

First Meeting (Teleconference) of the Consumer Chemicals Sector Working Group (CCSWG)

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| PACER - February 10, 2004 (10:00 am to 12:00 pm) |
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Purpose:

1. To introduce membership/provide implementation overview
2. To discuss/provide input on the draft Terms of Reference.
3. To discuss/provide input for the development of a draft work plan.

Agenda:

| | Time | Topic |
|---|-------------|---|
| 1 | 10:00-10:15 | Welcome, Member Introductions |
| 2 | 10:15-10:30 | Overview of GHS Implementation, Process |
| 3 | 10:30-11:15 | Draft Terms of Reference |
| 4 | 11:15-11:45 | Draft work plan (activities/process) |
| 5 | 11:45-12:00 | Wrap-up, Next meeting (March) |

Code of Conduct:

- Everyone has equal say.
- Listen when others are talking.
- Check that your point is on topic, then state your points briefly and clearly.
- Work together to achieve meeting objectives.
- Consciously work to identify and avoid digressions.

Expectations:

1. Introduce membership.
2. Present overview of GHS implementation and process.
3. Provide comments/input on draft Terms of Reference.
4. Provide input for development of a draft work plan.

Roles:

Chair/Facilitator: Lisa Wardell
Recorder/Timer: Ken Loewen

Meeting Summary

Consumer Chemical Sector Working Group (CCSWG) First Meeting (Teleconference) February 10, 2004 (10:00 am to 11:30 am)

Present:

Jill Courtemanche - Canadian Association of Poison Control Centres
Stephen Rathlou - Canadian Consumer Specialty Products Association
Shannon Coombs - Canadian Consumer Specialty Products Association
Anne McConnell - Soap and Detergent Association of Canada
Stan Sandler - Packaging Association of Canada
Sarfaraz Dhalla - Adhesives and Sealants Manufacturers Association of Canada
Lisa Wardell - Consumer Product Safety Bureau, Health Canada (Chairperson)
Cecylia Bilous - Regional Manager CPS, Alberta & NWT, Health Canada
Brenda Everson - Policy and Programme Services, Health Canada
Pierre Petelle - Pest Management Regulatory Agency, Health Canada

Regrets:

Jacqui Jensky - Canadian Consumer Specialty Products Association
Gurjinder Gill - Soap and Detergent Association of Canada
Doug DeRabbie - Retail Council of Canada
Milton Tenenbein - Canadian Association of Poison Control Centres
Ken Loewen - Consumer Product Safety Bureau, Health Canada
Representative - Canadian Paint and Coatings Association
Representative - Consumers' Association of Canada
Representative - Canadian Public Health Association
Representative - Direct Sellers Association

Meeting Summary:

Agenda item 1 - Welcome, Member Introductions

L. Wardell welcomed members and participants to the first meeting of the Consumer Chemical Sector Working Group (CCSWG) for the implementation of the Globally Harmonized System (GHS). She indicated that the consumer chemical sector is one of the four key sectors involved in the implementation of the GHS in Canada. Other similar working groups are being or have been established for workplace products (WHMIS), pest control products and the Transportation of Dangerous Goods (TDG). Each sector working group is being established to provide a forum for open discussion with stakeholders on matters concerning the implementation of the GHS. The CCSWG will address how best to integrate the GHS elements into affected regulations for consumer chemical products, that being the *Consumer Chemicals and Containers*

Regulations, 2001 (CCCR, 2001) under the Hazardous Products Act (HPA).

To facilitate the meeting, the agenda was developed using the PACER format, where each letter in the word PACER stands for each of the sub-headings: P- Purpose, A- Agenda, C-Code of Conduct, E- Expectations, R- Roles. These were reviewed and the PACER was accepted. L. Wardell indicated that the meetings will be held in English, however, members may express themselves in the language of their choice. All meeting materials will be translated and will be posted on the new Health Canada GHS web site. (links provided under Web Site heading).

The purpose and expectations for the meeting were as follows:

1. To introduce the membership.
2. To provide a brief overview of the implementation of the GHS and the process.
3. To discuss and provide input on the draft Terms of Reference.
4. To discuss and provide input for the development of a draft work plan.

Member Introductions:

Members introduced themselves indicating the organization they were representing. If available, members provided information on their organizations activities or involvement with the GHS and the CCCR, 2001.

L. Wardell indicated that it is difficult to find a date where all members can be present. To facilitate this next time, a selection of two possible dates will be provided and the majority available will be selected.

Safaraz Dhalla from Henkel Canada Corporation has indicated that he will be representing the Adhesives and Sealants Manufacturers Association of Canada (ASMAC).

