

Commission Regulation (EU) No 252/2011 of 15 March 2011 amending Regulation (EC) No 1907/2006 of the European Parliament and of the Council on the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH) as regards Annex I (Text with EEA relevance)

COMMISSION REGULATION (EU) No 252/2011

of 15 March 2011

amending Regulation (EC) No 1907/2006 of the European Parliament and of the Council on the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH) as regards Annex I

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EC) No 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH), establishing a European Chemicals Agency, amending Directive 1999/45/EC and repealing Council Regulation (EEC) No 793/93 and Commission Regulation (EC) No 1488/94 as well as Council Directive 76/769/EEC and Commission Directives 91/155/EEC, 93/67/EEC, 93/105/EC and 2000/21/EC⁽¹⁾, and in particular Article 131 thereof,

Whereas:

- (1) Regulation (EC) No 1272/2008 of the European Parliament and of the Council of 16 December 2008 on classification, labelling and packaging of substances and mixtures, amending and repealing Directives 67/548/EEC and 1999/45/EC, and amending Regulation (EC) No 1907/2006⁽²⁾ harmonises the provisions and criteria for the classification and labelling of substances, mixtures and certain specific articles within the Community, taking into account the classification criteria and labelling rules of the Globally Harmonised System of Classification and Labelling of Chemicals.
- (2) Council Directive 67/548/EEC of 27 June 1967 on the approximation of the laws, regulations and administrative provisions relating to the classification, packaging and labelling of dangerous substances⁽³⁾ and 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⁽⁴⁾ were amended several times. Directives 67/548/EEC and 1999/45/EC will be replaced over a transitional period according to which substances must be classified, labelled and packaged according to Regulation (EC) No 1272/2008 from 1 December 2010 and mixtures from 1 June 2015, although from 1 December 2010 until 1 June 2015 classification of substances according to both Directive 67/548/EEC and Regulation

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EU) No 252/2011, Introductory Text. (See end of Document for details)

(EC) No 1272/2008 is required. Both Directives will be repealed in full by Regulation (EC) No 1272/2008 with effect from 1 June 2015.

- (3) Annex I to Regulation (EC) No 1907/2006 should be amended to adapt it to the criteria for classification and other relevant provisions laid down in Regulation (EC) No 1272/2008.
- (4) Article 58(1) of Regulation (EC) No 1272/2008 modifies Article 14(4) of Regulation (EC) No 1907/2006 to adapt it to the classification criteria in Regulation (EC) No 1272/2008. This also has consequences for Annex I to Regulation (EC) No 1907/2006, which was not amended by Regulation (EC) No 1272/2008. It is therefore necessary to adapt Annex I to Regulation (EC) No 1907/2006 to the new text in its Article 14(4).
- (5) Regulation (EC) No 1272/2008 introduces substantive changes in terminology compared to those used in Directive 67/548/EEC. Annex I to Regulation (EC) No 1907/2006 was not amended by Regulation (EC) No 1272/2008 and should be updated to reflect these changes and ensure consistency throughout.
- (6) Furthermore, references to Directive 67/548/EEC should be replaced by appropriate references to Regulation (EC) No 1272/2008.
- (7) In accordance with Regulation (EC) No 1907/2006, registrations including chemical safety reports will have been submitted by the date of application of this Regulation. Changes in classification criteria and other relevant provisions resulting from Regulation (EC) No 1272/2008 apply to substances from 1 December 2010, in accordance with the second paragraph of Article 62 of that Regulation. In order to ensure a smooth transition for the updating of registrations, a transitional period should be provided.
- (8) Annex I to Regulation (EC) No 1907/2006 should therefore be amended accordingly.
- (9) The measures provided for in this Regulation are in accordance with the opinion of the Committee established pursuant to Article 133 of Regulation (EC) No 1907/2006,

HAS ADOPTED THIS REGULATION:

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- (1) OJ L 396, 30.12.2006, p. 1.
- (2) OJ L 353, 31.12.2008, p. 1.
- (3) OJ 196, 16.8.1967, p. 1.
- (4) OJ L 200, 30.7.1999, p. 1.

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