
STATUTORY RULES OF NORTHERN IRELAND

1996 No. 376

HEALTH AND SAFETY

**Chemicals (Hazard Information and Packaging for Supply)
(Amendment) Regulations (Northern Ireland) 1996**

Made - - - - *12th August 1996*

Coming into operation *9th September 1996*

The Department of Economic Development, being a Department designated by the European Communities (Designation) Order 1976⁽¹⁾ and the European Communities (Designation) (No. 3) Order 1993⁽²⁾ for the purposes of section 2(2) of the European Communities Act 1972⁽³⁾ in relation to the regulation and control of classification, packaging and labelling of dangerous substances and preparations, and for measures relating to consumer protection, in exercise of the powers conferred on it by the said section 2(2) and being the Department concerned⁽⁴⁾ in exercise of the powers conferred by Articles 17(1) to (6) and 55(2) of, and paragraphs 1(1), (4) and (5), 2, 14 and 15 of Schedule 3 to, the Health and Safety at Work (Northern Ireland) Order 1978⁽⁵⁾ and of every other power enabling it in that behalf, after consultation in accordance with Article 46(1) of that Order with the Health and Safety Agency for Northern Ireland and such other bodies as appeared to it to be appropriate, hereby makes the following Regulations:—

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Chemicals (Hazard Information and Packaging for Supply) (Amendment) Regulations (Northern Ireland) 1996 and shall come into operation on 9th September 1996.

(2) The Interpretation Act (Northern Ireland) 1954⁽⁶⁾ shall apply to these Regulations as it applies to a Measure of the Northern Ireland Assembly.

(1) S.I.1976/897

(2) S.I. 1993/2661

(3) 1972 c. 68; the definition of the Treaties referred to in section 2(2) was extended by section 1 of the European Economic Area Act 1993 (c. 51)

(4) See Article 2(2) of S.I. 1978/1039 (N.I. 9)

(5) S.I. 1978/1039 (N.I. 9)

(6) 1954 c. 33 (N.I.)

Amendment of the Chemicals (Hazard Information and Packaging for Supply) Regulations (Northern Ireland) 1995

2. The Chemicals (Hazard Information and Packaging for Supply) Regulations (Northern Ireland) 1995(7) shall be amended as provided by regulations 3 to 8.

Interpretation

3. In regulation 2(1)—

(a) in sub-paragraph (c) of the definition of “EEC number” for “(EINECS)” there shall be substituted “(ELINCS)” and

(b) after the definition of “pesticide” there shall be inserted the following definitions—

‘ “petrol” has the same meaning as in regulation 2(1) of the Motor Fuel (Lead Content of Petrol) Regulations 1981(8);

“plant protection product” has the same meaning as in regulation 2(1) of the Plant Protection Products Regulations (Northern Ireland) 1995(9);’.

Application

4.—(1) In regulation 3(1)—

(a) at the end of sub-paragraph (p) for the full stop there shall be substituted “; or”; and

(b) after sub-paragraph (p) there shall be added the following sub-paragraph—

“(q) a plant protection product, which has been approved under the Plant Protection Products Regulations (Northern Ireland) 1995.”.

(2) After regulation 3(4) there shall be inserted the following paragraph—

“(4A) Notwithstanding sub-paragraphs (a), (b), (e), (f), (j), (o) and (p) of paragraph (1), paragraphs (3A) and (3B) of regulation 9 shall apply to the substances and preparations referred to in those paragraphs whether or not they are substances or preparations dangerous for supply.”.

Meaning of the approved supply list

5. In regulation 4—

(a) for the words “(2nd Edition)” there shall be substituted “(3rd Edition)”;

(b) at the end of sub-paragraph (f) for the full stop there shall be substituted “; and”; and

(c) after sub-paragraph (f) there shall be added the following sub-paragraph—

“(g) in Part VII, the descriptions specified in the European Inventory of Existing Commercial Chemical Substances for complex coal, oil and gas derived substances,”.

