

**Overview of current Turkish legal
framework for chemical control legislation.
Including Turkey's classification and
labelling regulation (SEA(CLP By-Law))**

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INSTITUTIONAL FRAMEWORK

INSTITUTION	TASK
Ministry of Environment and Urbanization	industrial chemicals and coordination
Ministry of Health	biocidal products
Ministry of Food, Agriculture and Livestock	plant protection products
Ministry of Labour and Social Security	health and safety in workplace
Ministry of Transport Maritime and Communication	transportation of chemicals
Ministry of Science, Industry and Technology	chemical weapons
Ministry of Economy	import and export of chemicals
Ministry of Customs and Trade	control of chemicals at customs and detergents

LEGISLATIVE FRAMEWORK

EU-DIR./REGULATION	TURKISH REGULATION
67/548/EC Dir. 99/45/EC .Dir.	By-law On Classification, Packaging And Labelling Of Dangerous Substances And Preparations (26.12.2008/27092) (CPL By-law)
1272/2008/EC CLP Reg.	By-law On The Classification, Labelling And Packaging Of Substances And Mixtures (11.12.2013/28848) (CLP By-law)
91/155/EC Dir.-REACH Annex II	By-law On The Preparation And Distribution Of Safety Data Sheets (26.12.2008/27092)
76/769/EC Dir. - REACH Annex XVII	By-law On Restriction Of The Production, Placing On The Market And Use Of Certain Dangerous Substances, Preparations And Articles (26.12.2008/27092)
440/2008/EC Dir.	By-law On Test Methods Applied For Determining The Physicochemical Toxicological And Ecotoxicological Properties Of The Substances And Mixtures (11.12.2013/28848)

By Law on Inventory and Control of Chemicals (793/93/EEC) NATIONAL NEEDS

LEGISLATIVE FRAMEWORK

COMMON OBJECTIVES OF CPL AND CLP BY-LAW:

- Protect human health & the environment
- Defining rules and principles for classification labelling and packaging

ADDITIONAL OBJECTIVE OF CLP BY-LAW:

- Facilitate international trade in chemicals

MAIN DIFFERENCES:

- New Symbols
- Changes in cutt of values
- New wording and phrases
- «bridging principles»
- Different methods for calculation

Notification&Inventory

LEGISLATIVE FRAMEWORK

CPL By-Law	CLP By-Law
7 Pictograms	9 Hazard Pictograms
15 Danger Category	28 Hazard Category
Risk Phrases (R)	Hazard Statement (H)
Safety Phrases (S)	Precautionary Statement (P)
	Supplemental Hazard Informations and Label Elements
	Signal Words (Danger/Warning)
Annex II	Annex VI
	Annex VII – Translation Table
preperation	mixture
danger	hazard



BY-LAW ON THE CLASSIFICATION, LABELLING AND PACKAGING OF SUBSTANCES AND MIXTURES

(Enf. Date:11.12.2013)

Generally applies to all hazardous substances and mixtures placed on the market

Exemptions are:

- Medical products
- Veterinary medicinal products
- Cosmetic products
- Medical devices
- Food or feeding stuff

in the finished state, intended for the final user

Additional exemptions

- Radioactive substances and mixtures which are subject to customs supervision
- Non-isolated intermediates
- Substances and mixtures intended for scientific research and development,
- Waste
- Transport of hazardous substances
- Note rules on labelling of outer, inner and single packaging (Article 35 CLP By-Law)

**BY-LAW ON THE CLASSIFICATION, LABELLING AND
PACKAGING OF SUBSTANCES AND MIXTURES
(Enf. Date:11.12.2013)**

Annex I	CLASSIFICATION AND LABELLING REQUIREMENTS FOR HAZARDOUS SUBSTANCES AND MIXTURES
Annex II	SPECIAL RULES FOR LABELLING AND PACKAGING OF CERTAIN SUBSTANCES AND MIXTURES
Annex III	LIST OF HAZARD STATEMENTS, SUPPLEMENTAL HAZARD INFORMATION AND SUPPLEMENTAL LABEL ELEMENTS
Annex IV	LIST OF PRECAUTIONARY STATEMENTS
Annex V	HAZARD PICTOGRAMS
Annex VI	HARMONIZED CLASSIFICATION AND LABELLING FOR SOME HAZARDOUS SUBSTANCES
Annex VII	TRANSLATION TABLE FROM CLASSIFICATION UNDER BY-LAW ON CLASSIFICATION PACKING AND LABELING OF DANGEROUS SUBSTANCES TO CLASSIFICATION UNDER THIS BY-LAW
Annex VIII	CONDITIONALATIES REGARDING CLASSIFICATION AND NOTIFICATION OF SUBSTANCES
Annex IX	GENERAL PROVISIONS FOR ADAPTATION OF THE STANDARD TESTING REGIMES
Annex X	INFORMATION PRESENTED TO PUBLIC ACCESS
Annex XI	HAZARD ASSESSMENT AND FORM FOR SUBMITTING HARMONISED CLASSIFICATION

