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

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

held in Geneva on 11 December 2020

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For practical reasons, this annex has been published as an addendum with the symbol

ST/SG/AC.10/48/Add.1. For practical reasons, this annex has been published as an addendum with the symbol ST/SG/AC.10/48/Add.2.

<sup>\*\*\*</sup> For practical reasons, this annex has been published as an addendum with the symbol ST/SG/AC.10/48/Add.3.

# Report

#### I. Attendance

- 1. The Committee of Experts on the Transport of Dangerous Goods and on the Globally Harmonized System of Classification and Labelling of Chemicals held its tenth session in Geneva on 11 December 2020.
- 2. Experts from the following countries took part in the session: Australia, Austria, Brazil, Canada, China, France, Germany, Italy, Japan, Netherlands, Republic of Korea, Sweden, Switzerland, United Kingdom and United States of America.
- 3. The European Union was represented.
- 4. Representatives of the following non-governmental organizations were also present: Australian Explosives Industry and Safety Group Incorporated (AEISG), European Chemical Industry Council (Cefic); Institute of Markers of Explosives (IME) and the Rechargeable Battery Association (PRBA).

## II. Adoption of the agenda (agenda item 1)

Document: ST/SG/AC.10/47 (Secretariat)

5. The Committee adopted the provisional agenda prepared by the secretariat.

# **III.** Election of officers (agenda item 2)

6. Mr. D. Pfund (United States of America) and Ms. M. Ruskin (United States of America) were elected President and Vice-President respectively.

# IV. Resolutions and decisions of the Economic and Social Council (agenda item 3)

- 7. The Committee noted that the resolution prepared by the Committee at its ninth session had been adopted without changes by the Economic and Social Council on 6 June 2019 (E/RES/2019/7). It was also noted that since no application for membership in the Committee or any of its sub-committees was received during the biennium 2019-2020, it remains as follows and as detailed in the explanatory notes to the agenda:
  - Committee of Experts: 40 members;
  - Sub-Committee of Experts on the Transport of Dangerous Goods: 30 members;
  - Sub-Committee of Experts on the Globally Harmonized System of Classification and Labelling of Chemicals: 36 members.
- 8. The Committee noted with satisfaction that the secretariat had published the twenty-first revised edition of the Recommendations on the Transport of Dangerous Goods, Model Regulations (ST/SG/AC.10/1/Rev.21), the seventh revised edition of the Manual of Tests and Criteria (ST/SG/AC.10/11/Rev.7) and the eighth revised edition of the Globally Harmonized System of Classification and Labelling of Chemicals (GHS) (ST/SG/AC.10/30/Rev.8) in all official languages of the United Nations.
- 9. It was also noted that the three publications were also available in electronic format:

- (a) On the website of the Sustainable Transport Division of the United Nations Economic Commission for Europe (unece.org/transport/dangerous-goods); and
- (b) Separately in pdf format, as sales publications.

# V. Work of the Sub-Committee of Experts on the Transport of Dangerous Goods during the biennium 2019-2020 (agenda item 4)

Documents: ST/SG/AC.10/C.3/108 and Add.1

ST/SG/AC.10/C.3/110 and Add.1 ST/SG/AC.10/C.3/112 and Add.1

ST/SG/AC.10/C.3/2020/R.1 and Add.1 to 7 ST/SG/AC.10/C.3/2020/R.2 and Add.1 to 3

- 10. The Committee took note of the reports of the Sub-Committee of Experts on the Transport of Dangerous Goods (TDG Sub-Committee) on its fifty-fourth, fifty-fifth and fifty-sixth sessions. The Committee noted also that the Sub-Committee had adopted the report on its fifty-seventh session (30 November 8 December 2020) on the basis of a draft prepared by the secretariat (ST/SG/AC.10/C.3/2020/R.1 and Add.1 to 7, and -/R.2 and Add.1 to 3) with some additional modifications. For the final report see document ST/SG/AC.10/C.3/114 and Add.1.
- 11. The Committee endorsed the reports of the Sub-Committee, including the amendments to the existing recommendations on the transport of dangerous goods and the new recommendations made (see annexes I and II).

