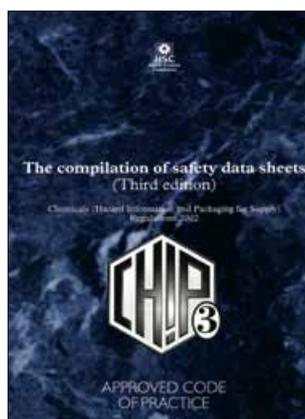


# The compilation of safety data sheets (Third edition)

Chemicals (Hazard Information and Packaging for Supply)

Regulations 2002

Approved Code of Practice



**This is a free-to-download, web-friendly version of L130, (Third edition, published 2002). This version has been adapted for online use from HSE's current printed version.**

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**ISBN 978 0 7176 2371 6**

**Price £7.95**

This Approved Code of Practice gives practical guidance to manufacturers, importers, distributors and other suppliers of substances and preparations (commonly called 'chemicals') about their responsibilities when providing safety data sheets in relation to the Hazard Information and Packaging for Supply Regulations 2002.

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First published 2002

ISBN 978 0 7176 2371 6

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This Code has been approved by the Health and Safety Executive, with the consent of the Secretary of State. It gives practical advice on how to comply with the law. If you follow the advice you will be doing enough to comply with the law in respect of those specific matters on which the Code gives advice. You may use alternative methods to those set out in the Code in order to comply with the law.

However, the Code has a special legal status. If you are prosecuted for breach of health and safety law, and it is proved that you did not follow the relevant provisions of the Code, you will need to show that you have complied with the law in some other way or a Court will find you at fault.

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# Notice of Approval

By virtue of section 16(1) of the Health and Safety at Work etc Act 1974 and with the consent of the Secretary of State for Transport, Local Government and the Regions, the Health and Safety Commission has on 16 April 2002 approved the Code of Practice *The compilation of safety data sheets*.

This Code of Practice gives practical guidance on regulations 5 and 6 of the Chemicals (Hazard Information and Packaging for Supply) Regulations 2002 (CHIP 3).<sup>1</sup>

This Code gives advice on how to comply with the law. It has a special legal status. If you are prosecuted for breach of health and safety law, and it is proved that you have not followed the relevant provisions of the Code, a court will find you at fault, unless you can show that you have complied with the law in some other way.

This Code of Practice (third edition) shall have effect from the date on which the Regulations come into force, and on that date the Code of Practice<sup>2</sup> (approved by the Health and Safety Commission on 31 January 1995 for the purposes of the Chemicals (Hazard Information and Packaging) Regulations 1994<sup>3</sup>) shall cease to have effect.

Signed

MARK DEMPSEY  
*Secretary to the Health and Safety Commission*  
24 May 2002

## Preface

This Approved Code of Practice (ACOP) has been drawn up on the basis of joint consultation between representatives of the Confederation of British Industry, the Trades Union Congress, local authorities, independent experts, government departments and the Health and Safety Executive.

Words and expressions defined in CHIP 3 have the same meaning in this Code unless the context requires otherwise.

This Code of Practice replaces the one approved under the Chemicals (Hazard Information and Packaging) Regulations 1994 (CHIP 2). The principal changes are:

- inclusion of texts to implement the second amendment to the Safety Data Sheets Directive;<sup>4</sup>
- repositioning of the former Appendix 2 (guidance on the contents of a safety data sheet) into the main body of the ACOP;
- drafting changes to clarify the wording; and
- additional guidance text to provide further help to compilers.

This Code of Practice is one of the three approved publications supporting CHIP 3. The other two publications are: the Approved Classification and Labelling Guide<sup>5</sup> and the Approved Supply List.<sup>6</sup> More information on these documents can be found on the CHIP website at [www.hse.gov.uk/hthdir/noframes/chip/chip1.htm](http://www.hse.gov.uk/hthdir/noframes/chip/chip1.htm).

# Introduction

## ACOP

1 This Approved Code gives practical guidance to manufacturers, importers, distributors and other suppliers of substances and preparations (commonly called 'chemicals') on their responsibilities when providing safety data sheets. The Code explains when safety data sheets should be provided, to whom, and the information they should contain. It also seeks to ensure consistency and accuracy in the content of each of the mandatory headings listed in Schedule 4 of CHIP 3 (reproduced in Appendix 1), so that those who use the substances and preparations can take the necessary measures to protect health and safety at the workplace, and to protect the environment.

2 Transfer of reliable information between suppliers of substances and preparations and their customers about the hazards and the recommended precautions is essential to protect health, safety and the environment.

3 Safety data sheets are often the most important source of information for users carrying out an assessment of risk as required by, for example, the Control of Substances Hazardous to Health Regulations (COSHH).<sup>7</sup> Safety data sheets on their own, however, are not a suitable and sufficient assessment by the employer under these Regulations.

4 Safety data sheets will also be important in helping to protect the environment. The information given should inform chemical users about best practice and enable them to develop a proper environmental risk assessment and risk management plan.

5 Health and safety information on chemicals is also required by section 6 of the Health and Safety at Work etc Act 1974 (HSW Act).<sup>8</sup> However, for chemicals used at work within the scope of CHIP 3, compliance with the Regulations and this Approved Code will normally also satisfy the relevant requirements of section 6.

6 Regulation 5 and Schedule 4 of CHIP 3 and this Approved Code implement Article 27 of the Dangerous Substances Directive (67/548/EEC)<sup>9</sup> as amended by the Seventh Amendment (92/32/EEC),<sup>10</sup> Article 15 of the Dangerous Preparations Directive (1999/45/EC)<sup>11</sup> and the Safety Data Sheets Directive (91/155/EEC,<sup>4</sup> as amended by Directives 93/112/EC<sup>12</sup> and 2001/58/EC<sup>13</sup>).

## Guidance

7 In addition to informing the risk assessments described, information in safety data sheets will also provide important information to enable use of *COSHH Essentials*<sup>14</sup> guidance (see paragraph 115).

# Supply of safety data sheets

## Regulation 5(1)

### Regulation

(1) Subject to paragraph (7), the supplier of a dangerous substance or dangerous preparation shall provide the recipient of that substance or preparation with a safety data sheet -

(a) which contains information under the headings specified in Schedule 4 to enable the recipient to take the necessary measures relating to -

- (i) the protection of health and safety at work; and
- (ii) protection of the environment; and

(b) clearly shows its date of first publication, or latest revision, as the case may be;

(c) free of charge; and

(d) no later than the date on which the dangerous substance or the dangerous preparation is supplied to that recipient for the first time.

(2) Subject to paragraph (7), the supplier of a preparation of the type specified in paragraph (3) shall provide free of charge to a professional user a safety data sheet -

(a) which contains proportionate information under the headings specified in Schedule 4 relating to that preparation; and

(b) clearly shows the date of first publication, or the latest revision, as the case may be,

when requested to do so by that professional user.

(3) Paragraph (2) refers to a preparation which is not a dangerous preparation but which contains in an individual concentration of  $\geq 1\%$  by weight for non gaseous preparations and  $\geq 0.2\%$  by volume for gaseous preparations-

(a) a dangerous substance which has been classified in respect of its health or environmental effects; or

(b) a substance for which there is a Community exposure limit.

(12) In this regulation,

(a) "supply" shall not include supply by way of -

(i) offer for sale;

(ii) returning substances or preparations to the person who supplied them, providing that the properties of that substance or preparation remain unchanged.

and "supplier" shall be construed accordingly.

