L.N. 152 of 2001

PRODUCT SAFETY ACT, 2001
(ACT NO. V OF 2001)

Dangerous Substances and Preparations (Restrictions) Regulations, 2001

IN exercise of the powers conferred by article 38 of the Product Safety Act, the Minister for Economic Services, on the advice of the Malta Standards Authority, has made the following regulations:

Citation and commencement.

1.1 The title of these regulations is the Dangerous Substances and Preparations (Restrictions) Regulations, 2001.

1.2 These regulations shall come into effect on the 1st July, 2001.

Applicability.

2.1 These regulations shall apply to the marketing and use of the dangerous substances and preparations listed in the Schedules.

2.2 These regulations shall not apply to:

(a) the carriage of dangerous substances and preparations by rail, road, inland waterway, sea or air;

(b) dangerous substances and preparations intended for export;

(c) substances and preparations in transit and subject to customs inspection, provided that they undergo no processing.

Definitions.

3.1 For the purposes of these regulations, the following definitions shall apply, unless the context otherwise requires:

(a) "substances" means chemical elements and their compounds as they occur in the natural state or as produced by industry;

(b) "preparations" means mixtures or solutions composed of two or more substances.

Restrictions on marketing.

4.1 The dangerous substances and preparations listed in the Schedules to these regulations may only be placed on the market or used subject to the conditions specified therein.

4.2 The provisions of regulation 4.1 shall not apply to marketing or use for research and development or analysis purposes.

5.1 The Foodstuffs, Chemicals and Cosmetics Directorate of the Malta Standards Authority shall make available to the general public an updated copy of the Appendix to Council Directive 76/769/EEC containing substances classified as carcinogenic, mutagenic or toxic to reproduction of category 1 or 2 as referred to in points 29, 30 and 31 of the Schedule to these regulations.

References to Council Directive 76/769/EEC.

First Schedule

Restrictions on Dangerous Substances and Preparations

	Designation of the substance, of the groups of substances or of the preparation	Conditions of restriction
1.	- Polychlorinated biphenyls (PCB) except mono- and dichlorinated biphenyls - Polychlorinated terphenyls (PCTs) - Preparations, including waste oils, with a PCB or PCT content higher than 0.005 % by weight	May not be used.
2.	Chloro-1-ethylene (monomer vinyl chloride)	May not be used as aerosol propellant for any use whatsoever.
3.	Liquid substances or preparations, which are regarded as dangerous according to the definitions in Article 2(2) and the criteria in Annex VI, Part II.D to Council Directive 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 ([1]), as adapted to technical progress by Commission Directives 93/21/EEC ([2]) and 96/54/EC ([3])	1. May not be used: - ornamental objects intended to produce light or colour effects by means of different phases, for example in ornamental lamps and ashtrays. - tricks, jokes. - games for one or more participants, or any object intended to be used as such, even with ornamental aspects. 2. Without prejudice to the above, substances and preparations which: - present an aspiration hazard and are labelled with R65, and - can be used as fuel in decorative lamps, and - are placed on the market in packaging of a capacity of 15 litres or less, may not contain a colouring agent, unless required for fiscal reasons, or perfume or both. Without prejudice to the application of other provisions on the classification, packaging and labelling of dangerous substances and preparations, the packaging of substances and preparations covered by paragraph 2,where intended for use in lamps, must be marked legibly and indelibly as follows: "Keep lamps filled with this liquid out of the reach of children".

[1] OJ No L 196, 16.8.1967, p.1
[2] OJ No L 110, 4.5.1993, p.20
[3] OJ L 248, 30.9.1996, p.1

