

2014 Latin America GHS Update

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2014 Latin America GHS Update



GHS Countries



Brazil
2009

Uruguay
2009

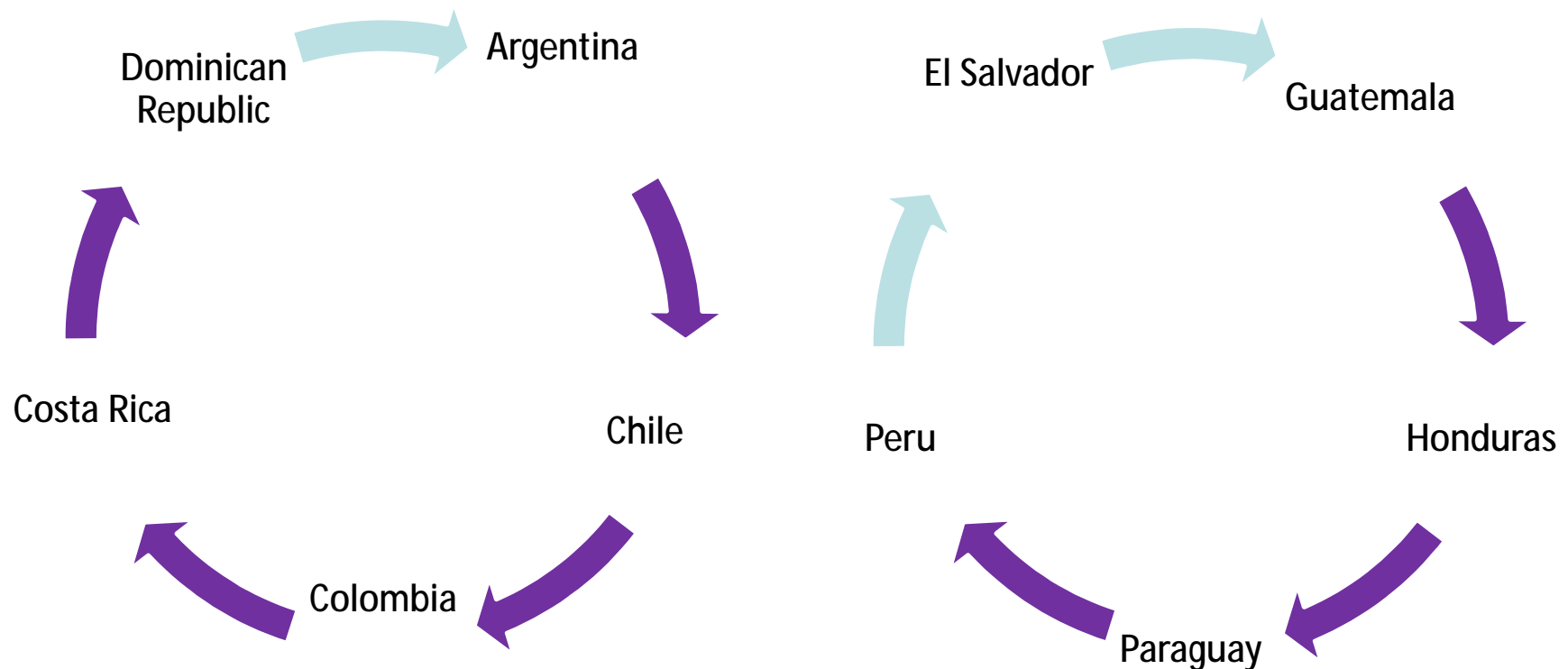
Mexico
2011

Ecuador
2013

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Non-GHS Countries



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GHS Seeks
Harmonization

The Building block
Approach

*What is the
Building block
approach?*

Countries are free
to determine
which of the
building blocks
will be applied in
different parts of
their systems.

In Latin America,
most countries
have taken the
Building block
approach.

Argentina

- In Argentina, some initiatives have been developed in order to adapt the standards in accordance with the GHS.
- The Argentine Institute for Standardization and Certification (IRAM), published in 2006, the IRAM 41400 Safety Data Sheet for chemicals . This standard is on line with the requirements for safety data sheets the GHS.

