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Series on Testing and Assessment

No. 70

**Report on Preparation of GHS Implementation
by the OECD Countries**

IOMC

INTER-ORGANIZATION PROGRAMME FOR THE SOUND MANAGEMENT OF CHEMICALS

A cooperative agreement among UNEP, ILO, FAO, WHO, UNIDO, UNITAR and OECD

Environment Directorate

ORGANISATION FOR ECONOMIC CO-OPERATION AND DEVELOPMENT

Paris 2007



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ABOUT THE OECD

The Organisation for Economic Co-operation and Development (OECD) is an intergovernmental organisation in which representatives of 30 industrialised countries in North America, Europe and the Asia and Pacific region, as well as the European Commission, meet to co-ordinate and harmonise policies, discuss issues of mutual concern, and work together to respond to international problems. Most of the OECD's work is carried out by more than 200 specialised committees and working groups composed of member country delegates. Observers from several countries with special status at the OECD, and from interested international organisations, attend many of the OECD's workshops and other meetings. Committees and working groups are served by the OECD Secretariat, located in Paris, France, which is organised into directorates and divisions.

The Environment, Health and Safety Division publishes free-of-charge documents in ten different series: **Testing and Assessment; Good Laboratory Practice and Compliance Monitoring; Pesticides and Biocides; Risk Management; Harmonisation of Regulatory Oversight in Biotechnology; Safety of Novel Foods and Feeds; Chemical Accidents; Pollutant Release and Transfer Registers; Emission Scenario Documents; and the Safety of Manufactured Nanomaterials.** More information about the Environment, Health and Safety Programme and EHS publications is available on the OECD's World Wide Web site (<http://www.oecd.org/ehs/>).

This publication was produced within the framework of the Inter-Organisation Programme for the Sound Management of Chemicals (IOMC).

The Inter-Organisation Programme for the Sound Management of Chemicals (IOMC) was established in 1995 following recommendations made by the 1992 UN Conference on Environment and Development to strengthen co-operation and increase international co-ordination in the field of chemical safety. The participating organisations are FAO, ILO, OECD, UNEP, UNIDO, UNITAR and WHO. The World Bank and UNDP are observers. The purpose of the IOMC is to promote co-ordination of the policies and activities pursued by the Participating Organisations, jointly or separately, to achieve the sound management of chemicals in relation to human health and the environment.

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TABLE OF CONTENTS

ABOUT THE OECD	9
Summary	12
Background	12
Responses	13
1. Activities completed or planned	13
2. Sectors within which countries/region will implement the GHS.....	15
3. Precise name of the Implementation Instrument and government department/agency responsible for the instrument	16
4a. Information related to the implementation instrument	18
4b. National / regional regulations for the transport of dangerous goods based on the UN Recommendations for the Transport of Dangerous Goods, Model Regulations?	21
5. Date of entry into force.....	23
6. Transitional Period for GHS Implementation.....	24
7. Coverage of the different sectors.....	25
8. Coverage of GHS hazard classes.....	25
9. Coverage of GHS Categories.....	27
10. GHS translation into national languages	29
11. Specific problems in implementing the GHS	29
12. Website addresses where additional information can be found.....	31
ANNEX: QUESTIONNAIRE ON PREPARATION FOR GHS IMPLEMENTATION.....	32

REPORT ON PREPARATION OF GHS IMPLEMENTATION BY THE OECD COUNTRIES

Summary

This report presents a compilation of the responses received from the OECD countries to the questionnaire on preparation of GHS implementation, which was developed by the OECD and UNITAR/ILO. The Secretariat received responses for 27 out of 30 member countries: Canada, Japan, Australia, the European Commission (EC) on behalf of the 19 EU member countries, Norway, Switzerland, New Zealand, the United States and Korea. In addition, the responses from the EC are also relevant for the 8 other EU Member States, which are not OECD countries.

New Zealand has already completed the different preparatory steps and implemented the GHS. The other countries are at different stages of preparation of GHS implementation. None of the OECD countries has planned a comprehensibility testing in the preparation of GHS implementation.

Most countries will implement the GHS in the four main sectors (Transport, Industrial/Workplace, Consumer Products and Agriculture/Pesticides). The other countries have already decided or are still considering whether they will implement it in certain sectors.

Only New Zealand could provide the precise name of the implementation instrument. Countries have generally identified several government departments/agencies or EC directorates responsible for the instrument in the different sectors they will cover.

Except a few exceptions, the implementation instruments will be legally binding. Depending on countries and sectors, there will be only one or several different instruments, and new or revised instruments. In several countries, specific provisions will be provided for facilitating updates of the instruments.

For the Transport Sector, national/regional regulations are all based on the UN Recommendations for the Transport of Dangerous goods, Model Regulation; however, up to now, countries have implemented different editions of the UN Recommendations, from the 11th to the 14th.

Most countries plan an entry into force for several sectors in 2008, and all the countries intent to have some kind of transitional period. Countries have indicated a few sectors, hazard classes and categories, which they don't plan to implement at this stage (Building Block Approach).

Some countries have indicated areas where they met some difficulties and identified the need for guidance on some specific issues.

Background

1. In February 2006, the OECD Joint Meeting of the Chemicals Committee and Working Group on Chemicals, Pesticides and Biotechnology agreed to develop a general status report on the GHS implementation in the OECD countries. At the meeting of the OECD Task Force on Harmonization of Classification and Labelling (TF HCL) that was held in March 2006, the Secretariat reported on the Joint Meeting discussion and presented preliminary items that could be included in a questionnaire on GHS implementation. The Secretariat also asked whether a few participants would like to be involved in the development of the questionnaire. The Chair of the UN Sub-Committee of Experts on the Globally Harmonized System of Classification and Labelling (UN SCEGHS) (Canada), the Chair of the Task Force on HCL (Sweden), the representative of the European Commission and the representative of the Secretariat

of the UN SCEGHS agreed to provide comments on the draft questionnaire that would be prepared by the Secretariat.