**BY-LAW ON THE CLASSIFICATION, LABELLING AND
PACKAGING OF SUBSTANCES AND MIXTURES
(Enf. Date:11.12.2013)**

MAIN RESPONSIBILITIES

- Classify substances and mixtures before placing them on the market. (Art. 6)
- Use harmonised classification, if possible (Art. 6)
- Label and package a substance or a mixture in accordance with the classification (Art. 6)
- Keep up to date with new scientific and technical information (Art. 17)
- Propose harmonised classification when appropriate (Art. 38)
- Notify to the MoEU the classification and label elements (Art.41)
- Keep all relevant information for 10 years (Art. 49)

**BY-LAW ON THE CLASSIFICATION, LABELLING AND
PACKAGING OF SUBSTANCES AND MIXTURES
(Enf. Date:11.12.2013)**

	Classify/ Propose Harm. Classic.	Label	Package	Notify	Keep info 10 yrs
Manufacturer	✓	✓	✓	✓	✓
Importer	✓	✓	✓	✓	✓
Downstream User	✓ *	✓	✓	x	✓
Distributor	x***	✓	✓	x	✓

* Change composition - classify. If not, use supplier's.

*** Distributor may use classification of another actor

BY-LAW ON THE CLASSIFICATION, LABELLING AND PACKAGING OF SUBSTANCES AND MIXTURES

(Enf. Date:11.12.2013)

CLASSIFICATION

- Identify and examine available information / cross-check is the information relevant and reliable?
- Develop new information (phys. haz:performing tests; health and env. haz. : available data)
- **Expert judgement & weight of evidence** (If the classification criteria cannot be applied directly to available identified information)
- **Bridging Principles** (where no or inadequate test data on the mixture itself)

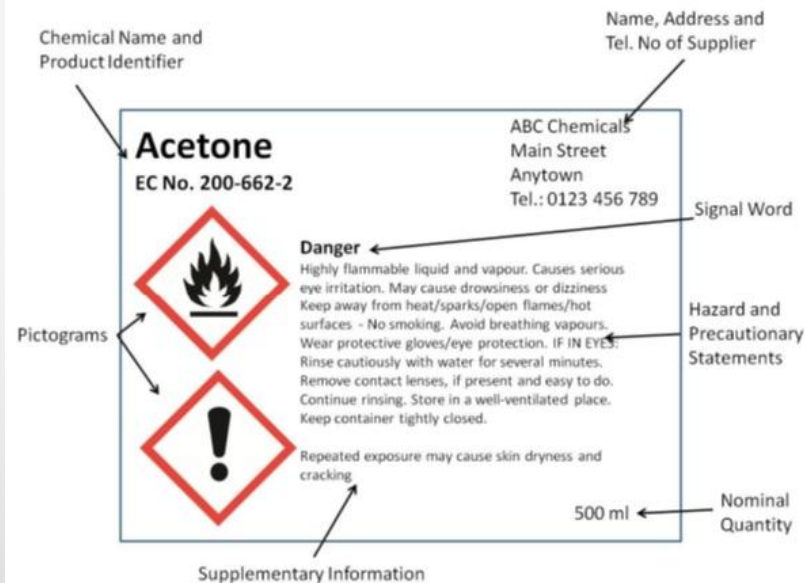
OTHER METHODS (Annex I / Part III)

BY-LAW ON THE CLASSIFICATION, LABELLING AND PACKAGING OF SUBSTANCES AND MIXTURES (Enf. Date:11.12.2013)

LABELLING

In Turkish

Suppliers **may use more languages** on their labels than Turkish, provided that the same details appear in all languages used.



