

## 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

22 November 2019

### Thirty-eighth session

Geneva, 11-13 December 2019

Item 4 (b) of the provisional agenda

### Reports on the status of implementation

## GHS implementation status in New Zealand and in the ANDEAN community

Note by the secretariat

### ANDEAN Community

1. The Secretariat of the ANDEAN Community issued a press release to announce the publication of Resolution 2075 adopting the updated “Technical Manual for the Registration and Control of Chemical Pesticides for Agricultural Use” (hereafter referred to as the “Manual”) for implementation in the ANDEAN member countries (Bolivia, Colombia, Ecuador and Peru).
2. The Resolution was published in No.3709 of the Official Gazette of the Cartagena Agreement on 2 August 2019 and will enter into force 6 months after that date. The full text of the Resolution (Spanish only) is available at: <http://www.comunidadandina.org/Normativa.aspx>.
3. Resolution 2075 establishes the requirements and conditions for the registration of Chemical Pesticides for Agricultural Use (PQUA), in the four countries of the Andean Community and addresses the agronomic aspects of health and environment to be complied with by applicants to obtain such registration, to be granted by the national competent authorities. Registration is mandatory to manufacture, formulate, import, export, package, commercialise and distribute these products in ANDEAN member countries.
4. The Manual, which is annexed to Resolution 2075, requires registrants to provide information on physical and chemical properties (including toxicological and ecotoxicological effects, among others), with classification for the following physical, health and environmental hazards in accordance with the GHS:
  - (a) Physical hazards:
    - explosives (divisions 1.1 to 1.4)
    - flammable liquids (categories 1 to 4)
    - flammable solids (categories 1 and 2)
    - flammable aerosols (category 1)
    - Substances and mixtures corrosive to metals

- Oxidizing solids (categories 1 to 3)
  - Oxidizing liquids (categories 1 to 3)
  - (b) Health hazards
    - Acute toxicity (categories 1 to 4)
  - (c) Environmental hazards
    - Hazardous to the aquatic environment (categories 1 to 3)
5. The Manual also requires evaluation of environmental risk, addressing toxicity for species such as birds, bees, mammals, fish, earthworms, etc. based on criteria from FAO, the United States Environmental Protection Agency (EPA) and the European Union.
6. For other health hazard classes such as skin and eye irritation, carcinogenicity, mutagenicity, respiratory and skin sensitisation the Manual refers to classification criteria from USA-EPA, IARC or the European Union (as applicable).
7. Safety Data Sheets in accordance with the GHS are required, as indicated in Annex 5 to the Manual.

## **New Zealand**

8. The Environmental Protection Authority (EPA) launched in October 2019 a public consultation on a proposal to update New Zealand's current hazardous substance classification framework (implemented in 2001 and based on a previous version of the GHS but unchanged since then) to the 7<sup>th</sup> revised edition of the GHS. The consultation is open until 9 January 2020.
9. The change in the current classification system will be achieved with the issuance of a new EPA Classification Notice, that would implement the provisions of GHS Rev.7 by reference.
10. The new Classification Notice will also allow alignment with the EPA Labelling and Safety Data Sheet Notices (currently based on the 5<sup>th</sup> revised edition of the GHS). Both the Labelling and Safety Data Sheet Notices include provisions to allow compliance with other versions of the GHS as adopted by the European Union, Australia, Canada or the United States of America.
11. EPA is consulting on the following five specific proposals:
- (a) To update the current HSNO classification system by issuing a new EPA Classification Notice that will incorporate the provisions of the 7<sup>th</sup> revised edition of the GHS by reference;
  - (b) To adopt all categories for aquatic toxicity (acute 1 to 3 and chronic 1 to 4), and to exclude acute toxicity category 5, skin irritation category 3 and aspiration hazard category 2.
  - (c) To implement the lower concentration cut-off values for classification of mixtures in cases where the GHS leaves the choice between the options proposed to the discretion of the competent authority.
  - (d) To replace the current HSNO classification subclasses and categories for terrestrial ecotoxicity (to soil organisms, terrestrial vertebrates, and terrestrial invertebrates) with a single classification category "substances that are ecotoxic in the terrestrial environment", to be applied only to agrichemicals or related substances; and

- (e) To allow for a 2-year transitional period on top of the current one expiring in December 2021, for implementation of the updated Labelling, Safety Data Sheet and Packaging Notices, to allow stakeholders to make the necessary changes resulting from the re-issuing of approvals and updating to the provisions of GHS Rev.7.

12. Should the proposal to update the current HSNO classification framework to the provisions of GHS Rev.7 be adopted, all existing HSNO approvals will require updating to convert the current HSNO classifications to the GHS. A consultation to this end is expected to be conducted in mid-2020. Consequential amendments to other EPA Notices and legislation referring to hazardous substances are expected.

13. The intended implementation date for the new Classification Notice and the relevant amended EPA notices is mid-April 2021.

14. The consultation document as well as additional information on the proposal is available at: <https://www.epa.govt.nz/public-consultations/open-consultations/proposal-to-change-the-classification-system-for-hazardous-substances-in-new-zealand/>