

---

## Committee of Experts on the Transport of Dangerous Goods and on the Globally Harmonized System of Classification and Labelling of Chemicals

2 December 2022

### Sub-Committee of Experts on the Globally Harmonized System of Classification and Labelling of Chemicals

#### Forty-third session

Geneva, 7-9 December 2022

Item 7 of the provisional agenda

Programme of work for the biennium 2023-2024

## Comments on document ST/SG/AC.10/C.4/2022/18

### Submitted by CropLife International

#### Introduction

1. CropLife International would like to thank the European Commission for submitting its proposal for work on unaddressed hazard classes and would like to offer the following comments.

#### Summary

2. CropLife International believes that before making a decision on whether or not classification criteria for the topics mentioned in the EU Commission proposal should be developed, more detail is required including:

- (a) Justification for why the topics are considered to be hazards and a critical discussion of such justification
- (b) What are the benefits of developing classification and labelling, including how the target audiences will change their behavior as a result of the new information?
- (c) What are the disadvantages of developing classification and labelling?

3. If the Sub-Committee decides that the topics raised by the European Commission should be explored, we believe that the option of enhancing the content of the Safety Data Sheet should be considered as an alternative to classification and labelling.

#### Justification for extending the GHS

4. Adding new requirements to the GHS is not something that should be done without due consideration. Changes to the GHS require significant resources to implement at all levels of both governments and industry. Proposals to change the GHS should be clearly justified, taking into account the advantages and disadvantages of the change. We could not find a justification for the proposal in the Commission paper or its previous INF paper<sup>1</sup>. It seems to be based on a presumption that there is universal agreement that the topics contained in the paper represent

---

<sup>1</sup> <https://unece.org/sites/default/files/2022-06/UN-SCEGHS-42-INF17e.pdf>

clearly defined hazards that should be addressed in the GHS. However, CropLife International neither believes that universal agreement exists nor that the proposal addresses hazards. Therefore, before considering whether to add these topics to the programme of work, CropLife International believes that there should be a full discussion on the benefits and disadvantages of addressing these topics in the GHS

5. We note that two papers containing background information to the Commission's paper were only made available to the Sub-Committee a few days before the meeting. In our opinion, this was too late for experts and members of this Sub-Committee to critically evaluate the additional information and to consult with their stakeholders.

## Unaddressed hazards?

6. We believe that the topics contained in the EU Commission proposal are either already addressed by GHS or are simply not hazards:

- (a) Endocrine disruption is a mode of action that can possibly lead to harm. The resulting harm is already addressed by existing GHS hazard classes such as reproductive toxicity, specific target organ toxicity etc. The GHS focusses on classifying and communicating harmful effects, no matter how they are caused.
- (b) Toxicity (T) is already specifically addressed by the GHS
- (c) Persistence (P) is a property of a substance and is not, in itself, a hazard
- (d) Mobility (M) is a property of a substance and is not, in itself, a hazard
- (e) Bioaccumulation (B) is a property of a substance and is not, in itself, a hazard. Nevertheless, where persistence triggers a concern, the safety net classification (chronic 4) would already identify these chemicals.

7. The proposal by the European Commission does not explain why it believes that certain combinations of properties such as P, M, B combine to create a hazard. We are aware from the debate within the European Union, that there remain questions about the relationship between certain combination of properties and the risk that the Commission aims to manage<sup>23</sup>. The technical and scientific progress related to potential hazards in particular combination of persistence, mobility, and toxicity has not yet reached conclusion. These should be addressed before taking this proposal forward.

## Is labelling the most appropriate tool?

8. Labels already contain a lot of information, and we are concerned that adding more information to existing labels will make them more difficult to understand. This is a concern that is also shared by the European Commission<sup>4</sup>. The topics proposed by the European Commission are more complex to understand than the hazards currently contained in a label. Labels are seen by all target audiences, and we wonder if all target audiences would understand these topics if included in a label. We are also unclear about how the target audiences are expected to change their behaviour if information on these topics is communicated to them.

---

<sup>2</sup> ECETOC, 2021a. Persistent chemicals and water resources protection. Technical Report 139. <https://www.ecetoc.org/task-force/persistent-chemicals-and-water-resources-protection>

<sup>3</sup> Collard, Marie and Camenzuli, Louise and Saunders, David and Vallotton, Nathalie and Curtis-Jackson, Pippa, Persistence and Mobility (Defined as Organic-Carbon Partitioning) Do Not Correlate to the Detection of Substances Found in Surface and Groundwater: Criticism of the Regulatory Concept of Persistent and Mobile Substances. Available at [https://www.researchgate.net/publication/364116893\\_Persistence\\_and\\_Mobility\\_Defined\\_as\\_Organic-Carbon\\_Partitioning\\_Do\\_Not\\_Correlate\\_to\\_the\\_Detection\\_of\\_Substances\\_Found\\_in\\_Surface\\_and\\_Groundwater\\_Criticism\\_of\\_the\\_Regulatory\\_Concept\\_of\\_Persistent\\_and\\_M](https://www.researchgate.net/publication/364116893_Persistence_and_Mobility_Defined_as_Organic-Carbon_Partitioning_Do_Not_Correlate_to_the_Detection_of_Substances_Found_in_Surface_and_Groundwater_Criticism_of_the_Regulatory_Concept_of_Persistent_and_M)

<sup>4</sup>REFIT report on EU Chemicals legislation (excluding REACH), section 3.3

9. We anticipate that most of the substances that have the properties covered by the proposal are already classified for other GHS hazards. They will already be labelled with hazard and precautionary statements that are intended to cause the target audience to behave in a certain, protective way. How will adding additional information to the label change these behaviours?

10. The European Commission proposes that classification and labelling should be developed for these topics. If the Sub-Committee decides that the GHS could communicate information about these topics, the option of enhancing the information contained in the safety data sheet should be considered as an alternative proposal.

## **Way forward?**

11. CropLife International does not support the proposal of the European Commission as presented in ST/SG/AC.10/C.4/2022/18. Considering the above comments and the limited resources of the committee, we suggest undertaking a cost-benefit analysis of the work before moving forward.

---