

## A brief guide to CLP

### An introduction

From 1 December 2010, the Classification, Labelling and Packaging (CLP) Regulation progressively replaced the Dangerous Substances and Dangerous Preparations Directives (DSD, DPD) which were repealed from 1 June 2015.

CLP introduced significant changes to hazard classification and communication: revised classification criteria; Hazard and Precautionary Statements rather than Risk and Safety Phrases; larger and more colourful labels; nine pictograms rather than six warning symbols, and the retirement of the St. Andrew's Cross. Some chemicals not subject to hazard labelling under the old classification and labelling regime now need labelling; some chemicals which previously carried relatively mild warnings now need to be labelled in a more severe way. In theory, because CLP is based on the UN's *Globally Harmonised System of Classification and Labelling of Chemicals* (the GHS), it should ease the challenge of global marketing where costs in developing local labels are huge as more jurisdictions implement their own system based on the GHS.

### CLP vs DSD/DPD

Although based on the GHS, CLP was also built on more than 40 years of experience under the Dangerous Substances and Dangerous Preparations Directives. CLP has many similarities with the former system: the supplier must decide if and how a chemical is hazardous by comparing information on its intrinsic properties with criteria set out in the legislation ('classification') and provide a label if it is in a package. The label must have symbols and warning text to inform the recipient of the hazards and on risk management.

But there are significant differences between DSD/DPD and CLP. A chemical which meets the criteria for classification under CLP is called 'hazardous' (vs. 'dangerous' under DSD/DPD). The types of danger are now called 'hazard classes' which are split into 'categories' of severity; many of the criteria have changed, and indeed there are some which are completely new. The symbols are now called pictograms, they are a different shape and colour – red-framed white square on a point containing a black symbol – and there are three new ones. And the warning phrases (now H and P statements, not R and S phrases) are drawn from a new list. Since 1 December 2010 almost all marketed substances (unless already REACH registered) needed to be notified to the Classification and Labelling Inventory, irrespective of the tonnage. Additionally, there is a Member State requirement to notify mixture formulations placed on the EU market and classed as hazardous on the basis of their health and physical effects to poisons centres.

### Legislation

CLP regulation stands for "REGULATION (EC) No 1272/2008 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 16 December 2008 on classification, labelling and packaging of



substances and mixtures, amending and repealing Directives 67/548/EEC and 1999/45/EC, and amending Regulation (EC) No 1907/2006”.

Since CLP is a Regulation, not a Directive, it is direct-acting and is not transposed into national law. Duty holders must do what they see in the CLP text which has been agreed at EU level; there's no local law like CHIP 3 in the UK or ChemG in Germany. For all the other countries in the EU, as well as Norway, Iceland and Liechtenstein it's the same – the text is just translated.

The main body of the CLP text comprises Articles (which tell you what you must do) and Annexes (which tell you how to do it). However, as each country has to decide its own way of policing the law, there is local enforcement legislation which sets penalties and defines who is responsible for inspection. To ensure a consistent approach of implementation across the EU, ECHA has published guidance on CLP; the Forum for Exchange for Information on Enforcement (the Forum) works towards coordinating enforcement among Member States and the countries of the EEA.

## Planning can ease the cost

Implementing CLP requires specialist resources. As a minimum, training on the application of the CLP criteria for classification is necessary, but many companies need to contract expert help. CLP-compliant labels must be designed and applied to products..

Deriving the classification and working out what to put on the label can be made simpler because many substances have legally binding partial classifications listed in Annex VI of CLP. For non-harmonised endpoints and differentiations, and for substances not listed in Annex VI, in the absence of data, suppliers can use the handy conversion tables in Annex VII (although some endpoints don't convert), and of course many commercial software systems are CLP-enabled. Whatever approach you use, you should understand the requirements of CLP and be able to integrate them with your business needs.

## Getting started

If you are confident in dealing with the previous legislation (DSD/DPD) and are dealing with relatively simple substances, you can probably work your way through CLP using the guidance documents on ECHA's website. If you are dealing with mixtures things become more difficult. You may be confident with DSD/DPD, but CLP introduces much more complexity to classification, and more scope for the use of expert judgement – which you might need to use if ingredient-based (additivity) approaches to classification produces spurious results.

If you are relatively new to the process of classification and choosing the most appropriate label elements under CLP, you may benefit from specialised support. We deliver workshop-based, practical support on how to classify mixtures under CLP. This training forms part of our public programme of workshops and can also be delivered on site for individual companies, tailored to their specific needs.

## Ongoing support

The ECHA website is a valuable resource, particularly the Classification and Labelling Inventory which contains classification information taken from Annex VI to CLP, REACH registration dossiers,



and CLP notifications. Each Member State has a CLP helpdesk, often as part of their REACH Helpdesk. Some Member States also provide information via their website.

If you need more help understanding the CLP Regulation, how it affects your business, and how to classify and label your products, why not attend one of our CLP training courses? Please see our events webpage (<http://www.reachready.co.uk/events>) or contact us on [events@reachready.co.uk](mailto:events@reachready.co.uk) or +44 (0)207 901 1443.

If you want to outsource your classification, labelling or other CLP work, ask us about our Matchmaker programme (email [enquiries@reachready.co.uk](mailto:enquiries@reachready.co.uk)). This free service will help you find trusted suppliers and is available to all our subscribers, with priority given to our Gold subscribers.

If you prefer to retain the expertise in house but need some ad hoc support on classifying your products, sign up for our Gold subscription at <http://www.reachready.co.uk>. The main benefit of a Gold subscription is access to our in-house team of experts via our telephone and email Helpdesk; there is also a library of guidance on the password-protected part of the REACHReady website. In addition, we offer an hour's free scheduled telephone consultancy to first-time subscribers to get them started. For more in depth support we can also deliver training and consultancy in confidence on site. Contact us at [enquiries@reachready.co.uk](mailto:enquiries@reachready.co.uk) for more information.