REVISION OF THE CLP REGULATION – A.I.S.E. TRILOGUE RECOMMENDATIONS

20 October 2023

In the context of the ongoing trilogue discussions between the European Parliament, Council and European Commission on the revision of Regulation (EC) No 1272/2008 on classification, labelling and packaging of substances and mixtures (CLP), A.I.S.E. – the European Association for detergents, cleaning and maintenance products – wishes to express its views on the relevant topics and calls co-legislators for their inclusion in the final text.

An annex with the amendments from the EP Report and Council General Approach is attached after the "A.I.S.E. recommendations and justifications" section and can be consulted for the exact referenced wordings.

A.I.S.E. recommendations and justifications:

- ***Child-Resistant Fastenings:***
  - A.I.S.E. supports the position of the European Commission and the Council, namely for the scope of this requirement to remain as per the current CLP text and not to extend it to any additional hazards.

Justification: Extending the requirement for a child-resistant fastening (CRF) to serious eye damage category 1 would have unintended negative consequences on safety in practice. It would mean that some daily use products (*e.g.* hand dishwash liquid) would require a CRF normally found on corrosive products, leading to confusion since consumers will no longer be able to distinguish dangerous products from less hazardous ones. Studies and feedback from Poison Centres indicate that eye damage is not comparable to skin corrosion, with eye effects typically of moderate/low severity and fully reversed within a short period[1]. Consumer research shows however that consumers will not reclose the packaging or will transfer the products to another container to avoid challenging/time-consuming opening and closing, thus defeating the purpose and increasing the risk of exposure.
Extending the requirement would also hinder progress on sustainability initiatives, by limiting refill sales, the use of recycled materials, recyclability of packages and product compaction (which reduces packaging, water, transport weight and carbon footprint but may increase the classification of a product).

[1] Scazzola et al, *Regulatory Toxicology and Pharmacology* Volume 105, July 2019, Pages 69-76 https://doi.org/10.1016/j.yrtph.2019.04.004

- ***Refill Sales:***
  - A.I.S.E. prefers the proposal of the European Commission on the prohibition of sales through refill stations for certain hazard classes, categories or differentiations:
    - In Annex II, Part 3, Section 3.4 (new), paragraph (k) should not be extended to include eye effects (serious eye damage category 1 and/or eye irritation category 2).

Justification: A.I.S.E. supports the Commission's objectives to reduce the environmental impact of packaging and packaging waste, as addressed by initiatives such as the PPWR proposal. Reuse and refill of packaging, including but not limited to the use of in-store refill stations, can play a role in reducing packaging in line with EU objectives.
Extending the prohibition of refill sales to eye hazard classifications would severely limit this possibility for detergents (explicitly enabled in the Commission's new proposed regulation on detergents and surfactants) and impact negatively on environmental goals. The safety of detergents is of paramount importance and reuse/refill systems should not compromise this, but technological advances and good management practices can enable safe dispensing via refill stations[2]. Innovation in this area should be permitted and enabled where safe conditions can be demonstrated and guaranteed.

- ***Environmental Claims:***
  - A.I.S.E. supports the position of the European Commission and the Council, namely not to include any provision in the CLP Regulation (in Article 48 or elsewhere) on the prohibition of environmental claims.

Justification: The directives on 'empowering consumers for the green transition' and green claims substantiation will protect consumers and companies from greenwashing and will enable consumers to make informed purchasing decisions based on credible environmental claims and labels. For regulatory coherence and legal certainty, it is important that environmental claims and concerns related to them be regulated via these two pieces of legislation, which are currently going through the ordinary legislative procedure, and not CLP.
In addition, preventing environmental claims for products with CLP classifications is disproportionate and counterproductive to many of the EU Green Deal objectives. There is little to no correlation between hazard classification and the wide spectrum of environmental claims.

