

## DEPARTMENT OF HEALTH

NO. 1242

14 OCTOBER 2016

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

In terms of section 2(1) (a) of the Hazardous Substances Act, 1973 (Act No. 15 of 1973), read with section 2(3) (a), 29 (1)(a) and (b) of the said Act, I Dr Aaron Motsoaledi, Minister of Health, hereby intent to declare the substances mentioned in the schedule hereto and mixtures containing such substances, products or materials to be Group I, Category A 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 Director: Environmental Health), by fax to: 012- 395 8802, attention: Ms Aneliswa Cele, or by e-mail to: [CeleA@health.gov.za](mailto:CeleA@health.gov.za), within three (3) months from the date of publication of this notice.

**SCHEDULE****Group I, Category A hazardous substances**

1. (1) Any industrial substance or mixture of substances, products or materials listed in Annexure C of the South African Bureau of Standards latest Code of Practice 0228: The

identification and classification of dangerous goods for transport by road and rail modes with exception of Class 1: Explosives and Class 7: Radioactive Substances; and which in the course of customary or reasonable handling or use, including ingestion, by reason of its;

- a) acute toxicity oral, skin or inhalation, category 1 or 2 or;
- b) carcinogenicity, category 1A or 1B or;
- c) reproductive toxicity, category 1A or 1B or;
- d) germ cell mutagenicity, category 1A or 1B or;
- e) specific target organ toxicity-single exposure, category 1 or;
- f) specific target organ toxicity-repeated exposure, category 1;

as classified according to the hazard classification prescribed in the SANS 10234: Globally Harmonized System of Classification and Labeling of Chemicals;

- (2) All industrial substances listed in Annexure III of the Rotterdam Convention;
- (3) All industrial substances listed in Annexure A, B and C of the Stockholm Convention;
- (4) Mercury and mercury compounds, except when these substances and preparations and admixtures thereof are scheduled substances under the Medicines and Related Substances Control Act, 1965 (Act No. 101 of 1965).

#### **Applicability of Group I Hazardous Substances Regulations**

2. (1) Any person engaged in the selling of Group I, Category A hazardous substances shall comply with the provisions of Regulations relating to Group I hazardous substances.

(2) Subject to sub-regulation 2(1) of the Regulations relating to Group I Category A hazardous substances, the selling of mercury and mercury compounds from primary mercury mining and for use in artisanal and small scale gold mining is prohibited.

**Repeal**

3. The Notice Published under Government Notice R. 452 in *Government Gazette* No. 5467 dated 25 March 1977 is hereby repealed.



**DR AARON MOTSOALEDI, MP**

**MINISTER OF HEALTH**

**DATE:**

9/8/2016