

**ANNEXURE 8****Gap analysis for current practice for labelling and the GHS requirements**

GHS	Current Practice	Compliance with GHS
<p>1. Precautionary statements have not yet been standardised. The competent authorities may choose the appropriate precautionary information and pictogram to be included on a label</p>	<p>SABS 0265 lists safety phrases that are precautionary statements that provide additional information about the product</p> <p>Agricultural guidelines specify a series of advice and warning pictograms that provide additional information</p> <p>SABS 0232-1 and SABS 0232-2 and IMDG Code - Precautionary statements are not specified</p>	<p>This has not yet been formalised in the GHS.</p> <p>However, the precautionary statements that set out in SABS 0265 and the agricultural guidelines are not in accordance with examples that are given in the GHS.</p>
<p>2. Label to be updated when new information becomes available. Competent authorities may choose to specify a time limit within which information should be revised. In pesticide labelling systems, where the label is part of a product approval mechanism, suppliers cannot update the label on their own initiative.</p>	<p>There is no legal requirement for updating labels</p> <p>Formalised management systems that are implemented by companies usually make provision for a review the labelling requirements although systems are not operational in all companies and the level of compliance is not known</p> <p>Those management systems based on the ISO system are required to review labels every three years in accordance with ISO 9001 and annually for ISO 14000. Compliance with this activity is formally audited</p> <p>Companies manufacturing pesticides do not review the labels after registration of the preparation.</p> <p>In practice labels are not always updated regularly when new information is received</p> <p>In the consumer sector, the information that is supplied regarding the active ingredients is not always sufficient</p>	<p>Not compliant with GHS</p>

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	and is not updated when the product ingredients change	
3. Periodic review of information on which the label is based. The competent authorities may specify a time (typically 3 – 5 years) from the date of original preparation.	<p>No legal requirement to review the information on the label at a specified frequency</p> <p>Formalised management systems that are implemented by companies usually make provision for a review the labelling requirements although systems are not operational in all companies and the level of compliance is not known</p> <p>Those management systems based on the ISO system review labels every three years in accordance with ISO 9001 and annually for ISO 14000. Compliance with this activity is formally audited</p> <p>Companies manufacturing pesticides do not review the labels after registration of the preparation.</p>	Not compliant with GHS
4. Where confidential business information is to be protected, the competent authorities should establish appropriate mechanisms in accordance with the national law to ensure health and safety is not compromised. Specific general principles are outlined in the GHS to which the approach to confidential business information should apply.	<p>SABS 0265 makes provision for limiting disclosure of confidential information</p> <p>Fertilizers, Farm Feeds, Agricultural Remedies and Stock Remedies Act includes a secrecy clause prohibiting the disclosure of information regarding formulations</p> <p>Often the manufacturer does not display information regarding active ingredients on consumer products in order to keep the information confidential.</p>	<p>Not compliant with GHS.</p> <p>The Constitution and the Promotion of Access to Information Act regulate access to information. However, the principles of disclosure of confidential business information related to chemicals with regard to labelling provisions are not specifically addressed.</p>
5. All hazard pictograms are in the shape of a square set at a point	<p>SABS 0232-1/SABS 0232-2 and IMDG Code specifies placards to be a square set an angle of 45°</p> <p>SABS 0265 specifies that danger symbols and pictograms are in the form of a square</p>	<p>SABS 0232-1/SABS 0232-2 and IMDG Code comply with GHS</p> <p>SABS 0265 does not comply</p>