[2] A.I.S.E. Guidance on regulatory requirements for bulk & refill sales for consumer products, January 2022

- ***Font Size and Label Format:***
  - Although none of the positions is optimal, A.I.S.E. prefers the Council amendment on minimum font size in Annex I, Section 1.2.1.4.
  - A.I.S.E. prefers the Commission and EP position on label contrast in Annex I, Section 1.2.1.5 paragraph (a):
    - Whilst adequate contrast between text and background should always be ensured, it is disproportionate and represents undue regulatory interference to require the label text to be printed in black. The latter is also incompatible with the product identifier, which forms part of the label elements covered by Annex I 1.2.1.5 (i.e. those required by Article 17(1)) but which will often appear in the form of a product logo or trademark.
  - A.I.S.E. supports the Council amendment on line spacing in Annex I, Section 1.2.1.5 paragraph (b).
    - Many factors influence the legibility of a block of text, so a more flexible interpretation of 'appropriate' distance between lines is more appropriate in legal text than a prescriptive minimum spacing.
  - A.I.S.E. supports the EP amendment adding Section 1.2.1.5.a on a logical order of languages on the label:
    - This enables multi-lingual labels and optimisation of sales and distribution, including catering to smaller markets which might otherwise be economically unviable.
  - A.I.S.E. supports the Council amendment on inclusion of requirements for the layout of fold-out labels, but cautions that these may not be fully compatible with the increased font sizes now proposed by all three institutions.
  - Formulators will require sufficient time to implement the substantial changes in label format introduced by the revision. Although still very ambitious, A.I.S.E. prefers the EP position on transition periods in Article 61 of CLP and in Article 2 of the revision regulation, which permits additional time for mixtures.

Justification: The Commission's Impact Assessment does not support an increase in font size (only the introduction of legally binding rules in CLP to improve readability). This increase will reduce the space available on the label to provide important safety and sustainable use information as required by CLP and other legislation, including the Detergents Regulation.

The flexibility to use fold-out labels is welcome, but they are unsuitable for certain product shapes, sizes and uses and can be harder to recycle due to mixed material content and use of stronger adhesives. The larger font size will also make it more challenging to fit the required label elements on the front and other pages of a fold-out label, leading to an increase in the number of pages required and/or the number of Stock-Keeping Units (SKUs). This will lead to increases in environmental impact due to more packaging, more energy used in production, storage and transportation, and the destruction of obsolete products – contrary to the objectives of the Packaging and Packaging Waste Regulation and the Ecodesign for Sustainable Products Regulation. It could also result in some smaller markets being no longer supported, which would cause severe disruption to supply of essential cleaning and disinfecting products in those countries.

- ***Label Updating Timeline:***
  - A period of six months will not be workable in practice in many cases, due to the numerous steps involved in updating the classification and labelling of a mixture.
  - A.I.S.E. highlights that the additions proposed by the Council on the updating of the label in accordance with Article 30 paragraphs 1 and 2 are not in line with the legal text of the CLP Regulation.

Justification: The evaluation referred to in Article 15(4) is an obligation for each actor in the supply chain, not only the original supplier/classifier of the substance at the top of that chain. According to Article 15(1), "*When a manufacturer, importer **or downstream user** becomes aware of such information which he considers to be adequate and reliable, that manufacturer, importer **or downstream user shall without undue delay carry out a new evaluation** in accordance with this Chapter.".*
In the context of a mixture, the evaluation mentioned in Article 30 paragraph 1 or 2 shall be read as the evaluation carried out by the supplier formulating, classifying and labelling that mixture (i.e. the downstream user), which cannot be communicated *to* that supplier.

A fixed timeline of six months to update artwork and packaging after evaluation is not workable, as it does not accommodate the significant lead times associated with physical changes for some artworks (e.g. creation of new printer drums), nor consequential changes to packaging, product authorisations (e.g. in the case of biocidal products) etc. It also does not consider that complex formulations will experience compounding effects where there are multiple changes during the initial update timeframe. The unintended but direct consequence could be a large increase in waste and environmental impact due to scrapping of labels, packaging and finished products.

Annex with detailed amendments

Child-Resistant Fastenings:

European Commission	European Parliament	Council
[Annex II – Part 3 – Section 3.1.1.1 Packaging of whatever capacity containing a substance or mixture supplied to the general public and classified for acute toxicity, categories 1 to 3, STOT — single exposure category 1, STOT — repeated exposure category 1, or skin corrosion category 1 shall be fitted with child-resistant fastenings.] *- current text of CLP, no proposal for revision*	**Annex II – Part 3 – Section 3.1.1.1** Packaging of whatever capacity containing a substance or mixture supplied to the general public and classified for acute toxicity, categories 1 to 3, STOT — single exposure category 1, STOT — repeated exposure category 1, or skin corrosion category 1***, or serious eye damage category 1*** shall be fitted with child-resistant fastenings.	*No proposal – retain current text of CLP*

Tactile Warning of Danger:

