

GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS

DEPARTMENT OF HEALTH

NO. 2045

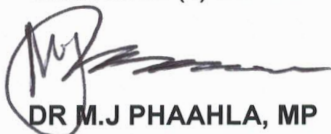
29 April 2022

**HAZARDOUS SUBSTANCES ACT, 1973(ACT NO. 15 OF 1973)**

**GROUP II HAZARDOUS SUBSTANCES: DECLARATION**

Minister of Health, intend, in terms of section 2(1) (a) of the Hazardous Substances Act, 1973 (Act No. 15 of 1973) to declare the substances mentioned in the schedule hereto and mixtures containing such substances, products or materials to be Group II hazardous substances.

Interested persons are invited to submit substantiated comments or representations on the proposed declaration to the Director-General: Department of Health, Private Bag X 828, Pretoria, 0001 (for the attention of the Chief Director: Environmental Health and Port Health Services ), by fax to: 012- 395 8802, attention: Ms Aneliswa Cele, or by e-mail to: [Aneliswa.Cele@health.gov.za](mailto:Aneliswa.Cele@health.gov.za), within three (3) months from the date of publication of this Notice.



DR M.J PHAAHLA, MP  
MINISTER OF HEALTH

DATE: 21/02/2022

## SCHEDULE

### Definitions

1. For the purposes of this Notice, any word or expression to which a meaning has been assigned in that Act, shall have that meaning, unless the context indicates otherwise:-

“ECHA” means the European Chemicals Agency;

“Globally Harmonized System(GHS)” means the Globally Harmonized System of Classification and Labelling of Chemicals published by the United Nations. This is an internationally adopted harmonized hazard communication system for identifying and evaluating all the physical, toxicological and ecotoxicological properties of a substance or mixture, to determine the classification of the substance or mixture using specified criteria; and

“the Act” means the Hazardous Substances Act, 1973 (Act No. 15 of 1973).

### Group II Hazardous Substances

2. Any substance or mixture of substances which in the course of customary or reasonable handling or use, including ingestion, by reason of its;

- a) skin corrosion/irritation, category 1, (1A, or 1B or 1C)\* or
- b) serous eye damage/eye irritation, category 1 or 2A or;
- c) respiratory sensitization, category 1; or
- d) specific target organ toxicity-single exposure (STOT-SE), category 2 or 3;
- e) specific target organ toxicity-repeated exposure (STOT-RE), category 2 or;
- f) aspiration hazard, category 1 or 2 or;
- g) acute toxicity oral, skin or inhalation, category 3 or;
- h) skin sensitization, category 1 or;
- i) germ cell mutagenicity, category 2 or;
- j) carcinogenicity, category 2 or;
- k) reproductive toxicity, category 2 or;
- l) aspiration hazard category 1 or 2;

listed as harmonized in the Classification and Labelling Inventory obtainable from the ECHA web site, <https://echa.europa.eu> and classified according to the hazard classification prescribed in the

latest version of the \*UN Globally Harmonized System of Classification and Labelling of Chemicals – GHS, Purple Book, is hereby declared as Group II hazardous substance.

### **Exclusion**

3. The above declaration excludes;
  - (a) Substances classified as Explosives;
  - (b) Radioactive substances defined in terms of the Hazardous Substances Act, 1973 (Act No. 15 of 1973) as amended;
  - (c) Prohibited substances or use of substances in terms of the Hazardous Substances Act, 1973 (Act No. 15 of 1973) as amended, or the Agricultural, Farm Feeds, Agricultural Remedies and Stock Remedies Act, 1947 (Act No. 36 of 1947) as amended, or the National Environmental Management: Air Quality Act, 2004 (Act No. 39 of 2004) as amended or National Environmental Management Act, 1998 (Act No. 107 of 1998) as amended or any other legislation; and
  - (d) Substances already declared as Group I, Category I A or B hazardous substances.

### **Repeal**

4. Government Notice No. R 1382 of 12 August 1994 is hereby repealed.

### **Date of commencement**

5. The declaration shall come into effect six months after the date of publication of this declaration Notice.

### **Title**

6. This Declaration Notice is called Declaration of Group II Hazardous Substances in terms of the Hazardous Substances Act, 1973 (Act No. 15 of 1973), 2021.