

Frequently Asked Questions on Dangerous Substances & Preparations

1. What type of chemical products are manufactured and used within the EU?

The European chemicals industry manufacture uses a large number of different chemical products. The majority of all chemicals on the European market are preparations - i.e. mixtures of chemical substances. They include industrial chemicals, such as solvents and coatings; petrochemicals, such as fuels and lubricants; agricultural chemicals such as pesticides; consumer products, such as detergents and disinfectants, and many others. Whereas the majority of these chemicals are of low concern for human health or the environment, some of them have properties that are hazardous to human health and/or the environment.

2. Is there any piece of legislation which aims to achieve a high level of protection of human health and the environment from chemicals?

Currently there are 3 pieces of legislation which aim at achieving a high level of protection from chemicals by requiring the producers of chemicals:

- to identify the intrinsic hazards of the chemicals they manufacture or import (i.e. to "classify" chemicals according to their dangers such as flammability, toxicity, carcinogenicity);
- to label these chemicals according to strict rules (i.e. warnings about the dangers and safety advice);
- and to package them safely.

LN 306 of 2008 (The Dangerous Substances Regulations, 2008), as amended, transposes the Dangerous Substances Directive (DSD) 67/548/EEC of 27 June 1967 on the approximation of laws, regulations and administrative provisions relating to the classification, packaging and labelling of dangerous substances.

LN 10 of 2007 (Dangerous Substances and Preparations Regulations, 2007) transposes the Dangerous Preparations Directive (DPD) 1999/45/EC of the European Parliament and of the Council of 31 May 1999 concerning the classification, packaging and labelling of dangerous preparations.

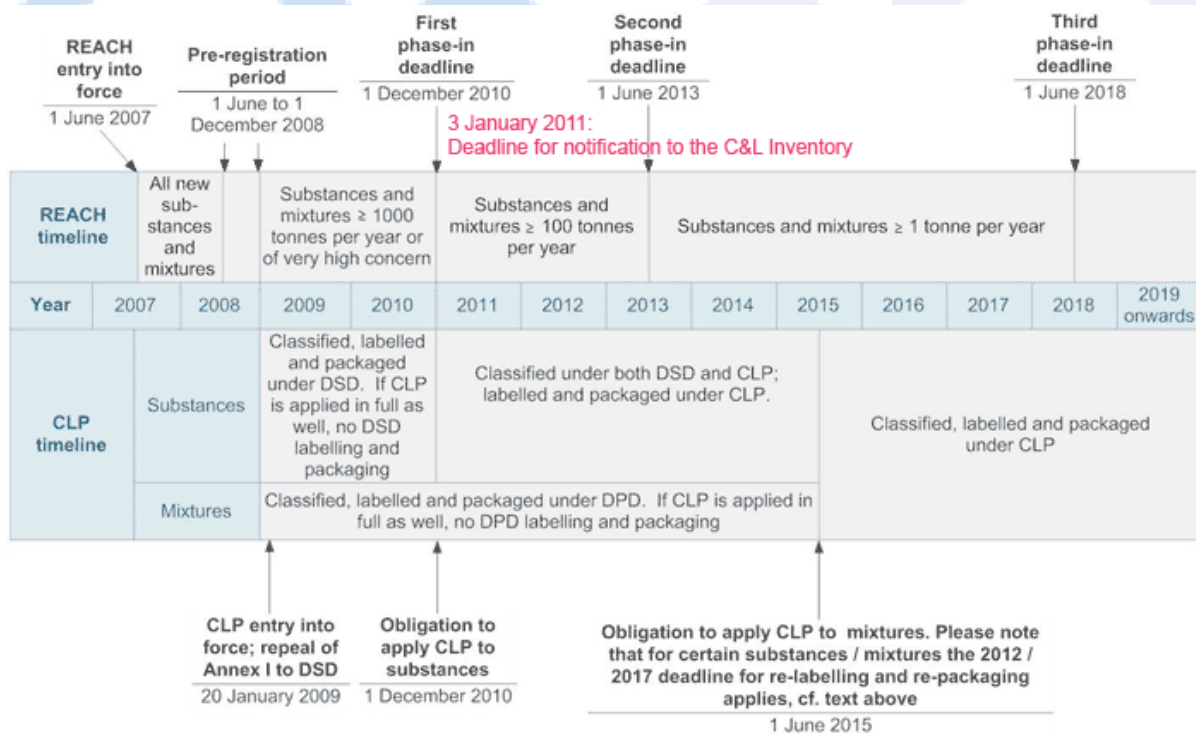
CLP Regulation (EC) No 1272/2008 concerns the classification, labelling and packaging of substances and mixtures, amending and repealing directives 67/548/EEC (as transposed into LN 318/2001) and 1999/45/EC (as transposed into LN 10/2007), and amending Regulation (EC) No 1907/2006 (REACH). CLP came into force on 20 January 2009 and applies across the European Union.