Labelling of substances and preparations dangerous for supply

6. In regulation 9—

(a) for paragraph (2)(c)(iv) there shall be substituted—

(7) S.R. 1995 No. 60

(8) S.I. 1981/1523 as amended by S.I. 1985/1728 and S.I. 1989/547

(9) S.R. 1995 No. 371

- “(iv) the EEC number (if any) and in the case of a substance dangerous for supply which is listed in Part I of the approved supply list, either the words “EC label” or “EEC label”; and”;
- (b) after paragraph (2)(c) there shall be added the following sub-paragraph—
- “(d) where required by paragraph (3A) or (3B), the labelling phrase specified therein.”;
- (c) for the full stop at the end of paragraph (3)(d) there shall be substituted “; and”;
- (d) after paragraph (3)(d), there shall be added the following paragraph—
- “(e) where required by paragraph (3A) or (3B), the labelling phrase specified therein.”; and
- (e) after paragraph (3) there shall be inserted the following paragraphs—
- “(3A) Subject to paragraph (3C), and without prejudice to any other requirements in these Regulations, in respect of a substance specified in Part IIIA of Schedule 6 or a preparation containing such a substance, either of which is required to be classified and labelled in accordance with these Regulations (or would be so required, but for any of the exceptions contained in sub-paragraphs (a), (b), (e), (f), (j), (o) and (p) of paragraph (1) of regulation 3,) as—
- (a) Carcinogenic of category 1 or 2;
 - (b) Mutagenic of category 1 or 2; or
 - (c) Toxic for reproduction of category 1 or 2,
- the labelling phrase “Restricted to professional users” shall be included in the particulars specified in paragraph (2) or (3), as the case may be.
- (3B) Without prejudice to any other requirements in these Regulations, in respect of—
- (a) a substance specified in Part IIIB of Schedule 6; or
 - (b) a preparation containing such a substance in a concentration by weight of 0.1% or more,
- which is dangerous for supply, the labelling phrase “Restricted to professional users” shall be included in the particulars specified in paragraph (2) or (3), as the case may be, and where such a substance or preparation is not dangerous for supply the said phrase shall be clearly shown in accordance with the requirements of regulation 11 as if it were dangerous for supply.
- (3C) Notwithstanding regulation 3(4A), paragraph (3A) shall not apply to—
- (a) petrol which complies with regulation 4(1) of the Motor Fuel (Lead Content of Petrol) Regulations 1981;
 - (b) mineral oil products intended for use as fuel in mobile or fixed combustion plants;
 - (c) fuels sold in closed systems; and
 - (d) artists' paints.”.

Enforcement, civil liability and defence

7. In regulation 17 for paragraph (1) there shall be substituted the following paragraph—

“17.—(1) Subject to paragraphs (2) and (3)—

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- (a) the provisions of the Health and Safety at Work (Northern Ireland) Order 1978 which relate to the approval of codes of practice and their use in criminal proceedings, to enforcement and to offences⁽¹⁰⁾; and
 - (b) Article 43(2) of that Order,
- shall apply to the provisions of regulations 5 to 11 and 13 to 15 as if those provisions had been made under Article 17 of that Order whether or not the provisions of that Order would apply but for this paragraph.”.

Particulars to be shown on labels for substances and preparations

- 8.** In Schedule 6 after Part II there shall be added the Part set out in the Schedule.

Sealed with the Official Seal of the Department of Economic Development on 12th August 1996.

L.S.

Philip B. Strong
Assistant Secretary

⁽¹⁰⁾ See Articles 18, 19, 20 to 28 and 31 to 39 of S.I. 1978/1039 (N.I. 9)

SCHEDULE

Regulation 8

Substances requiring additional labelling phrase.

