

dti

**CARCINOGENS, MUTAGENS AND
SUBSTANCES TOXIC TO
REPRODUCTION (cmrs)**

Consultation on a European
Commission Proposal to prohibit
certain cmrs from being placed on the
market for sale to the general public

CONSULTATION DOCUMENT

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dti

The DTI drives our ambition of 'prosperity for all' by working to create the best environment for business success in the UK. We help people and companies become more productive by promoting enterprise, innovation and creativity.

We champion UK business at home and abroad. We invest heavily in world-class science and technology. We protect the rights of working people and consumers. And we stand up for fair and open markets in the UK, Europe and the world.

European Commission proposal to prohibit further carcinogens, mutagens and substances toxic to reproduction (cmrs) being placed on the market for sale to the general public.

The Directive will have the effect, among other things, of prohibiting the placing on the market for sale to the general public a further 42 substances which have recently been newly classified as Category 1 or Category 2 cmrs. Such substances are capable of inducing cancer, hereditary genetic defects and non-hereditary congenital malformations.

This consultation document seeks your views on this proposal that will, if adopted, form the 29th amendment to the Marketing & Use Directive 76/769/EEC. Responses to this consultation will help inform the United Kingdom's negotiating position when discussions continue at a European level later this year.

It also invites views on the Draft Regulatory Impact Assessment, which forms part of this document, and requests information on the likely impact the proposed measures may have on United Kingdom industry, business and consumers. Your responses will help in the preparation of a full Regulatory Impact Assessment.

Document issued on: 22nd February 2005

Responses to be received by: 18th May 2005

Enquiries about this consultation to: David Jenkinson
428
Department of Trade and Industry
1 Victoria Street
London SW1H 0ET

☎ 0207 215 0366

Fax: 0207 215 0339

Email: david.jenkinson@dti.gsi.gov.uk

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1 Executive Summary

Purpose of this consultation

- 1.1 This consultation document seeks your views on a Proposal¹, presented by the European Commission on 7th October 2004, to introduce a Directive that would, among other things, prohibit a further 42 substances (and preparations containing them) newly classified as Category 1 or 2 cmrs², being placed on the market for sale to the general public.

Responses to this consultation will help inform the United Kingdom's negotiating position when discussions continue at a European level later this year and help in the preparation of a full Regulatory Impact Assessment.

The full Commission Proposal is at Annex A to this document.

Why these measures have been proposed

- 1.2 They have been proposed to
- ensure that the general public is safeguarded from the risks to its health from possible exposure to cmrs.
 - preserve the internal market. If individual Member States were to adopt national provisions restricting the marketing and use of dangerous substances and preparations, such as cmrs, there would be obstacles to trade because of possible differences in legislation between Member States.

Scope of the measures

- 1.3 The proposed measure do not apply to
- medicinal, veterinary and cosmetic products
 - motor fuels and artists paints
 - mineral oil products intended for use as fuel in mobile or fixed combustion plants, and
 - fuels sold in closed systems (for example, liquid gas bottles).

Your views on the proposal

1 COM(2004)638

2 Explanations of the cmr categories are given in Paras 4.2.1-4.4.3 of Annex VI to Directive 67/548/EEC.

- 1.4 Views are invited on all aspects of the proposals. We are particularly interested in your views on the impact, both economic and otherwise, that these proposals would have on industry, business and consumers. A number of specific questions are set out in paragraph 1.14.

How to respond

- 1.5 When responding please state whether you are responding as an individual or representing the views of an organisation. If responding on behalf of an organisation, please make it clear who or what the organisation represents and, where applicable, how the views of its members were assembled.
- 1.6 Please submit your response to this consultation by post, email or fax to:

David Jenkinson
428
Department of Trade and Industry
1 Victoria Street
david.jenkinson@dti.gsi.gov.uk
Fax 0207 215 0339

Closing Date

- 1.7 Responses must be received by 18th **May 2005**. However, in order to help inform the United Kingdom negotiator when discussions begin at a European level, earlier responses would be appreciated.