	Designation of the substance, of the groups of substances or of the preparation	Conditions of restriction
4.	Tris (2,3 dibromopropyl) phosphate, CAS No (Chemical Abstract Service Number) 126-72-7	May not be used in textile articles, such as garments, undergarments and linen, intended to come into contact with the skin.
5.	Benzene CAS No. (Chemical Abstract Service Number) 71-43-2	Not permitted in toys or parts of toys as placed in the market where the concentration of benzene in the free state is in excess of 5 mg/kg of the weight of the toy or part of toy. May not be used in concentrations equal to, or greater than, 0.1 % by mass in substances or preparations placed on the market. However, this provision shall not apply to: (a) motor fuels which are covered by Directive 85/210/EEC; (b) substances and preparations for use in industrial processes not allowing for the emission of benzene in quantities in excess of those laid down in existing legislation; (c) waste covered by Directives 75/442/EEC ([4]) and 78/319/EEC ([5])
6.	Asbestos fibres	
6.1	Crocidolite, CAS No 12001-28-4 Amosite, CAS No 12172-73-5 Anthophyllite asbestos, CAS No 77536-67-5 Actinolite asbestos, CAS No 77536-66-4 Tremolite asbestos, CAS No 77536-68-6	6.1 The placing on the market and use of these fibres and of products containing these fibres intentionally added shall be prohibited.
6.2	Chrysotile, CAS No 12001-29-5	6.2 The placing on the market and use of products containing this fibre shall be prohibited for: (a) toys; (b) materials or preparations intended to be applied by spraying; (c) finished products which are retailed to the public in powder form;

[4] OJ No L 194, 25.7.1975, p.39
[5] OJ No L 84, 31.3.1978, p.43

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		(d) items for smoking such as tobacco pipes and cigarette and cigar holders; (e) catalytic filters and insulation devices for incorporation in catalytic heaters using liquefied gas; (f) paints and varnishes; (g) filters for liquids; (h) road surfacing material where the fibre content is greater than 2 %; (i) mortars, protective coatings, fillers, sealants, jointing compounds, mastics, glues, decorative powders and finishes; (j) low density insulating or soundproofing materials (density less than 1 g/cm3); (k) air filters and filters in transport distribution and utilization of natural gas and town gas; (l) underlays for plastic floor and wall coverings; (m) textiles finished in the form intended to be supplied to the end user unless treated to avoid fibre release; (n) roofing felt.
7.	[deleted]	[deleted]
8.	Tris-aziridinyl)-phosphinoxide CAS No 5455-55-1	May not be used in textile articles, such as garments, undergarments and linen, intended to come into contact with the skin.
9.	Polybromobiphenyls (PBB) CAS No 59536-65-1	May not be used in textile articles, such as garments, undergarments and linen, intended to come into contact with the skin.
10.	Soap bark powder (*Quillaja saponaria*) and its derivatives containing saponines Powder of the roots of *Helleborus viridis* and *Helleborus niger*	May not be used in jokes and hoaxes or in objects intended to be used as such, for instance as a constituent of sneezing powder and stink bombs.

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	Powder of the roots of *Veratrum album* and *Veratrum nigrum* Benzidine and/or its derivatives *o*-nitrobenzaldehyde CAS No 552-89-6 Wood powder	
11.	Ammonium sulphide and ammonium hydrogen sulphide CAS No 12135-76-1 CAS No 12124-99-1 Ammonium polysulphide CAS No 12259-92-6	May not be used in jokes and hoaxes or in objects intended to be used as such, for instance as a constituent of sneezing powder and stink bombs.
12.	Volatile esters of bromoacetic acids: Methyl bromoacetate CAS No 96-32-2 Ethyl bromoacetate CAS No 105-36-2 Propyl bromoacetate Butyl bromoacetate	May not be used in jokes and hoaxes or in objects intended to be used as such, for instance as a constituent of sneezing powder and stink bombs.
13.	2-naphthylamine CAS No 91-59-8 and its salts	May not be used in concentrations equal to or greater than 0.1 % by weight in substances and preparations placed on the market. However, this provision shall not apply to waste containing one or more of these substances and covered by Directives 75/442/EEC and 78/319/EEC. Such substances and preparations may not be sold to the general public. Without prejudice to the application of other provisions on the classification, packaging and labelling of dangerous substances and preparations, the packaging of such preparations shall be legibly and indelibly marked as follows: "Restricted to professional users".