Safety Data Sheet

- IRAM standard No. 41400 released September 18, 2013.
- Aligned with GHS 4th edition.
- Optional – No transition periods

The standard has been submitted to government agencies for decision on whether the standard will become mandatory in the future. El Salvador

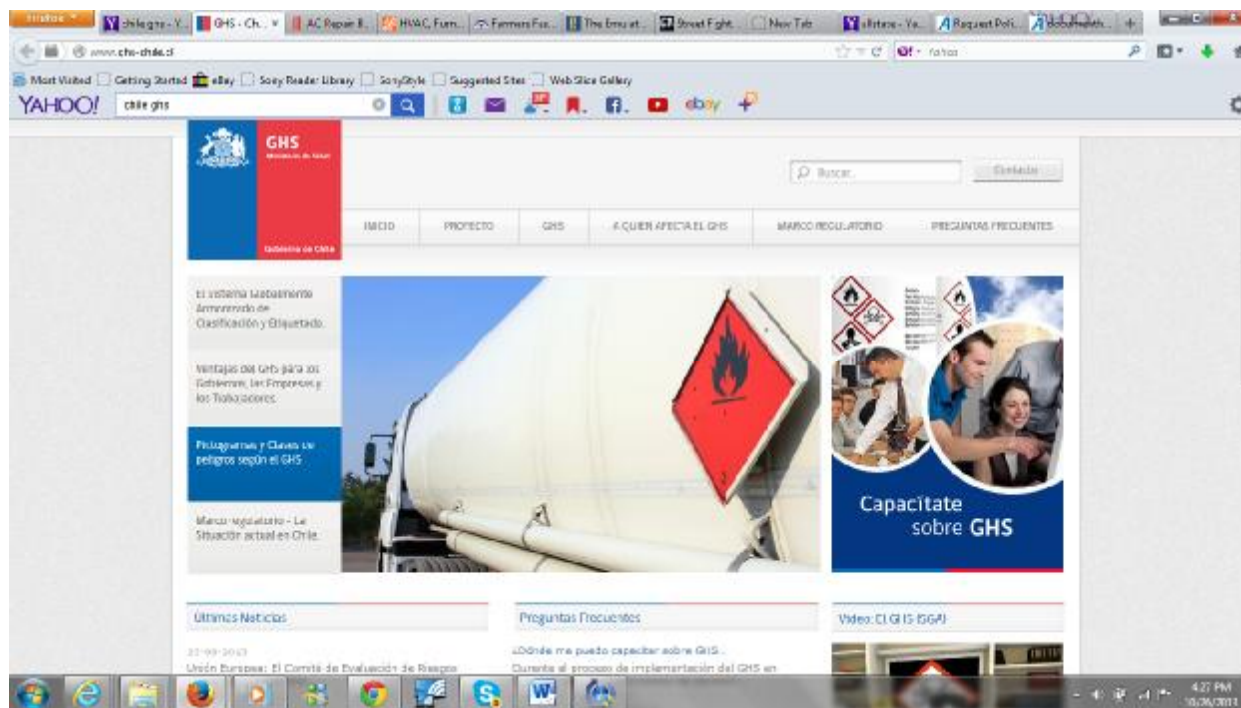
Labeling Standard

- SDS standard references IRAM 41401 on Labeling currently still under review
- Use IRAM 3797 on Labeling currently in force until 41401 becomes available.

2014 Chile GHS Update



- Chile is implementing GHS in 2014



Chile's GHS implementation Schedule

January 2014

- Preparation of the revised version and end of the National strategy for the implementation of GHS

February 2014

- Preparation of the final version of the National Strategy for Implementation of GHS

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Chile GHS Implementation Schedule (Cont.)

- Familiarization with the infrastructure to ensure the implementation effective GHS
- Promotion of activities of training for GHS companies and industry and organizations public interest and workers
- Discussion on the deadlines and transition for the implementation GHS
- Consideration of issues of coordination and communication with business partners
- Highlight the need of a regional approach coordinated implementation of the GHS;
- National Strategy to implement approved GHS

Chile GHS Implementation Schedule (Cont.)

March 2014

- Information about the project shared at a regional level and awareness-raising
- Periodic updates of the Project provided to UNITAR and published in the national official website
- Information about the project shared at International level

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Currently enforceable - Official Standard NCh 382: Hazardous - substances general classification is the current enforceable regulation that requires a classification form that needs to be filled out.

- Establishes a general classification of dangerous substances; moreover, includes a general list with information about the risk, according to its kind.
- Applies to dangerous substances which are classified according to the type of most significant danger present mainly in transport, and handling and storage related to the transport.
- Presents two lists of hazardous substances, one ordered by their UN number and another in alphabetical order indicating subsidiary risk and response guide to emergency (GRE) number.

