



North American Metals Council  
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June 28, 2016

Via E-Mail

Ms. Maureen Ruskin  
Director, Office of Chemical Hazards-Metals  
U.S. Occupational Safety and Health Administration  
200 Constitution Avenue, N.W.  
Washington, D.C. 20210

Re: Input for UN Subcommittee of Experts on GHS Meeting

Dear Ms. Ruskin:

The North American Metals Council (NAMC)<sup>1</sup> requests that the U.S. delegation to the United Nations (UN) Sub-Committee of Experts on the Globally Harmonized System of Classification and Labelling of Chemicals (GHS) support the appended proposal from the International Council on Mining & Metals (ICMM) on changes to subsection 14.7 of the GHS guidance for compiling a safety data sheet (SDS).

The ICMM proposal would revise Annex 4 to the GHS to allow for information on bulk cargoes of all forms, including solids. Currently, Annex 4 to the GHS contains a model SDS, and one section of that is for information “*when cargoes are intended to be carried in bulk according to the following IMO instruments: Annex II of MARPOL 73/78 and the IBC Code.*” This section as currently written clearly applies only to bulk liquids.

The proposal would allow the section to be used to indicate information related to International Maritime Organization (IMO) classifications, such as hazardous to marine environment (HME) or materials hazardous only in bulk (MHB). By including this in GHS, it should help to ensure that all information on the cargo can be listed in the SDS appropriately, and that there is an obvious place for it, hopefully promoting greater consistency over time. This

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<sup>1</sup> NAMC is an unincorporated, not-for-profit group formed to provide a collective voice for North American metals producers and users (*i.e.*, the North American “metals industry”) on science- and policy-based issues that affect metals in a generic way. NAMC members include trade associations as well as individual companies.



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should help to build further confidence in the transport community in the system of self-assessment and declaration of hazard by industry.

Thank you for your consideration of this request.

Regards,

Kathleen M. Roberts  
Executive Director

Attachment



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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****Sub-Committee of Experts on the Globally Harmonized  
System of Classification and Labelling of Chemicals****Sub-Committee of Experts on the Transport  
of Dangerous Goods****Xxxx session**

Geneva, xx Xxxx – x XXXX xxx

Item xxx of the provisional agenda

**Issues relating to the Globally Harmonized System of  
Classification and Labelling of Chemicals:  
miscellaneous****Xxxx session**

Geneva, xx Xxxx – x XXXX xxx

Item xx of the provisional agenda

**Joint work with the Sub-Committee of Experts on the  
Transport of Dangerous Goods (TDG Sub-Committee)****Changes to subsection 14.7 of the GHS guidance for  
compiling a safety data sheet****Transmitted by the International Council on Mining and Metals  
(ICMM)****Introduction**

1. Annex 4 of the GHS contains ‘*Guidance on the preparation of safety data sheets (SDS)*’. This includes general guidance on structure and content as well as specific information relating to content.

2. Subsection 14.7 (A4.3.14.7) ‘*Transport in bulk according to Annex II of MARPOL 73/78 and the IBC code*’ was added to SDS model in the GHS rev.2 (2007). The guidance notes that:

*‘This sub-section only applies when cargoes are intended to be carried in bulk according to the following IMO instruments: Annex II of MARPOL 73/78 and the IBC Code’.*

3. While this guidance is in effect limited to liquids, many other cargoes are transported in bulk under similar regulation. For instance, the IMO’s International Maritime Solid Bulk Cargoes (IMSBC) entered into force on 1 January 2011, from which date it was made mandatory under the provisions of the SOLAS Convention. In addition gases shipped as bulk are covered currently by IMO’s The International Code for the Construction and Equipment of Ships Carrying Liquefied Gases in Bulk in short form known as IMO’s IGC

Code and earlier by IMO Code for the Construction and Equipment of Ships Carrying Liquefied Gases in Bulk (the CG code) and IMO's Code for Existing Ships Carrying Liquefied Gases in Bulk (the eGC Code).

4. As the information given in a safety data sheet can be relevant to transport under both IMSBC and IGC codes, we encourage Subcommittee members to consider updating the section heading for A4.3.14.7 along with the guidance contained in that section should to make it relevant to all bulk cargoes - not only those shipped under MARPOL Annex II or IBC Code, as it currently stands.

5. Changing the name of the subsection 14.7 to "Transport in bulk" would mean that all information related to bulk transport could be covered under one section of the safety data sheet. This would help the user find the proper information efficiently and would assist the author who would not need to consider where additional information related to solid bulk cargoes should be included. Simplifying the name of the subsection would also make it more consistent with other subsection names and general GHS requirements.

6. In case a substance is not transported in bulk at all, this could be mentioned in subsection 14.7.

## Proposal

7. In GHS Annex 4, change the name of subsection A4.3.14.7 from '*Transport in bulk according to Annex II of MARPOL 73/78<sup>9</sup> and the IBC code<sup>10</sup>*' to '*Transport in bulk*'. For consistency, the same change would need to be reflected in Table 1.5.2 (row 14(f)) of the GHS.

8. Update the first paragraph of A4.3.14.7 from:

*'This sub-section only applies when cargoes are intended to be carried in bulk according to the following IMO instruments: Annex II of MARPOL 73/78<sup>9</sup>, the IBC code<sup>10</sup>,*

to:

*'This sub-section only applies when cargoes are intended to be carried in bulk according to the following IMO instruments: Annex II of MARPOL 73/78<sup>9</sup>, the IBC code<sup>10</sup>, the IMSBC code<sup>xx</sup> and the IGC code<sup>xx</sup>.'*

9. Add explanations of IMSBC code and IGC code to footnotes and numbers accordingly.

10. Add a third paragraph to give guidance on the type of information that should be included for solid bulk cargoes as agreed by the Sub-committee. This might include the bulk cargo shipping name, whether or not the cargo is considered 'harmful to the marine environment', whether it has a 'material hazardous only in bulk (MHB), and what group it should be shipped under according to IMSBC.

11. Add a fourth paragraph to give information what kind of information is needed for gaseous bulk cargoes – as agreed by the Sub-committee. This might include product name and ship type according to IGC or earlier versions eGC and CG

## Summary

12. The section name change and additional guidance would assist both the safety data sheet author and the user as the information on bulk transport could be found in the same subsection of the safety data sheet for all physical forms.

13. ICMM would be pleased to work with Sub-committee members to draft text as required.

DRAFT