

**Peraturan-Peraturan Keselamatan dan
Kesihatan Pekerjaan (Pengelasan,
Pelabelan dan Helaian Data Keselamatan
Bahan Kimia Berbahaya) 2013**

[P.U.(A) 310/2013]

*Occupational Safety and Health
(Classification, Labelling and Safety Data
Sheet of Hazardous Chemicals)*

Regulations 2013
(CLASS Regulations)

Shabanon binti Mohd Sharif
Department of Occupational Safety & Health
Malaysia

Background

- ◆ Gazetted on 11th October 2013
 - ◆ Take effect on 12th October 2013
 - ◆ Enacted under provision of paragraph 66 (2)(a), (c), (k) and (u), OSHA 1994
 - ◆ Regulate the supply of hazardous chemicals for use at workplace
- ◆ hereinafter refer as CLASS Regulations

Purpose of CLASS Regulations

- ◆ Legislation framework to control supply of hazardous chemicals to place of work by prescribing requirements for **classification, packaging, labelling, safety data sheets and inventory**
- ◆ In line with commitment to implement the **Globally Harmonized System on Chemical Classification and Labelling (GHS)** to industrial workplace sector as recommended by the UN

Arrangement of Regulations

Divided into 8 parts – 16 Regulations & 5 Schedules

Part I

- 1. Citation and commencement
- 2. Application
- 3. Interpretation

Part II

- 4. Duty of principal supplier to classify chemicals as hazardous chemicals
- 5. Record of classification

Part III

- 6. Packaging requirement of hazardous chemical
- 7. Seal of packaging

Arrangement of Regulations

Part IV

- 8. Duty to label packaging of hazardous chemical
- 9. Requirement for hazard pictograms
- 10. Rules of precedence for hazard pictograms and hazard statement on label
- 11. Dimension of label
- 12. Affixing and tagging of label

Part V

- 13. Duty to furnish Safety Data Sheet

Part VI

- 14. Inventory of hazardous chemicals

Arrangement of Regulations

Part VII

- 15. Confidential business information on hazardous chemicals

Part VIII

- 16. Revocation

List of Schedules

Schedule	Title
First	Hazard Classification, Hazard Pictogram, Signal Word and Hazard Statement
Second	Hazard Pictogram
Third	Combined Hazard Pictogram
Forth	Dimension of Label
Fifth	Cut-off Value of Concentration



**PART I
PRELIMINARY**

Application: Subreg. 1(1)

◆ CLASS Regulations apply to chemicals supplied for use at a place of work

◆ Chemical:

- Substance
- Mixture

Exemption: Subreg. 1(2)

- ◆ CLASS Regulations does not apply to:
 - **Radioactive material** – Atomic Energy Licensing Act 1984
 - **Scheduled waste** – First Schedule, Environmental Quality (Scheduled Wastes) Regulations 2005
 - **Cosmetic** – Control of Drugs and Cosmetics Regulations 1984
 - **Chemical used for R & D/ trial purposes**
 - Not for sale in the market
 - Not exceeding 5 kg
 - Adequate information on the safe use of the chemical is made available

Exemption (cont..)

