GCC | GHS Classification Courses

9 Proven Steps

to Full CLP-GHS Compliance

(including Safety Data Sheets!)

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STEP 0 Is your product CLP-liable?

OK, so this isn't a step, strictly speaking, but you need to check it before you even start the process.

Products can be exempt from CLP if they are handled under other regulations, but even then they may still require a Safety Data Sheet.

Top tip: If your product may potentially be exempt from CLP, **check the conditions carefully**, as these can be very strict. If in doubt, ask the HSE Helpdesk.

Potential CLP-exempt products:

- Radioactive substances and mixtures
- Intermediate products which are "non-isolated
- Substances and mixtures used for scientific experimentation, analysis or chemical research, under "controlled conditions"
- Waste
- Substances or mixtures in their finished state, intended for the final user:
  - human and animal medicinal products
  - cosmetic products
  - medical devices
  - human food or animal feeding stuffs and their flavourings and additives

STEP 1 Identify your product

Is your product a substance, mixture or article?

Substance ID:

- Chemical name
- Identifying number, e.g. CAS, EC

These conditions apply to substances as products and also to component substances in a mixture or article.

Mixture ID:

- Trade name
- Substances hazardous to health (label)
- List of component substances and their percentages in the mixture (Safety Data Sheet, see substance ID info)

Article ID:

- Trade name
- Substances which are SVHC (Substance of Very High Concern)

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STEP 2 Is your product legal?

We check laws under 5 main headings:

- ☑ Can you **legally import or export**, is extra permission required?
- ☑ **REACH and CLP liability**
  - o Has any substance already been registered for REACH?
  - o Is REACH registration or CLP notification required?
- ☑ **Workplace Exposure Limits**
  - o Are any applicable to the product or components?
  - o Might any limits prevent your product being used as you intend?
- ☑ Any **bans or restrictions**
  - o Under REACH (SVHC or Authorisation or Restriction)
  - o Under other regulations e.g. Chemical Weapons Regulations etc.
- ☑ **Any other restrictions** under regulations which might affect the product, e.g. IARC carcinogen list, nanoparticles and so on.

STEP 3 Research published classifications

Search on:
ECHA chemical databases
Your suppliers' Safety Data Sheets
Internet, e.g. reputable companies

Top tip: Don't skip this step, it can save you a lot of time and effort, and will mean you use any legally required classifications for your product.

First check for:

- Harmonised Classifications
- CLP classifications in REACH dossiers
- Classifications on C&L inventory
- Reputable company SDSs

Then:

- Collate the classifications
- Choose which one to use
- Justify and keep records

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STEP 4 Classify from first principles

First principles classification is:

- Used for substances such as new-to-science chemicals
- May be required for REACH registration purposes, e.g. new tests when first registered
- Needed for mixture physical hazards only (mixture health and environmental hazards are classified using algorithms)

You need to have test data:

- Screening on physical and chemical properties helps determine tests required
- Physical hazards require laboratory physical and chemical tests
- Health hazards need animal (or in vitro) testing
- Environmental hazards may need animal testing (fish are vertebrates, too!)

First principles classifications:

- Are usually based on observed effect levels from test data (health, environment) or on physical behavior (e.g. flash point tests)
- Some health hazards can only be identified from human experience
- Full details in CLP Regulation

About animal test data:

- Government/ ECHA permission is required for vertebrate animal tests
- Expert read-across by a toxicologist can sometimes be acceptable
- In-vitro tests are replacing tests on live animals, as permissions are not required
- Tests on live animals must be a last resort

STEP 5 Classify from components

Mixture classification usually use **threshold concentrations**:

- For components with similar hazards which may have combination effects
- Or for individual substances which act by themselves, .e.g. chemically dissimilar sensitisers

Top tips for mixture classifications

- The way in which hazards are combined can be very complicated
- There may be several ways to combine hazards together, review them all and use worst case, or use a weight of evidence approach

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STEP 6 Label and pack your product