# VI. Work of the Sub-Committee of Experts on the Globally Harmonized System of Classification and Labelling of Chemicals during the biennium 2019-2020 (agenda item 5)

Documents: ST/SG/AC.10/C.4/72

ST/SG/AC.10/C.4/74 ST/SG/AC.10/C.4/76

ST/SG/AC.10/C.4/2020/R.1 and Add.1 ST/SG/AC.10/C.4/2020/R.2, Add.1 and Add.2

- 12. The Committee took note of the reports of the Sub-Committee of Experts on the Globally Harmonized System of Classification and Labelling of Chemicals (GHS Sub-Committee) on its thirty-sixth, thirty-seventh and thirty-eighth sessions. The Committee also noted that the Sub-Committee had adopted the report on its thirty-ninth session (9–11 December 2020) based on a draft prepared by the secretariat (ST/SG/AC.10/C.4/2020/R.1 and Add.1, and -/R.2, Add.1 and Add.2) with some changes. For the final report see document ST/SG/AC.10/C.4/78.
- 13. The Committee endorsed the reports of the Sub-Committee, including the amendments to the existing text of the GHS and the new provisions adopted (see annex III).

# VII. Programme of work for the biennium 2021-2022 (agenda item 6)

## (a) Programme of work

Informal document: INF.1 (secretariat)

14. The Committee approved the programme of work of the two sub-committees as reflected in ST/SG/AC.10/C.3/114, paragraph 120 and ST/SG/AC.10/C.4/78, annex II.

#### (b) Calendar of meetings

- 15. At its seventh session, the Committee agreed to give the opportunity to the TDG and GHS sub-committees to meet jointly to avoid duplication of discussions and facilitate exchange of knowledge and expertise on matters of common interest<sup>1</sup>. Subsequently, the sub-committees held three joint sessions (9 December 2015<sup>2</sup>, 5 July 2016<sup>3</sup>, 3 July 2018<sup>4</sup>).
- 16. Considering that the joint sessions had proven to be successful for enhancing cooperation between the two sub-committees and addressing matters of common interest, the Committee decided that joint sessions of both sub-committees may continue to be convened at the second and third sessions of each biennium. The time allocated to the joint sessions would be determined by the chairs of both sub-committees and the secretariat based on the number of issues to be considered. This would not entail any additional conference costs since it would not affect the global number of meetings allocated.
- 17. Informed by the secretariat about the availability of conference facilities, the Committee agreed that the schedule of meetings for 2021-2022 should be as follows:

#### 2021

28 June-2 July 2021 TDG Sub-Committee, fifty-eighth session (10 meetings)
5-7 (morning) July 2021 GHS Sub-Committee, fortieth session (5 meetings)
29 Nov.-8 (morning)<sup>5</sup> Dec. 2021 TDG Sub-Committee, fifty-ninth session (15 meetings)
8 (afternoon)<sup>5</sup>-10 December 2021 GHS Sub-Committee, forty-first session (5 meetings)

Total:

TDG: 25 meetings<sup>5</sup>

See the report of the Committee on its seventh session (ST/SG/AC.10/42, para.16).

<sup>&</sup>lt;sup>2</sup> See the report of the GHS Sub-Committee on its thirtieth session (ST/SG/AC.10/C.4/60, annex II).

 $<sup>^3</sup>$  See the report of the GHS Sub-Committee on its thirty-first session (ST/SG/AC.10/C.4/62, annex II).

 $<sup>^4</sup>$  See the report of the TDG Sub-Committee on its fifty-third session (ST/SG/AC.10/C.3/106, paras.162 to 176).

With possibility for both sub-committees to share the meetings allocated to their respective sessions for meeting jointly all day on 8 December 2021 and 6 July 2022. Pending confirmation of 8 July 2022 as a United Nations holiday, the GHS Sub-Committee session may need to be re-scheduled to start on Wednesday morning 6 July (instead of Wednesday afternoon). If this is the case, the TDG Sub-Committee session will have to end on Tuesday 5 July (instead of on Wednesday 6 (morning)).

GHS: 10 meetings<sup>5</sup>

#### 2022

27 June-6 (morning)<sup>5</sup> July 2022 TDG Sub-Committee, sixtieth session (15 meetings)

6 (afternoon)<sup>5</sup>-8 July 2022 GHS Sub-Committee, forty-second session (5 meetings)

28 November-6 December 2022 TDG Sub-Committee, sixty-first session (14 meetings)

7-9 (morning) December 2022 GHS Sub-Committee, forty-third session (5 meetings)

9 December (afternoon) 2022 TDG-GHS Committee, eleventh session (1 meeting)

Total:

TDG: 29 meetings<sup>5</sup>
GHS: 10 meetings<sup>5</sup>
Committee: 1 meeting

# VIII. Draft resolution 2021/... of the Economic and Social Council (agenda item 7)

Informal document: INF.36 (TDG fifty-seventh session)/INF.24 (GHS thirty-ninth

session)

18. The Committee adopted a draft resolution for consideration by the Council at its 2021 session (see annex IV).

# IX. Any other business (agenda item 8)

19. No issue was discussed under this agenda item.

# X. Adoption of the report (agenda item 9)

20. The Committee adopted the report on its tenth session and the annexes thereto based on a draft prepared by the secretariat.

