

**10th Consultation of the IOMC CG/HCCS
Geneva, 26-27 June 1997**

Draft Record

Item 1: Opening, Adoption of the Agenda and the Record of the 9th Consultation

1. Ms. Jennifer Silk, (US OSHA), Chairperson, welcomed the participants (list in **Annex 1**), and particularly government representatives from China, India, Russia and South Africa who attended the meeting for the first time. After agreeing to defer item 3(a) to the following day, the provisional agenda was adopted without further modification. Several minor amendments proposed by the EC to the Draft Record of the 9th Consultation (INF. 16, November 1996) were accepted and the revised version was adopted.

2. Before proceeding with the meeting, Ms. Silk made reference to a Document List (**Annex 2**) which identified agenda documents, a Room Document and several information documents (INF), some of which were seen by participants for the first time due to various delay in preparing them. It was understood that key papers, such as those relating to the scope of harmonization, the international instrument and hazard communication, were to be used as a preliminary basis for guiding discussions under the different agenda items, and that formal comments were expected only for the November Consultation.

Item 2: Progress Report and Plans for Completing the Technical Work in Criteria

3. Mr. Benassai (Chairman UN CETDG), reported on the work of harmonizing criteria for physical hazards (INF. 1). He was optimistic about its completion by the end of 1997 as planned. Referring to a recent OECD letter indicating that its Working Group (WG) on classification of mixtures might also cover physical hazards, Mr. Kervella pointed out that the CETDG Group did also consider mixtures during its work and was concerned about proper coordination between the two groups. The EC was also concerned about possible duplication of work. Some methods for the classification of the physical hazards of mixtures were similar to those used for health hazards of mixtures, whereas some physical hazard classes are based on direct testing of the mixture. Mr. Koeter (OECD) informed the participants that the OECD WG would concentrate on the health hazards work and would only make reference to relevant physical hazard elements in its final report.

4. In reporting on the activities of the OECD, Mr. Koeter referred to INF. 3 and distributed an excerpt from a recent OECD paper [ENV/MC/CHEM(97)2] which provided a detailed account of the current status of the work on health and environmental hazards. Good progress had been made and many criteria were expected to be agreed at the September meeting of the OECD Advisory Group on Harmonization of Classification and Labelling (AGHCL). Except for the new issue of chronic toxicity, full consensus was reached on all outstanding point related to aquatic toxicity during a March 1997 WG meeting. In the area of acute toxicity, two new issues had been identified, namely the addition of an extra class above 2000 mg/kg LD50 and the proportionality of cut-off points between the oral, dermal and inhalation toxicity scales. In addition the issues of 200 vs 500 mg/kg for the oral scale and the units (ppm vs mg/L) for the inhalation scale were still unresolved. The work on dermal/eye irritation, sensitization, reproductive toxicity, mutagenicity and carcinogenicity were very close to completion.

5. The OECD Secretariat will circulate for comments a redrafted acute toxicity proposal in August 1997 for discussion at the September 1997 4th AGHCL Meeting. It will then prepare one comprehensive reformatted document incorporating proposed classes and criteria for all health and environmental end-points. The document will be presented for endorsement to a High Level Meeting of the AGHCL on 15-16 December 1997 before its eventual transmission to the CG/HCCS. Mr. Köeter agreed to consider putting technical criteria documents on the OECD Web site (<http://www.OECD.org>) sufficiently in advance to allow for meaningful consultations between the various stakeholders. Mr. Oberreuter (Germany, UN CETDG) indicated that his Working Group would have a similar document available by September 1997.

6. In relation to Hazard Communication, Mr. Obadia indicated that the ILO was currently considering means to continue this work on a more formal basis. Ms. Silk pointed out that the US draft report reviewing the science and background information on the subject was now available and comments were expected before the next meeting of the CG/HCCS. (See part of report on discussions under item 4 of the Agenda).

Item 3: Recommendations of the Second Meeting of the IFCS

7. Ms. Silk summarized the discussion and the relevant conclusions and the recommendations made at IFCS II (Ottawa, 10-14 February 1997) and referred to an extract of the final IFCS II report (IOMC/CG10/97.2) as a basis for discussion of this agenda item.

3(a) Clarification of the scope of harmonization

8. In point 5 of the document, the IFCS recommended that: **“The scope of the Terms of Reference should be reviewed by the IOMC CG/HCCS during its June 1997 Consultation with a view to further clarify and describe the context of the system, prevent duplicative efforts and address other concerns”**. Documents INF 2, 4, 11, 13, 14 and 18 served as basis for discussion of this item.

