

CHCS Newsletter - October 2024

In this edition:

Competency based accreditation, chemical hazard communication	2
Defra delays provisions for mandatory labelling under EPR for packaging	4
Introduction to HSE topics	5
HSE increases 'Fees for Intervention'	5
When a Health and Safety Inspector calls	5
Reporting of Injuries, Diseases and Dangerous Occurrences Regulations	6
European Union harmonised classification and labelling decisions	7
22nd Adaptation to Technical Progress (ATP) of the EU CLP Regulation	9
23rd Adaptation to Technical Progress (ATP) of the EU CLP Regulation notified to World Trade	_
European Union occupational exposure limits	10
Authorisation of use under EU REACH	10
Module 80 titled 'UK REACH & GB CLP Practicalities: Linking UK and EU Processes'	11
CHCS Webinars & Events	12
Training Courses & Workshops	14
News From Our Partners	

CHCS Newsletter Feedback

We also welcome feedback on the articles we publish in our Newsletters – we'd be delighted to hear from you. Please send any comments to the CHCS Office on email: enquiries@chcs.org.uk.

What would you like to see in future editions of the Newsletter? Let us know - again, we'd be delighted to hear from you (enquiries@chcs.org.uk).

CHCS Social Media

We regularly post to our LinkedIn, Facebook and Twitter pages. If you haven't seen these yet, why not take a look and "like", "follow", "favourite" or even "comment" on a post. You can find the pages by following the links in the footer on this page.



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https://twitter.com/ChemicalHazards



Competency based accreditation, chemical hazard communication

Introduction

CHCS has been looking at opportunities to promote careers in the chemical industry for some time. A bursary membership scheme for students was set up with VRS regulatory a few years ago and is still in place. Bursary members can also join CHCS directly under existing provisions.

A Forum discussion in 2023 indicated that there may be a requirement for some sort of formalised accreditation scheme for existing members to recognise competency within the field of chemical hazard communication.

Members were surveyed for views on whether a certification scheme would be beneficial, as well as for other ideas relating to recognition of competency. Respondents were also asked whether they would be willing to join a working group, to which a significant number of volunteers came forward.

The Society for Chemical Hazard Communication (SCHC), the sister organisation of CHCS in the United States has partnered with the American Industrial Hygiene Association (AIHA) in the development of an accreditation programme, focused on safety data sheet (SDS) and label authoring, based on the Globally Harmonised System (GHS).

The SCHC and AIHA SDS and Label Authoring Accreditation Programme

According to the AIHA, the SDS and Label Authoring Registry is the only credential that focuses on assessing the skills and knowledge individuals need to properly prepare or review SDSs and labels to meet GHS requirements.

To achieve the Safety Data Sheet Registered Professional (SDSRPTM) credential a candidate must first meet the established criteria and secondly demonstrate competency through examination.

Main elements:

- A minimum of 20 points is required to apply, some of which must be allocated to workplace experience:
- ❖ A minimum of one year of SDS and Label Authoring is required to apply;
- Documentary support is required to be uploaded for verification;
- ❖ A \$100 fee is payable with the application;
- If eligible, the required examination may be taken;
- ❖ An additional fee may be paid to take the examination remotely;
- The assessment/exam must be scheduled and completed within one year of application acceptance;
- An examination pass rate of 40-50% is set, depending on the level of difficulty determined from statistical comparison of previous examinations;
- The examination is divided into parts, with a multichoice section and other parts where information is required to be provided;
- The examination is open book;
- ❖ In the case of failure to pass the examination, only the part or parts that have not been passed are required to be retaken.

Points system

An indication of the points system is as follows:

15 points for 10 years+ SDS/label authoring experience;



- 5 points for one year SDS/label authoring experience;
- 5 points per degree;
- 2 points per endorsed certification;
- 1 point per day attending continuing education.

Successful candidates may be listed on the AIHI Registry website:

https://www.aiharegistries.org/sds-label-authoring-registry/registered-professionals-sds-and-label-authoring

Renewal

The scheme is subject to a 5-year renewal cycle, which may be achieved by either passing a further examination or obtaining 10 renewal points from' continuing education' over the 5-year cycle (documentary evidence required).