“Part III

Substances Requiring Additional Labelling Phrase

A

Category 1 and 2 Carcinogenic, Mutagenic and Toxic for Reproduction substances requiring additional labelling phrase “Restricted to professional users”

The substances referred to in regulation 9(3A) are specified in the Table below—

Substance	CAS Number
<i>Carcinogenic substances of Category 1</i>	
2-naphthylamine; β -naphthylamine	91-59-8
biphenyl-4-ylamine; xenylamine; 4-aminobiphenyl	92-67-1
benzidine; 4,4'-diaminobiphenyl; biphenyl-4.4'-ylenediamine	92-87-5
chromium trioxide	1333-82-0
arsenic acid and its salts	—
arsenic pentoxide; arsenic oxide	1303-28-2
diarsenic trioxide; arsenic trioxide	1327-52-3
asbestos	132207-33-1
	132207-32-0
	12172-73-5
	77536-66-4
	77536-68-6
	77536-67-5
benzene	71-43-2
bis (chloromethyl) ether	542-88-1
chloromethyl methyl ether, chlorodimethyl ether	107-30-2
dinickel trioxide	1314-06-3
erionite	12510-42-8
nickel dioxide	12035-36-8
nickel monoxide	1313-99-1
nickel subsulphide	12035-72-2

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Substance	CAS Number
nickel sulphide	16812-54-7
salts of 2-naphthylamine	—
salts of biphenyl-4-ylamine; salts of xenylamine; salts of 4-aminobiphenyl	—
salts of benzidine	—
vinyl chloride; chloroethylene	75-01-4
zinc chromates including zinc potassium chromate	—
<i>Carcinogenic substances of Category 2</i>	
1-methyl-3-nitro-1-nitrosoguanidine	70-25-7
1,2-dibromo-3-chloropropane	96-12-8
1,2-dimethyldrazin	540-73-8
1,3-butadiene, buta-1,3-diene	106-99-0
1,3-dichloro-2-propanol	96-23-1
1,3-propanesultone	1120-71-4
3-propanolide; 1,3-propiolactone	57-57-8
1,4-dichlorobut-2-ene	764-41-0
2-nitronaphthalene	581-89-5
2-nitropropane	79-46-9
2,2'-dichloro-4,4'-methylenedianiline; 4,4'-methylene bis(2-chloroaniline)	101-14-4
2-2'-(nitrosoimino)bisethanol	1116-54-7
3,3'-dichlorobenzidine; 3,3'-dichlorobiphenyl-4,4'-ylendiamine	91-94-1
3,3'-dimethoxybenzidine; o-dianisidine	119-90-4
3,3'-dimethylbenzidine; o-toluidine	119-93-7
4-aminoazobenzene	60-09-3
4-amino-3-fluorphenol	399-95-1
4-methyl-m-phenylenediamine	95-80-7
4-nitrobiphenyl	92-93-3
4,4'-methylenedi-o-toluidine	838-88-0
4,4'-diaminodiphenylmethane; 4,4'-methylenedianiline	101-77-9
5-nitroacenaphthene	602-87-9
4-o-tolylazo-o-toluidine; 4-amino-2',3'-dimethylazobenzene; fast garnet GBC base, AAT; o-aminoazotoluene	97-56-3

Substance	CAS Number
disodium- {5[4'-((2,6-hydroxy-3-((2-hydroxy-5-sulphophenyl)azo)phenyl) azo)(1,1'-biphenyl)-4-yl)azo]salicylato(4-)} cuprate(2-); C1 Direct Brown 95	16071-86-6
cadmium oxide	1306-19-0
Extracts (petroleum), heavy naphthenic distillate solvent	64742-11-6
Extracts (petroleum), heavy paraffinic distillate solvent	64742-04-7
Extracts (petroleum), light naphthenic distillate solvent	64742-03-6
Extracts (petroleum), light paraffinic distillate solvent	64742-05-8
Extracts (petroleum), light vacuum gas oil solvent	91995-78-7
Hydrocarbons, C26-55, arom. rich	97722-04-8
N,N-dimethylhydrazine	57-14-7
acrylamide	79-06-1
acrylonitrile	107-13-1
α,α,α -trichlorotoluene; benzotrichloride	98-07-7
benzo[a]anthracene	56-55-3
benzo[a]pyrene; benzo[d,e,f]chrysene	50-32-8
benzo[b]fluoranthene; benzo[e]acephenanthrylene	205-99-2
benzo[j]fluoranthene	205-82-3
benzo[k]fluoranthene	207-08-9
beryllium	7440-41-7
beryllium compounds with the exception of aluminium beryllium silicates	—
cadmium chloride	10108-64-2
cadmium sulphate	10124-36-4
calcium chromate	13765-19-0
captafol (ISO); 1,2,3,6-tetrahydro-N-(1,1,2,2-tetrachloroethylthio) phthalimide	2425-06-1
carbadox (INN); methyl-3-(quinoxalin-2-ylmethylene)carbazate 1,4-dioxide; 2-(methoxycarbonylhydrazonomethyl)quinoxaline 1,4-dioxide	6804-07-5
chromium III chromate; chromic chromate	24613-89-6