Additional copies

- 1.8 Additional copies of this consultation document may be made without seeking permission.
- 1.9 Further printed copies of this consultation document may be obtained by post from:

DTI Publications Orderline
ADMAIL Publications
London SW1 W 8YT

 0870 150 2500
Fax 0870 150 2333
Email www.dti.gov.uk/publications

- 1.10 Electronic versions may be viewed on the DTI website at:

<http://www.dti.gov.uk/ccp/consultations.htm> or
<http://www.dti.gov.uk/consultations/>

Help with Queries

1.11 If you have any questions about the issues discussed in this consultation document, please contact David Jenkinson.

☎ 0207 215 0366
Email david.jenkinson@dti.gsi.gov.uk

Complaints

1.12 The Code of Practice on Consultation can be found at Annex D to this document.

1.13 If you wish to make a complaint about, or comment on, the way in which this consultation has been conducted, please contact:

Nick Van Benschoten
Consultation Co-ordinator
DTI Better Regulation Team, Bay 4113
1 Victoria Street
London SW1H 0ET

☎ 0207 215 6206
Email nick.vanbenschoten@dti.gsi.gov.uk

Consultation questions

1.14 The following are general questions that you may wish to consider.

- i. If you are manufacturer, do any of your products, placed on the market for sale to the general public, contain substances that will be subject to the prohibitions?*
- ii. If this is the case, are suitable safe alternatives to these substances readily available and what would be the implications (financial and otherwise) of the requirement to use them?*
- iii. If suitable safe alternative substances are not available, what would be the implications of the requirement to develop them or to the necessity to withdraw products containing the substances subject to the prohibition from the consumer market?*
- iv. Could there be any unforeseen consequences of these proposals? If so, can you identify them?*

1.15 All comments in relation to the proposed Directive and Draft Regulatory Impact Assessment are welcome.

2 *The Proposal*

Background to the proposal

- 2.1 The Dangerous Substances Directive 67/548/EEC³ concerns the classification, packaging and labelling of dangerous substances. Annex 1 to this Directive contains a list of dangerous substances, together with particulars of the harmonised classification and labelling for each substance. The list is regularly updated to include further notified new substances and existing substances, as well as adapting the current entries to take account of technical developments and new knowledge about the danger of chemicals.

The latest such update was made by means of Commission Directive 2004/73/EC⁴, which formed the 29th Adaptation to Technical Progress (ATP) of Directive 67/548/EEC. This Directive was adopted on 29th April 2004 and will be implemented by all Member States to come into force by 31st October 2005. This Directive, among other things, newly classified a number of substances as Category 1 or 2 cmrs.

- 2.2 The Marketing and Use Directive 76/769/EEC⁵ was adopted to restrict or prohibit the use and marketing of certain chemicals in order to protect the environment, workers, consumers and public health in Member States. Annex 1 to this Directive lists those chemicals of concern and specifies the restrictions on marketing and use placed upon them. The Annex is regularly updated by the European Commission by adding further chemicals or by amending existing entries.

Directive 94/60/EC⁶, the 14th Amendment to Directive 76/769/EEC, made the provision that the Commission will submit to the Parliament and Council, proposals for Directives to govern those substances newly classified as category 1 or 2 cmrs. The proposed Directives are to update Annex 1 to Directive 76/769/EEC and are to be submitted within six months of publication of ATPs of Annex 1 to Directive 67/548/EEC in the Official Journal.

- 2.3 Consequently, the Proposal that is the subject of this consultation, was presented by the Commission on 7th October 2004, following the publication of Directive 2004/73/EC in the OJ. The proposal, if adopted, will form the 29th Amendment to the Marketing and Use Directive 76/769/EEC and will amend the Appendices concerning Points 29 to 31 of Annex 1 to that Directive.
- 2.4 Those substances that appear in Annex 1 to Directive 67/548/EEC and are classified as Category 1 or 2 cmrs are listed in the appropriate Appendices concerning Points 29 to 31 of Annex 1 to Directive 76/769/EEC. These Points specify that the substances so listed, and