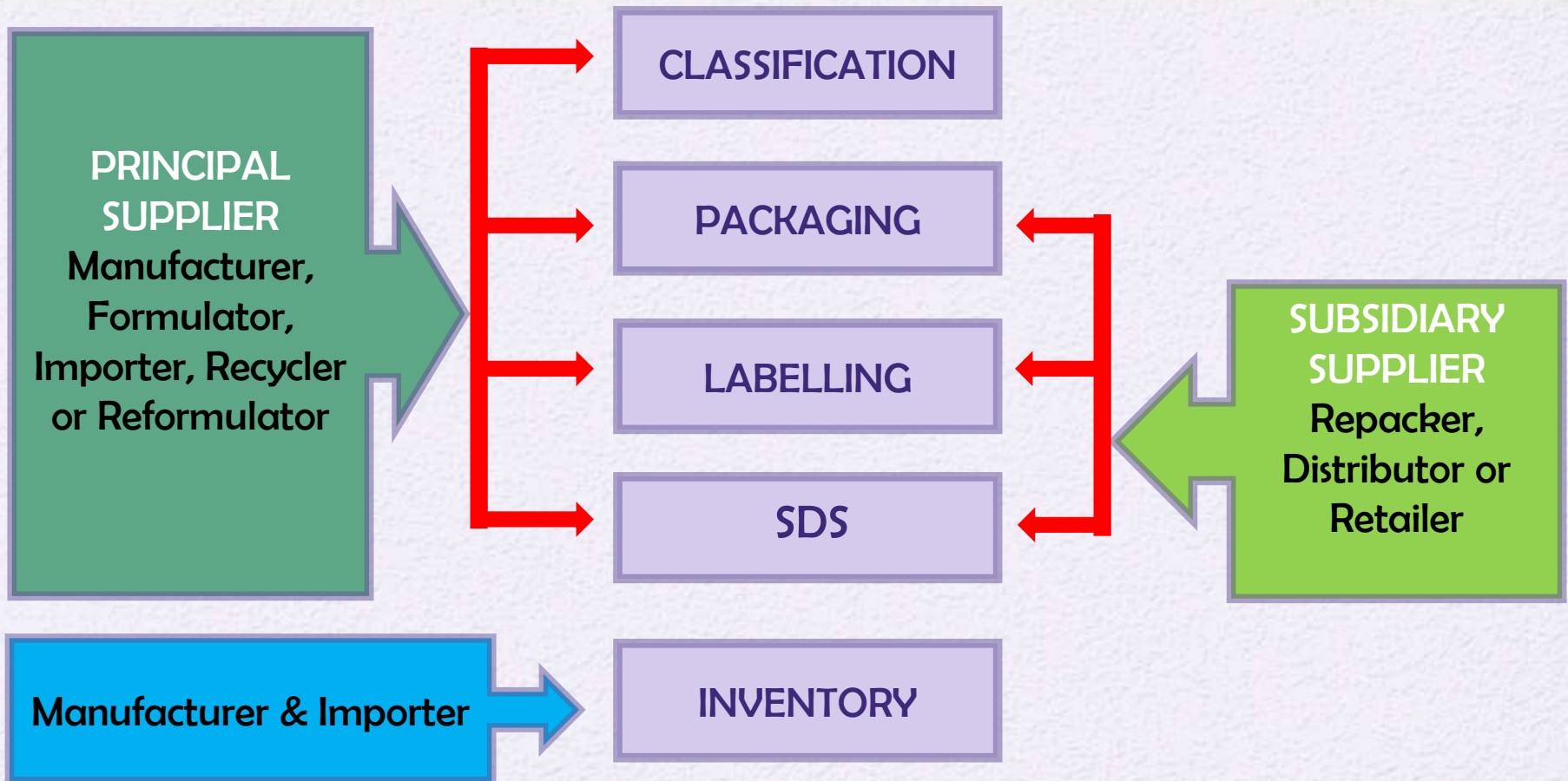
- Article

- ❖ An item, other than a fluid or particle, which is:
 - forms to a specific shape or design during manufacture;
 - has end use function dependent in whole or in part upon its shape or design; and
 - under normal conditions of use, does not release significant quantities of chemicals which pose a physical hazard or risk to health

Exemption: Subreg. 1(3)

- ◆ Parts II (Classification), III (Packaging), IV (Labelling) and VI (Inventory) do not apply to:
 - ➡ Pesticides (Pesticides Act 1974)
 - ➡ Chemical in transit prior to export which is stored at any storage area
- ❖ Note: For these chemicals only requirements on SDS and CBI (Part V & VII) apply

Responsibilities of Supplier





PART II
CLASSIFICATION

Classification: Reg. 4

- Responsibility of principal supplier
- Duty to classify chemicals in accordance with:
 - ☑ Part 1 ICOP CLASS - Classified chemicals list, or
 - ☑ If not listed, to use methodology specified in Part 2 ICOP CLASS
- In case of inconsistency in the classification for the same chemicals:
 - DG may determine the classification for the chemical

Note:

- ❖ ICOP CLASS: Industry Code of Practice on Chemical Classification and Hazard Communication