### 5(1)-(3) and 5(12)

## ACOP

### The supplier

**8** Suppliers of substances and preparations will include manufacturers, importers, formulators, or distributors; both corporate bodies and sole traders (individuals). Note supplier also includes retailers but a safety data sheet is not normally required to be provided with chemicals supplied from them (see paragraph 123).

**9** In the context of regulation 2 of CHIP 3, 'supply' means making the substance or preparation available to another person within the Communities and includes importation. The meaning of supply in this regulation is narrower than that defined in regulation 2 of CHIP 3, as it does not include offer for sale or returning the substance or preparation.

**10** The safety data sheet should be prepared by a competent person who should take into account the specific needs of the user, as far they can be known. The compiler should be given adequate training, including refresher training.

**11** Where there is a chain of supply, the requirements of regulations 5 of CHIP 3 apply at each stage of the supply chain. The initial responsibility for drawing up the safety data sheet falls on the manufacturer or importer, who should anticipate, so far as it is reasonably practicable, the uses to which the substance or preparation may be put. Secondary suppliers who repackage or relabel a product, should also provide a safety data sheet, drawing on, checking the adequacy of, and adding to the information provided by their suppliers to cater for the specific needs of their customers.

## Guidance

**12** In all cases, suppliers of a chemical which requires a safety data sheet have the responsibility for its contents, even though they may not have prepared the safety data sheet themselves. However, the duty is not absolute and is qualified by the 'due diligence' provisions of regulation 15; this may be especially relevant to distributors and others in the chain of supply.

**13** In the context of paragraph 10 a competent person would be one who has the necessary knowledge (usually based on formal training) and experience to carry out the task.

**14** In some cases the information in the safety data sheet may be insufficient to enable other suppliers who wish to use the chemical as a constituent of a preparation to carry out the classification and labelling correctly. In these cases, the first supplier should provide any additional data on request (not required by CHIP 3) concerning the ingredient dangerous substances to enable correct classification and labelling of the new preparation. This additional information may be the subject of a confidentiality agreement.

## ACOP

### Substances and preparations requiring a safety data sheet

**15** Safety data sheets are required to be supplied for substances or preparations classified as dangerous under regulation 4 of CHIP 3. The requirement to provide a safety data sheet applies whether or not the substance or preparation is supplied in a package. A safety data sheet should be provided if, for example, the substance or preparation is supplied by tanker or via a pipeline.

## ACOP

**16** Some preparations not classified as dangerous contain sufficient amounts of certain chemicals to make a formal safety data sheet necessary (regulations 5(2) and 5(3) of CHIP 3). These preparations are those that contain, in an individual concentration of  $\geq 1\%$  by weight for non-gaseous preparations and  $\geq 0.2\%$  by volume for gaseous preparations:

- (a) a dangerous substance which has been classified in respect of its health or environmental effects; or
- (b) a substance for which there are Community workplace exposure limits.

The specification of the data sheet differs from those required for dangerous substances and dangerous preparations. For example the data sheet need only be provided if requested by a professional user and needs only proportionate information under each of the headings set out in Schedule 4 of CHIP 3 (Appendix 1).

## Guidance

17 'Proportionate' in paragraph 16 should be taken as being information appropriate to the foreseeable risk from the substance or preparation. In many cases this may require a similar level of detail to that for classified substances and preparations, and any proposed shortfall should be judged against what is needed to allow the user to protect health, safety and the environment.

18 Community workplace exposure limits, mentioned in paragraph 16, include Indicative Occupational Exposure Limit Values (IOELVs), and binding limits under the Chemicals Agents Directive and the Carcinogens Directive. These are limits set by the European Community to protect the health of workers from exposure to hazardous chemicals in the workplace. These limits have been incorporated into national law. HSE publication *Occupational exposure limits*<sup>15</sup> indicates whether a substance has a Community workplace exposure limit in the notes columns of tables 1 and 2. Information about the relevant Directives and Great Britain's domestic limit-setting programme can also be found on HSE's website at [www.hse.gov.uk](http://www.hse.gov.uk).

19 Safety data sheets are also required for certain special substances and preparations for which there are labelling derogations listed in the Approved Classification and Labelling Guide (ACLG),<sup>5</sup> eg metals in the massive form, alloys, some compressed gases etc.

## ACOP

### The recipient

**20** The recipient is the person, whether corporate or individual, to whom the substance or preparation is supplied. Typically, the recipient is an employer, self-employed person, or a person in control of premises (eg within the meaning of section 4 of the HSW Act).

## Guidance

21 Safety data sheets should be regarded as open documents and they, or the information they contain, should be made available to employees or their appointed safety representatives. Although there is no obligation under CHIP 3 for employers to provide safety data sheets to employees, duties do exist under other legislation (such as regulation 12 of COSHH,<sup>7</sup> where employers must allow employees access to any relevant safety data sheet).

22 Suppliers should presume that safety data sheets will be used by a variety of users and they should draft the contents with this in mind.

## ACOP

### Information to be included in the safety data sheet

#### *The standard of information required*

**23** The test of adequacy of the information provided in the safety data sheet is whether it enables the recipient to take the necessary measures relating to the protection of health and safety at the workplace and the protection of the environment. The information must therefore be written with the specific needs of the recipient in mind. The information provided should allow an employer to:

- (a) meet the requirements set out in COSHH<sup>7</sup> regulation 6 and Control of Lead at Work Regulations (CLAW)<sup>16</sup> regulation 5. In particular, the safety data sheet should enable the employer to determine when hazardous substances and preparations within the scope of, for example, COSHH<sup>7</sup> are present in the workplace, and to be able to assess any risk to the health and safety of workers.
- (b) determine when substances and preparations with environmental hazards are present in the workplace, and enable them to adequately assess and control (as far as is possible) any risk to the environment.

**24** Wherever possible, the safety data sheet should give specific advice, qualified as necessary, rather than less useful generalisations. However, one safety data sheet may be prepared for a range of products having the same classification and uses, and very similar composition. An example is a paint available in a range of colours. Where such generic safety data sheets are provided, there must be an unambiguous connection between the identification of the product as supplied, for example, on the label, and the product identification on the safety data sheet.

**25** In general, information must be provided for each hazardous property. Because of the wide range of properties of substances and preparations, there will be some cases where information over and above that indicated will be needed. Conversely, it may be that information on certain properties is of no significance or that it is technically impossible to provide, if so the reasons for this must be clearly stated under each heading. If it is stated that a particular hazard does not exist, the safety data sheet should clearly differentiate between cases where no information is available to the classifier, and cases where negative test results are available.

**26** The information in the safety data sheets must be written in a clear and concise manner. The date of issue of the safety data sheet should be stated on the first page.

## Guidance

**27** Paragraph 23 does not mean that the safety data sheet can be considered to be a risk assessment under workplace, or other, legislation. Such a risk assessment would require consideration of other information about the precise circumstances (eg plant type, quantity and local environment) in which the substance or preparation is used and this information is not usually available to a supplier.

**28** The details given in paragraphs 23 to 26 give advice on how paragraphs 32 to 119 should be addressed to meet the performance standard of regulation 5. The key point is that safety data sheets need to be readily understood by all those needing to use them. Those providing them may need to make enquiries about who the readers are likely to be and what their needs are.

**Guidance**

29 The safety data sheet should provide relevant information and should not be a vehicle to provide unnecessary 'defensive' information, such as disclaimers of liability. In addition to facilitating protection of health, safety and the environment by users, it should be remembered that the information included may be used by subsequent suppliers to classify correctly the substances and preparations they produce (see paragraph 14).

