

Commission Directive 2006/8/EC of 23 January 2006 amending, for the purposes of their adaptation to technical progress, Annexes II, III and V to Directive 1999/45/EC of the European Parliament and of the Council concerning the approximation of the laws, regulations and administrative provisions of the Member States relating to the classification, packaging and labelling of dangerous preparations (Text with EEA relevance)

COMMISSION DIRECTIVE 2006/8/EC

of 23 January 2006

amending, for the purposes of their adaptation to technical progress, Annexes II, III and V to Directive 1999/45/EC of the European Parliament and of the Council concerning the approximation of the laws, regulations and administrative provisions of the Member States relating to the classification, packaging and labelling of dangerous preparations

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Directive 1999/45/EC of the European Parliament and of the Council of 31 May 1999 concerning the approximation of the laws, regulations and administrative provisions of the Member States relating to the classification, packaging and labelling of dangerous preparations<sup>(1)</sup>, and in particular the first paragraph of Article 20 thereof,

Whereas:

- (1) Preparations composed of more than one substance being classified in Annex I to Council Directive 67/548/EEC of 27 June 1967 on the approximation of laws, regulations and administrative provisions relating to the classification, packaging and labelling of dangerous substances<sup>(2)</sup> as carcinogenic, mutagenic and/or toxic for reproduction must currently be labelled with risk phrases (R-phrases) to indicate both category 1 or 2 and category 3 classification. However, providing both R-phrases sends a conflicting message. Preparations should therefore only be classified and labelled with the higher category.
- (2) For substances very toxic to the aquatic environment (classified as N) and assigned the R-phrases R50 or R50/53, specific concentration limits (SCLs) are currently applied to substances listed in Annex I to Directive 67/548/EEC in order to avoid an underestimation of the hazard. This measure creates distortions between preparations containing substances listed in Annex I to Directive 67/548/EEC, to which SCLs are applied, and those preparations containing substances not yet included in Annex I, but classified and labelled provisionally in accordance with Article 6 of Directive 67/548/EEC and to which no SCLs are applicable. It is therefore necessary to ensure that SCLs are applied in the same way to all preparations containing substances very toxic to the aquatic environment.

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- (3) On 6 August 2001, the Commission adopted Directive 2001/59/EC<sup>(3)</sup> adapting to technical progress Directive 67/548/EEC. Directive 2001/59/EC revised the criteria in Annex VI to Directive 67/548/EEC for the classification and labelling of ozone depleting substances. The revised Annex III now only provides for the assignment of the symbol N in addition to R-phrase R59.
- (4) The terminology used to describe the packaging and the labelling requirements in Annex V to Directive 1999/45/EC has raised concerns due to the lack of consistency. It is therefore appropriate to modify the wording in Annex V to Directive 1999/45/EC to make it more accurate.
- (5) Annexes II, III and V to Directive 1999/45/EC should therefore be amended accordingly.
- (6) The measures provided for in this Directive are in accordance with the opinion of the Committee for the adaptation to technical progress of the Directives on the removal of technical barriers to trade in dangerous substances and preparations established under Article 20 of Directive 1999/45/EC,

HAS ADOPTED THIS DIRECTIVE:

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- (1) [OJ L 200, 30.7.1999, p. 1](#). Directive as last amended by Council Directive 2004/66/EC ([OJ L 168, 1.5.2004, p. 35](#)).
- (2) [OJ L 196, 16.8.1967, p. 1](#). Directive as last amended by Commission Directive 2004/73/EC ([OJ L 152, 30.4.2004, p. 1](#)).
- (3) [OJ L 225, 21.8.2001, p. 1](#).