

Factories

1956-12

**Subsidiary
2003/035**

**FACTORIES (CONTROL OF CHEMICAL AGENTS AT WORK)
REGULATIONS 2003**

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Regulations made under ss.58 and 81.

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WORK) REGULATIONS 2003**

(LN. 2003/035)

20.3.2003

Amending enactments	Relevant current provisions	Commencement date
LN. 2008/035	Sch. 1	8.5.2008
2008/050	Sch. 1	19.6.2008

Transposing:

Directive 98/24/EC

Directive 2000/39/EC

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In exercise of the powers conferred on him by sections 58 and 81 of the Factories Act and of all other enabling powers, and for the purposes of transposing into the law of Gibraltar Council Directive 98/24/EC and Commission Directive 2000/39/EC the Governor has made the following regulations—

Title.

1. These Regulations may be cited as the Factories (Control of Chemical Agents at Work) Regulations 2003.

Interpretation.

2.(1) In these Regulations, unless the context otherwise requires—

“Biological limit value” means the limit of the concentration in the appropriate biological medium of the relevant agent, its metabolite, or an indicator of effect;

“Chemical agent” means any chemical element or compound, on its own or admixed, as it occurs in the natural state or as produced, used or released, including release as waste, by any work activity, whether or not produced intentionally and whether or not placed on the market;

“Doctor” means a doctor registered under the provisions of the Medical and Health Act 1997;

“Hazard” means the intrinsic property of a chemical agent with the potential to cause harm;

“Hazardous chemical agent” means—

- (i) any chemical agent which meets the criteria for classification as a dangerous substance according to the criteria in Annex VI to Directive 67/548/EEC, whether or not that substance is classified under that Directive, other than those substances which only meet the criteria for classification as dangerous for the environment;
- (ii) any chemical agent which meets the criteria for classification as a dangerous preparation within the meaning of Directive 88/379/EEC, whether or not that preparation is classified under

that Directive, other than those preparations which only meet the criteria for classification as dangerous for the environment;

- (iii) any chemical agent other than one falling within the scope of the Control of Asbestos at Work Regulations which, whilst not meeting the criteria for classification as dangerous in accordance with (i) and (ii), may, because of its physico-chemical, chemical or toxicological properties and the way it is used or is present in the workplace, present a risk to the safety and health of employees, including any chemical agent assigned an occupational exposure limit value under these regulations;

“Health surveillance” means the assessment of an individual employee to determine the state of health of that individual, as related to exposure to specific chemical agents at work;

“Occupational exposure limit value” means, unless otherwise specified, the limit of the time-weighted average of the concentration of a chemical agent in the air within the breathing zone of a employee in relation to a specified reference period;

“Occupational health care professional” means an occupational health care professional registered under the provisions of the Medical and Health Act 1997;

“Risk” means the likelihood that the potential for harm will be attained under the conditions of use and/or exposure.

(2) In these regulations, “health and safety data sheet” means a sheet containing information under the headings specified in Schedule 4 to enable the recipient of that substance or preparation to take the necessary measures relating to the protection of health and safety at work and relating to the protection of the environment. Health and safety data sheets shall clearly show their date of first publication or latest revision, as the case may be.

Duties under these regulations.

3.(1) Where a duty is placed by these regulations on an employer in respect of his employees, he shall, so far as is reasonably practicable, be under a like duty in respect of any other person, whether at work or not, who may be affected by the work carried on by the employer except that—

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- (a) the employer shall not be under a duty under these regulations to supply persons who are not his employees with personal protective equipment or appropriate work clothing; and
- (b) the duties of the employer under regulation 9 and 10 (which relate respectively to dealing with accidents and to provision of information and training) shall not extend to persons who are not his employees, unless those persons are at the workplace where the work is being carried on.

(2) These regulations shall apply to a self-employed person as they apply to an employer and an employee.

Occupational exposure limit values, biological limit values and prohibitions.

4.(1) Occupational exposure limit values are set out in Schedule 1.

(2) Biological limit values are set out in Schedule 2.

