

Health and Safety Authority

Public Consultation Notice

Draft European Communities (Classification, Packaging and Labelling of Dangerous Preparations) (Amendment) Regulations 2006

Introduction

The purpose of the draft European Communities (Classification, Packaging and Labelling of Dangerous Preparations) (Amendment) Regulations 2006 is to amend Schedules 3, 4 and 7 to the European Communities (Classification, Packaging and Labelling of Dangerous Preparations) Regulations 2004 (S.I. No. 62 of 2004).

The draft Regulations are designed to transpose into Irish law Commission Directive 2006/8/EC of 23 January 2006 which amends Directive 1999/45/EC of the European Parliament and of the Council of 31 May 1999 on the approximation of the laws, regulations and administrative provisions of the Member States relating to the classification, packaging and labelling of dangerous preparations.

The aim of the draft Regulations is to protect human health and the environment from the harmful effects of specified dangerous preparations. The draft Regulations require each manufacturer, importer or distributor of a dangerous preparation to classify and label it according to its inherent hazards and to provide safety data sheets.

Amendments to the European Communities (Classification, Packaging and Labelling of Dangerous Preparations) Regulations 2004 (S.I No 62 of 2004)

The draft Regulations introduce a number of amendments to the Principal Regulations (S.I No 62 of 2004) as follows:

- (i) The classification of preparations containing Carcinogens, Mutagens and Reprotoxins (CMRs) is amended so that, where previously a preparation should be classified and labelled with both Category 1 or 2 and Category 3 R-phrases, they will now only be classified and labelled with the highest relevant category. This is to prevent conflicting messages on labels for users.
- (ii) The classification of preparations containing substances classified as very toxic to the aquatic environment is amended, to resolve differences in the way that substances with specific concentration limits in Annex I to Directive 67/548/EC are classified compared to self-classified substances.
- (iii) Changes are introduced to classifications for preparations containing substances dangerous to the ozone layer in that the symbol “N” is now required for substances classified as “R59 (Dangerous for the ozone layer)”.
- (iv) The terminology in Schedule 7 to the Principal Regulations regarding “Special Provisions Concerning the Labelling of Certain Preparations” is replaced to make it more consistent and accurate.

Schedules A and B to the draft Regulations amend Schedule 3 to the European Communities (Classification, Packaging and Labelling of Dangerous Preparations)

Regulations 2004 (S.I. No. 62 of 2004); Schedules C, D and E to the draft Regulations amend Schedule 4 to the 2004 Regulations and Schedule F to the draft Regulations sets out a replacement Schedule 7 to the 2004 Regulations.

The draft Regulations are scheduled to come into operation on 1 March 2007.

Comments and Observations Invited

The text of the following may be accessed at the links below -

- (i) Draft European Communities (Classification, Packaging and Labelling of Dangerous Preparations) (Amendment) Regulations 2006
- (ii) European Communities (Classification, Packaging and Labelling of Dangerous Preparations) Regulations 2004 (S.I. No. 62 of 2004).

The Official Journal of the European Union (OJ) references for the 2 relevant Directives are -

- (a) Commission Directive 2006/8/EC of 23 January 2006 amending, for the purposes of their adaptation to technical progress, Annexes II, III and V to Directive 1999/45/EC of the European Parliament and of the Council concerning the approximation of the laws, regulations and administrative provisions of the Member States relating to the classification, packaging and labelling of dangerous preparations (OJ No. L 19, 24.1.2006, p. 12) – Web Link (http://eur-lex.europa.eu/LexUriServ/site/en/oj/2006/l_019/l_01920060124en00120019.pdf)
- (b) Directive 1999/45/EC of the European Parliament and of the Council of 31 May 1999 on the approximation of the laws, regulations and administrative provisions of the Member States relating to the classification, packaging and labelling of dangerous preparations (OJ No. L 200, 30.7.1999, p. 1) – Web Link (http://europa.eu.int/smartapi/cgi/sga_doc?smartapi!celexapi!prod!CELEXnumdoc&lg=EN&numdoc=31999L0045&model=guichett)

The Health and Safety Authority requests comments and observations (by 5.00 p.m. on Friday 22 December 2006) on the draft Regulations prior to submission of the proposed Regulations to the Minister of State at the Department of Enterprise Trade and Employment (Mr Tony Killeen) for his consideration.