

ANNEX XVII TO REACH – Conditions of restriction

Restrictions on the manufacture, placing on the market and use of certain dangerous substances, mixtures and articles

Entry 29

Substances which appear in Part 3 of Annex VI to Regulation (EC) No 1272/2008 classified as germ cell mutagen category 1A or 1B (Table 3.1) or mutagen category 1 or 2 (Table 3.2) and listed as follows:

- Mutagen category 1A (Table 3.1)/ mutagen category 1 (Table 3.2) listed in Appendix 3
- Mutagen category 1B (Table 3.1)/ mutagen category 2 (Table 3.2) listed in Appendix 4

Conditions of restriction

Without prejudice to the other parts of this Annex the following shall apply to entries 28 to 30:

1. Shall not be placed on the market, or used,
 - as substances,
 - as constituents of other substances, or,
 - in mixtures,

for supply to the general public when the individual concentration in the substance or mixture is equal to or greater than:

- either the relevant specific concentration limit specified in Part 3 of Annex VI to Regulation (EC) No 1272/2008, or,
- the relevant generic concentration limit specified in Part 3 of Annex I of Regulation (EC) No 1272/2008.

Without prejudice to the implementation of other Community provisions relating to the classification, packaging and labelling of substances and mixtures, suppliers shall ensure before the placing on the market that the packaging of such substances and mixtures is marked visibly, legibly and indelibly as follows:

‘Restricted to professional users’.

2. By way of derogation, paragraph 1 shall not apply to:

- (a) medicinal or veterinary products as defined by Directive 2001/82/EC and Directive 2001/83/EC;
- (b) cosmetic products as defined by Directive 76/768/EEC;

(c) the following fuels and oil products:

- motor fuels which are covered by Directive 98/70/EC,
- mineral oil products intended for use as fuel in mobile or fixed combustion plants,
- fuels sold in closed systems (e.g. liquid gas bottles);

(d) artists' paints covered by Regulation (EC) No 1272/2008;

(e) the substances listed in Appendix 11, column 1, for the applications or uses listed in Appendix 11, column 2. Where a date is specified in column 2 of Appendix 11, the derogation shall apply until the said date.