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► **B****COUNCIL DIRECTIVE**

of 27 July 1976

on the approximation of the laws, regulations and administrative provisions of the Member States relating to restrictions on the marketing and use of certain dangerous substances and preparations

(76/769/EEC)

(OJ L 262, 27.9.1976, p. 201)

Amended by:

	Official Journal		
	No	page	date
► <u>M1</u> Council Directive of 24 July 1979 (79/663/EEC)	L 197	37	3.8.1979
► <u>M2</u> Council Directive of 22 November 1982 (82/806/EEC)	L 339	55	1.12.1982
► <u>M3</u> Council Directive of 3 December 1982 (82/828/EEC)	L 350	34	10.12.1982
► <u>M4</u> Council Directive of 16 May 1983 (83/264/EEC)	L 147	9	6.6.1983
► <u>M5</u> Council Directive of 19 September 1983 (83/478/EEC)	L 263	33	24.9.1983
► <u>M6</u> Council Directive of 1 October 1985 (85/647/EEC)	L 269	56	11.10.1985
► <u>M7</u> Council Directive of 20 December 1985 (85/610/EEC)	L 375	1	31.12.1985
► <u>M8</u> Council Directive of 21 December 1989 (89/677/EEC)	L 398	19	30.12.1989
► <u>M9</u> Council Directive of 21 December 1989 (89/678/EEC)	L 398	24	30.12.1989
► <u>M10</u> Council Directive of 18 March 1991 (91/157/EEC)	L 78	38	26.3.1991
► <u>M11</u> Council Directive of 21 March 1991 (91/173/EEC)	L 85	34	5.4.1991
► <u>M12</u> Council Directive of 18 June 1991 (91/338/EEC)	L 186	59	12.7.1991
► <u>M13</u> Council Directive of 18 June 1991 (91/339/EEC)	L 186	64	12.7.1991
► <u>M14</u> Commission Directive of 3 December 1991 (91/659/EEC)	L 363	36	31.12.1991
► <u>M15</u> European Parliament and Council Directive 94/27/EC of 30 June 1994	L 188	1	22.7.1994
► <u>M16</u> European Parliament and Council Directive 94/48/EC of 7 December 1994	L 331	7	21.12.1994
► <u>M17</u> European Parliament and Council Directive 94/60/EC of 20 December 1994	L 365	1	31.12.1994
► <u>M18</u> Commission Directive 96/55/EC of 4 September 1996	L 231	20	12.9.1996
► <u>M19</u> Commission Directive 97/10/EC of 26 February 1997	L 68	24	8.3.1997
► <u>M20</u> Directive 97/16/EC of the European Parliament and of the Council of 10 April 1997	L 116	31	6.5.1997

Corrected by:

- **C1** Corrigendum, OJ L 250, 23.9.1999, p. 14 (89/677/EEC)
- **C2** Corrigendum, OJ L 216, 14.8.1999, p. 25 (97/10/EG)
- **C3** Corrigendum, OJ L 268, 1.10.1997, p. 38 (97/16/EC)

▼B**COUNCIL DIRECTIVE****of 27 July 1976****on the approximation of the laws, regulations and administrative provisions of the Member States relating to restrictions on the marketing and use of certain dangerous substances and preparations**

(76/769/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 100 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament ⁽¹⁾,Having regard to the opinion of the Economic and Social Committee ⁽²⁾,

Whereas any rules concerning the placing on the market of dangerous substances and preparations must aim at protecting the public, and particular persons using such substances and preparations;

Whereas they should contribute to the protection of the environment from all substances and preparations which have characteristics of ecotoxicity or which could pollute the environment;

Whereas they should also aim to restore, preserve and improve the quality of human life;

Whereas dangerous substances and preparations are governed by rules in the Member States; whereas these rules differ as to the conditions of their marketing and use; whereas these differences constitute an obstacle to trade and directly affect the establishment and functioning of the common market;

Whereas this obstacle should therefore be removed; whereas this entails approximating the laws governing the matter in the Member States;

Whereas provisions relating to certain dangerous substances and preparations have already been laid down in Community Directives; whereas it is still necessary to establish rules for other products, in particular for those in respect of which international organizations have decided on restrictions such as polychlorinated biphenyls (PCB), a decision restricting the production and use of which was adopted by the Council of the OECD on 13 February 1973; whereas such a measure is necessary to prevent the absorption of PCB by the human body and the resultant danger to human health;

Whereas detailed examinations have shown that polychlorinated terphenyls (PCT) entail risks similar to those presented by PCBs; whereas the marketing and use of such substances should also be restricted;

Whereas it will be necessary, moreover, periodically to review the whole problem with a view to moving gradually towards a complete ban on PCBs and PCTs;

Whereas the use of chloro-1-ethylene (monomer vinyl chloride) as an aerosol propellant involves dangers to human health and the use thereof should be prohibited,

⁽¹⁾ OJ No C 60, 13. 3. 1975, p. 49.⁽²⁾ OJ No C 16, 23. 1. 1975, p. 25.

▼B

HAS ADOPTED THIS DIRECTIVE:

Article 1

1. Without prejudice to the application of other relevant Community provisions, this Directive is concerned with restricting the marketing and use in the Member States of the Community, of the dangerous substances and preparations listed in the Annex.
2. This Directive 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 exported to non-member countries;
 - (c) substances and preparations in transit and subject to customs inspection, provided that they undergo no processing.
3. For the purposes of this Directive:
 - (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.

Article 2

Member States shall take all necessary (SIC! necessary) measures to ensure that the dangerous substances and preparations listed in the Annex may only be placed on the market or used subject to the conditions specified therein. Such restrictions shall not apply to marketing or use for Research and Development or analysis purposes.