BY-LAW ON THE CLASSIFICATION, LABELLING AND PACKAGING OF SUBSTANCES AND MIXTURES

Content Of The Label (Article 19) (Enf. Date:11.12.2013)

- The name, address and telephone number of the supplier
- The nominal quantity of the substance or mixture
- Product identifiers
- Hazard pictograms
- Signal word
- Hazard statements
- Precautionary statements
- Supplemental information

Updating the Label

Any change on the classification and labelling resulting a more severe hazard or where new supplemental labelling elements are required



updated without undue delay

Other conditions label should be updated within 18 months

**BY-LAW ON THE CLASSIFICATION, LABELLING AND
PACKAGING OF SUBSTANCES AND MIXTURES
(Enf. Date:11.12.2013)**

USE OF ALTERNATIVE NAME (Article 26)

for confidentiality reasons –on the label or in the safety data sheet

- Request the relevant Institution (in the format and **fee amount** exists in the web page of MoEU)
- Alternative names could be used in label and in the safety data sheet for **six years**

when the classification of the substance in a mixture for which the alternative name is used **no longer meets the ‘conditions to use an alternative chemical name’**



product identifier on the label and in the safety data sheet for the substance and not the alternative chemical name

**BY-LAW ON THE CLASSIFICATION, LABELLING AND
PACKAGING OF SUBSTANCES AND MIXTURES
(Enf. Date:11.12.2013)**

PACKAGING (Article 36)

- Designed and constructed so that its contents cannot escape
- Material must not be susceptible to damage by contents or liable to form hazardous compounds with the contents
- Packaging and fastenings shall be strong and solid
- Repeated refastening of replaceable fastening must be possible without the contents escaping
- Package containing a hazardous substance / mixture supplied to the general public shall not mislead consumers.

BY-LAW ON THE CLASSIFICATION, LABELLING AND PACKAGING OF SUBSTANCES AND MIXTURES

(Enf. Date:11.12.2013)

PROPOSAL FOR HARMONISED CLASSIFICATION

May be submitted to the MoEU (in accord. with Annex-11 incl. inf. Annex-6)

- ✓ Pay fee for the proposal
- ✓ MoEU shall adopt an opinion within 18 months
- ✓ Aproved proposal → substance added Annex 6

**BY-LAW ON THE CLASSIFICATION, LABELLING AND
PACKAGING OF SUBSTANCES AND MIXTURES
(Enf. Date:11.12.2013)**

INFORMATION TO BE NOTIFIED (Article 41)

- Identity and contact details
- Location of the production;
- Identity of the substance(s)
- Classification of the substance(s)
- The reason for “no classification”
- Spec. Con. Limits or M-factors and justification
- Label elements (hazard pictograms, signal words, hazard statements and any supplemental hazard statements)

*for substances placed on the market before 1/6/2015, notify between 1/6/2014 and 1/6/2015

The obligations on notification of importers could be performed through a representative that is established in Turkey (appointed with an agreement determined by the natural or legal persons settled abroad).

BY-LAW ON THE CLASSIFICATION, LABELLING AND PACKAGING OF SUBSTANCES AND MIXTURES (Enf. Date:11.12.2013)

TRANSITIONAL PROVISIONS (I)

- **From 11 December 2013 until 1 June 2015** substances shall be classified with both
 - ❖ CPL By-Law and CLP By-Law
 - ❖ They shall be labelled in accordance with CPL By-Law
 - ❖ Declaration of classification according to CPL in the safety data sheets is obligatory
- **Until 1 June 2016 mixtures** shall be classified, labelled and packaged in accordance with CPL By-Law
- **Repeal** of CPL By-Law with effect from 1 June 2016



BY-LAW ON THE CLASSIFICATION, LABELLING AND PACKAGING OF SUBSTANCES AND MIXTURES

(Enf. Date:11.12.2013)

TRANSITIONAL PROVISIONS (II)

Exemptions from transitional provisions:

Substances and mixtures

- ❖ Classified, labelled and packaged in accordance with CPL By-Law and
- ❖ Placed on the market before 1 June 2015/1 June 2016



 Not relabeled and repackaged in accordance with CLP By-Law until

- ❖ 1 January 2017 for substances
- ❖ 1 June 2018 for mixtures

BY-LAW ON THE PREPARATION AND DISTRIBUTION OF SAFETY DATA SHEETS

Enforcement date : 26 December 2008

Aim: Determine the principles and procedures related with compilation and distribution of safety data sheets

