

No. 30609

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**MULTILATERAL**

**Convention (No. 170) concerning safety in the use of chemicals at work. Adopted by the General Conference of the International Labour Organisation at its seventy-seventh session, Geneva, 25 June 1990**

*Authentic texts: English and French.*

*Registered by the International Labour Organisation on 14 December 1993.*

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**MULTILATÉRAL**

**Convention (N° 170) concernant la sécurité dans l'utilisation des produits chimiques au travail. Adoptée par la Conférence générale de l'Organisation internationale du Travail à sa soixante-dix-septième session, Genève, 25 juin 1990**

*Textes authentiques : anglais et français.*

*Enregistrée par l'Organisation internationale du Travail le 14 décembre 1993.*

## CONVENTION<sup>1</sup> CONCERNING SAFETY IN THE USE OF CHEMICALS AT WORK

The General Conference of the International Labour Organisation.

Having been convened at Geneva by the Governing Body of the International Labour Office, and having met in its 77th Session on 6 June 1990, and

Noting the relevant international labour Conventions and Recommendations and, in particular, the Benzene Convention and Recommendation, 1971,<sup>2</sup> the Occupational Cancer Convention and Recommendation, 1974,<sup>3</sup> the Working Environment (Air Pollution, Noise and Vibration) Convention and Recommendation, 1977,<sup>4</sup> the Occupational Safety and Health Convention and Recommendation, 1981,<sup>5</sup> the Occupational Health Services Convention and Recommendation, 1985,<sup>6</sup> the Asbestos Convention and Recommendation, 1986,<sup>7</sup> and the list of occupational diseases, as amended in 1980,<sup>8</sup> appended to the Employment Injury Benefits Convention,<sup>9</sup> 1964, and

Noting that the protection of workers from the harmful effects of chemicals also enhances the protection of the general public and the environment, and

Noting that workers have a need for, and right to, information about the chemicals they use at work, and

Considering that it is essential to prevent or reduce the incidence of chemically induced illnesses and injuries at work by –

- (a) ensuring that all chemicals are evaluated to determine their hazards,
- (b) providing employers with a mechanism to obtain from suppliers information about the chemicals used at work so that they can implement effective programmes to protect workers from chemical hazards,
- (c) providing workers with information about the chemicals at their workplaces, and about appropriate preventive measures so that they can effectively participate in protective programmes,
- (d) establishing principles for such programmes to ensure that chemicals are used safely, and

Having regard to the need for co-operation within the International Programme on Chemical Safety between the International Labour Organization, the United Nations Environment Programme and the World

<sup>1</sup> Came into force on 4 November 1993 in respect of the two following members of the International Labour Organisation, i.e., 12 months after their ratification had been registered with the Director-General of the International Labour Office on the dates indicated, in accordance with article 21 (2):

Mexico.....	17 September 1992
Sweden.....	4 November 1992

<sup>2</sup> United Nations, *Treaty Series*, vol. 885, p. 45.

<sup>3</sup> *Ibid.*, vol. 1010, p. 5.

<sup>4</sup> *Ibid.*, vol. 1141, p. 106.

<sup>5</sup> *Ibid.*, vol. 1331, p. 279.

<sup>6</sup> *Ibid.*, vol. 1498, No. I-25799.

<sup>7</sup> *Ibid.*, vol. 1539, No. I-26705.

<sup>8</sup> *Ibid.*, vol. 1301, p. 199.

<sup>9</sup> *Ibid.*, vol. 602, p. 259.

Health Organization as well as with the Food and Agriculture Organisation of the United Nations and the United Nations Industrial Development Organisation, and noting the relevant instruments, codes and guide-lines promulgated by these organisations, and

Having decided upon the adoption of certain proposals with regard to safety in the use of chemicals at work, which is the fifth item on the agenda of the session, and

Having determined that these proposals shall take the form of an international Convention;

adopts this twenty-fifth day of June of the year one thousand nine hundred and ninety the following Convention, which may be cited as the Chemicals Convention, 1990.