	Designation of the substance, of the groups of substances or of the preparation	Conditions of restriction
14.	Benzidine CAS No 92-87-5 and its salts	May not be used in concentrations equal to or greater than 0.1 % by weight in substances and preparations placed on the market. However, this provision shall not apply to waste containing one or more of these substances and covered by Directives 75/442/EEC and 78/319/EEC. Such substances and preparations may not be sold to the general public. Without prejudice to the application of other provisions on the classification, packaging and labelling of dangerous substances and preparations, the packaging of such preparations shall be legibly and indelibly marked as follows: "Restricted to professional users".
15.	4-nitrobiphenyl CAS No 92-93-3	May not be used in concentrations equal to or greater than 0.1 % by weight in substances and preparations placed on the market. However, this provision shall not apply to waste containing one or more of these substances and covered by Directives 75/442/EEC and 78/319/EEC. Such substances and preparations may not be sold to the general public. Without prejudice to the application of other provisions on the classification, packaging and labelling of dangerous substances and preparations, the packaging of such preparations shall be legibly and indelibly marked as follows: "Restricted to professional users".
16.	4-aminobiphenyl CAS No 92-67-1 and its salts	May not be used in concentrations equal to or greater than 0.1 % by

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		weight in substances and preparations placed on the market. However, this provision shall not apply to waste containing one or more of these substances and covered by Directives 75/442/EEC and 78/319/EEC. Such substances and preparations may not be sold to the general public. Without prejudice to the application of other provisions on the classification, packaging and labelling of dangerous substances and preparations, the packaging of such preparations shall be legibly and indelibly marked as follows: "Restricted to professional users".
17.	Lead carbons: - neutral anhydrous carbonate $PbCO_3$, CAS No 598-63-0 - lead hydrocarbonate $PbCO_3.Pb(OH)_2$, CAS No 1319-46-6	May not be used as substances and constituents of preparations intended for use as paints, except for the restoration and maintenance of works of art and historic buildings and their interiors, authorized in accordance with the provision of ILO Convention 13 on the use of white lead in paint.
18.	Lead sulphates: PbSO4 (1:1) CAS No 7446-14-2 PbxSO4 CAS No 15739-80-7	May not be used as substances and constituents of preparations intended for use as paints, except for the restoration and maintenance of works of art and historic buildings and their interiors, authorized in accordance with the provision of ILO Convention 13 on the use of sulphates of lead in paint.
19.	Mercury compound	May not be used as substances and constituents of preparations intended for use: (a) to prevent the fouling by micro-organisms, plants or animals of: - the hulls of boats, - cages, floats, nets and any other appliances or equipment used for fish or shellfish farming,

	Designation *of the substance*, of the groups of substances or of the preparation	**Conditions of restriction**
		- any totally or partly submerged appliances or equipment; (b) in the preservation of wood; (c) in the impregnation of heavy-duty industrial textiles and yarn intended for their manufacture; (d) in the treatment of industrial waters, irrespective of their use.
20.	Arsenic compounds	1. May not be used as substances and constituents of preparations intended for use: (a) to prevent the fouling by micro-organisms, plants or animals of: - the hulls of boats, - cages, floats, nets and any other appliances or equipment used for fish or shellfish farming, - any totally or partly submerged appliances or equipment; (b) in the preservation of wood; In this case, the ban does not apply to solutions of inorganic salts of the CCA (copper-chromium-arsenic) type employed in industrial installations using vacuum or pressure to impregnate wood. 2. May not be used as substances and constituents of preparations intended for use in the treatment of industrial waters, irrespective of their use.
21.	Organostannic compounds	1. May not be used as substances and constituents of preparations intended for use to prevent the fouling by micro-organisms, plants or animals of: (a) the hulls of boats of an overall length, as defined by ISO 8666, of less than 25 metres; (b) cages, floats, nets and any other appliances or equipment used for fish or shellfish farming; (c) any totally or partly submerged appliances or equipment.