Manufacturer, importer and distributor responsible with the placing on the market of the dangerous substance or preparation has to provides the professional user of this dangerous substance or preparation a safety data sheet

- ✓ Feeless
- ✓ Turkish
- ✓ Supplied via paper or electronically
- ✓ **Prepared by persons certified** by institutions which are accredited about certification of persons
- ✓ A copy to relevant inst. and electronic copy to MoEU

BY-LAW ON TEST METHODS APPLIED FOR DETERMINING THE PHYSICOCHEMICAL TOXICOLOGICAL AND ECOTOXICOLOGICAL PROPERTIES OF THE SUBSTANCES AND MIXTURES

Enforcement date : 11 December 2013

Aim: For the purposes of tests on substances where such tests are required to generate information on intrinsic properties (phys. chem., tox., ecotox.) of substances

To obtain the information listed in the Annex IX of CLP By-Law

Parallel to 440/2008/EC

**BY-LAW ON RESTRICTION OF THE PRODUCTION, PLACING ON THE
MARKET AND USE OF CERTAIN DANGEROUS SUBSTANCES,
PREPARATIONS AND ARTICLES**

Enforcement date: 26 December 2008

Asbestos

Polychlorinated terphenyls (PCT)

Polychlorinated biphenyls (PCB)

Polybromobiphenyls (PBBs)



*can not be
manufactured
used
placed on the market*

Azo colourants & Azo dyes

Some Phthalates(DEHP/DBP/BBP/DINP/DIDP/DNOP)

Tris (2,3 dibromopropyl) phosphate

Tris (aziridinyl) phosphine oxide

RESTRICTED

Under Revision ;

Additional Chemicals (11 diff. substances and compounds)

BY LAW ON INVENTORY AND CONTROL OF CHEMICALS

Aim is to constitute Turkish Chemicals Inventory in order to apply better chemicals management

Enforcement date : 26 December 2008 (Amend.Nov.2009,May 2010)

Turkish manufacturers or importers of substances, on its own or in a preparation

in quantities of

- **one thousand tonnes per year or more**
- **one tonne or more but less than one thousand tonnes**

Is not applied to:

- substances in transit
- substances manufactured or imported for military purposes

No Submission Fee

Available Data

BY LAW ON INVENTORY AND CONTROL OF CHEMICALS

DATA TO BE SUBMITTED

- Substance Name, EC number ve CAS number
- The quantity of the substance produced or imported
- Classification
- Information on the reasonably foreseeable uses
- physico-chemical properties
- pathways and environmental fate
- ecotoxicity
- acute and subacute toxicity
- carcinogenicity, mutagenicity and/or toxicity for reproduction (CMR)
- any other information relevant to the risk evaluation

$\geq 1\text{t} < 1000$

Annex-III

$\geq 1000\text{ t}$

Annex-II

BY LAW ON INVENTORY AND CONTROL OF CHEMICALS

EXEMPTIONS LIST (ANNEX I)

- **Substances which occur in nature**, if they are not chemically modified (minerals, ores, natural gas, coal, coke)
- **Basic elemental substances for which hazards and risks are already well known** (hydrogen, oxygen, noble gases)
- 75 **substances which properties are well known** and listed in the Annex 1 according their EC and CAS numbers
- **Polymers**

BY LAW ON INVENTORY AND CONTROL OF CHEMICALS

UPDATING OF DATA

New uses of the substance which substantially change the type, form, magnitude or duration of exposure of man or the environment to the substance

New data on the physico-chemical properties, toxicological or ecotoxicological effects

Any change in the provisional classification under By-law on Classification, Packaging and Labelling of Dangerous Substances and Preparations

New information obtained about a substance which may present a serious risk to man or the environment



within 1 month

manufacture and import **volumes**



every three years

BY LAW ON INVENTORY AND CONTROL OF CHEMICALS

MAIN OUTPUTS

Appr. 10000 entries for substances manufactured or imported ≥ 1 t/pa

Published Lists;

- ➡ List of substances on its own or in a preparation, in quantities exceeding 1 tonnes per year in Turkish market (3000 substances)
- ➡ List of High Production Volume (HPV) Chemicals (600 substances)
- ➡ List of priority substances or groups of substances (131 substances)

TONNAGE RANGE	NUMBER OF SUBSTANCES
1-10 t	750
10-100 t	950
100-1000 t	700
> 1000 t	600
<u>Total 3000 different substances</u>	

IMPLEMENTATION OF REACH

REACH Chemicals Project 2011-2013

- Awareness of major groups (manufacturers, importers, downstream users of chemicals) and decision makers has been raised.
- Chemicals Registering System & Chemicals Helpdesk has been established
- Draft legislation and guidelines on REACH has been prepared.