Information on the AIHA Registry website

According to the AIHA Registry website:

- ♦ 10% of current SDSRPTM survey respondents reported that their employers *require* employees to pass AIHA Registry Programs SDS and Label Authoring Competency Assessment
- ♦ 40% of respondents reported that their employers *encourage* employees to obtain the SDSRPTM credential but currently do not require it
- 92% of respondents reported that they use their credential in a *professional capacity* (signature block, LinkedIn, CV, resume, webpage, bio, etc.)

Consultation at the CHCS 30th Anniversary event

A presentation of the above was given at the CHCS 30th Anniversary event and a breakout session held to gain the thoughts of members present.

A couple of the slides used in the presentation are provided below to show some of the points for consideration during the breakout session.



Feedback from members from the breakout session

Members present at the 30th event were significantly in favour of an accreditation scheme to demonstrate competency. GB & EU regulations were reported as most relevant for accreditation.



Some thoughts and ideas from members present:

- Sector specific industries may require additional elements e.g. pharmaceutical or detergent sectors, so a more 'tailored' approach may be required. A 'general' certificate could be supported with sector specific 'add-ons'.
- Could a scheme be built into a university module, as educating graduates would be a good approach for getting new professionals into the area, or another recognised organisation to build a framework for the scheme? Some ideas for these were proposed, for example, the British Toxicology Society, SETAC and Surrey University.
- Some concerns regarding examinations were expressed. It was clarified that the AIHA Scheme relies on one examination at the outset, but revalidation may be achieved via points accrued from continuous development e.g. attendance at conferences and training courses. A GB/European model does not necessarily have to be examination based.

Next steps

CHCS is now putting together a team to further explore the possibilities, which will include members.

More to follow.

Comments welcome. Please email technical@chcs.org.uk

Defra delays provisions for mandatory labelling under EPR for packaging

The Department for Environment, Food and Rural Affairs (Defra) is responsible for the Extended Producer Responsibility (EPR) for packaging regulations.

Defra recently announced that whilst the legislation is on track to come into force in January of next year as planned, the provisions for the introduction of mandatory labelling have been temporarily removed from the legislative instrument.

According to the information being disseminated to interested parties, the UK Governments remain committed to ensuring that mandatory labelling is in place to better inform consumers to understand how to recycle packaging correctly, so that the scheme may deliver intended environmental outcomes.

Defra expects to introduce mandatory labelling across the UK, most likely via an amendment to the forthcoming legislation in 2025. In preparation for these provisions, Defra reports that the forthcoming European Union packaging legislation will be reviewed, along with "the potential for consistency across our approaches."

Defra also note that they will work to minimise the costs and complexity of the arrangements for those businesses trading across all these markets, while maintaining commitment to the importance of labelling, as part of the overall objectives of the reforms.

Clarity and communication, which is seen as critical to aid understanding of how to recycle waste to the best effect, is another focus of the work that will be undertaken.



Introduction to HSE topics

There were some requests for information covering workplace health and safety (H&S) topics received at the 30th Anniversary event. A couple of recent items may therefore be of interest to members, which are featured below.

We will incorporate a limited number of news items covering H&S workplace topics going forward but would like to be guided by members. Please provide your feedback for direction on these topics.

HSE increases 'Fees for Intervention'

The hourly rate charged by the Health and Safety Executive' under 'Fees for Intervention' has been increased from £166 to £174.

This is being reported as an inflationary increase, consistent with current costs to maintain regulatory functions.

Duty holders found to be in material breach of health and safety law where HSE is the enforcing authority will now be charged at the new rate.

Duty holders include:

- Employers
- Self-employed who put others at risk
- Public and limited companies
- General, limited and limited liability partnerships
- Crown and public bodies

A material breach is something which an inspector considers serious enough to formally write to the business requiring action. If an inspector issues a notification of contravention (NoC) after their visit a fee will be payable.

The NoC must include the following information:

- The law that the inspector considers has been broken
- Reason(s) for their opinion
- Notification that a fee is payable

When a Health and Safety Inspector calls

The UK Health and Safety Executive has published an updated leaflet entitled 'When a health and safety inspector calls'. The leaflet explains what to expect when a health and safety (HSE) inspector calls at your workplace and the information that may be expected from employees and their representatives during a visit.

A short video is also available on the website:

Publication: What to expect when an inspector calls - HSE



Reporting of Injuries, Diseases and Dangerous Occurrences Regulations

Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (RIDDOR).