European Commission	European Parliament	Council
[Annex II – Part 3 – Section 3.2 3.2.1. ***Packaging to be fitted with a tactile warning*** 3.2.1.1. Where substances or mixtures are supplied to the general public and classified for acute toxicity, skin corrosion, germ cell mutagenicity category 2, carcinogenicity category 2, reproductive toxicity category 2, respiratory sensitisation, STOT categories 1 or 2, aspiration hazard, flammable gases, flammable liquids categories 1 or 2, or flammable solids, the packaging of whatever capacity, shall be fitted with a tactile warning of danger. 3.2.1.2. Section 3.2.1.1 does not apply to transportable gas receptacles. Aerosols and containers fitted with a sealed spray attachment and containing substances or mixtures classified as presenting an aspiration hazard need not be fitted with a tactile warning unless they are classified for one or more of the other hazards in section 3.2.1.1.] *- current text of CLP, no proposal for revision*	**In Part 3 of Annex II, section 3.2.1. is replaced by the following** *[sic]*: 3.2.1. Packaging to be fitted with a tactile warning Where substances or mixtures are supplied to the general public and classified for acute toxicity, skin ***corrosion/skin irritation, serious eye damage/eye irritation, endocrine disruption for human health category 2, endocrine disruption for the environment category 2***, germ cell mutagenicity category 2, carcinogenicity category 2, reproductive toxicity category 2, respiratory ***or skin sensitization***, ***STOT*** categories 1 ***or*** 2, aspiration hazard, flammable gases, ***flammable*** liquids categories 1 ***or 2, or flammable solids***, the packaging of whatever capacity, shall be fitted with a tactile warning of danger.	*No proposal – retain current text of CLP*

Refill Sales:

European Commission	European Parliament	Council
Annex II – Part 3 – Section 3.4 is added:		
3.4. **Refill stations**		
Hazardous substances or mixtures referred to in Article 35(2a), shall meet the following conditions:		
[…]	[…]	[…]
(k) no substance or mixture provided through a refill station meets the criteria for classification in any of the following hazard classes:		(k) hazardous ~~no~~ substances or mixtures shall not be provided at ~~through~~ a refill station if ~~meets~~ the criteria for classification in any of the following hazard classes or differentiations are met:
(i) Acute toxicity, categories 1 – 4;		(i) Acute toxicity, any category~~ies 1 – 4~~;
(ii) Specific target organ toxicity – Single exposure, categories 1, 2 and 3;		(ii) Specific target organ toxicity – Single exposure, any category~~ies 1, 2 and 3~~;
(iii) Specific target organ toxicity – repeated exposure, categories 1 and 2;		(iii) Specific target organ toxicity – repeated exposure, any category~~ies 1 and 2~~;
(iv) Skin corrosion/irritation, category 1 (sub-categories 1A, 1B and 1C);		(iv) Skin corrosion~~/irritation~~, category 1, any sub-category ~~(sub-categories 1A, 1B and 1C)~~;
	(iva) Serious eye damage category 1/eye irritation, category 2;	(iv1) Serious eye damage, category 1;
(v) Respiratory sensitisation, category 1 (sub-categories 1A and 1B);		(v) Respiratory sensitisation, any category 1 (sub-categories 1A and 1B);
	(va) Skin sensitisation, category 1 (sub-categories 1A and 1B);	(v1) Skin sensitisation, any category;
(vi) Aspiration hazard;		(vi) Aspiration hazard;
(vii) Germ cell mutagenicity, any category;		(vii) Germ cell mutagenicity, any category;
(viii) Carcinogenicity, any category;		(viii) Carcinogenicity, any category;
(ix) Reproductive toxicity, any category;		(ix) Reproductive toxicity, any category;
(x) Flammable gases, categories 1 and 2;		(x) Flammable gases, any category~~ies 1 and 2;~~

