-Committee consider formation of a small informal working group to study in detail the issues raised by respondents and prepare a discussion paper for consideration by the GHS Sub-Committee in December 2011.

12. Terms of reference for the small informal working group are proposed as:

Prepare a paper for consideration of the GHS Sub-Committee for December 2011 that addresses the issues raised by experts on the topic of a global list of GHS classified chemicals and which considers:

- Principles to guide the development of a global list of GHS classified chemicals, including how priorities should be established;
- What chemicals should be the focus of work for classification according to the GHS, considering those chemicals possessing hazards of serious health, physical and/or environmental concern; those most commonly used and transported worldwide; and which end-points should be covered;
- Interim steps such as development of a proposal on functionalities that would increase the efficacy of the OECD eChemPortal regarding the current GHS classification of chemicals in existing lists;
- Interim steps regarding making available classification data, including identification of current data sources;
- Interim steps, such as the harmonisation/correction of disputed current classifications;

- Governance aspects of both the development of a global list of GHS classified chemicals and any interim steps, including how member countries, observers and the international bodies can resource these steps; and
 - Options for working towards a single non-binding global list of GHS classified chemicals.
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