With possibility for both sub-committees to share the meetings allocated to their respective sessions for meeting jointly all day on 8 December 2021 and 6 July 2022. Pending confirmation of 8 July 2022 as a United Nations holiday, the GHS Sub-Committee session may need to be re-scheduled to start on Wednesday morning 6 July (instead of Wednesday afternoon). If this is the case, the TDG Sub-Committee session will have to end on Tuesday 5 July (instead of on Wednesday 6 (morning)).

#### Annex I

Amendments to the twentieth revised edition of the Recommendations on the Transport of Dangerous Goods, Model Regulations (ST/SG/AC.10/1/Rev.21)

(See ST/SG/AC.10/48/Add.1)

## **Annex II**

Amendments to the seventh revised edition of the Manual of Tests and Criteria (ST/SG/AC.10/11/Rev.7)

(See ST/SG/AC.10/48/Add.2)

## **Annex III**

Amendments to the eighth revised edition of the Globally Harmonized System of Classification and Labelling of Chemicals (GHS) (ST/SG/AC.10/30/Rev.8)

(See ST/SG/AC.10/48/Add.3)

#### **Annex IV**

#### Draft resolution 2021/... of the Economic and Social Council

#### "Resolution 2021/...

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

The Economic and Social Council,

Recalling its resolutions 1999/65 of 26 October 1999 and 2019/7 of 6 June 2019,

Having considered the report of the Secretary-General on the work of the Committee of Experts on the Transport of Dangerous Goods and on the Globally Harmonized System of Classification and Labelling of Chemicals during the biennium 2019–2020,<sup>1</sup>

#### A. Work of the Committee regarding the transport of dangerous goods

Recognizing the importance of the work of the Committee for the harmonization of codes and regulations relating to the transport of dangerous goods,

Bearing in mind the need to maintain safety standards at all times and to facilitate trade, as well as the importance of these issues to the various organizations responsible for modal regulations, while meeting the growing concern for the protection of life, property and the environment through the safe and secure transport of dangerous goods,

*Noting* the ever-increasing volume of dangerous goods being introduced into worldwide commerce and the rapid expansion of technology and innovation,

Recalling that, while the major international instruments governing the transport of dangerous goods by the various modes of transport and many national regulations are now better harmonized with the Model Regulations annexed to the recommendations of the Committee on the transport of dangerous goods, further work on harmonizing these instruments is necessary to enhance safety and to facilitate trade, and recalling also that uneven progress in the updating of national inland transport legislation in some countries of the world continues to present serious challenges to international multimodal transport,

1. Expresses its appreciation for the work of the Committee of Experts on the Transport of Dangerous Goods and on the Globally Harmonized System of Classification and Labelling of Chemicals with respect to matters relating to the transport of dangerous goods, including their security in transport;

<sup>&</sup>lt;sup>1</sup> [E/2021/...].