▼M9*Article 2a*

Amendments required to adapt the Annexes to technical progress, with regard to the substances and preparations already covered by the Directive, shall be adopted in accordance with the procedure laid down in Article 21 of Directive 67/548/EEC ⁽¹⁾, as last amended by Decision 88/490/EEC ⁽²⁾.

▼B*Article 3*

1. Member States shall bring into force the provisions necessary to comply with this Directive within 18 months of its notification and shall forthwith inform the Commission thereof.
2. Member States shall communicate to the Commission the text of the provisions of national law which they adopt in the field covered by this Directive.

Article 4

This Directive is addressed to the Member States.

⁽¹⁾ OJ No 196, 16. 8. 1967, p. 1.

⁽²⁾ OJ No L 259, 19. 9. 1988, p. 1.

▼ **B**► **M5** ANNEX I ◀**Designation of the substance, of the groups of substances or of the preparation****Conditions of restriction**▼ **M6**

1. — Polychlorinated biphenyls (PCB) except mono- and dichlorinated biphenyls
- Polychlorinated terphenyls (PCTs)
- Preparations, including waste oils, with a PCB or PCT content higher than ► **M8** 0,005 % ◀ by weight.

May not be used. However, the following categories may be used under the following conditions:

1. until 30 June 1986 at the latest: closed-system electrical equipment transformers, resistors and inductors;
2. until 30 June 1986 at the latest: large condensers (\geq 1 kg total weight);
3. until 30 June 1986 at the latest: small condensers (provided that the PCB has a maximum chlorine content of 43 % and does not contain more than 3,5 % of penta- and higher chlorinated biphenyls);
4. until 30 June 1986 at the latest: heat-transmitting fluids in closed-circuit heat-transfer installations:
5. until 30 June 1986 at the latest: hydraulic fluids for underground mining equipment;
 - The use of equipment, plant and fluids referred to in points 1 to 5 above which are in service on 30 June 1986 shall continue to be authorized until they are disposed of or reach the end of their service life.
 - Member States may, for reasons of protection of health and the environment, prohibit within their territory the use of such equipment, plant and fluids before they are disposed of or reach the end of their service life.
 - The placing on the second-hand market of such equipment, plant and fluids which are not intended for disposal shall be prohibited from 30 June 1986 onwards.
 - Where the Member States consider that it is not possible for technical reasons to use substitute products, they may continue to authorize the use of PCBs, PCTs and preparations thereof where the latter are solely intended, in the normal conditions of maintenance of equipment, to supplement the level of liquids containing PCBs in properly functioning existing plant purchased before the entry into force of this Directive.
6. until 30 June 1986 at the latest: primary and intermediate products for further processing into other products not prohibited by Directive 76/769/EEC and the Directives amending it; after 30 June 1986 Member States may, provided prior notification stating the reasons is sent to the Commission, grant derogations from the ban on the marketing and use of such primary and intermediate products, in so far as they consider that these derogations have no deleterious effects on health and the environment.

▼ **B**

2. Chloro-1-ethylene (monomer vinyl chloride)

May not be used as aerosol propellant for any use whatsoever.

▼ **M8**

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 last amended by Directive 86/431/EEC ⁽²⁾.

May not be used in:

- 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.

▼ **M1**

4. Tris (2,3 dibromopropyl) phosphate CAS No (Chemical

May not be used in textile articles, such as garments, undergarments and linen, intended to come into contact with

▼ M1

Designation of the substance, of the groups of substances or of the preparation	Conditions of restriction
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Abstract Service Number) 126-72-7	the skin.
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▼ M2

5. Benzene CAS N° (Chemical Abstract Service Number) 71-43-2	Not permitted in toys or parts of toys as placed on 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.
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▼ M8

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 ⁽³⁾ and 78/319/EEC ⁽⁴⁾.

▼ M14

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: <ul style="list-style-type: none"> (a) toys; (b) materials or preparations intended to be applied by spraying; (c) finished products which are retailed to the public in powder form; (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. <p style="margin-left: 20px;">By way of derogation, this prohibition will not apply to filters for medicinal use until after 31 December 1994;</p> (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. <p style="margin-left: 20px;">By way of derogation, this prohibition will not apply to diaphragms for electrolysis processes until after 31 December 1998;</p>

▼ M14

Designation of the substance, of the groups of substances or of the preparation

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(n) roofing felt.

Without prejudice to the application of other Community provisions on the classification, packaging and labelling of dangerous substances and preparations, the placing on the market and use of products containing this fibre may be permitted only if the products bear a label in accordance with the provisions of Annex II to Directive 76/769/EEC.

▼ M4

8. Tris-aziridinyl)-phosphin oxide
CAS N° 5455-55-1
9. Polybromobiphenyls (PBB)
CAS N° 59536-65-1
10. Soap bark powder (*Quillaja saponaria*) and its derivatives containing saponines
Powder of the roots of *Helleborus viridis* and *Helleborus niger*
Powder of the roots of *Veratrum album* and *Veratrum nigrum*
Benzidine and/or its derivatives
o-nitrobenzaldehyde CAS N° 552-89-6
Wood powder
11. Ammonium sulphide and ammonium hydrogen sulphide
CAS N° 12135-76-1
CAS N° 12124-99-1
Ammonium polysulphide
CAS N° 12259-92-6
12. Volatile esters of bromoacetic acids:
Methyl bromoacetate
CAS N° 96-32-2
Ethyl bromoacetate
CAS N° 105-36-2
Propyl bromoacetate
Butyl bromoacetate

May not be used in textile articles, such as garments, undergarments and linen, intended to come into contact with the skin

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

However, Member States may tolerate on their territory stink bombs containing not more than 1,5 ml

▼ M8

13. 2-naphthylamine
CAS No 91-59-8 and its salts
14. Benzidine
CAS No 92-87-5 and its salts
15. 4-nitrobiphenyl
CAS No 92-93-3
16. 4-aminobiphenyl
CAS No 92-67-1 and its salts
17. Lead carbons:
 - neutral anhydrous carbonate
Pb CO₃
CAS No 598-63-0
 - ► **C1** trilead-bis(carbonate)-dihydroxide ◀ 2 Pb CO₃-Pb(OH)₂
CAS No 1319-46-6

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 Community provisions on the classification, packaging and labelling of dangerous substances and preparations, the packaging of such preparations shall be legible and indelibly marked as follows:

Restricted to professional users.