Hazard Classification

Physical Hazard

HAZARD CLASS

HAZARD CATEGORY

1. Explosives	Unstable explosive	Div 1.1	Div 1.2	Div 1.3	Div 1.4	Div 1.5	Div 1.6
2. Flammable gases	Cat 1	Cat 2					
3. Flammable aerosols	Cat 1	Cat 2					
4. Flammable liquids	Cat 1	Cat 2	Cat 3	Cat 4*			
5. Flammable solids	Cat 1	Cat 2					
6. Oxidizing gases	Cat 1						
7. Oxidizing liquids	Cat 1	Cat 2	Cat 3				
8. Oxidizing solids	Cat 1	Cat 2	Cat 3				
9. Gases under pressure	Compressed gas	Liquefied gas	Refrigerated gas	Dissolved gas			
10. Self-reactive chemicals	Type A	Type B	Type C	Type D	Type E	Type F	Type G
11. Pyrophoric liquids	Cat 1						
12. Pyrophoric solids	Cat 1						
13. Self-heating chemicals	Cat 1	Cat 2					
14. Chemicals which, in contact with water, emit flammable gases	Cat 1	Cat 2	Cat 3				
15. Organic peroxides	Type A	Type B	Type C	Type D	Type E	Type F	Type G
16. Corrosive to metals	Cat 1						

 * not included in CLASS Regulations

Hazard Classification

Health Hazard

HAZARD CLASS

HAZARD CATEGORY

1. Acute toxicity (oral)	Cat 1	Cat 2	Cat 3	Cat 4	Cat 5*
2. Acute toxicity (dermal)	Cat 1	Cat 2	Cat 3	Cat 4	Cat 5*
3. Acute toxicity (inhalation)	Cat 1	Cat 2	Cat 3	Cat 4	Cat 5*
4. Skin corrosion/irritation	Cat 1A/1B/1C (1)			Cat 2	Cat 3*
5. Serious eye damage/eye irritation	Cat 1	Cat 2			
6. Respiratory sensitisation	Cat 1				
7. Skin sensitisation	Cat 1				
8. Germ cell mutagenicity	Cat 1A/1B (1)		Cat 2		
9. Carcinogenicity	Cat 1A/1B (1)		Cat 2		
10. Reproductive toxicity	Cat 1A/1B (1)		Cat 2	Effect on or via lactation	
11. Specific target organ toxicity – single exposure	Cat 1	Cat 2	Cat 3		
12. Specific target organ toxicity – repeated exposure	Cat 1	Cat 2			
13. Aspiration hazard	Cat 1	Cat 2*			

 * not included in CLASS Regulations

Hazard Classification

Environmental Hazard

HAZARD CLASS

HAZARD CATEGORY

1. Hazardous to aquatic environment – acute hazard	Cat 1	Cat 2*	Cat 3*	
2. Hazardous to aquatic environment – chronic hazard	Cat 1	Cat 2	Cat 3	Cat 4
3. Hazardous to the ozone layer	Cat 1			

* not included in CLASS Regulations

Records of classification: Reg. 5

- ◆ Duty of principal supplier to:
 - record the classification of chemicals
 - make record available for inspection
- ❖ Format of record – refer to Part 2, ICOP CLASS



**PART III
PACKAGING**


Packaging Requirement: Reg. 6

- ◎ Duty of supplier to ensure packaging of hazardous chemical:
 - ☑ designed and constructed that its content cannot escape
 - ☑ packaging and fastening are strong and able to retain its content
 - ☑ packaging and fastening materials are not susceptible to adverse attack by the content or form harmful/dangerous compound with its content
 - ☑ if fitted with replaceable fastening device, the packaging can be repeatedly fastened without the contents escaping

Seal of Packaging: Reg. 7

- ◆ Packaging is initially closed with a seal in such a way that once the packaging is opened, the seal is broken and could not be repaired





**PART IV
LABELING**

Label Element: Subreg. 8 (1)

- Responsibility of supplier – principal & subsidiary supplier
- Ensure every packaging of hazardous chemicals is labelled legibly and indelibly with:
 - ☑ Product identifier
 - ☑ Supplier identification
 - ☑ Signal word
 - ☑ Hazard statement
 - ☑ Hazard pictogram
 - ☑ Precautionary statement

Labelling for Small Packaging: Subreg. 8(2)

