
STATUTORY INSTRUMENTS

1985 No. 2042**CONSUMER PROTECTION****The Asbestos Products (Safety) Regulations 1985***Laid before Parliament in draft**Made - - - - 20th December 1985**Coming into Operation
(except as provided in
Regulation 1) 1st January 1986*

Whereas the Secretary of State has, in accordance with section 1(4) of the Consumer Safety Act 1978(a), consulted such organisations as appear to him to be representative of interests substantially affected by these Regulations, such other persons as he considers appropriate and the Health and Safety Commission:

And whereas a draft of these Regulations has been approved by a resolution of each House of Parliament pursuant to section 7(7) of the said Act:

Now, therefore, the Secretary of State, in exercise of the powers conferred upon him by section 1 of the said Act, hereby makes the following Regulations:

1.—(1) These Regulations may be cited as the Asbestos Products (Safety) Regulations 1985 and shall come into operation on 1st January 1986, except for Regulation 3 which shall come into operation on 20th March 1986.

(2) The following provisions of these Regulations do not apply in any case in which the asbestos minerals or products in question are supplied for research and development or analysis, or an offer or agreement is made to supply them for such a purpose, or they are exposed or possessed for supply for such a purpose.

2.—(1) Subject to paragraphs (2) and (3), no person shall supply, offer to supply, agree to supply, expose for supply or possess for supply crocidolite asbestos minerals or amosite asbestos minerals or any product containing any such minerals.

(2) Paragraph (1) does not apply to any torque converter which contains crocidolite but no amosite asbestos minerals, is labelled in accordance with the Schedule to these Regulations and is intended for the repair of a motor vehicle.

(3) Paragraph (1) does not apply to any intermediate brake band which contains crocidolite but no amosite asbestos minerals, is labelled in accordance with the Schedule to these Regulations, is intended for the repair of a motor vehicle, was manufactured before 1st January 1986 and is not supplied, offered for supply, agreed to be supplied, exposed for supply or possessed for supply on or after 30th June 1988.

(a) 1978 c. 38.

3.—(1) Subject to paragraph (2), no person shall supply, offer to supply, agree to supply, expose for supply or possess for supply any of the following asbestos minerals, namely, chrysotile, fibrous anthophyllite, fibrous actinolite or fibrous tremolite or any product containing any such minerals unless the minerals or the product are labelled in accordance with the Schedule to these Regulations.

(2) Where a product contains a component containing asbestos it is sufficient compliance with this Regulation if such component is labelled in accordance with the Schedule to these Regulations; and where the size of such a component makes it impossible for a label to be affixed to the component neither the component nor the product need be labelled.

Michael Howard,
Parliamentary Under-Secretary of State,
Department of Trade and Industry.

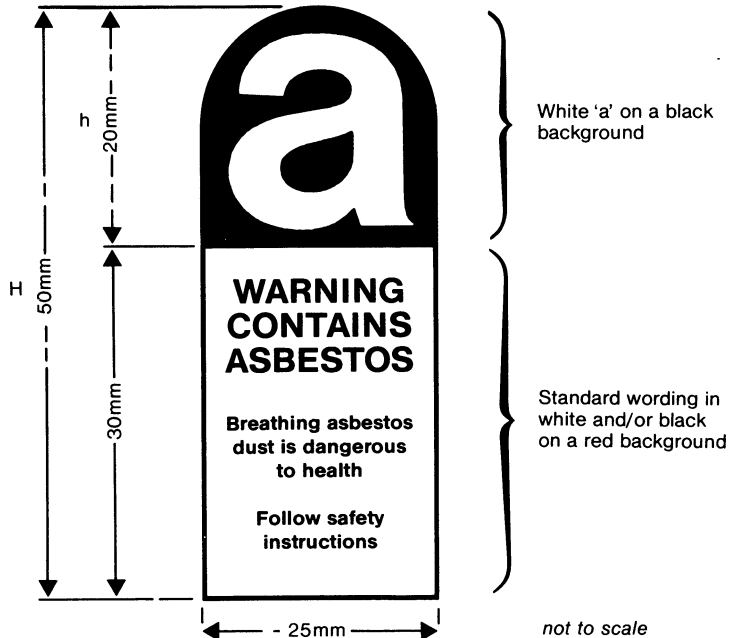
20th December 1985.