(3) Subject to the following provisions of this regulation, the production, manufacture or use at work of the chemical agents described in Column 1 of Schedule 3 is prohibited to the extent set out in the corresponding entry in Column 2 of Schedule 3.

(4) The Factories Inspector may, on receipt of the information set out in the following sub-regulation, by licence provide that a person may be exempted from the prohibitions set out in the previous sub-regulation in respect of –

- (a) activities carried out for the sole purpose of scientific research and testing, including analysis;
- (b) activities intended to eliminate chemical agents that are present in the form of by-products or waste products;
- (c) the production of the chemical agents described in Column 1 of Schedule 3 for use as intermediates.

(5) A person applying for a licence under the previous sub-regulation must submit the following information–

- (a) the reason for requesting the derogation;

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- (b) the quantity of the chemical agent to be used annually;
- (c) the activities and reactions and processes involved;
- (d) the number of employees liable to be involved;
- (e) the precautions envisaged to protect the health and safety of employees concerned; and
- (f) the technical and organisational measures taken to protect the exposure of employees.

Determination and assessment of risk of hazardous chemical agents.

5.(1) An employer shall not carry out work liable to expose any employees to any hazardous chemical agent unless—

- (a) he has made a suitable and sufficient assessment of the risk created by that work to the health and safety of those employees;
 - (b) he has recorded the findings of that assessment;
 - (c) he has taken the steps which have been identified in that assessment pursuant to these regulations; and
 - (d) the measures required by these regulations have been implemented.
- (2) assessment shall include consideration of—
- (a) the hazardous properties of the hazardous chemical agent;
 - (b) information on the health and safety effects provided by the supplier, including information contained in any relevant health and safety data sheet;
 - (c) the level, type and duration of exposure;
 - (d) the circumstances of the work, including the amount of the hazardous chemical agent involved;
 - (e) any occupational exposure limit value or biological limit value;

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- (f) the effect of preventive and control measures which have been or will be taken in accordance with regulations 6 and 7;
 - (g) the results of relevant health surveillance;
 - (h) the results of monitoring of exposure pursuant to regulation 7(4);
 - (i) activities, such as maintenance, where there is the potential for a high level of exposure, or activities which may result in deleterious effects to safety and health for other reasons;
 - (j) in circumstances where the work will involve exposure to more than one hazardous chemical agent, the risk presented by exposure to such agents in combination; and
 - (k) such additional information as the employer may need in order to complete the assessment.
- (3) The assessment shall be reviewed regularly and, additionally, shall be reviewed as soon as reasonably possible if—
- (a) there is reason to suspect that the assessment is no longer valid; or
 - (b) there has been a significant change in the matters to which the assessment relates including when the workplace, work processes or organisation of the work undergoes significant changes, extensions or conversions; or
 - (c) the results of any monitoring carried out in accordance with regulation 7(4) show it to be necessary,

and where, as a result of the review, changes to the assessment are required, those changes shall be made.

(4) In this regulation, a reference to “the assessment” is a reference to the assessment required by sub-regulation (1)(a) above.

General principles for the prevention of risks associated with hazardous chemical agents.

6.(1) An employer shall ensure that the risks to the health and safety of employees at work involving hazardous chemical agents shall be eliminated

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or reduced to a minimum so far as is reasonably practicable by taking the measures set out in sub-regulation (2) below.

(2) In complying with his duty under sub-regulation (1) an employer shall avoid, so far as is reasonably practicable, the presence or use of a hazardous chemical agent at the workplace by replacing it with a substance or process which either eliminates or reduces the risk.

(3) Where it is not reasonably practicable to eliminate risk in accordance with sub-regulation (1) and (2) the employer shall, so far as is reasonably practicable, apply measures appropriate to the nature of the activity or operation—

- (a) making arrangements—
 - (i) for the design and organisation of systems of work at the workplace;
 - (ii) for suitable working procedures including arrangements for the safe handling, storage and transport within the workplace of hazardous chemical agents and waste containing such chemical agents.
- (b) providing—
 - (i) suitable equipment for work with chemical agents; and
 - (ii) maintenance procedures;
which ensure the health and safety of employees at work;
- (c) reducing to the minimum required for the work concerned—
 - (i) the number of employees exposed or likely to be exposed;
 - (ii) the duration and intensity of exposure; and
 - (iii) the quantity of chemical agents present at the workplace;
and
- (d) making arrangements for appropriate hygiene measures.