2. Then, in order to extend the survey to non OECD countries and to avoid duplication, the UNITAR and the OECD Secretariats agreed to further develop jointly the draft questionnaire, taking into account as far as possible the comments received from the above TF HCL participants. A few questions were designed specifically for countries wishing to seek the support of UNITAR/ILO in implementing GHS.

3. The draft joint questionnaire was submitted for comments at the Tenth Meeting of the UNITAR/ILO GHS Capacity Building Programme Advisory Group (PAG) meeting on 11 July 2006 and at the meeting of the UN SCEGHS on 12-14 July 2006. The PAG meeting made a few comments and the questionnaire was revised accordingly.

4. The questionnaire (See Annex) was sent by the OECD Secretariat to the Heads of Delegation on 21 July 2006, with a request for comments by 20 September 2006. In order to facilitate coordination in countries, the members of the UN SCEGHS were informed that the questionnaire had been sent to the Joint Meeting. The European Commission agreed to respond to the questionnaire on behalf of the EU Member States.

5. This status report on preparation for GHS implementation in the OECD countries was prepared on the basis of the responses from the OECD countries to the questionnaire. In April 2007, the Joint Meeting agreed on its declassification and submission to the UN SCEGHS. Responses, received from Korea after the Joint Meeting submission, were added to the final report. The status report will be presented by the OECD Secretariat at the second meeting of the WSSD Global Partnership for Capacity Building to Implement the GHS, in July 2007, together with a status report on preparation for GHS implementation by non OECD countries, which will be presented by UNITAR.

Responses

6. The Secretariat received responses for 27 out of 30 member countries: Canada, Japan, Australia, the European Commission, Norway, Switzerland, New Zealand, the United States and Korea. Countries did not always respond to all questions.

The ISO codes used for countries in the document tables are as follows:

Australia	AUS
Canada	CAN
Japan	JPN
Korea	KOR
New Zealand	NZL
Norway	NOR
Switzerland	CHE
United States	USA

1. Activities completed or planned

New Zealand has already implemented the GHS and completed the different preparatory steps. The other countries are at different stages of preparation of GHS implementation, as shown in Table 1 below. None of the OECD countries has carried out comprehensibility testing.

Table 1: Activities completed or planned

	CAN	JPN	EU (supply & use) Norway ¹	AUS	CHE	USA	KOR
Situation and Gap Analysis	Completed	Completed (2004)	Completed (June 2004)	Currently under investigation for consumer and agricultural chemicals Not planned at this stage	Planned (end February 2007)	Initial analyses completed for pesticides (7/04). Industrial/workplace sector (3/04) and transport sector	July 2005
Comprehensibility Testing							
Impact Study and/or Cost Benefit Analysis	Start 2006	Completed (2004)	Consultants' study May 2006 Commission study planned Nov 2006	Currently being undertaken for workplace and agvet chemicals	Planned (end June 2007)	Full analysis to be completed in connection with any rulemaking activity	December 2006
First Draft of the Implementation Instrument²	To be determined		Draft Regulation (August 2006)	To be determined	Probably 2008 ³	No date specified: may vary by agency	
Consultation with Stakeholders	Ongoing	Completed (2004)	Ongoing process; public internet consultation 21 August till 21 October 2006	Ongoing for workplace chemicals, agvet chemicals	Probably 2008/2009 ³	2004 and ongoing	Ongoing
Development of a National Implementation Strategy	Completed		Implementation within the existing Community procedures	To be determined	End of 2007 ³	Ongoing interagency consultations	Ongoing
Final Adoption of the Implementation Instrument	To be determined	Completed?	Planned for end 2007/beginning 2008	To be determined		No date specified: may vary by agency	Planned for end 2007

¹ See reply from the EC. Norway will implement the EU regulation due to the European Economic Area (EEA) Agreement.

² Examples of Implementation Instruments are laws, directives or regulations.

³ Not yet decided; decision depends on the outcome of the Situation Analysis and Impact Study.

2. Sectors within which countries/region will implement the GHS

Most countries will implement the GHS in the four main sectors (Transport, Industrial/Workplace, Consumer Products and Agriculture/Pesticides) as shown in Table 2. Other countries have already decided or are still considering whether they will implement it in certain sectors (See also Table 18).

Table 2

Sector	CAN ⁴	JPN	EU	AUS	NOR	CHE	NZL	USA ⁷	KOR
Transport	X ⁵	X	X		X	X	X	X ⁷	X
Industrial / Workplace	X	X	X ⁶	X	X ⁶	X	X	X ⁷	X
Consumer Products	X		(X) ⁶	X ¹⁰	(X) ⁶	X	X	See Table 7	
Agriculture / Pesticides ⁸	X ⁹		(X) ⁶	X ¹⁰	(X) ^{6 11}	X ¹²	X	See Table 8	X
Other ¹³			(X) ⁶		(X) ⁶	X ¹⁴			

⁴ The sectors are working on GHS implementation in Canada.

⁵ In the Transport Sector, implementation of the GHS is through the fourteen revised edition of the UN Recommendations on the Transport of Dangerous Goods.

⁶ Industrial/Workplace includes Consumer Products, Plant Protection Products and Biocides.

⁷ Transport rule-making under way, expected to be largely complete (except for aquatic toxicity) in 2007. Industrial/Workplace: Advance Notice of Proposed Rule-Making issued September 12, 2006. Consumer products: situation analysis ongoing. Agriculture/pesticides: White Paper outlining initial thinking issued for comment by 12/04, stakeholder consultation ongoing.

⁸ If not already included in Industrial / Workplace or Consumer products

⁹ Pest Control Products

¹⁰ The Australian Government is currently consulting with stakeholders in the agricultural and veterinary chemicals sectors to consider the implications, cost and benefits of implementing the GHS. No policy decision has yet been made regarding what extent the GHS would be applied. In regard to consumer products a Working Group has been established by the Office of Chemical Safety in the Department of Health and Ageing to identify the implications and to advise the National Drugs and Poisons Schedule Committee (NDPSC). No policy decision has yet been made.