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		Such substances and preparations - may be placed on the market only in packaging of a quantity equal to or greater than 20 litres, - may not be sold to the general public but only to professional users. Without prejudice to the application of other provisions on the classification, packaging and labelling of dangerous substances and preparations, the packaging of such preparations shall be legibly and indelibly marked as follows: Not to be used on boats of an overall length of less than 25 metres or on any appliances or equipment used in fish or shellfish farming. Restricted to professional users. 2. May not be used as substances and constituents of preparations intended for use in the treatment of industrial waters, irrespective of their use.
22.	di-μ-oxo-di-n-butylstanniohydroxyborane (DBB) ($C_8H_{19}BO_3Sn$), CAS No 75113-37-0	Shall be prohibited in a concentration equal to or greater than 0.1 % in substances and constituents of preparations placed on the market. However, this provision shall not apply to this substance (DBB) or preparations containing it if these are intended solely for conversion into finished products, among which this substance will no longer feature in a concentration equal to or greater than 0.1 %.
23.	Pentachlorophenol (CAS No 87-86-5) and its salts and esters	Shall not be used in a concentration equal to or greater than 0.1 % by mass in substances or preparations placed on the market. By way of exception, this provision shall not apply to substances and preparations intended for use in industrial installations not permitting the emission and/or discharge of pentachlorophenol (PCP) in quantities

	Designation of the substance, of the groups of substances or of the preparation	Conditions of restriction
		greater than those prescribed by existing legislation: (a) in the treatment of wood. However, treated wood may not be used: - inside buildings whether for decorative purposes or not whatever their purpose (residence, employment, leisure); - for the manufacture of containers intended for growing purposes and any re-treatment and the manufacture of packaging which may come into contact with or other materials which may contaminate raw, intermediate and/or finished products intended for human and/or animal consumption and any re-treatment; (b) in the impregnation of fibres and heavy-duty textiles not intended in any case for clothing or for decorative furnishings; (c) as a synthesizing and/or processing agent in industrial processes; In any case: (a) Pentachlorophenol used alone or as a component of preparations employed within the framework of the above exceptions must have a total hexachlorodibenzoparadioxin (H_6CDD) content below four parts per million (ppm); (b) these substances and preparations may not: - be placed on the market except in packages of 20 litres or more; - be sold to the general public. Without prejudice to the application of other provisions on the classification, packaging and labelling of dangerous

	Designation of the substance, of the groups of substances or of the preparation	Conditions of restriction
		substances and preparations, the packaging of such preparations shall be clearly and indelibly marked as follows: "Reserved for industrial and professional use". In addition, this provision shall not apply to waste covered by Directives 75/442/EEC and 78/319/EEC.
24.	Cadmium (CAS No 7440-43-9) and its compounds	1.1 May not be used to give colour to finished products manufactured from the substances and preparations listed below: - polyvinyl chloride (PVC) [3904 10] [3904 21] [3904 22] (6) - polyurethane (PUR) [3909 50] - low density polyethylene (ld PE), with the exception of low-density polyethylene used for the production of coloured masterbatch [3901 10] - cellulose acetate (CA) [3912 11] [3912 12] - cellulose acetate butyrate (CAB) [3912 11] [3912 12] - epoxy resins [3907 30] In any case, whatever their use or intended final purpose, finished products or components of products manufactured from the substances and preparations listed above coloured with cadmium may not be placed on the market if their cadmium content (expressed as Cd metal) exceeds 0.01 % by mass of the plastic material. 1.2 Section 1.1 also applies for: (a) finished products manufactured from the following substances and preparations:

[6] Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff (OJ No L 256, 7.9.1987).

	Designation of the substance, of the groups of substances or of the preparation	Conditions of restriction
		- melamine-formaldehyde (MF) [3909 20] - urea-formaldehyde (UF) [3909 10] - unsaturated polyesters (UP) [3907 91] - polyethylene terephthalate (PET) [3907 60] - polybutylene terephthalate (PBT) transparent/general-purpose polystyrene [3903 11] [3903 19] - acrylonitrile methylmethacrylate (AMMA) - cross-linked polyethylene (VPE) - high-impact polystyrene - polypropylene (PP) [3902 10] (b) paints [3208] [3209] However, if the paints have a high zinc content, their residual concentration of cadmium must be as low as possible and at all events not exceed 0.1 % by mass. 1.3 However, Sections 1.1 and 1.2 do not apply to products to be coloured for safety reasons. 2.1 May not be used to stabilize the finished products listed below manufactured from polymers or copolymers of vinyl chloride: - packaging materials (bags, containers, bottles, lids) [3923 29 10] [3920 41] [3920 42] - office or school supplies [3926 10] fittings for furniture, coachwork or the like [3926 30] - articles of apparel and clothing accessories (including gloves) - [3926 20] - floor and wall coverings [3918 10] - impregnated, coated, covered or laminated textile fabrics [5903 10] - imitation leather [4202]

