



**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****Thirty-ninth session**

Geneva, 9-11 December 2020

Item 5 (a) of the provisional agenda

Implementation of the GHS:**possible development of a list of chemicals classified
in accordance with the GHS****Status update on and proposal for the ongoing work of the
global list informal correspondence group****Transmitted by the experts from the United States of America and
Canada on behalf of the informal correspondence group*****Background and update**

1. The Sub-Committee has been studying the possibility of developing a global list of chemicals classified in accordance with the GHS since 2008 (ST/SG/AC.10/C.4/2008/22 paragraph 4.4 (g)). It has done considerable work in this regard, including a survey of international classification lists, developing a set of guiding principles, a pilot classification project, and a list comparison exercise (ST/SG/AC.10/C.4/2017/4).
2. At the thirty-seventh session, the Sub-Committee adopted the current programme of work for the global list informal correspondence group (see ST/SG/AC.10/C.4/74 and informal document INF.10 (thirty-seventh session)). The first two items from work stream A on the programme of work are to identify existing lists that implement the GHS and compare them with the guiding principles in Annex III to the report of the twenty-fourth session (see ST/SG/AC.10/C.4/48). The goal of the guiding principles is to ensure that classifications are developed transparently, with stakeholder input, from publicly available and electronically available data, and are non-binding.
3. At the thirty-eighth session, the Sub-Committee noted the information on the progress of the informal correspondence group as reflected in informal document INF.27 (thirty-eighth session), including the intent of the co-chairs to schedule a teleconference for the informal correspondence group to discuss the next steps in light of the developments. The Sub-Committee encouraged the informal correspondence group to go forward with the first two items from work stream A and to report back at the next session.

* 2020 (A/74/6 (Sect.20)) and Supplementary, Subprogramme 2.

4. The co-chairs held a teleconference for the informal correspondence group on 10 March 2020 to discuss the next steps. On the call, the group discussed a brainstorm document which outlined questions that could be used to compare existing classification lists to the guiding principles. Written comments were also received following the call and incorporated into a revised version of the brainstorm document.

5. It was shared on the call that Sweden was planning a study to analyse if and how substance classification lists are used or can be used as an instrument to promote GHS implementation. The brainstorm document would help to inform the study, and though the study would not include all the specific items listed in the brainstorm document, it would address some of these points.

6. This study is a stand-alone initiative by Sweden, and therefore should not be considered to work under the umbrella of the informal correspondence group. However, the results of Sweden's study will feed into the programme of work for the informal correspondence group.

7. As a next step, the co-chairs proposed that Sweden share the results of their study, once ready, with the informal correspondence group or Sub-Committee. The group can evaluate the findings and discuss potential opportunities to conduct complementary work to address the first two items from work stream A on the programme of work.

Proposal

8. The informal correspondence group proposes for the next biennium to carry over the potential work streams on the current programme of work which are outlined in paragraphs 11 to 13 of informal document INF.10 (thirty-seventh session). These work streams are reproduced in the Annex to this document.

9. The informal correspondence group could continue to address items (a) and (b) of work stream A as a starting point for the next biennium.

10. The Sub-Committee is invited to agree the proposed programme of work for the informal correspondence group for the 2021-2022 biennium as outlined in paragraph 8.

Annex

The following is a reproduction of the work streams outlined in paragraphs 11 to 13 of informal document INF.10 (thirty-seventh session).

Work stream A: Continue to research and analyse the existing classification lists

- (a) The Sub-Committee could compile information on widely-used lists (e.g., national, regional, third-party lists) that follow the GHS, including how the list was developed, whether the rationale and data underlying the classification is available, whether the list is legally binding, and what building blocks were adopted in the implementation for which the list was prepared. Some experts at the thirty-fifth session commented this could be done before deciding on further steps (ST/SG/AC.10/C.4/70, para. 69).
- (b) The Sub-Committee could then develop a matrix comparing these lists to the guiding principles (ST/SG/AC.10/C.4/48, Annex III).
- (c) Based on that comparison, the Sub-Committee could further evaluate a subset of these lists (e.g., lists that best comport with the guiding principles) by hazard class or category or compare classification of high-volume chemicals (in terms of trade or production).
- (d) This could provide transparency about the classifications that currently exist and can provide a starting point for understanding differences in the lists as well as the opportunity to identify where problems or patterns exist. In this capacity, the role of the informal correspondence group would be to identify where the problems or patterns exist and present these to the Sub-Committee.
- (e) If a detailed analysis of the problems or patterns reveals issues with the application or implementation of the classification criteria, the informal correspondence group could present these findings to the Sub-Committee. If the Sub-Committee agrees that the disharmony is due to issues with the classification criteria itself, it could recommend the Practical Classification Issues working group clarify the criteria or give further guidance on how to apply the criteria.
- (f) Additionally, this work could provide a basis for considering the options in the below work streams.

Work stream B: Further explore possibilities to develop a global list

- (a) While many commenters were concerned about the time, effort, and consequences for countries that have already developed a binding list, the Sub-Committee might want to consider developing a list of classifications for mutually agreed upon chemicals or reviewing chemical classifications on a case-by-case basis.
- (b) Alternatively, the Sub-Committee could explore endorsing an existing internationally recognized third party classification list that meets the guiding principles and support its further development.
 - (i) For example, the WHO/ILO International Chemical Safety Cards (ICSCs), which are developed through robust consensus process involving 20-25 experts from 18 countries; they present the GHS pictogram, signal word, and hazard statement but they do not contain the classification. Some work and resources would be required to make the GHS classification rationale and supporting data publicly available.
 - (ii) Another example is the Dangerous Goods List in the UN Model Regulations, which has over 2000 entries.
 - (iii) Are there other third-party lists that the Sub-Committee could consider?
- (c) A third option would be to extend OECD's eChemPortal in some fashion.
 - (i) The eChemPortal contains information on several existing GHS classification lists but it does not provide its own classifications in accordance with the GHS. This

option may present challenges for competent authorities and manufacturers, however, because the eChemPortal may contain inconsistent classification for the same substance.

Work stream C: Develop a list limited to specific hazards or chemicals of concern.

- (a) The Sub-Committee could develop a priority substance or hazard list. The Sub-Committee would need to decide what considerations should guide the development of this list, perhaps focusing on the more significant hazards (e.g. carcinogenicity) or high-volume chemicals. This would likely be resource-intensive, but the resources may be justified to address a discrete number of sufficiently important classifications.
 - (b) However, this option may not be helpful for a country without the capacity to develop its own list that is looking to adopt a more extensive “GHS-approved” list.
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