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Transition to CLP: From entry into force, not all of the provisions of the CLP Regulation will be obligatory immediately. The transitional provisions contain three key dates that affect the classification and labelling of hazardous substances and mixtures:

1. 20 January 2009
2. 1 December 2010 and
3. 1 June 2015

The obligations that are due by these dates, including changes to the Safety Data Sheets, as well as their relationship to the REACH deadlines are illustrated in the figure below:



3. What is CLP?

CLP or CLP Regulation is the new European Regulation on Classification, Labelling and Packaging of chemical substances and mixtures. The legislation introduces throughout the EU a new system for classifying and labelling chemicals, based on the United Nations' Globally Harmonised System (UN GHS).

CLP is about the hazards of chemical substances and mixtures and how to inform others about them. It is the task of industry to establish what are the hazards of substances and

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mixtures before these are placed on the market, and to classify them in line with the identified hazards. In case a substance or a mixture is hazardous, it has to be labelled so that workers and consumers know about its effects before they handle it. Note that “mixture” means the same as the term “preparation” which has been used so far.

There are certain timelines for industry to classify and label their substances and mixtures in line with the CLP rules. Also, industry must notify hazardous substances and mixtures to a central inventory.

4. What are the differences between CLP and DSD/DPD?

The differences between CLP and DSD/DPD are due to the integration of the terminology, classification criteria and labelling elements of the United Nations' Globally Harmonised System (UN GHS) and to procedures taken over from the REACH Regulation. An overview of the most important differences is included in the following table:

Overview of important differences between the DSD / DPD legislation and the CLP Regulation

DSD / DPD	CLP
Terminology	
DSD terminology, e.g. preparation, dangerous, category of danger, risk phrase, safety phrase	UN GHS terminology, i.e. mixture, hazardous, hazard class, hazard statement, precautionary statement
Criteria	
DSD categories of danger for physical, health and environmental hazards	UN GHS hazard classes including those differentiations which best reflect the DSD categories of danger; total number of hazard classes higher under CLP than the total number of categories of danger under DSD
DSD categories of danger plus additional labelling elements, e.g. R1 (“Explosive when dry”)	UN GHS hazard classes plus supplemental labelling elements taken over from DSD e.g. EUH001 (“Explosive when dry”)
DPD calculation rules (“conventional method”) for the classification of preparations	UN GHS calculation methods (additivity, summation) deviating from the DPD calculation rules

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Testing, human experience or calculation for mixture classification	Similar to DPD; in addition bridging principles that allow the classification of mixtures on the basis of data on similar tested mixtures and information on individual hazardous ingredient substances
Labelling elements	
DSD symbols	CLP pictograms
Selection out of 50 different safety phrases; limited flexibility of selection	Selection out of 110 different precautionary statements; flexibility of selection
Procedures	
If harmonised classification then normally for all categories of danger	If harmonised classification then for substances which are carcinogenic, mutagenic, toxic to reproduction or respiratory sensitisers; other effects on a case-by-case basis
Harmonised classification based on a Member State proposal	Harmonised classification based on a Member State proposal (provisions previously contained in REACH) or a proposal by a manufacturer, importer or downstream user under certain conditions
No notification procedure foreseen	Notification of the classification and labelling of substances to the Classification & Labelling Inventory established by ECHA (provisions previously contained in REACH)

5. Are there any restrictions on the marketing and use of certain dangerous substances and preparations?

Some substances and preparations are not considered dangerous and circulate freely on the European market without any particular rules. Others are classified as dangerous and can circulate freely only when packaged and labelled in accordance with LN 306 of 2008 (DSD) or LN 10 of 2007 (DPD) or CLP. In a relatively small number of cases the rules for classification, packaging and labelling are insufficient to reduce risks and must be supplemented by rules to restrict marketing and use under the LN concerning restrictions on the marketing and use of certain dangerous substances and preparations, i.e. [Annex XVII](#) of REACH Regulation No 1907/2006/EC.

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