(xi) Flammable liquids, categories 1 and 2; (xii) Flammable solids, categories 1 and 2. (xiii) [insert: Endocrine disruptor for human health, categories 1 and 2].'; (xiv) [insert: Endocrine disruptor for the environment, category 1 and 2]; (xv) [insert: Persistent, bioaccumulative and toxic (PBT)]; (xvi) [insert: Very persistent and very bioaccumulative (vPvB)]; (xvii) [insert: Persistent, mobile and toxic (PMT)]; (xviii) [insert Very persistent and very mobile (vPvM)]. By way of derogation from point (b), a single label on the refill station may be used for several substances or mixtures for which the label elements referred to in Article 17(1) are identical, provided that the label clearly indicates the name of each substance or mixture that it applies to.		(xi) Flammable liquids, categories 1 and 2; (xii) Flammable solids, any category~~ies 1 and 2.~~; (xiii) ~~[insert:~~ Endocrine disruption~~or~~ for human health, any category~~ies 1 and 2].~~'; (xiv) ~~[insert:~~ Endocrine disruption~~or~~ for the environment, any category ~~1 and 2~~]; (xv) ~~[insert:~~ Persistent, Bbioaccumulative and Ttoxic (PBT)]; (xvi) ~~[insert:~~ Very P~~p~~ersistent and V~~v~~ery B~~b~~ioaccumulative (vPvB)]; (xvii) ~~[insert:~~ Persistent, M~~m~~obile and T~~t~~oxic (PMT)]; (xviii) ~~[insert~~ Very P~~p~~ersistent and V~~v~~ery M~~m~~obile (vPvM)]. By way of derogation from point (a~~b~~), a single label on the refill station may be used for several substances or mixtures for which the label elements referred to in Article 17(1) are identical, provided that the label clearly indicates the name of each substance or mixture that it applies to.

Green Claims:

European Commission	European Parliament	Council
No proposal	**Article 48 – paragraph 2a (new)** ***2a. The use of environmental claims as defined in Article 2, point (o), of Directive 2005/29/EC shall be prohibited for substances and mixtures which are classified as hazardous due to their germ cell mutagenic, carcinogenic, toxic to reproduction, endocrine disruption for human health or the environment, persistent, bioaccumulative and toxic (PBT), very persistent, very bioaccumulative (vPvB), persistent, mobile and toxic (PMT), or very persistent, very mobile (vPvM) properties;***	*No proposal*

Font Size & Label Format:

European Commission

Annex I, Section 1.2.1.4 (replaced)

1.2.1.4. The dimensions of the label and of each pictogram, and the font size of letters shall be as follows:

Table 1.3 **Minimum dimensions of labels, pictograms and font size**

Capacity of the package	Dimensions of the label (in millimetres) for the information required by Article 17	Dimensions of each pictogram (in millimetres)	Minimum font-size
Not exceeding 3 litres:	If possible, at least 52x74	Not smaller than 10x10 If possible, at least 16x16	8pt
Greater than 3 litres but not exceeding 50 litres:	At least 74x105	At least 23x23	12pt
Greater than 50 litres but not exceeding 500 litres:	At least 105x148	At least 32x32	16pt
Greater than 500 litres:	At least 148x210	At least 46x46	20pt’;

European Parliament

Annex I, Section 1.2.1.4

Table 1.3 **Minimum dimensions of labels, pictograms and font size**

Capacity of the package	Dimensions of the label (in millimetres) for the information required by Article 17	Dimensions of each pictogram (in millimetres)	Minimum font-size
Not exceeding 3 litres:	If possible, at least 52x74	Not smaller than 10x10 If possible, at least 16x16	***1,4 (x-height in millimeters)***
Greater than 3 litres but not exceeding 50 litres:	At least 74x105	At least 23x23	***1,8 (x-height in millimeters)***
Greater than 50 litres but not exceeding 500 litres:	At least 105x148	At least 32x32	***2,4 (x-height in millimeters)***
Greater than 500 litres:	At least 148x210	At least 46x46	***3,0 (x-height in millimeters)***

Council

Annex I, Section 1.2.1.4

Table 1.3 **Minimum dimensions of labels, pictograms and font size**

Capacity of the package	Dimensions of the label (in millimetres) for the information required by Article 17	Dimensions of each pictogram (in millimetres)	Minimum font-size (x-height in millimeters)
Not exceeding 3 litres:	If possible, at least 52x74	Not smaller than 10x10 If possible, at least 16x16	~~8pt~~ 1,4
Greater than 3 litres but not exceeding 50 litres:	At least 74x105	At least 23x23	~~12pt~~ 1,8
Greater than 50 litres but not exceeding 500 litres:	At least 105x148	At least 32x32	~~16pt~~ 2,0
Greater than 500 litres:	At least 148x210	At least 46x46	~~20pt~~ 2,0’;

