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(Acts whose publication is obligatory)

COMMISSION DIRECTIVE 94/69/EC

of 19 December 1994

adapting to technical progress for the twenty-first time Council Directive 67/548/EEC on the approximation of laws, regulations and administrative provisions relating to the classification, packaging and labelling of dangerous substances

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard 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 Commission Directive 93/101/EC (2), and in particular Article 28 thereof,

Whereas Annex I of Directive 67/548/EEC contains a list of dangerous substances, together with particulars of the classification and labelling procedures in respect of each substance;

Whereas present scientific and technical knowledge has shown that the list of dangerous substances in Annex I should be adapted and augmented, particularly to include a number of complex coal- and oil-derived substances, and whereas in consequence it is necessary to amend the Foreword to Annex I to include notas and particulars relating to the identification and labelling of complex coal- and oil-derived substances and corresponding preparations;

Whereas the provisions of this Directive are in accordance with the opinion of the Committee on the Adaptation to Technical Progress of the Directives for the Elimination of Technical Barriers to Trade in Dangerous Substances and Preparations,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Annex I of Directive 67/548/EEC is hereby amended as follows:

1. the foreword in Annex I to this Directive replaces the foreword to Annex I;
2. the entries in Annex I to this Directive replace the corresponding entries in Annex I of Directive 67/548/EEC;
3. the entries in Annex II to this Directive are included for the first time in Annex I of Directive 67/548/EEC.

Article 2

Not later than 1 September 1996, the Member States shall implement the laws, regulations and administrative provisions necessary to comply with this Directive. Member States shall immediately inform the Commission thereof.

When Member States adopt these provisions, these shall contain a reference to this Directive or shall be accompanied by such reference at the time of their official publication. The procedure for such reference shall be adopted by Member States.

Article 3

This Directive shall enter into force on the third day following its publication in the *Official Journal of the European Communities.*

Done at Brussels, 19 December 1994.

For the Commission

Yannis PALEOKRASSAS

Member of the Commission

(1) OJ No 196, 16. 8. 1967, p. 1.
(2) OJ No L 13, 15. 1. 1994, p. 1. See also Directive 93/105/EC (OJ No L 294, 30. 11. 1993, p. 21).

ANNEX I

FOREWORD TO ANNEX I

Introduction

Annex I is an index of dangerous substances for which harmonized classification and labelling have been agreed at Community level in accordance with the procedure laid down in Article 4.3 of this Directive.

Numbering of entries

Entries in Annex I are listed according to the atomic number of the element most characteristic of the substances properties. A list of the chemical elements, arranged according to atomic number, is shown in Table A. Organic substances, because of their variety, have been placed in the usual classes, as shown in Table B.

The Index number for each substance is in the form of a digit sequence of the type ABC-RST-VW-Y, where :

— ABC is either the atomic number of the most characteristic chemical element (preceded by one or two zeros to make up the sequence) or the usual class number for organic substances,

— RST is the consecutive number of the substance in the series ABC,

— VW denotes the form in which the substance is produced or placed on the market, and

— Y is the check-digit calculated in accordance with the ISBN (International Standard Book Number) method.

As an example, the Index number for sodium chlorate is 017-005-00-9.

For dangerous substances in the European Inventory of Existing Commercial Chemical Substances (Einecs, OJ No C 146A, 15. 6. 1990) the Einecs number is included. This number is a seven-digit system of the type XXX-XXX-X which starts at 200-001-8.

For dangerous substances notified under the provisions of this Directive, the number of the substance in the European List of Notified Substances (Elincs) is included. This number is a seven-digit system of the type XXX-XXX-X which starts at 400-010-9.

The Chemical Abstracts Service (CAS) number is also included to assist identification of the entry. It should be noted that the Einecs number includes both anhydrous and hydrated forms of a substance, whilst there are frequently different CAS numbers for anhydrous and hydrated forms. The CAS number included in all cases is for the anhydrous form only, and therefore the CAS number shown does not always describe the entry as accurately as the Einecs number.

Einecs, Elincs or CAS numbers are not usually included for entries which comprise more than three individual substances.

The structure of well defined substances is also shown to assist in the identification of the substance.

Nomenclature

Wherever possible dangerous substances are designated by their Einecs or Elincs names. Other entries not listed in Einecs or Elincs are designated using an internationally recognized chemical name (e.g. ISO, IUPAC). An additional common name is included in some cases.

Impurities, additives and minor components are normally not mentioned unless they contribute significantly to the classification of the substance.

Some substances are described as a mixture of A and B. These entries refer to one specific mixture. In some cases where it is necessary to characterize the substance put on the market, the proportions of the main substances in the mixture are specified.

Some substances are described with a specific percentage purity. Substances containing a higher content of active material (e.g. an organic peroxide) are not included in the Annex I entry and may have other hazardous properties (e.g. explosive). Where specific concentration limits are shown, these apply to the substance or substances shown in the entry. In particular, in the case of entries which are mixtures of substances or substances described with a specific percentage purity, the limits apply to the substance as described in Annex I and not the pure substance.