3 OJ L196, 16.8.1967, p.1.

4 OJ L152, 30.04.2004, p.1.

5 OJ L262, 27.9.76, p.201.

6 OJ L365, 31.12.94, p.1.

preparations containing them, may not be placed on the market for sale to the general public in concentrations equal or greater than

- *either the concentration specified in Annex 1 to Directive 67/548/EEC (the Dangerous Substances Directive), or*
- *the concentration specified in Annex 1 to the Dangerous Preparations Directive, where no concentration limit appears in Annex 1 to the Dangerous Substances Directive.*

2.5 The packaging of substances and preparations, subject to above prohibition, must be marked “*Restricted to professional users* “

2.6 These provisions, set out in paragraphs 2.4 and 2.5 above, do not apply to

- *medicinal, veterinary and cosmetic products, motor fuels or artists paints, all of which are covered by other Directives, and*
- *mineral oil products intended for use as fuel in mobile or fixed combustion plants, and fuels sold in closed systems (eg liquid gas bottles).*

Details of the Proposal

2.7 The effect of this proposal is to amend the Appendices relating to Points 29 to 31 in Annex 1 to Directive 76/769/EEC by the insertion of 346 entries and the consequent deletion of 144 others. However, of the 346 new entries, 298 of them involve solely the *reclassification* of substances already classified as cmrs and therefore already prohibited for sale to the general public.

- **Addition of substances classified as category 1 or 2 cmrs for the first time .**

The effect of the addition of the 48 entries, summarised in Table 1 below, is that a further 42 substances are for the first time subject to the provisions of Points 29 to 31. For ease of reference, a list of these 42 substances and their newly assigned cmr categories is provided at Annex B.

These substances are, therefore, newly prohibited from being placed on the market for sale to the general public.

Carcinogens Category 1	2 entries
Carcinogens Category 2	24 entries
Mutagens Category 2	4 entries

Substances Toxic to Reproduction Category 2	18 entries
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Table 1

- **Addition of substances, already classified as category 1 or 2 cmrs.**

All of the substances covered by the 298 new entries, summarised in Table 2 below, are already classified in one or more of the cmr categories.

These substances are, therefore, already prohibited from being placed on the market for sale to the general public.

Carcinogens Category 1	144 entries*
Mutagens Category 2	148 entries
Substances Toxic to Reproduction Category 2	6 entries

Table 2

**The same 144 substances are currently classified as category 2 carcinogens and consequently they are deleted from the list of substances so classified.*

- **Additions and amendments to the list of “Notes”**

Notes A, D, E, H and S are added to the Foreword of the Appendices.

The wording of Note K is amended.

- **Amendments to “Notes” column in the Appendices concerning Points 29, 30 and 31.**

Amendments are made to the “Notes” column in the entries for 56 currently listed substances.

3 Draft Regulatory Impact Assessment

Proposal

1. Proposal for a Directive of the European Parliament and of the Council, amending for the 29th time Council Directive 76/769/EEC, relating to restrictions on the marketing and use of certain dangerous substances and preparations - substances classified as carcinogens, mutagens or toxic to reproduction (cmrs).

Purpose and intended effect of measures

Objective

2. Within the framework for action in the public health field, the European Parliament and the Council have adopted an action plan to combat cancer. The primary aim of the proposed Directive, therefore, is to reduce the risks of ill-health to the general public as a consequence of exposure to cmrs. Since the use by consumers of substances classified as Category 1 or Category 2 cmrs cannot be effectively controlled, safety can be ensured only through restrictions on the *marketing* of these substances.
3. Further, the proposal aims to preserve the Internal Market by removing obstacles to trade caused by differences between Member States in legislation concerning restrictions on the marketing and use of these dangerous substances.

Background

4. The Dangerous Substances Directive (67/548/EEC) concerns the classification, packaging and labelling of dangerous substances. Annex 1 to this Directive contains a list of dangerous substances, together with particulars of the harmonised classification and labelling for each substance. The list is regularly updated to include further notified new substances and existing substances, as well as adapting the current entries to take account of technical developments and new knowledge about the danger of chemicals.
5. Directive 2004/73/EC (29th Adaptation to Technical Progress of Directive 67/548/EEC) was adopted on 29th April 2004 and, among other things, classified 42 substances as Category 1 or 2 cmrs for the first time.
6. The proposed 29th Amendment to the Marketing and Use Directive 76/769/EEC will have the effect of adding these substances to the Appendices concerning Points 29 to 31 of Annex 1 to that Directive.

