

## ANNEX XII

## Provisions referred to in Article 112 of the Act of Accession

1. 391 L 0173: Council Directive 91/173/EEC of 21 March 1991 (pentachlorophenol) amending for the ninth time Council Directive 76/769/EEC on the approximation of the laws, regulations and administrative provisions of the Member States relating to restrictions on the marketing and use of certain dangerous substances and preparations (OJ No L 85, 5.4.1991, p. 34).

2. 391 L 0338: Council Directive 91/338/EEC of 18 June 1991 (cadmium) amending for the tenth time Council Directive 76/769/EEC on the approximation of the laws, regulations and administrative provisions of the Member States relating to restrictions on the marketing and use of certain dangerous substances and preparations (OJ No L 186, 12.7.1991, p. 59).

Sweden shall, however, maintain throughout the transitional period, with regard to china and ceramic products, including ceramic tiles, the free circulation provided by the provision of its current 'ordinance' relating to exemptions from the ban on the use of cadmium for surface treatment or as a stabilizer or as a colouring agent.

3. 389 L 0677: Council Directive 89/677/EEC of 21 December 1989 (mercury, arsenic and organostannic compounds) amending for the eighth time Council Directive 76/769/EEC on the approximation of the laws, regulations and administrative provisions of the Member States relating to restrictions on the marketing and use of certain dangerous substances and preparations (OJ No L 398, 30.12.1989, p. 19).

Insofar as the Directive concerns arsenic and organostannic compounds.

4. 376 L 0116: Council Directive 76/116/EEC of 18 December 1975 on the approximation of the laws of the Member States relating to fertilisers (OJ No L 24, 30.1.1976, p. 21), as last amended by Commission Directive 93/69/EEC of 23 July 1993 (OJ No L 185, 28.7.1993, p. 30).

Article 7, insofar as the cadmium content of fertilizers is concerned.

5. 391 L 0157: Council Directive 91/157/EEC of 18 March 1991 on batteries and accumulators containing certain dangerous substances (OJ No L 78, 26.3.1991, p. 38).

Article 9, with respect to the mercury content of alkaline manganese batteries referred to in Article 3 (1).

6. 367 L 0548: Council Directive 67/548/EEC of 27 June 1967 on the approximation of the laws, regu-

lations and administrative provisions relating to the classification, packaging and labelling of dangerous substances (OJ No L 196, 16.8.1967, p. 1), as last amended by Commission Directive 93/101/EEC of 11 November 1993 (OJ No L 13, 15.1.1994, p. 1).

(a) Article 30, in conjunction with Articles 4 and 5, with respect to:

(i) the requirements for the classification, labelling and/or specific concentration limits for the 58 substances or groups of substances listed in Annex I to the Directive and shown in the attached Appendix A, in that Sweden may require the use of different classification, labelling and/or specific concentration limits for these substances;

(ii) the criteria for classification and labelling of carcinogenic substances as given in section 4.2.1 of Annex VI to the Directive, in that Sweden may require manufacturers or importers to apply different criteria for classification, and different requirements for the application of certain R-phrases.

(b) Article 30 in conjunction with Articles 4 and 6, with respect to the requirements for the classification, labelling and/or specific concentration limits for the 9 substances or groups of substances not listed in Annex I to the Directive and shown in the attached Appendix B, in that Sweden may require the use of different classification, labelling and/or specific concentration limits for these substances.

(c) Article 30 in conjunction with Article 23 (2) (d), in that Sweden may require the use of additional R-phrases ('R-313, 320, 321, 322, 340') not listed in Annex III to the Directive.

(d) For substances covered by points (a) and (c) above, the provisions of Article 23 (2) of the Directive requiring the use of the words 'EEC label' shall not apply.

7. 388 L 0379: Council Directive 88/379/EEC of 7 June 1988 on the approximation of the laws, regulations and administrative provisions relating to the classification, packaging and labelling of dangerous preparations (OJ No L 187, 16.7.1988 p. 14), as last amended by Directive 93/18/EEC of 5 April 1993 (OJ No L 104, 29.4.1993, p. 46).

(a) Article 13 in conjunction with Articles 3 and 7 of the Directive with respect:

— to preparations containing substances as defined in points 6(a), 6(b) and 6(c) of this Annex

— and with respect to preparations classified as moderately harmful under the Swedish legislation.

(b) Article 3 (5) and Annex I, table V, as regards formaldehyde as sensitizer, concentration to be taken into consideration for preparations containing this substance.

Ad. 6 (a) and 7 (a)

During the transitional period mentioned in Article 112 of the Act of Accession, the Community shall review, according to Directives 67/548/EEC and 88/379/EEC, the classification of substances and preparations covered by these Directives and classified by Sweden on 1 January 1994 as 'moderately harmful'.

8. 378 L 0631: Council Directive 78/631/EEC of 26 June 1978 on the approximation of the laws, regulations and administrative provisions relating to the classification, packaging and labelling of dangerous preparations (pesticides (OJ No L 206, 29.7.1978, p. 13, as last amended by Council Directive 92/32/EEC of 5 June 1992 (OJ No L 154, 5.6.1992, p. 1).