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, where Member States wish to authorize this on their territory, in accordance with the provisions of ILO Convention 13 on the use of white lead in paint.

▼ M8**Designation of the substance, of the groups of substances or of the preparation****Conditions of restriction**

18. Lead sulphates
 PbSO_4 (1:1)
 CAS No 7446-14-2
 $\text{Pb}_x \text{SO}_4$
 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, where Member States wish to authorize this on their territory, in accordance with the provisions of ILO Convention 13 on the use of sulphates of lead in paint.

▼ M10

Member States shall prohibit, as from 1 January 1993, the marketing of:

- alkaline manganese batteries for prolonged use in extreme conditions (e.g. temperatures below 0° C or above 50° C, exposed to shocks) containing more than 0,05 % of mercury by weight,
- all other alkaline manganese batteries containing more than 0,025 % of mercury by weight.

Alkaline manganese button cells and batteries composed of button cells shall be exempted from this prohibition.

▼ M8

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,
 - 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.

In addition, Member States may authorize on their territory the use of preparations of the DFA (dinitrophenol — fluoride — arsenic) type for the retreatment in situ of wooden poles already in place and supporting overhead cables. Such preparations must be employed by professionals using vacuum or pressure.

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;

▼ **M8**

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- (c) any totally or partly submerged appliances or equipment.
- Such substances and preparations
- may be placed on the market only in packagings of a capacity 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 Community provisions on the classification, packaging and labelling of dangerous substances and preparations, the packaging of such preparations shall be legible 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
($C_8H_{19}BO_3S_n$, CAS No 75113-37-0)
(DBB)
- 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%.

▼ **M11**

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 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;
- (d) by way of special exception, Member States may on a case-by-case basis, authorize on their territory specialized professionals to carry out in situ and for buildings of cultural, artistic and historical interest, or in emergencies, a remedial treatment of timber and masonry infected by dry rot fungus (*Serpula lacrymans*) and cubic rot fungi.

These exceptions shall be re-examined in the light of developments in knowledge and techniques not more than three years after the implementation of the Directive.

In any case:

- (a) Pentachlorophenol used alone or as a component of preparations employed within the framework of the

▼ **M11**

Designation of the substance, of the groups of substances or of the preparation

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above exceptions must have a total hexachlorodibenzo-paradoxin (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 implementation of other Community provisions concerning the classification, packaging and labelling of dangerous substances and preparations, the packaging of such preparations should be marked clearly and indelibly: '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.

▼ **M12**

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) [390410] [390421] [390422] ⁽⁵⁾
- polyurethane (PUR) [390950] ⁽⁵⁾
- low-density polyethylene (ld PE), with the exception of low-density polyethylene used for the production of coloured masterbatch [390110] ⁽⁵⁾
- cellulose acetate (CA) [391211] [391212] ⁽⁵⁾
- cellulose acetate butyrate (CAB) [391211] [391212] ⁽⁵⁾
- epoxy resins [390730] ⁽⁵⁾

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 from 31 December 1995 for:

- (a) finished products manufactured from the following substances and preparations:
- melamine — formaldehyde (MF) [390920] ⁽⁵⁾
 - urea — formaldehyde (UF) [390910] ⁽⁵⁾
 - unsaturated polyesters (UP) [390791] ⁽⁵⁾
 - polyethylene terephthalate (PET) [390760] ⁽⁵⁾
 - polybutylene terephthalate (PBT)
 - transparent/general-purpose polystyrene [390311] [390319] ⁽⁵⁾
 - acrylonitrile methacrylate (AMMA)
 - cross-linked polyethylene (VPE) ⁽⁵⁾
 - high-impact polystyrene
 - polypropylene (PP) [390210] ⁽⁵⁾

(b) paints [3208] [3209] ⁽⁵⁾

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) [39232910] [392041] [392042] ⁽⁵⁾
- office or school supplies [392610] ⁽⁵⁾
- fittings for furniture, coachwork or the like

▼ **M12**

Designation of the substance, of the groups of substances or of the preparation	Conditions of restriction
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[392630] ⁽⁵⁾

- articles of apparel and clothing accessories (including gloves) [392620] ⁽⁵⁾
- floor and wall coverings [391810] ⁽⁵⁾
- impregnated, coated, covered or laminated textile fabrics [590310] ⁽⁵⁾
- imitation leather [4202] ⁽⁵⁾
- gramophone records [852410] ⁽⁵⁾
- tubes and pipes and their fittings [391723] ⁽⁵⁾
- swing doors ⁽⁵⁾
- vehicles for road transport (interior, exterior, underbody) ⁽⁵⁾
- coating of steel sheet used in construction or in industry ⁽⁵⁾
- insulation for electrical wiring ⁽⁵⁾

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, stabilized by substances containing cadmium is prohibited, if their cadmium content (expressed as Cd metal) exceeds 0,01 % by mass of the polymer.