These Points specify that the substances so listed, and preparations containing them, may not be placed on the market for sale to the general public.

Risk Assessment

7. The primary aim of the proposed Directive is to reduce the risks of ill-health to the general public as a consequence of exposure to substances, which have been classified as cmrs. Such substances are capable of inducing cancer, hereditary genetic defects and non-hereditary congenital malformations. The use by consumers of substances classified as cmrs cannot be effectively controlled and safety can be ensured only by prohibitions on the *marketing* of these substances to the general public.

Options

8. **Option (i)** : To fully implement the provisions of the proposed Directive, if adopted.

Option (ii) : To request industry to adopt voluntary measures.

Option (iii) : To do nothing.

9. Option (i) The proposed Directive is consistent with UK policy and practice on these issues. Implementation of the Directive, if adopted, will provide a high level of protection to human health from possible exposure to these hazardous chemicals. It will also produce harmonised rules for the circulation of these substances.

Option (ii) Under this option industry would be required to adhere to voluntary guidelines or targets. This, however, could not guarantee as high a level of consumer safety as Option (i) since it is likely that some manufacturers would adopt the code while others would not. It would also necessitate agreeing draft guidelines and the introduction of an effective monitoring system.

Option (iii) Under this option no action would be taken to limit the risks to human health from exposure to these substances. Furthermore, since Member States have a Treaty obligation to implement all agreed Directives, failure to implement the Directive, if adopted, would result in infraction proceedings being initiated against the United Kingdom by the European Commission.

Benefits

Economic

10. In the event that these dangerous substances are being used in products currently on the market, the proposed prohibitions on marketing for sale to the general public will serve to foster the development of safer alternatives.

Environmental

11. No specific benefits to the environment have been identified.

Social

12. The Directive, if adopted, would afford an increased level of protection to the general public from the risks of ill-health as a consequence of possible exposure to substances, which have been classified as cmrs.

Costs

13. We have been unable to identify any products, currently on the market for sale to the general public, that contain any of these 42 chemicals.
14. The majority of the substances that would be subject to prohibition are used as raw materials, or are intermediates, in chemical processes to synthesise other chemicals. Others are used for very specific professional or worker applications.
The remaining substances, which have in the past been used in consumer products, or as constituents of consumer products, are now prohibited from being placed on the market for sale to the general public by legislation or other controls.
15. On the basis of this information, no costs to industry are anticipated. However, should any, as yet, unidentified uses of these chemicals in consumer products be identified during the consultation period, further work to assess the possible costs to industry will be carried out.

Equity and fairness

16. The overriding consideration in the proposed Directive is the safety of the general public. The Directive would impact equally across the particular sectors of industry affected and will be implemented in all Member States.

Consultation with small business : the Small Firms Impact Test

17. On the advice of the Small Business Service, stage one of the Small Firms Impact Test was carried out by contacting small businesses, SME trade associations and other representative organisations in the small business sectors most likely to be affected by the proposals. However, we have been unable to identify any disproportionate impact on small firms as a result of these proposals. We have consulted the Small

Business Service (SBS) on a number of occasions during the initial stages of the RIA process for advice on gauging impact of the proposals on small firms, who have agreed that there is no requirement to carry out further Small Firms Impact Test analysis. However, should any as yet unidentified impacts or unintended consequences of the proposals on small firms be identified during the consultation period, further work to assess this impact will be carried out and the position reviewed. The Small Business Service is content with this approach.

Competition Assessment

18. Stage One of the Competition Assessment was undertaken. When applying the Competition Assessment Filter, the results indicate that, as the proposed Directive would place restrictions on the marketing and use of particular chemicals, it is unlikely to have the effect of distorting or removing competition in the market. The Directive, if adopted, would not serve as a barrier to entry for potential entrants nor impose substantially more cost on some firms than others. Indeed, the Directive would set harmonised requirements to ensure that all involved in the manufacture and supply of products that might possibly contain the substances in question can compete on an equal footing.

