

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**

6 December 2017

Thirty-fourth session

Geneva, 6-8 December 2017

Item 3 (d) of the provisional agenda

**Hazard communication:
other issues**

Update on RPMASA survey to clarify which countries have GHS regulations, which require numbering of SDS subheadings and which do not, and if both approaches are acceptable to all countries

Transmitted by the Responsible Packaging Management Association of Southern Africa (RPMASA)

1. RPMASA raised at the 32nd session in INF 32 the lack of consistency in presentation of information in SDS from different Countries. Of particular concern is the different approaches to number or not number the subheadings in the designated 16 sections. This has been raised with several South African exporting companies over the last year, which we would like clarity on global acceptance so as not to become an impediment to trade
2. Following various comments from different delegations where other concerns of differences in regulatory requirements were raised, it was proposed that RPMASA undertake a survey to experts to clarify the numbering and other differences that could pose challenges to exporters. Also, to request ideas to address these differences.
3. RPMASA reported to the 33rd session on 19 responses received in INF 19 and requested Members who had not yet done so to please respond. RPMASA also requested Members who had encountered technical difficulties seeing all 8 questions and hence only answered the first 2 questions, to kindly re-look and answer the additional 6 questions
4. Since then a further 2 responses were received, as well as a reply from the Russian CIS Centre who had kindly shared the survey with their colleagues in Asia-Pacific Economic Cooperation Chemical Dialogue - ACEP CD resulting in an additional 8 responses from National Government and Industry Associations.
5. Survey – 8 questions were sent out using Survey Monkey with a request for respondents to identify their Country / Organisation

Questions + summary of July 2017 responses

19 Responses were received from Countries / Organisations including a comprehensive response from the EU representing their 27 countries.

Russia advised re their new Standards which are currently voluntary but will become mandatory when the technical regulation of the Eurasian Economic Union on “Safety of chemical products” come into force on 2 June 2021.

1. Does your country have legislation requiring GHS Classification, SDS and Labelling

18 of the 19 respondents have GHS Regulations in place NB this included the EU response thus adding 27 countries i.e. a total of 46 countries.

2. Is there a legal requirement in your National/Regional regulations for numbering of the sub-headings in GHS Safety Data Sheets?

3 respondents + the EU replied that the numbering of subheadings is regulated i.e. 30 out of 46.

3. If yes to Q2 will your Competent Authority accept Safety Data Sheets from other regions without numbered sub-headings? i.e. accept both formats – with or without numbering of sub-headings?

The EU informed that they would NOT accept SDS from other regions without numbered subheadings.

4. If no to Q2 will your Competent Authority accept Safety Data Sheets with and /or without numbering of sub-headings?

14 non-responses + 2 informed that they would accept Sub headings either numbered or without numbers

5. Do you believe that there is a need to standardize the format of SDS in the interest of global harmonisation and acceptance?

14 non-responses with 4 stating they believed that standardisation would be desirable to assist/support global harmonisation and acceptance.

6. Are there any other SDS issues that show inconsistency and could pose a barrier to trade?

14 non-responses and 2 responded yes

7. If yes to above, kindly explain

*Quality of information – variation in National requirements for experience & expertise
National variation in adoption of categories / building blocks “Other” national requirements*

8. What proposals do you have to standardize and harmonise differences such as numbering or not numbering of sub headings to achieve global harmonisation and acceptance by all CA's who have adopted GHS into their legislation?

Several responses added that the challenge is that GHS globally is currently voluntary recommendation and has been adopted differently by different countries and regions.

Proposals included - Round table discussions and further dialogue with compromise would be the only way to try to harmonise.

Summary of additional – December 2017 responses

An additional 10 responses were received, summarised as follows-

Q1 - 9 respondents confirmed that they do have GHS Regulations in place

Q2 – 2 responded that they had a requirement for numbering of the sub-headings and 8 do not

Q3 – 1 respondent said they would not accept SDS without numbering of sub-headings

Q4 – 8 respondents said their countries would accept with or without numbering of sub-headings

Q5 – 6 replied that there is a need to standardise / harmonise SDS requirements including numbering, 2 said that the guidelines in the Purple book should be followed (only provides sub-headings and contents) and 2 replied no – one that the main barrier to trade is language.

Q6 – requesting other issues that could be a barrier to trade

4 replied yes, citing differences between countries; when and what an SDS is required; differences in classifications through adopting different categories; CBI - ingredient disclosure; level of detail required e.g. specifying PPE;

Proposals included –

Headings and sub-headings to be the same

Adopt the GHS Purple book guidelines as regulation so mandatory for all

Way forward

RPMASA thanks those Members who responded – a total of 46 from July, and the additional 10 including the ACEP Countries which included Industry and government representatives from Australia, China, Indonesia, Japan, Malaysia, the Phillipines, Singapore and Vietnam.

RPMASA would appreciate if any Members who have not yet responded and would like to (and not covered by the EU response) kindly contact them directly with their responses, and particularly any proposals for questions 6 to 8. We will share any update with the Sub-Committee in July.

From responses received, it is apparent that there are a number of National and Regional differences that would merit further discussion to try to resolve, in order to attain global harmonisation and acceptance, thus to reduce the burden on Industry and prevent any Technical barriers to Trade.

RPMASA would appreciate further consideration, and proposals as to how the SC National Members can assist developing countries resolve these differences without having the burden of having to produce different SDS and labels for different regions?