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- Dangerous substances are classified in classes, which in turn may have divisions.
- A hazardous substance may present more than one distinct risk at the same time; but its location is in the class that corresponds is determined according to its greatest danger.
- Standard NCh382: terminology and general classification established in
- Standard NCh 2190: transportation risk identification incorporates the system of marking or signage
- NCh 1411/IV: identification of material risks on label
- NCh2245.Of2003: safety data sheets – requirements and other technical data

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Safety Data Sheet

Chile implemented specific workplace safety requirements. The Chilean Ministry of Health Decree 594 as amended through November 10, 2003, requires Safety Data Sheets to be maintained where hazardous substances are stored.

Chilean standard NCh No. 2245 of 2003 (Decree No. 254, published in the Official Gazette of November 26, 2003) of the Chilean National Standards Institute has established standards for the content and order of sections of Safety Data Sheets and hazard labels.

Requirements

16 Sections to be filled out in the Spanish language. The information must be clear and concise. Under the Ministry of Health Decree 594/99, as amended through Decree No. 57, November 7, 2003, there is a duty for employers to keep safety data sheets in locations where chemicals are stored and ensure basic sanitary and environmental protection for the health and well being of workers. Moreover, Decree No. 594/99 establishes occupational exposure limits.

2014 Colombia GHS Update



Safety Data Sheet (SDS) for hazardous substances and mixtures
Colombian Ministry of Environment advised that UN GHS Purple Book 4th edition is accepted in Colombia.

- Able to classify and use the Safety Data Sheet and Labeling from the Purple Book.
- Use of the NTC 4435 is geared more toward transportation.

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The requirements to provide safety data sheets, their format and content are stipulated in NTC 4435 of 2010. Following are important highlights:

- Chapter II discusses the steps used to prepare the safety data sheet, which include: aspects of format, such as the titles of the sections and the order of presentation; principles for effective communication of information on the materials safety data sheet; general information and common principles for all the materials safety data sheet (for example: date of revision, page numbering, use of units of measurement) and collection of information and determination of risk.

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- Chapter III presents the individual sections of a Safety Data Sheet, including the purpose, content, and audience. Brief examples are given.
- Chapter IV contains a brief presentation on the evaluation of a complete SDS.
- Chapter V contains a list of references used for the elaboration of this standard.
- Section 16 of the SDS: Other Information
 - Text for Labeling: Companies can show their labels as a service to the buyer or to insure that the label is consistent with the text in the Safety Data Sheet.

Companies may choose any Safety Data Sheet as long as it complies with Colombian requirements.

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- Hazard class or classification system:
 - Only for staff that has been trained in the individual system. There are several classification systems and there are multiple differences among them. Typically, these systems include acute health hazards, reactivity and flammability and can also include other hazards. Consequently, different systems can lead to confusion by a reader that is unfamiliar with the system. If a Safety Data Sheet contains a hazard classification or a certain symbol, it must clearly state the system used to classify. The use of internal company coding on Safety Data Sheets must be avoided.

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The requirements for provision of hazard labels are specified in the following regulations:

- Law No. 55, July 2, 1993.
- Colombian Technical Standard NTC No. 1692 of November 30, 2005 - Approved by Decree No. 2269 of 1993, amended by NTC No. 1692 – 2012-01-25 – Web Consult authorized by the Ministry of Transportation 2012/09/25
- Resolution 2400 of 1979

2014 Costa Rica GHS Update



Costa Rica awaited for other countries to implement, but has recently gone ahead with implementation.

- Executive Decree 28113-S, published October 6, 1999, Regulation for the Registration of Hazardous Chemical Products and its amendments
- Partially amended by Executive Decree No. 30718, published August 28, 2002
- To be replaced by the Regulation for Notification of Raw Materials, Registration, Importation, Labeling and Control of Hazardous Chemical Products under Executive Decree DRS-IC-174-12 (to repeal 28113-S)
- Costa Rica's implementation is another example of the Building block approach using their current legislation to build upon it to implement GHS.