Enforcement and Sanctions

19. If the proposed Directive is adopted, its provisions will be transposed into UK law by means of Regulations made using powers under Section 11 of the Consumer Protection Act 1987. The Regulations will extend to Great Britain and Northern Ireland.
20. In Great Britain, the Regulations will be enforced by Local Trading Standards Departments, and in Northern Ireland by Environmental Health Departments.
21. The sanctions that will apply are those applicable to breaches of safety regulations under Section 11 of the Consumer Protection Act 1987.

Monitoring and Review

22. The Regulations will be monitored and reviewed in accordance with normal procedures. A review is likely once the implementing regulations have been in force for 2-3 years.

Consultation

Within Government

23. The following Government Departments and Agencies are being consulted about these proposals during the consultation exercise: Health and Safety Executive, Health and Safety Commission, Department for

Environment Food and Rural Affairs, Pesticides Safety Directorate, Medicines and Healthcare Products Regulatory Agency, and Department of the Environment (Northern Ireland).

Public Consultation

24. The Consultation Document lists those organisations and individuals to whom the document has been sent. The consultees include, among others, manufacturers, the chemical industry, the DIY sector, consumer organisations, trade associations, charities, enforcement authorities and non-Governmental organisations. The consultation will run for 12 weeks.

Summary and Recommendation

25. The proposal for a Directive, in the framework of the Marketing and Use Directive 76/769/EEC, to place restrictions on the marketing and use of 42 substances newly classified as Category 1 or 2 carcinogens, mutagens or substances toxic to reproduction, is considered the most effective means of reducing the risks to human health from possible exposure to these hazardous chemicals. The Directive, if adopted, will remove these chemicals from the consumer market and thereby reduce the potential for human ill health caused by possible exposure to them.

Declaration

I have read the regulatory impact assessment and I am satisfied that the benefits justify the costs.

Signed by the Minister responsible

.....

Date

4 What happens next?

- 4.1 The results of this consultation exercise, including a summary of views expressed, will be published on the DTI website and may be viewed at

<http://www.dti.gov.uk/ccp/consultations.htm>

We aim to publish these results no later than three months after the close of the consultation exercise. Paper copies of the results will also be made available, on request from DTI, from the source provided at paragraph 1.6 above

- 4.2 The European Commission submitted the Proposal to the European Parliament and the Council on 7th October 2004. No precise details are currently known on Presidency plans for negotiating the Proposal in Council nor when it will receive its First Reading in the European Parliament.
- 4.3 A further consultation will be held, in the event that the Directive is adopted, to ask your views on the way that the Department intends to transpose it into national legislation.
- 4.4 If the Directive is adopted, Member States will be obliged to adopt and publish national legislation to comply with it. Such legislation will come into force 18 months after the publication of the Directive in the OJ.

Annex A

The Proposal

For full text see separate document on the
<http://www.dti.gov.uk/ccp/consultations.htm> web site



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 07.10.2004
COM(2004) 638 final

2004/0225 (COD)

Proposal for a

**DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE
COUNCIL**

**amending, for the twenty-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 (substances classified as carcinogen,
mutagen
or toxic to reproduction – c/m/r)**

(presented by the Commission)