In this newsletter featuring health & safety workplace topics, CHCS is covering the instances where a RIDDOR reporting may be required.

Specified reportable injuries:

- Fractures (other than to fingers, thumbs and toes)
- Amputation of an arm, hand, finger, thumb, leg, foot or toe
- Any injury likely to cause permanent blinding or reduction in sight in one or both eyes
- Any crush injury to the head or torso causing damage to the brain or internal organs in the chest or abdomen
- Serious burns (including scalding) which cover more than 10% of the body or cause significant damage to the eyes, respiratory system, or other vital organs
- Any scalping requiring hospital treatment
- Any loss of consciousness caused by head injury or asphyxia
- Any other injury arising from working in an enclosed space which leads to hypothermia or heat-induced illness, or requires resuscitation or admittance to hospital for more than 24 hours

Work-related accidents must also be reported when they result in an employee (or self-employed person) being away from work, or unable to do their normal work duties for more than seven consecutive days as the result of their injury.

The seven day period does not include the day of the accident but does include weekends and rest days. The report is required within fifteen days of the accident.

Where the injury or condition does not become apparent until sometime after the accident, it must be reported as soon as it prevents normal work duties being undertaken for more than seven consecutive days.

Accidents must be <u>recorded</u> when they result in a worker being away from work, or unable to do their normal work duties, for more than three consecutive days.

Accidents to members of the public or others who are not at work (such as customers or volunteers) must be reported under the following circumstances:

- When they involve work activity;
- When they result in an injury;
- The person is taken directly from the scene of the accident to hospital for treatment to that injury.

Treatment covers when a dressing is applied, stitches are required, a plaster cast or surgery.

A list of occupational health diseases that must be reported when these are likely to have been caused or made worse by work are available here:

reportable occupational diseases

All diseases must be reported when there is a causal link between occupational exposure and a biological agent:

reportable biological agents



Some dangerous occurrences are required to be reported. A dangerous occurrence is one which results from, or in connection with work and could risk harm to others.

More information on dangerous occurrences that must be reported under Schedule 2 of RIDDOR are available here:

dangerous occurrences

Your comments are welcome.

Please email: technical@chcs.org.uk

European Union harmonised classification and labelling decisions

The European Chemicals Agency, Risk Assessment Committee (ECHA-RAC) has adopted 13 opinions on harmonised classification and labelling of hazardous substances under the European Union (EU) CLP Regulation, on the classification, labelling and packaging of substances and mixtures.

One of the most significant to CHCS members is thought to be that for talc, as detailed below and reported on the CHCS website.

Talc (Mg3H2(SiO3)4) (EC 238-877-9, CAS 14807-96-6)

Talc is used in a wide variety of different processes of manufacturing in different industries, as a filling component, carrier, separator, processing aid and anticaking agent in food applications.

It is used in cosmetics (cosmetic-grade talc), in personal care products and body powders.

The proposed harmonised classification and labelling was submitted by the Netherlands, as follows:

Carcinogen category 2; H351 (suspected of causing cancer) Specific target organ toxicant, repeated exposure (STOT RE) category 1; H372 (lungs, inhalation).

The RAC agreed to the proposal from the Netherlands for the STOT RE classification but adopted a more severe classification for carcinogenicity (Carcinogen. 1B; H350 – may cause cancer).

Under the CLP Regulation, classification for carcinogenicity applies by default to all routes of exposure unless it can be conclusively proven that other exposure routes do not lead to the same hazard. In the case of talc, the ECHA-RAC could not exclude the possibility that all exposure routes might be significant.

Other substances

Further substances of anticipated significance are detailed below:

eugenol; 2-methoxy-4 (prop-2-en-1-yl)phenol (EC 202-589-1, CAS 97 53-0)

The substance is used in washing and cleaning products, biocides, air care products, polishes and waxes, cosmetics and personal care products, perfumes and fragrances.

Proposed harmonised classification and labelling (CLH) submitted by Spain:

Acute toxicity, category 4; H302 (ATE = 1 930 mg/kg bw)* (harmful if swallowed); skin irritant. category 2; H315 (causes skin irritation); eye Irritant category 2; H319 (causes serious eye irritation); STOT Single



Exposure (SE), category 3; H336 (may cause drowsiness or dizziness); aquatic chronic, category 2; H411 (toxic to aquatic life with long lasting effects).

