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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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PROGRAMME OF WORK FOR THE BIENNIUM 2007-2008

Miscellaneous changes to the GHS Text

Transmitted by the European Chemical Industry Council (Cefic)

Background

1. During the period 21st August to 21st October, the European Commission held an Internet Consultation on the Commission proposals for a Regulation to implement the GHS in the EU. Cefic, as a stakeholder, commented on the proposal. During the intensive work undertaken on preparing the Cefic comments, a number of areas were identified where we considered that the actual GHS text that had to be implemented could, in our opinion, be improved.

Introduction

2. Cefic considers that the 2007-2008 Biennium would be an opportune period for those countries and other stakeholders who have had experience in preparing to implement the GHS, to share their experiences with the Sub-Committee, and to bring to the attention of the Sub-Committee their views on where the GHS document could be given greater clarity.

Proposal

3. It is proposed that in the next Biennium, an item of work should be that countries and other stakeholders should share their experiences of implementing the GHS with the Sub-Committee, and bring to their attention any areas of difficulty that they have experienced. The Sub-Committee could then systematically consider these, and if considered appropriate make any adjustments to the text of the GHS.

4. Cefic would like to provide a starting point for such a discussion based on their experience in preparing Cefic comments on the European Commission proposal to implement the GHS in the EU. The following are areas which Cefic has identified where the GHS text could be given greater clarity.

5. Use of terminology relating to cut-off values and concentration limits

There are parameters for two different thresholds in the GHS that trigger differing requirements;

- (a) The threshold at which substances are taken into account when considering classification. This also triggers other requirements such as the requirement for a Safety Data Sheet
- (b) The threshold at which a substance triggers classification (and labelling), e.g. as an impurity in a substance or a substance in a mixture

The GHS broadly uses the term “cut-off value/Concentration Limit”, or a multitude of variations of these (see Annex 1) to cover both of these parameters. In a number of cases the same value will apply

to both parameters. To avoid confusion Cefic proposed to the European Commission to use the terms as following;

- (i) “Cut-off Value” to apply to the threshold at which substances are taken into account when considering classification et alia
- (ii) “Concentration Limit” to apply to the threshold at which a substance triggers classification (and labelling).

Concentration Limits can be either “Generic Concentration Limits” (Default Concentration Limits as specified in the individual hazard class chapters in Parts 2, 3 and 4 of the GHS) or “Specific Concentration Limits” as determined according to the provisions of the GHS.

To avoid confusion, as in the use of terminology as proposed above, a “Cut-off value” will always apply unless there are lower “Specific Concentration Limits”, the word generic should never be used in conjunction with the term “Cut-off Value”.

6. How to apply different routes of exposure for classification and hazard communication

There was some confusion as to how to treat routes of exposure for classification and hazard communication. In the GHS document we believe that 3.1.3.2 (acute toxicity) and 1.4.10.5.3.3 are relevant, but these are the only indications as to how to proceed. 3.1.3.2, only applies to mixtures and not substances, and says that you only need data on the one route to be able to classify. It goes on to say that if data is available on more than one route, then, in effect the EU principle applies that the most hazardous category prevails to determine the substance classification. Some people have interpreted this as also meaning that only one route of exposure can, or needs to be communicated. However it then goes on to say that "all relevant routes of exposure should be identified for hazard communication". We believe that an explanatory text in chapters 1.3 and 1.4 would assist to give clarity as to the applicability across all relevant GHS hazard classes.

7. Labelling of packagings for supply and transport where there are inner and outer packagings

Guidance on this is contained in Annex 7. Cefic has received requests from its members and from GHS stakeholders in other parts of the world for an explanation and guidance as to how to proceed. Cefic considers that an appropriate explanation could be inserted in chapter 1.4.

8. Terminology

The following are given solely as examples;

- (i) There are a number of instances where terminology is used that is not GHS terminology. For example the term “endpoint” is used in the following paragraphs;

3.4.3.3,
3.7.2.3.1,
3.8.2.2.1(c),
4.1.1.7.3,
4.1.2.8

For consistency in the use of terminology, we consider that these could be examined for replacement with GHS terminology, e.g. Hazard Class and/or Hazard Category.

- (ii) The term “chemical” is used extensively in the GHS, whereas in some cases the use of the GHS terms “Substance(s)” and/or “Mixture(s)” may be more appropriate.

