



Recommendation of the Council
concerning the OECD List of
Non-Confidential Data on
Chemicals

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Date(s)

Adopted on 26/07/1983

Background Information

The Recommendation concerning the OECD List of Non-Confidential Data on Chemicals was adopted by the OECD Council on 26 July 1983 on the proposal of the Second High-Level Meeting of the Chemicals Group (today under the responsibility of the Chemicals Committee), endorsed by the Environment Committee. This instrument recommends that Adherents, for purposes of assessment and for other uses relating to protection of man and the environment, facilitate the disclosure and exchange of data belonging to the OECD List of Non-Confidential Data which is set out in the appendix to the Recommendation.

THE COUNCIL,

HAVING REGARD to Articles 2 a), 2 b), 2 d), 3, and 5 b) of the Convention on the Organisation for Economic Co-operation and Development of 14 December 1960;

HAVING REGARD to the Recommendation of the Council of 7 July 1977 Establishing Guidelines in Respect of Procedure and Requirements for Anticipating the Effects of Chemicals on Man and in the Environment [C(77)97(Final)];

HAVING REGARD to the Decision of the Council of 21 September 1978 concerning a Special Programme on the Control of Chemicals and the Programme of Work established therein and the extension of the duration of the Programme by the Council of 12 May 1981 [C(78)127(Final) and C/M(81)7(Final), Item 86];

HAVING REGARD to the Decision of the Council of 12 May 1981 concerning the Mutual Acceptance of Data in the Assessment of Chemicals [C(81)30(Final)] and Addendum 1 to that Decision [C/M(82)22(Final), Item 215];

HAVING REGARD to the Decision of the Council of 8 December 1982 concerning the Minimum Pre-marketing Set of Data in the Assessment of Chemicals [C(82)196(Final)];

HAVING REGARD to the Recommendation of the Council of 26 July 1983 concerning the Protection of Proprietary Rights to Data Submitted in Notifications of New Chemicals [C(83)96(Final)];

HAVING REGARD to the conclusions of the First High-Level Meeting of the Chemicals Group of May 1980, concerning the confidentiality of data [ENV/CHEM/HLM/80.M/1];

HAVING REGARD to the conclusions of the Second High-Level Meeting of the Chemicals Group of November 1982, on non-confidential data [ENV/CHEM/HLM/M/82.1];

CONSIDERING the need to avoid unnecessary duplication of effort in developing data on chemicals, to make better use of existing data, to utilize more effectively scarce specialist manpower and test facilities, and to reduce the number of animals used in testing;

CONSIDERING the need of governments to inform the public and the need to disclose certain data related to the assessment of chemicals or to other purposes connected with the protection of man and the environment;

On the proposal of the Second High-Level Meeting of the Chemicals Group, endorsed by the Environment Committee;

I. RECOMMENDS that Member countries, for purposes of assessment and for other uses relating to protection of man and the environment, facilitate the disclosure and exchange of data belonging to the OECD List of Non-Confidential Data, set out in the Appendix hereto, which is an integral part of this Recommendation, and other data which may be deemed by the Member country concerned to be non-confidential.

II. INSTRUCTS the Environment Committee and the Management Committee of the Special Programme on the Control of Chemicals to review actions taken by Member countries in pursuance of this Recommendation and report thereon to the Council.

APPENDIX

THE OECD LIST OF NON-CONFIDENTIAL DATA ON CHEMICALS

Certain data, of value for hazard assessment of chemicals and for other purposes connected with the protection of man and the environment, may be termed non-confidential.

In this context, "non-confidential" means that no restrictions should be put on the exchange of the data between governments nor on the disclosure of such data to the public. Proprietary Rights to data are not affected by the non-confidential status of such data. Data should be exchanged between governments on request and not as a matter of routine.

The following list is not restrictive. It is recognised, on the contrary, that in some circumstances there may be other data which are considered non-confidential both by the government and the submitter and that if these are useful for hazard assessment of chemicals, they should also be exchanged. The list below is inspired by the OECD Minimum Pre-marketing Set of Data, but is not meant to be restricted to information on new chemicals. Non-confidentiality, as defined above, applies to all chemicals.

- Trade name(s) or name(s) commonly used (in the United States of America, trade names or names commonly used may mean a generic name of a chemical substance);
- General data on uses (the uses need to be described only broadly, like: closed or open system, agriculture, domestic use, etc.);
- Safe handling precautions to be observed in the manufacture, storage, transport and use of the chemical;
- Recommended methods for disposal and elimination;
- Safety measures in case of an accident;
- Physical and chemical data with the exception of data revealing the chemicals identity (e.g. Spectra). If the physical and chemical data make it possible to deduce therefrom the chemical identity only ranges of values need be given;
- Summaries of health, safety, and environmental data including precise figures and interpretations. (the submitter of the health, safety, and environmental data should participate in the preparation of the summaries.)

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- **Declarations:** OECD legal instruments which are prepared within the Organisation, generally within a subsidiary body. They usually set general principles or long-term goals, have a solemn character and are usually adopted at Ministerial meetings of the Council or of committees of the Organisation.
- **International Agreements:** OECD legal instruments negotiated and concluded within the framework of the Organisation. They are legally binding on the Parties.
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