#### Appendix A

| Substance                                                     | No Annex 1   |
|---------------------------------------------------------------|--------------|
| acetone                                                       | 606-001-00-8 |
| butanone                                                      | 606-002-00-3 |
| amyl formate                                                  | 607-018-00-3 |
| ethyl acetate                                                 | 607-022-00-5 |
| n-butyl acetate                                               | 607-025-00-1 |
| sec-butyl acetate                                             | 607-026-00-7 |
| tert-butyl acetate                                            | 607-026-00-7 |
| iso-butyl acetate                                             | 607-026-00-7 |
| butyl formate                                                 | 607-017-00-8 |
| cyclohexane                                                   | 601-017-00-1 |
| 1,4 dimethylcyclohexane                                       | 601-019-00-2 |
| diethyl ether                                                 | 603-022-00-4 |
| ethyl methyl ether                                            | 603-020-00-3 |
| amyl acetate                                                  | 607-130-00-2 |
| ethyl lactate                                                 | 607-129-00-7 |
| amyl propionate                                               | 607-131-00-8 |
| 2,4-dimethylpentan-3-one                                      | 606-028-00-5 |
| di-n-propyl ether                                             | 603-045-00-X |
| i-n-propyl ketone                                             | 606-027-00-X |
| ethyl-propionate                                              | 607-028-00-8 |
| heptane                                                       | 601-008-00-2 |
| hexane (mixture of isomers) containing less than 5 % n hexane | 601-007-00-7 |
| isopropyl acetate                                             | 607-024-00-6 |
| isopropyl alcohol                                             | 603-003-00-0 |
| 4-methoxy-4-methylpentan-2-one                                | 606-023-00-8 |
| methyl acetate                                                | 607-021-00-X |
| methylcyclohexane                                             | 601-018-00-7 |

| Substance                                 | No Annex 1                   |
|-------------------------------------------|------------------------------|
| 5-methylhexane-2-one                      | 606-026-00-4                 |
| methylactate                              | 607-092-00-7                 |
| 4-methylpentan-2-one                      | 606-004-00-4                 |
| methyl propionate                         | 607-027-00-2                 |
| octane                                    | 601-009-00-8                 |
| pentane                                   | 601-006-00-1                 |
| pentan-3-one                              | 606-006-00-5                 |
| propan-1-ol                               | 603-003-00-0                 |
| propyl acetate                            | 607-024-00-6                 |
| propyl formate                            | 607-016-00-2                 |
| propyl propionate                         | 607-030-00-9                 |
| sodium bisulphite = polysulfite           | 016-010-00-3                 |
| formaldehyde $c \geq 25 \%$               | 605-001-00-5                 |
| $5 \% \leq c < 25 \%$                     | 605-001-01-2                 |
| $1 \% \leq c < 5 \%$                      | 605-001-02-X                 |
| salts of chromic acid                     |                              |
| — ammonium dichromate                     |                              |
| $c \geq 20 \%$                            | 024-003-00-1                 |
| $0,5 \% \leq c < 20 \%$                   |                              |
| — calcium chromate                        | 024-008-00-9                 |
| — potassium chromate                      | 024-006-00-8                 |
| — potassium dichromate                    | 024-002-00-6                 |
| — sodium dichromate                       | 024-004-00-7                 |
| toluene-2,4-diisocyanate                  | 615-006-00-4                 |
| toluene-2,6-diisocyanate                  | 615-006-00-4                 |
| cadmium fluoride                          | 048-006-00-2                 |
| vinyl bromide                             | 602-024-00-2                 |
| chloramine-T (sodium salt)                | 616-010-00-9                 |
| 1,2-epoxy-3-(toluoyloxy)-propane          | 603-056-00-X                 |
| diphenylmethane-2,2'-diisocyanate         | 615-005-00-9                 |
| diphenylmethane-2,4'-diisocyanate         | 615-005-00-9                 |
| diphenylmethane-4,4'-diisocyanate         | 615-005-00-9                 |
| hexahydrophthalic anhydride               | 607-102-00-X                 |
| hydroquinone                              | 604-005-00-4                 |
| hydroxypropyl acrylate                    | 607-108-00-2                 |
| mercury                                   | 080-001-00-0                 |
| mercury, organic and nonorganic compounds | 080-002-00-6<br>080-004-00-7 |
| piperazine                                | 612-057-00-4                 |
| tetrahydrophthalic anhydride              | 607-099-00-5                 |
| turpentine                                | 650-002-00-6                 |
| aminophenol (all isomers)                 | 612-033-00-3                 |
| barium compounds                          | 056-002-00-7                 |
| butyl methyl ketone (2-hexanone)          | 606-030-00-6                 |
| hexane                                    | 601-007-00-7                 |
| pyrogallol (1,2,3-trihydroxybenzene)      | 604-009-00-6                 |
| vanadium pentoxide                        | 023-001-00-8                 |

Appendix B

| Substance                                                       |  |
|-----------------------------------------------------------------|--|
| decanes                                                         |  |
| kerosene aviation-engine                                        |  |
| petroleum and coal tar distillates flash point below 21 °C      |  |
| petroleum and coal tar distillates flash point between 21-55 °C |  |
| sodium nitrate                                                  |  |
| 1,1,2-trichloro-1,2,2trifluroethane                             |  |
| tungsten                                                        |  |
| tungsten compounds                                              |  |
| zinc oxide                                                      |  |