**ACOP**

**Headings on the safety data sheet**

**30 The information in the safety data sheet should be set out under the headings specified in Schedule 4 of CHIP 3 (Appendix 1).**

**Guidance**

31 The information on a safety data sheet will be easier to access, and data sheets will be easier to compare, if the order of the headings is consistent. For this reason the order listed in Schedule 4 should be regarded as standard.

**ACOP**

**Information under the headings**

*Identification of the substance/preparation and company/undertaking*

**32 State the name of the substance or preparation. The name should be identical to that used on the label in accordance with regulation 8 of CHIP 3. Other means of identification available may also be used in addition.**

**33 Indicate the intended or recommended uses of the substance or preparation as far as they are known. Where there are many possible uses, only the most important or common uses need be listed. This should include a brief description of what the substance or preparation actually does, eg flame retardant, antioxidant etc.**

**34 Give the name, full address and telephone number of the person established within the European Community (EC) (or European Economic Area (EEA)) responsible for supplying the substance or preparation, whether the manufacturer, importer or distributor. In addition if possible, where this person is not located in Great Britain (GB), give a full address and telephone number for the person responsible in GB. An emergency telephone number should be added if access to advice in the event of emergency is not available on the number already given.**

**Guidance**

35 Other means of identification of a chemical could be the Chemicals Abstracts Service (CAS) number, or synonyms and acronyms of the substance name. For preparations a broad description of the formulation may be useful.

36 For certain products it may be possible to be quite specific about the intended or recommended uses (eg two-pack automotive paints for spray application and oven curing). However, in many cases a very general description will be all that is possible (eg a drum of toluene could have the general description 'general purpose industrial solvent and a raw material for chemical synthesis').

37 The reference to a responsible person in GB is to a person intended to act as a contact for customers and national authorities. It does not oblige another EC or EEA supplier to establish GB representation.

38 The reference to an emergency telephone number does not in itself require an emergency service to be introduced by the supplier. A decision on whether an emergency service is necessary will depend on wider considerations about the risk management of the chemical and legislation concerning the environment, consumer protection, and health and safety.

ACOP

*Composition/information on ingredients*

39 Give the composition of the preparation. It is not necessary to give the full composition, nature of the ingredients and their concentration (although a general description of the components and their concentrations can be helpful). However indicate:

- (a) For a preparation classified as dangerous according to CHIP 3, the following substances, together with their concentration (or concentration range):
  - (i) substances presenting a health or environmental hazard within the meaning of CHIP 3, if they are present in concentrations equal to or greater than those in paragraph 22 in Part I of Schedule 3 of CHIP 3 (unless a lower limit is considered more appropriate eg under the Approved Supply List<sup>6</sup> or Schedule 3 or Schedule 5, Part II of CHIP 3; and
  - (ii) substances for which there are Community workplace exposure limits, which are not already included under (a)(i). If, in accordance with the provisions of paragraph 3 in Part I of Schedule 5 of CHIP 3 the identity of certain substances is to be kept confidential, their chemical nature shall be described to ensure safe handling. The name used must be the same as that which derives from application of Schedule 5 Part 1(3) of CHIP 3.
  
- (b) For a preparation not classified as dangerous but which requires a safety data sheet under regulation 5(2) and 5(3) because it contains certain substances (see paragraph 16), the following substances shall be indicated, together with their concentration (or concentration range), if they are present in an individual concentration of  $\geq 1\%$  by weight for non-gaseous preparations and  $\geq 0.2\%$  by volume for gaseous preparations:
  - (i) a dangerous substance which has been classified in respect of its health or environmental effects; and
  - (ii) substances for which there are Community workplace exposure limits.

40 Where the supplier can demonstrate that the disclosure in the safety data sheet of the name of a substance identified under paragraph 39(b)(i) which is exclusively classified as:

- (a) irritant with the exception of those assigned R41 or irritant in combination with one or more of the properties mentioned in paragraph 2(2)(d) in Part I of Schedule 5 of CHIP 3; or
- (b) harmful or harmful in combination with one or more of the properties mentioned in paragraph 2(2)(d) in Part I of Schedule 5 presenting acute lethal effects alone;

will put at risk the confidential nature of his intellectual property, he may, in accordance with the provisions of Part B of Annex VI of Directive 1999/45/EC,<sup>11</sup> refer to that substance either by means of a name that identifies the most important functional chemical groups, or by means of an alternative name.

## ACOP

**41** For substances identified under paragraph 39(a) and (b) above, give their classification (deriving either from the Approved Supply List<sup>6</sup> or regulation 4(4) of CHIP 3), including the symbol letters and R-phrases which are assigned in accordance with their physicochemical, health and environmental hazards. The R-phrases do not need to be written out in full here: reference should be made to the heading 'Other information', where the full text of each relevant R-phrase shall be listed.

**42** The name and the European Inventory of Existing Commercial Substances (EINECS) or European List of Notified Chemical Substances (ELINCS) number of the substances identified under paragraph 39(a) and (b) above should also be given in accordance with CHIP 3. The CAS number and International Union of Pure and Applied Chemistry (IUPAC) name (if available) may also be helpful. For substances listed by a generic name, according to Schedule 5 of CHIP 3, a precise chemical identifier is not necessary (see paragraphs 40 and 41 above).

## Guidance

**43** This section is mainly directed at suppliers of preparations but it has relevance for the suppliers of substances which may contain significant impurities or stabilisers, or are complex substances.

**44** The information given should enable the recipient to identify readily the hazards of the components of the preparation and to take any component specific control measures. The hazards of the preparation itself should be given under heading 3.

**45** The provision of precise formulation details for a preparation will be necessary if they are required for protection. However sufficient information may be provided, on a case-by-case basis, if broad bands of concentration are given.

**46** Some measure of confidentiality (the use of generic names) is allowed under CHIP 3 for naming components classified as:

- (a) harmful (acute lethal effects only);
- (b) irritant (but not for risk of serious damage to eyes (R41)).

When these occur with other classifications, generic names are only allowed if the combination is with one or more of the following:

- (a) explosive;
- (b) oxidising;
- (c) extremely or highly flammable;
- (d) flammable;
- (e) dangerous for the environment.

For dangerous preparations the procedure to obtain approval for generic names is set out in CHIP 3. The situation is slightly different for those preparations which are not classified as dangerous but which still require a safety data sheet under regulation 5(2) of CHIP 3. Although the same principles apply there is no need to formally apply for approval, as long as the system of deciding the generic name given in Annex V B of 1999/45/EC<sup>11</sup> is used.

**47** Information on EINECS and ELINCS numbers can be obtained from the European Chemicals Bureau at their website.<sup>17</sup>

ACOP

*Hazards identification*

**48** State the classification of the substance or preparation which arises from application of regulation 4 of CHIP 3. Indicate clearly and briefly the hazards the substance or preparation presents to people and the environment. Distinguish clearly between preparations which are classified as dangerous and preparations which are not classified as dangerous according to CHIP 3 but do require a proportionate safety data sheet (regulation 5(3) of CHIP 3).

**49** Describe the most important adverse physicochemical, human health and environmental effects relating to the uses and possible misuses of the substance or preparation that can reasonably be foreseen. It may be necessary to mention hazards, such as dustiness, suffocation, freezing or environmental effects such as hazards to soil-dwelling organisms etc, which do not result in classification but which may contribute to the overall hazards of the material.

**50** The information shown on the label should be given under the heading 'Regulatory information' (see paragraph 111 below).

