

SCHEDULE 4

Regulations 7 and 9

LABELLING PARTICULARS FOR DANGEROUS SUBSTANCES,
DANGEROUS PREPARATIONS AND FOR CERTAIN OTHER PREPARATIONS

PART I

GENERAL PROVISIONS RELATING TO LABELS

Labelling particulars for dangerous substances

1.—(1) In the case of a dangerous substance which is listed in Table 3.2 of part 3 of Annex VI of the CLP Regulation, the particulars to be shown on the label in accordance with regulation 7(2)(c) shall be the particulars specified for that dangerous substance in the relevant entry in that table.

(2) Subject to paragraph 4, in the case of a dangerous substance which is not listed in Table 3.2 of part 3 of Annex VI of the CLP Regulation, the particulars required to be shown on the label in accordance with regulation 7(2)(c) shall be determined from the classification of the substance in accordance with regulation 4 in conjunction with the approved classification and labelling guide.

Labelling particulars for dangerous preparations

2.—(1) Subject to paragraphs 3 and 4, the provisions of this paragraph shall have effect in relation to the labelling of dangerous preparations.

(2) Subject to sub-paragraph (3), the particulars relating to the chemical name required to be shown on the label in accordance with regulation 7(3)(c)(i) shall be shown according to the following rules—

- (a) in the case of a dangerous preparation classified as requiring the indication of danger T+, T or Xn, only substances requiring those indications of danger present in the dangerous preparation in concentrations equal to or greater than—
 - (i) the lowest limit (the Xn limit) for the substance laid down in Table 3.2 of part 3 of Annex VI of the CLP Regulation, or
 - (ii) where there is no such limit, the relevant limit laid down in Part II of Schedule 3, have to be taken into consideration;
- (b) in the case of a dangerous preparation classified as requiring the indication of danger C, only substances requiring that indication of danger present in the dangerous preparation in concentrations equal to or greater than—
 - (i) the lowest limit (the Xi limit) for the substance laid down in Table 3.2 of part 3 of Annex VI of the CLP Regulation, or
 - (ii) where there is no such limit, the relevant limit laid down in Part II of Schedule 3, have to be taken into consideration;
- (c) if the dangerous preparation is assigned one or more of the following danger categories:
 - carcinogen category 1, 2 or 3,
 - mutagen category 1, 2 or 3,
 - toxic for reproduction category 1, 2 or 3,
 - very toxic, toxic or harmful due to non-lethal effects after a single exposure,
 - toxic or harmful due to severe effects after repeated or prolonged exposure,

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— sensitising,

the name of any substance causing the dangerous preparation to be assigned shall be referred to;

(d) as a consequence of the provisions set out in paragraphs (a) to (c), the name of any substance which led to the classification of the dangerous preparation in the following danger categories:

- explosive,
- oxidising,
- extremely flammable,
- highly flammable,
- flammable,
- irritant,
- dangerous for the environment,

need not be referred to on the label unless so required by paragraph (a), (b) or (c).

(3) The chemical name referred to in sub-paragraph (2) shall be—

- (a) in the case of a substance listed in Table 3.2 of part 3 of Annex VI of the CLP Regulation, the name or one of the names under which that substance is listed; or
- (b) in the case of a substance not so listed, an internationally recognised name.

(4) For the purpose of labelling, no account shall be taken of a substance in the dangerous preparation where the concentration of that substance is less than the concentration referred to in paragraph 6 of Part I of Schedule 3.

(5) Subject to sub-paragraph (4), the particulars to be shown on the label in accordance with regulation 7(3)(c)(ii), (iii) and (iv) shall be determined from the classification of the dangerous preparation made in accordance with regulation 4 in conjunction with the approved classification and labelling guide.

(6) As a general rule, a maximum of four chemical names shall suffice to identify the substances primarily responsible for the major health hazards which have given rise to the classification and the choice of the corresponding risk phrases – although in some cases more than four chemical names may be necessary.

Confidentiality of chemical names

3.—(1) Subject to sub-paragraph (2), where the supplier of a dangerous preparation is able to demonstrate to the Secretary of State that the disclosure on the label or safety data sheet of the chemical identity of a substance which is exclusively classified as—

- (a) irritant with the exception of those assigned R41 or irritant in combination with one or more of the other properties mentioned in paragraph 2(2)(d); or
- (b) harmful or harmful in combination with one or more of the properties mentioned in paragraph 2(2)(d) presenting acute lethal effects alone,

will put at risk the confidential nature of his intellectual property, the person shall, in accordance with the provisions of Annex VI of Council Directive [1999/45/EEC](#)(1), be permitted to refer to that substance either by means of a name that identifies the most important functional chemical groups or by means of an alternative name.