¹¹ See also respond to the FAO-questionnaire July 2006 from the Norwegian Food Control Authority

¹² Plant Protection Products and Fertilizers

¹³ If not already included in other sectors

¹⁴ Biocidal Products

3. Precise name of the Implementation Instrument¹⁵ and government department/agency responsible for the instrument

Only New Zealand could provide the precise name of the implementation instrument. Countries have generally identified the government departments/agencies (or EC general directorates) responsible for the instrument in the different sectors they will cover.

Table 3

Country	Precise name of the implementation instrument
CAN	See Tables 5-8
JPN	
EU	Regulation of the European Parliament and of the Council on Classification and Labelling of Substances and Mixtures based on the Globally Harmonized System (for the supply and use sector)
AUS	Will vary between sectors
NOR	New EU Regulation (for the supply and use sector)
CHE	Not yet decided. GHS will be adopted either by amending existing directives or by a new piece of legislation
NZL	Hazardous Substances and New Organisms Act 1996 (HSNO) and associated Hazardous Substances regulations; specifically the GHS classification criteria (as at May 2001) are contained in the Hazardous Substances (Minimum Degrees of Hazard) Regulations 2001 and the Hazardous Substances (Classification) Regulations 2001. The Hazardous Substances (Identification) Regulations 2001 contain performance based requirements for the provision of information on hazardous substance labels and safety data sheets which allow for the adoption of the GHS hazard communication elements but which do not make their use mandatory.
USA	NA; will likely be separate instruments for individual agencies.
KOR	See Tables 5, 6 and 8

Table 4

Country	Government department/agency responsible for the instrument
CAN	See Tables 5-8
EU	European Commission
AUS	Will vary between sectors
NOR	Norwegian Pollution Control Authority in cooperation with other Norwegian authorities (see Tables 5-8)
CHE	Different Federal Departments/Agencies, depending on the sector and hazards, respectively (see Tables 5-9)
NZL	Ministry of the Environment is the policy ministry responsible for the HSNO legislation / Environmental Risk Management Authority (of New Zealand) is the government agency responsible for the operational implementation of this legislation.
KOR	See Tables 5, 6 and 8

For some countries, Tables 5, 6, 7, 8 and 9 provide additional information on the implementation instruments and on the government departments/agencies (or EC general directorates) responsible for the instruments in the different sectors.

¹⁵ Examples of Implementation Instruments are laws, directives or regulations

Table 5: Transport

	Implementation Instrument	Government Department
CAN	Transportation of Dangerous Goods Act and associated Regulations	Department of Transport
JPN	Maritime Transport: the Regulations for the Carriage and Storage of Dangerous Goods by Ships; the Notice for the Carriage of Dangerous Goods by Ships Air Transport: On the basis of the existing civil aeronautics law and related rules of our state	Ministry of Land, Infrastructure and Transport
EU	Directives	European Commission DG for Energy and Transport (TREN)
AUS	Australian Dangerous Goods Code	Department of Transport and Regional Services
NOR	Legislation	The Directorate for Civil Protection and Emergency Planning
CHE	SDR, RSD according to UN/SCEGHS/11/INF.2	DETEC / FEDRO (road), FOT (railway and inland waterways), FOCA (air) ¹⁶
NZL	In addition to the GHS based HSNO legislation, the transport of dangerous goods in New Zealand is managed under sectorial transport legislation; namely: Land transport is covered by the Land Transport Rule Dangerous Goods	Land Transport: Land Transport New Zealand Air Transport: Civil Aviation Authority of New Zealand Sea Transport: Maritime New Zealand
USA	Regulations	Department of Transportation
KOR	Ship Safety Act	Ministry of Maritime Affairs and Fisheries

Table 6: Industrial / Workplace

	Implementation Instrument	Government Department
CAN	Hazardous Products Act and associated <i>Controlled Products Regulations</i>	Department of Health
EU (including Consumer Products, PPP and Biocides)	Regulation	European Commission DG ENTR and ENV
AUS	Draft National documents under preparation. Once agreed, will require implementation in separate state and territory regulations.	Department of Employment and Workplace Relations
NOR (including Consumer Products, PPP and Biocides)	Regulation	Norwegian Pollution Control Authority, the Directorate of Labour Inspection, the Directorate for Civil Protection and Emergency Planning and the Norwegian Petroleum Directorate
CHE	Most likely a directive (not yet decided)	DETEC / FOEN (Environment) DHA / FOPH (Human Health) DEA / SECO (Industrial Hygiene) ¹⁷
USA	Standard	Department of Labor, Occupational Safety and Health Administration
KOR	Toxic Chemicals Control Act Industrial Safety and Health Act Hazardous Material Safety Act	Ministry of Environment Ministry of Labor National Emergency Management Agency

¹⁶ DETEC: Federal Department for the Environment, Transport, Energy and Communications; FEDRO: Federal Roads Authority; FOT: Federal Office of Transport; FOCA: Federal Office of Civil Aviation.

¹⁷ DETEC: Federal Department for the Environment, Transport, Energy and Communications; FOEN: Federal Office for the Environment; DHA: Federal Department of Home Affairs; FOPH: Federal Office of Public Health; DEA: Federal Department of Economic Affairs; SECO: State Secretariat for Economic Affairs.