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(4) Where the results of the risk assessment referred to in regulation 5(1) show that, because of the quantities of a hazardous chemical agent present in the workplace, there is only a slight risk to the safety and health of employees, and the measures taken in accordance with sub-regulations (2) and (3) above are sufficient to reduce significantly that risk, the provisions of regulations 7, 8, 9 and 11 shall not apply.

Specific protection and prevention measures.

7.(1) Without prejudice to the obligations set out in the previous regulation, every employer shall ensure that the risk from a hazardous chemical agent to the safety and health of employees at work is eliminated or reduced to a minimum .

(2) In complying with the previous sub-regulation, substitution shall by preference be undertaken, whereby the employer shall avoid, so far as is reasonably practicable, the use of a hazardous chemical agent by replacing it with a chemical agent or process which, under its conditions of use, is not hazardous or is less hazardous to employees' safety and health.

(3) Where taking into account the nature of the activity and having regard to the activity and risk assessment referred to in regulation 5(1) it is not reasonably practicable to eliminate risk by substitution, the employer shall, so far as is reasonably practicable, ensure that the risk is reduced to a minimum by application of appropriate protection and prevention measures which shall include, in order of priority, the following–

- (a) design of appropriate work processes and engineering controls and use of adequate equipment and materials;
- (b) application of collective protection measures at the source of the risk such as adequate ventilation and appropriate organisational measures;
- (c) control of the working environment, including general ventilation;
- (d) where exposure cannot be achieved by other means, application of individual protection measures including personal protective equipment.

(4) The employer shall monitor chemical agents which may present a risk to employees' health at the workplace to the extent necessary unless he clearly demonstrates, by other means of evaluation, that the risk has been

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reduced to a minimum and adequate prevention and protection has been achieved by adopting the measures set out in the previous sub-regulation.

(5) The monitoring referred to in the previous sub-regulation shall take place—

- (a) at regular intervals; and
- (b) when any change occurs in the conditions which may affect employees' exposure to chemical agents.

(6) Where an occupational exposure limit value has been exceeded, the employer shall immediately take steps, taking into account the nature of that limit, to remedy the situation by carrying out protection and prevention measures.

Hazards arising from the physico-chemical properties of chemical agents.

8.(1) On the basis of the assessment referred to in regulation 5 and the general principles for the prevention of risks set out in regulation 6, the employer shall take such technical and organisational measures appropriate to the nature of the operation, including storage, handling and segregation of incompatible chemical agents so as to provide protection for employees against hazards arising from the physico-chemical properties of chemical agents.

(2) Without prejudice to the generality of the foregoing, the employer shall take measures, in order of priority—

- (a) to prevent the presence at the workplace of hazardous concentrations of inflammable substances or hazardous quantities of chemically unstable substances;
- (b) where the nature of the work does not allow measures to be taken under paragraph (a), to prevent—
 - (i) the presence of ignition sources which could give rise to fires and explosions; or
 - (ii) adverse conditions which could cause chemically unstable substances or mixtures of substances to give rise to harmful physical effects; and

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- (c) to mitigate–
 - (i) the detrimental effects to the health and safety of employees in the event of fire or explosion due to the ignition of inflammable substances, or
 - (ii) harmful physical effects arising from chemically unstable substances or mixtures of substances.
- (3) The employer shall–
 - (a) take measures to control plant, equipment and machinery sufficiently to ensure that explosions do not take place;
 - (b) provide explosion suppression equipment; or
 - (c) make explosion pressure relief arrangements.

Arrangements to deal with accidents, incidents and emergencies.

