

SCHEDULE 6

PARTICULARS TO BE SHOWN ON LABELS FOR SUBSTANCES AND PREPARATIONS DANGEROUS FOR SUPPLY AND CERTAIN OTHER PREPARATIONS

PART I

GENERAL PROVISIONS RELATING TO LABELS

Labelling particulars for substances dangerous for supply

1.—(1) In the case of a substance dangerous for supply which is listed in Part I of the approved supply list, the particulars to be shown on the label in accordance with regulation 9(2) (c) shall be the particulars specified for the substance in the relevant entry in column 3 of Part V of that list.

(2) Subject to paragraph 4, in the case of a substance dangerous for supply which is not listed in Part I of the approved supply list the particulars required to be shown on the label in accordance with regulation 9(2)(c) shall be determined from the classification of the substance in accordance with regulation 5 in conjunction with the approved classification and labelling guide.

Labelling particulars for preparations dangerous for supply

2.—(1) Subject to paragraphs 3, 4 and 5, the provisions of this paragraph shall have effect in relation to the labelling of preparations dangerous for supply.

(2) Subject to sub-paragraph (4) below, the chemical names of the substances dangerous for supply present in the preparation shall be shown in accordance with the following rules—

- (a) in the case of a preparation classified as requiring the indication of danger T+, T or Xn, only substances requiring those indications of danger present in the preparation in concentrations exceeding the lowest limit (Xn limit) for the substance laid down in column 4 of Part V of the approved supply list, or if no such limit is laid down the relevant limit laid down in Part II of Schedule 3 need be referred to;
- (b) in the case of a preparation classified as requiring the indication of danger C, only substances requiring that indication of danger present in the preparation in concentrations exceeding the lowest limit (Xi limit) for the substance laid down in column 4 of Part V of the approved supply list, or if no such limit is laid down the relevant limit laid down in Part II of Schedule 3 need be referred to; and
- (c) if the preparation is assigned one or more of the standard risk phrases R39, R40, R42, R43, R42/43, R45, R46, R48, R49, R60, R61 or R62, the name of any substance causing the preparation to be so assigned shall be referred to.

(3) The chemical name referred to in sub-paragraph (2) above shall be—

- (a) in the case of a substance listed in Part I of the approved supply list, the name or one of the names under which it is listed; or
- (b) in the case of a substance not so listed, an internationally recognised name.

(4) For the purposes of labelling, no account shall be taken of any substance in the preparation if its concentration is less than the concentration referred to in paragraph 18(1) of Part I of Schedule 3.

(5) Subject to sub-paragraph (4) above, the particulars to be shown on the label in accordance with regulation 9(3)(c)(ii), (iii) and (iv) shall be determined from the classification of the preparation made in accordance with regulation 5 in conjunction with the approved classification and labelling guide.

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Derogation for naming the ingredients of certain preparations containing harmful substances.

3.—(1) Where a person can demonstrate to the Executive that the disclosure of the chemical identity of a substance required to show the indication of danger Xn (not being a substance which would cause the preparation to be assigned one of the risk phrases referred to in paragraph 2(2)(c)) on the label will put at risk the confidential nature of his property, he shall be permitted to refer to that substance either by means of a name that identifies the most important functional chemical groups of the substance or by means of an alternative name giving equivalent information.

(2) In such a case the manufacturer shall notify the Executive of his intention so to label the preparation.

(3) Regulation 18 of the Notification of New Substances Regulations 1993(1) (which relates to confidentiality of information notified) shall apply to information notified under sub-paragraph (2) above as it applies to information notified under those Regulations.

Indications of danger and symbols for substances and preparations dangerous for supply

4.—(1) Except in the case of a substance dangerous for supply which is listed in Part I of the approved supply list, where a substance or preparation is required to have more than one indication of danger in either of the following groups listed in decreasing order of severity, namely—

- (a) explosive, oxidizing, extremely flammable and highly flammable; or
- (b) very toxic, toxic, corrosive, harmful and irritant,

only one of the indications of danger with its symbol from each group corresponding to the most severe indication of danger in that group needs be shown.

(2) The risk phrases R 12 (extremely flammable) and R 11 (highly flammable) need not be used if they repeat the indication of danger shown on the label.

Designation of pesticides to which Schedule 4 applies

5.—(1) A preparation which is a pesticide shall be designated by—

- (a) the trade name or trade designation of the preparation;
- (b) the name and concentration of each active ingredient in the preparation and the concentration thereof shall be expressed—
 - (i) in the case of pesticides which are supplied as solids, in aerosol dispensers, or as volatile or viscous liquids, as percentage by weight,
 - (ii) for other liquids as percentage by weight or as grams per litre, or
 - (iii) for gases, as percentage by volume;
- (c) the name of each other ingredient which is—
 - (i) required to have the indication of danger T+ or T, if the concentration thereof exceeds 0.2 per cent by weight,
 - (ii) required to have the indication of danger C or Xn, if the concentration thereof exceeds 5 per cent by weight.

(2) the label shall also show—

- (a) the net quantity of the preparation;
- (b) the batch number; and

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- (c) in the case of preparations which are required to have the indication of danger T+, T or Xn, an indication that the container must not be re-used except in the case of containers that are specifically designed for re-use, recharging or refilling by the supplier of the pesticide.