Table 7: Consumer Products

	Implementation Instrument	Government Department
CAN	Hazardous Products Act and associated <i>Consumer Chemicals and Container Regulations</i>	Department of Health
EU	See Table 6	See Table 6
AUS	Most likely State/Territory Poisons Legislation	Department of Health and Aging
NOR	See Table 6	See Table 6
CHE	Most likely a directive (not yet decided)	DETEC /FOEN (Environment), DHA / FOPH (Human Health) ¹⁷
USA	Not yet determined	Consumer Product Safety Commission

Table 8: Agriculture / Pesticides

	Implementation Instrument	Government Department
CAN	Pest Control Products Act and associated Regulations	Department of Health – Pest Management Regulatory Agency
EU	See Table 6	See Table 6
AUS	No instrument identified at this stage	Department of Agriculture, Fisheries and Forestry
NOR	Legislation will be required	The Norwegian Food Control Authority
CHE	Most likely a directive (not yet decided)	DEA / FOAG (Agriculture) DETEC / FOEN (Environment) DHA / FOPH (Human Health) ¹⁸
USA	Regulations would be required	Environmental Protection Agency
KOR	Agriculture Chemicals Control Act	Ministry of Agriculture and Forestry

Table 9: Others

	Implementation Instrument	Government Department
AUS		Department of Environment and Heritage
CHE (biocides)	Most likely a directive (not yet decided)	DETEC/FOEN (Environment) DHA/FOPH (Human Health) ¹⁸

4a. Information related to the implementation instrument

Except a few exceptions, the implementation instruments will be legally binding. Depending on countries and sectors, there will be only one or several different instruments, and new or revised instruments. In several countries, specific provisions will be provided for facilitating updates of the instruments.

Tables 10-14 provide information for each sector.

¹⁸DEA: Federal Department of Economic Affairs; FOAG: Federal Office for Agriculture; DETEC: Federal Department for the Environment, Transport, Energy and Communications; FOEN: Federal Office for the Environment; DHA: Federal Department of Home Affairs; FOPH: Federal Office of Public Health.

Table 10: Transport

Implementation instrument	CAN	EU	NOR	CHE	NZL	USA	KOR
Voluntary							
Legally binding	X	X	X	X	X ¹⁹	X	X
One instrument	X						X
Several instruments		X	X	X	X	X	
New instruments					X		
Revision of existing instruments	X			X		X	X
Specific provisions to facilitate updates	X	X	X				X
Non-compliance: provisions for control/sanctions	X	X	X	X	X	X	X

Table 11: Industrial / Workplace

Implementation instrument	CAN	JPN	EU ²⁰	AUS	NOR	CHE	NZL	USA	KOR
Voluntary									
Legally binding	X	X	X	X	X	X	X ²¹	X	X
One instrument	X		X			X		X	
Several instruments					X		X		X
New instruments			X	X	X	(X)			
Revision of existing instruments	X			X		(X)		X	X
Specific provisions to facilitate updates	X		X	X	X				
Non-compliance: provisions for control/sanctions	X		X		X	X	X	X	X
Implementation of GHS First Edition (2003)							X		
Implementation of GHS First revised Edition (2005)	X		X	X	X	X		X	X

¹⁹ Note: GHS labelling elements are not mandatory

²⁰ Industrial/Workplace includes Consumer Products, PPP and Biocides.

²¹ Note: GHS labelling elements are not mandatory.

Table 12: Consumer Products

Implementation instrument	CAN	JPN	EU ²²	AUS	NOR ²²	CHE	NZL	USA ²³
Voluntary		X		Likely				
Legally binding	X			Unknown		X	X ²⁴	
One instrument	X			Unknown		X	X	
Several instruments				Unlikely				
New instruments				Likely		(X)	X	
Revision of existing instruments	X			Unknown		(X)		
Specific provisions to facilitate updates	X			Unknown				
Non-compliance: provisions for control/sanctions	X					X	X	
Implementation of GHS First Edition (2003)				Possibly			X	
Implementation of GHS First revised Edition (2005)	X			Likely		X		

²² See Table 11

²³ Not yet determined

²⁴ Note: GHS labelling elements are not mandatory

Table 13: Agriculture / Pesticides

Implementation instrument	CAN	EU ²⁵	AUS	NOR ²⁵	CHE (PPP and fertilizers)	NZL	USA	KOR
Voluntary					(?) ²⁶			
Legally binding	X		Likely		(?)	X ²⁷	X	X
One instrument	X		Unknown		(?)	X		X
Several instruments			Unknown		(?)			
New instruments			Unlikely		(?)	X		
Revision of existing instruments	X		Likely		(?)		X	X
Specific provisions to facilitate updates	X							X
Non-compliance: provisions for control/sanctions	X				(?)	X	X	
Implementation of GHS First Edition (2003)			Unlikely			X		
Implementation of GHS First revised Edition (2005)	X		Possibly		(?)		Not yet determined	X

Table 14: Others

Implementation instrument	CHE (Biocidal Products)
Voluntary	
Legally binding	X
One instrument	X
Several instruments	
New instruments	(X)
Revision of existing instruments	(X)
Specific provisions to facilitate updates	
Non-compliance: provisions for control/sanctions	X
Implementation of GHS First Edition (2003)	
Implementation of GHS First revised Edition (2005)	X

4b. National / regional regulations for the transport of dangerous goods based on the UN Recommendations for the Transport of Dangerous Goods, Model Regulations?

For the Transport Sector, national/regional regulations are all based on the UN Recommendations for the Transport of Dangerous goods, Model Regulation; however, up to now, countries have

²⁵ See Table 11

²⁶ (?): not yet decided by the responsible Agency

²⁷ Note: GHS labelling elements are not mandatory

implemented different editions of the UN Recommendations, from the 11th to the 14th, as show the responses in Table 15.