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- Scope:

This Regulation shall apply to the following products classified as hazardous and other products declared as such by the Ministry, by decree or administrative resolution, including all dangerous raw materials that do not have a specific regulation:

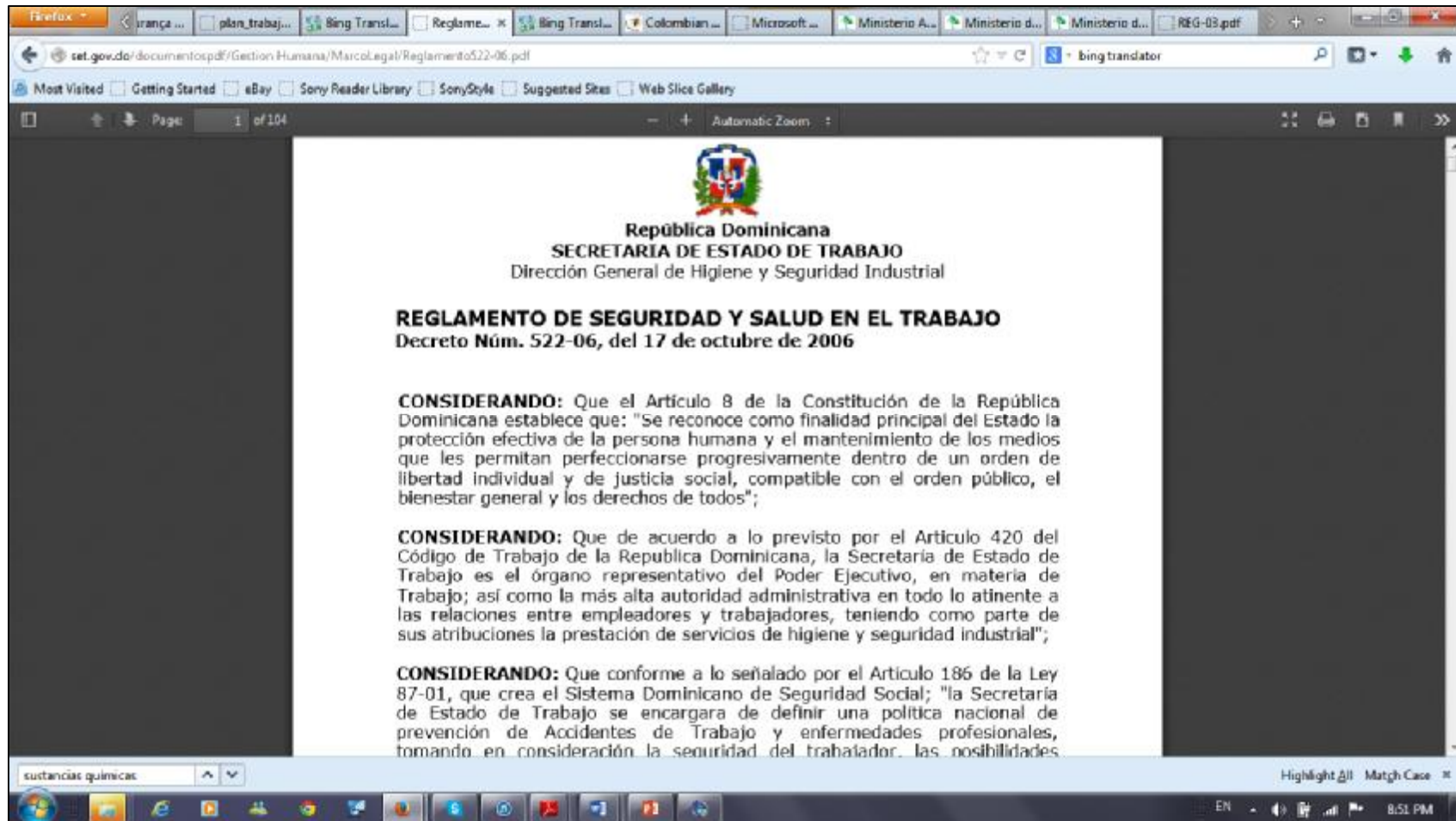
- Class 1 explosives
- Class 2 Gases
- Class 3 flammable liquids
- Class 4 flammable solids
- Class 5 oxidizers or oxidizing and organic peroxides
- Class 6.1 toxic
- Class 8 Corrosives
- Class 9-Miscellaneous

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- The previous classification will be made according to criteria set forth in annex 1, guide for the classification of hazardous chemicals.
- Annex 2 provides the list of products that are exempt from registration/notification as long as they do not contain controlled substances
- Annex 3 contains the minimum information that must be provided on the Safety Data Sheet
- Annex 4 Provides the requirements for labeling hazardous chemical products
- Annex 5 is the Registration, Notification Form for Raw Materials, their Renewal and Updates for Hazardous Chemical Products
- Annex 6 is the Notification Form for Non-hazardous Chemical Products
- The Safety Data Sheet and all labeling must be in Spanish

2014 Dominican Republic GHS Update



2014 Dominican Republic GHS Update



Regulation for Safety and Health in the Workplace (*Reglamento de Seguridad y Salud en el Trabajo*) Decree No. 522-06, November 17, 2006

Chapter V - Article 15.

