

L.N. 143 of 2006**PRODUCT SAFETY ACT
(CAP. 427)****Dangerous Substances and Preparations (Restrictions)
(Amendment) Regulations, 2006**

IN exercise of the powers conferred by article 39 of the Product Safety Act, the Minister for Competitiveness and Communications has, on the advice of the Malta Standards Authority, made the following regulations:-

1. The title of these regulations is the Dangerous Substances and Preparations (Restrictions) (Amendment) Regulations, 2006, and they shall be read and construed as one with the Dangerous Substances and Preparations (Restrictions) Regulations, 2003 hereinafter referred to as “the principal regulations”. Citation and scope.
L.N. 346 of 2003.

2. These regulations implement the provisions of Commission Directive 2005/59/EC of the 26th October 2005, Commission Directive 2005/69/EC of the 16th November 2005 and Commission Directive 2005/84/EC of the 14th December 2005.

3. The First Schedule to the principal regulations shall be amended as follows:- Amends the First
Schedule to the
principal
regulations.

(a) item 7 thereof shall be deleted; and

(b) immediately following item 48 thereof, there shall be added the following new items:

	Designation of the substance, of the groups of substances or of the preparation	Conditions of restriction
“49.	Toluene CAS No. 108-88-3	As from 15 June 2007 may not be placed on the market or used as a substance or constituent of preparations in a concentration equal to or higher than 0.1 % by mass in adhesives and spray paints intended for sale to the general public.
50.	Trichlorobenzene CAS No. 120-82-1	As from 15 June 2007 may not be placed on the market or used as a substance or constituent of preparations in a concentration equal to or higher than 0.1 % by mass for all uses except — as an intermediate of synthesis, or — as a process solvent in closed chemical applications for chlorination reactions, or — in the manufacture of 1,3,5 – trinitro – 2,4,6 – triaminobenzene (TATB)
51.	Polycyclic-aromatic hydrocarbons (PAH) 1. Benzo(a)pyrene (BaP) CAS No 50-32-8 2. Benzo(e)pyren (BeP) CAS No 192-97-2 3. Benzo(a)anthracene (BaA) CAS No 56-55-3 4. Chrysen (CHR) CAS No 218-01-9 5. Benzo(b)fluoranthene (BbFA) CAS No 205-99-2	As from 1 January 2010: 1. Extender oils may not be placed on the market and used for the production of tyres or parts of tyres, if they contain: — more than 1 mg/kg BaP, or — more than 10 mg/kg of the sum of all listed PAHs. These limits are regarded as kept, if the polycyclic aromatics (PCA) extract is less than 3 % by mass, as measured by the Institute of Petroleum standard IP346: 1998 (Determination of PCA in unused lubricating base oils and asphaltene free petroleum fractions — Dimethyl sulphoxide extraction refractive index method), provided that compliance with the limit values of BaP and of the listed PAHs, as well as the correlation of the measured values with the PCA extract, is controlled by the manufacturer or importer every six months or after each major operational change, whichever is earlier.

	<p>6. Benzo(j)fluoranthene (BjFA) CAS No 205-82-3</p> <p>7. Benzo(k)fluoranthene (BkFA) CAS No 207-08-9</p> <p>8. Dibenzo(a,h)anthracene (DBAhA) CAS No 53-70-3</p>	<p>2. Furthermore, the tyres and treads for retreading manufactured after 1 January 2010 may not be placed on the market if they contain extender oils exceeding the limits indicated in paragraph 1.</p> <p>These limits are regarded as kept, if the vulcanised rubber compounds do not exceed the limit of 0.35 % Bay protons as measured and calculated by ISO 21461 (Rubber vulcanised — Determination of aromaticity of oil in vulcanised rubber compounds).</p> <p>3. By way of derogation, paragraph 2 shall not apply to retreaded tyres if their tread does not contain extender oils exceeding the limits indicated in paragraph 1.</p>
52.	<p>The following phthalates (or other CAS- and EINECS numbers covering the substance):</p> <p>bis (2-ethylhexyl) phthalate (DEHP) CAS No 117-81-7 Einecs No 204-211-0</p> <p>dibutyl phthalate (DBP) CAS No 84-74-2 Einecs No 201-557-4</p> <p>benzyl butyl phthalate (BBP) CAS No 85-68-7 Einecs No 201-622-7</p>	<p>As from 16 January 2007 they shall not be used as substances or as constituents of preparations, at concentrations of greater than 0.1 % by mass of the plasticised material, in toys and childcare articles.</p> <p>Such toys and childcare articles containing these phthalates in a concentration greater than the limit mentioned above shall not be placed on the market.</p> <p>For the purposes of this point, the following definitions shall apply:</p> <p>‘toy’ shall mean any product designed or clearly intended for use in play by children,</p> <p>‘childcare article’ shall mean any product intended to facilitate sleep, relaxation, hygiene, the feeding of children or sucking on the part of children.</p>
53.	<p>The following phthalates (or other CAS- and EINECS numbers covering the substance):</p>	<p>As from 16 January 2007 they shall not be used as substances or as constituents of preparations, at concentrations of greater than 0.1 % by mass of the plasticised material, in toys and childcare articles which can be placed in the mouth by children.</p>

	<p>di-“isononyl” phthalate (DINP) CAS No 28553-12-0 and 68515-48-0 Einecs No 249-079-5 and 271-090-9</p> <p>di-“isodecyl” phthalate (DIDP) CAS No 26761-40-0 and 68515-49-1 Einecs No 247-977-1 and 271-091-4</p> <p>di-n-octyl phthalate (DNOP) CAS No 117-84-0 Einecs No 204-214-7</p>	<p>Such toys and childcare articles containing these phthalates in a concentration greater than the limit mentioned above shall not be placed on the market.</p> <p>For the purposes of this point, the following definitions shall apply:</p> <p>‘toy’ shall mean any product designed or clearly intended for use in play by children,</p> <p>‘childcare article’ shall mean any product intended to facilitate sleep, relaxation, hygiene, the feeding of children or sucking on the part of children.”</p>
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