Annex B

Proposed List of Substances Newly Subject to Prohibition

Substances	Index Number	EC Number	CAS Number	cmr Category
Linuron (ISO) ; 3-(3,4-dichlorophenyl)-1-methoxy-1-methylurea	006-021-00-1	206-356-5	330-55-2	Repr.Cat 2
Isobutyl nitrite	007-017-00-2	208-819-7	542-56-3	Carc.Cat 2
Cadmium sulphide	048-010-00-4	215-147-8	1306-23-6	Carc.Cat 2
Cadmium (pyrophoric)	048-011-00-X	231-152-8	7440-43-9	Carc.Cat 2
Isoprene (stabilised) ; 2-Methyl-1,3-butadiene	601-014-00-5	201-143-3	78-79-5	Carc.Cat 2
Triethyl arsenate	601-067-00-4	427-700-2	15606-95-8	Carc.Cat 1
1-Bromopropane ; Propyl bromide ; n-Propyl bromide	602-019-00-5	203-445-0	106-94-5	Repr.Cat 2
Chloroprene (stabilised) ; 2-Chlorobuta-1,3-diene	602-036-00-8	204-818-0	126-99-8	Carc.Cat 2
1,2,3-Trichloropropane	602-062-00-X	202-486-1	96-18-4	Carc.Cat 2 Repr.Cat 2
$\alpha,\alpha,\alpha,4$ -Tetrachlorotoluene ; p-Chlorobenzotrichloride	602-093-00-9	226-009-1	5216-25-1	Carc.Cat 2
Diphenylether octabromo derivate	602-094-00-4	251-087-9	32536-52-0	Repr.Cat 2
1,2-Dimethoxyethane ; ethylene glycol dimethyl ether ; EGDME	603-031-00-3	203-794-9	110-71-4	Repr.Cat 2
1,2-Bis(2-methoxyethoxy)ethane ; TEGDME ; Triethylene glycol dimethyl ether ; Triglyme	603-176-00-2	203-977-3	112-49-2	Repr.Cat 2
Tetrahydrothiopyran-3-carboxaldehyde	606-062-00-0	407-330-8	61571-06-0	Repr.Cat 2
4,4'-Bis(dimethylamino)benzophenone ; Michler's ketone	606-073-00-0	202-027-5	90-94-8	Carc.Cat 2
Oxiranemethanol, 4-methylbenzene-sulfonate, (S)-	607-411-00-x	417-210-7	70987-78-9	Carc.Cat 2

Substances	Index Number	EC Number	CAS Number	cmr Category
1,2-benzenedicarboxylic acid, dipentylester, branched and linear [1] n-pentyl-isopentylphthalate [2] ; di-n-pentyl phthalate [3] Diisopentylphthalate [4]	607-426-00-1	284-032-2 [1] - [2] 205-017-9 [3]	84777-06-0 [1] - [2] 131-18-0 [3] 42925-80-4 [4]	Repr.Cat 2
Benzyl butyl phthalate ; BBP	607-430-00-3	201-622-7	85-68-7	Repr.Cat 2
1,2-Benzenedicarboxylic acid di-C ₇₋₁₁ -branched and linear alkylesters	607-480-00-6	271-084-6	68515-42-4	Repr.Cat 2
A mixture of: disodium 4-(3-ethoxycarbonyl-4-(5-(3-ethoxycarbonyl-5-hydroxy-1-(4-sulfonatophenyl)pyrazol-4-yl)penta-2,4-dienylidene)-4,5-dihydro-5-oxopyrazol-1-yl)benzenesulfonate; and trisodium 4-(3-ethoxycarbonyl-4-(5-(3-ethoxycarbonyl-5-oxido-1-(4-sulfonatophenyl)pyrazol-4-yl)penta-2,4-dienylidene)-4,5-dihydro-5-oxopyrazol-1-yl)benzenesulfonate	607-487-00-4	402-660-9	—	Repr.Cat 2
Dinocap (ISO)	609-023-00-6	254-408-0	39300-45-3	Repr.Cat 2
2-Nitrotoluene	609-065-00-5	201-853-3	88-72-2	Carc.Cat 2 Mut.Cat 2
(Methylenebis(4,1-phenylenazo(1-(3-(dimethylamino)propyl)-1,2-dihydro-6-hydroxy-4-methyl-2-oxopyridine-5,3-diyl))-1,1'-dipyridinium dichloride dihydrochloride	611-099-00-0	401-500-5	—	Carc.Cat 2
2-[2-hydroxy-3-(2-chlorophenyl)carbamoyl-1-naphthylazo]-7-[2-hydroxy-3-(3-methylphenyl)carbamoyl-1-naphthylazo]fluoren-9-one	611-131-00-3	420-580-2	—	Repr.Cat 2
Azafenidin	611-140-00-2	—	68049-83-2	Repr.Cat 2
Diaminotoluene, technical product - mixture of [2] and [3] methyl-phenylenediamine [1] 4-methyl-m-phenylene diamine [2] 2-methyl-m-phenylene diamine [3]	612-151-00-5	246-910-3[1] 202-453-1 [2] 212-513-9 [3]	25376-45-8 [1] 95-80-7 [2] 823-40-5 [3]	Carc.Cat 2
4-Chloro-o-toluidine [1] 4-chloro-o-toluidine hydrochloride [2]	612-196-00-0	202-441-6 [1] 221-627-8 [2]	95-69-2 [1] 3165-93-3 [2]	Carc.Cat 2
2,4,5-Trimethylaniline [1] 2,4,5-trimethylaniline hydrochloride [2]	612-197-00-6	205-282-0 [1] - [2]	137-17-7 [1] 21436-97-5 [2]	Carc.Cat 2
4,4'-Thiodianiline [1] and its salts	612-198-00-1	205-370-9 [1]	139-65-1 [1]	Carc.Cat 2
4,4'-Oxydianiline [1] and its salts p-Aminophenyl ether [1]	612-199-00-7	202-977-0 [1]	101-80-4 [1]	Carc.Cat 2 Mut.Cat 2
2,4-Diaminoanisoole [1] 4-methoxy-m-phenylenediamine 2,4-diaminoanisoole sulphate [2]	612-200-00-0	210-406-1 [1] 254-323-9 [2]	615-05-4 [1] 39156-41-7 [2]	Carc.Cat 2
N,N,N',N'-tetramethyl-4,4'-methylenedianiline	612-201-00-6	202-959-2	101-61-1	Carc.Cat 2