- 2. Requests the Secretary-General:
- (a) To circulate the new and amended recommendations on the transport of dangerous goods<sup>2</sup> to the Governments of Member States, the specialized agencies, the International Atomic Energy Agency and other international organizations concerned;
- (b) To publish the twenty-second revised edition of the Recommendations on the Transport of Dangerous Goods: Model Regulations and amendment 1 to the seventh revised edition of the Manual of Tests and Criteria in all the official languages of the United Nations, in the most cost-effective manner, no later than the end of 2021;
- (c) To make those publications available in book and electronic format and on the website of the Economic Commission for Europe, which provides secretariat services to the Committee;
- 3. *Invites* all Governments, the regional commissions, the specialized agencies, the International Atomic Energy Agency and the other international organizations concerned to transmit to the secretariat of the Committee their views on the work of the Committee, together with any comments that they may wish to make on the recommendations on the transport of dangerous goods;
- 4. *Invites* all interested Governments, the regional commissions, the specialized agencies and the international organizations concerned to take into account the recommendations of the Committee when developing or updating appropriate codes and regulations;
- 5. Requests the Committee to study, in consultation with the International Maritime Organization, the International Civil Aviation Organization, the regional commissions and the intergovernmental organizations concerned, the possibilities of improving the implementation of the Model Regulations on the transport of dangerous goods in all countries for the purposes of ensuring a high level of safety and eliminating technical barriers to international trade, including through the further harmonization of international agreements or conventions governing the international transport of dangerous goods;
- 6. Invites all Governments, as well as the regional commissions and organizations concerned, the International Maritime Organization and the International Civil Aviation Organization to provide feedback to the Committee regarding differences between the provisions of national, regional or international legal instruments and those of the Model Regulations, in order to enable the Committee to develop cooperative guidelines for enhancing consistency between these requirements and reducing unnecessary impediments; to identify existing substantive and international, regional and national differences, with the aim of reducing those differences in modal treatment to the greatest extent practical and ensuring that, where differences are necessary, they do not pose impediments to the safe and efficient transport of dangerous goods; and to undertake an editorial review of the Model Regulations and various modal instruments with the aim of improving clarity, user friendliness and ease of translation;

<sup>&</sup>lt;sup>2</sup> See ST/SG/AC.10/48/Add.1 and ST/SG/AC.10/48/Add.2.

# B. Work of the Committee regarding the Globally Harmonized System of Classification and Labelling of Chemicals

Bearing in mind that in paragraph 23 (c) of the Plan of Implementation of the World Summit on Sustainable Development (Johannesburg Plan of Implementation),<sup>3</sup> countries were encouraged to implement the Globally Harmonized System of Classification and Labelling of Chemicals as soon as possible with a view to having the system fully operational by 2008,

Bearing in mind also that the General Assembly, in its resolution 57/253 of 20 December 2002, endorsed the Johannesburg Plan of Implementation and requested the Economic and Social Council to implement the provisions of the Plan relevant to its mandate and, in particular, to promote the implementation of Agenda 21<sup>4</sup> by strengthening system-wide coordination,

Bearing in mind further the commitment by Member States to work for the full implementation by 2030 of the Sustainable Development Goals and related targets as agreed by the General Assembly on its resolution 70/1 of 25 September 2015<sup>5</sup>, and in particular target 12.4 related to the achievement of the environmentally sound management of chemicals and wastes through their life cycle in accordance with agreed international frameworks,

Noting with satisfaction:

- (a) That the Economic Commission for Europe and all United Nations programmes and specialized agencies concerned with chemical safety in the field of transport or of the environment, in particular the United Nations Environment Programme, the International Maritime Organization and the International Civil Aviation Organization, have already taken appropriate steps to amend or update their legal instruments in order to give effect to the Globally Harmonized System or are considering amending them as soon as possible,
- (b) That the International Labour Organization, the Food and Agriculture Organization of the United Nations and the World Health Organization are also taking appropriate steps to adapt their existing chemical safety recommendations, codes and guidelines to the Globally Harmonized System, in particular in the areas of occupational health and safety, pesticide management and the prevention and treatment of poisoning,
- (c) That many Member States have already issued national legislation or standards implementing the Globally Harmonized System, or allowing its application, in one or several sectors other than transport,
- (d) That work on the development or revision of national legislation, standards or guidelines to implement the Globally Harmonized System continues in other countries, while in some others activities related to the development of sectoral implementation plans or national implementation strategies are being conducted or are expected to be initiated soon,

Report of the World Summit on Sustainable Development, Johannesburg, South Africa, 26 August—4 September 2002 (United Nations publication, Sales No. E.03.II.A.1 and corrigendum), chap. I, resolution 2, annex.

Report of the United Nations Conference on Environment and Development, Rio de Janeiro, 3–14 June 1992, vol. I, Resolutions Adopted by the Conference (United Nations publication, Sales No. E.93.I.8 and corrigendum), resolution 1, annex II.

Resolution 70/1 of the General Assembly "Transforming our world: the 2030 Agenda for Sustainable Development" (A/RES/70/1).