- If the container ≤ 125 ml, supplier may label with:
 - ☑ Product identifier
 - ☑ Supplier identification
 - ☑ Signal word
 - ☑ Hazard pictogram (if applicable)
 - ☑ “read SDS before use”

Labelling Requirements: Subreg. 8(3) & (4)

- ◆ Hazard pictogram, signal word & hazard statement for each hazard class and hazard category is specified in First Schedule
- ◆ Requirement for each label element is specified in Part 3, ICOP CLASS (Labelling)
- ◆ Information in label is supplied in national language and English language

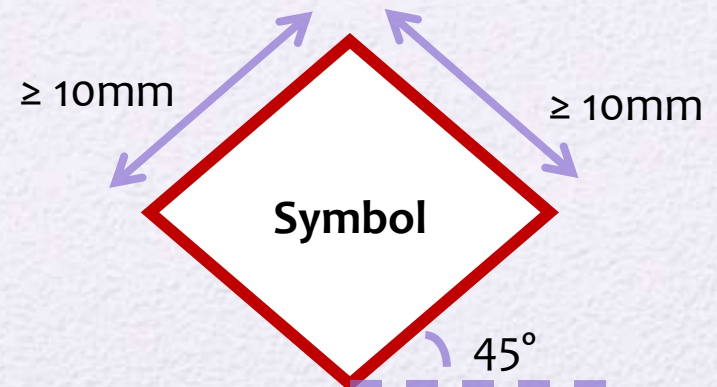
Hazard Statement: Subregulation

8(5), (6) & (7)

- If classified within several hazard classes, all hazard statements should appear on the label unless there is evidence of duplication/redundancy
- Where applicable, combined hazard statement, specified in **Third Schedule** shall be used
- Label should be **updated within 3 months** if there is any changes resulting in a more severe classification

Hazard Pictogram: subreg. 9(1)

- Consist of black symbol on white background and red border
- In diamond shape with sides tilted at 45° to horizontal
- size is $1/15$ th of area of surface area of a label but not less than 100mm^2



Hazard pictograms

Physical Hazard		Health Hazard		Environmental Hazard	
Description of symbol	Hazard pictogram	Description of symbol	Hazard pictogram	Description of symbol	Hazard pictogram
Flame		Skull and crossbones		Environment	
Flame over circle		Exclamation mark		Exclamation mark	
Exploding bomb		Health hazard			
Gas cylinder		Corrosion			
Corrosion					

Rules of precedence-Hazard Pictogram: Subreg. 10(1)

◆ Physical hazard:

- If the hazard pictogram of “exploding bomb”, “flame” and “flame over circle” applies, use hazard pictogram of “exploding bomb” and the use of the ‘flame’ and ‘flame over circle’ shall be optional, **except** where both hazard pictograms are compulsory (Self reactive chemicals type B and Organic peroxide type B)

Rules of precedence-Hazard Pictogram: Subreg. 10(1) cont...

- ◆ Health hazard:
 - If hazard pictogram of “skull and crossbones” and “exclamation mark” are applicable, hazard pictogram of “skull and crossbones” shall be used
 - If hazard pictogram of “corrosion” (skin corrosion, serious eye damage) and “exclamation mark” (skin irritation, eye irritation) are applicable, the hazard pictogram of “corrosion” shall be used;
 - If hazard pictogram of “health hazard” (respiratory sensitization) and “exclamation mark” (skin sensitization, skin irritation, serious eye irritation) are applicable, hazard pictogram of “health hazard” shall be used;

Rule of Precedence-Hazard Statements: Subreg. 10(2)

- If the classification of a chemical as a hazardous chemical would cause the use of **more than one hazard statement on a label**, the following rules of precedence shall apply:
 - If hazard statement, H410 “**Very toxic to aquatic life with long lasting effects**” is assigned, the statement, H400 “**Very toxic to aquatic life**” shall not appear on the label;
 - The hazard statement H314 “**Causes severe skin burns and eye damage**” is assigned, the statement H318 “**Causes serious eye damage**” shall not appear on the label.