REACH Advisory Group (6 Ministries&12 Industrial Organizations)

CHEMICALS HELPDESK

<https://kimyasallar.csb.gov.tr>



KİMYASALLAR YARDIM MASASI

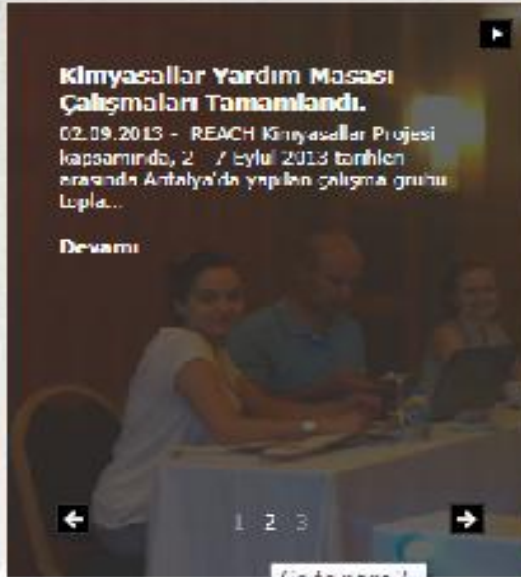


- Anasayfa
- REACH Nedir?
- Reach Tüzüğü
- KKDİK Nedir?
- Mevzuat
- Yardım Masası Amacı ve Kapsamı
- Reliber Dokümanlar
- Paydali Bağlantılar
- Sıkça Sorulan Sorular
- Haberler
- Duyurular
- İletişim

Kimyasallar Yardım Masası Çalışmaları Tamamlandı.

02.09.2013 - REACH Kimyasallar Projesi kapsamında, 2 - 7 Eylül 2013 tarihleri arasında Antalya'da yapılan çalışma grubu toplandı.

Devamı



Go to page 2



Soru Formu

Kimyasallarla ilgili bilgi paylaşımı ve sorularınız için lütfen tıklayınız.



Kimyasallar Yardım Masası Kapsamı

Kimyasallar Yardım Masası, "Kimyasalların Kaydı, Değerlendirilmesi, İzni ve Kısıtlanması" ve "Maddelerin ve Karışımların Sınıflandırılması ve Etiketlenmesi" kapsamında sorularınıza kolay ve etkin bir şekilde cevap bulabileceğiniz bir bilgilendirme servisi.

Devamı »

CHEMICALS REGISTERING SYSTEM

<http://online.cevre.gov.tr>

online.cevre.gov.tr

online.cevre.gov.tr

T.C. ÇEVRE VE ŞEHİRCİLİK BAKANLIĞI

Yazılım Portalı Çevre Bilgi Sistemi

Ana Sayfa Şifre Bilgileri Güvenli Çıkış

Firma İşlemleri

Kayıt Başlangıç Firma Kullanıcısı Başvuru Şifremi Unuttum

Duyurular

Çevre Bilgi Sisteminin (online.cevre.gov.tr) yenileme çalışmaları tamamlanmak üzere olup, Firma ve Tesis(şube) bilgileri Maliye Bakanlığı sistemlerinden alınacaktır. Bu kapsamda Firma ve tesis (şube) bilgilerinde eksiklik olanların ya da tesis (şube) kaydı olmayanların ivedilikle Maliye Bakanlığına başvuruda bulunarak bilgilerini güncellemesi gerekmektedir.

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Çevre Bilgi Sistemi ve Amacı

İşletme ve Tesis Kayıt İşlemleri

Giriş

Kullanıcı adı:

Parola:

☐ Beni Hatırla

Giriş

Yardım için tıklayınız...

Uyarı: Sistemdeki eksik bilgilerinizi güncelleyiniz.

THANK YOU FOR YOUR ATTENTION



<https://kimyasallar.csb.gov.tr/soru-formu>