Agenda Item 2 - Overview of the GHS Implementation, Process, New Web Site

Lisa Wardell provided the following overview of the implementation of the GHS and the process:

Canada has been a leader in the development of the GHS. The GHS provides a common and coherent basis to define and classify chemical hazards and communicate that information on labels and safety data sheets. After more than a decade of development, the GHS was formally adopted by the United Nations Economic and Social Council in July 2003 and is now available for worldwide use and application.

Canada's commitments to the GHS include the following:

- In August 2002, the Prime Minister endorsed the World Summit on Sustainable Development's Plan of Implementation;
- In October 2002, APEC Ministers Responsible for Trade endorsed the implementation of the GHS;
- In July 2003, the UN Economic and Social Council (of which Canada is a member) endorsed the GHS agreement;
- In November 2003, the Intergovernmental Forum on Chemical Safety involving 131 countries recognized the commitments to the GHS; and
- In October 2003, the Canadian Government held a GHS Implementation Workshop in Toronto to initiate the stakeholder consultations on the implementation of the GHS.

There is international consensus that all countries should have the GHS fully operational by 2008.

Implementation of the GHS in Canada is now being discussed. Four key sector working groups are being established and meetings are being held. For example, the pesticide sector is holding their first sector meeting on Tuesday, Feb. 17th, WHMIS held a Current Issues Committee (CIC) meeting in Nov. 2003 and sub-groups will be formed for issues and will make recommendations to the CIC. Transport Canada has indicated that their Ministerial Advisory Council is their sectoral working group and work will progress in line with the work plan of the UNSETDG. The roles and purpose of the Sector Working Groups are outlined in the Terms of Reference.

There will be the creation of a GHS General Issues Committee (previously referred to as the Umbrella Committee). This committee will make recommendations on key issues of overlap between two or more sectors. They will be a sounding board for the work on implementation of the GHS in Canada by ensuring Committee members are aware of all GHS implementation by receiving periodic reports on the work of the sectoral working groups.

Each regulatory authority will soon be asked to nominate members from their Sector Working Group to participate on the General Issues Committee. Members were asked to consider whether they would wish to participate on this committee. It was anticipated that members would be named by the end of March.

Various caucuses are being formed including, for example for government, industry and labour. For the federal government caucus, there will also be the creation of a Government Consultation Group to coordinate the federal government approach for input into the GHS General Issues Committee and the Sector Working Groups as appropriate. The Group will ensure the flow of information amongst the groups and monitor time lines. One objective will be the timing of the work so that the various sectors proceeds in parallel so that harmonization between the sectors is realized.

The Policy and Programme Service Office (PPSO) of the Product Safety will be providing the lead for the project for Canadian implementation of the GHS and will be managing the overall process. Ms. Brenda Everson of the PPSO was present at the meeting. Others from PPSO involved with GHS include, Ms. Kim Headrick who is the International Harmonization and Senior Policy Advisor of the PPSO and Alan Cotterill who is the Manager, of the PPSO.

Web-site: To facilitate the exchange of information and linkages, the PPSO will be managing a GHS web page on the Health Canada web site. The site will be further developed to include the work of the General Issues Committee and all sector working group meeting documents, such as Terms of Reference and Membership List, Work Plan, Meeting Agenda, Meeting Notes and other Documents.

Presently, the site includes a link to the UN GHS web site, the proceedings of the October Workshop and also a copy of the Situational Analysis document, which is a comparison of the GHS and the existing systems in Canada. The new links to the site are as follows:

<http://www.hc-sc.gc.ca/english/about/ghs/index.html>
http://www.hc-sc.gc.ca/francais/a_propos/ghs/index.html

Agenda Item 3 - Draft Terms of Reference

Members discussed the draft Terms of Reference (ToR) dated January 14, 2004. Lisa indicated that the draft Terms of Reference document was prepared in collaboration with the other key sectors chairs and the PPSO. Each sector was able to tailor the ToR for their specific sector working group.

Members provided input and comments on the following sections of the ToR:

1. Overview of the GHS

Members asked if the 2008 date was realistic. L. Wardell indicated that there was international consensus regarding the date and that there is a need to set a date as a goal to work towards.

2. Guiding Principles of GHS Implementation in Canada:

Members wondered where the U.S. was at regarding implementation. L. Wardell indicated that the U.S. has been a key contributor to the development of the GHS and that some implementation activities are just beginning in some agencies. For example, OSHA has formed an alliance with the Society of Chemical Hazard Communication (SCHC) to promote the GHS. The EPA has formed an internal working group on the GHS, however, have not made any public announcements.

L. Wardell indicated that she had recently contacted her U.S. CPSC colleague, Kailash Gupta, to share general information on the implementation of the GHS.