Obligations of the manufacturers, importers and suppliers

15.2. Within a period of not more than six (6) months, starting from the effective implementation of this regulation, manufacturers, importers and suppliers of products and chemical substances, used at work, are obligated to package and label them so as to enable their conservation and handling, safe and clear identification of the content and risks to the safety and health of workers, that storage or use implies, and on a material safety data sheet of containing:

- a) Product ID
- b) Hazardous ingredients

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- c) Physical data
- d) Fire and explosion
- e) Danger to health / entry ways
- f) Reactivity data
- g) Procedure for breach in case of leak or spill
- h) Information on special handling

15.3. manufacturers, importers and suppliers, mentioned above, must provide written information, indicate the correct way to use for workers; as well as the as additional preventive measures and emergency response to be taken and the risks involving both normal use, such as handling or inadequate application.

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15.4. Manufacturers, importers and suppliers of elements for the protection of employees are obligated to ensure their effectiveness, that they are always installed and used under the conditions and the form recommended by them. To this end, they shall provide the certified information indicating the type of risk to which they are directed, the level of protection against it and the correct way to use and maintain. The supplied protective equipment must be certified by International entities approved for such purposes or by an institution authorized by Dominican laws for such purposes.

15.5. Manufacturers, importers and suppliers must provide to the employers, the necessary information for the use and handling of machinery, equipment, products, raw materials and working equipment without risk for the safety and health of workers; as well as for employers.

2014 El Salvador GHS Update

- q UNITAR has assisted Central American countries to implement GHS
- q Building block legislation: Decree No. 41
- q Ministry of Environment Officials believe implementation could happen following GHS implementation in other central American countries.



On special substance matter: waste and hazardous waste regulation issued through Decree No. 41 of June 2000.

Articles 52 to 69 establish the types of identification of hazardous materials and the type of labeling corresponding to those accepted internationally for the transport of dangerous goods UN Orange Book and the emergency response Guidebook).

2014 Guatemala GHS Update



Implementing GHS by end of 2014

- Last year, the Ministry reported they had a few drawbacks in management but finally the United Nations agreement was signed in October 2013 and since it was an international agreement, the Ministry of Foreign Affairs ratified it through a governmental agreement. Once all these steps were completed, Guatemala was cleared for GHS implementation.
- GHS Technical Committee, consisting of several public and private entities that are related to the project, for monitoring and assessment of implementation.

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- Guatemala retained a consultant firm to implement activities, development of diagnostics, workshops, dissemination of information, among other activities for GHS
- On February 17, 2014, the Ministry reported a visit from UNITAR and held a national workshop to introduce and plan GHS in Guatemala.
- For the moment, all activities go as planned and it is hoped that the project will be completed by end of 2014 or earlier.

2014 Honduras GHS Update



- Classification, Labeling and Safety Data Sheet requirements for hazardous chemicals
- Approved June 11, 2013
- Full implementation scheduled in 2014

2014 Honduras GHS Update



Basis for GHS implementation

Compilation of Special Regulations derived from the General Environmental Law – Regulation for Environmentally Rational Chemical Management

- Safety Data Sheet: First Section, Articles 152-163 and Annex B
- 16 Section format in Spanish according to Article 160
- Labeling: Seventh Section and under Safety Data Sheet, First Section:
- Penalties under Chapter IV, First Section, Article 196 - warns that among the infractions penalized is: (c) improper use of labels / pictograms relating to the identification of chemicals in accordance with the Organization of the United Nations or other international identification.

2014 Paraguay GHS Update



- It is expected that Paraguay along with Argentina will implement GHS with the other Mercosur member countries, Brazil and Uruguay.
- The most important regulation in Paraguay's building block is Decree 14.390 of July 28, 1992, issued to approve ILO General Technical Regulation on Health and Medicine in the Workplace
- Currently, Paraguay's SDS also stems from Decree 14.390/92. Employers in Paraguay who use hazardous chemicals must obtain the SDS which contains a 16-section format. The chemical name used to identify a substance on the safety data sheet should be the same name as that used on the label.