European Commission	European Parliament	Council
Annex I, Section 1.2.1.5 (added) 1.2.1.5. The text on the label shall have the following characteristics: (a) the background of the label shall be white; (b) the distance between two lines shall be equal or above 120 % of the font size; (c) a single font shall be used that is easily legible and without serifs; (d) the letter spacing shall be appropriate for the selected font to be comfortably legible. For the labelling of inner packaging where the contents do not exceed 10 ml, the font size may be smaller than indicated in Table 1.3, as long as it remains legible for a person with average eyesight, where it is deemed important to place the most critical hazard statement and where the outer packaging meets the requirements of Article 17.	**Annex I, Section 1.2.1.5 (added)** *As Commission proposal* ***(3a) In Annex I, part I, the following section is added:*** ***Section 1.2.1.5.a*** ***For multilingual labels, the languages shall be ordered in a logical way, e.g. alphabetically.***	**(3) the following Section 1.2.1.5. is added:** 1.2.1.5. The text on the label shall have the following characteristics: (a) printed in black on a white ~~the~~ background ~~of the label shall be white~~; (b) the distance between two lines shall be appropriate for the selected ~~equal or above 120 % of the~~ font size to be easily legible; (c) a single font shall be used that is easily legible and without serifs; (d) the letter spacing shall be appropriate for the selected font to be ~~comfortably~~ easily legible. For the labelling of inner packaging where the contents do not exceed 10 ml, the font size may be smaller than indicated in Table 1.3, as long as it remains legible ~~for a person with average eyesight~~, where it is deemed important to place the most critical ~~hazard~~ statement, such as hazard statement or EUH statement, and where the outer packaging meets the requirements of Article 17.' **(3a) the following Section 1.2.1.6. is added:** 1.2.1.6. The front page of the fold-out label shall include at least the following elements: i. name, address and phone number of supplier(s); ii. nominal quantity of the substance or mixture in the package made available to the general public, unless this quantity is specified elsewhere on the package; iii. the product identifiers in accordance with Article 18(2) for substances and Article18(3)(a) for mixtures in all languages of the label that are used in the inside pages;

European Commission	European Parliament	Council
		iv. where applicable, hazard pictograms; v. where applicable, signal words in all languages of the label that are used in the inside pages; vi. where applicable, the unique formula identifier, unless printed or affixed on the inner packaging in accordance with point 5.3, Part A in Annex VIII of this Regulation; vii. a reference to the full safety information inside the fold-out label in all languages of the label or a symbol to inform a user that the label can be opened and to illustrate that additional information is available on inside pages; viii. an abbreviation of the language (country code or language code) for all the languages that are used in the inside pages.