3. Purpose of the Sectoral Working Groups - No comments.

4. Sector Overview

Member suggested deleting the word “hazardous” from the second sentence of the first paragraph. Members agreed with the deletion.

5. Key Results

Member asked what the non-regulatory initiatives were. C. Bilous indicated that they could take a number of different forms such as policy or voluntary compliance.

6. Membership: Chairperson, General

L. Wardell will update the ToR to reflect the following changes to organizations:

- The Canadian Association of Poison Control Centres in place of the provincial Poison Control Centres.
- The Adhesives and Sealants Manufacturers Association of Canada in place of Henkel Canada Corporation.

Member indicated that ASMAC should be also represented on the WHMIS sector working group. L. Wardell will consult with WHMIS Division colleagues.

Members agreed that the general membership should be comprised of associations and not individual companies.

7. Roles and Responsibilities: Chairperson, Members - No comments.

8. Information Sharing

Member requested that more time be given to allow members to canvas their associations. It was suggested that information be sent at least four weeks rather than two weeks before meetings. L. Wardell indicated that she would consult with the other sector chairs and get back to members.

9. Reporting Relationship

L. Wardell indicated that this section is under further development and some changes may be made. For example, the names of the Committees have changed and the approval level for the recommendations is under discussion.

10. Decision-making - No comments.

11. Costs

Member asked if there is any funding available for organizations that have no budget. L. Wardell indicated that in past, Health Canada has paid for travel arrangements for organizations such as the Consumers' Association of Canada to allow volunteer members to attend meetings. This has been included in the plans for this year, however, the budgets have not yet been approved.

12. Frequency of Meetings - No comments.

Agenda Item 4 - Draft Work Plan (activities/process)

L. Wardell indicated that the key results of the ToR will be the overall goals of the work plan. The specific work activities need to be detailed in the work plan. Timing the work with the other sectors is one important objective so that work proceeds in parallel with other sectors. In this way, issues can be discussed between the sectors and harmonization to the greatest extent possible can be realized. This will also be important for discussions on issues of overlap between sectors. Ideas and themes from the Workshop in October can be examined for inclusion in the work plan, in addition to issues identified in the Situational Analysis.

L. Wardell indicated that there will be a federal caucus meeting of key sectors on March 4th to discuss the development of an overall work plan.

L. Wardell asked members if they had any suggestions on how to proceed with respect to the work plan.

Member commented that NAFTA harmonization should be a top priority. L. Wardell indicated that this is a guiding principle for implementation in Canada. L. Wardell indicated that CPSC would be sent updates on progress of implementation in order to share information.

Member commented that the pacing can't be too far ahead of the US or we will end up replacing a unique Canadian system with another unique Canadian system.

Member commented that sector heads could develop the general strategy of the work plan vs. the technical issues. The process should be similar in each sector.

Member commented that for overlap issues, each sector working group should do a quick scan to identify the areas of overlap.

Member commented that after all the work put into the CCCR, 2001 it is a bit like starting over again. We need to include NAFTA partners. L. Wardell commented that while we need to work closely with NAFTA partners, it is important that we also form our own position on issues prior to discussions with partners.

Member commented that we need to include the position that we will work hard to include trade issues and work in step with NAFTA.

Member commented that we need a preferred and back up option to present to the U.S.. Between now and the fall, we are in a unique position to develop our options.

L. Wardell provided the following idea in which to create a work plan:

The GHS is a collection of building blocks with which to form a regulatory approach. Where hazards are covered by a sector/system it should be consistent with the GHS requirements.

Suggest a class-by-class review of each hazard class that are currently covered under the CCCR, 2001. Perhaps starting with the physical hazards and then moving towards the health and environmental hazards. After reviewing those that are currently covered the group could review the hazard classes not currently covered, again starting with the physical hazards and then the health and environmental hazards.

Using the Situational Analysis document, the group could review the comparison of each hazard class and pose a series of questions for adopting the hazard class overall and then for adopting each category within that class. Options could be identified or presented by Health Canada representatives or by members. It may take a series of meetings to develop options and have members review the options with their various caucuses and be able to prioritize those options for further discussions.

At the same time, the group could identify what it felt were issues of overlap between sectors and also examine those issues which may be impacted by potential changes to the current system such as prohibitions and packaging requirements. Again developing options and recommendations in each case.

Agenda Item 5 - Wrap-Up, Next Meeting:

Members discussed that the next teleconference would be held on either March 24th (pm) or March 26th (am). One member has since indicated that they are not available on March 24th. The next meeting may be scheduled for March 26th (10 am).

L. Wardell thanked members for their participation in the teleconference. The teleconference ended at approximately 11:30 am.