Dimension of label: Reg. 11

Fourth Schedule

Capacity of package	Dimension of label (in mm)
Not exceeding 3 litres	At least 52 x 74
Greater than 3 litres but not exceeding 50 litres	At least 74 x 105
Greater than 50 litres but not exceeding 500 litres	At least 105 x 148
Greater than 500 litres	At least 148 x 210

Affixing and tagging of label: Reg. 12

- The label shall be firmly affixed to one or more surfaces of the packaging so that the label can be read horizontally when the packaging is set down in its normal position
- When not practicable to label due to the nature of the container, use tagging
- If the **container ≤ 125 ml**, the label shall be affixed in such manner deemed reasonable by the supplier



**PART V:
SAFETY DATA
SHEET**

Safety Data Sheets (SDS): Subreg. 13

- Duty of supplier to furnish updated SDS to chemical recipient for:
 - each hazardous chemical supplied
 - any mixture containing hazardous substances at concentration exceeding cut-off value specified in **Fifth Schedule**

Fifth Schedule: Cut-off value

Hazard Class	Cut-off Value
Acute toxicity	at 1.0% or more ($\geq 1.0\%$)
Skin corrosion or irritation	at 1.0% or more ($\geq 1.0\%$)
Serious eye damage or eye irritation	at 1.0% or more ($\geq 1.0\%$)
Respiratory sensitization	at 0.1% or more ($\geq 0.1\%$)
Skin sensitization	at 0.1% or more ($\geq 0.1\%$)
Germ cell mutagenicity (Category 1)	at 0.1% or more ($\geq 0.1\%$)
Germ cell mutagenicity (Category 2)	at 1.0% or more ($\geq 1.0\%$)
Carcinogenic	at 0.1% or more ($\geq 0.1\%$)
Reproductive toxicity	at 0.1% or more ($\geq 0.1\%$)
Specific target organ toxicity - single exposure	at 1.0% or more ($\geq 1.0\%$)
Specific target organ toxicity - repeated exposure	at 1.0% or more ($\geq 1.0\%$)
Aspiration hazard	at 10.0% or more ($\geq 10.0\%$)
Hazardous to the aquatic environment	at 1.0% or more ($\geq 1.0\%$)

SDS Format: Subreg. 13(2)

- ◆ Contain information according to the following headings and order:
 1. Identification of the hazardous chemical and supplier
 2. Hazards identification
 3. Composition and information of ingredients of hazardous chemical
 4. First aid measures
 5. Fire fighting measures
 6. Accidental release measures
 7. Handling and storage
 8. Exposure controls and personal protection

SDS Format: Subreg. 13(2) cont....

9. Physical and chemical properties
10. Stability and reactivity
11. Toxicological information
12. Ecological information
13. Disposal information
14. Transportation information
15. Regulatory information
16. Other information

