



Council of the
European Union

Brussels, 25 April 2023
(OR. en)

8712/23
ADD 1

ENT 84
MI 326
COMPET 359
CONSUM 140
SAN 211
ENV 409
CHIMIE 38

COVER NOTE

From:	Secretary-General of the European Commission, signed by Ms Martine DEPREZ, Director
date of receipt:	25 April 2023
To:	Ms Thérèse BLANCHET, Secretary-General of the Council of the European Union

No. Cion doc.:	C(2023) 2672 final - Annex
Subject:	ANNEX to the COMMISSION DELEGATED REGULATION amending, for the purposes of its adaptation to technical and scientific progress, Regulation (EC) No 1272/2008 of the European Parliament and of the Council on classification, labelling and packaging of substances and mixtures as regards the addition of notes to Part 1, section 1.1.3, of Annex VI

Delegations will find attached document C(2023) 2672 final - Annex.

Encl.: C(2023) 2672 final - Annex



EUROPEAN
COMMISSION

Brussels, 25.4.2023
C(2023) 2672 final

ANNEX

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COMMISSION DELEGATED REGULATION

**amending, for the purposes of its adaptation to technical and scientific progress,
Regulation (EC) No 1272/2008 of the European Parliament and of the Council on
classification, labelling and packaging of substances and mixtures as regards the
addition of notes to Part 1, section 1.1.3, of Annex VI**

ANNEX

Part 1 of Annex VI is amended as follows:

- (1) in section 1.1.3.1, the following note X is added:

'Note X:

The classification for the hazard class(es) in this entry is based only on the hazardous properties of the part of the substance which is common to all substances in the entry. The hazardous properties of any substances in the entry also depend on the properties of the part of the substance which is not common to all substances in the group. The latter must be evaluated to assess whether more severe classification(s) (i.e. a higher category) or a broader scope of the same classification (additional differentiation, target organs and/or hazard statements) might apply for the hazard class(es) in the entry.';

- (2) in section 1.1.3.2, the following notes 11 and 12 are added:

'Note 11:

The classification of mixtures as reproductive toxicant is necessary if the sum of the concentrations of individual boron compounds that are classified as reproductive toxicant in the mixture as placed on the market is ≥ 0.3 %.

Note 12:

The classification of mixtures as reproductive toxicant is necessary if the sum of the concentrations of individual substances covered by this entry in the mixture as placed on the market is equal to, or above, the applicable generic concentration limit for the assigned category, or a specific concentration limit given in this entry.'.