**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** **6 July 2021**

**Fortieth session**

Geneva, 5-7 July 2021

Item 2 (e) of the provisional agenda

**Work on the Globally Harmonized System (GHS): Classification criteria for germ cell mutagenicity (sub-category 1B)**

# Proposed amendment to the terms of reference and work programme of the informal working group on the criteria for classification for germ cell mutagenicity

**Transmitted by the expert from United States of America**

## Introduction

1. This informal paper provides a proposed update on the terms of reference and work programme undertaken by the informal working group on the criteria for classification for germ cell mutagenicity as presented in working paper ST/SG/AC.10/C.4/2021/3 to the fortieth session of the Sub-Committee. The proposed changes represent the actions we agreed to during the 38th and 39th session (INF.37) when this work was originally proposed.

## Background

2. In general, we support the workgroup and the expanded scope with the qualification that the OECD review any *changes* to the classification criteria prior to finalizing the chapter. The U.S. believes this review could be done concurrent with the other work on the chapter so as not to delay progress on updating the chapter. We are only asking the OECD for a review of the ***changes*** in criteria and expect that the other remaining work related to updating the chapter will not be delayed since it will be done concurrently and independent of the OECD review of the updated criteria. We believe it is important to note that while the GHS is test method neutral the *criteria* generally come from OECD guidance.

3. We received word from our stakeholders regarding concerns about changing GHS criteria without an OECD review or OECD leading the change, as the GHS follows the science, but does not lead as these become the basis for regulations by many competent authorities. The U.S. is also concerned about the timeline as the work in HESI seems to be delayed. We recommend the timeline not be stated in the program of work and that the group remain flexible while still moving forward on updating the chapter.

# Proposal

4. The following text are the proposed updates to working paper ST/SG/AC.10/2021/3 with changes in red text:

5. The following terms of reference are proposed for the informal working group:

(a) Review criteria for classification:

(i) Review the criteria for classification in Category 1B, including the use of other types of data as indirect evidence of interaction with germ cells; such as toxicokinetic data from currently accepted *in vivo* studies and/or supporting evidence from other available studies.

(ii) Review the criteria for classification in Category 2.

(iii) Review the criterion for classification in Category 1A.

(iv) Consider whether revisions are required to the criteria and revise the criteria, and/or provide additional guidance, as needed, in accordance with the results of the review.

(v) Ensure that the criteria are consistent with each other following any revisions.

(b) Sub-Committee engage OECD for review of any updated classification criteria

(c) Ensure that the wording throughout the text of the chapter is coherent and not redundant and avoid the inconsistent use of the word "mutagenicity" and "heritable".

(d) Update the chapter according to current state of science, including newly available test guidelines as appropriate. Consider whether to include non-test guideline assays and regrouping of the tests.

(i) Include paragraphs regarding non-testing methods similar to that in the newly revised Chapter 3.2 on skin corrosion/irritation and extend the note on read-across to be in line with that chapter. In addition, indicate that, when appropriate and valid, a read-across can be supported by positive results in *in vitro* mammalian mutagenicity assays.

(e) Prepare draft amendments and additions to the GHS to facilitate hazard classification using non-animal methods, where appropriate, and consult with the informal working group on non-animal testing methods (NATM) for submission, as a proposal in a working document directly to the Sub-Committee.

(f) Review current section 3.5.5 on decision logic and guidance in line with any revised criteria.

(g) Consider any new information relevant to the work provided by other international organizations or institutions, such as OECD or the Health and Environmental Sciences Institute (HESI).

(h) Identify technical errors and/or editorial improvements during the review of chapters that are not related to classification of germ cell mutagenicity and send them to the practical classification issues (PCI) informal working group for submission as a proposal in a working document directly to the Sub- Committee.

(i) Report progress to the Sub-Committee as appropriate.

## Work programme

6. The work will be carried out through discussions in approximately bi-monthly meetings and by written procedure, based on the issues to discuss. The meetings will be organised on-line or as face-to-face meetings in the margins of the Sub-Committee meetings. The JRC on behalf and in agreement with the informal working group will inform the Sub-Committee on the progress of the informal working group at each Sub-Committee meeting.

7. Any new information relevant to the different issues provided by other international organizations or institutions, such as OECD or the Health and Environmental Sciences Institute (HESI), will be discussed when deemed necessary throughout the work of the informal working group.

8. The proposed workstreams are detailed below:

**Workstream 1**

(a) Terminology

(b) Update the chapter according to current state of science as described in (c).

(c) Non-testing methods, read-across and consulting with the informal working group on NATM.

**Workstream 2**: Review criteria

(a) Review and revise, as needed, the criteria for category 1B

(b) Review and revise, as needed, the criteria for category 2

(c) Review and revise, as needed, the criteria for category 1A

(d) Engage the OECD for review of updated classification criteria

**Workstream 3:** Explore the relevant sections in Chapter 3.5 with reference to the results of workstream 1 and 2 and propose additional or modifying text, if deemed necessary

(a) Ensure that any revised criteria for the different categories are consistent with each other.

(b) Decision logic and guidance.

(c) Consult with the PCI informal working group on technical errors and/or editorial improvements.

**Workstream 4**: Review and finalize draft chapter for submission to the Sub-Committee

9. ~~The objective of the informal working group is to finalise a draft revised text of Chapter 3.5 and present to the sub-committee within this biennium and prior to December 2022 for possible inclusion in the tenth revised edition of the GHS.~~

## Status report

10. The U.S. has been in correspondence with the OECD on the review of any change to the criteria in the chapter on germ cell mutagenicity.