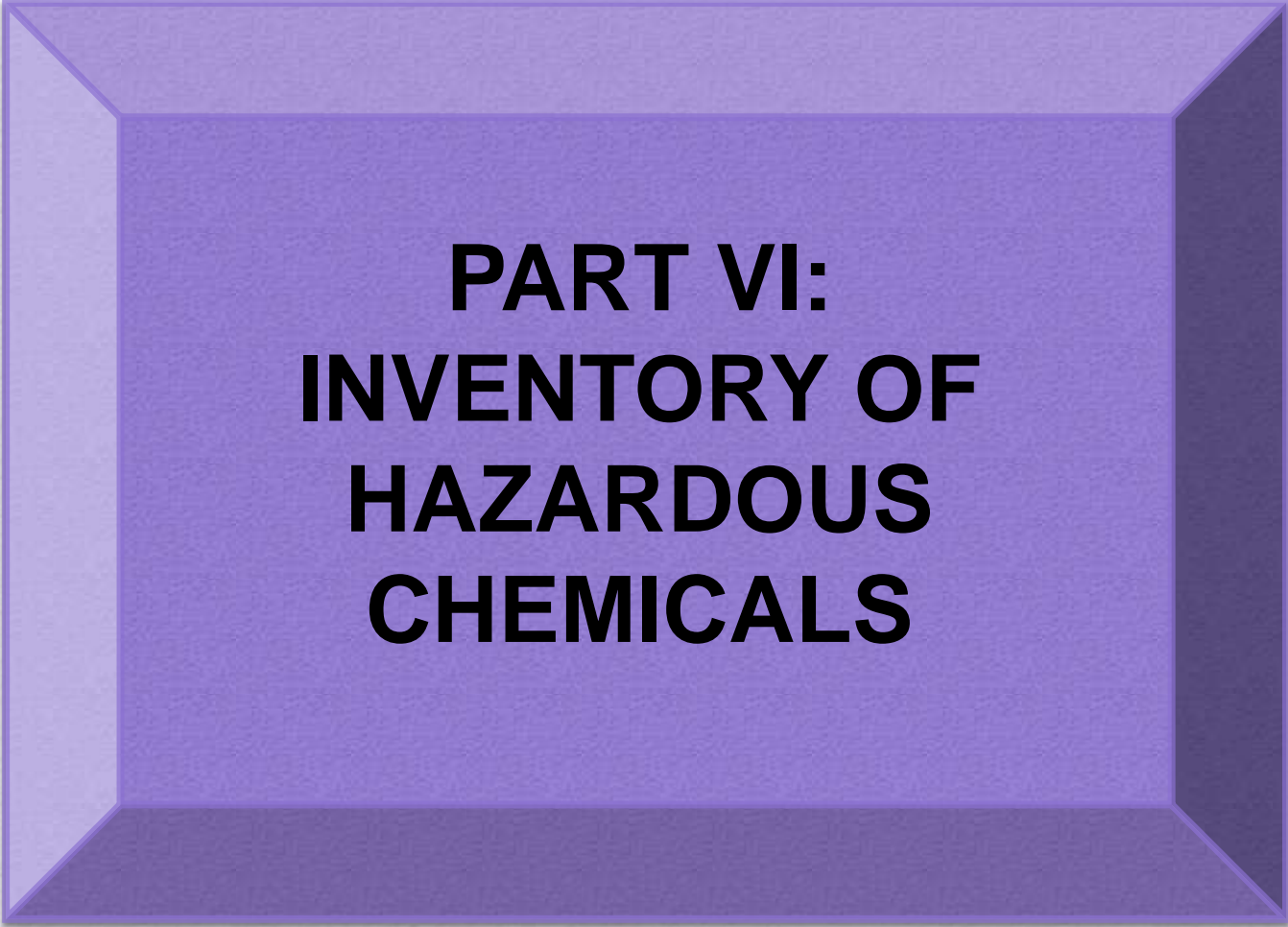
SDS Requirement: Subreg. 13(3)

- ◆ The information in SDS shall be in accordance with the minimum requirement of SDS as specified in **Part 3 of the ICOP**
- ◆ The SDS shall be supplied in **national language** and **English language**

Revision of SDS: Subreg. 13(4) & (5)

- ◆ Revise SDS
 - ☑ new information on the hazardous chemical
 - ☑ more than 5 years have elapsed since last date of preparation/revision
 - ☑ directed by officer

- ◆ Revised SDS shall be furnished as soon as practicable



**PART VI:
INVENTORY OF
HAZARDOUS
CHEMICALS**

Duty to prepare and submit inventory: Subreg. 14(1) & (2)

- Duty of importer and manufacturer
- Prepare an inventory of hazardous chemical imported/supplied
 - ☑ quantity 1 metric tonne and above per year
 - ☑ each calendar year
- Submit an inventory to DG not later than 31st March of the following year

Information in the inventory:

Subreg. 14(3), (4) & (5)

- Inventory contain information on:
 - ☑ Product identifier
 - ☑ Name of the hazardous chemical
 - ☑ Composition and ingredients of hazardous chemical
 - ☑ Hazard classification
 - ☑ Total quantity supplied/imported
- Name and ingredient of hazardous chemical shall include CAS no., if applicable
- Inventory should be maintained in a good condition and orderly manner

Online Submission: CIMS



Guest

Chemicals Information Management System

Language
English Language

Login
 Staff Importer/Manufacturer

User ID:
Password:

[Register](#)
[Forgot Password](#)

DEPARTMENT OF OCCUPATIONAL SAFETY AND HEALTH [D.O.S.H]



**OCCUPATIONAL SAFETY AND HEALTH REGULATIONS
(Chemicals Classification, Labelling and Safety Data Sheets) 201X**

DOSH, through the Chemical Management Division is responsible of being the focal point for the "Globally Harmonised System for Hazard Classification and Labelling and Safety Data Sheets" for industrial chemicals. The Classification And Hazard Communication Unit is specifically made in charge of ensuring that the system is implemented from the year 2005 to date.