	Designation of the substance, of the groups of substances or of the preparation	Conditions of restriction
		- gramophone records [8524 10] - tubes and pipes and their fittings [3917 23] - swing doors - vehicles for road transport (interior, exterior, underbody) - coating of steel sheet used in construction or in industry insulation for electrical wiring In any case, whatever their use or intended final purpose, the placing on the market of the above finished products or components of products manufactured from polymers or copolymers of vinyl chloride, stablized by substances containing cadmium is prohibited, if their cadmium content (expressed as Cd metal) exceeds 0.01 % by mass of the polymer. 2.2 However, Section 2.1 does not apply to finished products using cadmium-based stablizers for safety reasons. 3. Within the meaning of these regulations, "cadmium plating" means any deposit or coating of metallic cadmium on a metallic surface. 3.1 May not be used for cadmium plating metallic products or components of the products used in the sectors/applications listed below. (a) equipment and machinery for: - food production: [8210] [8417 20] [8419 81] [8421 11] [8421 22] [8422] [8435] [8437] [8438] [8476 11] - agriculture: [8419 31] [8424 81] [8432] [8433] [8434] [8436] - cooling and freezing: [8418]

	Designation of the substance, of the groups of substances or of the preparation	Conditions of restriction
		- printing and book-binding: [8440] [8442] [8443] (b) equipment and machinery for the production of: - household goods [7321] [8421 12] [8450] [8509] [8516] - furniture [8465] [8466] [9401] [9402] [9403] [9404] - sanitary ware [7324] central heating and air conditioning plant [7322] [8403] [8404] [8415] In any case, whatever their use or intended final purpose, the placing on the market of cadmium-plated products or components of such products used in the sectors/ applications listed in (a) and (b) above and of products manufactured in the sectors listed in (b) above is prohibited. 3.2 The provisions referred to in section 3.1 are also applicable to cadmium-plated products or components of such products when used in the sectors/applications listed in (a) and (b) below and to products manufactured in the sectors listed in (b) below: (a) equipment and machinery for the production of: - paper and board [8419 32] [8439] [8441] - textiles and clothing [8444] [8445] [8447] [8448] [8449] [8451] [8452] (b) equipment and machinery for the production of: - industrial handling equipment and machinery [8425] [8426] [8427] [8428] [8429] [8430] [8431] - road and agricultural vehicles [chapter 87]

	Designation of the substance, of the groups of substances or of the preparation	Conditions of restriction
		- rolling stock [chapter 86] - vessels [chapter 89] 3.3 However, Sections 3.1 and 3.2 do not apply to: - products and components of the products used in the aeronautical, aerospace, mining, offshore and nuclear sectors whose applications require high safety standards and in safety devices in road and agricultural vehicles, rolling stock and vessels, - electrical contacts in any sector of use, on account of the reliability required of the apparatus on which they are installed.
25.	Monomethyl-tetrachlorodiphenyl methane Trade name: Ugilec 141 CAS No 76253-60-6	The marketing and use of this substance and of preparations and products containing it shall be prohibited. By way of exception, this provision shall not apply: (1) in the case of plant and machinery already in service on 18 June 1994 until such plant and machinery is disposed of; (2) in the case of the maintenance of plant and machinery already in service on 18 June 1994. The placing on the second hand market of this substance, preparations containing this substance and plant/ machinery containing this substance, is prohibited.
26.	Monomethyl-dichloro-diphenylmethane Trade name: Ugilec 121, Ugilec 21 CAS No – unknown	The marketing and use of this substance and of preparations and products containing it shall be prohibited.
27.	Monomethyl-dibromo-diphenylmethane Trade name: DBBT CAS No 99688-47-8	The marketing and use of this substance and of preparations and products containing it shall be prohibited.
28.	Nickel CAS No 7440-02-0 EINECS No 2311114 and its compounds	May not be used: (1) in post assemblies which are inserted into pierced ears and other