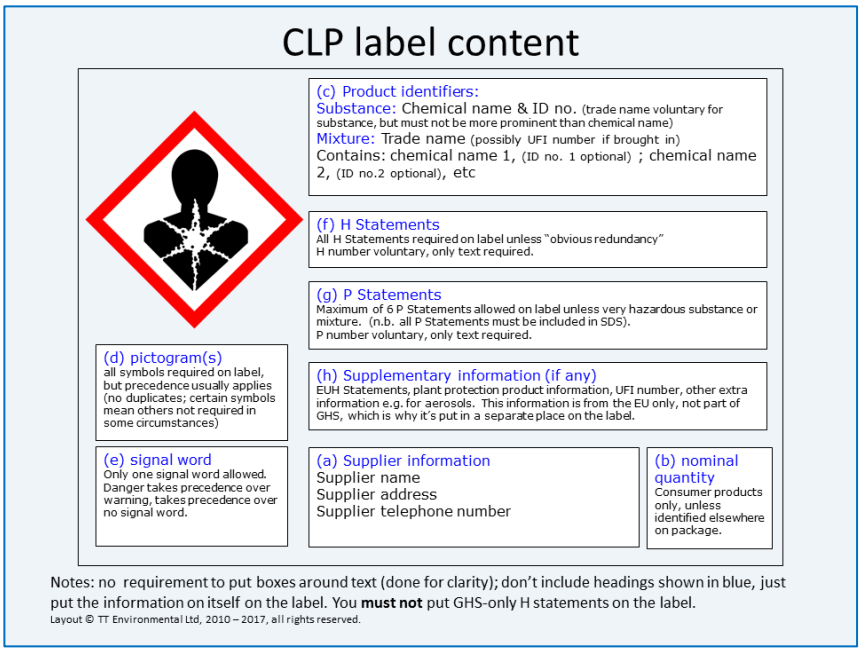
Generate your hazard information for the label:

A
- Take your classification and read the Signal Word, Pictogram (symbol) Hazard Statement and Precautionary Statements which apply to it
- Information in CLP Annex I

B
- Repeat the process for all hazards of the product, so you end up with a list of all possible information

C
- Apply precedence to remove any unnecessary information (especially Precautionary Statements, only 6 or 7 per label

Lay out your label



Package your product

- If your package is suitable for Transport of Dangerous Goods, it's CLP-compliant
- Otherwise CLP rules on packaging apply
- May need tactile warning triangles and /or childproof fastenings for consumer goods
- Extra rules for some products, e.g. laundry liquitabs

The label must be affixed firmly to the package. You will also need CLP labels on outer packages. Bulk chemicals in transit do not require CLP labels.

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STEP 7 Compile the Safety Data Sheet

Safety Data Sheets cover:

- The identification of the product and supplier, and its hazard classification and labelling information
- Emergency response
- Handling, storage and control of the product
- Chemical and physical data, and health and environmental test results
- Waste disposal, Transport of Dangerous Goods, other regulations, and miscellaneous

SDS statistics:

- There used to be 16 mandatory headings
- There are still16 headings, but mandatory sub-headings take the list to 63
- You can't ignore the mandatory headings any more
- The layout of the Safety Data Sheet depends on whether it's a substance or mixture (headings available in REACH regulation, Annex II)

Safety Data Sheets and REACH:

- REACH puts information onto the Safety Data Sheet beyond the GHS standard
- CLP classification from REACH registration
- PBT/vPvB assessment results, if available
- Information on REACH registered uses
- If the substance has a Chemical Safety Report, the Exposure Scenarios go into the Annex to the SDS
- A REACH Safety Data sheet can be significantly longer than a non-REACH one

Safety Data Sheets must be:

- Compiled by a "competent person" (usually with help from other professionals)
- Issued to industrial or professional users on or before the first supply
- Reissued to them if changed within 1 year of supply taking place
- Be in the language of the end user
- Be in electronic (pdf) or print format, and actively issued e.g. with the goods, or via email, or other distribution software

STEP 8 Notify for CLP

Substances: If you make or import substances, these may need to be notified to the Classification and Labelling Inventory, if they won't be REACH registered.

Mixtures: If you make or import mixtures, these may need to be notified to individual Poison Centres in EU Member States, or via the new Poison Centre Portal.
Mixtures notified via the portal require a Unique Formulation Identifier (UFI) on their label or package, otherwise a UFI must not be used.

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STEP 9 Keep your product up to date

Reasons for updated classification and/or Safety Data Sheet

- Published classification change (REACH registration, CoRAP evaluation)
- New data, e.g. physical tests, or tests from outside the EU come to light
- New designation e.g. SVHC, or becoming Authorised or Restricted, classified as an IARC carcinogen etc.
- The classification method(s) change in GHS, which usually transpose into CLP

Actions when classification changes

- Label new products with updated info
- If change is significant, e.g. new health hazard, worse health hazard, a product recall for relabeling may be required
- Updated Safety Data Sheets must be issued to everyone who needs one and has been supplied with the product in the previous 12 months
- You need to keep track of who receives which product and SDS, and when

Extra! What about Brexit?

In the event of a Deal, it is likely that CLP and REACH will continue to apply as usual and will be run by ECHA (for several years as a minimum). In the event of No Deal, UK legislation will mirror the EU legislation, so there will be UK CLP and UK REACH. However, no significant changes are expected immediately after Brexit.

Thank you for reading!

This is a brief overview of our 9 step method for CLP compliance. Keep an eye on your inbox, as I'll be sending you some more details on the process soon.

If you don't receive any emails, please let me know on janet@ttenvironmental.co.uk .