Labeling and Safety Data Sheets

The Ministry of Environment in Peru reports that it would like to implement GHS, but that the country still lacks support for capacity building and training.

Except for standards on commercial labeling, the Ministry also reports that it does not have regulation on Safety Data Sheets and Labeling for hazardous chemicals.

For those reasons, Peru's Ministry of Environment accepts the UN GHS labeling and Safety Data Sheets – Purple

Technical standard No.G.050 for the construction industry at Section 19.1 on Materials, states that all chemical substances including hydrocarbons and their derivatives must have an SDS. Section 19.1 on Training, provides that storage personnel and all project personnel are to be trained specifically on SDSs on the product handled, which should be duly registered

2014 Latin American GHS Country Updates



Brazil



Ecuador



Mexico



Uruguay

Revisions

- Part 1: Terminology , Chemicals – Information about safety, health and environment- Corrected version: 2010 (in force)
- Part 2: Hazard Classification (ABNT 14725:2009)
 - - Corrected version 2010 (in force)
 - - Under revision (update not issued in 2013 and in February 2014, it is still pending according to ABNT)
- Part 3: Labeling (ABNT 14725:2012)
 - - June 14, 2012
 - - Corrected version: Aug. 16, 2012
 - Errata issued May 14, 2013 – changes to Annex F
- Part 4: Safety data sheet for chemicals (SDS) (ABNT 14725:2012)
 - - Aug. 3, 2012

2014 Brazil GHS Update



Most recent ABNT update

ABNT NBR 14725-3: (Chemicals - Information about safety, health and environment, Part 3: Labeling

ABNT issued an ERRATA on the Labeling Standard 14725-3, published May 14, 2013.

- 1. Substitute Annex F, page 44, Figure F.1 with page 2 of the ERRATA.
- 2. Substitute Annex F, page 45, Figure F.2 with page 4 of the ERRATA.
- 3. Substitute Annex F, page 46, Figure F.3 with page 6 of the ERRATA.

Labeling Transitional Periods

This second edition, ABNT 14725-3:2012 cancels the previous edition (ABNT NBR 14725-3:2009); however, the 2012 edition does not apply to hazardous chemicals that were manufactured and labeled before the entry into force of this standard. The labeling of those products is valid until the final date of validity expressed on the labeling.

Note that this standard is supplementary to existing country-specific labeling on chemical products.

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Substances

- As of December 10, 2012, chemical products must be labeled according to ABNT 14725:2012
- No further transitional periods

Mixtures

- ABNT 14725-3:2012 can be applied to mixtures that have been packaged and labeled before June 1, 2015. Until May 31, 2015, using this standard is optional.
- As of June 1, 2015, chemical products must be labeled according to ABNT 14725-3:2012.

2014 Brazil GHS Update



The 2012 Labeling Standard contains the following Annexes:

- Annex A (Informative): Correlation between safety data sheet and chemical product label information
- Annex B (Normative*): Instructions for the inclusion of safety information on labeling of chemical products
- Annex C (Normative*): Hazard Symbols
- Annex D (Normative*): Hazard Pictograms, Warning Statements, and Hazard Statements – now have H and P codes
- Annex E (Normative*): Precautionary Statements with their respective codes - previously Informative
- Annex F (Informative): Illustrated Labeling Samples
- Annex G (Informative): Supplemental Information on hazards and warnings – added, such as EUH statements

*Normative is obligatory

Safety Data Sheet

Basis for ABNT 14725-4 is Ordinance SIT No. 229 (NR26) of May 24, 2011, issued by the Ministry of Labor and Employment

Chemicals used in the workplace should be sorted and labeled as hazardous to the health and safety of employees in accordance with the criteria set out by the Globally Harmonized System of classification and labelling of chemicals (GHS) following the requirements of Brazilian technical standard ABNT-NBR 14725.

Safety Data Sheet Transitional Periods

Part 4: Safety Data Sheet of August 3, 2012

- The transitional period for Substances expired on February 3, 2013
- The transitional period for Mixtures is June 1, 2015
- ABNT-14725-4:2012 is a 16-Section Format based on UN Purple Book 3rd Edition
- Language Requirement: Brazilian Portuguese

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New Spelling Rules

- Decree 6583 of September 29, 2008 promulgated the Portuguese Language Spelling Agreement.
- The transitional period for Brazilian Spelling Rules was extended by Decree 7875 of December 27, 2012 and both old and new spelling will be acceptable until December 31, 2015.
- During the transitional period both old and new spelling rules will co-exist; however, Brazil's ABNT has already applied new spelling rules in their standards.