Guidance

**51** This heading should be used to identify the intrinsic properties (hazards) of the chemical that may be available from any acceptable and reliable source. Consequently the content of this section is potentially very large and should therefore be limited to detail only those properties of the chemical that are of particular relevance. Sections on physical and chemical properties, toxicological information, and ecological information are related and should inform the content of this section. The combined information will give a more comprehensive review of the hazardous properties of the chemical.

ACOP

*First aid measures*

**52** Describe necessary first aid measures. Specify first whether immediate medical attention is required. Indicate whether professional assistance by a doctor is needed or advisable. The information on first aid must be brief and easy to understand by the victim, bystanders and first-aiders. The symptoms and effects should be briefly summarised. The instructions should indicate what is to be done on the spot in the case of an accident and whether delayed effects can be expected after exposure.

**53** Subdivide the information according to the different routes of exposure, ie inhalation, skin and eye contact and ingestion, under different subheadings.

**54** For some substances and preparations it may be important to emphasise that special means to provide specific and immediate treatment must be available at the workplace.

Guidance

**55** This section should give enough information in a clear and understandable way to enable action to be taken to provide assistance to a casualty by any person, including those who have not had any formal training.

## Guidance

56 Employers have a duty under the Health and Safety (First Aid) Regulations 1981<sup>18</sup> to provide adequate equipment, facilities and first-aiders to give first aid to their employees if they are injured or become ill at work. The safety data sheet should help an employer make an assessment of the first aid needs in their workplace. This assessment would also identify if any specific items are required by the first-aiders - such as protective equipment - or for use to protect the casualty. First-aiders should receive special additional training to cope with particular identified hazards. For further information and guidance on the application of the Regulations, see HSC's *First aid at work: Approved Code of Practice and Guidance*.<sup>19</sup>

57 There may be cases where more specific information is necessary for use by medical practitioners (eg a known specific antidote). Under these circumstances the advice of a qualified person should be taken when drafting the safety data sheet text.

## ACOP

### *Fire-fighting measures*

**58 Refer to requirements for fighting a fire caused by the substance or preparation, or arising in its vicinity by indicating:**

- (a) suitable extinguishing media;
- (b) extinguishing media which must not be used for safety reasons;
- (c) special exposure hazards arising from the substance or preparation itself and its combustion products including any gaseous by-products;
- (d) special protective equipment for fire-fighters.

## Guidance

59 Information should be given which will inform any risk assessment for fire (eg from processing the material) as well as that needed by trained firefighters.

## ACOP

### *Accidental release measures*

**60 Depending on the substance or preparation involved, information may be needed on:**

- (a) *personal precautions*, such as removal of ignition sources, provision for sufficient ventilation/respiratory protection, control of dust, prevention of skin and eye contact;
- (b) *environmental precautions*, such as keeping away from drains, surface and ground water and soil, possible need to alert the neighbourhood;
- (c) *methods for cleaning up*, such as use of absorbent material (eg sand, diatomaceous earth, acid binder, universal binder, sawdust) reduction of gases/fumes with water, dilution.

**61 Also consider the need for indications such as: 'never use...', 'neutralise with...'**

**NB** If appropriate refer to headings 'Exposure controls/Personal protection' and 'Disposal considerations'.

## Guidance

62 This section should give information to allow for both small-scale spills/leaks and large-scale releases to be dealt with safely (both to people and the environment). It should allow for development of response procedures.

## ACOP

### *Handling and storage*

63 Information in this section should relate to the protection of health, safety and the environment. It should assist the employer in complying with their duties under regulations 7(3) and (4) of COSHH<sup>7</sup> and regulations 6(3) and (4) of CLAW.<sup>16</sup>

#### **Handling**

64 Specify precautions for safe handling including advice on engineering controls/technical measures such as: containment, local and general ventilation, measures to prevent aerosol and dust generation and fire, measures required to protect the environment (eg use of filters or scrubbers on exhaust ventilation, use in a bonded area, measures for collection and disposal of spillages etc) and any specific requirements or rules relating to the substance or preparation (eg procedures or equipment which are prohibited or recommended) and if possible give a brief description.

#### **Storage**

65 Specify the conditions for safe storage such as: specific design for storage rooms or vessels (including retention walls and ventilation), incompatible materials, conditions of storage (temperature and humidity limit/range, light, inert gas...), special electrical equipment and prevention of static electricity.

66 Give advice if relevant on quantity limits under storage conditions. In particular indicate any special requirements such as the type of material used in the packaging/containers of the substance or preparation.

#### **Specific use(s)**

67 For products designed for specific use(s), any recommendations should be detailed, operational, and refer to those intended use(s). If possible, reference should be made to approved industry or sector-specific guidance.

## Guidance

68 This section should allow for development of measures to prevent unintentional release to the environment and prevent exposure, during handling and storage of the substance or preparation.

## ACOP

### *Exposure controls/personal protection*

#### **Exposure limit values**

69 Specify currently applicable specific control parameters including occupational exposure limit values or biological limit values. Values should be given for Great Britain. Give information on currently recommended monitoring procedures.

70 For preparations, it is useful to provide values for those constituent substances which are required to be listed in the safety data sheet according to the heading 'Composition/information on ingredients'.

## ACOP

### **Exposure controls**

71 For the purposes of this document exposure control means the full range of specific protection and prevention measures to be taken during use in order to minimise worker and environmental exposure.

### **Occupational exposure controls**

72 This information will be taken into account by the employer in carrying out an assessment of risk to the health and safety of workers for the substance or preparation under regulation 6 of COSHH,<sup>7</sup> which requires the design of appropriate work processes and engineering controls, the use of adequate equipment and materials, the application of collective protection measures at source, and finally the use of individual protection measures, such as personal protection equipment. You should, therefore, provide suitable and adequate information on these measures to enable a proper risk assessment to be carried out under regulation 6 of COSHH.<sup>7</sup> This information should complement that already given under the heading 'Handling and storage'.

73 Where personal protection is needed, specify in detail which equipment will provide adequate and suitable protection. Take into account the Personal Protective Equipment (EC Directive) Regulations 1992<sup>20</sup> (implementing Directive 89/686/EEC) and make reference to the appropriate European (*Comité Européen de Normalisation (CEN)*) standards:

- (a) **Respiratory protection:** For dangerous gases, vapours or dust, specify the type of protective equipment to be used, such as self-contained breathing apparatus, adequate masks and filters.
- (b) **Hand protection:** Specify clearly the type of gloves to be worn when handling the substance or preparation, including:
  - (i) the type of material;
  - (ii) the breakthrough time of the glove material, with regard to the amount and duration of dermal exposure.

If necessary indicate any additional hand protection measures.

- (c) **Eye protection:** Specify the type of eye protection equipment required such as: safety glasses, safety goggles, face shield.
- (d) **Skin protection:** If it is necessary to protect a part of the body other than the hands, specify the type and quality of protection equipment required, such as: apron, boots and full protective suit. If necessary, indicate any additional skin protection measures and specific hygiene measures.

### **Environmental exposure controls**

74 Specify the information required by the employer to fulfil his commitments under Community environmental protection legislation.

## Guidance

75 Currently applicable specific control parameters in paragraph 69 will include both health and environmental parameters. Great Britain's occupational exposure limit (OEL) values (referred to in paragraph 69) can be found in HSE's annual EH40 publication.<sup>15</sup> For hydrocarbons mixtures there is a reciprocal calculation process in EH40 for calculating an overall OEL. HSE publishes a number of recommended monitoring procedures in the methods for the determination of hazardous substances (MDHS) series.

