

CHEMICALS

ARTICLE 1

Definitions

For the purposes of this Annex, the following definitions apply:

- (a) "responsible authorities" means:
 - (i) for the Union: the European Commission;
 - (ii) for the United Kingdom: the government of the United Kingdom;

- (b) "UN GHS" means the United Nations Globally Harmonized System of Classification and Labelling of Chemicals.

ARTICLE 2

Scope

This Annex applies to the trade, regulation, import and export of chemicals between the Union and the United Kingdom in respect of their registration, evaluation, authorisation, restriction, approval, classification, labelling and packaging.

ARTICLE 3

Objectives

1. The objectives of this Annex are to:
 - (a) facilitate the trade of chemicals and related products between the Parties;
 - (b) ensure high levels of protection for the environment, and human and animal health; and
 - (c) provide for cooperation between Union and United Kingdom responsible authorities.
2. The Parties acknowledge that the commitments made under this Annex do not prevent either Party from setting its own priorities on chemicals regulation, including establishing its own levels of protection in respect of the environment, and human and animal health.

ARTICLE 4

Relevant international organisations and bodies

The Parties recognise that international organisations and bodies, in particular the OECD and the Sub-Committee of Experts on the Globally Harmonized System of Classification and Labelling of Chemicals (SCEGHS) of the United Nations Economic and Social Council (ECOSOC), are relevant for developing scientific and technical guidelines with respect to chemicals.

ARTICLE 5

Participation in relevant international organisations and bodies and regulatory developments

1. The Parties shall actively contribute to the development of the scientific or technical guidelines referred to in Article 4 with respect to the assessment of hazards and risks of chemicals and the formats for documenting the results of such assessments.
2. Each Party shall implement any guidelines issued by the international organisations and bodies referred to in Article 4, unless those guidelines would be ineffective or inappropriate for the achievement of that Party's legitimate objectives.

ARTICLE 6

Classification and labelling of chemicals

1. Each Party shall implement the UN GHS as comprehensively as it considers feasible within its respective system, including for chemicals that are not within the scope of this Annex, except where there are specific reasons to apply a different labelling system for particular chemical products in their finished state intended for the final user. Each Party shall periodically update its implementation based on the regularly issued revisions of the UN GHS.
2. Where the responsible authority of a Party intends to classify individual substances in accordance with its respective rules and procedures, it shall give the responsible authority of the other Party the possibility of expressing its views in accordance with those respective rules and procedures within the applicable timelines.
3. Each Party shall make information about its procedures related to the classification of substances publicly available in accordance with its respective rules and procedures. Each Party shall endeavour to respond to comments received from the other Party pursuant to paragraph 2.
4. Nothing in this Article shall oblige either Party to achieve any particular outcome regarding the implementation of the UN GHS in its territory or regarding the classification of a given substance, or to advance, suspend or delay its respective procedures and decision-making processes.

ARTICLE 7

Cooperation

1. The Parties recognise that voluntary cooperation on chemicals regulation can facilitate trade in ways that benefit consumers, businesses and the environment and that contribute to enhancing the protection of human and animal health.
2. The Parties commit to facilitating the exchange of non-confidential information between their responsible authorities, including through cooperation on electronic formats and tools used to store data.
3. The Parties shall cooperate where appropriate with a view to strengthening, developing and promoting the adoption and implementation of internationally agreed scientific or technical guidelines, including, where feasible, through the presentation of joint initiatives, proposals and approaches in the relevant international organisations and bodies, in particular those referred to in Article 4.
4. The Parties shall cooperate, if considered beneficial by both Parties, with regard to the dissemination of data related to chemicals safety, and shall make such information available to the public with the objective of ensuring easy access to and the comprehensibility of that information by different target groups. Upon request of either Party, the other Party shall provide available non-confidential information on chemicals safety to the requesting Party.

5. If a Party so requests and the other Party agrees to do so, the Parties shall enter into consultations on scientific information and data in the context of new and emerging issues related to the hazards or risks posed by chemicals to human health or the environment, with a view to creating a common pool of knowledge and, if feasible and to the extent possible, promoting a common understanding of the science related to such issues.

ARTICLE 8

Information exchange

The Parties shall cooperate and exchange information with respect to any issue relevant for the implementation of this Annex within the Trade Specialised Committee on Technical Barriers to Trade.