2014 Ecuador GHS Update



INEN Standards and GHS

Classification, Labeling and Packaging of Hazardous Chemicals

- Ecuador's GHS version was published in the Official Gazette No. 881 on January 29, 2013.
- INEN 2266:2013 became mandatory when Technical Regulation No. 078 was published on November 11, 2013
- Both the standard and the Technical Regulation will be required

The purpose of INEN 2266:2013:

- Ø It establishes the requirements that must be met for the transport, storage and handling of hazardous materials.

Its Scope:

- Ø It applies to activities in production, marketing, transport, storage and handling of hazardous materials.

2014 Ecuador GHS Update



INEN Standards and GHS

- The Safety Data Sheet (SDS), found in Annex B, has 16 Sections and requires the SDS to be written in Spanish.

The standard also specifies that the labeling of containers and packaging must also be in Spanish.

- NTE INEN 2266: 2013 combines the UN Purple and Orange Books: Annexes A through D are the Purple Book Component. Annexes F through L belong to the Transport Component (Orange Book).

Labeling

- The Safety Data Sheet in Annex B of INEN 2266:2013 refers to INEN 2288: 2000. This labeling standard for hazardous industrial chemicals remains in force and is mandatory. The standard contains label precautions and specifications.

2014 Ecuador GHS Update



Ministry of Environment

- Annex B of the NTE INEN 2266 sets the format to be used and the points that the SDS must have based on Annex 4 of the GHS.
- Annex 4 of the GHS outlines each of the points to consider for the creation of the safety data sheet.
- If necessary, users may add information based on Annex 4 of the GHS to the format of the NTE INEN 2266.
- Absent specific Ecuadorian regulation, international standards apply (EU or GHS)

2014 Mexico GHS Update



NMX-R-019-SCFI-2011

Harmonized System of Classification and Hazard Communication of Chemicals

Background

- Authorization to use GHS (NMX-R-019-SCFI-2011) as an alternative to NOM-018-STPS-2000, published in the DOF July 27, 2011.
- No transitional periods because it is optional or voluntary
- Language—Spanish (as required by NOM-018-STPS-2000)

NOM-018-STPS-2000 is a System for identification and communication of hazards and risks of chemical substances in the workplace.

On September 6, 2013, the Secretariat of Labor published an Agreement amending NOM-018-STPS-2000 and entered into force the next day.

- A third transitional article was added to NOM-018-STPS-2000

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- Provisions covered in Chapter 7 on Identification and Chapter 8 on Training and Communication in the workplace using NMX-R-019-SCFI-2011, or any other subsequent version or equivalent to 3rd revised edition (2009) of the UN Purple Book of the GHS are considered observed.
- The Secretariat of Labor clarified in February 2014 that NOM-018-STPS-2000 allows the use of the GHS Purple Book in any version back to or equivalent to the third revised edition of the Purple Book.
- The Secretariat plans to amend NOM-018-STPS in 2014 to align it with GHS.
- Secretariat of Labor does not accept any other Safety Data Sheet under any other system except Mexico's NOM-018, the Mexican GHS, and GHS Purple Book.
- NOM-018-STPS-2000 contains 12 Sections:

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- Section I: general information, including preparation date and updates
- Section II: information on the hazardous chemical
- Section III: hazardous material identification, including permissible exposure limits according to NOM-010-STPS-1999, hazard ranking for health, fire, reactivity, and special hazards, and name and percentage of hazardous ingredients (over 1% of content)
- Section IV: physical and chemical properties
- Section V: fire and explosion risks, including extinguishing media, PPE, fire fighting procedures, and products of combustion
- Section VI: reactivity data

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- Section VII: health hazards and first aid, including route of entry, toxicological information, emergency and first aid measures, and other medical information
- Section VIII: spill response measures
- Section IX: emergency personal protection equipment (PPE)
- Section X: transport information according to the Regulations for the Land Transport of Hazardous Materials issued by the Communications and Transportation Secretariat, the UN, and the North American Emergency Response Guide
- Section XI: environmental information related to water, air, soil, and hazardous waste, according to requirements from the Secretariat of Environment and Natural Resources
- Section XII: special precautions for handling, transportation and storage.

