

SCHEDULE 13

Amendment of the Aerosol Dispensers Regulations 2009

Amendment to regulation 2

- 2.—(1) Regulation 2 (interpretation) is amended as follows.
- (2) In paragraph (1)—
- (a) omit the definition of “compliance mark”;
 - (b) for the definition of “relevant aerosol dispenser” substitute—
 - ““relevant aerosol dispenser” means an aerosol dispenser which does not have a maximum capacity of—
 - (a) less than 50ml; or
 - (b) greater than that specified—
 - (i) in point 3.1 of Schedule 1A, in relation to metal aerosol dispensers (1000ml);
 - (ii) in point 4.1.1 of Schedule 1A, in relation to aerosol dispensers with plastic coated or permanently protected glass containers or plastic aerosol dispensers which cannot splinter on bursting (220ml); or
 - (iii) in point 4.2.1 of Schedule 1A, in relation to aerosol dispensers with unprotected glass containers or plastic aerosol dispensers which may splinter on bursting (150ml);”.
- (c) after the definition of “relevant aerosol dispenser” insert—
 - ““UK marking” means the marking in the form set out in Annex 2 of Regulation (EC) No 765/2008 of the European Parliament and of the Council of 9 July 2008 setting out the requirements for accreditation and market surveillance relating to the marketing of products and repealing Regulation (EEC) No 339/93.”.
- (3) After paragraph (1) insert—
 - “(1A) Schedule 1A reproduces the provisions of the Annex to the Directive with amendments to correct deficiencies in retained EU law.
 - “(1B) A reference to a provision of Schedule 1A is a reference to the equivalent provision of the Annex to the Directive as set out in that Schedule.”.
- (4) In paragraph (2)—
- (a) for “the Annex to the Directive” substitute “Schedule 1A”;
 - (b) after “is a reference to” insert “a test method specified in point 6.1.4.1(b) or (c) which is”;
 - (c) in subparagraph (a)—
 - (i) for “that Annex” substitute “the Annex to the Directive”;
 - (ii) after “point 6.1.4.3” insert “of that Annex”;
 - (d) in subparagraph (b) after “6.1.4.3” insert “of Schedule 1A”.