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Substance	CAS Number
diazomethane	334-88-3
dibenz[a,h]anthracene	53-70-3
diethyl sulphate	64-67-5
dimethyl sulphate	77-78-1
dimethyl carbamoyl chloride	79-44-7
N-nitrosodimethylamine; dimethylnitrosamine	62-75-9
dimethylsulfamochloride	13360-57-1
1-chloro-2,3-epoxypropane; epichlorohydrin	106-89-8
1,2-dichloroethane; ethylene dichloride	107-06-2
ethylene oxide; oxirane	75-21-8
ethyleneimine; aziridine	151-56-4
hexachlorobenzene	118-74-1
hexamethylphosphoric triamide; hexamethylphosphoramide	680-31-9
hydrazine	302-01-2
hydrazobenzene; 1,2-diphenylhydrazine	122-66-7
methyl acrylamidomethoxyacetate (containing ≥0.1% acrylamide)	77402-03-0
methyl-ONN-azoxymethyl acetate; methyl azoxy methyl acetate	592-62-1
nitrofen (ISO); 2,4-dichlorophenyl 4- nitrophenyl ether	1836-75-5
nitrosodipropylamine	621-64-7
2-methoxyaniline; o-anisidine	90-04-0
potassium bromate	7758-01-2
propylene oxide; 1,2-epoxypropane; methyloxirane	75-56-9
o-toluidine	95-53-4
2-methylaziridine; propyleneimine	75-55-8
salts of 2,2'-dichloro-4,4'-methylenedianiline; salts of 4,4'-methylenebis (2-chloroaniline)	—
salts of 3,3'-dichlorobenzidine; salts of 3,3'- dichlorobiphenyl-4,4'-ylendiamine	—
salts of 3,3'-dimethoxybenzidine; salts of o- dianisidine	—
salts of 3,3'-dimethylbenzidine; salts of o- toluidine	—

Substance	CAS Number
strontium chromate	7789-06-2
styrene oxide; (epoxyethyl)benzene; phenyloxirane	96-09-3
sulfallate (ISO); 2-chlorallyl diethyldithiocarbamate	95-06-7
thioacetamide	62-55-5
urethane (INN); ethyl carbamate	51-79-6
<i>Mutagenic substances of Category 1</i>	
There are no substances classified in this category	
<i>Mutagenic substances of Category 2</i>	
1,2-dibromo-3-chloropropane	96-12-8
acrylamide	79-06-1
benzo[a]pyrene; benzo[d,e,f]chrysene	50-32-8
diethyl sulphate	64-67-5
ethylene oxide; oxirane	75-21-8
ethyleneimine, aziridine	151-56-4
hexamethylphosphoric triamide; hexamethylphosphoramidate	680-31-9
methyl acrylamidomethoxyacetate (containing ≥0.1% acrylamide)	77402-03-0
<i>Toxic for reproduction substances of Category 1</i>	
lead hexafluorosilicate	25808-74-6
lead acetate	1335-32-6
lead alkyls	—
lead azide	13424-46-9
lead chromate	7758-97-6
lead compounds, with the exception of those specified elsewhere in this Part	—
lead di(acetate)	301-04-2
lead 2,4,6-trinitroresorcinoxide; lead styphnate	15245-44-0
lead (II) methanesulfonate	17570-76-2
trilead bis(orthophosphate)	7446-27-7
warfarin; 4-hydroxy-3-(3-oxo-1- phenylbutyl)coumarin	81-81-2

