
STATUTORY INSTRUMENTS

2009 No. 716

**The Chemicals (Hazard Information and
Packaging for Supply) Regulations 2009**

PART 2

GENERAL REQUIREMENTS

Labelling of dangerous substances and dangerous preparations

7.—(1) Subject to paragraphs (5) to (9) and regulation 8, no person shall supply a dangerous substance or dangerous preparation unless the particulars specified in paragraph (2) relating to a dangerous substance or paragraph (3) relating to a dangerous preparation are clearly shown in accordance with the requirements of regulation 10—

- (a) on the receptacle containing the dangerous substance or dangerous preparation; and
 - (b) if that receptacle is inside one or more layers of packaging, on any such layer which is likely to be the outermost layer of packaging during the supply or use of the dangerous substance or dangerous preparation, unless such packaging permits the particulars shown on the receptacle or other packaging to be clearly seen.
- (2) The particulars required under paragraph (1) in relation to a dangerous substance shall be—
- (a) the name, full address and telephone number of a person in an EEA State who is responsible for supplying the substance, whether the person be its manufacturer, importer or distributor;
 - (b) the name of the substance being—
 - (i) where the substance appears in Table 3.2 of part 3 of Annex VI of the CLP Regulation, the name or one of the names listed therein for that substance; or
 - (ii) where the substance does not appear in Table 3.2 of part 3 of Annex VI of the CLP Regulation, an internationally recognised name; and
 - (c) the following particulars ascertained in accordance with Part I of Schedule 4, namely—
 - (i) any indications of danger together with corresponding symbols;
 - (ii) the risk phrases, set out in full;
 - (iii) the safety phrases, set out in full; and
 - (iv) any EC number and, in the case of a substance which is listed in Table 3.2 of part 3 of Annex VI of the CLP Regulation, the words “EC label”.
- (3) The particulars required under paragraph (1) in relation to a dangerous preparation shall be—
- (a) the name, full address and telephone number of a person in an EEA State who is responsible for supplying the preparation, whether that person be its manufacturer, importer or distributor;
 - (b) the trade name or other designation of the preparation; and
 - (c) the following particulars ascertained in accordance with Part I of Schedule 4, namely—

- (i) identification of the constituents of the preparation which result in it being classified as a dangerous preparation,
- (ii) any indications of danger together with corresponding symbols,
- (iii) the risk phrases, set out in full,
- (iv) the safety phrases, set out in full,
- (v) in the case of a preparation intended for sale to the general public, the nominal quantity (nominal mass or nominal volume).

(4) Without prejudice to paragraph 3 of Schedule 3 to the Plant Protection Products Regulations, indications such as “non-toxic”, “non-harmful”, “non-polluting”, “ecological” or any other statement indicating that the dangerous substance or preparation is not dangerous or that is likely to lead to underestimation of the dangers of the dangerous substance or dangerous preparation shall not appear on the package.

(5) Where paragraph (6) applies, the packaging of a dangerous substance or dangerous preparation classified in one or more of the categories of danger harmful, extremely flammable, highly flammable, flammable, irritant or oxidising shall not be required to be labelled in respect of that hazardous property.

(6) This paragraph shall apply where the package contains such small quantities of that substance or preparation that there is no foreseeable risk, under conditions of supply, use and disposal, arising from that hazardous property to persons handling that substance or preparation or to other persons.

(7) The packaging of a dangerous preparation classified in the category of danger dangerous for the environment (with or without the “N” symbol) shall not be required to be labelled in respect of its environmental hazard in accordance with this regulation provided that it contains such small quantities of that preparation that there is no foreseeable risk, under conditions of supply, use and disposal, to the environment.

(8) Where the package in which a dangerous substance is supplied does not contain more than 125 millilitres of that substance the risk phrases and safety phrases need not be shown if the dangerous substance is classified only in one or more of the categories of danger—

- (a) highly flammable, flammable, oxidising or irritant; or
- (b) harmful, provided the dangerous substance is not sold to the general public.

(9) Where the package in which a dangerous preparation is supplied does not contain more than 125 millilitres of that preparation—

- (a) the risk phrases and safety phrases need not be shown if the dangerous preparation is classified only in one or more of the categories of danger—
 - (i) irritant (except those assigned the risk phrase R41);
 - (ii) dangerous for the environment and assigned the N symbol;
 - (iii) oxidising; or
 - (iv) highly flammable; and
- (b) the safety phrases need not be shown if the dangerous preparation is classified only in one or more of the categories of danger—
 - (i) flammable; or
 - (ii) dangerous for the environment and not assigned the N symbol.

(10) Where a dangerous substance or dangerous preparation is required to be labelled in accordance with these Regulations and is so labelled, that labelling shall be deemed to satisfy the requirements of—

- (a) section 5 of the Petroleum (Consolidation) Act 1928⁽¹⁾ including that section as applied to any dangerous substance by an Order in Council made under section 19 of that Act;
- (b) regulation 10 of the Dangerous Substances and Explosive Atmospheres Regulations 2002⁽²⁾; and
- (c) regulations 3 and 4 of the Farm and Garden Chemicals Regulations 1971⁽³⁾.

⁽¹⁾ 1928 c. 32.

⁽²⁾ S.I. 2002/2776.

⁽³⁾ 1971/729, to which there are amendments not relevant to these Regulations.