

UN/SCEGHS/8/INF.24

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

Eighth session, 7-9 December 2004
Item 4(b) of the provisional agenda

IMPLEMENTATION OF THE GHS

International cooperation

Relationship between the Sub-Committee on GHS and the Rotterdam (PIC) and Stockholm (POPs) Conventions

Note by the secretariat

Background

1. After the adoption of the GHS in 2002 and during the biennium 2003-2004, the Sub-Committee devoted most of its working capacity to completing and improving the GHS, and proposing guidance to facilitate its implementation. For the next biennium 2005-2006, although the Sub-Committee will continue to address issues to improve the GHS, it will also increasingly turn its efforts to contributing to the practical implementation of the system.
2. The implementation of the GHS is still at an early stage but is developing rapidly as shown by the many workshops dedicated to it in all regions of the world. The implementation process is progressing through a two pronged approach, i.e. through national rules and regulations and through international instruments.
3. In its resolution 2003/64 of 25 July 2003, the Economic and Social Council invited, in particular, the United Nations programmes to amend their respective legal international instruments, where relevant, so as to give effect to the Globally Harmonized System of Classification and Labelling of Chemicals (GHS) through such instruments. The Sub-Committee has already started to work in this direction and establish working relationships with other international policy instruments. Since the adoption of the GHS, the sister Sub-Committee on TDG has harmonized a series of provisions on classification with the GHS. Cooperation has been undertaken with the secretariat of the Montreal Protocol on ODS and with the Basel Convention, the latter having decided to establish officially a working relationship with the Sub-Committee at its COP7 session (October 2004).
4. Other international instruments of relevance regarding the management of chemicals are the Rotterdam Convention on the Prior Informed Consent Procedure, and the Stockholm Convention on Persistent Organic Pollutants under the responsibility of UNEP. They both aim at protecting people

and the environment from the hazards of chemicals that are traded at international level. They contain lists of chemical products, which should be banned or restricted. Each chemical product is listed according to the conclusions of a descriptive technical file, which contains a detailed description of its characteristics. As can be seen in Annexes 1 and 2, there are elements that are not yet harmonized with the GHS.

5. At the Sub-Committee's sixth session in December 2003, a UNEP representative gave a presentation on the status of both the Stockholm POPs Convention and the Rotterdam PIC Convention, and indicated that an implementing committee under the PIC Convention would be created as soon as the Convention would enter into force. The Chairperson of the Sub-Committee reaffirmed then that all possible synergies with these instruments would be sought in the future (ST/SG/AC.10/C.4/12). The Rotterdam Convention on the Prior Informed Consent Procedure entered into force on 24 February 2004, and the Stockholm Convention on Persistent Organic Pollutants on 17 May 2004.

6. As previously done with the Basel Convention, a letter from the UNECE Executive Secretary was sent on behalf of the UN SCEGHS to the UNEP Executive Secretary to invite him to inform the Parties of both Conventions of the existence of the GHS and draw their attention to ECOSOC Resolution 2003/64 which invites its implementation (letter dated 19 November 2004). The ultimate intention of this letter would be that a working relationship with both Conventions on issues of common interest (i.e. classification, labelling and communication of related information on chemicals) would be established in the future.

ANNEX 1

Synopsis of provisions of the Rotterdam Convention that are related to the classification and labelling of hazardous chemical products

The Rotterdam Convention on the Prior Informed Consent Procedure (PIC) focuses on international trade aspects of hazardous chemicals. PIC is a procedure that helps countries learn more about the characteristics of potentially hazardous chemicals that may be shipped to them, initiate decision-making on the future import of these chemicals and facilitate the dissemination of this decision to other countries. The aim is to protect human health and the environment from the harmful effects of certain hazardous chemicals being traded internationally.

The Rotterdam Convention contains provisions regarding the information that should be communicated about the danger of hazardous chemicals. In its Article 13, paragraphs 2 and 3, the Convention provides that *“each Party shall require that both chemicals listed in Annex II and chemicals banned, or severely restricted in its territory, or subject to specific labelling requirements in its territory are, when exported, subject to labelling requirements that ensure adequate availability of information regarding risks and/or hazards to human health or the environment, taking into account relevant international standards”*. Paragraph 4 mentions the use of safety data sheets that follow an internationally recognized format.

Annex II describes the criteria for listing banned or severely restricted chemicals. Chemicals matching these criteria are listed in Annex III. 37 chemicals (22 pesticides, 9 industrial chemicals and 6 severely hazardous pesticides) are currently on the list of banned or severely restricted chemicals.

The Convention contains mechanisms to add substances on the list in the future. When a country notifies the secretariat that it would like to submit a particular chemical to the PIC procedure, the Chemical Review Committee reviews the information and compares it with the criteria of Annex II, and, on the basis of the results, may recommend listing the product in Annex III. For each product under review, a decision guidance document is elaborated.

Decision guidance documents are drafted following a standardized format, which includes a section on hazards and risks for human health and the environment, with information about hazards classification, exposure limit values, safety data sheets and packaging and labelling. At the moment, none of these elements of information are according to the GHS. Usually, the information refers to particular international instruments or classification systems (IARC, WHO/IPCS, EU, etc.) and specific countries' practices and regulations. For a same product, various classifications or labelling can be proposed.

The Rotterdam Convention on the Prior Informed Consent Procedure entered into force on 24 February 2004. The Convention is serviced by UNEP. The first Conference of the Parties took place in September 2004.

ANNEX 2

Synopsis of provisions of the Stockholm Convention that are related to the classification and labelling of hazardous chemical products

The Stockholm Convention on Persistent Organic Pollutants (POPs) set forth obligations to reduce and/or eliminate the production and use of certain listed pesticides and industrial chemicals that are persistent organic pollutants (POPs) as they are dangerous for human health and the environment. The Convention specifies obligations relating to the import and export of those substances. Ten pesticides and/or industrial chemicals are listed either in Annex A (elimination Annex) or Annex B (restricted use Annex). All but one are also listed in the Rotterdam Convention. The Convention also contains obligations to reduce or eliminate releases from the unintentional production of certain substances that are listed in Annex C.

There is a mechanism under the Convention to enable other substances to be added in the future (Article 8). Criteria considered for classification include, in particular, the level of persistence, bioaccumulation potential, potential for long-range transport, adverse effects and information on the risk profile (Annex D). For instance, regarding bio-accumulation in aquatic species, a chemical would meet this criteria if its BCF is greater than 5000 or log Kow greater than 5, when these values are respectively 500 and 4 in the GHS. Similarly, toxicity, ecotoxicity, adverse effects to human health or the environment are other parameters taken into account, but Annex D does not precise any related assessment criteria to quantify them. Annex E defines the information requirements for the risk profile, of which in section (b) "Hazard assessment for the endpoint or endpoints of concern,..." and (c) Environmental fate.

The Stockholm Convention on Persistent Organic Pollutants entered into force on 17 May 2004. The Convention is serviced by UNEP. The first Conference of the Parties will take place in May 2005. At this first Conference, a POPs review committee should be established for evaluating additional chemicals and pesticides to be added to the initial list of 12 POPs. It will replace the Interim Chemical Review Committee, which was active before the Convention entered into force.