Transition periods

European Commission	European Parliament	Council
Article 61 - the following paragraph 7 is added: 7. Substances and mixtures which have been classified, labelled and packaged in accordance with Article 1(1), Article 4(10), Article 5, Article 6(3) and (4), Article 9(3) and (4), Article 25(6) and (9), Articles 29, 30 and 35, Article 40(1) and (2), Article 42(1), third sub-paragraph, Article 48, section 1.2.1. of Annex I, section 1.5.1.2 of Annex I, section 1.5.2.4.1 of Annex I, Parts 3 and 5 of Annex II, Part A, the first sub-paragraph of section 2.4, of Annex VIII, Part B, section 1, of Annex VIII, Part B, the third paragraph of section 3.1, of Annex VIII , Part B, section 3.6, of Annex VIII, Part B, the first row of Table 3 of Section 3.7, of Annex VIII, Part B, the first paragraph of Section 4.1, of Annex VIII, Part C, sections 1.2 and 1.4, of Annex VIII, and Part D, sections 1, 2 and 3, of Annex VIII as applicable on … [OP: please insert the date = the day before the entry into force of this Regulation] and which were placed on the market before [OP: please insert the date = the first day of the month following 18 months after the date of entry into force of this Regulation] are not required to be classified, labelled and packaged in accordance with this Regulation as amended by Regulation …/… of the European Parliament and of the Council* [OP: please complete the reference in the footnote – it should be the reference to this Regulation] until … [OP: please insert the date = the first day of the month following 42 months after the date of entry into force of this Regulation].	**Article 61 paragraph 7 (Amd 82)** 7. Substances which have been classified, labelled and packaged in accordance with Article 1(1), Article 4(10), Article 5, Article 6(3) and (4), Article 9(3) and (4), Article 25(6) and (9), Articles 29, 30 and 35, Article 40(1) and (2), Article 42(1), third sub-paragraph, Article 48, section 1.2.1. of Annex I, section 1.5.1.2 of Annex I, section 1.5.2.4.1 of Annex I, Parts 3 and 5 of Annex II, Part A, the first sub-paragraph of section 2.4, of Annex VIII, Part B, section 1, of Annex VIII, Part B, the third paragraph of section 3.1, of Annex VIII , Part B, section 3.6, of Annex VIII, Part B, the first row of Table 3 of Section 3.7, of Annex VIII, Part B, the first paragraph of Section 4.1, of Annex VIII, Part C, sections 1.2 and 1.4, of Annex VIII, and Part D, sections 1, 2 and 3, of Annex VIII as applicable on … [OP: please insert the date = the day before the entry into force of this Regulation] and which were placed on the market before [OP: please insert the date = the first day of the month following 18 months after the date of entry into force of this Regulation] are not required to be classified, labelled and packaged in accordance with this Regulation as amended by Regulation …/… of the European Parliament and of the Council* [OP: please complete the reference in the footnote – it should be the reference to this Regulation] until … [OP: please insert the date = the first day of the month following 42 months after the date of entry into force of this Regulation]. **Article 61 – paragraph 7 a (new) (Amd 83)** ***7a. Mixtures which have been classified, labelled and packaged in accordance with Article 1(1), Article 4(10), Article 5, Article 6(3) and (4), Article 9(3) and (4), Article 25(6) and (9), Articles 29, 30 and 35, Article 40(1) and (2), Article 42(1), third subparagraph, Article 48, section 1.2.1. of Annex I, section 1.5.1.2 of Annex I, section 1.5.2.4.1 of Annex I, Parts 3 and 5 of Annex II, Part A, the first subparagraph of section 2.4, of Annex VIII, Part B, section 1, of Annex VIII, Part B, the third paragraph of section 3.1, of Annex VIII , Part B, section 3.6, of Annex VIII, Part B, the first row of Table 3 of Section 3.7, of Annex VIII, Part B, the first paragraph of Section 4.1, of Annex VIII, Part C, sections 1.2 and 1.4, of Annex VIII, and Part***	**Article 61 paragraph 7** 7. Substances and mixtures which have been classified, labelled and packaged in accordance with ~~Article 1(1), Article 4(10), Article 5,~~ Article 6(3) and (4), Article 9(3) and (4), Article 25(6) ~~and (9)~~, Articles 29~~, 30 and 35, Article 40(1) and (2), Article 42(1), third sub-paragraph, Article 48,~~ section 1.2.1. of Annex I, section 1.5.1.2 of Annex I, section 1.5.2.4.1 of Annex I~~, Parts 3 and 5 of Annex II, Part A, the first sub-paragraph of section 2.4, of Annex VIII, Part B, section 1, of Annex VIII, Part B, the third paragraph of section 3.1, of Annex VIII , Part B, section 3.6, of Annex VIII, Part B, the first row of Table 3 of Section 3.7, of Annex VIII, Part B, the first paragraph of Section 4.1, of Annex VIII, Part C, sections 1.2 and 1.4, of Annex VIII, and Part D, sections 1, 2 and 3, of Annex VIII~~ as applicable on … [OP: please insert the date = the day before the entry into force of this Regulation] and which were placed on the market before [OP: please insert the date = the first day of the month following 18 months after the date of entry into force of this Regulation] are not required to be classified, labelled and packaged in accordance with this Regulation as amended by Regulation …/… of the European Parliament and of the Council[16] [OP: please complete the reference in the footnote – it should be the reference to this Regulation] until … [OP: please insert the date = the first day of the month following 42 months after the date of entry into force of this Regulation].