Table 15

Are your national/ regional regulations based on the UN Recommendations for the Transport of Dangerous Goods, Model Regulations?	CAN	JPN²⁸	EU	AUS	NOR	CHE	NZL	USA	KOR
Yes	X	X	X	X	X	X	X	X	X
No									
If Yes, which edition	11 th ²⁹		14 th	11 th ³⁰	14 th	14 th (by January 2007)	12 th ³¹	14 th	14 th

²⁸ Through IMDG Code in maritime transport and the ICAO Technical Instructions in air transport MILT has adopted

²⁹ Work is under way to update the national requirements based on the 14th revised edition

³⁰ Currently being revised to align with 14th edition

³¹ Transport Rules call up the “latest edition”, in practice the 12th edition is used in the national standard for the Transport of Dangerous Goods on Land

5. Date of entry into force

Most countries plan an entry into force for several sectors in 2008, as shown in [Table 16](#).

Table 16: Date of entry into force

	CAN	JPN	EU	AUS	NOR	CHE	NZL	USA	KOR
Transport	To be determined	The law and regulation have already been implemented	1 January 2007 (ADR, RID)		1 January 2007 (ADR, RID)	1 January 2007	?	2007 for most provisions	1 January 2006
Industrial / Workplace	To be determined	1 December 2006	Planned Spring 2008 ³²	To be determined ³³	Planned Spring 2008 ³²	n.d. ³⁴	2 July 2001-1 July 2006	2008/12 (goal)	Planned 2008
Consumer products	To be determined			To be determined		n.d. ³⁴	2 July 2001-1 July 2006	Not yet determined	
Agriculture / Pesticides	To be determined			Unknown		n.d. ³⁴	2 July 2001-1 July 2006	Not yet determined	Planned 2008
Others						n.d. ³⁴			

³² Industrial/Workplace includes Consumer Products, PPP and Biocides.

³³ Consultation on timeframes for GHS is ongoing

³⁴ not yet determined

6. Transitional Period for GHS Implementation

All the countries (have) intend(ed) on having some kind of transitional period. Details are provided in the notes to [Table 17](#).

Table 17: Planned transition period

Planned Transitional period?	CAN	JPN	EU	AUS	NOR	CHE	NZL	USA	KOR
Yes	X	X ³⁵	X ³⁶	X ³⁷	X ³⁸	X ³⁹	X ⁴⁰	X ⁴¹	X
No									

³⁵ Workplace:

We reprove an application of revised law to stocks applied newly during a half year

The cut-off value is managed at 1% for two years

³⁶ For the supply and use sector it is planned to have a transitional period:

3 years for substances in line with the first registration deadline in REACH

Plus additional 4 to 5 years for mixtures

³⁷ Consultation on transitional periods for GHS implementation for industrial/workplace is currently being undertaken. If implemented for the agriculture and veterinary chemicals sector, then there would likely be a transitional period.

³⁸ Not yet finally decided – depends on the result of the discussion within EU – hopefully not as long as 3+4/5 years

³⁹ The transitional period(s) for substances/mixtures is/are addressed by the impact study and Cost/Benefit Analysis that is currently being conducted jointly by the responsible federal agencies/offices.

⁴⁰ An initial 5 year period was used to transfer all hazardous substances progressively under the GHS based classification framework (July 2001 to July 2006). For dangerous goods (generally as listed in the UNRTDG) which were transferred in March 2004 there was a two year period until April 2006 for these to be labeled in accordance with the new GHS based requirements. Similarly, pesticides which were transferred in in July 2004 had until July 2006 to become compliant with the new labelling requirements. The bulk of industrial, commercial, and consumer products, which were transferred in June 2006 have until July 2008 to become compliant with the new labelling requirements for which the GHS hazard communication elements, are a means of compliance. In addition to this and in recognition that NZ's adoption of GHS is well ahead of its major trading partners, provision has also been made to accept, for these latter substances, labelling in accordance with the current requirements of Australia, USA, Canada, or the EU, until December 2010. This date was chosen as an estimate of when these countries would be likely to be GHS compliant including a transitional period there.

⁴¹ No period has yet been determined, but agencies have acknowledged that there will be a need for transitional period. It is too early in the process to specify how phase-in will be implemented or timing outside of the transport sector. Sectors are likely to seek to align with current cycles for updating SDS and labels. Public input has been solicited to help establish an appropriate transition period for the workplace sector.

7. Coverage of the different sectors

Section 7 to 9 provide information on which sectors, hazard classes and categories countries cover or plan to cover (Building Block Approach). Table 18 shows the sectors which (are not) will not be covered.

Table 18: Sectors NOT Covered

	JPN	EU	AUS	NOR	USA	KOR
Transport						
Industrial / Workplace						
Consumer Products	X					X
Agriculture / Pesticides⁴²	X ⁴³		Extent of coverage to be determined. Veterinary pharmaceuticals are not likely to be covered			
Others⁴⁴		See Article 1 of the draft legislative proposal ⁴⁵		See Article 1 of the draft legislative proposal ⁴⁵		

8. Coverage of GHS hazard classes

Tables 19 and 20 provide information on which hazard classes (are) will be covered. Table 19 below shows responses to the question: “Will all hazard classes be implemented for the sectors that will be covered?”

Table 19

	CAN ⁴⁶	EU	AUS	NOR	CHE	USA	KOR
YES		For supply and use		For supply and use	Very likely, but decision is pending		
NO	X	For transport	X	For transport		X	X

Table 20 provides, for each relevant sector, the hazard classes that (are NOT) will NOT be covered. The question was: If not all hazard classes are covered, indicate in the table below, for each relevant sector, the hazard classes (e.g. reproductive toxicity) that are NOT covered⁴⁷.

⁴² If not already included in Industrial / Workplace or Consumer products

⁴³ Agricultural pesticides – end use products

⁴⁴ if not already included in other sectors

⁴⁵ http://ec.europa.eu/enterprise/reach/ghs_consultation_en.htm

⁴⁶ Note: A comparison of Sector Interim Recommendations or Preferred Options which reflect the current status of preferred options for adoption up to 23 February. The technical consultations are not completed. These results are subject to change. This document is available at the Canadian GHS site (www.healthcanada.ca/ghs and www.santecanada.ca/sgh)

⁴⁷ Only when the non-covered classes are not explicitly mentioned in the GHS for a specific sector.