Annex 1

Use of the terms “cut-off value” & “Concentration Limits” in GHS Parts 1 to 4

The following are the references in Parts 1 to 4 of the GHS where the terms “cut-off value(s)” or “concentration limits” or variations thereon are used. Where the accompanying text to the references is given, in some cases square brackets [] or rounded brackets () have been added.

Rounded brackets () indicate GHS qualifying text.

Square brackets [] indicates non-GHS text inserted here to explain the context.

1.3.3.1.3	cut-off value/concentration limit
1.3.3.2	<i>(Use of) cut-off values/concentration limits</i>
1.3.3.2.1	(generic) cut-off values or concentration limits
	cut-off values/concentration limits
	(harmonized) cut-off value/concentration limit
	(harmonized) cut-off value/concentration limit
1.3.3.2.2	(generic) cut-off values/concentration limits
	(generic) cut-off values/concentration limits
1.3.3.2.3	(generic) GHS cut-off values/concentration limit(s)
1.3.3.2.4	(values other than the generic) cut-off values/concentration limit
1.4.1.4	cut-off values [in respect of labelling]
1.5.2	cut-off limits
1.5.3.1.1	(generic) cut-off values/concentration limits [in respect of requiring an SDS]
Table 1.5.1	Cut-off values/Concentration limits
1.5.3.1.2	(other) cut-off values/concentration limits than the (generic) ones
	(specific) cut-off values
3.1.2.4	cut-off values
3.1.2.6.4	cut-off values
3.2.2.5.4	(mean score) cut-off values
3.2.3.3.2	concentration limit (for classification)
	cut-off value/concentration limit
3.2.3.3.3	cut-off value/concentration limits
3.2.3.3.4	concentration limits (of Table 3.2.3)
3.2.3.3.5	(generic) concentration cut-off levels
	<i>cut-off values/concentration limits</i> [reference to 1.3.3.2]
	(generic) concentration cut-off levels
3.2.3.3.6	<i>cut-off values/concentration limits</i> [reference to 1.3.3.2]
Table 3.2.3	Concentration
	Concentration
Table 3.2.4	Concentration
	Concentration
3.3.3.3.2	concentration limit
	(threshold) cut-off value/concentration limit
3.3.3.3.3	cut-off value/concentration limits [Reference to Table 3.3.3]
3.3.3.3.4	concentration limits (of Table 3.3.3)
3.3.3.3.5	(generic) cut-off values/concentration limits [Ref. to Tables 3.3.3 and 3.3.4]
	<i>cut-off values/concentration limits</i> [reference to 1.3.3.2]
	(generic) concentration/ cut-off levels [Reference to Tables 3.3.3 and 3.3.4]
3.3.3.3.6	<i>cut-off values/concentration limits</i> [reference to 1.3.3.2]
Table 3.3.3	Concentration
	Concentration
Table 3.3.4	Concentration
	Concentration
3.4.3.3	(appropriate) cut-off value/concentration limit
Table 3.4.1	Cut-off values/concentration limits

	Cut-off/concentration limits
	Table Note 1 <i>cut-off values</i>
	Table Note 3 <i>cut-off values</i>
	Table Note 5 <i>cut-off values</i>
3.5.3.1	cut-off values/concentration limits
3.5.3.3	(appropriate) cut-off value/concentration limit
Table 3.5.1	Cut-off values/concentration limits
	Cut-off/concentration limits
	Table Note <i>cut-off values/concentration limits</i>
3.6.3.1	cut-off values/concentration limits
3.6.3.3	(appropriate) cut-off value/concentration limit
Table 3.6.1	Cut-off values/concentration limits
	Cut-off/concentration limits
3.7.3.1	cut-off values/concentration limits
3.7.3.3.1	(appropriate) cut-off value/concentration limit
3.7.3.3.2	(appropriate) cut-off value/concentration limit
Table 3.7.1	Cut-off values/concentration limits
	Cut-off/concentration limits
3.8.3.4.1	(appropriate) cut-off value/concentration limit
Table 3.8.2	Cut-off values/concentration limits
	Cut-off/concentration limits
3.8.3.4.2	cut-off values
3.8.3.4.5	cut-off value concentration limit
	cut-off value concentration limit
3.9.3.4	(appropriate) cut-off value/concentration limit
Table 3.9.3	Cut-off values/concentration limits
	Cut-off/concentration limits
3.9.3.4.2	cut-off values
4.1.3.5.5.1.2	(normal) cut-off values/concentration limits