These provisions enter into force on 30 June 1994.

2.2. However, Section 2.1 does not apply to finished products using cadmium-based stabilizers for safety reasons.

3. Within the meaning of this Directive, '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] [841720] [841981] [842111] [842122] [8422] [8435] [8437] [8438] [847611] ⁽⁵⁾
- agriculture [841931] [842481] [8432] [8433] [8434] [8436] ⁽⁵⁾
- cooling and freezing [8418] ⁽⁵⁾
- printing and book-binding [8440] [8442] [8443] ⁽⁵⁾

(b) equipment and machinery for the production of:

- household goods [7321] [842112] [8450] [8509] [8516] ⁽⁵⁾
- furniture [8465] [8466] [9401] [9402] [9403] [9404] ⁽⁵⁾
- sanitary ware [7324] ⁽⁵⁾
- central heating and air conditioning plant [7322] [8403] [8404] [8415] ⁽⁵⁾

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 from 30 June 1995 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 [841932] [8439] [8441] ⁽⁵⁾

▼ **M12**

Designation of the substance, of the groups of substances or of the preparation

Conditions of restriction

— textiles and clothing [8444] (1) [8445] [8447] [8448] [8449] [8451] [8452] (5)

(b) equipment and machinery for the production of:

— industrial handling equipment and machinery [8425] [8426] [8427] [8428] [8429] [8430] [8431] (5)

— road and agricultural vehicles [chapter 87] (5)

— rolling stock [chapter 86] (5)

— vessels [chapter 89] (5)

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.

▼ **M13**

25. Monomethyl — tetrachlorodiphenyl methane
Trade name: Ugilec 141
CAS No 76253-60-6

As from 18 June 1994 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.

However, as from 18 June 1994 Member States may, on grounds of health protection and environmental protection, prohibit within their territory the use of such plant or machinery before it is disposed of;

2) in the case of the maintenance of plant and machinery already in service on 18 June 1994.

As from 18 June 1994 the placing on the secondhand market of this substance, preparations containing this substance and plant/machinery containing this substance, shall be prohibited.

26. Monomethyl-dichloro-diphenyl methane
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-diphenyl methane
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.

▼ **M15**

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 pierced parts of the human body during epithelization of the wound caused by piercing, whether subsequently removed or not, unless such post assemblies are homogeneous 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;

▼ **M15**

Designation of the substance, of the groups of substances or of the preparation

Conditions of restriction

- 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 ug/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

▼ **M19**

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 R 45: '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.

Carcinogen category 2: See List 2 in the Appendix.

Without prejudice to the other points of Annex I to 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 I to Council Directive 67/548/EEC ⁽⁶⁾, or
- the concentration specified in point 6, Table VI, of Annex I to Council Directive 88/379/EEC ⁽⁷⁾, where no concentration limit appears in Annex I to Directive 67/548/EEC.

Without prejudice to the implementation of other Community 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'.

By way of derogation, this provision shall not apply to:

- (a) medicinal or veterinary products as defined by Council Directive 65/65/EEC ⁽⁸⁾;
- (b) cosmetic products as defined by Council Directive 76/768/EEC ⁽⁹⁾;
- (c) ► **C2** — motor fuels which are covered by Council Directive 85/210/EEC ⁽¹⁰⁾,
 - mineral oil products intended for use as fuel in mobile or fixed combustion plants,
 - fuels sold in closed systems (e.g. liquid gas bottles); ◀
- (d) artists' paints covered by Council Directive 88/379/EEC ⁽¹¹⁾.

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.

Mutagen category: See List 4 in the Appendix.

Without prejudice to the other points of Annex I to 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 I 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 I to Directive 67/548/EEC.

Without prejudice to the implementation of other Community 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'.

By way of derogation, this provision shall not apply to:

- (a) medicinal or veterinary products as defined by Directive 65/65/EEC;
- (b) cosmetic products as defined by Directive 76/768/EEC;
- (c) ► **C2** — motor fuels which are covered by Council

▼ **M19****Designation of the substance, of the groups of substances or of the preparation****Conditions of restriction**

31. Substances which appear in Annex I to Directive 67/548/EEC classified as toxic to reproduction category 1 or toxic to reproduction 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 to reproduction category 1: See List 5 in the Appendix.

Toxic to reproduction category 2: See List 6 in the Appendix.

Directive 85/210/EEC ⁽¹⁰⁾,

- mineral oil products intended for use as fuel in mobile or fixed combustion plants,
- fuels sold in closed systems (e.g. liquid gas bottles); ◀

- (d) artists' paints covered by Directive 88/379/EEC.

Without prejudice to the other points of Annex I to 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 I 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 I to Directive 67/548/EEC.

Without prejudice to the implementation of other Community 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'.

By way of derogation, this provision shall not apply to:

- (a) medicinal or veterinary products as defined by Directive 65/65/EEC;
- (b) cosmetic products as defined by Directive 76/768/EEC;
- (c) ► **C2** — motor fuels which are covered by Council Directive 85/210/EEC ⁽¹⁰⁾,
 - mineral oil products intended for use as fuel in mobile or fixed combustion plants,
 - fuels sold in closed systems (e.g. liquid gas bottles); ◀

- (d) artists' paints covered by Directive 88/379/EEC.

▼ **M17**

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, acenaphthene fraction Einecs No 292-605-3 CAS No 90640-84-9
- (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
- (j) Low temperature tar oil, alkaline Einecs No 310-191-5 CAS No 122384-78-5

- 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:

- (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 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 application of other Community provisions on the classification, packaging and labelling of dangerous substances and preparations, the packaging of such substances and preparations shall be legible and indelibly marked as follows: 'For use in industrial installations only'.