9. In order to better focus the discussion, the CG agreed to use the paper prepared by the Chair INF 2 as a point of departure. Many participants stated that it could serve as the basis for developing the paper requested by IFCS for ISG III in late 1998.

10. Mr. Wright (ILO Workers) suggested that at a conceptual level, one should start with the assumption that the GHS will cover all chemicals and then identify which ones need special treatment. Mr. Woodward (UK) stated that harmonization was not equalization and that sectors which had difficulties with the comprehensive coverage position had to come up with data supporting their concerns. Mr. Cotterill (Canada), said that the building blocks approach to classification and labelling included hazard-based classification criteria as a first step. Hazard/risk communication was the second step where life cycle requirements could be taken care of in a coherent manner through appropriate hazard or risk information depending on the end use of the chemical or product. A large number of participants supported this view and believed that such an approach would take care of requirements special categories of chemicals such as pesticides, pharmaceutical products or food additives.

11. A number of participants were concerned about the need for inter-country coherence and the problem raised by chemicals which may have industrial as well as food (such as sodium nitrite) or pharmaceutical uses. It was agreed that the GHS would have to include some guidance on what is required to preserve international coherence and on the range of acceptable hazard communication divergences at the national level. Guidance on how to implement the GHS would also be needed for countries without a system. The eventual GHS implementation mechanism would probably have to

monitor overall consistency in using the standard at international and national levels.

12. The discussion included also points such as the relation between the GHS and state or local regulations, the need to define the different stages of the life cycle of chemicals and the hazard communication requirements for specific sectors, and the need for education on what is a hazard and what is a risk. There was a clear consensus on the fact that most of the concerns related to special categories of chemicals were hazard communication issues which could be dealt with by the ILO WG. All the participants agreed that the INF 2 document was a good basis for preparing the final scope paper required for ISG2. Ms Silk asked that written comments be forwarded to her by 15 August 1997. She would then prepare a revised draft in consultation with Mr. Woodward and Mr. Obadia. The document will then be sent to participants by mid September to ensure ample time for preparing a full discussion and finalization of the paper at the 11th CG /HCCS in November 1997.

Item 3(b): Instrument for Implementing a GHS

13. Mr. Woodward recalled the background of this issue and noted that IFCS had recommended that: (i) the GHS should be implemented internationally through a non-binding instrument; (ii) the IOMC CG/HCCS should elaborate the approach to a non-binding instrument, taking into account the UK and US papers; (iii) and a report on the subject be presented to ISG III. He referred to a schematic diagram (INF. 8) with its outline of the current UK proposal.

14. The proposal involves a redefinition of the current Terms of References of UN CETDG to include a maintenance mechanism for the GHS. The UK proposal followed the recommended policy of no new international bodies and no new resources to implement the GHS. After an eventual agreement by the stakeholders, a consensus proposal would be prepared with a view to framing a Resolution for formal consideration by ECOSOC in July 1999.

15. Several alternatives were suggested, such as two Committees, one on Classification and Labelling and the other on Transport of Dangerous Goods; the CG/HCCS to continue along with existing focal points with the IFCS for oversight, and an ILO Committee to deal with policy questions. Following questions on the limited number of voting countries in the current CETDG and representativity of industry, trade unions and other international NGOs, Mr. Kervella indicated that under current rules, NGOs were free to present proposals and take part in discussions but could not vote. With regard to country participation, this was done by decision of the ECOSOC. Based on experience very few countries were willing to have a long term input in the current process. A number of participants asked that a clear description of the structure, mandate, functioning and decision making process of the current UN CETDG was needed to better assess the UK proposal.

16. After lengthy discussion, the UK proposal was accepted by a majority of participants as a good starting point, provided some concerns and questions could be resolved. Mr. Woodward stated that an in-depth and fully transparent debate on ideas and possible working procedures was needed before the proposal could be moved further. The points identified by the participants for consideration by the UK in preparing a revised proposal included: (i) a clear definition of the mandate of the restructured UN Committee as well as its relation to an international instrument; (ii) pros and cons of other possible alternatives or models; (iii) required human and financial resources; (iv) definition of decision making procedures to be used by the new set-up; (v) status of the current CG/HCCS and focal points in relation to the new set-up; (vi) representativity of industry, trade unions and other interested international NGOs and definition of their level of participation in the decision-making process; (vii) a clear description of the current UN CETDG; (viii) a timetable and work plans leading to the setting up of the envisaged maintenance mechanism. Concern was also raised about the need for guidelines to implement of the GHS at the national level, classification dispute resolution mechanism and means to ensure the integrity

of the process and the level of safety provided by the system.

