STATUTORY RULES OF NORTHERN IRELAND

2009 No. 238

The Chemicals (Hazard Information and Packaging for Supply) Regulations (Northern Ireland) 2009

PART 2

GENERAL REQUIREMENTS

Particular labelling requirements for certain preparations

9.—(1) In the case of preparations to which Part II of Schedule 4 applies, the appropriate provisions of that Part shall have effect to regulate the labelling of such preparations.

(2) Subject to paragraph (3), no person shall supply a preparation to which section B or C of Part II of Schedule 4 applies unless the trade name or other designation of that preparation and the name, full address and telephone number of a person in an EEA State who is responsible for supplying that preparation (whether the person is its manufacturer, importer or distributor) are clearly shown in accordance with the requirements of regulation 10—

(a) on the receptacle containing that preparation; and

(b) if that receptacle is inside one or more layers of packaging, on any such layer which is likely to be the outermost layer of packaging during the supply or use of that preparation, unless such packaging permits the particulars shown on the receptacle or other packaging to be clearly seen.

(3) Where a package would be required to be labelled and marked in accordance with any of the national or international transport rules listed in regulation 8(4) and the package consists of one or more receptacles in outer packagings, it shall be sufficient compliance with paragraph (2) if the package shows the labels and markings required by whichever of the national or international rules is appropriate.

(4) The supplier of an aerosol dispenser which contains a dangerous substance or dangerous preparation which has been classified in the category of danger "flammable", "highly flammable" or "extremely flammable" may choose to omit from the label—

(a) in the case of a dangerous substance, the particulars referred to in paragraphs (i) to (iii) of regulation 7(2)(c) which relate to that category of danger; and

(b) in the case of a dangerous preparation, the particulars referred to in paragraphs (ii) to (iv) of regulation 7(3)(c) which relate to that category of danger,

provided the conditions specified in paragraph (5) are satisfied.

(5) The conditions referred to in paragraph (4) are that the supplier—

(a) is in possession of evidence which shows that the contents of the aerosol dispenser do not present a risk of ignition under normal or reasonably foreseeable conditions of use; and

(b) identifies the quantity of flammable material contained in the aerosol dispenser in the form of the following inscription on the label—

"X% by mass of the contents are flammable".

(6) In the case of a plant protection product approved under the Plant Protection Products Regulations or a product approved under the Control of Pesticides Regulations (Northern Ireland) 1987(**1**), the labelling information required by these Regulations shall be accompanied by the wording "To avoid risks to man and the environment, comply with the instructions for use".

(**1**) S.R. 1987 No. 414