9.(1) In order to protect the safety and health of employees from an accident, incident or emergency related to the presence of hazardous chemical agents at the workplace, the employer shall–

- (a) establish procedures which can be put into effect when any such event occurs;
- (b) arrange for any safety drills relevant to the procedures referred to in paragraph (a) to be performed at regular intervals;
- (c) provide appropriate first aid facilities;
- (d) ensure that information on emergency arrangements including–
 - (i) details of relevant work hazards and hazard identification arrangements; and
 - (ii) specific hazards likely to arise at the time of an accident, incident or emergency,is available.

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- (2) In the event of an accident, incident or emergency related to the presence of hazardous chemical agents at the workplace, the employer shall—
- (a) immediately take steps to—
 - (i) mitigate the effects of the event; and
 - (ii) inform the employees concerned of the event;
 - (b) as soon as possible, implement appropriate measures to remedy the situation.
- (3) The employer shall ensure that in restoring the situation to normal—
- (a) only those employees who are essential to the carrying out of repairs and other necessary work shall be permitted to work in the affected area;
 - (b) the employees who are permitted to work in the affected area shall be provided with and shall use appropriate protective clothing, personal protective equipment and specialised safety equipment and plant.
- (4) The employer shall take immediate steps to ensure the affected area is restored to normal.
- (5) The employer shall take the measures necessary to provide the warning and other communication systems required to—
- (a) signal an increased risk to health and safety arising from the presence of hazardous chemical agents at the workplace; and
 - (b) in the event of an accident, incident or emergency related to the presence of hazardous chemical agents at the workplace—
 - (i) to enable an appropriate response to be made; and
 - (ii) to launch remedial actions, assistance, escape and rescue operations which shall be immediate if the need arises.
- (6) The employer shall ensure that information on the emergency arrangements prepared in accordance with this regulation is made available

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to the relevant internal and external accident and emergency services so that they can prepare their response procedures and precautionary measures.

(7) In this regulation, “affected area” means the area affected by an accident, incident or emergency related to the presence of hazardous chemical agents at the workplace.

(8) This regulation shall not apply where—

- (a) the results of the risk assessment referred to in regulation 4(1) show that, because of the quantities of a hazardous chemical agent present in the workplace, there is only a slight risk to the safety and health of employees, and
- (b) the measures taken in accordance with regulations 6(1) and (2) above are sufficient to reduce significantly that risk.

Information and training for employees.

10.(1) Every employer who undertakes work which is liable to expose an employee to a hazardous chemical agent shall ensure that employees or their representatives are provided with—

- (a) the data obtained from the assessment required by regulation 5(1)(a) together with any further data which is obtained whenever a major alteration at the workplace leads to a change in that data;
- (b) information on the hazardous chemical agents occurring in the workplace including—
 - (i) the identity of the agents and the risk they present to safety and health;
 - (ii) any relevant occupational exposure values under any other legislative provision.
- (c) training and information on appropriate precautions and actions to be taken in order for the employees to be able to safeguard themselves and other employees at the workplace; and
- (d) access to any relevant health and safety data sheet.

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(2) The information and training provided pursuant to the previous sub-regulation shall—

- (a) be provided in a manner appropriate to the outcome of the assessment required by regulation 5(1)(a); and
- (b) updated to take account of changing circumstances.

(3) Where containers and pipes for hazardous chemical agents used at work are not marked in accordance with the provisions of the principal Act on the labelling of chemical agents and on safety signs at the workplace, the employer shall, without prejudice to the derogations provided for in that legislation, ensure that the contents of the containers and pipes, together with the nature of those contents and any associated hazards, are clearly identifiable.

Health surveillance.

11.(1) The employer shall ensure that his employees are under appropriate health surveillance where the results of the assessment referred to in regulation 5 reveal a risk to health.

(2) Health surveillance shall be appropriate in respect of an employee where—

- (a) the exposure of the employee to the hazardous chemical agent is such that an identifiable disease or adverse health effect may be related to the exposure;
- (b) there is a likelihood that the disease or effect may occur under the particular conditions of his work;
- (c) there is a valid technique for detecting indications of the disease or effect; and
- (d) the technique of investigation of the disease or effect is of low risk to the employee.

