

Meeting Summary

Consumer Chemical Sector Working Group (CCSWG) Second Meeting (Teleconference) April 7, 2004 (10:00 am to 12:00 pm)

Present:

Jill Courtemanche - Canadian Association of Poison Control Centres
Stephen Rathlou - Canadian Consumer Specialty Products Association
Shannon Coombs - Canadian Consumer Specialty Products Association
Jacqui Jensky - Canadian Consumer Specialty Products Association
Gurjinder Gill - Soap and Detergent Association of Canada
Anne McConnell - Soap and Detergent Association of Canada
Sarfaraz Dhalla - Adhesives and Sealants Manufacturers Association of Canada
Lorraine Bennett - Canadian Paint and Coatings Association
Paul Therriault - Direct Sellers Association
Lisa Wardell - Consumer Product Safety Bureau, Health Canada (**Chairperson**)
Cecylia Bilous - Regional Manager CPS, Alberta & NWT, Health Canada
Ken Loewen - Consumer Product Safety Bureau, Health Canada

Observers:

Brenda Everson - Policy and Programme Services, Health Canada
Lynn Ovenden - Pest Management Regulatory Agency, Health Canada

Regrets:

Stan Sandler - Packaging Association of Canada
Doug DeRabbie - Retail Council of Canada
Milton Tenenbein - Canadian Association of Poison Control Centres
Representative - Consumers' Association of Canada
Representative - Canadian Public Health Association

Meeting Summary:

Agenda item 1 - Welcome, Member Introductions

- Participants of teleconference introduced themselves and their affiliation.
- A request was made to send contact information so that a list of members could be prepared and distributed.
- The agenda (PACER) was reviewed and accepted with the addition of one item outlined below.

The purpose and expectations for the meeting were as follows:

- To provide update on draft Terms of Reference, draft Work Plan and process.
- To provide update on roles of General Issues Committee, Ad Hoc Expert Working Groups, etc.
- To begin discussions on the Acute Toxicity hazard class using the Situational Analysis and discussion guide. (No positions or preferred options required at this time).
- **Added Item:** Update on some U.S. Activities for GHS Implementation

Agenda Item 2 - Update on draft Terms of Reference, draft work plan and process

- The draft Terms of Reference was updated based on members comments, however, the Reporting Relationship section is still under further development. It was proposed to develop an Appendix for the Reporting Relationship that can more easily be updated once the reporting process has been finalized. The updated Terms of Reference will be sent for final review with the draft Appendix of the Reporting Relationship.
- Members were updated on discussions that had taken place with other sector Chairs regarding the sharing of documents. The sector Chairs had agreed that best attempts would be made to have substantive documents (those requiring decision or input) made available at least four weeks before meetings to allow members to canvass their associations/organizations. The work plan process was developed to allow ample time for discussion of issues before the final proposal and recommendations were required.
- Members reviewed the draft work plan and process for the CCSWG dated March 26.

Agenda Item 3 - Update on roles of General Issues Committee and Ad Hoc Expert Working Groups

The following updates were provided:

- The General Issues Committee (GIC) 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 sector was asked to nominate at least two key stakeholders to the GIC. For the CCSWG, members nominated include Stephen Rathlou (CCSPA) and Jill Courtemanche (Canadian Association of Poison Control Centres). The GIC will be holding its' first meeting (teleconference) on June 8, 2004.
- After further discussion, the chairs of the various sectors felt that specific technical issues would best be addressed through the creation of Ad Hoc Expert Groups rather than as a

role of the GIC. Therefore, Ad Hoc Expert Groups will be formed to make recommendations to the Sectoral Working Groups for specific issues of overlap between two or more sectors. For example, it is expected that Ad Hoc Expert Groups will be formed to deal with the issue of Environmental Hazards and Chronic Hazards for consumer chemicals (including domestic pesticides). Membership may consist of interested members from all sectors and subject matter experts.

Agenda Item 4 - Acute Toxicity Hazard Class Discussions

Members began discussions regarding the acute toxicity hazard class using the discussion guide dated March 26 and also the tables from the Situational Analysis,

Members were invited to recommend any additional options or add any comments, noting that it may take a series of meetings to consider all of the options and to be able to prioritize them.

Highlights from Acute Toxicity Discussions:

- Adoption of Category 5 in most instances will increase the current requirements.
- Need to know what trading partners are doing in order to harmonize trade. No current protections should be decreased.
- Concern that having Category 5 where not necessary may be problematic. It may be necessary to obtain data to show that there is a tangible risk. If available, review data/rationale used to support Category 5.
- During the development of the GHS, the U.S. was supportive of Category 5 and therefore it is anticipated that the U.S. may adopt this Category.
- Concern was expressed regarding the new health hazard symbol (exploding chest) for aspiration hazards and which is also used for carcinogens and for target organ systemic toxicity (TOST) single and repeated exposure. Some flexibility is needed. Classification of chemicals should be consistently approached. An example, methanol was briefly discussed as to whether it is classified as single TOST, acute toxicity or both.
- It was noted that a situation exists currently where WHMIS products are available at retail. When GHS implemented, there may be confusion between consumer products and WHMIS products as there may not be a hatched border to distinguish products. This could make enforcement difficult particularly for consumer products that are prohibited. For implementation, need to think of all products in an integrated way (consumer, workplace, transport).
- Concern regarding acute toxicity inhalation of vapours: suggest an Option 2 - to have the prohibition align with Category 3. This may not be acceptable as it may mean lowering

existing protection by allowing a prohibited product to be sold. It may be difficult to enforce the prohibition for the lower levels of Category 3 because you cannot tell by looking at the product. This is one area that may cause confusion/conflict.

- Concern expressed over endpoints that cause effects other than lethality for acute dermal toxicity.

Added Item: Update on some U.S. Activities:

A brief update on some U.S. activities regarding the implementation of the GHS was provided.

There was a Senate hearing in the U.S. looking at Material Safety Data Sheets and the problems experienced regarding their consistency and accuracy. Messages given at the hearing indicated that the GHS would be a way forward to help resolve some of these problems. The first two paragraphs were read from an article published in a report from the Bureau of National Affairs entitled “*Senator Enzi at Hearing Says He Will Explore Legislation to Push for Global Harmonization*”.

At the First Regulatory Conference organized by the U.S. Consumer Specialty Products Association, the U.S. Consumer Product Safety Commission (CPSC) indicated preparation for the implementation of the GHS, that they will coordinate with other federal agencies to assure consistency and that they will consider the needs of consumers and the regulated industry. The presentation also included a brief overview of the *Federal Hazardous Substances Act* and how it compares to the GHS.

Members were informed about the Occupational Safety and Health Administration (OSHA) web site for the GHS, including: a document comparing the GHS and OSHA hazcom requirements, links to the US Department of Transport and the Environmental Protection Agency (EPA) website dealing with the GHS and a link to the testimony of John Henshaw, Assistant Secretary of Labour of OSHA to the hearing described above regarding Senator Enzi.

The OSHA GHS web site can be found at the following address:

<http://www.osha.gov/SLTC/hazardcommunications/global.html>

Agenda Item 5 - Wrap-Up, Next Meeting:

For the next meeting an e-mail proposing two possible dates would be sent out.

The teleconference ended at approximately 11:30 am.