(1) O.J. No. L200, 30.7.1999, p. 1

(2) The derogation in sub-paragraph (1) shall not apply in respect of a substance which has been assigned a Community exposure limit.

(3) Where a supplier wishes to take advantage of the derogation contained in sub-paragraph (1), he shall make application to the Secretary of State accordingly, enclosing the information specified in Annex VI of Council Directive 1999/45/EEC.

(4) The Secretary of State may require such further information from the supplier as is necessary to determine the validity of an application made under sub-paragraph (3).

Indications of danger and symbols for dangerous substances and dangerous preparations

4.—(1) Except in the case of a dangerous substance which is listed in Table 3.2 of part 3 of Annex VI of the CLP Regulation, where a dangerous substance or dangerous preparation is required to have more than one indication of danger in either of the following groups listed in decreasing order of severity, namely—

- (a) explosive, oxidising, extremely flammable and highly flammable; or
- (b) very toxic, toxic, corrosive, harmful and irritant,

only one of the indications of danger with its symbol from each group corresponding to the most severe indication of danger in that group need be shown.

(2) The risk phrases R12 (extremely flammable) and R11 (highly flammable) need not be used if they repeat the indication of danger shown on the label.

PART II

PARTICULAR PROVISIONS CONCERNING CERTAIN PREPARATIONS

A

SPECIAL PROVISIONS FOR DANGEROUS PREPARATIONS

Dangerous preparations to be supplied to the general public

1.—(1) The label on the packaging of dangerous preparations intended to be supplied to the general public shall in addition to the relevant safety advice bear the relevant safety phrase S1, S2, S45 or S46 in accordance with the approved classification and labelling guide.

(2) When the dangerous preparations referred to in sub-paragraph (1) are classified as very toxic, toxic or corrosive and where it is physically impossible to give the information on the package itself, packages containing such preparations shall be accompanied by precise and easily understandable instructions for use including, where appropriate, instructions for the destruction of the empty package.

Dangerous preparations intended for use by spraying

2. The label on the packaging containing dangerous preparations intended to be used for spraying shall bear the safety phrase S23 and safety phrase S38 or S51 assigned in accordance with the approved classification and labelling guide.

Dangerous preparations containing a substance affected by the risk phrase R33 (danger of cumulative effects)

3. When a dangerous preparation contains at least one substance required to show the risk phrase R33, that phrase shall be shown on the label on the packaging of the dangerous preparation when

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the concentration of that substance is equal to or higher than 1% unless a different value is shown for that substance in Table 3.2 of part 3 of Annex VI of the CLP Regulation.

Dangerous preparations containing a substance affected by the risk phrase R64 (may cause harm to breast-fed babies)

4. When a dangerous preparation contains at least one substance required to show the risk phrase R64, that phrase shall be shown on the label on the packaging of the dangerous preparation when the concentration of that substance is equal to or higher than 1% unless a different value is shown for that substance in Table 3.2 of part 3 of Annex VI of the CLP Regulation.

B

SPECIAL PROVISIONS APPLYING TO ANY PREPARATION

Preparations not classified as sensitising but containing at least one sensitising substance

1. The label on the packaging of preparations containing at least one substance classified as sensitising and being present in a concentration $\geq 0.1\%$ or in a concentration greater than or equal to that specified under a specific note for the substance in Table 3.2 of part 3 of Annex VI of the CLP Regulation shall bear the inscription—

“Contains (name of sensitising substance). May produce an allergic reaction.”.

Preparations containing a substance assigned the risk phrase R67

2. When a preparation contains one or more substances assigned the risk phrase R67, the label on the packaging of the preparation shall bear the following inscription—

“Vapours may cause drowsiness and dizziness.”,

when the total concentration of such substances present in the preparation is $\geq 15\%$, unless:

- the preparation is already classified with phrases R20, R23, R26, R68/20, R39/23 or R39/26, or
- the preparation is in a package not exceeding 125 ml.

C

SPECIAL PROVISIONS APPLYING TO CERTAIN OTHER PREPARATIONS

Preparations not intended for the general public

1. The label on the packaging of a preparation of the type specified in Article 31(3) of REACH shall bear the following inscription—

“Safety data sheet available for professional user on request.”.