## Guidance

76 The information under this heading should assist users to make their risk assessment by providing specific information on control measures to be used. Generalisations such as 'use masks', 'use gloves' must be avoided.

77 Guidance on respiratory protection can be found in the HSE publication *The selection, use and maintenance of respiratory protective equipment*.<sup>21</sup> Chemical protective gloves are made from a wide range of materials, but there is no single glove material (or combination of materials), which gives unlimited resistance to any individual or combination of substances or preparations. The extent of the breakthrough time will be affected by a combination of factors which include permeation, penetration, degradation, use pattern (full immersion, occasional contacts) and how the glove is stored when not in use. Therefore, the data on breakthrough time should be used with care and by applying a margin of safety. HSE guidance on protective gloves<sup>22</sup> recommends that a 75% safety factor should be applied to the figures obtained during a laboratory test. Where specific information on performance cannot be given for technical reasons an explanation should be provided so that users can make informed decisions. It is also recognised that suppliers of chemicals/preparations may not be able to advise on specific types of personal protective equipment in every case, for example where alternative control strategies are preferred or where circumstances of use are unknown. However the supplier should give as much information as possible (including if necessary a range of options) and indicate when the recipient will need to obtain further information and where from. Where chemicals are supplied for specific uses the highest standard of specific advice is necessary.

78 The Environmental Protection Act 1990<sup>23</sup> established a requirement to control industrial processes involving substances with the highest potential to damage the environment. Further information can be found in the *UK Chemicals Regulatory Atlas, An overview of how to guide your chemical through to regulatory compliance* published by the Department of Trade and Industry.<sup>24</sup>

79 Where no specific environmental legislation applies, reference to other relevant Great Britain legislation or best practice should be given. The Envirowise programme is sponsored by the Government and seeks to encourage the take-up of good practice environmental protection technology and techniques. Envirowise offers free advice through a national helpline and provides on-site consultancy for small and medium enterprises. Initial contact by industry and commerce should be made to the Environment and Energy helpline on 0800 585794 or on the website at [www.envirowise.gov.uk](http://www.envirowise.gov.uk).

## ACOP

### *Physical and chemical properties*

**80 To enable proper control measures to be taken, provide all relevant information on the substance or preparation, particularly the information listed under 'important health, safety and environmental information'.**

#### **General information**

**81 Indicate the:**

- (a) **Appearance:** Indicate the physical state (solid, liquid, gas) and the colour of the substance or preparation as supplied.
- (b) **Odour:** If odour is perceptible, give a brief description of it.

ACOP

**Important health, safety and environmental information**

82 Give the:

- (a) pH: Indicate the pH of the substance or preparation as supplied or of an aqueous solution; in the latter case, indicate the concentration;
- (b) Boiling point/boiling range;
- (c) Flash point;
- (d) Flammability (solid, gas);
- (e) Explosive properties;
- (f) Oxidising properties;
- (g) Vapour pressure;
- (h) Relative density;
- (i) Solubility:
  - water solubility
  - fat solubility (solvent - oil to be specified);
- (j) Partition coefficient: n-octanol/water;
- (k) Viscosity;
- (l) Vapour density;
- (m) Evaporation rate.

**Other information**

83 Indicate other important safety parameters, such as miscibility, conductivity, melting point/melting range, gas group, auto-ignition temperature etc.

Guidance

84 The above properties should be determined in accordance with the specifications of Annex V of 67/548/EEC<sup>9</sup> as amended and adapted to technical progress, or any other comparable method. However, if it is stated that a particular hazard does not apply, clearly differentiate between cases where no information is available to the classifier, and cases where negative test results are available.

85 For preparations, information should normally be given on the properties of the preparation itself rather than its components. If it is considered necessary to give information about the properties of individual components, indicate clearly what the data refers to.

ACOP

**Stability and reactivity**

86 State the stability of the substance or preparation and the possibility of hazardous reactions occurring under certain conditions of use and if released into the environment:

- (a) **Conditions to avoid:** List those conditions such as temperature, pressure, light, shock, etc, which may cause a dangerous reaction and if possible give a brief description.
- (b) **Materials to avoid:** List materials such as water, air, acids, bases, oxidising agents or any other specific substance which may cause a dangerous reaction and if possible give a brief description.
- (c) **Hazardous decomposition products:** List hazardous materials produced in dangerous amounts upon decomposition.

ACOP

NB Address specifically:

- (a) the need for and the presence of stabilisers;
- (b) the possibility of a hazardous exothermic reaction;
- (c) safety significance, if any, of a change in physical appearance of the substance or preparation;
- (d) hazardous decomposition products, if any, formed upon contact with water;
- (e) possibility of degradation to unstable products.

Guidance

87 This section may also include information on additives to improve stability and reference to other sections, eg handling and storage, where useful information on stability (eg incompatible materials) may be given.

ACOP

*Toxicological information*

88 Provide a concise but complete and comprehensible description of the various toxicological (health) effects which can arise if the user comes into contact with the substance or preparation. Include effects from exposure to the substance or preparation, based on both practical experience and conclusions from scientific experiments. Include information on the different routes of exposure (inhalation, ingestion, skin and eye contact), and describe the symptoms related to the physical, chemical and toxicological characteristics.

89 Include known delayed and immediate effects and also chronic effects from short and long-term exposure: for example sensitisation, narcosis, carcinogenicity, mutagenicity and reproductive toxicity (developmental toxicity and fertility).

90 Taking account of the information already provided under the heading 'Composition/information on ingredients', make reference as necessary to specific health effects of certain components in preparations.

Guidance

91 This heading is intended for an assessment of available data related to adverse health effects. This assessment should include expert toxicological interpretation of the available evidence, both of observed and predictable toxic effects, and provide clear conclusions regarding the relevance of this information for human health.

92 Where no useful or practical data are available to enable an evaluation of a particular health-related end-point, other sources of information should be sought (eg by reference to chemical structure or knowledge of the properties of analogous substances and preparations).

93 In the case of preparations, the toxicological characteristics of the individual components and the added possibility of interaction between them, ie synergy, antagonism, potentiation, could also be given. Suppliers should ensure that information on preparations is differentiated between information on its components and that for the preparation itself.

## Guidance

94 All seven of the following health-related end-points should be addressed. This means that where appropriate, entries should be made against each of the following end-point headings:

- (a) Acute toxicity (oral, inhalation, dermal);
- (b) Corrosivity/irritation (eye, skin, respiratory tract);
- (c) Sensitisation (skin, respiratory);
- (d) Repeated-dose toxicity;
- (e) Mutagenicity;
- (f) Carcinogenicity;
- (g) Reproductive toxicity (fertility, developmental).

95 Where it is not possible to provide information for an end-point, the reason for this should be indicated. For example:

- (a) The substance or preparation has been assessed on adequate evidence and found to produce either no effect or an effect below the threshold for classification.
- (b) The substance or preparation has been assessed on inadequate evidence and found to produce either no effect or an effect below the threshold for classification, but the evidence for this conclusion may be unreliable.
- (c) The substance or preparation has not been assessed at all for this end-point, so its hazardous property in this regard is not known.

Thus it would be helpful for entries to discriminate between 'not tested/no data' and 'adequately tested/negative'.

## ACOP

### *Ecological information*

96 Describe the possible effects, behaviour and environmental fate of the substance or preparation in air, water and/or soil. Where available, give relevant test data (eg LC<sub>50</sub> fish ≤ 1 mg/l).

