

S.I. No. 271/2008 — European Communities (Classification, Packaging and Labelling of Dangerous Preparations) (Amendment) Regulations 2008

S.I. No. 271 of 2008

EUROPEAN COMMUNITIES (CLASSIFICATION, PACKAGING AND LABELLING OF DANGEROUS PREPARATIONS) (AMENDMENT) REGULATIONS 2008

Notice of the making of this Statutory Instrument was published in

“Iris Oifigiúil” of 18th July, 2008.

I, MARY COUGHLAN, Minister for Enterprise, Trade and Employment, in exercise of the powers conferred on me by section 3 of the European Communities Act 1972 (No. 27 of 1972) and for the purpose of giving further effect to Regulation (EC) No. 1907/2006 of the European Parliament and of the Council of 18 December 2006¹, hereby make the following regulations:

1. (1) These Regulations may be cited as the European Communities (Classification, Packaging and Labelling of Dangerous Preparations) (Amendment) Regulations 2008.

(2) The European Communities (Classification, Packaging and Labelling of Dangerous Preparations) Regulations 2004 and 2007 and these Regulations may be cited together as the European Communities (Classification, Packaging and Labelling of Dangerous Preparations) Regulations 2004 to 2008.

2. The European Communities (Classification, Packaging and Labelling of Dangerous Preparations) Regulations 2004 (S.I. No. 62 of 2004) are amended—

(a) in Regulation 3—

(i) paragraph (3), by substituting “Regulations 13 and 14” for “Regulations 13, 14 and 18”, and

(ii) paragraph (4), by substituting for “concerning the classification, packaging, labelling and safety data sheets” the following:

“concerning classification, packaging and labelling”,

(b) in Regulation 12(2)—

(i) subparagraph (c), by inserting “and” after “concerned,”,

(ii) subparagraph (d), by substituting “concerned.” for “concerned and”, and

(iii) by deleting subparagraph (e),

(c) by revoking Regulation 18,

(d) in Regulation 19(1)(a), by deleting “or safety data sheet”,

(e) in Regulation 23, by deleting “18,”,

(f) in Schedule 7, by deleting the following:

“C. For preparations not classified within the meaning of Regulation 3(2), but containing at least one dangerous substance

1. Preparations not intended for the general public

The label on the packaging of the preparations referred to in Regulation 18(1)(b) must bear the following inscription:

‘Safety data sheet available for professional user on request’.

(g) in Schedule 11, by deleting “in the format foreseen in Regulation 18” in both places where it occurs in that Schedule, and

(h) by revoking Schedule 12.



GIVEN under my Official Seal,

15 July 2008

MARY COUGHLAN,

Minister for Enterprise, Trade and Employment.

EXPLANATORY NOTE

(This note is not part of the Instrument and does not purport to be a legal interpretation).

These Regulations make technical amendments to the European Communities (Classification, Packaging and Labelling of Dangerous Preparations) Regulations 2004 (S.I. No. 62 of 2004) as amended by the European Communities (Classification, Packaging and Labelling of Dangerous Preparations) (Amendment) Regulations 2007 (S.I. No. 76 of 2007) by revoking—

(a) (through substituted text) the words “and safety data sheets” in Regulation 3(4),

(b) Regulations 12(2)(e), 18 and Schedule 12,

(c) the words “or safety data sheet” in Regulation 19(1)(a),

(d) the reference to “Regulation 18” in Regulation 23,

(e) Part C of Schedule 7, and

(f) the words “in the format foreseen in Regulation 18” in both places where they occur in Schedule 11.

These amendments are in accordance with—

(i) Article 139 (Repeals), “Directive 91/155/EEC shall be repealed.”, and

(ii) Article 140 (Amendment of Directive 1999/45/EC), “Article 14 of Directive 1999/45/EC shall be deleted.” of—

Regulation (EC) No. 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the registration, evaluation, authorisation and restriction of chemicals (REACH) and establishing a European Chemicals Agency.

The matters covered by the revoked provisions are now provided for directly in the

REACH Regulation (EC) No. 1907/2006.

1 OJ No. L 136, 29.05.2007, p. 3.

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