



CLP article 45 implementation in German Chemicals Act (ChemG)

ChemG §16 is the German implementation of CLP article 45.

According to § 16e, anyone who places a hazardous mixture or biocide on the German market must register the product by submitting the following details to the Federal Institute for Risk Assessment (Bundesinstitut für Risikobewertung, BfR).

- Trade name
- Details on composition
- Labelling
- Instructions on use
- Recommendations about precautionary measures when using the product and emergency measures in the event of accidents

Furthermore, the manufacturer or importer must also submit details of any later changes to this information which are relevant when treating health disorders that may be caused by the action of their mixtures. These details must be notified before the mixture or the biocide is placed on the market for the first time or changed.

Based on ChemG § 28 (12) there are the following transitional measures.

Until the **1st July 2014** companies have the option to do a simplified notification for new products by sending their REACH compliant SDS to the Institut für Arbeitsschutz (IFA), provided the products are mixtures that do not meet either of the hazardous characteristics in accordance with § 3 paragraph 1, point 6, 7, 9 or 11 to 14, or the products are not intended for consumers, and the products are not biocidal products.

For products placed on the market already before the entry into force of the law (9 November 2011) companies need to comply with the requirements, i.e. a simplified notification to IFA by uploading the SDS, or alternatively a registration at BfR with disclosure of composition before **1st May 2012**.

After **1st July 2014** companies can only comply with the requirements by a full registration at BfR.

It is our understanding that this shall be applied to all hazardous products regardless of industries i.e. technical, food and feed enzyme products.

More information on the German notification requirements can be found here:

- <http://www.gesetze-im-internet.de/chemg/BJNR017180980.html>
- <http://www.bfr.bund.de/cm/343/anpassung-des-chemikaliengesetzes-an-die-clp-verordnung.pdf>
- http://www.bfr.bund.de/en/hazardous_mixtures___biocides-69940.html
- <http://www.dguv.de/ifa/en/gestis/isi-db/index.jsp>