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		pierced parts of the human body during epithelization of the wound caused by piercing, whether subsequently removed or not, unless such post assemblies are homogenous and the concentration of nickel – expressed as mass of nickel to total mass – is less than 0.05 %; (2) in products intended to come into direct and prolonged contact with the skin such as: - earrings, - necklaces, bracelets and chains, anklets, finger rings, - wrist-watch cases, watch straps and tighteners, - rivet buttons, tighteners, rivets, zippers and metal marks, when these are used in garments if the rate of nickel release from the parts of these products coming into direct and prolonged contact with the skin is greater than 0.5 µg/cm²/week; (3) in products such as those listed in point 2 where these have a non-nickel coating unless such coating is sufficient to ensure that the rate of nickel release from those parts of such products coming into direct and prolonged contact with the skin will not exceed 0.5 µg/cm²/week for a period of at least two years of normal use of the product. Furthermore, products which are the subject of points 1, 2 and 3 may not be placed on the market unless they conform to the requirements set out in those points.
29.	Substances which appear in Annex I to Directive 67/548/EEC classified as carcinogen category 1 or carcinogen category 2 and labelled at least as "Toxic (T)" with risk phrase R45:	May not be used in substances and preparations placed on the market for sale to the general public in individual concentration equal to or greater than: - either the concentration specified in Annex 1 to Directive 67/548/EEC, or

	Designation of the substance, of the groups of substances or of the preparation	Conditions of restriction
	"May cause cancer" or risk phrase R49: "may cause cancer by inhalation", and listed as follows: Carcinogen category 1 See List 1 in the Appendix to Council Directive 76/769/EEC Carcinogen category 2 See List 2 in the Appendix to Council Directive 76/769/EEC	- the concentration specified in point 6, Table VI, of Annex I to Directive 88/379/EEC where no concentration limit appears in Annex 1 to Directive 67/548/EEC. Without prejudice to the implementation of other provisions relating to the classification, packaging and labelling of dangerous substances and preparations, the packaging of such substances and preparations must be marked legibly and indelibly as follows: "Restricted to professional users. Attention – Avoid exposure – obtain special instructions before use". This provision shall not apply to: (a) medicinal or veterinary products as defined by Directive 65/65/EEC ([7]); (b) cosmetic products as defined by the Cosmetic Products Order 2000 (L.N. 204 of 2000); (c) motor fuels which are covered by Directive 85/210/EEC ([8]), (d) mineral oil products intended for use as fuel in mobile or fixed combustion plants, (e) fuels sold in closed systems (e.g. liquid gas bottles), (f) other substances and preparations listed in this Schedule, under points other than 30 and 31; (g) artists' paints covered by Directive 88/379/EEC ([9])
30.	Substances which appear in Annex I to Directive 67/548/EEC classified as mutagen category 1 or mutagen category 2 and labelled with risk phrase R46: "May cause heritable genetic damage", and listed as follows: Mutagen category 1 See List 3 in the Appendix to Council Directive 76/769/EEC	May not be used in substances and preparations placed on the market for sale to the general public in individual concentration equal to or greater than: - either the concentration specified in Annex 1 to Directive 67/548/EEC, or - the concentration specified in point 6, Table VI, of Annex I to Directive 88/379/EEC where no concentration limit appears in Annex 1 to Directive 67/548/EEC.

[7] OJ No 22, 9.2.1965, p.369/65.
[8] OJ No L 96, 3.4.1985, p.25
[9] OJ No L 187, 16.7.1988, p.14.

