

S.I. No. 513 of 1998.

EUROPEAN COMMUNITIES (CLASSIFICATION, PACKAGING, LABELLING AND NOTIFICATION OF DANGEROUS SUBSTANCES) (AMENDMENT) (NO. 2) REGULATIONS, 1998

I, Mary Harney, 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 effect to Commission Directive No. 97/69/EC of 5 December 1997, hereby make the following Regulations:

1 O.J. No. L343, 12.12.1997, p.19

1. (1) These Regulations may be cited as the European Communities (Classification, Packaging, Labelling and Notification of Dangerous Substances) (Amendment) (No. 2) Regulations, 1998.

(2) The collective citation "the European Communities (Classification, Packaging, Labelling and Notification of Dangerous Substances) Regulations, 1994 and 1998" shall include these Regulations.

2. Regulation 2 of the European Communities (Classification, Packaging, Labelling and Notification of Dangerous Substances) Regulations, 1994 (S.I. No. 77 of 1994), is hereby amended in paragraph (1A) (inserted by the European Communities (Classification, Packaging, Labelling and Notification of Dangerous Substances) (Amendment) Regulations, 1998 (S.I. No. 317 of 1998))

(a) by the substitution for subparagraph (a) of the following subparagraph:

" (a) a reference to 'Annex I' as a reference to Annex I to Council Directive 67/548/EEC, as amended by Commission Directives 93/72/EEC of 1 September, 1993, 93/101/EC of 11 November, 1994, 94/69/EC of 19 December, 1994, 96/54/EC of 30 July, 1996, and 97/69/EC of 5 December 1997, and references in Annex I to 'EEC number' shall be construed as references to 'EC number' ;",

2 O. J. No. L196, 16.8.1967. p.1

3 O. J. No. L258, 16.10.1993, p. 29 and O. J. No. L258A, 16.10.1993, p. 1

4 O. J. No. L13, 15.1. 1994, p. 1 and O. J. No. L13A, 15.1. 1994, p. 1

5 O.J. No. L381, 31.12.1994, p. 1

6 O.J. L248. 30.9.1996, p. 1

and

(b) by the substitution for subparagraph (f) of the following subparagraph:

" (f) a reference to 'Annex VI' as a reference to Annex VI to Council Directive 67/548/EEC as amended by Commission Directives 93/21/EEC of 27 April, 1993, 96/54/EC of 30 July 1996, and 97/69/EC of 5 December 1997, and references in Annex VI to 'EEC number- and 'EEC label- shall be construed as references to 'EC number' and 'EC label';";

7 O.J. L110. 4.5.1993, p. 20

GIVEN under my Official Seal, this 22 day of December 1998

Mary Harney, T.D.

Tánaiste and Minister for Enterprise, Trade and Employment

EXPLANATORY NOTE

These Regulations implement Commission Directive 97/69/EC of 5 December, 1997, the 23rd Adaptation to Technical Progress of Council Directive 67/548/EEC on the classification, packaging and labelling of dangerous substances. They amend the European Communities (Classification, Packaging, Labelling and Notification of Dangerous Substances) Regulations of 1994, S.I. No. 77 of 1994.

The European Communities (Classification, Packaging, Labelling and Notification of Dangerous Substances) Regulations of 1994 apply to all substances which are intended to be placed on the market either on their own or in a preparation with exceptions for certain categories of substances such as medicinal, cosmetic, pesticide, waste. etc., products which are covered by other Directives. The Regulations require suppliers to put warning labels on containers for dangerous substances placed on the market and ensure that the containers are properly designed, constructed and secured to prevent spillage or seepage during normal use, and also supply safety data sheets.

Under the Amending Regulations, glass, slag and rock mineral wools are classified as category 3 carcinogens unless they fulfil one or more of a number of conditions which are laid down in Directive 97/69/EC, and are also classified as irritant. Refractory Ceramic Fibres and Special Purpose Fibres are classified as category 2 carcinogens and as irritant. Warning labels must indicate these hazards.