

DEPARTMENT OF HEALTH

NO. 6093

4 April 2025

HAZARDOUS SUBSTANCES ACT, 1973 (ACT NO.15 OF 1973)**GROUP I, CATEGORY A, HAZARDOUS SUBSTANCES: DECLARATION**

The Minister of Health in terms of section 2(1) (a) of the Hazardous Substances Act, 1973 (Act No. 15 of 1973), declare the substances mentioned in the schedule and mixtures containing such substances to be Group I, Category A Hazardous Substances.



DR PA MOTSOALEDI, MP

MINISTER OF HEALTH

DATE:

6/12/2024

SCHEDULE

Definitions

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

“ECHA” means the European Chemicals Agency;

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

“UN Globally Harmonized System or (GHS)” means the Globally Harmonized System of UN Classification and Labelling of Chemicals or GHS , a guidance document developed by the United Nations (UN) for standardising and harmonising the classification and labelling of chemicals globally, as may be updated from time to time, commonly known as the UN Purple Book;

Group I, Category A hazardous substances

2. The following are hereby declared as Group I Category A hazardous substances, namely:-

- (a) All industrial substances listed in Annexure III of the Rotterdam Convention on Prior Informed Concerned Procedure for Certain Hazardous Chemicals and Pesticides in International Trade (<https://www.pic.int/TheConvention/Chemicals/AnnexIIIChemicals>) with allowed uses in the country and subject to paragraph 3;
- (b) Mercury and mercury compounds allowed for uses as prescribed in the Minamata Convention on Mercury; and
- (c) Any industrial substance or mixture of substances, products or materials which in the course of customary or reasonable handling or use, including ingestion, by reason of its;

- (i) acute toxicity oral, skin or inhalation, category 1 or 2 or;
- (ii) carcinogenicity, category 1, 1A or 1B or;
- (iii) reproductive toxicity, category 1, 1A or 1B or;
- (iv) germ cell mutagenicity, category 1A or 1B or;
- (v) specific target organ toxicity-single exposure (STOT-SE), category 1 or;
- (vi) specific target organ toxicity-repeated exposure (STOT-RE), category 1;

listed as harmonised 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 *United Nations GHS.

Exclusions

3. The above declaration excludes:-

- (a) Substances classified as Explosives in terms of the United Nations (UN) Globally Harmonized System of Classification and Labelling of Chemicals – GHS, Purple Book;
- (b) Radioactive substances as defined in terms of the Hazardous Substances Act, 1973 (Act No. 15 of 1973);
- (c) Prohibited substances or use of substances in terms of the Hazardous Substances Act, 1973 (Act No. 15 of 1973) as amended, or Fertilizers, Farm Feeds, Agricultural Remedies and Stock Remedies Act, 1947 (Act No. 36 of 1947), or the National Environmental Management: Air Quality Act, 2004 (Act No. 39 of 2004) or National Environmental Management Act, 1998 (Act No. 107 of 1998) or any other relevant legislation;
- (d) Substances and preparations and admixtures which are classified as scheduled substances under the Medicines and Related Substances Control Act, 1965 (Act No. 101 of 1965);
- (e) All industrial substances listed in the Stockholm Convention on Persistent Organic Pollutants;

- (f) Chemicals used as flavourants and additives in foodstuffs,
- (g) Chemicals used in cosmetics; and
- (g) A substance, mixture of substances, products or materials declared as Group II hazardous substance.

Applicability of other laws

4. (1) Any person engaged in the sale or supply of Group I, Category A hazardous substances must comply with the provisions of Regulations under the Hazardous Substances Act, 1973 (Act No. 15 of 1973) published in Government Notice No. R453, *Gazette* No. 5467 of 25 March 1977.

(2) Any person engaged in the sale and use of Fluoroacetic acid (Mono), its Salts and Derivatives, must comply with the provisions of Regulations Relating to the Control over Fluoroacetic Acid (Mono), Its Salts and Derivatives published in Government Notice No. R1488 of 14 November 1977.

(3) Any person engaged in the sale of Cyanide for use in Cyanide poison-firing apparatus, must comply with the provisions of Regulations Relating to the Control of the Sale of Cyanide for use in Cyanide poison-firing Apparatus published in Government Notice No. R1486 of 14 November 1977.

(4) Subject to regulation 3(1) of the Regulations Regarding Group I Category A hazardous substances, the sale of mercury and mercury compounds for primary mercury mining and for use in artisanal and small-scale gold mining is prohibited.

(5) In recognition of the provision of section 31 of the Act, the GHS labelling requirements for hazardous chemical substances that are outlined in the Regulations for Hazardous Chemical Agents under Occupational Health and Safety Act, 1993 (Act No. 85 of 1993), shall be in addition to the labelling requirements stipulated in regulation 8 of

Regulations under the Hazardous Substances Act, 1973 (Act No. 15 of 1973)
Government Notice No. R453, of 25 March 1977.

Exemptions

(5) (1) Government Notice R1489 of 14 November 1977, that exempt a laboratory, a teaching institution, an industry, a Government institution, a provincial authority or a provincial institution who imports fluoroacetic acid (mono), its salts and derivatives for use in the Republic which is not sealed in a poison collar, from the provisions of section 3(1)(a) of the said Act, is still applicable.

(5) (2) Government Notice R1489 of 14 November 1977, that exempt any person that has received written approval from the head of a provincial authority of the province concerned to load Cyanide cartridges for use in Cyanide poison-firing from the provisions of section 3(1)(a) of the said Act, is still applicable.