(3) The employer shall ensure that, if his employees work with a hazardous chemical agent for which a binding biological limit has been set—

- (a) they are informed that they will be subject to compulsory health surveillance before being assigned to the task involving risk of exposure to that hazardous chemical agent; and

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- (b) they are subject to compulsory health surveillance as provided in Schedule 2.

- (4) The employer shall ensure that a health and exposure record is made and maintained for each employee who is required to be subject to health surveillance pursuant to this regulation.

- (5) The health and exposure record referred to in the previous sub-regulation shall contain a summary of—
 - (a) the results of health surveillance carried out; and
 - (b) any monitoring data representative of the exposure of the individual including any biological monitoring and related requirements.

- (6) Health and exposure records shall be kept up to date and shall be—
 - (a) in a suitable form so as to permit consultation at a later date; and
 - (b) for at least 40 years from the date of the last entry made in them.

- (7) Health and exposure records shall be made available—
 - (a) on request, to the individual employee to whom they relate;
 - (b) on request, to the Factories Inspector; and
 - (c) where an undertaking ceases to trade, to the Factories Inspector.

- (8) The employer shall take the steps set out in the following sub-regulation where, as a result of health surveillance—
 - (a) an employee is found to have an identifiable disease or adverse health effect which is considered by a doctor or occupational health-care professional to be the result of exposure at work to a hazardous chemical agent; or
 - (b) a binding biological limit value is found to have been exceeded.

- (9) The employer shall—
- (a) ensure that a doctor or occupational health-care professional informs the employee of the identifiable disease or adverse health effect concerned and provides him with information and advice regarding any further health surveillance he should undergo;
 - (b) review the assessment made pursuant to regulation 5(1);
 - (c) review the measures provided to eliminate or reduce risk pursuant to regulations 6 and 7;
 - (d) take into account the advice of a doctor or occupational health-care professional or the Factories Inspector in implementing any measures required to eliminate or reduce risk pursuant to regulation 6, including the possibility of assigning the employee to alternative work where there is no risk of further exposure;
 - (e) provide for a review of the health status of any other employee who has been similarly exposed, including a medical examination where such an examination is recommended by a doctor or occupational health-care professional or the Factories Inspector.

(10) Where, for the purpose of carrying out his functions under these Regulations, a doctor requires to inspect any workplace or any record kept for the purposes of these Regulations the employer shall permit him to do so.

(11) Where the results of the risk assessment referred to in regulation 5(1) show that, because of the quantities of a hazardous chemical agent present in the workplace, there is only a slight risk to the safety and health of employees, and the measures taken in accordance with regulation 6(2) and (3) above are sufficient to reduce significantly that risk, the provisions of this regulation shall not apply.

Exemption certificates.

12.(1) Subject to sub-regulation (2), the Factories Inspector may, by a certificate in writing, exempt any person or class of persons or any hazardous chemical agent or class of hazardous chemical agent from all or any of the requirements or prohibitions imposed by or under these

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regulations subject to such conditions as the Factories Inspector may deem appropriate.

(2) The Factories Inspector shall not grant any such exemption unless, having regard to the circumstances of the case, and in particular to—

- (a) the conditions, if any, which he proposes to attach to the exemption; and
- (b) any requirements imposed by or under any enactments which apply to the case,

he is satisfied that the health and safety of persons who are likely to be affected by the exemption will not be prejudiced in consequence of it.

Revocation.