(e) That a number of United Nations programmes and specialized agencies and regional organizations, in particular the United Nations Institute for Training and Research, the International Labour Organization, the World Health Organization, the United Nations Educational, Scientific and Cultural Organization, the Economic Commission for Europe, the Asia-Pacific Economic Cooperation forum, the Organization for Economic Cooperation and Development and the European Union, Governments and non-governmental organizations representing the chemical industry, have organized or contributed to multiple workshops, seminars and other capacity-building activities at the international, regional, subregional and national levels to raise awareness in the administration, health and industrial sectors and to prepare for or support the implementation of the Globally Harmonized System,

Aware that effective implementation will require further cooperation between the Subcommittee of Experts on the Globally Harmonized System of Classification and Labelling of Chemicals and the international bodies concerned, continued efforts by the Governments of Member States, cooperation with the industry and other stakeholders and significant support for capacity-building activities in countries with economies in transition and developing countries,

Recalling the particular significance of the Global Partnership to Implement the Globally Harmonized System of Classification and Labelling of Chemicals of the United Nations Institute for Training and Research, the International Labour Organization and the Organization for Economic Cooperation and Development for building capacities at all levels,

- 1. Commends the Secretary-General on the publication of the eighth revised edition of the Globally Harmonized System of Classification and Labelling of Chemicals<sup>6</sup> in the six official languages of the United Nations, electronically and in book form, and its availability, together with related informational material, on the website of the Economic Commission for Europe, which provides secretariat services to the Committee;
- 2. Expresses its deep appreciation to the Committee, the Commission and the United Nations programmes, specialized agencies and other organizations concerned for their fruitful cooperation and their commitment to the implementation of the Globally Harmonized System;
  - 3. *Requests* the Secretary-General:
- (a) To circulate the amendments<sup>7</sup> to the eighth revised edition of the Globally Harmonized System to the Governments of Member States, the specialized agencies and other international organizations concerned;
- (b) To publish the ninth revised edition of the *Globally Harmonized System* in all the official languages of the United Nations in the most cost-effective manner, no later than the end of 2021, and to make it available in book and electronic format and on the website of the Commission;
- (c) To continue to make information on the implementation of the Globally Harmonized System available on the website of the Commission<sup>8</sup>;
- 4. *Invites* Governments that have not yet done so to take the necessary steps to implement the Globally Harmonized System as soon as possible through

<sup>&</sup>lt;sup>6</sup> United Nations publication, Sales No. E.19.II.E.21.

<sup>&</sup>lt;sup>7</sup> ST/SG/AC.10/48/Add.3.

<sup>8</sup> https://unece.org/ghs-implementation-0

appropriate national procedures and/or legislation and to keep them updated to take account of the recommendations made by the Committee every two years;

- 5. Reiterates its invitation to the regional commissions, United Nations programmes, specialized agencies and other organizations concerned to promote the implementation of the Globally Harmonized System and, where relevant, to amend their respective international legal instruments addressing transport safety, workplace safety, consumer protection or the protection of the environment so as to give effect to the Globally Harmonized System through such instruments;
- 6. *Invites* Governments, the regional commissions, United Nations programmes, specialized agencies and other organizations concerned to provide feedback to the Subcommittee of Experts on the Globally Harmonized System of Classification and Labelling of Chemicals on the steps taken for the implementation of the Globally Harmonized System in all relevant sectors, through international, regional or national legal instruments, recommendations, codes and guidelines, including, when applicable, information about the transitional periods for its implementation;
- 7. Encourages Governments, the regional commissions, United Nations programmes, specialized agencies and other relevant international organizations and non-governmental organizations, in particular those representing industry, to strengthen their support for the implementation of the Globally Harmonized System by providing financial contributions and/or technical assistance for capacity-building activities in developing countries and countries with economies in transition;

#### C. Programme of work of the Committee

Taking note of the programme of work of the Committee for the biennium 2021–2022 as contained in paragraphs [...] and [...] of the report of the Secretary-General,<sup>1</sup>

Noting the relatively poor level of participation of experts from developing countries and countries with economies in transition in the work of the Committee and the need to promote their wider participation in its work,

- 1. Decides to approve the programme of work of the Committee;<sup>1</sup>
- 2. Stresses the importance of the participation of experts from developing countries and countries with economies in transition in the work of the Committee, calls in that regard for voluntary contributions to facilitate their participation, including through support for travel and daily subsistence, and invites Member States and international organizations in a position to do so to contribute;
- 3. Requests the Secretary-General to submit to the Economic and Social Council, in 2023, a report on the implementation of the present resolution, the recommendations on the transport of dangerous goods and the Globally Harmonized System of Classification and Labelling of Chemicals.

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