Table 20: Hazard Classes NOT covered

	CAN	EU and NOR	AUS	CHE	NZL	USA	KOR
Transport	Those hazard classes not covered by the UNRTDG	Class 9, in accordance with document UN/SCEGHS /11/INF2		According to UN/SCEGHS /11/INF2	Although the HSNO legislation adopts all GHS classification categories, in the transport sector control is deferred to the Land Transport Rule which controls only those classes / categories covered by the UNRTDG.	Expected to include physical hazards and environmental hazards (aquatic toxicity), but not health hazards, (except for severe acute toxicity)	hazard classes not covered by the UNRTDG
Industrial / Workplace	To be determined		Aquatic toxicity (acute and chronic)	n.d. ⁴⁸		Expected to include all health hazards and physical hazards, not environmental hazards	
Consumer products	To be determined		To be determined	n.d.		Not finally determined, but not expected to include environmental hazards	
Agriculture / Pesticides	To be determined		To be determined	n.d.		Not finally determined, but not expected to include chronic hazard classes	
Others				n.d.			

⁴⁸ Not yet decided

9. Coverage of GHS Categories

Tables 21, 22 and 23 provide information on categories that (are NOT) will NOT be covered by some countries/region. Table 21 shows responses to the question: “Will all GHS categories be implemented for the hazard classes that will be covered?”

Table 21

	EU	AUS	NOR	CHE	NZL	USA	KOR
Yes					X		
No	X	X	X	X ⁴⁹		X	X

Tables 22 and 23 provide general and detailed information, respectively, on categories that will Not be covered.

Table 22: Categories not covered (general information)

	CAN ⁵⁰	EU	AUS	NOR	CHE	NZL	USA	KOR
Transport	Those hazard classes and categories not covered by the UNRTDG	See below		See below	According to UN/SCEGHS/11/INF. 2	Although the HSNO legislation adopts all GHS classification categories, in the transport sector control is deferred to the Land Transport Rule which controls only those classes/categories covered by the UNRTDG	See Table 23	
Industrial/ Workplace	To be determined		See below		n.d.		See Table 23	See below
Consumer Products	To be determined		To be determined		n.d.		See Table 23	
Agriculture/ Pesticides	To be determined		To be determined		n.d.		See Table 23	

⁴⁹ Decision is pending

⁵⁰ See Footnote 46

Table 23: Categories not covered (detailed information)

	Flamable gases	Flammable Liquids	Acute Toxicity	Chronic Toxicity	Skin Corrosion /Irritation	Aspiration Hazard	Aquatic Toxicity
EU Workplace ⁵¹		Cat. 4	Cat. 5		Cat. 3	Cat. 2	Cat. 2 and 3 Acute
EU (Transport through UNRTDG)							Cat 2-3 acute, Cat. 3-4 chronic ⁵²
AUS (Industrial/Workplace) ⁵³			Cat. 5 ⁵⁴				
NOR Workplace ⁵¹⁻⁵⁵		Cat. 4			Cat. 3	Cat. 2	Cat. Acute 2 and 3
NOR (Transport through the UNRTDG)							Cat 2-3 acute, Cat. 3-4 chronic ⁵²
USA (Transport)			Cat. 4-5				Likely
USA (Industrial/workplace)			Not finally determine, possibly 5				NA
USA (Consumer Products)	Not finally determined	Not finally determined	Not finally determined	Not finally determined	Not finally determined	Not finally determined	NA
USA (Agriculture /Pesticides)	Not finally determined	Not finally determined	Not finally determined	Not finally determined, initial White paper did not include chronic hazard classes			Not finally determined, initial White Paper did not include chronic categories;
KOR Industrial/workplace			Cat. 5		Cat. 3		Cat. 2-3

⁵¹ EU Workplace includes Consumer Products, PPP and Biocides

⁵² In accordance with UN/SCEGHS/11/INF2

⁵³ To be determined for other sectors

⁵⁴ As proposed in public consultation draft, September 2006, applies to oral, dermal and inhalation

⁵⁵ Norway wants Cat. 5 of Acute Toxicity included

10. GHS translation into national languages

The EU will provide its implementation instrument in 21 languages.

Table 24

CAN	EU	AUS	NOR	CHE	NZL	USA	KOR
No	Es, cs, da, de, et, el, en, fr, it, lv, hu, mt, nl, pt, sk, sl, fi, sv and from 2007 additionally bg, ga, ro.	No	Into Norwegian as a part of the new legislation and not a separate GHS document	It is not yet decided, whether or not – and if, to what extend- GHS will be translated into national languages. Most likely at least the hazard Statements and the precautionary statements will be made available in German, French and Italian.	Only English used	Not required	GHS purple book (2 nd version) was translated

11. Specific problems in implementing the GHS

Table 25 describes areas where countries met some difficulties and also underlines the need for guidance on some specific issues.

Table 25

CAN	<ul style="list-style-type: none"> ➤ Canada's objectives include harmonization to the greatest extent possible with other countries, particularly the NAFTA countries, but there is a lack of detailed information regarding their implementation plans, and recommendations. ➤ Lack of consensus among different stakeholder groups regarding which hazard classes and categories should be adopted (e.g., acute toxicity, aspiration hazards, and hazardous to the aquatic environment). ➤ Concerns regarding potential harmonization issues/trade barriers that may result if countries adopt different hazard classes/categories or different cut-off values for the classification of untested mixtures for health hazards. ➤ Concern that different countries may implement different versions of the GHS document, e.g., 2003 version vs. 2005 version vs. next (second) revised version, which could result in a lack of international harmonization. ➤ Guidance in the GHS would be helpful for: aspiration hazards; label format; complex mixtures; labelling of small volume containers; and concentration ranges. ➤ Dealing with hazard classes currently covered by a system but not covered by the GHS may be a challenge, for example, workplace chemicals (WHMIS) covers biohazardous infectious materials.
EU	Up to now not, except that it is a challenging task to merge two existing legal instruments in one and the same time to include the GHS criteria, however we are still at an early stage within the legislative and implementation process.