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	pictograms are in the form of a square	
6. For transport, the pictograms prescribed by the UN Model Regulations on Transport of Dangerous Goods should be used. GHS pictograms for the same hazard should not appear.	The pictograms specified in the UN Model regulations are incorporated in SABS 0232-1/SABS 0232-2 and the IMDG Code	Complies with GHS
7. Pictograms prescribed by GHS but not the UN Model Regulations, have a black symbol on a white background with a red frame. When displayed on a package that is not to be exported the competent authorities may choose to allow a black border.	SABS 0265 specifies labels that comprise a black symbol on an orange-yellow background. The fish and tree pictogram is included in SABS 0265, which is prescribed by GHS but not the UN Regulations.	Not compliant with GHS
8. Competent authorities may allow the use of UN Regulation pictograms in other use settings where the package is not covered by the Regulations	Pictograms specified in SABS 0231-1 (Based on UN Regulations) are applied to the warehousing and storage of chemicals and specified in SABS 0263	Hazard warning labels to be displayed at storage and warehousing facilities comply with GHS through the use of UN transport pictograms in settings other than transportation
9. The UN sub-committee of experts on the UN Regulations may choose not to include signal words and hazard statements	SABS 0232-1/IMDG Code do not specify the use of signal words but hazard statements are included on some classes of hazards	Complies with GHS
10. The signal words in GHS are “Danger” and “Warning”	No formal labelling system that incorporates signal words	Not compliant with GHS
11. Product identifier should be displayed that matches that used in the SDS. Where substance is covered by the UN Regulations, the UN proper shipping name should be used	<p>SABS 0232-1/SABS 02302-2 and the IMDG Code specify that the placard should display the UN number as listed in SABS 0228/IMDG Code, which is consistent with the accompanying documentation. Accompanying Tremcard and dangerous goods declarations also include the same UN number as displayed on the placard and proper shipping name.</p> <p>SABS 0265 specifies the label display the name of the substance listed in the Annexure and the SIN (UN</p>	<p>Transportation labelling complies with GHS</p> <p>Labelling requirements for use in the workplace and sale are not formalised. Current practice does not consistently comply with GHS requirements.</p>

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	<p>number) where the substance in accordance with SABS 0228</p> <p>Agricultural guidelines specify the inclusion of the UN number where applicable</p> <p>It has been noted by organised labour that labels on some chemicals use code names that are specific to the workplace rather than the chemical name. Workers do not therefore associate the hazards to a specific chemical and are not able to apply this knowledge elsewhere.</p> <p>In the agricultural sector, smaller enterprises do not always have the capacity to check the contents of containers in relation to the labels and have to rely on the integrity of the supplier. The use of trade names also causes confusion in the agricultural sector.</p>	
<p>12. The chemical identity of a substance should be included. For mixtures, the label should include the chemical identities of all the ingredients that contribute to acute toxicity, skin corrosion or serious eye damage, germ cell mutagenicity, carcinogenicity, reproductive toxicity, skin or respiratory sensitisation or target organ systemic toxicity, when these hazards appear on the label. Alternatively the competent authorities may require the inclusion of all ingredients that contribute to the hazard.</p>	<p>Agricultural guidelines specify that the composition statement of the active ingredient be displayed.</p> <p>SABS 0232-1/SABS 0232-2 and the IMDG Codes do not require that the ingredients be included on labels for transportation purposes</p> <p>SABS 0265 specifies that a preparation that contains substances classified as very toxic, toxic, harmful, corrosive, skin and respiratory sensitisers, present in concentrations that equal or exceed the lowest hazard limit or specified limits for each of the substances shall be displayed. Preparations that contain substances that can cause irreversible effects, mutagens and carcinogens must display the chemical names.</p>	<p>Transportation labelling displays the UN number for chemical identity. Information on ingredients is not required by the current legislation. The UN Committee of Experts on the Transport of Dangerous Goods is still to decide on what parts of the GHS to incorporate into their Model Regulations</p> <p>Agricultural products do not comply with the GHS in that only the active ingredient must be displayed</p> <p>SABS 0265 complies with GHS</p>