▼ **M17**

Designation of the substance, of the groups of substances or of the preparation

Conditions of restriction

- (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 re-treatment and the manufacture of packaging which may come into contact with, or of 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 of 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.

▼ **M18**

33. Chloroform No CAS No 67-66-3
34. Carbon tetrachloride CAS No 56-23-5
35. 1,1,2 Trichloroethane CAS No 79-00-5
36. 1,1,2,2 Tetrachloroethane CAS No 79-34-5
37. 1,1,1,2 Tetrachloroethane CAS No 630-20-6
38. Pentachloroethane CAS No 76-01-7
39. 1,1 Dichloroethylene CAS No 75-35-4
40. 1,1,1 Trichloroethane CAS No 71-55-6

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 and/or in diffusive applications such as in surface cleaning and cleaning of fabrics.

Without prejudice to the application of other Community provisions on the classification, packaging and labelling of dangerous substances and preparations, the packaging of such substances and preparations containing them in concentrations equal to or greater than 0,1 % shall be legible and indelibly marked as follows: 'For use in industrial installations only'.

By way of derogation this provision shall not apply to:

- (a) medicinal or veterinary products as defined by Directive 65/65/EEC ⁽¹²⁾, as last amended by Directive 93/39/EEC ⁽¹³⁾;
- (b) cosmetic products as defined by Directive 76/768/EEC ⁽¹⁴⁾, as last amended by Directive 93/35/EEC ⁽¹⁵⁾.

▼ **M16****Designation of the substance, of the groups of substances or of the preparation**

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 67/458/EEC but conforming to the criteria of flammability of Annex VI to Directive 67/458/EEC and being provisionally classified and labelled as flammable, highly flammable or extremely flammable according to Article 5 (2) of Directive 67/458/EEC.

Conditions of restriction

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 application of other Community provisions on 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. By way of derogation, paragraphs 1 and 2 shall not apply to the aerosol generators referred to in Article 9a of Directive 75/324/EEC.
4. The products referred to above may not be placed on the market unless they conform to the requirements indicated.

▼ **M20**

► **C3** 41. Hexachloroethane ◀
CAS No 67-72-1
EINECS No 2006664

May not be used in the manufacturing or processing of non-ferrous metals

By way of derogation, Member States may allow on their territories the use of hexachloroethane (HCE):

- in non-integrated aluminium foundries producing specialized castings for applications requiring high quality and high safety standards and where consumption is less than 1,5 kg of HCE per day on average. In view of the development in knowledge and techniques in the field of substitute products, the Commission will carry out, in agreement with the Member States and within the Parcom framework, a review of this derogation before 31 December 1998,
- for grain refining in the production of the magnesium alloys AZ81, AZ91 and AZ92. In view of the development in knowledge and techniques in the field of substitute products, the Commission will carry out, in agreement with the Member States and within the Parcom framework, a review of this derogation before 31 December 1998.

▼ **B**

⁽¹⁾ OJ No 196, 16. 8. 1967, p. 1.

⁽²⁾ OJ No L 247, 1. 9. 1986, p. 1.

⁽³⁾ OJ No L 194, 25. 7. 1975, p. 39.

⁽⁴⁾ OJ No L 84, 31. 3. 1978, p. 43.

⁽⁵⁾ 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).

► **M19** ⁽⁶⁾ OJ No 196, 16. 8. 1967, p. 1/67.

⁽⁷⁾ OJ No L 187, 16. 7. 1988, p. 14.

⁽⁸⁾ OJ No L 22, 9. 2. 1965, p. 369/65.

⁽⁹⁾ OJ No L 262, 27. 9. 1976, p. 169.

⁽¹⁰⁾ OJ No L 96, 3. 4. 1985, p. 25.

⁽¹¹⁾ OJ No 187, 16. 7. 1988, p. 14. ◀

► **M18** ⁽¹²⁾ OJ No 22, 9. 2. 1965, p. 369/65.

⁽¹³⁾ OJ No L 214, 24. 8. 1993, p. 22.

⁽¹⁴⁾ OJ No L 262, 27. 9. 1976, p. 169.

⁽¹⁵⁾ OJ No L 151, 23. 6. 1993, p. 32. ◀

▼M17

APPENDIX

Point 29 — Carcinogens

List 1, category 1

2-naphthylamine; β-naphthylamine	CAS No 91-5999-8
biphenyl-4-ylamine; xenylamine; 4-aminobiphenyl	CAS No 92-67-1
benzidine; 4,4'-diaminobiphenyl; biphenyl-4,4'-ylenediamine	CAS No 92-87-5
chromium trioxide	CAS No 1333-82-0
arsenic acid and its salts	CAS No —
arsenic pentoxide; arsenic oxide	CAS No 1303-28-2
diarsenic trioxide; arsenic trioxide	CAS No 1327-53-3
asbestos	CAS No 132207-33-1 132207-32-0 12172-73-5 77536-66-4 77536-68-6 77536-67-5
benzene	CAS No 71-43-2
bis (chloromethyl) ether	CAS No 542-88-1
chloromethyl methyl ether, chlorodimethyl ether	CAS No 107-30-2
dinickel trioxide	CAS No 1314-06-3
erionite	CAS No 12510-42-8
nickel dioxide	CAS No 12035-36-8
nickel monoxide	CAS No 1313-99-1
nickel subsulphide	CAS No 12035-72-2
nickel sulphide	CAS No 16812-54-7
salts of 2-naphthylamine	CAS No —
salts of biphenyl-4-ylamine; salts of xenylamine; salts of 4-aminobiphenyl	CAS No —
salts of benzidine	CAS No —
vinyl chloride; chloroethylene	CAS No 75-01-4
zinc chromates including zinc potassium chromate	CAS No —