ENV/JM/MONO(2007)8

AUS	A paper describing potential implementation issues in the pesticides and consumer products sectors was presented at the 12 th meeting of the UNSCEGHS in December 2006. The paper can be viewed at: http://www.unepce.org/trans/doc/2006/ac10c4/UN-SCEGHS-12-inf13e.pdf
NOR CHE	We have to wait for EU to finalize. Switzerland changed its legislation on C&L on 1 August 2005 (the former five toxicity classes were replaced by adaptation to the current C&L system of the European Community). The transition period for this change of the C&L system is expiring on 31 July 2007 (for delivery to end-users). Acceptance and support by manufacturers and importers of chemicals, particularly SMEs, for an implementation of GHS in Switzerland will strongly depend on whether or not major trading partners of Switzerland will adopt the GHS.
NZL	Specific issues or difficulties arising from the implementation of GHS in New Zealand have been as follows: <ul style="list-style-type: none"> • Classification of products (mixtures) when there is no product test data and a lack of data available on the components • Difficulty in determining whether the non-hazardous/hazardous threshold has been crossed in respect of some of the chronic toxicity endpoints because of this absence of data • Lack of data available which is consistent with some of the criteria in the HSN0/GHS endpoints, making it difficult in determining whether a certain classification has been triggered • Applying/adapting the GHS hazard based labelling elements to sectors/substances which require a more risk based approach. <p>The issues with classification have largely been overcome through a combination of the use of the GHS mixture rules for classification, the use of indirect data and a pragmatic approach to classification in some instances – often there may be no likelihood of exposure in a certain area which warrants classification against the corresponding hazard endpoint.</p> <p>With respect to applying GHS labelling principles, we are experiencing similar difficulties to other jurisdictions, particularly in applying these to situations where a risk-based approach is more commonly followed currently. This is the case, in particular, with the labelling of pesticides and the labelling of domestic consumer products. Further guidance from the Sub-committee in respect of the 'building block approach' to the adoption of the GHS will hopefully assist.</p>
KOR	<ul style="list-style-type: none"> - Coverage of building block approach - Unclear of sector specificities in using pictogram -Unclear of arrangements of the GHS label elements

12. Website addresses where additional information can be found

CAN	GHS Implementation: www.healthcanada.ca/ghs and www.santecanada.ca/sgl Canadian requirements for Workplace Chemicals: http://www.hc-sc.gc.ca/ewh-semt/occup-travail/whmis-simduit/ghs-sgh/index_e.html and http://www.hc-sc.gc.ca/ewh-semt/occup-travail/whmis-simduit/ghs-sgh/index_f.html
EU	http://ec.europa.eu/enterprise/reach/ghs_en.htm http://ec.europa.eu/enterprise/reach/ghs_consultation_en.htm
AUS	http://www.ascc.gov.au/ascc/AboutUs/PublicComment/OpenComment/WorkplaceHazardousChemicalsPublicComment.htm
NOR	See EU
CHE	No additional information is available yet on the Web.
NZL	http://www.ermanz.govt.nz/ http://www.legislation.govt.nz/ http://www.mfe.govt.nz/
USA	Transport sector: http://hazmat.dot.gov/regs/intl/globalharm.htm Industrial/workplace sector: http://www.osha.gov/SLTC/hazardcommunications/harmonization.html Pesticides: http://www.epa.gov/oppead1/international/globalharmon.htm
KOR	http://ghs.go.kr http://ghs.nier.go.kr

ANNEX

Questionnaire on Preparation for GHS Implementation

20 July 2006

Please send the completed questionnaire by **20 September 2006** by fax or email to:

OECD Countries:

Ms Laurence Musset
EHS Division
Environment Directorate
OECD
2, rue André Pascal
FR-75775 Paris
France
TEL: +33 1 4524 1676
FAX: + 33 1 4524 1675
Email: laurence.musset@oecd.org

Non-OECD Countries:

Ms Cheryl Chang
Programmes in Chemicals, Waste
and Environmental Governance
UNITAR
Palais des Nations
CH-1211 Geneva 10
Switzerland
Tel: +41 22 917 8394
Fax: + 41 22 917 8047
Email: cheryl.chang@unitar.org



WSSD Global Partnership for Capacity Building to Implement the GHS

Background and Instructions for Completing the Questionnaire

The UN Globally Harmonized System of Classification and Labelling of Chemicals (GHS) is a new tool for chemical hazard classification and communication, incorporating harmonized chemical hazard classification criteria and provisions for standardized labels and safety data sheets. In 2002, the World Summit on Sustainable Development (WSSD) encouraged countries to implement the GHS as soon as possible with a view to have the system fully operational by 2008. This survey is addressed to government representatives responsible for chemical hazard classification, communication and GHS implementation. Its purpose is to provide an indication of the status of national/regional preparations for GHS implementation around the world. It has been distributed by the OECD and UNITAR in support of the WSSD Global Partnership for Capacity Building to Implement the GHS.

The responses from OECD countries will be compiled into a status report which will provide an opportunity for those countries to exchange information and experience on GHS implementation. Information from non-OECD countries will be analysed by UNITAR to assess the needs for capacity-building activities in countries which may show difficulties in meeting the 2008 recommended target deadline for GHS implementation. Information from both OECD and non-OECD countries will also be transmitted to the secretariat of the United Nations Economic and Social Council's Sub-Committee of experts on the GHS for updating the GHS implementation website as deemed appropriate, at: http://www.unece.org/trans/danger/publi/ghs/implementation_e.html

Countries may wish to note that, upon implementation of the GHS, information and updates may be provided directly to the UN secretariat via e-mail to: ghs_implementation@unece.org whenever deemed appropriate and relevant."

