Chemical Products

1. Advice on the CLP Regulation

The latest Chemical regulations on classification, labelling and packaging of substances and mixtures is known by its abbreviated form, ‘the CLP Regulation’.

CLP is a Globally Harmonised System across all European Union countries, including the UK. Chemical Manufacturers and suppliers have to follow strict procedures when they are classifying products before bringing goods to the marketplace. In the UK the CLP Regulation is enforced by the HSE and local authorities (i.e. trading standards officers).

Chemical Manufacturer Safety Data Sheets (MSDS) must declare a full list of ingredients notifiable under the new regulations. It is no longer acceptable to hide information on product ingredients by use of terms such as “trade secret”. All ingredients notifiable under the regulations must now be declared.

By law all chemical suppliers must supply end users with up to date safety data sheets for all chemicals on request. MSDS sheets must be current and fully complaint with product labelling and packaging (including sales literature) under the new regulations which became effective 1st June 2015.

If the MSDS data is found to be contrary to the product packaging, labelling or literature, or is misleading in any way, then the HSE as the UK body responsible for policing the new regulations will be able to bring a prosecution against the manufacturer, supplier and possibly end user. Other agencies including Trading Standards, The Environment Agency and your Waste Water Company may also become involved if there has been a breach of the regulations.

2. Different roles in the supply chain

A chemical supplier can be a manufacturer, importer, downstream user, distributor, wholesaler or retailer. CLP Regulation defines the different roles in the supply chain and it is important that end users also understand their role in this.

Manufacturers must classify, label and package substances and mixtures according to CLP before placing them on the market and are required to notify classifications of substances to the Classification and Labelling Inventory established at the European Chemicals Agency (ECHA).

As a manufacturer and supplier we are required to be compliant with CLP ensuring that re-classification, labelling and packaging is brought to the marketplace on time. We have a duty to co-operate with others in the supply chain to make sure that our chemicals are correctly classified and that product labels, packaging and literature are accurate and fully harmonise with MSDS data sheets.

As chemical classification is a fundamental part of the safe management handling and use of chemicals, any supplier verbally failing to disclose a substance or mixture or deliberately providing misleading information on chemical product substances would be guilty of an offence under the regulations.
New Hazard Pictograms

Hazard pictograms alert us to the presence of a hazardous chemical. The pictograms help us to know that the chemicals we are using might cause harm to people or the environment. The CLP hazard pictograms are very similar to those used in the old labelling system and appear in the shape of a diamond with a distinctive red border and white background. One or more pictograms might appear on the labelling of a single chemical.

- **EXPLOSIVE** (Symbol: exploding bomb)
- **FLAMMABLE** (Symbol: flame)
- **OXIDISING** (Symbol: flame over circle)
- **CORROSIVE** (Symbol: Corrosion)
- **ACUTE TOXICITY** (Symbol: Skull and crossbones)
- **HAZARDOUS TO THE ENVIRONMENT** (Symbol: Dead tree and fish)
- **HEALTH HAZARD/HAZARDOUS TO THE OZONE LAYER** (Symbol: Exclamation mark)
- **SERIOUS HEALTH HAZARD** (Symbol: health hazard)
- **GAS UNDER PRESSURE** (Symbol: Gas cylinder)
What do I need to do now as a user of Chemical products?
Portable Sanitation Operators are classified as chemical users under the regulations. All those in the supply chain, including users of chemical products, are responsible for ensuring that substances and mixtures are labelled and packaged correctly.

- Keep up to date on revised product labelling and user instructions
- Check that you are using the chemicals safely and in accordance with revised labelling and MSDS data
- Maintain a database of current MSDS data sheets which are available on request from your supplier
- Make sure MSDS data is current and co-ordinated with product packaging, labelling and literature
- Ask your supplier for advice on any changes you notice to product labelling and MSDS data.
- If you are an employer, provide your employees with adequate information, instruction and training

IMPORTANT!

It is your responsibility as a user of chemical products to make sure that your suppliers labelling, packaging and literature, whether written or given verbally, is fully co-ordinated and harmonised with information provided on the MSDS sheet.

As an example:
If product packaging/literature or verbal advice from your supplier states that your toilet additive is “Formaldehyde free”, but on the Manufacturers Safety Data Sheet you find that Formaldehyde is listed as an ingredient under the section composition/information on ingredients, take this up with your supplier immediately, as it is a breach of the regulations and Trading Standards, the Health and Safety Executive, the Environment Agency and your Waste Water Company would be in a strong position to bring an action against both you and your supplier!

For further information and advice on CLP regulations please go to the HSE Website.


Further advice is also available from PSE Committee member, Colin Silvester at Safechem. Office: 0191 410 8668 / Mobile: 07721 551312 / Email: colin@safechem.co.uk