	Designation of the substance, of the groups of substances or of the preparation	Conditions of restriction
	Mutagen category 2 See List 4 in the Appendix to Council Directive 76/769/EEC	Without prejudice to the implementation of other provisions relating to the classification, packaging and labelling of dangerous substances and preparations, the packaging of such substances and preparations must be marked legibly and indelibly as follows: "Restricted to professional users. Attention – Avoid exposure – obtain special instructions before use". This provision shall not apply to: (a) medicinal or veterinary products as defined by Directive 65/65/EEC ([10]); (b) cosmetic products as defined by the Cosmetic Products Order 2000 (L.N. 204 of 2000); (c) motor fuels which are covered by Directive 85/210/EEC ([11]); (d) mineral oil products intended for use as fuel in mobile or fixed combustion plants; (e) fuels sold in closed systems (e.g. liquid gas bottles); (f) other substances and preparations listed in this Schedule, under points other than 30 and 31; (g) artists' paints covered by Directive 88/379/EEC ([12]).
31.	Substances which appear in Annex I to Directive 67/548/EEC classified as toxic for reproductive purposes category 1 or toxic for reproductive purposes category 2 and labelled with risk phrase R60: "May impair fertility" and/or R61: "May cause harm to the unborn child", and listed as follows: Toxic for reproductive purposes category 1 See List 5 in the Appendix to Council Directive 76/769/EEC	May not be used in substances and preparations placed on the market for sale to the general public in individual concentration equal to or greater than: - either the concentration specified in Annex 1 to Directive 67/548/EEC, or - the concentration specified in point 6, Table VI, of Annex I to Directive 88/379/EEC where no concentration limit appears in Annex 1 to Directive 67/548/EEC.

[10] OJ No 22, 9.2.1965, p.369/65.
[11] OJ No L 96, 3.4.1985, p.25
[12] OJ No L 187, 16.7.1988, p.14.

	Designation of the substance, of the groups of substances or of the preparation	Conditions of restriction
	Toxic for reproductive purposes category 2 See List 6 in the Appendix to Council Directive 76/769/EEC	Without prejudice to the implementation of other provisions relating to the classification, packaging and labelling of dangerous substances and preparations, the packaging of such substances and preparations must be marked legibly and indelibly as follows: "Restricted to professional users. Attention – Avoid exposure – obtain special instructions before use". This provision shall not apply to: (a) medicinal or veterinary products as defined by Directive 65/65/EEC ([13]); (b) cosmetic products as defined by the Cosmetic Products Order 2000 (L.N. 204 of 2000); (c) motor fuels which are covered by Directive 85/210/EEC ([14]); (d) mineral oil products intended for use as fuel in mobile or fixed combustion plants; (e) fuels sold in closed systems (e.g. liquid gas bottles); (f) other substances and preparations listed in this Schedule, under points other than 30 and 31; (g) artists' paints covered by Directive 88/379/EEC ([15]).
32.	Substances and preparations containing one or more of the following substances: (a) Creosote, Einecs No 232-287-5, CAS No 8001-58-9 (b) Creosote oil, Einecs No 263-047-8, CAS No 61789-28-4 (c) Distillates (coal tar), naphthalene oils, Einecs No 283-484-8, CAS No 84650-04-4 (d) Creosote oil, acenaphthalene fraction, Einecs No 292-605-3, CAS No 90640-84-9	32.1 May not be used for wood treatment if they contain: (a) benzo-a-pyrene at a concentration of greater than 0.005 % by mass; or (b) water extractable phenols at a concentration of greater than 3 % by mass or both (a) and (b). Furthermore, wood so treated may not be placed on the market. However by way of derogation:

[13] OJ No 22, 9.2.1965, p.369/65.
[14] OJ No L 96, 3.4.1985, p.25
[15] OJ No L 187, 16.7.1988, p.14.

	Designation of the substance, of the groups of substances or of the preparation	Conditions of restriction
	(e) Distillates (coal tar), upper, Einecs No. 266-026-1, CAS No 65996-91-0 (f) Anthracene oil, Einecs No. 292-602-7, CAS No 90640-80-5 (g) Tar Acids, Coal, Crude, Einecs No 266-019-3, CAS No 65996-85-2 (h) Creosote, wood, Einecs No 232-419-1, CAS No 8021-39-4 (i) Low temperature tar oil, alkaline, Einecs No 310-191-5,CAS No 122384-78-5 32.	(i) relating to the substances and preparations: these may be used for wood treatment in industrial installations if they contain: (a) benzo-a-pyrene at a concentration of less than 0.05 % by mass; and (b) water extractable phenols at a concentration of less than 3 % by mass. Such substances and preparations: - may not be placed on the market only in packaging of a capacity equal to or greater than 200 litres. - may not be sold to the general public. Without prejudice to the implementation of other provisions relating to the classification, packaging and labelling of dangerous substances and preparations, the packaging of such substances and preparations must be marked legibly and indelibly as follows: "For use in industrial installations only". (ii) Relating to wood treated according to (i) which is placed on the market for the first time: this is permitted for professional and industrial use only, e.g. on railways, in electric power transmission and telecommunications, for fencing and in harbours and waterways. However, such wood may not be used: - inside buildings whether for decorative purposes or not, whatever their purpose (residence, employment, leisure) - for the manufacture of containers intended for growing purposes and any