SCHEDULE

Regulations 2 and 3

LABELLING OF PRODUCTS CONTAINING ASBESTOS

1.—(1) Subject to sub-paragraphs (2) and (3), the label to be used on the asbestos minerals mentioned in Regulations 2 and 3 and any product containing such minerals (such minerals and products being referred to in this Schedule as “asbestos products”) or on the packaging of asbestos products shall be in the form of and in the colours indicated by the following diagram and shall comply with the specifications set out in paragraphs 2 and 3.



(2) In the case of any asbestos product containing crocidolite asbestos minerals, the words “contains asbestos” shown in the diagram shall be replaced by the words “contains crocidolite/blue asbestos”.

(3) Where the label is printed directly onto an asbestos product a single colour contrasting with the background colour may be used.

2. The dimensions in millimetres of the label shall be those shown on the diagram, except that larger measurements may be used, but in that case the dimension of the label indicated as h on the diagram in paragraph 1(1) above shall be 40% of the dimension indicated as H on that diagram.

3. The label shall be clearly and indelibly printed so that the words in the lower half of the label can be easily read, and those words shall be printed in black or white.

4.—(1) Without prejudice to the provisions of any other legislation relating to health and safety at work, where any asbestos product may undergo processing or finishing it shall bear a label containing any safety instructions appropriate to the particular product and in particular the following instructions—

“operate if possible out of doors or in a well ventilated place”;

“preferably use hand tools or low speed tools equipped, if necessary, with an appropriate dust extraction facility. If high speed tools are used, they should always be so equipped”;

“if possible, dampen before cutting or drilling”;

“dampen dust and place it in a properly closed receptacle and dispose of it safely”.

(2) The labelling of any domestic asbestos product to which sub-paragraph (1) does not apply and which is likely, during use, to release asbestos fibres shall contain the following safety instruction—

“replace when worn”

(3) Any additional safety information given on any label shall not detract from or contradict the safety information given in accordance with sub-paragraphs (1) and (2).

5.—(1) Labelling of packaged and unpackaged asbestos products in accordance with the foregoing paragraphs shall be effected by means of—

(a) an adhesive label firmly affixed to the product or its packaging, as the case may be;

(b) a tie-on label firmly attached to the product or its packaging, as the case may be; or

(c) direct printing onto the product or its packaging, as the case may be.

(2) Where, in the case of an unpackaged product, it is not reasonably practicable to comply with the provisions of sub-paragraph (1) the label shall be printed on a suitable sheet accompanying the product.

(3) For the purposes of this Schedule an asbestos product supplied in loose plastic or other similar wrapping (including plastic and paper bags) but no other packaging shall be treated as being supplied in a package whether the product is placed in such wrapping at the time of its supply or was already so wrapped before that time. But no wrapping in which a product is placed at the time of its supply shall be regarded as packaging if any asbestos product contained in it is labelled in accordance with the requirements of this Schedule or any other packaging in which that asbestos product is contained is so labelled.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations implement Council Directive No. 76/769/EEC (OJ No. L262, 27.9.1976, p.201) as amended by Council Directive No. 83/478/EEC (OJ No. L263, 19.9.1983, p.33) in respect of point 5 of Annex 1 to the Directive. Subject to certain exceptions relating to asbestos minerals intended for research and development or analysis purposes, torque converters and intermediate brake bands, Regulation 2 prohibits the supply of crocidolite asbestos (blue asbestos) minerals or products containing such minerals; in addition, although not required by the Directive, the prohibition extends, subject only to the exception relating to research and development or analysis purposes, to the supply of amosite asbestos (brown asbestos) minerals or products containing such minerals. Subject to the exception relating to research and development or analysis purposes, Regulation 3 prescribes certain labelling requirements as laid down by the Directive and set out in the Schedule to the Regulations, relating to the supply of products containing crocidolite, amosite, chrysotile, fibrous anthophyllite, fibrous actinolite or fibrous tremolite asbestos minerals.

In this Note "supply" includes offer to supply, agree to supply, expose for supply and possess for supply.

SI 1985/2042
ISBN 0-11-058042-7

