



Lives depend on our translations.

Translation Inconsistencies in Published EHS Regulations Worldwide

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Introduction

When tasked with providing a translation that is “compliant” with regulatory requirements, GLTaC researches the regulations carefully. Just because specific phrases match the translations in a specific regulation does not mean the overall document is “compliant”. The translation aspect is most often taking the source English document and translating it into one or more other target languages, which is not the same as making the SDS or Label compliant with regulations by proper classification of the compounds or substances.

What we are finding is a frequent pattern of inconsistencies that make it difficult to determine exactly what a translation should be. This poster highlights the wide variety of ways published regulations contain inconsistent translations. Just as individuals reviewing the same data set may arrive at different classifications, two individuals reviewing the same translation may disagree when asked if the translation is “compliant”, because it depends upon which regulation they reference, which version, which portion and in some cases which structure of a given phrase.

1. Regulation: ADR 2008 / 2011 (Croatian)

Discovery: Same text, different translation within different versions of the same document. (Croatian, ADR)
Example 1: SOURCE (SRC): **EXTRACTS, FLAVOURING, LIQUID**
Differences: TARGET (TGT): **1197 EKSTRAKTI, AROMATIZIRANJE, TEKUĆINA** (p. 105, 2011 version)
TGT: **1197 EKSTRAKTI ZA AROME, TEKUĆINA** (p. 262, 2011 version)
TGT: **EKSTRAKTI, AROMATIZIRANJE, TEKUĆINA** (p. 97, 2008 version)
TGT: **ekstrakcije, aromatične, tekuće** (p. 620, 2008 version)
TGT: **EKSTRAKTI, ZAČINSKI, TEKUĆINA** (p. 519, 2008 version)
Significance: At best an author has a 50-50 chance of being “compliant” if a reviewer is using the 2011 version to check the SDS or label. That drops to 33% if using the 2008 version.

2. Regulation: GB 30000.19 and GB 30000.27 (Chinese)

Discovery: Same phrase translated differently when appearing alone, and when combined with other phrases. (Chinese, GB)
Example 1: SRC: (P331) **Do NOT induce vomiting.**
(P301+P330+P331) **IF SWALLOWED: rinse mouth. Do NOT induce vomiting**
Difference: TGT: (P331) **不得诱导呕吐** (GB 30000.27-2013, p. 12)
TGT: (P301+P330+P331) **如误吞咽:漱口。不要诱导呕吐** (GB 30000.19-2013, p. 17)
Significance: While both translations are acceptable “不得” translates as “Can’t”, and “不要” translates as “Don’t”, someone who is unfamiliar with Chinese would only notice the different character if both are used in the same document and may question the compliance of the SDS or label.

3. Regulation (EC) No 1272/2008 and EU 487/2013 (Portuguese)

Discovery: Mixing old and new forms of a specific language after a language undergoes a major modernization. (Portuguese)
Example 1: SRC: **H240: Heating may cause an explosion**
TGT: H240: **Risco de explosão sob a *acção* do calor.** (old Portuguese) (EC 1272/2008 p. 155)
Difference: SRC: **H229: Pressurized container: May burst if heated.**
TGT: H229: **Recipiente sob pressão: risco de explosão sob a *ação* do calor.** (new Portuguese) (EU Directive 487/2013, p. 24)
Significance: The Portuguese language underwent a modernization in 1990, however, when the regulation was updated, a substantial amount was brought forward from the older version containing the old Portuguese, as a result, there is a mix of old and modernized Portuguese and the same term appears differently. Both are compliant, but a reviewer looking for an exact match may arrive at a different conclusion.

4. Regulation (EC) No 1272/2008, p. 235 (French)

Discovery: Same English text in two different, current regulations with different translations in each regulation. (GHS/ADR)
Example 1: SRC: **P223: Keep away from any possible contact with water, because of violent reaction and possible flash fire.**
Difference: TGT: **P223: Éviter tout contact avec l'eau.** (GHS Revision 5, p. 346)
TGT: **P223 : Éviter tout contact avec l'eau, à cause du risque de réaction violente et d'inflammation spontanée.** (EC 1272/2008, p. 212)
Significance: When shipping through countries implementing different versions of GHS, the translation from a specific version may mean the difference in allowing the shipment to pass or sidelining it to a holding area. This example highlights a phrase with a very noticeable difference depending on the version.

5. Regulation: ADR 2015 (Polish)

Discovery: Same English for different UN number phrases but different translations – context is important.
Example 1: UN0054/UN0312/UN0405: **CARTRIDGES, SIGNAL**
Difference: UN0054: **NABOJE SYGNALOWE** (p. 386)
UN0312: **NABOJE SYGNALIZACYJNE** (p. 402)
UN0405: **NABOJE SYGNALOWE** (p. 412)
Significance: When searching by English term, it is possible to use the wrong translation because multiple translations exist for the same English term. Searching by the UN number is necessary to find the correct translation of the proper shipping name. This example is due to having different translators working from different source documents (one German the other English). The discrepancy has also been reported and should be corrected in a newer version.

Discussion

As the global regulatory environment becomes more complex, no effort or mechanism exists to identify and eliminate inconsistencies in the growing body of regulations. ECHA stands out as making strides in this direction by requiring context, reducing duplication and removing outdated phrases from their library. More of this activity on a broader scale would help minimize inconsistencies; however, that requires constant vigilance for which no resources, direction or global authority exists. At best each controlling authority, per regulation, should have a simple and effective mechanism for receiving notification when such inconsistencies are found, along with a sense of urgency to correct them. Many of the differences cited are minor and do not fundamentally alter the meaning of the phrase. The issue is not that minor inconsistencies exist, but that as the body of regulation expands at a phenomenal rate, it is only a matter of time before more serious problems arise as a result of carelessness or an inability to identify errors of a more critical nature due to inconsistent translations. According to Paul Bedard, under President Obama, the U.S. Federal Register has added 468,500 pages, with another 2,375 regulations scheduled for 2015, adding another roughly 79,000 pages. REACH took seven years and was 849 pages according to Wikipedia. None of the regulatory research companies we contacted has an accurate count for the number of annual new pages of EHS regulations worldwide.

References

ADR 2008 / 2011 (Croatian)
ADR 2015 (Polish)
EC 1272/2008
EU Directive 487/2013
GB 30000.19-2013 (Chinese)
GB 30000.27-2013 (Chinese)
GHS Revision 6, 2015
Acordo Ortográfico da Língua Portuguesa de 1990 (Portuguese Language Orthographic Agreement of 1990)
The Washington Examiner, Paul Bedard, 12/31/15

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