European Commission	European Parliament	Council
	D, sections 1, 2 and 3, of Annex VIII as applicable on … [OP: please insert the date = the day before the entry into force of this Regulation] and which were placed on the market before [OP: please insert the date = the first day of the month following 24 months] after the date of entry into force of this Regulation] are not required to be classified, labelled and packaged in accordance with this Regulation as amended by Regulation …/… of the European Parliament and of the Council* [OP: please complete the reference in the footnote – it should be the reference to this Regulation] until … [OP: please insert the date = the first day of the month following 48 months after the date of entry into force of this Regulation].	
Proposal Article 2 1. This Regulation shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union. 2. The following provisions shall apply from [OP: please insert the date = the first day of the month following 18 months after the date of entry into force of this Regulation]: (a) Article 1, points (1), (4), (5), (6), (7), (10), (11), (12), (15), (16), (20), (21), (23) and (24); (b) points (2), (3), (7), (9) and (10) of Annex I; (c) Annex II; (d) points (1)(c), (2), (3) and (4) of Annex III.	**Proposal Article 2 (Amds 84-86)** 2. The following provisions shall apply ***to substances and mixtures*** from [OP: please insert the date = the first day of the month following 18 months after the date of entry into force of this Regulation]: […] ***2a. The following provisions shall apply to mixtures from [OP: please insert the date = the first day of the month following 24 months after the date of entry into force of this Regulation]: (a) Article 1, points (1), (4), (5), (6), (7), (10), (11), (12), (15), (16), (20), (21), (23) and (24); (b) points (2), (3), (7), (9) and (10) of Annex I; (c) Annex II; (d) points (1)(c), (2), (3) and (4) of Annex III.***	**Proposal Article 2** *[1 as per Commission proposal]* 2. The following provisions shall apply from [OP: please insert the date = the first day of the month following 18 months after the date of entry into force of this Regulation]: (a) Article 1, points (1), ~~(4),~~ (5), (6), (7), (10), (11), (12), (15), (16), (20), (21), (23) and (24); (b) points (2), (3), (7), (9) and (10) of Annex I; (c) Annex II; (d) points (1)(c), (2), (3) and (4) of Annex III.

European Commission	European Parliament	Council
3. By way of derogation from Article 1(1), Article 4(10), Article 5, Article 6(3) and (4), Article 9(3) and (4), Article 25(6) and (9), Articles 29, 30 and 35, Article 40(1) and (2), Article 42(1), third sub-paragraph, Article 48, section 1.2.1. of Annex I, section 1.5.1.2 of Annex I, section 1.5.2.4.1 of Annex I, Parts 3 and 5 of Annex II, Part A, the first sub-paragraph of section 2.4, of Annex VIII, Part B, section 1, of Annex VIII, Part B, the third paragraph of section 3.1, of Annex VIII , Part B, section 3.6, of Annex VIII, Part B, the first row of Table 3 of Section 3.7, of Annex VIII, Part B, the first paragraph of Section 4.1, of Annex VIII, Part C, sections 1.2 and 1.4, of Annex VIII, and Part D, sections 1, 2 and 3, of Annex VIII to Regulation (EC) No 1272/2008 as applicable on [OP: please insert the date = the day before the date of entry into force of this Regulation], substances and mixtures may until … [OP: please insert the date = the last day of the month following 17 months after the date of entry into force of this Regulation] be classified, labelled and packaged in accordance with Regulation (EC) No 1272/2008 as amended by the following provisions of this Regulation: (a) Article 1, points (1), (4), (5), (6), (7), (10), (11), (12), (16), (20), (21) and (23); (b) points (2), (3), (7) and (9) of Annex I; (c) Annex II; (d) points (1)(c), (2), (3) and (4) of Annex III.	3. By way of derogation from Article 1(1), Article 4(10), Article 5, Article 6(3) and (4), Article 9(3) and (4), Article 25(6) and (9), Articles 29, 30 and 35, Article 40(1) and (2), Article 42(1), third sub-paragraph, Article 48, section 1.2.1. of Annex I, section 1.5.1.2 of Annex I, section 1.5.2.4.1 of Annex I, Parts 3 and 5 of Annex II, Part A, the first sub-paragraph of section 2.4, of Annex VIII, Part B, section 1, of Annex VIII, Part B, the third paragraph of section 3.1, of Annex VIII , Part B, section 3.6, of Annex VIII, Part B, the first row of Table 3 of Section 3.7, of Annex VIII, Part B, the first paragraph of Section 4.1, of Annex VIII, Part C, sections 1.2 and 1.4, of Annex VIII, and Part D, sections 1, 2 and 3, of Annex VIII to Regulation (EC) No 1272/2008 as applicable on [OP: please insert the date = the day before the date of entry into force of this Regulation], substances may until … [OP: please insert the date = 18 months after the date of entry into force of this Regulation] and mixtures may until … [OP: please insert the date = the last day of the month following 35 months after the date of entry into force of this Regulation] be classified, labelled and packaged in accordance with Regulation (EC) No 1272/2008 as amended by the following provisions of this Regulation: *[remainder as Commission proposal]*	3. By way of derogation from Article 1(1), Article 4(10), ~~Article 5,~~ Article 6(3) and (4), Article 9(3) and (4), Article 25(6) and (9), Articles 29, 30 and 35, Article 40(1) and (2), Article 42(1), third sub-paragraph, Article 48, section 1.2.1. of Annex I, section 1.5.1.2 of Annex I, section 1.5.2.4.1 of Annex I, Parts 3 and 5 of Annex II, Part A, the first sub-paragraph of section 2.4, of Annex VIII, Part B, section 1, of Annex VIII, Part B, the third paragraph of section 3.1, of Annex VIII , Part B, section 3.6, of Annex VIII, Part B, the first row of Table 3 of Section 3.7, of Annex VIII, Part B, the first paragraph of Section 4.1, of Annex VIII, Part C, sections 1.2 and 1.4, of Annex VIII, and Part D, sections 1, 2 and 3, of Annex VIII to Regulation (EC) No 1272/2008 as applicable on [OP: please insert the date = the day before the date of entry into force of this Regulation], substances and mixtures may until … [OP: please insert the date = the last day of the month following 17 months after the date of entry into force of this Regulation] be classified, labelled and packaged in accordance with Regulation (EC) No 1272/2008 as amended by the following provisions of this Regulation: (a) Article 1, points (1), ~~(4),~~ (5), (6), (7), (10), (11), (12), (16), (20), (21) and (23); (b) points (2), (3), (7) and (9) of Annex I; (c) Annex II; (d) points (1)(c), (2), (3) and (4) of Annex III.