Instructions

Please complete this questionnaire in consultation with relevant government agencies at the national/regional level in the sectors most concerned with GHS implementation.

The questionnaire consists of two parts. Part 2 is designed specifically for countries who may wish to seek the support of UNITAR/ILO in building capacities for GHS implementation. Developing countries that have not yet started the process of GHS implementation are suggested to reply only to questions 1, 2, 13, 14 and 15.

OECD countries and non-OECD countries should send the completed survey by **20 September 2006** to the OECD and UNITAR respectively to the contact information found at the front of this survey.

General Information

Country: _____ **date:** _____

Contact Details:

Name (First and Last): _____

Professional Title: _____

Organisation: _____

Address: _____

Telephone: _____

Fax: _____

Email: _____

PART 1

Implementation

1. Please check boxes for the following activities you have completed for GHS implementation. If you are planning these activities, please enter the planned date:

	<u>Activity</u>	<u>Date</u>
<input type="checkbox"/>	Situation and Gap Analysis	_____
<input type="checkbox"/>	Comprehensibility Testing	_____
<input type="checkbox"/>	Impact Study and/or Cost Benefit Analysis	_____
<input type="checkbox"/>	First Draft of the Implementation Instrument ⁵⁶	_____
<input type="checkbox"/>	Consultation with Stakeholders	_____
<input type="checkbox"/>	Development of a National Implementation strategy	_____
<input type="checkbox"/>	Final Adoption of the Implementation Instrument	_____

2. Please indicate the sectors within which your country will implement the GHS:

<input type="checkbox"/>	Transport (i.e. through implementation of the UNRTDG 14 th revised edition) ⁵⁷	
<input type="checkbox"/>	Industrial / Workplace	
<input type="checkbox"/>	Consumer Products	
<input type="checkbox"/>	Agriculture / Pesticides ⁵⁸ (please specify):	_____
<input type="checkbox"/>	Others ⁵⁹ (please specify):	_____

3. Precise name of the Implementation Instrument¹: _____

Government department/agency responsible for the instrument: _____

If different instruments and government departments cover different sectors, please complete the table below:

	Implementation instrument	Government Department
Transport		
Industrial / Workplace		
Consumer Products		
Agriculture/ Pesticides ³		
Others ⁴		

⁵⁶ Examples of Implementation Instruments are laws, directives or regulations.

⁵⁷ In the transport sector, implementation of the GHS is through the fourteen revised edition of the UN Recommendations on the Transport of Dangerous Goods.

⁵⁸ If not already included in industrial / workplace or consumer products.

⁵⁹ If not already included in other sectors.

4a. Information related to the implementation instrument. Please check the boxes for each sector covered by the GHS:

Implementation Instrument	Transport (see question 4b)	Industrial / Workplace	Consumer Products	Agriculture / Pesticides ³	Others ⁴
Voluntary					
Legally binding					
One instrument					
Several instruments					
New instrument					
Revision of existing instruments					
Specific provisions to facilitate updates					
Non-compliance: provisions for control/sanctions					
Implement the GHS First Edition (2003)	X				
Implement the GHS First Revised Edition (2005)	X				

4b. Are your national / regional regulations for the transport of dangerous goods based on the UN Recommendations for the Transport of Dangerous Goods, Model Regulations?

- Yes
 No

If yes, which edition? (14th revised, 13th revised, 12th revised, other): _____

5. Entry into force of the implementation instrument:

(Planned) date of entry into force : _____

If different dates are planned for different sectors please indicate in the table:

Sector:	Transport (through the UNRTDG)	Industrial/ Workplace	Consumer Products	Agriculture/ Pesticides ³	Others ⁴
Date:					

6. Is there a planned transitional period for GHS implementation?

- Yes
 No

If yes, please describe (e.g. for a specific sector; substances, then mixtures; certain substances, then others; timing of phase in periods, etc.):

GHS Coverage

7. Please indicate the sectors that are not covered by the GHS:

- Transport (i.e. the UNRTDG)
 Industrial / Workplace
 Consumer Products
 Agriculture / Pesticides³ (please specify): _____
 Others⁴ (please specify): _____

8. Will all GHS hazard classes be implemented for the sectors that will be covered?

- Yes
 No

If not, indicate in the table below, for each relevant sector, the hazard classes (e.g. reproductive toxicity) that are **not** covered⁶⁰:

Transport (through the UNRTDG)	Industrial/ Workplace	Consumer Products	Agriculture/ Pesticides ³	Others ⁴

9. Will all GHS categories be implemented for the hazard classes that will be covered?

- Yes
 No

If not, indicate in the table below for each relevant sector, the relevant hazard class (e.g. acute toxicity) in the first column, and the categories (e.g.: 4, 5) that are **not** covered⁶¹ in the sector columns:

Hazard Classes	Transport (through the UNRTDG)	Industrial/ Workplace	Consumer Products	Agriculture/ Pesticides ³	Others ⁴

⁶⁰ Only when the non-covered classes are not explicitly mentioned in the GHS for a specific sector. If necessary, please add rows to the table.

⁶¹ Only when the non-covered categories are not explicitly mentioned in the GHS for a specific sector.

Other information

10. Will the GHS be translated into national languages? If so, please specify:

11. Please indicate any specific problems that you have or had in implementing the GHS:

12. Please provide Website addresses where additional information can be found:

PART 2

13. Are there existing national chemical classification and hazard communication systems in place?

- Yes
 No

If yes, which sectors (e.g. transport, consumer products, etc):

14. What are the obstacles to implementation of the GHS in your country? Please rank the items below (1 being the biggest obstacle and 5 being the smallest obstacle).

- Lack of awareness of GHS
 Lack of resources / capacity
 Low priority
 GHS not required
 Other (please specify):
-

15. Would your country be interested in capacity building support for GHS implementation from UNITAR/ILO?

- Yes
 No