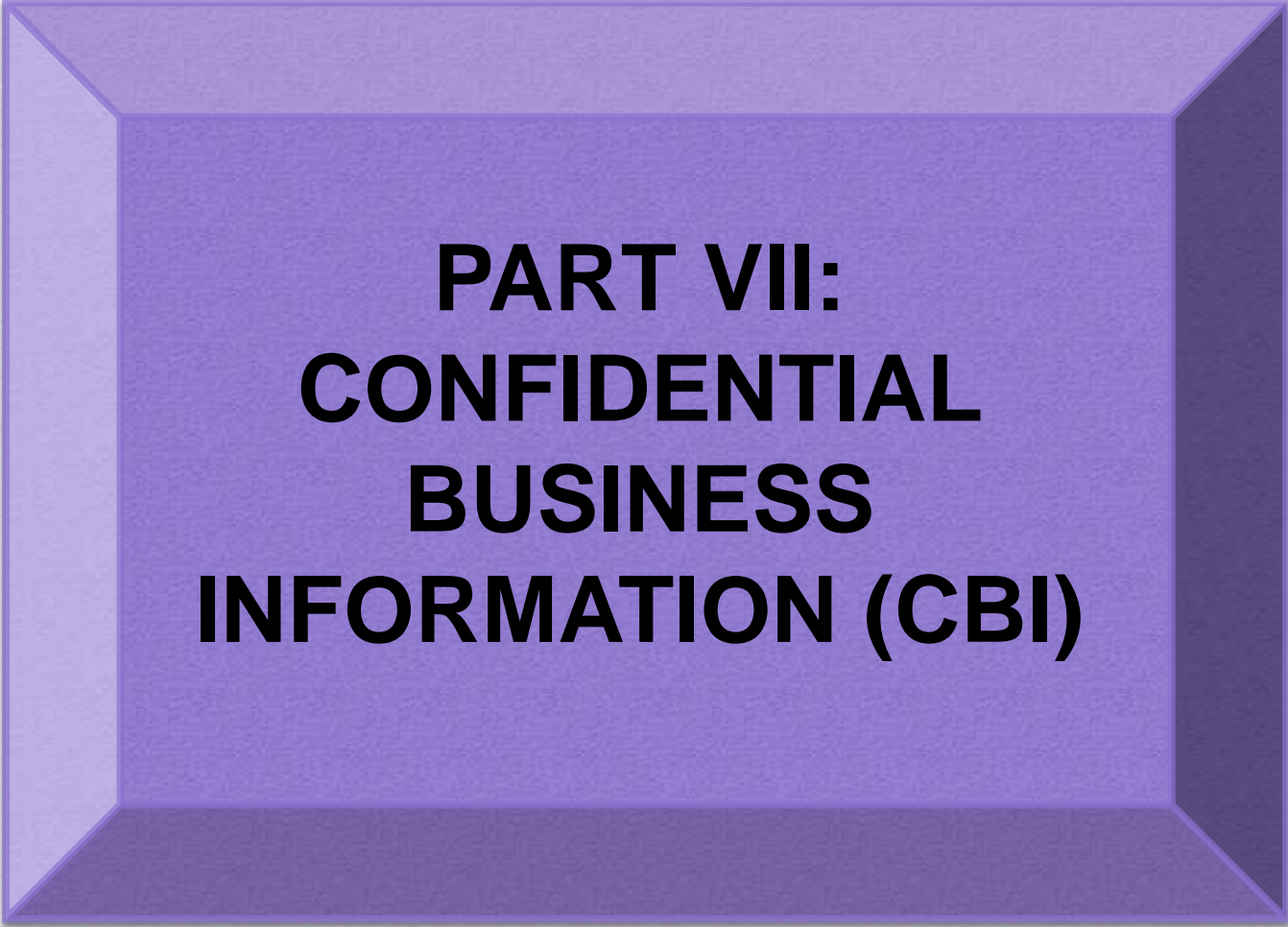
In the event of implementing the Globally Harmonised System (GHS) for classification, labelling and safety data sheets in work places, DOSH is in the process of legislating a new regulation: Occupational Safety and Health Regulation (Chemical Classification, Labelling and Safety Data Sheets) 20XX, or better known as the CLASS regulation. The effort of implementing GHS in work places is also done in order to conform to the Occupational Safety and Health Act 1994. The CLASS regulation will be replacing the existing Occupational Safety and Health Regulation (Classification, Packaging and Labelling of Hazardous Chemical) 1997 and expected to come in force by late 2011.