*ATE: acute toxicity estimate

Mg/kg bw: milligrams per kilogram of body weight

The ECHA RAC report agreement to the proposal by Spain, except for skin corrosion/irritation, "recommending no classification [for this end point]."

However, the ECHA RAC agreed to a skin sensitiser classification, reported as category 1B, but published as Category 1A in separate proposal from Denmark.

3,5-dimethylpyrazole, (EC 200-657-5, CAS 67-51-6)

The substance is used in the formulation or re-packing of polymers, at industrial sites in polymers, coating products and processing aids. It is used also used as an intermediate to manufacture other substances, plastic products, machinery and vehicles.

Proposed CLH:

Acute toxicity, category 4; H302 (ATE 1700 mg/kg bw - harmful if swallowed), Reproductive toxic, category 1B; H360FD (may damage fertility; may damage the unborn child); STOT RE, category 2; H373 (liver, blood - may cause damage to the liver and blood).

The classification was agreed by the RAC, as proposed.

2-pyrrolidone, (EC 210-483-1, CAS 616 45-5)

The substance is used in ink and toners, in coatings, in imaging and printing mixtures and as a laboratory chemical, as well as a catalyst in polymerisation. It is also used as an intermediate in the pharmaceuticals industry, and as a solvent for animal injection.

Proposed CLH (Norway):

Reproductive toxic, category 1B; H360D (may damage the unborn child)

RAC agreed to the proposal, but with a specific concentration limit of 3%.

Harmonised classification and labelling was also agreed for a group of borates proposed as reproductive toxic, category 1B: H360FD (may damage fertility; may damage the unborn child) by Sweden. RAC agreed with the proposal without changes.

Borates are essential ingredients in the production of frits (powdered glass) used by the ceramic industry in ceramic glazes and enamels.

A decision was also made on a group of related substances used in water softeners, air care products, fillers, putties, plasters, modelling clay, polishes and waxes, washing and cleaning products, cosmetics and personal care products.

The proposal to classify these substances as carcinogen, category 1B; H350 (may cause cancer) with an adjusted concentration limit of 0.1% was decided by RAC, representing a generic limit for classification in this category.



An aquatic chronic category 4 classification for rape oil; rape seed oil (EC 232-299-0, CAS 8002-13-9) used in plant protection products was agreed (H413: May cause long lasting harmful effects to aquatic life). However, the proposed classification for chronic aquatic toxicity was not supported by RAC.

RAC agreed with the proposal from Austria to classify thermally treated garlic juice as a skin sensitiser, category 1B (may cause an allergic skin reaction. This substance is identified as being used as a biocide and as a plant protection product.

Revised Annex VI entry

A revised entry for the following substance was considered:

Tebuconazole (ISO); 1-(4chlorophenyl)-4,4-dimethyl-3-(1,2,4-triazol-1ylmethyl)pentan-3-ol (EC 403-640-2, CAS 107534-96-3)

The substance is used as a fungicide to control multiple fungal diseases in crops and as a wood preservative. The current Annex VI entry as a reproductive toxicant, category 2 (H361d) was agreed for revision to reproductive toxic, category 1B: H360FD (may damage fertility; may damage the unborn child).

An ATE (oral) of 1,700 mg/kg bw was applied by RAC to the existing harmful if swallowed classification (acute toxicity category 4, H302).

A STOT RE classification in category 2 was also agreed with an additional recommendation for liver as a target organ through prolonged or repeated exposure (H373 eyes, liver).

22nd Adaptation to Technical Progress (ATP) of the EU CLP Regulation

The 22nd ATP of the EU CLP Regulation on the classification, labelling and packing of substances and mixtures has been published, as Regulation 2024/2564 of 19 June 2024.

The regulation introduces a number of new harmonised classification and labelling entries for substances, as well as the revisions previously discussed via CHCS news items:

https://eur-lex.europa.eu/eli/reg_del/2024/2564/oj

Hexyl salicylate is one of the substances to receive a new Annex VI entry. It is used as a fragrance ingredient in a wide range of products, including household cleaners, cosmetics, and personal care products.

Following on from the CLH decision, the Scientific Committee on Consumer Safety (SCCS) recently updated guidelines regarding the use hexyl salicylate.

