
STATUTORY INSTRUMENTS

1994 No. 3247

The Chemicals (Hazard Information and Packaging for Supply) Regulations 1994

Classification of substances and preparations dangerous for supply

5.—(1) A supplier shall not supply a substance or preparation dangerous for supply, unless it has been classified in accordance with the following paragraphs of this regulation.

(2) In the case of a substance which is listed in the approved supply list, the classification shall be that specified in the entry for that substance in column 2 of Part V of that list.

(3) In the case of a substance which is a new substance within the meaning of regulation 2(1) of the Notification of New Substances Regulations 1993⁽¹⁾ and which has been notified in accordance with regulation 4 or 6(1) or (2) of those Regulations, the substance shall be classified in conformity with that notification.

(4) In the case of any other substance dangerous for supply, after an investigation to become aware of relevant and accessible data which may exist, the substance shall be classified by placing it into one or more of the categories of danger specified in column 1 of Part I of Schedule 1 corresponding to the properties of the substance specified in the entry opposite thereto in column 2 and by assigning appropriate risk phrases by the use of the criteria set out in the approved classification and labelling guide.

(5) Subject to paragraph (6), a preparation to which these Regulations apply shall be classified as dangerous for supply in accordance with Schedule 3 by the use of the criteria set out in the approved classification and labelling guide.

(6) A preparation which is intended for use as a pesticide (other than a pesticide which has been approved under the Food and Environment Protection Act 1985) shall be classified as dangerous for supply in accordance with Schedule 4.