

Factsheet: Who should notify which substances under CLP

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You should make CLP Notification if:

- You are a manufacturer of REACH-liable substances
- You are an importer (into the EU) of REACH-liable substances

Do not make CLP Notification if:

- you are a Downstream User of chemicals, or make mixtures from substances which someone else makes or imports into the EU

Only Representatives do not have a formal role under CLP, and are only liable to notify those substances which they import (or manufacture) themselves.

What quantity of substance should be notified under CLP?

There is no minimum amount under CLP notification, in contrast to REACH pre-registration and registration, which has a 1 tonne per annum minimum quantity.

The lowest category is 0 – 10 kg, which implies that **any** amount of substance should be notified.

Substances which should be notified under CLP – manufacturers and importers

- You should make CLP notification for all the substances which you import or manufacture in > 1 tonne per annum amounts, which you have pre-registered for REACH, with the exception of any substances which are (or will be) fully REACH-registered by 1st December 2010, when they will be deemed to have been notified under CLP as well
- You should also make CLP notification for all the substances which you manufacture or import which would be REACH-liable if you made or imported them in amounts greater than 1 tonne per annum (see also Special Cases, below)

Mixtures which should be notified under CLP –importers only

- Substances contained within mixtures which are brought into the EU also need to be notified under CLP by the importer (ie notify the substance, not the mixture)
- This includes all REACH-liable substances, in any amount (and see also Special Cases, below)
- If you have the same substance in different mixtures, you will need to add the amounts together to get your quantity per annum
- It doesn't matter if the mixture is hazardous or non-hazardous – what matters is whether the substances themselves require notification (see also Special Cases)

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Special cases

- (a) non-hazardous substances which are REACH-liable ✓

Any substance which is liable for REACH is also liable under CLP for notification. Non-hazardous materials, which do not attract a hazard classification, are required to be notified, but there is a box to tick to say that they are not classified under CLP. (This option is available in IUCLID5-2, and also in REACH-IT if you are making notification directly).

- (b) non-hazardous substances which are REACH-exempt ✗

These substances, which are usually natural materials such as lanolins, are exempt from both CLP Notification and REACH.

- (c) hazardous substances which are REACH-exempt ✓

This category of materials includes substances which are classified as being a polymer, eg surface active agents such as Sodium Lauryl Ether Sulphates or Fatty alcohol ethoxylates. (As long as they obey the EC polymer definition they are not required to be registered under REACH - only their monomeric components ie ethylene oxide, lauryl alcohol etc).

However because these surfactants are classified as irritant R36, R38, R41 and perhaps dangerous for the environment R50, R51, R53 they require a SDS and therefore also need to be notified under CLP.

- (d) substances which have been made in the EU before 1st June 2007, but haven't got an EINECS or CAS number ✓

This category includes isolated on-site intermediates. If these substances are hazardous, they need to be notified under CLP. It is possible to carry out notification without a CAS or EINECS number using either REACH-IT or IUCLID5-2, but not using the bulk or group notification methods.

Methods for making CLP notification

- Direct from REACH-IT
- Bulk notification of substances, single user
- Group notification of users, single substances
- Notification from IUCLID5-2

We understand that all CLP notification methods require REACH-IT to be open to work, ie from 9am Monday – 7 pm Friday, Central European Time. (This means that it is open 24/7 through the week, although it's still closed over the weekend, and public holidays).

CLP Fees

There is no charge to make CLP Notification, but there are several circumstances where a fee is payable under CLP.

These include situations where manufacturers, importers or downstream users wish to use an alternative name (as many dyestuffs companies currently do); and where companies submit a proposal to harmonise the classification of a substance. See <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2010:126:0001:0005:en:PDF> .

Disclaimer: Information believed to be correct at the time of writing, 16th June 2010. Factsheets like this are generic, and you should check it is applicable to your own situation before taking any actions based on information in this publication.

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