

Directive 2008/112/EC of the European Parliament and of the Council of 16 December 2008 amending Council Directives 76/768/EEC, 88/378/EEC, 1999/13/EC and Directives 2000/53/EC, 2002/96/EC and 2004/42/EC of the European Parliament and of the Council in order to adapt them to Regulation (EC) No 1272/2008 on classification, labelling and packaging of substances and mixtures (Text with EEA relevance)

### *Article 3*

#### **Amendments to Directive 1999/13/EC**

Directive 1999/13/EC is hereby amended as follows:

1. the word ‘preparation’ or ‘preparations’ within the meaning of Article 3(2) of Regulation (EC) No 1907/2006, in its version of 30 December 2006, shall be replaced by ‘mixture’ or ‘mixtures’ respectively throughout the text;
2. Article 5 shall be amended as follows:
  - (a) from 1 December 2010, paragraph 6 shall be replaced by the following:

6. Substances or mixtures which, because of their content of VOCs classified as carcinogens, mutagens or toxic to reproduction under Regulation (EC) No 1272/2008 of the European Parliament and of the Council of 16 December 2008 on classification, labelling and packaging of substances and mixtures<sup>(1)</sup> are assigned or need to carry the hazard statements H340, H350, H350i, H360D or H360F or the risk phrases R45, R46, R49, R60 or R61 shall be replaced, as far as possible and by taking into account the guidance referred to in Article 7(1), by less harmful substances or mixtures within the shortest possible time.;
  - (b) from 1 June 2015, paragraph 6 shall be replaced by the following:

6. Substances or mixtures which, because of their content of VOCs classified as carcinogens, mutagens or toxic to reproduction under Regulation (EC) No 1272/2008 of the European Parliament and of the Council of 16 December 2008 on classification, labelling and packaging of substances and mixtures<sup>(2)</sup> are assigned or need to carry the hazard statements H340, H350, H350i, H360D or H360F shall be replaced, as far as possible and by taking into account the guidance as mentioned in Article 7(1), by less harmful substances or mixtures within the shortest possible time.;
  - (c) paragraph 8 shall be amended as follows:
    - (i) the words ‘the risk phrase R40’ shall be replaced by ‘the risk phrases R40 or R68’;
    - (ii) the words ‘the labelling R40’ shall be replaced by ‘the labelling R40 or R68’;
    - (iii) from 1 June 2015, the words ‘the risk phrases R40 or R68’ shall be replaced by ‘the hazard statements H341 or H351’;

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- (iv) from 1 June 2015, the words ‘the labelling R40 or R68’ shall be replaced by ‘the hazard statements H341 or H351’;
- (d) from 1 June 2015, in paragraph 9, the words ‘risk phrases’ shall be replaced by ‘hazard statements’;
- (e) paragraph 13 shall be amended as follows:
  - (i) the words ‘the labelling R40, R60 or R61’ shall be replaced by ‘the risk phrases R40, R68, R60 or R61’;
  - (ii) from 1 June 2015, the words ‘the risk phrases R40, R68, R60 or R61’ are replaced by ‘the hazard statements H341, H351, H360F or H360D’.

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(1) [OJ L 353, 31.12.2008, p. 1.](#);

(2) [OJ L 353, 31.12.2008, p. 1.](#);