13. The Factories (Occupational Exposure Limit Values) Regulations 2002 (Legal Notice 29 of 2002) are revoked.

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SCHEDULE 1

regulation 4 (1)

OCCUPATIONAL EXPOSURE LIMIT VALUES

Einecs(1)	CAS(2)	Name of agent	Limit Values				Notation(3)
			Eight hours(4)		Short-term(5)		
			mg/m ³ (6)	ppm(7)	mg/m ³ (6)	ppm(7)	
200-193-3	54-11-5	Nicotine	0,5	-	-	-	Skin
200-467-2	60-29-7	Diethylether	308	100	616	200	-
200-579-1	64-18-6	Formic acid	9	5	-	-	-
200-659-6	67-56-1	Methanol	260	200	-	-	Skin
200-662-2	67-64-1	Acetone	1210	500	-	-	-
200-663-8	67-66-3	Chloroform	10	2	-	-	Skin
200-756-3	71-55-6	1,1,1-Trichloroethane	555	100	1110	200	-
200-830-5	75-00-3	Chloroethane	268	100	-	-	-
200-834-7	75-04-7	Ethylamine	9,4	5	-	-	-
200-835-2	75-05-8	Acetonitrile	70	40	-	-	Skin
200-863-5	75-34-3	1,1-Dichloroethane	412	100	-	-	Skin
200-870-3	75-44-5	Phosgene	0,08	0,02	0,4	0,1	-
200-871-9	75-45-6	Chlorodifluoromethane	3600	1000	-	-	-
201-142-8	78-78-4	Isopentane	3000	1000	-	-	-
201-159-0	78-93-3	Butanone	600	200	900	300	-
201-176-3	79-09-4	Propionic acid	31	10	62	20	-
202-422-2	95-47-6	o-Xylene	221	50	442	100	Skin
202-425-9	95-50-1	1,2-Dichlorobenzene	122	20	306	50	Skin
202-436-9	95-63-6	1,2,4-Trimethylbenzene	100	20	-	-	-
202-704-5	98-82-8	Cumene	100	20	250	50	Skin
202-705-0	98-83-9	2-Phenylpropene	246	50	492	100	-
202-716-0	98-95-3	Nitrobenzene	1	0,2	-	-	Skin
202-849-4	100-41-4	Ethylbenzene	442	100	884	200	Skin
203-313-2	105-60-2	ε-Caprolactam (dust and vapour)	10	-	40	-	-
203-388-1	106-35-4	Heptan-3-one	95	20	-	-	-
203-396-5	106-42-3	p-Xylene	221	50	442	100	Skin
203-400-5	106-46-7	1,4-Dichlorobenzene	122	20	306	50	-
203-470-7	107-18-6	Allyl alcohol	4,8	2	12,1	5	Skin
203-473-3	107-21-1	Ethylene glycol	52	20	104	40	Skin
203-539-1	107-98-2	1-Methoxypropanol-2	375	100	568	150	Skin
203-550-1	108-10-1	4-Methylpentan-2-one	83	20	208	50	-
203-576-3	108-38-3	m-Xylene	221	50	442	100	Skin
203-585-2	108-46-3	Resorcinol	45	10	-	-	Skin
203-603-9	108-65-6	2-Methoxy-1-methylethylacetate	275	50	550	100	Skin
203-604-4	108-67-8	Mesitylene (Trimethylbenzenes)	100	20	-	-	-
203-625-9	108-88-3	Toluene	192	50	384	100	Skin
203-628-5	108-90-7	Monochlorobenzene	23	5	70	15	-

