

## SCHEDULE

Regulation 3

1. In regulation 2(1)—
  - (a) in the definition of “approved classification and labelling guide” for the words “2nd edition” and “18th October 1994” there shall be substituted the words “3rd edition” and “25th March 1997” respectively;
  - (b) for the definition of “approved supply list” there shall be substituted the following definition—

““approved supply list” has the meaning assigned to it by regulation 4;”;
  - (c) in the definition of “concentration limits” there shall be deleted the words “column 4 of Part V of”;
  - (d) in the definition of “EEC number”—
    - (i) there shall be substituted for the word “EEC” the word “EC” in each place in which it occurs;
    - (ii) in sub-paragraph (a) for the words from “number (if any)” to the end of that sub-paragraph there shall be substituted the words “EC number (if any) specified in that list;”;
    - (iii) in sub-paragraph (b) there shall be deleted the words “Part V of”;
  - (e) in the definition of “index number” there shall be deleted the words “Part I of” and substituted for the words “specified in column 2 of that Part” the words “(if any) specified in that list”;
  - (f) in the definition of “indication of danger” for sub-paragraph (a) there shall be substituted the following sub-paragraph—

“(a) in the case of a substance dangerous for supply listed in the approved supply list, it is one or more indications of danger specified for that substance by a symbol-letter in the list;”;
  - (g) in the definition of “risk phrase” for the words “phrase listed in Part III of” there shall be substituted the words “risk phrase listed in”;
  - (h) in the definition of “safety phrase” for the words “phrase listed in Part IV of” there shall be substituted the words “safety phrase listed in”;
  - (i) in the definition of “substance dangerous for supply” there shall be deleted the words “Part I of”.
2. In regulation 3(3) there shall be deleted sub-paragraph (b) and the word “or” immediately preceding that sub-paragraph.
3. There shall be substituted for regulation 4 the following regulation—

“4. In these Regulations the “approved supply list” means the document—

  - (a) entitled “Information Approved for the Classification and Labelling of Substances and Preparations Dangerous for Supply (3rd Edition)” approved by the Health and Safety Commission on 24th January 1996;
  - (b) as revised by the document entitled the “Approved Supply List supplement” approved by the Health and Safety Commission on 25th March 1997.”.
4. For paragraph (2) of regulation 5 there shall be substituted the following paragraph—

“(2) The classification of a substance which is listed in the approved supply list shall be the classification for that substance specified in the list.”.
5. In regulation 9—

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

- (a) in paragraph (2)(b) there shall be deleted the words “Part I of”;
  - (b) in paragraph (2)(c)(iv)—
    - (i) for the word “EEC” in the first place in which it occurs there shall be substituted the word “EC”;
    - (ii) there shall be deleted the words “Part I of”; and
    - (iii) with effect from 31st December 2000, for the words “either the words “EC label” or “EEC label”” there shall be substituted the words “the words “EC label””;
  - (c) in paragraph (3B)—
    - (i) after the words “which is dangerous for supply” there shall be added the words “and is not being marketed or used for the purposes of research and development or for the purpose of analysis”;
    - (ii) for the words ““Restricted to professional users”” there shall be substituted the words ““For use in industrial installations only””;
  - (d) in paragraph (3C) there shall be added at the end—
    - (e) any substance or preparation which is being marketed or used for the purposes of research and development or for the purpose of analysis.”.
6. In regulation 12(4) there shall be substituted for sub-paragraph (d) the following sub-paragraph—
- “(d) preparations which are assigned the risk phrase (R65) and classified and labelled according to paragraph 48 of the approved classification and labelling guide, except where such a preparation is supplied in an aerosol dispenser or a container fitted with a sealed spray attachment.”.
7. After paragraph (4) of regulation 16 there shall be added the following paragraph—
- “(5) In any proceedings for an offence under regulation 9 or 10 arising out of the supply of liquefied petroleum gas, butane or propane it shall be a defence for the supplier to prove that the gas in question—
    - (a) was not supplied with a view to the person to whom the gas was supplied using it; and
    - (b) was supplied with a view to—
      - (i) the gas being destroyed;
      - (ii) the receptacle in which the gas was supplied being refilled; or
      - (iii) the receptacle and where appropriate any packaging being labelled in accordance with these Regulations,whether or not the destruction, refilling or labelling, as the case may be, is to be carried out by the person to whom the gas was supplied.”.
8. In Schedule 3—
- (a) in paragraph 18(1) of Part I there shall be deleted the words “Part V of”;
  - (b) in Part II there shall be added after sub-paragraph 1.2, the following sub-paragraph—
    - “Preparations assigned the risk phrase R65
- 1.3 In applying the conventional method according to paragraph 8 of Part I of Schedule 3, no account shall be taken of the assigning to a substance of the risk phrase R65.”.

9. In paragraph 2(3) of Schedule 4 for the words from “is listed” to the end of that paragraph there shall be substituted the words “is a substance dangerous for supply for which a conventional LD<sub>50</sub> value is specified in the approved supply list, its toxicity shall be taken to be that value.”.

10. In Schedule 6—

- (a) for sub-paragraph 1(1) of Part I there shall be substituted the following sub-paragraph—
  - “(1) In the case of a substance dangerous for supply which is listed in the approved supply list, the particulars to be shown on the label in accordance with regulation 9(2)(c) shall be any EC number, indication of danger and its corresponding symbol, risk or safety phrase specified for that substance in that list.”;
- (b) in paragraphs 1(2), 2(3) and 4(1) of Part I there shall be deleted the words “Part I of” in each place in which they occur;
- (c) in paragraph 2 of Part I there shall be deleted the words “column 4 of Part V of” in each place in which they occur;
- (d) in paragraphs 3 and 4 of Part II, there shall be substituted for the words from “value” to the end of each paragraph, the words “concentration limit for the substance is shown in the approved supply list.”.