

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**

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Implementation of the GHS: reports on the status of implementation

Report on the implementation of GHS in New Zealand

Transmitted by the expert from New Zealand

Introduction

1. At the thirty eighth session, in informal document INF.13, the Secretariat provided a note on proposals in New Zealand to update its hazardous substance classification framework (implemented in 2001 and based on a pre-published version of the GHS) to the seventh revised edition of the GHS.
2. This paper provides an update on New Zealand's adoption of the seventh revised edition, including information on the building blocks adopted, approach to implementation, and activities to update externally facing databases of GHS classified chemicals.

Background

3. In New Zealand, the Hazardous Substances and New Organisms (HSNO) Act 1996 and related legislative instruments control the import and manufacture (including classification and labelling) of chemicals and chemical products that have hazardous properties. The hazardous properties are defined in accordance with GHS criteria, including physical hazards, human health hazards and environmental hazards. All sectors including industrial chemicals, consumer products, and agricultural and veterinary chemical products are covered.
4. When originally introduced in 2001, the hazard classification framework under the HSNO Act used the then pre-published versions of the GHS hazard classes, categories and classification criteria. An alphanumeric coding system was introduced to identify the various classification categories. At this time, New Zealand adopted all the (original) GHS classification building blocks and applied them generally to hazardous substances in all sectors.

Implementation of the seventh revised edition of GHS

5. In October 2019, New Zealand's Environmental Protection Authority (EPA) launched a public consultation on a number of proposals to update New Zealand's hazardous substance classification framework to reflect the seventh revised edition of the GHS.
6. On 15 October 2020, the EPA's governing body issued a new legislative instrument (EPA Notice) adopting, by incorporation by reference, the seventh revised

edition of the GHS. This new instrument - **Hazardous Substances (Hazard Classification) Notice 2020** - took effect on 30 April 2021, and now contains the hazardous substance classification framework under the HSNO Act.

7. The Hazard Classification Notice specifies which classification categories from the seventh revised edition of the GHS have been adopted, which have not been adopted, and which concentration cut-off values for the classification of mixtures (for health hazards) have been adopted. It also includes a New Zealand-specific terrestrial ecotoxicity hazard classification framework. Specifically:

- (a) The following hazard classes or categories have not been adopted:
 - Acute toxicity (all exposure routes) Category 5
 - Skin irritation Category 3
 - Aspiration hazard Category 2
 - Hazardous to the aquatic environment acute Categories 2 and 3
 - Hazardous to the ozone layer
- (b) The optional sub-categories for eye irritation Category 2, germ cell mutagenicity Category 1, carcinogenicity Category 1, and reproductive toxicity Category 1 have not been adopted.
- (c) For respiratory and skin sensitisers, carcinogens, reproductive toxicants, and specific target organ toxicants (generally), the lower concentration cut-off values for classification of mixtures have been adopted
- (d) The non-GHS hazard class 'hazardous to the terrestrial environment' is applied only to agrichemicals and active ingredients used in the manufacture of some agrichemicals. It is simplified from the framework that applied under the 2001 regulations and comprises the following four hazard classifications:
 - Hazardous to soil organisms
 - Hazardous to terrestrial vertebrates
 - Hazardous to terrestrial invertebrates
 - Designed for biocidal action.

8. The new Hazard Classification Notice has also allowed alignment of the **Hazardous Substances (Labelling) Notice 2017** and the **Hazardous Substances (Safety Data Sheets) Notice 2017** with the seventh revised edition of the GHS (these notices were originally based on the 5th revised edition of the GHS). Both of these updated notices also came into force on 30 April 2021, and provide a four-year transitional period to allow stakeholders to make the necessary changes to labels and safety data sheets resulting from updating to the provisions of the seventh revised edition of the GHS.

9. Both the Labelling and Safety Data Sheet Notices include provisions to allow acceptance of GHS-compliant labels and safety data sheets from Australia, the European Union, Canada and the USA, as long as certain New Zealand specific information is also included. This is intended to reduce compliance costs for the importation of hazardous substances into the relatively small New Zealand market.

10. As a consequence of updating the hazard classification system, all approvals for hazardous substances issued under the HSNO Act (several thousands) also had to be updated to apply their new GHS-7 classifications. The opportunity was also taken to delete a large number of approvals that were found to be duplicative and therefore redundant. This work was largely completed by 30 April 2021. Further information on this process can be found on the EPA's website – **Hazardous substance approvals**.

11. The EPA has several databases on its website that contain information on hazardous substances:

- classifications of chemicals (Chemical Classification and Information Database (CCID)) - this web search is a contributing database to the OECD's eChemPortal
- approved chemicals and mixtures and their controls (Approved Substances with Controls web search)
- inventory of substances in New Zealand (NZ Inventory of Chemicals (NZIoC)).

12. The update to the classification framework to the seventh revised edition of the GHS, and the consequential updating of all substance classifications, also provided the EPA with the opportunity to replace its internal hazardous substance database.

13. The decision was made to move to the International Uniform Chemical Information Database (IUCLID) for global alignment and anticipated opportunities for the easy import of data on hazardous substances and data sharing. The European Chemicals Agency (ECHA) has assisted the EPA database project team to customise IUCLID for NZ-specific use.

14. The EPA's existing hazardous substance database contains data on around 45,000 chemicals and mixtures. This data is in the process of being migrated to IUCLID, and when completed, will be the source of the information provided on the various EPA website searches, including the CCID. It is anticipated this process will be completed in the final quarter of 2021.

15. Further information on the update to New Zealand's hazard classification system can be found on the EPA's website: **New Zealand's hazard classification system**