Substances	Index Number	EC Number	CAS Number	cmr Category
C.I. Basic Violet 3 with $\geq 0.1\%$ of Michler's ketone (EC No. 202-027-5)	612-205-00-8	208-953-6	548-62-9	Carc.Cat 2
6-Methoxy-m-toluidine ; p-cresidine	612-209-00-X	204-419-1	120-71-8	Carc. Cat 2
Carbendazim (ISO) ; methyl benzimidazol-2-ylcarbamate	613-048-00-8	234-232-0	10605-21-7	Mut.Cat 2 Repr.Cat 2
Benomyl (ISO) methyl 1-(butylcarbamoyl)benzimidazol-2-ylcarbamate	613-049-00-3	241-775-7	17804-35-2	Mut.Cat 2 Repr.Cat 2
3-Ethyl-2-methyl-2-(3-methylbutyl)-1,3-oxazolidine	613-191-00-6	421-150-7	143860-04-2	Repr.Cat 2
A mixture of: 1,3,5-tris(3-aminomethylphenyl)-1,3,5-(1H,3H,5H)- triazine-2,4,6-trione; a mixture of oligomers of 3,5-bis(3-aminomethylphenyl)-1-poly[3,5- bis(3-aminomethylphenyl)-2,4,6-trioxo-1,3,5-(1H,3H,5H)-triazin-1- yl]-1,3,5-(1H,3H,5H)-triazine-2,4,6-trione	613-199-00-X	421-550-1	—	Carc.Cat 2 Repr.Cat 2
Creosote oil, acenaphthene fraction Wash oil	648-098-00-X	292-605-3	90640-84-9	Carc.Cat 2
Creosote oil	648-099-00-5	263-047-8	61789-28-4	Carc.Cat 2
Creosote	648-101-00-4	232-287-5	8001-58-9	Carc.Cat 2
Hydrocarbons, C ₁₋₄ Petroleum gas	649-088-00-8	271-032-2	68514-31-8	Carc.Cat 1