97 Describe the most important characteristics likely to have an effect on the environment owing to the nature of the substance or preparation and likely methods of use. This may include the following:

- (a) **Ecotoxicity:** This should include relevant available data on aquatic toxicity, both acute and chronic for fish, daphnia, algae and other aquatic plant. In addition, toxicity data on soil micro and macro-organisms and other environmentally relevant organisms, such as birds, bees and plants, should be included when available. Where the substance or preparation has inhibitory effects on the activity of micro-organisms, the possible impact on sewage treatment plants should be mentioned.
- (b) **Mobility:** The potential of the substance or the appropriate constituents of a preparation\*, if released to the environment, to transport to groundwater or far from the site of release. Relevant data might include:
  - (i) known or predicted distribution to environmental compartments;
  - (ii) surface tension;
  - (iii) absorption/desorption.

## ACOP

For other physicochemical properties see heading 9 in Appendix 1, 'Physical and chemical properties'.

- (c) *Persistence and degradability*: The potential of the substance or the appropriate constituents of a preparation\* to degrade in relevant environmental media, either through biodegradation or other processes such as oxidation or hydrolysis. Degradation half lives should be quoted where available. The potential of the substance or appropriate constituents of a preparation\* to degrade in sewage treatment plants should also be mentioned.
- (d) *Bioaccumulative potential*: The potential of the substance or the appropriate constituents of a preparation\* to accumulate in biota and pass through the food chain, with reference to the  $K_{ow}$  and Biological Concentration Factor, if available.
- (e) *Other adverse effects*: If available, include information on any other adverse effects on the environment, eg ozone depletion potential, photochemical ozone creation potential and/or global warming potential.

98 Ensure that information relevant to the environment is provided under other headings of the safety data sheet, especially advice for controlled release, accidental release measures, transport and disposal considerations under headings on 'Accidental release measures', 'Handling and storage', 'Disposal considerations', 'Transport information' and 'Regulatory information'.

\*This information cannot be given for a preparation because it is substance specific. It should therefore be given, where available and appropriate, ie for each constituent substance in the preparation which is required to be listed in the safety data sheet according to the rules under paragraphs 39 to 42.

## Guidance

99 This heading is intended for an assessment of available data related to adverse environmental effects. This assessment could include expert interpretation of the available evidence, both of observed and predictable effects, and provide clear conclusions regarding the relevance of this information for the environment.

100 Where no data are available to enable an evaluation of a particular sub-heading, it is important that other sources of information used (eg reference to chemical structure or knowledge of the properties of analogous substances and preparations) is explained.

101 In the case of preparations the characteristics of the individual components and the added possibility of interaction between them, ie synergy, antagonism, potentiation, could also be given. Suppliers should ensure that information on preparations is differentiated between information on its components and that for the preparation itself.

## ACOP

### *Disposal considerations*

102 If the disposal of the substance or preparation (surplus or waste resulting from the foreseeable use) presents a danger, a description of these residues and information on their safe handling shall be given.

103 Specify the appropriate methods of disposal of both the substance or preparation and any contaminated packaging (incineration, recycling, landfilling, etc).

ACOP

**104 Refer to any relevant Community provisions relating to waste. In their absence, it is useful to remind the user that national or regional provisions may be in force.**

Guidance

105 Information should be given under this heading that is sufficient to ensure the substance or preparation, or any foreseeable waste, is disposed of safely in relation to people and the environment.

106 The Waste Framework Directive (75/442/EEC)<sup>25</sup> and the Hazardous Waste Directive (91/689/EEC)<sup>26</sup> are the relevant Community provisions referred to in paragraph 104. Certain waste streams (eg waste oils, PCBs) have their own legislation. In the UK, the Environmental Protection Act 1990,<sup>23</sup> the Environment Act 1995,<sup>27</sup> and more specifically (for hazchems), the Special Waste Regulations 1996<sup>28</sup> govern the disposal of wastes. Any waste holder who is uncertain of which Regulations apply should contact their local Environment Agency office.

ACOP

**Transport information**

**107 Indicate any special precautions which a user needs to be aware of or needs to comply with in connection with transport or conveyance either within or outside premises.**

**108 Where relevant, provide information on the transport classification for each of the modal Regulations: IMDG (sea), ADR (road – Directive 94/55/EEC), RID (rail – Directive 96/49/EC), ICAO/IATA (air). This might include:**

- (a) UN number;
- (b) class;
- (c) proper shipping name;
- (d) packing group;
- (e) marine pollutant;
- (f) other applicable information.

Guidance

109 This section is primarily intended to give users information to allow them to safely transport the substance or preparation within, and outside, their premises. General information on transport safety is given in *Workplace transport safety: guidance for employers*.<sup>29</sup>

110 The information given on transport is to assist with, for example, returning goods to the supplier. Legislation in Great Britain should be referred to where possible. See *Are you involved in the carriage of dangerous goods by road or rail?*<sup>30</sup> for more information.

ACOP

**Regulatory information**

**111 Give the health, safety and environmental information shown on the label as required by regulation 9 of CHIP 3.**

**112 If the substance or preparation covered by this safety data sheet is the subject of specific provisions in relation to protection of man or the environment at Community level (eg restrictions on marketing and use set out in Directive 76/769/EEC<sup>31</sup>) these provisions should, as far as is possible, be stated.**

**113 Also mention, where possible, the laws in Great Britain which implement these provisions and any other national measures or guidance that may be relevant (for example, for protection of health both COSHH<sup>7</sup> and COSHH Essentials<sup>14</sup> should be mentioned).**

## Guidance

114 The safety data sheet should quote relevant Great Britain laws to assist users with compliance with relevant health, safety and environmental information. The purpose of Directive 76/769/EEC<sup>31</sup> is to create a general framework for bans and restrictions on the marketing and use of dangerous substances and preparations. Restrictions are set out in an Annex and subsequent amendments to the Directive have extended the Annex. Current information on amendments to the Directive can be found on the Department for Transport, Local Government and the Regions website ([www.dtlr.gov.uk](http://www.dtlr.gov.uk)), and the European Commission's EUR-Lex website - the portal to European Union law ([www.europa.eu.int/eur-lex/en/index.html](http://www.europa.eu.int/eur-lex/en/index.html)).

115 Safety data sheets play an important role in providing information to enable use of *COSHH Essentials*<sup>14</sup> guidance (such as the classification of the chemical, its boiling point etc). The *COSHH Essentials* approach provides assistance to employers on complying with their legal duty under COSHH<sup>7</sup> to control exposures to substances and preparations hazardous to health. It uses a step-by-step process for identifying the right controls to reduce exposure for many hazardous substances. Examples are provided by control guidance sheets which apply to common situations eg mixing weighing, surface coating. To choose the correct control approach (general ventilation, engineering control, containment or special) the following factors are considered:

- (a) the possible health effects from exposure to a chemical. These are determined by the classification of the chemical. *COSHH Essentials*<sup>14</sup> divides chemicals into five hazard bands. These range from A (least hazardous) through to E (most hazardous) with an additional band S, which is used for chemicals that cause damage if they come into contact with the skin or eyes;
- (b) the amount of a chemical in use; and
- (c) its dustiness or volatility.

Once the general control approach is determined, more detailed advice can be found in dedicated control guidance sheets which cover a wide range of tasks.

116 The safety data sheet should also provide important information on control measures appropriate to the chemical to supplement the control guidance sheets.

## ACOP

### *Other information*

**117 Indicate any other information which the supplier considers of importance for the health and safety of the user and for the protection of the environment, for example:**

- (a) list of relevant R-phrases. Write out the full text of any R-phrases referred to under headings 'Composition/information on ingredients' and 'Hazards identification' of the safety data sheet.
- (b) training advice;
- (c) recommended restrictions on use (ie non-statutory recommendations by supplier);
- (d) further information (written references and/or technical contact point);
- (e) sources of key data used to compile the data sheet.