[List of GHS Hazard Statement & Pictograms](#)

URL:
<http://cims.dosh.gov.my>

For enquiry, please call: 03 - 899 9343 or email: cims@moh.gov.my
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**PART VII:
CONFIDENTIAL
BUSINESS
INFORMATION (CBI)**

CBI on hazardous chemical: Subreg. 15(1) & (2)

◆ CBI only limited to:

- name of hazardous chemical
 - composition and ingredients of hazardous chemical
- ◎ The information can be omitted and replaced with:

name of chemical



***generic name of chemical**

Ingredients concentration



***concentration range**

***Refer to ICOP CLASS**

Disclosure of CBI: Subreg. 14(3), (4) & (5)

◎ Information to be disclosed to:

DG

OHD

Person who uses or handles hazardous chemical

provided that:

➤ request in writing

➤ information used for the protection of the safety and health of employees



**PART VIII:
REVOCATION**

Revocation: Reg. 16

- CPL Regulations 1997 [P.U.(A) 143/1997] are revoked

Offences

Person	Subreg.	Requirements
Principal supplier	4(1), (2), (4)	Classification
Principal supplier	5(1), 5(2)	Classification record
Supplier	6(1)	Packaging
Supplier	7(1)	Seal of packaging
Supplier	8(1), (2), (3), (4), (5), (6), (7)	Labelling of packaging
Supplier	9(1)	Requirement on hazard pictogram
Supplier	10(1), (2)	Precedence for hazard pictogram & hazard statement

Offences (cont...)

Person	Subreg.	Requirements
Supplier	11(1)	Dimension of label
Supplier	12(1), (2), (3)	Affixing & tagging of label
Supplier	13(1)	Furnishing SDS
Supplier	13 (2), (3)	Content of SDS
Supplier	13 (4), (5)	Revision of SDS
Importer/ Manufacturer	14(1), (2), (3), (4)	Preparation, submission, content and maintenance of inventory
Person	15(6)	Misuse of CBI

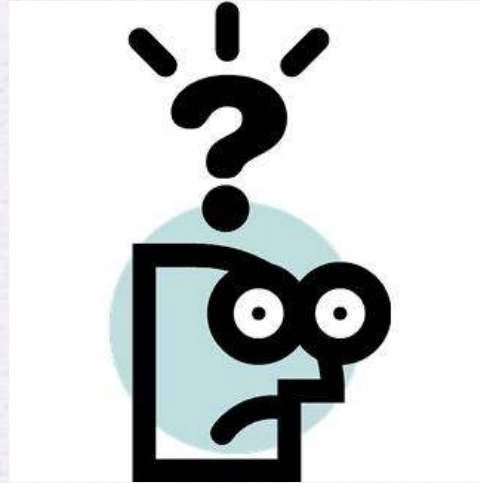
Penalty

- ◆ Fine not exceeding RM10,000 or
- ◆ Imprisonment term not exceeding 1 year or
- ◆ Both

- ◆ Continuing offence
 - Fine not exceeding RM1,000 for every day or part of the day during continuing offence after conviction

Reference Documents

- Industry Code of Practice on Chemical Classification and Hazard Communication – ICOP CLASS
- Globally Harmonized System of Classification and Labelling of Chemicals (*Purple book- 3rd Revised Edition 2009*)
- UN Recommendations on the Transport of Dangerous Goods- Model Regulations (*Orange Book-16th Revision 2009*)



**THANK YOU FOR YOUR ATTENTION,
ANY QUESTION?**