

Engagement with the Department of Health on the Hazardous Substances Act, 1973 (Act No. 15 of 1973) Declaration Notices



Implementation of the Declaration Notices under the Hazardous Substances Act, 1973



Ramsook Loykisoona
Deputy Director: Environmental Health



Online: MS Teams
1 September 2026



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OUTLINE OF PRESENTATION



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Group I Category A Government Gazette Declaration



STAATSKOERANT, 4 APRIL 2025

No. 52449 23

NO. 6093

DEPARTMENT OF HEALTH

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: 4/1/2025

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A. Background



- NDoH consulted widely with key and relevant stakeholders on the Declaration Notices.
- Initial and Final SEIAS were approved by The Presidency.
- Declaration Notices for Groups I Categories A & B & II were published in the government gazette on 4/04/2025.
- Grace period of 6 months given prior for implementation on 4/09/2025.

B. Rationale



- Old and outdated List on HS: R452 of 25 March 1977 under the Hazardous Substances Act, 1973 (Act No. 15 of 1973).
- Old list on Group I HS limited.
- No mechanism for updating of List.
- No alignment with GHS, MEAs and ECHA.
- HS classified i.t.o. active ingredients; Oral & dermal exposure & LD50.

C. Alignment of Declarations



- DEL's Regulations for Hazardous Chemical Agents, 2021 under the Occupational Health and Safety Act, 1993 (Act No. 85 of 1993).
- DoA's Regulations relating to Agricultural Remedy, 2023 under the FFFAR&SR Act, 1947 (Act No. 36 of 1947). (Colour coding system has fallen off).

D. Group I, Category A hazardous substances



The following are hereby declared as Group I hazardous substances, viz:

- All industrial substances listed in Annexure III of the Rotterdam Convention on Prior Informed Consent 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.

D. Group I, Category A hazardous substances (cont...)



- 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;**



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D. Group I, Category A hazardous substances (cont...)



listed as harmonized 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 UNGHS.

E. Group I, Category B hazardous substances



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

(1) Any pesticide or agricultural remedy that fulfills the criteria for substances of concern and restricted agricultural remedy under FFFAG&SR Act, 1947 (Act No, 36 of 1947), except for low risk products and subject to registration in terms of the mentioned Act including severely hazardous pesticides under Annex III of the Rotterdam Convention.

F. Group II Hazardous Substances



The following are hereby declared as Group II hazardous substances, viz:

- 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;**

F. Group II Hazardous Substances (cont...)



- 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 & Labelling Inventory obtainable from the ECHA web site, <https://echa.europa.eu> and classified



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G. Way forward



- Declaration Notices extended by 18 months from 31 March 2026 for implementation purposes.
- Corrective notice developed with Legal Unit on alphabet numbering; inclusion of hazard category only 2 and not 3; and statements “Chemicals used as flavourants and additives in foodstuffs and chemicals used in cosmetics” included for Group II hazardous substances.
- Fully implementable as of 30 September 2027.



THANK YOU

Tel: (012) 395 8781

Fax: (012) 395 8802

Cell: 082 308 22 11

Email: Ramsook.Loykisoona@health.gov.za



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