17. Mr. Woodward indicated that he would work with Mr. Obadia and the US in developing a paper for consideration at the 11th Consultation, taking into account the points raised and the suggestions made by the participants.

Item 3(c): Participation in CG/HCCS

18. As indicated earlier, Mr. Obadia noted that four new countries were represented at the 10th Consultation - China, India, Russia and South Africa. Brazil could not send a representative but indicated that it would likely participate in future meetings. In addition, experts from the International Federation of Pharmaceutical Manufacturing Associations (IFPMA) and the International Frozen Food Association were present at the Consultation for the first time.

Item 4: Hazard Communication and Awareness Raising

19. Mr. Obadia, ILO, reported that the ILO summary of responses to the 1995 questionnaire on national and other hazard communication activities had been completed. The results had been incorporated in a US paper "Hazard Communication: A Review of the Science Underpinning the Art of Communication for Health and Safety" which was available as a Room Document. Ms Silk requested written comments on the document so that it could be finalized in time for the November Consultation.

20. Mr. Obadia reported on current work in IPCS on the International Chemical Safety Cards Project. Standard phrases had been developed and translated into 30 languages and Cards on 1,400 chemicals had been prepared. IPCS standard phrases, as well as EU and RTDG labels and hazard symbols were used as basis for a comprehensibility study being currently carried out by an ILO expert in 5 Southern African countries. Depending on results, the study will be replicated in Asia and Latin America. It is hoped that an overall report on the study should be available by the end of 1998.

21. A Web page on harmonization was being built and would be accessible through the existing ILO Web-page (<http://www.ilo.org>). It would include means to download historical documents as well as current draft documents so that they would be available rapidly for consultation and comments. Linkages with other programmes (UNCETDG, OECD) and relevant national institutions would be provided.

22. Ms. Silk recalled that the 9th Consultation agreed that a more structured working group on communication was needed. Mr. Obadia reported that the ILO Governing Body would be asked to endorse formally the establishment of an ILO Working Group on Chemical Hazard Communication in early November 1997. Mr. Obadia referred to the Terms of Reference of the IOMC.CG/HCCS (INF. 10) and of the informal Working Group on Hazard Communication (INF. 15) and asked for comments in preparation for a draft of proposed Terms of Reference for the ILO Working Group.

23. Although ILO rules related to the tripartite constituency of the Organization would need to be followed, an overall participation similar to that of the CG/HCCS would be expected. Mr. Obadia requested comments and views from the CG on the potential participants. Some suggested that, while the emphasis should be on experts in the field of hazard communication, experts familiar with classification and the criteria used should also be included.

24. Several participants suggested that it was important for the CG to provide advice now on a work programme so that draft work plans could be available for consideration of the proposed ILO Working Group when it is created i.e. in 1998. After discussion and suggestions were made, the Chairperson

requested that further written suggestions be provided.

25. Ms. Silk requested that comments on all three areas be sent to Mr. Obadia by 15 August 1997. Mr. Obadia would prepare a draft, distribute it to the CG/HCCS for comment and would prepare a proposal to go to the ILO Governing Body for its consideration in November 1997. Ms. Silk also suggested that the informal Working Group meet for an extra day after the 11th Consultation in November in preparation for the work of the proposed ILO Working Group.

Item 5: Other Business

26. With respect to the IFCS II Recommendation 11 on Capacity Building, ILO announced that it had launched a Global Programme on Occupational Safety, Health and the Environment which would include plans to assist countries in implementing the GHS. Mr. Obadia announced that the IOMC Task Managers Report on the implementation of Chapter 19 had been presented to the UN Commission on Sustainable Development in April 1997 and that progress made in implementing the recommendations of Agenda 21 would be considered during the Special Session of the UN General Assembly at the end of June 1997 (Rio +5).

Item 6: Date and location of the next Consultation

27. It was agreed that the 11th Consultation of the CG/HCCS would be held in Canada, probably in Toronto on 24- 26 November 1997, and would include a one-day informal session on Hazard Communication. It was noted that the UN Sub-Committee of Experts on TDG would meet from 8-19 December 1997 and that the OECD AG HCL would meet at High Level from 15-16 December 1997.