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<p>13. The name, address and telephone number of the manufacturer or supplier of the substance or mixture should be provided on the label</p>	<p>SABS 0232-1/SABS 0232-2 and the IMDG Code require that two telephone numbers be displayed on the placard where emergency information can be obtained</p> <p>SABS 0265 specifies that the name and the complete address of the supplier, manufacturer, the distributor or importer be displayed</p> <p>Companies have experienced problems in the workplace with the absence of local emergency contact numbers on labels of both imported and local chemicals. Where contact numbers are given, they often do not reach the correct person who will be able to give assistance in the event of an emergency. Emergency responders have encountered similar problems with telephone numbers displayed on transport placards</p>	<p>Transportation labelling displays two emergency telephone numbers only. Information on the name and address of the supplier is not required by the current legislation. The UN Committee of Experts on the Transport of Dangerous Goods is still to decide on what parts of the GHS to incorporate into their Model Regulations</p> <p>SABS 0265 complies with GHS</p> <p>The lack of enforcement of the transport legislation is impacting on the level of compliance with the information requirements</p> <p>Labelling requirements of products for sale and handling are not formalised which limits enforcement of provision of appropriate information</p>
<p>14. The precedence of symbols for physical hazards follows the rules in the UN Regulations</p>	<p>SABS 0228 and the IMDG Code lists the precedence of physical hazards that is in accordance with the UN Regulations</p> <p>SABS 0265 precedence of physical hazards is not compliant with the UN Regulations</p>	<p>Transport sector and wherever SABS 0228 is implemented complies with GHS</p> <p>SABS 0265 does not comply with GHS</p>
<p>15. For health hazards, the principles are:</p> <p>i) If the skull and crossbones applies, the exclamation mark should not appear</p> <p>ii) If the skull and crossbones applies, the exclamation mark should not appear where it is used for skin or</p>	<p>SABS 0265 specifies that:</p> <p>i) Toxic symbols take precedence over corrosive, harmful and irritant symbols</p> <p>ii) Corrosive symbols takes precedence over harmful and irritant symbols</p>	<p>SABS 0265 applies a hierarchical approach to labelling corresponding to the severity of hazard, which complies with GHS. However, the symbols used for the different hazard categories are not compliant</p>

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<p>eye irritation</p> <p>iii) Where the health hazard symbol appears for respiratory sensitisation, the exclamation mark does not appear where it is used for skin sensitisation or for skin or eye irritation</p>	<p>and irritant symbols</p> <p>iii) Harmful symbols takes precedence over irritant symbols</p>	
<p>16. All hazard statements should appear on the label. The competent authorities may choose to specify the order in which hazard statements appear</p>	<p>SABS 0265 specifies risk phrases that are to be used for the different hazard categories. A maximum of four risk phrases are considered to be sufficient. Although a risk phrase provides the same information as a hazard statement, the phrases are not consistent to those specified in the GHS for the hazard categories</p> <p>Hazard statements are not prescribed in SABS 0232-1/SABS 0232-2 or the IMDG Code</p>	<p>SABS 0265 complies with the principle of displaying hazard statements on the label but uses different statements</p> <p>Labels for transportation and storage and warehousing do not display hazard statements. No decision has been made by the UN Sub-committee of Experts on the Transport of Dangerous Goods on the inclusion of hazard statements in the Model Regulations</p>
<p>17. The competent authorities may choose to provide a specified layout for the presentation of the information on the label</p>	<p>SABS 0232-1/IMDG Code specifies the design, layout and format of the placard. The size of text and other label elements are defined.</p> <p>SABS 0265 specifies the size of the label, colours and information to be displayed but does not include a specific design format. The size of the lettering has to be legible.</p> <p>Agricultural guidelines specify the layout of labels and format and describe formats to be used for the label. However, often the containers are small and limited information can be displayed. The package insert does address this problem but often the insert is only accessible after the product has been purchased</p>	<p>SABS 0232-1/IMDG Code and agricultural guidelines comply with GHS</p> <p>SABS 0265 does not comply as a label layout is not specified</p> <p>The problems associated with the inaccessibility of the package insert for agricultural and stock remedies prior to purchase limits the information available to the consumer. GHS does not make provision for the use of package inserts for products for sale</p>

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	<p>Problems have been identified in the workplace including:</p> <p>I) where the information conveyed by a label on an imported chemical is different in format and content</p> <p>II) the size and font used on labels is often not legible.</p> <p>With the exception of agricultural products, there are no statutory requirements for labelling of chemical consumer products. Consequently, the labelling is not standardised and some household products are not labelled. Often where labels are available the information that is displayed is printed in a font that is so small that it does not attract the attention of the consumer. The actual ingredients and the side effects are often not included on the label.</p>	
<p>18. Colour can be used on other areas of the label to implement special labelling requirements. This can be prescribed by the competent authorities</p>	<p>Agricultural guidelines specify colour bands to signify hazard and the use of a purple square for herbicides</p> <p>This practice is not applied to any other chemicals</p>	<p>Agriculture and stock remedies comply with GHS</p>
<p>19. The competent authorities may choose to allow information related to the hazards of carcinogens, reproductive toxicity and target organ systemic toxicity repeat exposure on the label and the SDS, or only on the SDS</p>	<p>SABS 0265 includes the hazards categories of carcinogens and reproductive toxicity. Where a substance contains an impurity or additive that is classified as a carcinogen then the substance is classified as a carcinogen and labelled accordingly. Similarly if a substance or preparation is toxic to reproduction, the label displays the appropriate symbol and risk phrases</p>	<p>Complies with GHS in that information is displayed on the label</p>
<p>20. The label should be maintained on the supplied container used in the workplace. The GHS label or label elements should also be used for workplace containers. The competent authorities may allow employers to use</p>	<p>In accordance with the OHS Act, MSDS are to be maintained at the workplace and be accessible to workers</p>	<p>The availability of the MSDS is a legal requirement and this complies with GHS</p>