**For a revised safety data sheet, indicate clearly the information which has been added, deleted or revised (unless this has been indicated elsewhere).**

## Guidance

118 The full text of R and S-phrases can be found in Part V of the current Approved Supply List.<sup>6</sup>

119 When it is important for reasons of health, safety and environmental protection that a chemical is not used in a specific way, it may be appropriate to include a suitable warning eg 'paint for brush or roller application only - it must not be sprayed'. Reasonably foreseeable misuses could also be referred to eg organic solvents incorrectly used for hand cleaning leading to absorption through the skin, skin irritation or dermatitis.

# Provision of the safety data sheet

## Regulation 5(1) and 5(11)

### Regulation

*(1) Subject to paragraph (7) the supplier of a dangerous substance or dangerous preparation shall provide the recipient of that dangerous substance or dangerous preparation with a safety data sheet -*

- (c) free of charge; and*
- (d) no later than the date on which the dangerous substance or the dangerous preparation is supplied to that recipient for the first time.*

*(11) A supplier may provide a safety data sheet or a revision to a safety data sheet under this regulation by electronic communication provided that he has established that the person to whom the safety data sheet, or the revision to a safety data sheet, will be provided has the equipment to enable him to receive the electronic communication.*

### 5(1) and 5(11)

## ACOP

**120 In the case of safety data sheets for dangerous substances and dangerous preparations the recipient should be provided with the safety data sheet no later than the date of receipt of the product. The safety data sheet may accompany the product or may be transmitted to the recipient in other ways (including electronically). If the safety data sheet is not sent with the chemical it may be provided to the business address (or other agreed address) of the recipient. Under these circumstances the safety data sheet should be sent in good time for internal transmission of the information. Further copies of the safety data sheet do not have to be provided with repeat orders of the same product to the same recipient.**

## Guidance

121 Where the safety data sheet is transmitted electronically there must still be an element of positive provision from supplier to recipient. Thus while it may be acceptable to send a safety data sheet by email or fax it would not be acceptable for the safety data sheet to be posted on a website and the recipient told of its posting.

122 It may be useful to provide a copy of the safety data sheet in advance of a decision to purchase, eg with a quotation, so that proper evaluation of the risks from the chemical can be carried out. Safety data sheets required by regulation 5(2) are supplied on request and are not subject to the same time constraints. However the safety data sheet should be provided promptly.

# Substances and preparations sold through a shop or other retail outlet

## Regulation 5(7) and 5(8)

### Regulation

(7) Subject to paragraph (8) a supplier shall not be required to provide a safety data sheet with a dangerous substance or a preparation in accordance to which this regulation applies provided that -

- (a) the dangerous substance or preparation is sold to the general public in circumstances to which regulation 14 applies; and
- (b) sufficient information is provided to enable the user of that dangerous substance or preparation to take the necessary measures as regards the protection of health and safety.

(8) Where a person buys a dangerous substance or dangerous preparation to which this regulation applies for use at work in the circumstances to which regulation 14 applies, when requested to do so by that person, the supplier of the dangerous substance or dangerous preparation in question shall provide that person with a copy of the safety sheet relating to that dangerous substance or preparation free of charge.

### 5(7) and 5(8)

### ACOP

**123** For substances and preparations supplied to the general public, a safety data sheet need not be supplied if sufficient information is made available in other ways, such as advice on or in packages. Where the product is not in a package, for example, petrol sold in a petrol filling station, the information may be displayed by means of a conspicuous notice on the premises.

**124** However under these circumstances a safety data sheet should be provided on request when:

- (a) the substance or preparation is classified according to CHIP 3 (or contains sufficient quantities of substances of concern to require a formal safety data sheet under regulation 5(2) and 5(3));
- (b) the purchaser intends to use the substance or preparation at work; and
- (c) the purchaser asks for a safety data sheet.

### Sufficient information

**125** In the circumstances outlined in regulation 5(7)(b), the test of sufficiency of the information is whether it enables the user to take the necessary measures to protect health and safety and the environment, taking into account the uses for which the chemical is marketed.

### Guidance

**126** In general, 'sufficient information' will require a good deal more than the standard risk and safety phrases on the product label and may make reference to particular conditions of use.

## ACOP

### Request to provide a safety data sheet

127 Where a product is supplied in the circumstances outlined in paragraph 123 to 124, the supplier should provide a safety data sheet at the request of a professional user. The supplier may give a copy of the safety data sheet directly to such a customer, or may make arrangements for another person to forward the safety data sheet promptly. When a safety data sheet has been provided under these circumstances there is no obligation to provide a revised safety data sheet if one is subsequently prepared, unless the substance or preparation is supplied again and a further request is made.

## Guidance

128 A professional user is an employer or self-employed person who intends the product to be used at work.

# Revisions

## Regulation 5(4)-(6) and 5(9)

### Regulation

(4) *The supplier of a dangerous substance or preparation to which this regulation applies shall keep the safety data sheet relating to that dangerous substance or preparation up to date and revise it forthwith if any significant new information relating to safety at work, risks to the health of any person or the protection of the environment becomes available in relation to that dangerous substance or preparation.*

(5) *When a supplier revises a safety data sheet in accordance with paragraph (4), he shall ensure that the safety data sheet is clearly marked with the word "Revision".*

(6) *When a supplier revises a safety data sheet in accordance with paragraph (4), he shall-*

- (a) *provide every person who has received the dangerous substance or preparation within the period of 12 months preceding the date of the revision with a copy of the revised safety data sheet free of charge.*

(9) *If a supplier provides a safety data sheet in accordance with paragraph (8), paragraph (6) shall not apply.*

### 5(4)-(6) and 5(9)

## ACOP

129 The safety data sheet should be revised when new information becomes available which may require users of the product to reassess the risks in their workplaces to health, safety or the environment. Such information may result from:

- (a) the testing and examination undertaken by the manufacturer, importer or supplier;
- (b) the further testing undertaken by the manufacturer or importer as required by the Notification of New Substances Regulations 1993<sup>32</sup> or the EC Existing Substances Regulation (793/93/EEC);<sup>33</sup>
- (c) the medical or scientific literature;
- (d) experience of use;

## ACOP

- (e) in communications from the Health and Safety Commission or Executive, the Department of Health, the Department of the Environment, or other government departments; or
- (f) assessments under one of the EC or international programmes such as ESR<sup>33</sup> or, Classification and Labelling.

Suppliers should, therefore, take steps to keep themselves informed about advances in knowledge or experience, which reveal previously unknown significant hazards concerning their products.

**130** Safety data sheets do not have to be revised and re-issued if the new information does not require users of the substance or preparation to reassess the risks to health and safety in their workplace, or the environment (for example, if the only change is the introduction of new safety phrases S1 and S2 which relate to consumer safety). In these circumstances the new information can be included in a later revision.

**131** A revised safety data sheet should be clearly marked 'revision' and with the date of revision. The revised safety data sheet should indicate clearly the information which has been added, deleted or revised (unless indicated elsewhere). The changes could be brought to the attention of the recipient by, for example, highlighting or sidelining.

**132** Revised safety data sheets should be provided free of charge to all recipients of the substance or preparation within the previous 12 months with the exception of those supplied under the circumstances described in paragraph 123 of this Approved Code of Practice. In the case of substance or preparations for which the initial obligation to supply a safety data sheet was limited to 'on request' a revised safety data sheet should be supplied without the need for a formal request.