Annex C

Consultees

This consultation document has been sent to the following interested parties:-

Allders Department Stores Limited
AMTAC Laboratories
Arcadia Group plc.
Association of Public Analysts
B & Q plc.
Boots Product Quality and Development Centre
Bostik Findley Ltd.
BP Chemicals Ltd
British Adhesives and Sealants Association
British Aerosol Manufacturers' Association
British Association for Chemical Specialities
British Chambers of Commerce
British Chemical Distributors & Traders Association
British Coatings Federation Ltd.
British Colour Makers Association
British Heart Foundation
British Home Stores
British Importers Association
British Interior Textiles Association
British Medical Association
British Plastics Federation
British Red Cross
British Retail Consortium
British Rubber Manufacturers Association
British Shops & Store Association Ltd.
British Toy and Hobby Association
British Wood Preserving & Damp Proofing Association BSI
Group Headquarters
BSI Product Services
Cancer Research UK
Chemical Industries Association
Confederation of British Industry
Consumers' Association
Convention of Scottish Local Authorities
Debenhams Retail plc
Department for the Environment, Food and Rural Affairs
Department of Health
Department of the Environment (Northern Ireland)
Direct Marketing Association
Direct Selling Association
Environment Agency
Environment Industries Commission
Federation of Small Businesses
Friends of the Earth
General Consumer Council for Northern Ireland
Health & Safety Commission
Health & Safety Executive
Home Office
House of Fraser
Intertek Testing Services (Leicester) Ltd.
John Lewis Partnership
LACORS
Laytons
LGC Limited
Local Government Association
Mail Order Traders Association
Marie Curie Cancer Care
Marks & Spencer Group plc
Medicines & Healthcare Products Regulatory Agency
Medical Research Council
Morton International Ltd.
Mr Frank Moore
National Association of Local Councils
National Consumer Council
National Consumer Federation
National Council of Women of Great Britain
National Federation of Women's Institutes
Northern Ireland Chamber of Commerce and Industry
Northern Ireland Local Government Association
Northern Ireland Office
Official Publications Library
OXFAM
Oil & Colour Chemist's Association
Pesticides Safety Directorate
PRA Coatings Technology Centre
SATRA Quality Assurance Limited
Scotland Office
Scottish Consumer Council
Scottish Environmental Protection Agency
Scottish Executive Environment & Rural Affairs Dept.
Shelter
Shirley Technologies Ltd.
Society of Chemical Industry
Society of Dyers and Colourists
Society of Local Authority Chief Executives and Senior Managers
Solvent Industries Association
Sue Ryder Care
Textile Finishers Association
Trades Union Congress
Trading Standards Institute
Transport and General Workers Union
Wales Office
Welsh Consumer Council
Welsh Local Government Association
Women's Environmental Network
World Wildlife Fund

Academia:

Prof Hugh Beale - Law Commission
Prof Hugh Collins - LSE
Prof Geraint Howells - University of Sheffield
Prof David Oughton - De Montfort University
Prof Stephen Weatherill - University of Oxford
Prof Geoffrey Woodroffe - Brunel University
Mr Robert Bradgate - University of Sheffield
Mr Richard Bragg - Manchester University
Mr Peter Cartwright - University of Nottingham
Mr Cowan Ervine - University of Dundee
Mr Christopher JS Hodges - CMS Cameron McKenna
Ms Deborah Parry - University of Hull
Mr Colin Scott - LSE
Mr Christian Twigg-Flesner - University of Sheffield
Mr Simon Whittaker - St John's College, Oxford
Mr Chris Willet - De Montfort University

Annex D

The Consultation Code of Practice

- 1. Consult widely throughout the process, allowing a minimum of 12 weeks for written consultation at least once during the development of the policy.*
- 2. Be clear about what your proposals are, who may be affected, what questions are being asked and the timescale for responses.*
- 3. Ensure that your consultation is clear, concise and widely accessible.*
- 4. Give feedback regarding the responses received and how the consultation process influenced the policy.*
- 5. Monitor your department's effectiveness at consultation, including through the use of a designated consultation coordinator.*
- 6. Ensure your consultation follows better regulation best practice, including carrying out a Regulatory Impact Assessment if appropriate.*

The complete code may be viewed on the Cabinet Office website at:-

<http://www.cabinet-office.gov.uk/regulation/consultation/index.asp>