

Commission Regulation (EU) No 453/2010 of 20 May 2010 amending Regulation (EC) No 1907/2006 of the European Parliament and of the Council on the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH) (Text with EEA relevance)

Article 1

Regulation (EC) No 1907/2006 is amended as follows:

1. with effect from 1 December 2010:
 - (a) Annex II is replaced by Annex I to this Regulation;
 - (b) in Section 3.7 of Annex VI, in the title, the words ‘(see Safety Data Sheet heading 16)’ are replaced by ‘(see Section 1 of the safety data sheet)’;
2. with effect from 1 June 2015, Annex II to Regulation (EC) No 1907/2006 is replaced by Annex II to this Regulation.

Article 2

1 Until 1 December 2010, suppliers of substances applying Article 61(2) of Regulation (EC) No 1272/2008 may apply Annex II to Regulation (EC) No 1907/2006, as amended by point 1 of Article 1 of this Regulation.

2 Until 1 December 2010, suppliers of mixtures may apply Annex II to Regulation (EC) No 1907/2006, as amended by point 1 of Article 1 of this Regulation.

3 Until 1 June 2015, suppliers of mixtures applying Article 61(2) of Regulation (EC) No 1272/2008 may apply Annex II to Regulation (EC) No 1907/2006, as amended by point 2 of Article 1 of this Regulation.

4 Until 1 June 2015, suppliers of mixtures applying paragraph 3 shall provide in subsection 3.2 of the relevant safety data sheets the classification of the substances indicated in that subsection in accordance with Directive 67/548/EEC, including indication of danger, symbol letter(s) and R phrases, in addition to the classification including hazard statements in accordance with Regulation (EC) No 1272/2008.

5 Until 1 June 2015, suppliers of mixtures applying paragraph 3 shall provide in subsection 2.1 of the relevant safety data sheets the classification of the mixture in accordance with Directive 1999/45/EC in addition to the classification including hazard statements in accordance with Regulation (EC) No 1272/2008.

Until 1 June 2015, suppliers of mixtures meeting the criteria for classification in accordance with Regulation (EC) No 1272/2008 shall, when applying paragraph 3, indicate the substances presenting a health or environmental hazard within the meaning of Directive 67/548/EEC in subsection 3.2 of the relevant safety data sheets if those substances are present in concentrations equal to or greater than the lowest of the values listed in point 3.2.1(a) of Annex II to this Regulation in addition to the substances mentioned in point 3.2.1 of that Annex.

Until 1 June 2015, suppliers of mixtures not meeting the criteria for classification in accordance with Regulation (EC) No 1272/2008 shall, when applying paragraph 3, indicate the substances presenting a health or environmental hazard within the meaning of Directive 67/548/EEC in subsection 3.2 of the relevant safety data sheets if those substances are present in an individual concentration equal to or greater than 1 % by

weight in non-gaseous mixtures and 0,2 % by volume in gaseous mixtures in addition to the substances mentioned in point 3.2.2 of Annex II to this Regulation.

6 Without prejudice to Article 31(9) of Regulation (EC) No 1907/2006, for substances which are placed on the market before 1 December 2010 and which are not required to be relabelled and repackaged in accordance with Article 61(4) of Regulation (EC) No 1272/2008, the safety data sheet need not be replaced with a safety data sheet complying with Annex I to this Regulation before 1 December 2012.

Without prejudice to Article 31(9) of Regulation (EC) No 1907/2006, for mixtures which are placed on the market before 1 June 2015 and which are not required to be relabelled and repackaged in accordance with Article 61(4) of Regulation (EC) No 1272/2008, the safety data sheet need not be replaced with a safety data sheet complying with Annex II to this Regulation before 1 June 2017.

7 Without prejudice to Article 31(9) of Regulation (EC) No 1907/2006, safety data sheets for mixtures provided to any recipient at least once before 1 December 2010 may continue to be used and need not comply with Annex I to this Regulation until 30 November 2012.

Article 3

This Regulation shall enter into force on the 20th day following its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 20 May 2010.

For the Commission

The President

José Manuel BARROSO