## Guidance

**133** Information on current discussions in international fora is available from a number of sources including Trade Associations and HSE's website at [www.hse.gov.uk/hthdir/noframes/chip/chip1.htm](http://www.hse.gov.uk/hthdir/noframes/chip/chip1.htm).

**134** If following the above advice means the safety data sheet is 'out of step' with the product label an explanation could be given in the relevant part of the safety data sheet.

# Language

## Regulation 5(10)

### Regulation 5(10)

*(10) The information contained in a safety data sheet provided under this regulation shall be in English.*

## ACOP

**135** This regulation does not preclude local arrangements between a supplier and a customer for an additional safety data sheet to be provided in an agreed language.

# Appendix 1

## Headings on the safety data sheet

The safety data sheet referred to in regulation 5 should contain the following obligatory headings, as stated in Schedule 4 of the Regulations:

- 1 Identification of the substance/preparation and company/undertaking
- 2 Composition/information on ingredients
- 3 Hazards identification
- 4 First-aid measures
- 5 Fire-fighting measures
- 6 Accidental release measures
- 7 Handling and storage
- 8 Exposure controls/personal protection
- 9 Physical and chemical properties
- 10 Stability and reactivity
- 11 Toxicological information
- 12 Ecological information
- 13 Disposal considerations
- 14 Transport information
- 15 Regulatory information
- 16 Other information

## References

- 1 *Chemicals (Hazard Information and Packaging for Supply) Regulations 2002*  
The Stationery Office 2002
- 2 *Safety data sheets for substances and preparations dangerous for supply. Guidance on regulation 6 of the Chemicals (Hazard Information and Packaging for Supply) Regulations 1994. Approved Code of Practice L62 (Second edition)*  
HSE Books 1994 ISBN 0 7176 0859 X
- 3 *Chemicals (Hazard Information and Packaging for Supply) Regulations 1994*  
SI 1994/3247 The Stationery Office 1994 ISBN 0 11 043877 9
- 4 Commission Directive 91/155/EEC of 5 March 1991 defining and laying down the detailed arrangements for the system of specific information relating to dangerous preparations in implementation of Article 10 of Directive 88/379/EEC *Official Journal L 076*, 22 March 1991 p35-41
- 5 *Approved classification and labelling guide. Chemicals (Hazard Information and Packaging for Supply) Regulations 2002. Guidance on Regulations L131 (Fifth edition)* HSE Books 2002 ISBN 0 7176 2369 6
- 6 *Approved supply list. Information approved for the classification and labelling of substances and preparations dangerous for supply. Chemicals (Hazard Information and Packaging for Supply) Regulations 2002 Approved list L129 (Seventh edition)*  
HSE Books 2002 ISBN 0 7176 2368 8
- 7 *Control of Substances Hazardous to Health Regulations 1999* SI 1999/437  
The Stationery Office 1999 ISBN 0 11 082087 8
- 8 *Health and Safety at Work etc Act 1974 c 37* The Stationery Office 1974
- 9 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 *Official Journal P 196*, 16 August 1967 p1-98
- 10 Council Directive 92/32/EEC of 30 April 1992 amending for the seventh time Directive 67/548/EEC on the approximation of the laws, regulations and administrative provisions relating to the classification, packaging and labelling of dangerous substances *Official Journal L 154*, 5 June 1992 p1-29
- 11 Directive 1999/45/EC of the European Parliament and of the Council of 31 May 1999 concerning the approximation of the laws, regulations and administrative provisions of the Member States relating to the classification, packaging and labelling of dangerous preparations *Official Journal L 200*, 30 July 1999 p1-68
- 12 Commission Directive 93/112/EC of 10 December 1993 amending Commission Directive 91/155/EEC defining and laying down detailed arrangements for the system of specific information relating to dangerous preparations in implementation of Article 10 of Council Directive 88/379/EEC *Official Journal L 314*, 16 December 1993 p38-43

13 Commission Directive 2001/58/EC of 27 July 2001 amending for the second time Directive 91/155/EEC defining and laying down the detailed arrangements for the system of specific information relating to dangerous preparations in implementation of Article 14 of European Parliament and Council Directive 1999/45/EC and relating to dangerous substances in implementation of Article 27 of Council Directive 67/548/EEC (safety data sheets) (Text with EEA relevance) *Official Journal* L 212, 7 August 2001 p24-33

14 *COSHH essentials: Easy steps to control chemicals. Control of Substances Hazardous to Health Regulations HSG193* HSE Books 1999  
ISBN 0 7176 2421 8

15 *Occupational exposure limits* EH40 HSE Books 2001 ISBN 0 7176 2083 2

16 *Control of Lead at Work Regulations 1998* SI 1998/543 The Stationery Office 1998 ISBN 0 11 065646 6

17 European Inventory of Existing Commercial Substances (EINECS) available on the European Chemicals Bureau website at [ecb.jrc.it/existing-chemicals](http://ecb.jrc.it/existing-chemicals)

European List of Notified Chemical Substances (ELINCS) available on the European Chemicals Bureau website at [ecb.jrc.it/new-chemicals](http://ecb.jrc.it/new-chemicals)

18 *Health and Safety (First-Aid) Regulations 1981* SI 1981/917 The Stationery Office 1981

19 *First aid at work. The Health and Safety (First Aid) Regulations 1981. Approved Code of Practice and guidance* L74 HSE Books 1997  
ISBN 0 7176 1050 0

20 *Personal Protective Equipment (EC Directive) Regulations 1992* SI 1992/3139 The Stationery Office 1992 ISBN 0 11 025252 7

21 *The selection, use and maintenance of respiratory protective equipment: A practical guide* HSG53 (Second edition) HSE Books 1998  
ISBN 0 7176 1537 5

22 *Cost and effectiveness of chemical protective gloves for the workplace: Guidance for employers and health and safety specialists* HSG206 HSE Books 2001 ISBN 0 7176 1828 5

23 *Environmental Protection Act 1990* c 43 The Stationery Office 1990  
ISBN 0 10 544390 5

24 *UK Chemicals Regulatory Atlas, An overview of how to guide your chemical through to regulatory compliance* Department of Trade and Industry at: [www.dti.gov.uk/access/index.htm](http://www.dti.gov.uk/access/index.htm)

25 Council Directive 75/442/EEC of 25 July 1975 on waste *Official Journal* L194, 25 July 1975 p39-41

26 Council Directive of 12 December 1991 on hazardous waste *Official Journal* L377, 12 December 1991 p20-27

27 *Environment Act 1995* c 25 The Stationery Office 1995  
ISBN 0 10 542595 8

- 28 *The Special Waste Regulations 1996* SI 1996/972 The Stationery Office 1996  
ISBN 0 11 054565 6
- 29 *Workplace transport safety: Guidance for employers* HSG136 HSE Books 1995  
ISBN 0 7176 0935 9
- 30 *Are you involved in the carriage of dangerous goods by road or rail?* Leaflet  
INDG234(rev) HSE Books 1999 (single copy free or priced packs of 10  
ISBN 0 7176 1676 2)
- 31 Council Directive 76/769/EEC 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 *Official Journal* L 262 , 27 September 1976  
p 201-203
- 32 *Notification of New Substances Regulations 1993* SI 1993/3050 The Stationery  
Office 1993 ISBN 0 11 034278 X
- 33 Council Regulation (EEC) No 793/93 of 23 March 1993 on the evaluation and  
control of the risks of existing substances *Official Journal* L 084, 5 April 1993 p1-75

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