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<p>alternative means of giving the workers the same information in a different written or displayed format when such a format is more appropriate to the workplace and communicates the information as effectively as the GHS label, e.g. label information displayed in the work area or on the SDS</p>	<p>Some companies tailor the MSDS for use in the workplace and make use of pictograms and other information that are displayed in appropriate areas to convey the hazard</p>	<p>The use of displayed material and pictogram is a company initiative and not formalised</p>
<p>21. Where it is impractical to produce a complete GHS label and attach it to a container in the workplace, decanted chemicals intended for immediate use in the workplace should be labelled with the main components and reference made to the supplier label and SDS</p>	<p>The Hazardous Chemical Substances Regulations specify that any container into which a hazardous chemical substance is decanted, is to be clearly labelled with regard to the contents</p> <p>In practice, when chemicals are decanted in the workplace the new containers are not always adequately labelled</p> <p>Problems occur in the agricultural sector where chemicals are diluted for use and later stored and the containers are not labelled correctly</p> <p>In the consumer sector, chemicals are often decanted by retailers into containers that are not labelled</p>	<p>Not fully compliant with GHS</p> <p>Provision is made in the legislation regarding the labelling of decanted chemicals, reference to the MSDS is not required on the label.</p> <p>In practice labelling of decanted chemicals in the workplace and in the agricultural sector is not always enforced.</p> <p>Provision is not made for the labelling of decanted chemicals in the consumer sector</p>
<p>22. Competent authorities may authorise consumer risk based labelling systems. Labels based on this approach provide targeted information on identified risks but may not include information on chronic health effects that would appear on a label based on hazard alone. The competent authorities would establish procedures for determining the potential exposure and risk for the use of the product.</p>	<p>Currently only agricultural and stock remedies that are available to the consumer sector have formalised labelling requirements. Labelling is based on the hazard of the active ingredient only.</p> <p>Other chemical household products have not formal labelling requirements</p>	<p>Not compliant with GHS.</p> <p>Labelling in the consumer sector is not based on risk analysis. Legislated provision is based on only the active ingredient. Many products have no labelling at all.</p>
<p>23. Where tactile warnings are used, the technical specifications conform with ISO 11683</p>	<p>Tactile warnings are currently not used on labels</p>	<p>Currently not applied to labels</p>

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<p>24. Words and phrases must retain their comprehensibility when translated while conveying the same meaning</p>	<p>Fertilizers, Farm feeds, Agricultural Remedies and Stock Remedies Act prescribes the approval of the label prior to registration. The legislation states that the draft label must be submitted in English and Afrikaans although once approved the label can be printed in either language. Problems arise with the translation of labels into an African language. Where expertise is not available in the Registrars office, an affidavit is needed from a linguist that states that the translation of correct.</p> <p>Imported consumer products are labelled in the language of origin and may not be comprehensible to workers or consumers</p>	<p>Imported consumer products are not always compliant with GHS</p> <p>Current practices in the agricultural sector are establishing systems to ensure that labels are correctly labelled into African languages</p>
<p>25. There are other label elements that may appear on the label which have not been standardised. The competent authorities may require additional information or suppliers may choose to add supplementary information.</p>	<p>SABS 0265 lists safety phrases for use on the label that provide supplementary information about the use and handling of the chemical</p> <p>Agricultural guideline and regulations require that the product use declaration be included on the main label, warnings. Precautions. Symptoms of poisoning, first aid treatment, not to physician and veterinarian and directions for use on the side panels. Activity and advice pictograms are also included</p> <p>Labels for use in the workplace do not provide information on the uses of the chemical</p>	<p>The supplementary information that is provided on agricultural and stock remedies is formalised</p> <p>A decision is to be made by the competent authorities regarding the supplementary information that should be included on consumer and workplace labels</p>