List 2, category 2

1-methyl-3-nitro-1-nitrosoguanidine	CAS No 70-25-7
1,2-dibromo-3-chloropropane	CAS No 96-12-8
1,2-dimethylhydrazine	CAS No 540-73-8
1,3-butadiene, buta-1,3-diene	CAS No 106-99-0
1,3-dichloro-2-propanol	CAS No 96-23-1
1,3-propanesultone	CAS No 1120-71-4
3-propanolide; 1,3-propiolactone	CAS No 57-57-8
1,4-dichlorobut-2-ene	CAS No 764-41-0
2-nitronaphthalene	CAS No 581-89-5
2-nitropropane	CAS No 79-46-9
2,2'-dichloro-4,4'-methylenedianiline; 4,4'-methylene bis(2-chloroaniline)	CAS No 101-14-4
2,2'-(nitrosoimino)bisethanol	CAS No 1116-54-7
3,3'-dichlorobenzidine; 3,3'-dichlorobiphenyl-4,4'-ylenediamine	CAS No 91-94-1
3,3'-dimethoxybenzidine; o-dianisidine	CAS No 119-90-4
3,3'-dimethylbenzidine; o-tolidine	CAS No 119-93-7
4-aminoazobenzene	CAS No 60-09-3
4-amino-3-fluorophenol	CAS No 399-95-1
4-methyl-m-phenylenediamine	CAS No 95-80-7
4-nitrobiphenyl	CAS No 92-93-3
4,4'-methylenedi-o-toluidine	CAS No 838-88-0
4,4'-diaminodiphenylmethane; 4,4'-methylenedianiline	CAS No 101-77-9
5-nitroacenaphthene	CAS No 602-87-9
4-o-tolylazo-o-toluidine; 4-amino-2',3'-dimethylazobenzene; fast gamet GBC base; AAT; o-aminoazotoluene	CAS No 97-56-3
disodium-5[(4'-((2,6-hydroxy-3-((2-hydroxy-5-sulphophenyl) azo)phenyl)azo)(1,1'-biphenyl)-4-yl)azo]salicylate(4-); cuprate(2-); CI Direct Brown 95	CAS No 16071-86-6
cadmium oxide	CAS No 1306-19-0
Extracts (petroleum), heavy naphthenic distillate solvent	CAS No 64742-11-6
Extracts (petroleum), heavy paraffinic distillate solvent	CAS No 64742-04-7
Extracts (petroleum), light naphthenic distillate solvent	CAS No 64742-03-6
Extracts (petroleum), light paraffinic distillate solvent	CAS No 64742-05-8
Extracts (petroleum), light vacuum gas oil solvent	CAS No 91995-78-7
Hydrocarbons, C26-55-, arom-rich	CAS No 97722-04-8
N,N-dimethylhydrazine	CAS No 57-14-7
acrylamide	CAS No 79-06-1
acrylonitrile	CAS No 107-13-1
α,α,α-trichlorotoluene; benzotrichloride	CAS No 98-07-7

▼ **M17**

benzo[a]anthracene	CAS No 56-55-3
benzo[a]pyrene; benzo[d,e,f]chrysene	CAS No 50-32-8
benzo[b]fluoranthene; benzo[e]acephenanthrylene	CAS No 205-99-2
benzo [j] fluoranthene	CAS No 205-82-3
benzo [k] fluoranthene	CAS No 207-08-9
beryllium	CAS No 7440-41-7
beryllium compounds with the exception of aluminium beryllium silicates	CAS No —
cadmium chloride	CAS No 10108-64-2
cadmium sulphate	CAS No 10124-36-4
cadmium chromate	CAS No 13765-19-0
captafol (ISO); 1,2,3,6-tetrahydro-N-(1,1,2,2-tetrachloroethylthio)phthalimide	CAS No 2425-06-1
carbadox (INN); methyl-3-(quinoxalin-2-ylmethylene)carbazate 1,4-dioxide; 2-(methoxycarbonylhydrazonomethyl)quinoxaline 1,4-dioxide	CAS No 6804-07-5
chromium III chromate; chromic chromate	CAS No 24613-89-6
diazomethane	CAS No 334-88-3
dibenz[a,h]anthracene	CAS No 53-70-3
diethyl sulphate	CAS No 64-67-5
dimethyl sulphate	CAS No 77-78-1
dimethylcarbamoyl chloride	CAS No 79-44-7
N-nitrosodimethylamine; dimethylnitrosamine	CAS No 62-75-9
dimethylsulfamoylchloride	CAS No 13360-57-1
1-chloro-2,3-epoxypropane; epichlorhydrin	CAS No 106-89-8
1,2-dichloroethane; ethylene dichloride	CAS No 107-06-2
ethylene oxide; oxirane	CAS No 75-21-8
ethyleneimine; aziridine	CAS No 151-56-4
hexachlorobenzene	CAS No 118-74-1
hexamethylphosphoric triamide; hexamethylphosphoramide	CAS No 680-31-9
hydrazine	CAS No 302-01-2
hydrazobenzene; 1,2-diphenylhydrazine	CAS No 122-66-7
methyl acrylamidomethoxyacetate (containing $\geq 0,1$ % acrylamid)	CAS No 77402-03-0
methyl-ONN-azoxymethyl acetate; methyl azoxy methyl acetate	CAS No 592-62-1
nitrofen (ISO); 2,4-dichlorophenyl 4-nitrophenyl ether	CAS No 1836-75-5
nitrosodipropylamine	CAS No 621-64-7
2-methoxyaniline; o-anisidine	CAS No 90-04-0
potassium bromate	CAS No 7758-01-2
propylene oxide; 1,2-epoxypropane; methyloxirane	CAS No 75-56-9
o-toluidine	CAS No 95-53-4
2-methylaziridine; propyleneimine	CAS No 75-55-8
salts of 2,2'-dichloro-4,4'-methylenedianiline; salts of 4,4'-methylenebis(2-chloroaniline)	CAS No —
salts of 3,3'-dichlorobenzidine; salts of 3,3'-dichlorobiphenyl-4,4'-ylenediamine	CAS No —
salts of 3,3'-dimethoxybenzidine; salts of o-dianisidine	CAS No —
salts of 3,3'-dimethylbenzidine; salts of o-tolidine	CAS No —
strontium chromate	CAS No 7789-06-2
styrene oxide; (epoxyethyl)benzene; phenyloxirane	CAS No 96-09-3
sulfallate (ISO); 2-chlorallyl diethyldithiocarbamate	CAS No 95-06-7
thioacetamide	CAS No 62-55-5
urethane (INN); ethyl carbamate	CAS No 51-79-6