## PART I. SCOPE AND DEFINITIONS

### *Article 1*

1. This Convention applies to all branches of economic activity in which chemicals are used.

2. The competent authority of a Member ratifying this Convention, after consulting the most representative organisations of employers and workers concerned, and on the basis of an assessment of the hazards involved and the protective measures to be applied –

(a) may exclude particular branches of economic activity, undertakings or products from the application of the Convention, or certain provisions thereof, when –

(i) special problems of a substantial nature arise; and

(ii) the overall protection afforded in pursuance of national law and practice is not inferior to that which would result from the full application of the provisions of the Convention;

(b) shall make special provision to protect confidential information whose disclosure to a competitor would be liable to cause harm to an employer's business so long as the safety and health of workers are not compromised thereby.

3. This Convention does not apply to articles which will not expose workers to a hazardous chemical under normal or reasonably foreseeable conditions of use.

4. This Convention does not apply to organisms, but does apply to chemicals derived from organisms.

### *Article 2*

For the purposes of this Convention –

(a) the term “chemicals” means chemical elements and compounds, and mixtures thereof, whether natural or synthetic;

(b) the term “hazardous chemical” includes any chemical which has been classified as hazardous in accordance with Article 6 or for which relevant information exists to indicate that the chemical is hazardous;

- (c) the term “use of chemicals at work” means any work activity which may expose a worker to a chemical, including –
- (i) the production of chemicals;
  - (ii) the handling of chemicals;
  - (iii) the storage of chemicals;
  - (iv) the transport of chemicals;
  - (v) the disposal and treatment of waste chemicals;
  - (vi) the release of chemicals resulting from work activities;
  - (vii) the maintenance, repair and cleaning of equipment and containers for chemicals;
- (d) the term “branches of economic activity” means all branches in which workers are employed, including the public service;
- (e) the term “article” means an object which is formed to a specific shape or design during its manufacture or which is in its natural shape, and whose use in that form is dependent in whole or in part on its shape or design;
- (f) the term “workers’ representatives” means persons who are recognised as such by national law or practice, in accordance with the Workers’ Representatives Convention, 1971.

## PART II. GENERAL PRINCIPLES

### *Article 3*

The most representative organisations of employers and workers concerned shall be consulted on the measures to be taken to give effect to the provisions of this Convention.

### *Article 4*

In the light of national conditions and practice and in consultation with the most representative organisations of employers and workers, each Member shall formulate, implement and periodically review a coherent policy on safety in the use of chemicals at work.

### *Article 5*

The competent authority shall have the power, if justified on safety and health grounds, to prohibit or restrict the use of certain hazardous chemicals, or to require advance notification and authorisation before such chemicals are used.

## PART III. CLASSIFICATION AND RELATED MEASURES

### *Article 6*

#### CLASSIFICATION SYSTEMS

1. Systems and specific criteria appropriate for the classification of all chemicals according to the type and degree of their intrinsic health and physical hazards and

for assessing the relevance of the information required to determine whether a chemical is hazardous shall be established by the competent authority, or by a body approved or recognised by the competent authority, in accordance with national or international standards.

2. The hazardous properties of mixtures composed of two or more chemicals may be determined by assessments based on the intrinsic hazards of their component chemicals.

3. In the case of transport, such systems and criteria shall take into account the United Nations Recommendations on the transport of dangerous goods.

4. The classification systems and their application shall be progressively extended.

### *Article 7*

#### LABELLING AND MARKING

1. All chemicals shall be marked so as to indicate their identity.

2. Hazardous chemicals shall in addition be labelled, in a way easily understandable to the workers, so as to provide essential information regarding their classification, the hazards they present and the safety precautions to be observed.

3.(1) Requirements for marking or labelling chemicals pursuant to paragraphs 1 and 2 of this Article shall be established by the competent authority, or by a body approved or recognised by the competent authority, in accordance with national or international standards.

(2) In the case of transport, such requirements shall take into account the United Nations Recommendations on the transport of dangerous goods.

### *Article 8*

#### CHEMICAL SAFETY DATA SHEETS

1. For hazardous chemicals, chemical safety data sheets containing detailed essential information regarding their identity, supplier, classification, hazards, safety precautions and emergency procedures shall be provided to employers.

2. Criteria for the preparation of chemical safety data sheets shall be established by the competent authority, or by a body approved or recognised by the competent authority, in accordance with national or international standards.

3. The chemical or common name used to identify the chemical on the chemical safety data sheet shall be the same as that used on the label.