

GHS Regulation

A Summary Guide

GHS Regulation

(Globally Harmonised System for the Classification and Labelling of Chemicals)

- New European Regulation on the classification and labelling of hazardous chemicals based on UN GHS agreement
- Likely to enter into force 2008 (with proposed 7 to 8 year transition period)
- Replaces the Dangerous Substances Directive and Dangerous Preparations Directive (implemented in the UK as the Chemicals Hazard Information and Packaging for Supply (CHIP) Regulation)
- Introduces new scientific criteria to assess the hazardous properties of chemicals, new hazard warning symbols (called pictograms) and new hazard warning symbols
- Creates a new database of agreed harmonised European classifications of substances, including the existing Annex I of the Dangerous Substances Directive (to be maintained by the new European Chemicals Agency base in Helsinki)

Why the need for GHS Regulation?

- Overall the UN GHS agreement is expected to promote sustainability on a global scale, in particular through the intended improvement in human health and environmental protection, through higher economic efficiency as a result of increased global trade and competition, and through the inclusion of developing countries in the global trade in chemicals
- While existing laws or regulations on identifying and communicating the hazardous properties of chemicals are similar in many respects, their differences are significant enough to result in different classifications, labels and safety data sheets (SDS)
- Decisions on when or how to communicate hazards also vary around the world, and companies wishing to be involved in international trade must either have resources to advise on the different requirements of these laws and regulations in different countries and prepare different labels and SDS for international trade, or outsource at some cost

GHS Regulation – Key elements

- CLASSIFICATION – substances and mixtures (previously referred to as preparations) will have to be classified according to the UN GHS criteria
- COMMUNICATION – once the hazardous properties have been identified labels and safety data sheets must be prepared according to the new UN GHS standards/criteria
- FLEXIBILITY – countries/trading blocks can select elements of the UN GHS agreement they wish to implement, and can continue with provisions that are not yet in scope (to note the EC is proposing introducing the vast majority on the UN GHS to reflect the existing EU system)
- HARMONISATION – despite the flexibility, the move to the UN GHS will constitute a major step towards the global harmonisation of classification and labelling systems
- PROTECTION – there should be no reduction in the level of protection (for either human health or environmental) due to the introduction of the UN GHS

GHS and other Legislation

- REACH – Substances will be registered under REACH, then classified under the GHS Regulation, before being evaluated, authorised (as appropriate) and restricted (if deemed necessary)
 - The duty to produce safety data sheets (which are GHS compliant) will remain part of the REACH Regulation
 - Provisions in REACH, referring to the existing classification and labelling legislation, will be amended within the GHS Regulation
- OTHER – The EC will amend all other affected European legislation (legislation that refers to classification and labelling, or uses classifications to trigger other controls – e.g. SEVESO (COMAH Regulations) either within the GHS Regulation itself, or as part of a separate review of the individual pieces of legislation

GHS timeline (key dates)

*Please note these are approximate as no formal dates are available yet

- Mid 2007 – Formal Publication of EC Proposal
- Mid 2007-Start 2008 – Formal Member State Negotiations
- Mid 2008 - Entry into force of the GHS Regulation (start of transition period)
- 2008 – 2015 – Transition/implementation period
- January 2015 – ‘Switch off’ of existing classification and labelling legislation (end of transition period)

Implementation and enforcement

- Since the GHS is being implemented through a direct acting Regulation there will not be any transposing UK legislation. There will only be UK legislation to allow enforcement of the GHS Regulation's provisions
- Member States are responsible for enforcement of the GHS Regulation in their own country
- HM Government has yet to decide on plans to enforce GHS within the UK, however, it is likely that both HSE and Local Authorities will play a role

Further information

- www.hse.gov.uk/ghs
- www.unece.org/trans/danger/publi/ghs/ghs_welcome_e.html
- http://ec.europa.eu/enterprise/reach/ghs_en.htm