Label Updating Timeline:

European Commission	European Parliament	Council
Article 30 **Updating information on labels** 1. In case of a change regarding the classification and labelling of a substance or a mixture, which results in the addition of a new hazard class or in a more severe classification, or which requires new supplemental information on the label in accordance with Article 25, the supplier shall ensure that the label is updated within 6 months after the results of the new evaluation referred to in Article 15(4) were obtained. 2. Where a change regarding the classification and labelling of a substance or a mixture is required other than that referred to in paragraph 1, the supplier shall ensure that the label is updated within 18 months after the results of the new evaluation referred to in Article 15(4) were obtained. 3. Paragraphs 1 and 2 shall not apply where a change regarding the classification and labelling of a substance or a mixture was triggered by a harmonised classification and labelling of a substance set out in a delegated act adopted pursuant to Article 37(5) or by a provision set out in a delegated act adopted pursuant to Article 53(1). In such cases, the supplier shall ensure that the label is updated by the date set out in the respective delegated act. 4. The supplier of a substance or mixture that falls within the scope of Regulation (EC) No 1107/2009 or Regulation (EU) No 528/2012 shall update the label in accordance with those Regulations';	*No proposal*	*Article 30* **Updating information on labels** 1. In case of a change regarding the classification ~~and~~ or labelling of a substance or a mixture, which results in the addition of a new hazard class or in a more severe classification, or which requires new supplemental information on the label in accordance with Article 25, the supplier of that substance or that mixture shall ensure that the label is updated without undue delay and no later than ~~within~~ 6 months after the results of the new evaluation referred to in Article 15(4) were obtained by, or communicated to, that supplier. 2. Where a change regarding the classification ~~and~~ or labelling of a substance or a mixture is required other than that referred to in paragraph 1, the supplier of that substance or that mixture shall ensure that the label is updated without undue delay and no later than ~~within~~ 18 months after the results of the new evaluation referred to in Article 15(4) were obtained by, or communicated to, that supplier. 2a. Suppliers shall cooperate in accordance with Article 4(9) to ensure that the results of the new evaluations referred to in Article 15(4) are communicated throughout the supply chain without undue delay in order to fulfil the obligations in paragraphs 1 and 2. 3. Paragraphs 1 and 2 shall not apply where a change regarding the classification and labelling of a substance or a mixture was triggered by a harmonised classification and labelling of a substance set out in a delegated act adopted pursuant to Article 37(5) or by a provision set out in a delegated act adopted pursuant to Article 53(1). In such cases, the supplier shall ensure that the label is updated by the date set out in the respective delegated act. 4. The supplier of a substance or mixture that falls within the scope of Regulation (EC) No 1107/2009 or Regulation (EU) No 528/2012 shall update the label in accordance with those Regulations'.