The SCCS has set the following maximum allowable concentrations for hexyl salicylate in cosmetic products:

- Hydroalcoholic-based fragrances: 2%
- Rinse-off products: 0.5%
- Leave-on products: 0.3%
- Oral care products (including toothpaste and mouthwash): 0.001%

Hexyl Salicylate (CAS/EC No. 6259-76-3/228-408-6) - European Commission (europa.eu)



23rd Adaptation to Technical Progress (ATP) of the EU CLP Regulation notified to World Trade Organisation

The 23rd ATP to the EU CLP Regulation, Regulation on the classification, labelling and packaging of substances and mixtures regulation has been notified to the World Trade Organisation, Technical Barriers to Trade (WTO-TBT) Committee.

The 23rd ATP introduces changes to Table 3 of Part 3, Annex VI to the CLP Regulation, the list of harmonised classification and labelling entries.

The update includes new or revised entries for thirty-two substances or substance groups. The proposed date of adoption is reported as the 4th quarter 2024, with the proposed date of entry into force being 20 days from publication in the Official Journal of the EU (about two months after adoption.

The deadline for comments is 60 days after notification, which was made on 25 September 2024.

23rd ATP to CLP

European Union occupational exposure limits

Occupational exposure limits for two substances were agreed. The following may be of significance, as it is used in production of adhesives, petroleum additive, electronics industry, and electroplating.

1,2-Dihydroxybenzene (Pyrocatechol), EC 204-427-5, CAS 120-80 9

The RAC derived an occupational exposure limit (OEL) below which workers are protected from exposure to pyrocatechol in the workplace, recommending notations for skin and skin sensitisation

https://echa.europa.eu/oels-activity-list/-/substance-rev/73709/term

Authorisation of use under EU REACH

The ECHA Committees have adopted 24 opinions on applications for authorisation and review reports for authorisation of chromates.

More details about these opinions can be found in the Annex to the meeting:

Sept annex (europa.eu)



Module 80 titled 'UK REACH & GB CLP Practicalities: Linking UK and EU Processes'

This is another feature being reported by a CHCS member in attendance at the training course featured. The text is more or less directly reproduced from the review submitted by the member in attendance.

Module 80 – A perspective from a CHCS Council Member

Module 80 is delivered by the CHCS training team of Mark Selby and Caroline Raine. The course covers the background and history of European chemical registration up to the crucial point of UK Exit from the European Union (EU) and the UK's central role in the EU set up.

Key topics:

<u>How (UK) REACH then links out to other regulations</u> e.g. CLP, cosmetics, biocides, detergents and plant protection products.

How the UK REACH system compares in similarities and differences with EU REACH and the special situation for Northern Ireland: Emphasising that these requirements lie with the importer to take on the regulatory responsibilities for the product they import and who they need to keep informed or retrieve information from as supply chains get increasingly complex.

How the UK REACH registration process works: The course covers the different stages and types of registration available, including interactions as a lead registrant or joint registrant and/or appointing an only representative (OR) to cover the work for you with thought to agreements to put in place, and when the registration fees would be due. The course goes into some detail about chemical dossier preparation and the levels of data required for different tonnage bands and where you would need chemical assessment data. This leads on to a live demo of the IUCLID software system used to generate the electronic files used for dossier submission and details on the information required, particularly in the early stages when you want to get an inquiry for a chemical or NRES raised without having to submit all the test data up front.

The course also covers CLP with a comparison between GB and EU systems and the implementation in the UK. Notification requirements such as C&L notifications and poison centre notifications, further connection to other regulations and submission portal details for medical devices and cosmetics. Where CE marking vs UKCA marking applies. Expect some top tips for how to navigate the systems, reference to HSE guidance and what the future may hold with reference to the more recent announcement regarding the alternative UK REACH registration process.

The course is split into 2 parts run over consecutive days allowing for time to absorb the course content. It is run online with a fairly informal setting allowing for participants to ask questions or check their understanding as the course progresses. Both Mark and Caroline are very knowledgeable on the topic and adjacent regulations which aids clarifying any areas of uncertainty or borderline issues.



