

COMMITTEE OF EXPERTS ON THE TRANSPORT OF DANGEROUS GOODS AND ON THE GLOBALLY HARMONIZATION SYSTEM OF CLASSIFICATION AND LABELLING OF CHEMICALS

Subcommittee of Experts on the Globally Harmonized System of Classification And Labelling of Chemicals

Eighth session, 7 – 9 December 2004
Item 6(b) of the provisional agenda

COORDINATION AND WORK PROGRAMME

Future publication of the Globally Harmonized System of Classification and Labelling of Chemicals (GHS)

Comments on the Note by the Chairperson and the Secretariat (ST/SG/AC.10/C.4/2004/22)

Transmitted by the expert from South Africa

COMMENTS

1. South Africa welcomes the discussion on future publication of the GHS. Recognition that the current process of amending the GHS needs to be reviewed in the light of international implementation is supported. However, the expert from South Africa has some fundamental concerns other than just the publication of the UN document.
2. A review of the GHS revealed that it comprises, in broad terms, three types of material, namely compulsory requirements, discretionary requirements and guidance. This requires that the compulsory requirements either have to be incorporated into legislation directly, or that a national standard or similar instrument be developed to be used as reference in national legislation.
3. Publication of a new edition of the document in its current format every two years will place significant burdens on national regulators. Amending legislation is not a trivial task and could result in national legislation not being synchronized with the international requirements, thus defeating the harmonization objective.
4. It is therefore proposed that consideration be given to the restructure of the 2nd revised edition so that:
 - (a) the compulsory requirements are consolidated into a section of the document and redrafted as model regulations that can be used as a direct reference in national legislation; and
 - (b) all discretionary elements and guidance elements be contained in annexes, for example, an annex for physical hazards and an annex for health hazards as is currently the case for guidance on hazards to the aquatic environment in annex 8. National regulators can then decide on how to incorporate these elements into their legislation if they so wish.

5. The idea of stating implementation dates for future revisions in 2007 is supported. However, in the same way, the proposed recommendations in para.19(b) of ST/SG/AC.10/C.4/2004/22 should include a recommendation for an actual implementation date in 2008. Implementation dates should be included in a separate section of the GHS document. If implementation dates are included in the 2007 edition, there is no reason why the complete revision should not be published in 2007.

6. Publication of supplements every two years will significantly increase the implementation challenge. A revised edition with implementation dates would be preferable.

Proposal

7. It is proposed that a Working Group be established to develop concrete recommendations on how to restructure the GHS document in such a way as to facilitate implementation at national level.

South Africa would be willing to contribute to the work of such a Working Group.