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- NMX-R-019-SCFI-2011 and, in particular, Annex IV of Mexican Implementation of the Globally Harmonized System (GHS) mirrors the Purple Book Guide for the elaboration of Safety Data Sheets with a 16-Section Format.
- The SDS must be written in Spanish although it is not expressly stated in the GHS standard; but because NOM-018 requires that the SDS be written in Spanish, it should also apply to the GHS SDS.
- The SDS should communicate the hazard as thoroughly as possible to enable the user access to safety and security measures with the information provided.
- It is important, therefore, for the supplier to communicate the hazard with a view on the controlling regulations for its use and its management in the workplace.

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The information should also be addressed to carriers and emergency services. For these reasons, the manufacturer or supplier should prepare the SDS for all chemicals and mixtures meeting the criteria of the GHS Classification and Labeling.

The SDS format required in the Mexican GHS implementation of Hazard Communication standard stipulates as provided in the UN Purple Book the following order of sections:

- 1. Identification of the product
- 2. Identification of the danger or dangers
- 3. Composition/information on the components
- 4. First aid
- 5. Firefighting measures

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- 6. Measures to be taken in case of accidental release
- 7. Handling and storage
- 8. Personal protection exposure controls
- 9. Physical and chemical properties
- 10. Stability and reactivity
- 11. Toxicological information
- 12. Ecotoxicological information
- 13. Information concerning the disposal of products
- 14. Transport information
- 15. Regulation information
- 16. Other information.

2014 Uruguay GHS Update



GHS implemented
through Decree
307/09

Transition period for
labeling of chemicals

- 1 year after publication
in Official Gazette

Labels –Annex 1

Safety Data Sheets
(SDS) – Annex 2

Adopts the
guidelines of GHS
Purple Book

2014 Uruguay GHS Update



Decree 346/011 of September 28, 2011, published October 13, 2011:

To extend the transitional period of labeling requirements

To require minimum labeling information (Annex I)

- Substances Dec. 31, 2012
- Mixtures Dec. 31, 2017

To require minimum information on SDS (Annex II)

Safety Data Sheet requirements mirror UN Purple Book - 16 Sections, etc.

- Language Requirement: Spanish language regardless of where the chemical product was manufactured.

2014 Regional GHS Developments



Ongoing initiative in cooperation with the EC to implement GHS into Mercosur Member Countries

- Mercosur must have member countries implement GHS as a Regional Trade Bloc
- Member Countries will Benefit as a Bloc Under Reach
- How this is accomplished:

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2014 Regional GHS Developments



Brazil's Ministry of Environment provided a Final Report on GHS campaign and dissemination issued by Econormas-Mercosur whereby, the following took place:

- A comparative analysis of the rules with the Purple Book highlights the situation—the overlaps and gaps—in existing institutional adjustment.
- This comparative legal analysis is the basis for determining the actions needed for their inclusion in the execution plan of each sector or for all sectors in the set.
- A legal analysis provides an overview of the regulatory framework and the framework for decision making policies for the deployment of the System.

2014 Regional GHS Developments



- The analysis was conducted in two parts, first a description of current situation and then compare this situation with the goals which must be reached to ensure the implementation of the GHS.
- The result of the legal analysis may entail legal or regulatory reforms to ensure that the legislative and regulatory framework and classification communication of chemical hazards is compatible and consistent with the GHS.
- Argentina: Some initiatives have been developed in order to adapt the standards in accordance with the GHS. The Argentine Institute for Standardization and Certification (IRAM), published in 2006 and later in 2013, IRAM 41400 Safety Data for chemicals Sheet. This standard is aligned with the requirements for GHS safety data sheets.

2014 Regional GHS Developments



- Brazil: The Ministry of Environment reports that the GHS ABNT standards were actually taken into account for the report undertaken by Econormas Mercosur.
- Paraguay: This country was suspended from Mercosur in June 2013; however Paraguay was allowed to resume in Mercosur in August 2013, and Econormas Mercosur reported that it Paraguay's participation in the Econormas-Mercosur Project was not affected by its suspension.
- Uruguay: Issued Decree No. 307/09 requiring the provision of labels and material safety data sheets in accordance with the GHS in industrial, agricultural and transport sectors.
- Although Venezuela became a member of Mercosur it did so after the Project enrollment (2009), so it cannot participate in the Econormas-Mercosur Project

2014 Latin America GHS Updates



Thank you!

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