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203-631-1	108-94-1	Cyclohexanone	40,8	10	81,6	20	Skin
203-632-7	108-95-2	Phenol	7,8	2	-	-	Skin
203-692-4	109-66-0	Pentane	3000	1000	-	-	-
203-716-3	109-89-7	Diethylamine	15	5	30	10	-
203-726-8	109-99-9	Tetrahydrofuran	150	50	300	100	Skin
203-737-8	110-12-3	5-Methylhexan-2-one	95	20	-	-	-
203-767-1	110-43-0	Heptan-2-one	238	50	475	100	Skin
203-777-6	110-54-3	n-Hexane	72	20	-	-	-
203-806-2	110-82-7	Cyclohexane	700	200	-	-	-
203-808-3	110-85-0	Piperazine	0,1	-	0,3	-	-
203-815-1	110-91-8	Morpholine	36	10	72	20	-
203-905-0	111-76-2	2-Butoxyethanol	98	20	246	50	Skin
203-906-6	111-77-3	2-(2-Methoxyethoxy)ethanol	50,1	10	-	-	Skin
203-933-3	112-07-2	2-Butoxyethyl acetate	133	20	333	50	Skin
203-961-6	112-34-5	2-(2-Butoxyethoxy)ethanol	67,5	10	101,2	15	-
204-065-8	115-10-6	Dimethylether	1920	1000	-	-	-
204-428-0	120-82-1	1,2,4-Trichlorobenzene	15,1	2	37,8	5	Skin
204-469-4	121-44-8	Triethylamine	8,4	2	12,6	3	Skin
204-662-3	123-92-2	Isopentylacetate	270	50	540	100	-
204-696-9	124-38-9	Carbon dioxide	9000	5000	-	-	-
204-697-4	124-40-3	Dimethylamine	3,8	2	9,4	5	-
204-826-4	127-19-5	N,N-Dimethylacetamide	36	10	72	20	Skin
205-480-7	141-32-2	n-Butylacrylate	11	2	53	10	-
205-483-3	141-43-5	2-Aminoethanol	2,5	1	7,6	3	Skin
205-563-8	142-82-5	n-Heptane	2085	500	-	-	-
205-634-3	144-62-7	Oxalic acid	1	-	-	-	-
206-992-3	420-04-2	Cyanamide	1	0,58	-	-	Skin
207-343-7	463-82-1	Neopentane	3000	1000	-	-	-
208-394-8	526-73-8	1,2,3-Trimethylbenzene	100	20	-	-	-
208-793-7	541-85-5	5-Methylheptan-3-one	53	10	107	20	-
210-946-8	626-38-0	1-Methylbutylacetate	270	50	540	100	-
211-047-3	628-63-7	Pentylacetate	270	50	540	100	-
	620-11-1	3-Pentylacetate	270	50	540	100	-
	625-16-1	Amylacetate, tert	270	50	540	100	-
215-236-1	1314-56-3	Diphosphorus pentaoxide	1	-	-	-	-
215-242-4	1314-80-3	Diphosphorus pentasulphide	1	-	-	-	-
215-535-7	1330-20-7	Xylene, mixed isomers, pure	221	50	442	100	Skin
222-995-2	3689-24-5	Sulphotep	0,1	-	-	-	Skin
231-131-3		Silver (soluble compounds as Ag)	0,01	-	-	-	-
		Barium (soluble compounds as Ba)	0,5	-	-	-	-
		Chromium Metal, Inorganic Chromium (II)	2	-	-	-	-

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		Compounds and Inorganic Chromium (III) Compounds (insoluble)					
231-595-7	7647-01-0	Hydrogen chloride	8	5	15	10	-
231-633-2	7664-38-2	Orthophosphoric acid	1	-	2	-	-
231-634-8	7664-39-3	Hydrogen fluoride	1,5	1,8	2,5	3	-
231-635-3	7664-41-7	Ammonia, anhydrous					
231-714-2	7697-37-2	Nitric acid	-	-	2,6	1	-
231-778-1	7726-95-6	Bromine	0,7	0,1	-	-	-
231-954-8	7782-41-4	Fluorine	1,58	1	3,16	2	-
231-959-5	7782-50-5	Chlorine	-	-	1,5	0,5	-
231-978-9	7783-07-5	Dihydrogen selenide	0,07	0,02	0,17	0,05	-
232-260-8	7803-51-2	Phosphine	0,14	0,1	0,28	0,2	-
	8003-34-7	Pyrethrum (purified of sensitising lactones)	1	-	-	-	-
233-060-3	10026-13-8	Phosphorus pentachloride	1	-	-	-	-
233-113-0	10035-10-6	Hydrogen bromide	-	-	6,7	2	-
247-852-1	26628-22-8	Sodium azide	0,1	-	0,3	-	Skin
252-104-2	34590-94-8	(2-Methoxymethylethoxy)-propanol	308	50	-	-	Skin
		Fluorides, inorganic	2,5	-	-	-	-
		Inorganic lead and its compounds	0,15	-	-	-	-
2 005 807	64-19-7	Acetic acid	25	10	-	-	-
2 018 659	88-88-1	Picric acid ⁽⁸⁾	0,1	-	-	-	-
2 020 495	91-20-3	Naphtalene	50	10	-	-	-
2 038 099	110-86-1	Pyridine ⁽⁸⁾	15	5	-	-	-
2 151 373	1305-62-0	Calcium dihydroxide ⁽⁸⁾	5	-	-	-	-
2 152 932	1319-77-3	Cresols (all isomers) ⁽⁸⁾	22	5	-	-	-
2 311 161	7440-06-4	Platinum (metallic) ⁽⁸⁾	1	-	-	-	-
2 314 843	7580-67-8	Lithium hydride ⁽⁸⁾	0,025	-	-	-	-
2 332 710	10102-43-9	Nitrogen monoxide	30	25	-	-	-
		Tin (inorganic compounds as Sn) ⁽⁸⁾	2	-	-	-	-