Point 30 — Mutagens*List 3, category 1*

No substances classified in this category

List 4, category 2

1,2-dibromo-3-chloropropane	CAS No 96-12-8
acrylamide	CAS No 79-06-1
benzo[a]pyrene; benzo [d,e,f]chrysene	CAS No 50-32-8
diethyl sulphate	CAS No 64-67-5
ethylene oxide; oxirane	CAS No 75-21-8
ethyleneimine, aziridine	CAS No 151-56-4
hexamethylphosphoric triamide; hexamethylphosphoramide	CAS No 680-31-9
methyl acrylamidomethoxyacetate (containing $\geq 0,1$ % acrylamid)	CAS No 77402-03-0

▼ **M17****Point 31 — Toxic for reproduction***List 5, Category 1*

lead hexafluorosilicate	CAS No	25808-74-6
lead acetate	CAS No	1335-32-6
lead alkyls	CAS No	—
lead azide	CAS No	13424-46-9
lead chromate	CAS No	7758-97-6
lead compounds with the exception of those specified elsewhere in this Annex	CAS No	—
lead di(acetate)	CAS No	301-04-2
lead 2,4,6-trinitroresorcinoxide; lead styphnate	CAS No	15245-44-0
lead(II)methanesulphonate	CAS No	17570-76-2
trilead bis(orthophosphate)	CAS No	7446-27-7
warfarin (*); 4-hydroxy-3-(3-oxo-1-phenylbutyl)coumarin	CAS No	81-81-2

List 6, category 2

2-ethoxyethanol; ethylene glycol monoethyl ether	CAS No	110-80-5
2-ethylhexyl 3,5-bis(1,1-dimethylethyl)-4-hydroxyphenyl methyl thio acetate	CAS No	80387-97-9
2-methoxyethanol, ethylene glycol monomethyl ether	CAS No	109-86-4
benzo[a]pyrene; benzo[d,e,f]chrysene	CAS No	50-32-8
binapacryl (ISO); 2-sec-butyl-4,6-dinitrophenyl-3-methylcrotonate	CAS No	485-31-4
N,N-diinethylformamide; dimethyl formamide	CAS No	68-12-2
dinoseb; 6-sec-butyl-2,4-dinitrophenol	CAS No	88-85-7
dinoterb; 2-tert-butyl-4,6-dinitrophenol	CAS No	1420-07-1
ethylene thiourea; imidazolidine-2-thione; 2-imidazoline-2-thiol	CAS No	96-45-7
2-ethoxyethyl acetate; ethylglycol acetate	CAS No	111-15-9
methyl-ONN-azoxymethyl acetate; methyl azoxy methyl acetate	CAS No	592-62-1
2-methoxyethyl acetate; methylglycol acetate	CAS No	110-49-6
nickel tetracarbonyl	CAS No	13463-39-3
nitrofen (ISO); 2,4-dichlorophenyl 4-nitrophenyl ether	CAS No	1836-75-5
salts and esters of dinoseb, with the exception of those specified elsewhere in this Appendix	CAS No	—
salts and esters of dinoterb	CAS No	—

(*) The name 'Warfarin' is not authorized in France.

