

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 expert from the United States of America

Background

In the United States of America, four separate Federal government agencies are involved in implementation of the GHS. These agencies are the Occupational Safety and Health Administration, which is responsible for implementation of the GHS in the workplace setting; the Environmental Protection Agency, which has responsibility for pesticides and for environmental issues; the Consumer Product Safety Commission, which regulates consumer chemical products other than pesticides; and the Department of Transportation, which implements requirements for the transport of dangerous goods. These four core agencies have been working together on GHS issues for several years, throughout the negotiation process.

The purpose of this paper is to provide a brief update on implementation activities in each of four key sectors.

Current Activities

Occupational Safety and Health Administration (OSHA):

On September 12, 2006, OSHA published an Advance Notice of Proposed Rulemaking (ANPRM) on the GHS. In addition, the Agency made available on its website a comprehensive guide to the GHS. An ANPRM is the first step in the rulemaking process to adopt the GHS. It provides background information on the system, as well as the parts of the system that OSHA anticipates considering for adoption. Public input was solicited to provide information for the Agency to develop analyses required to complete rulemaking, including an assessment of associated costs and benefits. The public comment period closed on November 13, 2006, and more than 160 comments have been received. OSHA will now analyze the comments, and begin the process of developing a notice of proposed rulemaking based on the information received. The ANPRM, the Guide to the GHS, a comparison of OSHA's Hazard Communication Standard to the GHS, and all of the comments received, are accessible on OSHA's website at www.osha.gov

Environmental Protection Agency (EPA):

The EPA prepared a White Paper outlining its initial thinking on the possible application of GHS to pesticide labels and solicited public comments. On October 18-19, 2006, the EPA conducted a public meeting with stakeholders to review the issues raised in the White Paper and comments, and to solicit additional input on possible ways forward. Over 120 people registered for the meeting. EPA will be considering next steps in light of the input received. In addition, the industrial chemicals/toxic substances program in EPA is evaluating possible application of GHS within its sphere of regulation. Information on the public meeting and other GHS-related documents are posted on EPA's website at <http://www.epa.gov/oppfead1/international/globalharmon.htm>

Consumer Product Safety Commission (CPSC):

The CPSC staff assessment of GHS implementation issues is currently underway. The assessment will identify issues for Commission consideration that may warrant issuing guidance, revising existing regulations, and/or in some instances, possibly seeking statutory revision. In addressing these issues, input will also be sought on those aspects of GHS implementation that are of significant priority to stakeholders, including consumers, manufacturers, distributors and retailers of consumer products.

Department of Transportation (DOT):

DOT is aligning its requirements with the GHS, and expects to complete most of the changes necessary for implementation (consistent with the decisions taken in international transport system) by 2007. The changes will be effective in 2008. Additional information is available at <http://hazmat.dot.gov/regs/intl/globharm.htm>

Interagency Coordination

The four core agencies (EPA, OSHA, DOT and CPSC) formed an Interagency Working Group on Harmonization to coordinate U.S. government participation in GHS activities and negotiations. The State Department also participates in the group work whenever international issues are under consideration, and a larger group involving other U.S. agencies may also become involved when issues potentially relevant to their programs are addressed. In addition to developing common positions for international meeting, the interagency group also provides a forum for the agencies to share drafts of documents for comment, exchange information, and discuss areas of mutual interest and concern.

In addition to the specific activities described above, all of the Agencies continue to engage in various awareness raising meetings, workshops, seminars, and training sessions with trade associations and professional societies regarding the requirements of the GHS.
