

GHS REGULATION IN THE EUROPEAN UNION OFFICIALLY ADOPTED

On September 3, 2008, the European Union's (EU) Parliament adopted legislative reports (the "compromise package") concerning the EU proposal for a Regulation on classification, labelling and packaging (CLP) of substances and mixtures, in their first reading agreement. The next step in the EU legislative process, was final adoption by the European Council of the new CLP regulation.

The new CLP Regulation has now been formally adopted by the European Council and Parliament on November 28, 2008. The adopted acts were submitted to the Official Journal of the EU on December 16, 2008, and were formally published in the Journal on December 31, 2008. The text of the publication can be found at the following link:
<http://eur-lex.europa.eu/JOHtml.do?uri=OJ:L:2008:353:SOM:EN:HTML>

The new CLP Regulation amends the current European system of classification and labelling, in order to align with the GHS. The new Regulation also complements the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH) regulation by working in conjunction with it. The **Entry into force** date of the new CLP Regulation is set at 20 days following publication in the Official Journal of the EU, making entry into force January 20, 2009.

Of importance to most suppliers and manufacturers, are the transition periods. In summary, the transition periods are as follows:

- Pure substances shall use the current system of classification and labelling (Directive 67/548/EEC, as amended) until December 1, 2010.
- Mixtures shall use the current system of classification and labelling (Directive 1999/45/EC, as amended) until June 1, 2015.
- Following entry into force, and prior to December 1, 2010 for substances and June 1, 2015 for mixtures, suppliers have the option of using the new CLP Regulation to classify, label and package their products. However, if this option is chosen, the special provisions for packaging and labelling under the current system cannot be used.
- Pure substances must be classified according to both the current system of classification (Directive 67/548/EEC, as amended) and the new CLP Regulation's system, from December 1, 2010 until June 1, 2015. The Safety Data sheet (SDS) would show both classifications in Section 15. However, packaging and labelling during this period must be in accordance with the new CLP Regulation.
- Pure substances placed on the market in the EU prior to December 1, 2010, which are packaged and labelling according to the current system (Directive 67/548/EEC, as amended), do not require relabeling and repackaging until December 1, 2012.
- Mixtures placed on the market in the EU prior to June 1, 2015, which are packaged and labelling according to the current system (Directive 1999/45/EC, as amended), do not require relabeling and repackaging until June 1, 2017.

Some of the important features of the new CLP Regulation, include:

- A list of the current mandatory harmonized Annex I classifications, adapted to the EU's new CLP Regulation (found in Annex VI of the new Regulation). The EU government has converted the current Annex I list into the equivalent classification under the new CLP Regulation. **Y**
- Translation tables. Allow a classifier to convert all of their current work, classified under the current EU classification and labelling system, to the new CLP Regulation (found in Annex VII of the new CLP Regulation).

The European Chemicals Agency will be preparing guidance documents and tools in order to assist industry with re-classifications and new labelling.

Should you have any questions or require any assistance with the new EU Regulation or any GHS issues, the Sales, Customer Service and Regulatory Staff at ICC The Compliance Center Inc. will be happy to help you. For more information on the new EU Regulation or GHS, contact us and/or visit our website today at www.thecompliancecenter.com.