CHCS Webinars & Events

Registration Now Open For:

CHCS 30th AGM & Desmond Waight Memorial Lecture

19 November 2024, 14:00 - 16:00 GMT

Desmond Waight Memorial Lecture: Webinar on the 2025 updates to the Transport of Dangerous Goods Regulations

The ADR 2025 update will include:

- Exemptions
- Definitions
- Training Limited Quantities
- Documentation
- New UN numbers
- ADR 1.6.1.51
- Waste
- Transitional arrangements
- Sodium batteries
- Special Provisions, Packing Instructions
- Misc amendments

Presenters

Caroline Raine, BASA

Caroline is the Director of her own Consultancy, Caroline Raine Chemical Consultancy Limited and is the transport and poison centres and UK REACH and Chemicals Strategy for Sustainability Consultant and Advisor to the British Association of Adhesives and Sealants (BASA) and the International Fragrance Association (IFRA). Her knowledge and expertise is wide ranging, covering both supply and transport legislation including REACH, Safety Data Sheets, Poison Centres, ADR, COSHH, basically anything related to chemical safety and compliance!

Caroline is a qualified Dangerous Goods Safety Advisor (DGSA) for the transport of hazardous goods by road and rail and holds a post graduate certificate in REACH management and the IATA air regulations.

Kathryn Tearle, BCF

Kathryn is the Regulatory Affairs Manager at the British Coatings Federation where she supports BCF members on GB and EU chemical regulations and the transport of dangerous goods. Kathryn is a professionally qualified (CChem MRSC) PhD inorganic chemist with 12+ years' industrial chemistry experience.



Agenda (subject to change)

Tuesday 19th November		
14:00	Welcome and AGM address, Louise Witter, CHCS Chair	
	CHCS AGM	
	 To approve the minutes of the 29th AGM held on 14 November 2023 and consider any matters arising. To receive and approve the Accounts for 2023-2024. To receive the reports of the CHCS Officers. To set the membership subscription rates payable from September 2025. To re-appoint Kreston Reeves LLP as Independent Examiner of the CHCS CLG Accounts for 2024-2025. To note the CHCS Officers and Council for 2024-2025. A.O.B. (Please advise Chairman in advance of the day). 	
14:30	The Desmond Waight Memorial Lecture	
Webinar on the 2025 updates to the Transport of Dangerous Goods		
	Caroline Raine, BASA & Kathryn Tearle, BCF	
16:00	Close of Meeting	

The AGM and Desmond Waight Memorial Lecture are open only to current CHCS members and invited guests of the CHCS Council.

Even though this event is free-of-charge to paid-up CHCS Members, you will still need to register. For more information and to register please click on the following link, CHCS 30 AGM & Desmond Waight Memorial Lecture.

We look forward to seeing you in November.



Training Courses & Workshops

Please see below for the CHCS 2024 and 2025 training courses that are now open for registration. Click on the links for more information, or to reserve a place:

1 place available
13 places available
6 places available
3 places available
10 places available
10 places available
13 places available
14 places available
14 places available
13 places available
14 places available
16 places available
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For full details of our programme, please visit the <u>Training</u> page of the website.



News From Our Partners

British Association of Dangerous Goods Professionals - BADGP

Don't forget that CHCS members have access to some of BADGP's events, webinars, etc. For more information on BADGP, please visit the <u>BADGP page</u> on our website.



Webinar: Overview of Upcoming Amendments

Tuesday 26th November, 13:00 – 14:30 GMT

This Dangerous goods webinar will explain many of the new changes and amendments that we can expect to see in the new ADR 2025 manuals.

Presenter

Kevin Vagan, International Policy Advisor, Department for Transport.

Kevin has a background in policy and law. As an International Policy Advisor, Kevin represents the UK as Head of Delegation at the United Nations for the Working Party for the Transport of Dangerous Goods by Road, which amends the ADR dangerous goods regulations and negotiates on matters fundamental to national and international road safety.

For more information and to register please click on the following link, <u>ADR 2025 – Overview of Upcoming Amendments Webinar</u>.

Society for Chemical Hazards Communication - SCHC

CHCS members can also access some events presented by our partners in the USA. For more information on SCHC, please visit the <u>SCHC page</u> on our website.



Society for Chemical Hazard Communication

SCHC Monthly Forum, "SCHC 2024 Annual Meeting Recap"

Wednesday 23rd October 2024, 1:00 – 2:00pm EDT

Join members of SCHC committees to recap the annual conference. Even if you weren't able to attend, we'll give you the highlights from the talks, the most interesting facts we've learned, and the best food we ate! It's a great way to find out which slides you should be rereading, or tools to convince your boss to let you attend next year!

Host Chandra Gioiello, Chair, Member Engagement Committee