

2000 No. 2381

HEALTH AND SAFETY

The Chemicals (Hazard Information and Packaging for Supply) (Amendment) Regulations 2000

Made - - - - 4th September 2000

Laid before Parliament 11th September 2000

Coming into force 2nd October 2000

The Secretary of State, being the designated Minister(a) for the purpose of section 2(2) of the European Communities Act 1972(b) in relation to the regulation and control of classification, packaging and labelling of dangerous substances and preparations, and for measures related to consumer protection, in the exercise of the powers conferred on him by the said section 2(2) and sections 15(1), (2), (4)(a) and 82(3)(a) of, and paragraph 1(1)(b) and (4) of Schedule 3 to, the Health and Safety at Work etc. Act 1974(c) (“the 1974 Act”) and of all other powers enabling him in that behalf, for the purpose of giving effect without modifications to proposals submitted to him by the Health and Safety Commission under section 11(2)(d) of the 1974 Act after the carrying out by the said Commission of consultations in accordance with section 50(3) of that Act, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Chemicals (Hazard Information and Packaging for Supply) (Amendment) Regulations 2000 and shall come into force on 2nd October 2000.

Interpretation

2. In these Regulations, “the principal Regulations” means the Chemicals (Hazard Information and Packaging for Supply) Regulations 1994(d).

Amendments to the principal Regulations

3. For regulation 4 of the principal Regulations, there shall be substituted the following regulation—

“4. In these Regulations, the “approved supply list” means the document entitled “Information Approved for the Classification and Labelling of Substances and Preparations Dangerous for Supply (Sixth Edition)” approved by the Health and Safety Commission on 15th August 2000.”.

(a) S.I. 1976/897 and S.I. 1993/2661.

(b) 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).

(c) 1974 c. 37; sections 11(2), 15(1) and 50(3) were amended by the Employment Protection Act 1975 (c. 71), Schedule 15, paragraphs 4, 6 and 16(3) respectively.

(d) S.I. 1994/3247, amended by S.I. 1996/1092, 1997/1460, 1998/3106, 1999/197, 1999/3165 and 1999/3194.

4. In regulation 12 of the principal Regulations—
- (a) for paragraph (3), there shall be substituted the following paragraph—
- “(3) Subject to paragraph (5), a person shall not supply a substance or preparation referred to in paragraph (4) in a receptacle of any size fitted with—
- (a) a replaceable closure unless the packaging complies with the requirements of BS EN 28317 or ISO 8317; or
- (b) a non-replaceable closure unless the packaging complies with the requirements of EN 862.”;
- (b) for sub-paragraph (d) of paragraph (4), there shall be substituted the following sub-paragraph—
- “(d) substances and preparations which are assigned the risk phrase (R65) and classified and labelled according to paragraph 51 of the approved classification and labelling guide, except where such substances or preparations are supplied in aerosol dispensers or containers fitted with sealed spray attachments.”; and
- (c) in paragraph (8), for the words “BS 7280 or EN Standard 272” there shall be substituted the words “EN ISO 11683”.

5. In Schedule 7 to the principal Regulations, for the words from ““BS 7280”” to “warning of danger;” there shall be substituted the words—

““EN 862’ means CEN Standard EN 862 (March 1997 edition) relating to ‘Packaging—Child-resistant packaging—Requirements and testing procedures for non-reclosable packages for non-pharmaceutical products’ adopted by the European Committee for Standardisation (CEN);

‘EN ISO 11683’ means EN ISO Standard 11683 (1997 edition) relating to ‘Packaging—Tactile warnings of danger—Requirements’;”.

Transitional provisions

6. Until 1st June 2001, it shall be sufficient compliance with the requirements of the principal Regulations, if the requirements of those Regulations are complied with as in force immediately before these Regulations came into force.

Signed by authority of the Secretary of State

4th September 2000

Whitty
Parliamentary Under Secretary of State,
Department of the Environment, Transport and the Regions

EXPLANATORY NOTE

(This note is not part of the Regulations)

1. These Regulations amend the Chemicals (Hazard Information and Packaging for Supply) Regulations 1994 by introducing a new edition of the approved supply list (regulation 3) and making minor amendments to the provisions relating to child resistant fastenings and tactile warning devices (regulations 4 and 5) thereby implementing Article 1(1) and (7) of Commission Directive 2000/32/EC (OJ No. L136, 8.6.00, p. 1) adapting to technical progress for the 26th time Council Directive 67/548/EEC (OJ No. L196, 16.8.67, p. 1) on the approximation of the laws, regulations and administrative provisions relating to the classification, packaging and labelling of dangerous substances.

2. Regulation 6 provides for a transitional period until 1st June 2001 during which a person may either comply with the principal Regulations as amended by these Regulations or the principal Regulations as in force immediately before these Regulations came into force.

3. Copies of the approved supply list (Sixth edition) (ISBN 07176 1832 3) are available from HSE Books, PO Box 1999, Sudbury, Suffolk, CO10 6FS (Telephone: 01787 881165; Fax: 01787 313995); and good booksellers.

4. A copy of the regulatory impact assessment prepared in respect of these Regulations can be obtained from the Health and Safety Executive, Economic Advisers Unit, Rose Court, 2 Southwark Bridge, London SE1 9HS. Copies have been placed in the library of each House of Parliament.

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STATUTORY INSTRUMENTS

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