⁽¹⁾ EINECS : European inventory of existing chemical substances

⁽²⁾ CAS : Chemical abstract service registry number

⁽³⁾ A skin notation assigned to the OEL identifies the possibility of significant uptake through the skin

⁽⁴⁾ Measured or calculated in relation to a reference period of eight hours time weighted average

⁽⁵⁾ A limit value above which exposure should not occur and is related to a 15-minute period, unless otherwise specified

⁽⁶⁾ mg/m³ : milligrams per cubic metre of air at 20°C and 101,3 KPa

⁽⁷⁾ ppm : parts per million by volume in air (ml/m³)

⁽⁸⁾ Existing scientific data on health effects appear to be particularly limited.

SCHEDULE 2

regulation 4(2)

**BIOLOGICAL LIMIT VALUES AND HEALTH
SURVEILLANCE MEASURES**

1. LEAD AND ITS IONIC COMPOUNDS

1.1 Biological monitoring must include measuring the blood-lead level (PbB) using absorption spectrometry or a method giving equivalent results. The binding biological limit value is:

70 µg Pb/100 ml blood

1.2 Medical surveillance is carried out if:

- (a) exposure to a concentration of lead in air is greater than 0,075mg/m³, calculated as a time weighted average over 40 hours per week, or
- (b) a blood-lead level greater than 40µg Pb/100 ml blood is measured in individual employees.

1.3 Practical guidelines for biological monitoring and medical surveillance must be developed in accordance with Article 12(2). These must include recommendations of biological indicators (e.g. ALAU, ZPP, ALAD) and biological monitoring strategies.

SCHEDULE 3

regulation 4(3)

PROHIBITIONS

The production, manufacture or use at work of the chemical agents and activities involving chemical agents set out below are prohibited. The prohibition does not apply if the chemical agent is present in another chemical agent, or as a constituent of waste, provided that its individual concentration therein is less than the limit specified.

(a) Chemical Agents

EINECS No ⁽¹⁾	CAS No ⁽²⁾	Name of agent	Concentration limit for exemption
202-080-4	91-59-8	2-naphthylamine and its salts	0,1% w/w
202-177-1	92-67-1	4-aminodiphenyl and its salts	0,1% w/w
202-199-1	92-87-5	Benzidine and its salts	0,1% w/w
202-204-7	92-93-3	4-nitrodiphenyl	0,1% w/w

(b) Work Activities

None

⁽¹⁾ EINECS : European Inventory of Existing Commercial Chemical Substances

⁽²⁾ CAS : Chemical Abstracts Service

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SCHEDULE 4

regulation 2(2)

**HEADINGS UNDER WHICH PARTICULARS ARE TO BE
PROVIDED IN HEALTH AND SAFETY DATA SHEETS**

The health and safety data sheet referred to in regulation 2 shall contain so far as is reasonably practicable the following headings:

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. Date of first publication or latest revision of the health and safety data sheet, as the case may be.

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**Subsidiary
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Factories

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17. Other information.