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		re-treatment and the manufacture of packaging which may come into contact with or other materials which may contaminate raw, intermediate and/or finished products intended for human and/or animal consumption and any re-treatment; - in playgrounds and in other outdoor places of public pleasure or in other situations where there is a risk that it may come into contact with skin. (iii) Relating to old treated wood, the prohibition shall not apply where this is placed on the second-hand market. However, such wood may not be used: - inside buildings whether for decorative purposes or not, whatever their purpose (residence, employment, leisure) - for the manufacture of containers intended for growing purposes and any re-treatment and the manufacture of packaging which may come into contact with or other materials which may contaminate raw, intermediate and/or finished products intended for human and/or animal consumption and any re-treatment; - in playgrounds and in other outdoor places of public leisure.
33. 34. 35. 36. 37. 38.	Chloroform CAS No 67-66-3 Carbon tetrachloride CAS No 56-23-5 1,1,2-Trichloroethane CAS No 79-00-5 1,1,2,2-Tetrachloroethane CAS No 79-34-5 1,1,1,2-Tetrachloroethane CAS No 630-20-6 Pentachloroethane CAS No 76-01-7	May not be used in concentrations equal to or greater than 0.1 % by weight in substances and preparations placed on the market for sale to the general public. Without prejudice to the implementation of other provisions relating to the classification, packaging and labelling of dangerous substances and preparations, the packaging of such substances and preparations

	Designation of the substance, of the groups of substances or of the preparation	Conditions of restriction
39. 40.	1,1-Dichloroethylene CAS No 75-35-4 1,1,1-Trichloroethane CAS No 71-55-6	containing them in concentrations equal to or greater than 0.1 % shall be marked legibly and indelibly as follows: "Restricted to professional users". This provision shall not apply to: (a) medicinal or veterinary products as defined by Directive 65/65/EEC ([16]); (b) cosmetic products as defined by the Cosmetic Products Order 2000 (L.N. 204 of 2000)
41.	Substances either - appearing in Annex I to Directive 67/548/EEC which are classified as flammable or extremely flammable and labelled as such, or - not yet appearing in Annex I to Directive 67/548/EEC but conforming to the criteria of flammability of Annex VI to Directive 67/548/EEC and being provisionally classified and labelled as flammable, highly flammable or extremely flammable according to Article 5(2) of Directive 67/548/EEC.	1. May not be used as such or in the form of preparations in aerosol generators marketed and intended for sale to the general public for entertainment and decorative purposes such as the following: - metallic glitter intended mainly for decorations, - artificial snow and frost, - 'whoopee' cushions, - silly string aerosols, - imitation excrement, - horn for parties, - decorative flakes and foams, - artificial cobwebs, - stink bombs, - etc. 2. Without prejudice to the implementation of other provisions relating to the classification, packaging and labelling of dangerous substances, the following words must appear legibly and indelibly on the packaging of aerosol generators referred to above: "For professional users only". 3. Paragraphs 1 and 2 shall not apply to the aerosol generators referred to in Article 9a of Directive 75/324/EEC.

[16] OJ No 22, 9.2.1965, p.369/65.

	Designation of the substance, of the groups of substances or of the preparation	Conditions of restriction
		4. The products referred to above may not be placed on the market unless they conform to the requirements indicated.
42.	xx Hexachloroethane CAS No 67-72-1 EINECS No 2006664	1. May not be used in the manufacturing or processing of non-ferrous metals.