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Substance	CAS Number
<i>Toxic for reproduction substances of Category 2</i>	
2-ethoxyethanol; ethylene glycol monoethyl ether	110-80-5
2-ethylhexyl 3,5-bis(1,1-dimethylethyl)-4-hydroxyphenyl methyl thioacetate	80387-97-9
2-methoxyethanol, ethylene glycol monoethyl ether	109-86-4
benzo[a]pyrene; benzo[d,e,f]chrysene	50-32-8
binapacryl (ISO); 2-sec butyl-4,6-dinitrophenyl-3-methylcrotonate	485-31-4
N,N-dimethylformamide; dimethyl formamide	68-12-2
dinoseb; 6-sec butyl-2,4-dinitrophenol	88-85-7
dinoterb; 2-tert-butyl-4,6-dinitrophenol	1420-07-1
ethylene thiourea; imidazolidine-2-thione; 2-imidazoline-2-thiol	96-45-7
2-ethoxyethyl acetate; ethylglycol acetate	111-15-9
methyl-ONN-azoxymethyl acetate; methyl azoxy methyl acetate	592-62-1
2-methoxyethyl acetate; methylglycol acetate	110-49-6
nickel tetracarbonyl	13463-39-3
nitrofen (ISO); 2,4-dichlorophenyl 4-nitrophenyl ether	1836-75-5
salts and esters of dinoseb, with the exception of those specified elsewhere in this Part	—
salts and esters of dinoterb	—

B

Chlorinated solvents requiring additional labelling phrase “Restricted to professional users”

The substances referred to in regulation 9(3B) are specified in the table below—

Substance	CAS Number
chloroform	67-66-3
carbon tetrachloride	56-23-5
1,1,2-trichloroethane	79-00-5
1,1,2,2-tetrachloroethane	79-34-5

Note

The CAS Number is the number assigned to the substance by the Chemicals Abstract Service.

Substance	CAS Number
1,1,1,2-tetrachloroethane	630-20-6
pentachloroethane	76-01-7
1,1-dichloroethylene	75-35-4
1,1,1-trichloroethane	71-55-6”

Note

The CAS Number is the number assigned to the substance by the Chemicals Abstract Service.

EXPLANATORY NOTE

(This note is not part of the Regulations.)

1. These Regulations amend the Chemicals (Hazard Information and Packaging for Supply) Regulations (Northern Ireland) 1995 ([S.R. 1995 No. 60](#)) (“the principal Regulations”) to—
 - (a) implement part of Council Directive [94/60/EC](#) (O.J. No. L365, 31.12.94, p.1), the 14th Amendment to Council Directive [67/769/EEC](#) (“the Marketing and Use Directive”);
 - (b) implement Commission Directive [94/69/EC](#) (O.J. No. L381, 31.12.94, p.1), the 21st Adaptation to Technical Progress of Commission Directive [67/548/EEC](#) (“the Dangerous Substances Directive”).
2. The Regulations make the following principal changes—
 - (a) Regulations 3 and 9 of, and Schedule 6 to, the principal Regulations are amended to implement the part of Council Directive [94/60/EC](#) which requires a special labelling phrase (“Restricted to professional users”) in certain circumstances.
 - (b) Regulation 3(1) of the principal Regulations is amended to remove from the scope of those Regulations plant protection products which are approved under the Plant Protection Products Regulations (Northern Ireland) 1995 ([S.R. 1995 No. 371](#)).
 - (c) Regulation 4 of the principal Regulations is amended to refer to the new 3rd Edition of the Approved Supply List, which is approved by the Department of Economic Development for use in Northern Ireland and published by the Health and Safety Commission and which replaces the 2nd Edition.
3. The Approved Supply List implements Annex I to the Dangerous Substances Directive. The 3rd Edition incorporates the modifications required by Commission Directive [94/69/EC](#), which amends that Annex.
4. Copies of the Approved Supply List may be obtained from—
 - (a) HMSO Bookshop, 16 Arthur Street, Belfast BT1 4GI;
 - (b) HSE Books, PO Box 1999, Sudbury, Suffolk, CO10 6FS; or
 - (c) Dillons Books, 44-46 Fountain Street, Belfast BT1 5EE.

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