

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**

11 December 2014

Twenty-eighth session

Geneva, 10 – 12 (morning) December 2014

Item 5 of the provisional agenda

Updating on the alignment of Annex 9 (section 9.7) and Annex 10 on the Transformation/Dissolution protocol to the generic environmental hazard guidance in Chapter 4.1: Correspondence group summary report (10th December 2014)

**Transmitted by the International Council of Mining and Metals
(ICMM) on behalf of the informal Correspondence Group**

Participants:

Ben Davies (ICMM), Chair

Martijn Beekman (Netherlands)

Sabine Bochmert (European Commission)

Henning Clausen (Denmark)

Joop DeKnecht (OECD)

Lennart Dock (Sweden)

Ian Doyle (United Kingdom)

Juha Einola (Finland)

Gunilla Ericsson (European Chemicals Agency – ECHA)

Jani Honkanen (ECHA)

Stine Husa (Norway)

Kathy Landkrohn (US OSHA)

Evita Luschutzky (ECHA)

Jurgen van Belle (Netherlands)

Hugo Waeterschoot (ICMM/Eurometaux)

Introduction and recap of mandate of the group

1. Ben Davies welcomed participants and reminded them of the background to this work: when the 3rd revision of GHS introduced a chronic aquatic toxicity endpoint, the relevant metals guidance was not updated. ICMM subsequently requested a correspondence group (CG) be mandated to update the relevant sections of guidance – contained in Annex 9 (section 9.7) and Annex 10 to the GHS. This mandate was granted in 2012 and the Group began its work in earnest in 2013.

2. Ben reminded participants that the mandate of the CG is to update these annexes to incorporate the necessary guidance to assist users in assessing chronic toxicity for metals. In doing so the group's mandate does not extend to introducing any new technical concepts beyond those already contained in the GHS. It was noted that several useful resources exist – including the guidance developed under the CLP regulation in the EU, but that in considering these CG members must be mindful of the core mandate of this group and not extend beyond concepts included already in GHS.

3. Ben noted that CG members met last in December 2013, in the margins of the 26th Session of the SCE-GHS, to discuss text proposed by ICMM. In the months that followed the CG convened by telephone and comments on the amended text were forwarded to ICMM. These comments were handled in three ways:

- Simple corrections and simple amendments to text were accepted
- Additions that were felt to go beyond the mandate of the group were disregarded (those included the proposed sections on 'rapid removal from the water column' – which was proposed to be discussed by a technical group at OECD in 2015)
- A second version was circulated Dec 2013 requesting for comments and agreed sections
- Remaining questions were noted in a marked-up document, circulated to CG members in November 2014.

4. The purpose of this meeting was to introduce the texts that are intended for CG review and hold a brief initial discussion of any key issues.

Overview and discussion of technical updates and remaining issues

5. Hugo Waeterschoot introduced the revised text for annex 9.7 noting that based on the comments received on the second version, there has been good agreement on the majority of amendments.

6. He further underlined that the entire section on **Rapid Removal from the Water column** was eliminated from the text as was suggested by almost all responders. The present 3rd version now makes only reference to the GHS principle of degradation quoted as Rapid Environmental Transformation. It was agreed by the metals sector to take the issue of rapid removal further for discussion under the OECD metals environmental guidance project and to bring the outcome of this debate back to the UN-GHS to assess its relevance and applicability.

7. Two key **questions for further discussion** today remained given different opinions received on the 2nd draft:

- how to apply the 'chronic 4' classification; and,

- how to deal with the ‘M-factors’ section.

8. The issue of applying a **chronic 4 classification** when there is ‘concern’ and not as a simple ‘default’ was discussed in the course of reviewing the various classification schemes in the annex. The “concern” is thereby triggered by the lack of transformation dissolution data for a metal or metal compound with a classifiable soluble ion. Agreement was reached on how the classification should be reached through these schemes and Hugo agreed to update the schemes and associated explanatory text accordingly.

9. In discussing **M-factors** there was some divergence of view on how much explanatory text should be included in the annex. Including a more comprehensive explanation was supported by industry in the interest of making the guidance more consolidated and easier to read. Several members were reluctant to repeat explanatory text in the annex but felt that if it assists industry then it could be included.

10. There was no time for detailed discussion of Annex 10, however Hugo noted that the updated text is more straight-forward than that of Annex 9.7 and should lend itself to reaching agreement in writing. The changes that have been incorporated include those received from member from the correspondence group and in additionally as requested by the group in December, solicited comments supplied by the laboratory experts who participated in the OECD ring-test for the T/D protocol testing in 2004. If any further clarification is required on Annex 10, ICMM would be pleased to organize a separate teleconference of the Correspondence Group to review.

Next steps and process for completion of guidance

11. The following process and timing was agreed for completing the guidance update:
- ICMM to circulate draft of Annex 9.7 incorporating marked-up changes suggested at this CG meeting (on 10th December) **by December 19th** (version 3b)
 - CG participants to submit written comments to ICMM **by 10th February 2015**
 - ICMM to issue a draft final version by early March (version 4) for discussion (by teleconference) during **April** allowing to finalise the update early May 2015
 - Subsequent version to be submitted as a formal document (note: deadline ~15 May) to 29th session of the Sub-Committee (29 June – 1 July 2015)
 - **Formal CG meeting** at the 29th session to reach final agreement on text
12. Administrative processes (including necessary translation and preparation of summary of changes etc.) will then take place in order to make a final recommendation to the Sub-committee at its 30th session (Dec 9-11, 2015) for inclusion in the seventh revision.
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