Repeal

6. Group I Hazardous Substances, Government Notice No. R. 452 published in Government Gazette No. R. 5467 dated 25 March 1977 and Regulations regarding the Declaration of Carbon Tetrachloride as Group I Category A Hazardous Substance, Government Notice No. R. 1705 published in Government Gazette No. 16796 dated 3 November 1995 are hereby repealed.

Date of commencement

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

Transitional arrangements

8. (1) A license issued under section 4 of the Act, before the publication date of this Declaration Notice, shall be valid until expiry date.

(2) The license application submitted before the date of publication of the Notice shall be dealt with in terms of Notice referred to in paragraph 6.

Title

9. This Notice is called Declaration of Group I Category A Hazardous Substances in terms of the Hazardous Substances Act, 1973 (Act No. 15 of 1973), 2023.

HAZARDOUS SUBSTANCES ACT, 1973 (ACT NO.15 OF 1973)**GROUP I, CATEGORY B, HAZARDOUS SUBSTANCES: DECLARATION**

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



DR PA MOTSOALEDI, MP

MINISTER OF HEALTH

DATE:

6/19/2025

SCHEDULE

Definitions

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

“ECHA” means the European Chemicals Agency;

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

“UN Globally Harmonized System or (GHS)” means the Globally Harmonized System of Classification and Labelling of Chemicals; a guidance document developed by the United Nations (UN) for standardising and harmonising the classification and labelling of chemicals globally, as may be updated from time to time, commonly known as the UN Purple Book;

Group I, Category B hazardous substances

2. The following are hereby declared as Group I Category B hazardous substances, namely:-

(1) Any pesticide or agricultural remedy that fulfils the criteria for substance of concern and restricted agricultural remedy under Fertilizers, Farm Feeds, Agricultural Remedies and Stock Remedies Act, 1947 (Act No. 36 of 1947), except for low risk products and subject to approved registration in terms of the mentioned Act including severely hazardous pesticides under Annex III of the Rotterdam Convention.

(2) The declaration in paragraph (1) does not apply to:-

- (a) Substances listed in the Classification and Labelling Inventory obtainable from the ECHA web site, <https://echa.europa.eu>, and classified as Explosives in terms of the latest version of the UNGHS;
- (b) Radioactive substances as defined in terms of the Hazardous Substances Act, 1973 (Act No.15 of 1973);
- (c) Prohibited substances or use of substances in terms of the Hazardous Substances Act, 1973 (Act No. 15 of 1973) as amended, or the Fertilizers, Farm Feeds, Agricultural

- Remedies and Stock Remedies Act, 1947 (Act No. 36 of 1947), or the National Environmental Management: Air Quality Act, 2004 (Act No. 39 of 2004) or National Environmental Management Act, 1998 (Act No. 107 of 1998) or any other legislation; and
- (d) Substances and preparations and admixtures which are classified as scheduled substances under the Medicines and Related Substances Control Act, 1965 (Act No. 101 of 1965).

Applicability of other laws

3. (1) Any person engaged in the sale or supply of Group I, Category B hazardous substances must comply with the provisions of the Regulations under the Hazardous Substances Act, 1973 (Act No. 15 of 1973), published in Government Notice No. GNR 453, Gazette No. 5467 of 25 March 1977 as amended.

(2) Any person engaged in the application of agricultural remedies must comply with the provisions of Regulations Relating to the Aerial Application of Agricultural Remedies, published in Government Gazette No. 1951 of 22 December 1995 as amended.

Repeal

4. Group I Hazardous Substances: Amendment, Government Notice No. R 1381 published in Government Gazette 15907 dated 12 August 1994 is hereby repealed.

Commencement date

5. The Declaration comes into effect six months after the date of publication of this Notice.

Transitional arrangements

6. (1) A license issued under section 4 of the Act, before the publication date of this Declaration Notice, shall be valid until expiry date.

(2) The license application submitted before the date of publication of the Notice shall be dealt with in terms of Notice referred to in paragraph 4.

Title

7. This Notice is called Declaration of Group I, Category B Hazardous Substances in terms of the Hazardous Substances Act, 1973 (Act No. 15 of 1973), 2024.

HAZARDOUS SUBSTANCES ACT, 1973(ACT NO. 15 OF 1973)**GROUP II HAZARDOUS SUBSTANCES: DECLARATION**

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



DR PA MOTSOALEDI, MP

MINISTER OF HEALTH

DATE:

6/1/2025

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;

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

“ UN Globally Harmonized System or (GHS)” means the Globally Harmonized System of Classification and Labelling of Chemicals a guidance document developed by the United Nations (UN) for standardising and harmonising the classification and labelling of chemicals globally, as may be updated from time to time, commonly known as the UN Purple Book.

Group II Hazardous Substances

2. The following are hereby declared as Group II hazardous substances, namely:-

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) serious 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;

as listed 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 *UNGHS , 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 Fertilizers, Farm Feeds, Agricultural Remedies and Stock Remedies Act, 1947 (Act No. 36 of 1947), or the National Environmental Management: Air Quality Act, 2004 (Act No. 39 of 2004) or National Environmental Management Act, 1998 (Act No. 107 of 1998) or any other legislation; and
 - (d) Substances already declared as Group I, Category I A or B hazardous substances.

Repeal

4. Declaration of Group II Hazardous Substances, 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), 2023 .