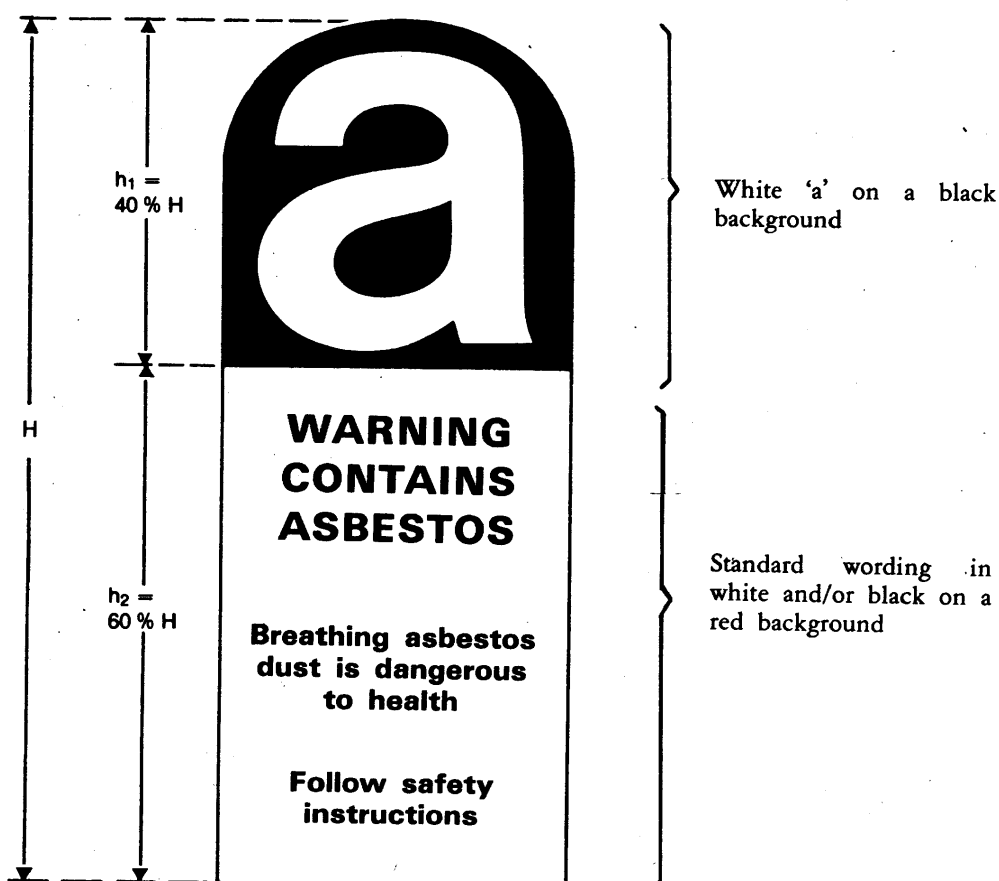
▼M5

ANNEX II

►M6 A. ◀ Special provisions on the labelling of products containing asbestos

1. All products containing asbestos or the packaging thereof shall bear the label defined as follows
 - (a) the label conforming to the specimen below shall be at least 5 cm high (H) and 2,5 cm wide;
 - (b) it shall consist of two parts:
 - the top part ($h_1 = 40\% H$) shall include the letter 'a' in white, on a black background,
 - the bottom part ($h_2 = 60\% H$) shall include the standard wording in white and/or black, on a red background, and shall be clearly legible;
 - (c) if the product contains crocidolite, the words 'contains asbestos' used in the standard wording shall be replaced by 'contains crocidolite/blue asbestos'.

Member States may exclude from the provision of the first subparagraph hereof products intended to be placed on the market in their territory. The labelling of these products must however bear the wording 'contains asbestos';



- (d) if labelling takes the form of direct printing on the products, a single colour contrasting with the background colour is sufficient.
2. The label mentioned in this Annex shall be affixed in accordance with the following rules:
 - (a) on each of the smallest units supplied;
 - (b) if a product has asbestos-based components, it is sufficient for these components only to bear the label. The labelling may be dispensed with if smallness of size or unsuitability of packaging make it impossible for a label to be affixed to the component.

▼ M5**3. *Labelling of packaged products containing asbestos***

3.1. The following particulars shall appear on clearly legible and indelible labelling on the packaging of packaged products containing asbestos:

- (a) the symbol and relevant indications of danger in accordance with this Annex;
- (b) safety instructions which must be selected in accordance with the particulars in this Annex, inasmuch as they are relevant for the particular product.

Where additional safety information is provided on the packaging, this shall not weaken or contradict the particulars given in accordance with (a) and (b).

3.2. Labelling in accordance with 3.1 shall be effected by means of:

- a label firmly affixed to the packaging, or
- a (tie-on) label securely attached to the package, or
- direct printing of the packaging.

3.3. Products containing asbestos and which are packaged only in loose plastic wrapping or the like shall be regarded as packaged products and shall be labelled in accordance with 3.2. If products are separated from such packages and placed on the market unpackaged, each of the smallest units supplied shall be accompanied by labelling particulars in accordance with 3.1.

4. *Labelling of unpackaged products containing asbestos*

For unpackaged products containing asbestos, labelling in accordance with 3.1 shall be effected by means of:

- a label firmly affixed to the product containing asbestos,
- a (tie-on) label securely attached to such product,
- direct printing on the products,

or, if the abovementioned is not reasonably practicable as in the case of, for example, smallness of size of the product, the unsuitable nature of the product's properties or certain technical difficulties by means of a hand-out with labelling in accordance with 3.1.

5. Without prejudice to Community provisions on safety and hygiene at work, the label affixed to the product which may, in the context of its use, be processed or finished, should be accompanied by any safety instructions which may be appropriate for the product concerned, and in particular by the following:

- operate if possible out of doors or in a well-ventilated place,
- preferably use hand tools or low-speed tools equipped, if necessary, with an appropriate dust-extraction facility. If high-speed tools are used, they should always be equipped with such a facility,
- if possible, dampen before cutting or drilling,
- dampen dust and place it in a properly closed receptacle and dispose of it safely.

6. The labelling of any product intended for domestic use which is not covered by 5 and which is likely, during use, to release asbestos fibres should, if necessary, contain the following safety instruction: 'replace when worn'.

7. Member States may make the placing on the market in their territory of products containing asbestos subject to the use of their official language or languages on the labelling.

▼ M6**B. Specific provisions relating to the labelling of products containing PCBs and PCTs**

Without prejudice to the provisions of other Directives relating to the labelling of dangerous substances and preparations, Member States may require equipment and plant containing PCBs or PCTs also to display instructions concerning the disposal of PCBs and PCTs and the maintenance and use of equipment and plant containing them. These instructions must be capable of being read horizontally when the object containing the PCBs or PCTs is installed in the normal way. The inscription must stand out clearly from its background.

Member States may require the inscription to be in a language which is understood in their territory.