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## **Guide concerning the mention of perfumes contained in preparations subject to the obligation to be registered in the product register**

### Edition

#### **Made by:**

- the common notification authority for chemicals of FOEN - FOPH - SECO,
- the chemicals division of the Federal Office of Public Health (FOPH),

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#### **Further information:**

Federal Office of Public Health, Consumer Protection Directorate, Notification Authority for Chemicals, 3003 Berne, tel. +41 (0)58 462 73 05, cheminfo@bag.admin.ch., [www.notificationauthoritychem.admin.ch](http://www.notificationauthoritychem.admin.ch)

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This publication is also issued in French, Italian and German.

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## Introduction

Perfumes used in chemical products, in particular in cleansing products and detergents, are generally preparations comprising a plurality of substances, of which some are classified as dangerous. Depending on its composition, the perfume may be classified as dangerous or not and in the majority of cases a safety data sheet has to be compiled for the perfume.

The dangerous constituents of the perfume must be taken into consideration when classifying the preparation that contains this perfume and when compiling the safety data sheet for the preparation. In situations where the full composition of the preparation must be notified to the register of chemical products, it may then be complicated to mention each constituent of the perfume along with its concentration in the preparation.

This guide proposes a simplified way to register the perfumes contained in the preparations.

## Legal basis and interpretation

Articles 48 to 54 of the Chemicals Ordinance (ChemO) constitute the legal basis for the obligation to notify. As implied by these Articles:

- Anyone who places on the market a preparation classified as dangerous or a preparation not classified as dangerous for which a safety data sheet has to be compiled, must register this preparation in the register of chemical products within 3 months of its first placing on the market.
- 'Placing on the market' means: importation on a professional or commercial basis as well as making available or delivering to third parties.
- In general, the registration must contain data on the dangerous constituents in accordance with the provisions applying to the safety data sheet. This concerns dangerous constituents at a concentration above certain specific limits (usually of the order of 0.1 to 1%). In practice, the person indicates these substances as detailed in the safety data sheet of the preparation.
- In the case where a dangerous preparation is made available to private users, the full composition of the preparation must be registered (Art. 50 ChemO). The full composition includes the dangerous constituents detailed in the safety data sheet of the preparation as well as the constituents not classified as dangerous.
- As the not dangerous constituents are not indicated in the safety data sheet, the person responsible for the obligation to register must therefore obtain this information from the manufacturer of the preparation. For reasons of confidentiality, the latter may himself register the information in the register of chemical products. In general, non-dangerous constituents in a concentration of less than 1% in the preparation do not need to be registered. However, it must be ensured that the sum of the indicated concentrations for the preparation is within 98 to 102%.
- The constituents that are not dangerous may be designated by a name that identifies the principal functional groups, such as, for example: alcohol.

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## Interpretation regarding the registration of perfumes entering into the composition of the preparations

### Case 1: Dangerous preparations destined solely for professional users and preparations not classified as dangerous

Only those dangerous constituents of the perfume that form part of the preparation in a quantity sufficient to be indicated in the safety data sheet of the preparation need to be registered. The perfume itself does not need to be mentioned.

### Case 2: Dangerous preparations destined for private users

The dangerous constituents of the perfume that form part of the preparation in a quantity sufficient to be indicated in the safety data sheet of the preparation must be registered.

For the constituents of the perfume that do not appear in the safety data sheet of the preparation:

- If the perfume has a simple composition, it is recommended to indicate all of the constituents with their concentration in the preparation.
- If the composition of the perfume is complex, it is possible to indicate only the generic substance “perfume with SDS” with the concentration corresponding to that of the perfume in the preparation, on condition that the safety data sheet of the perfume is provided as a pdf file annexed to the registration. If a constituent of the perfume was mentioned separately as a dangerous constituent of the preparation, the concentration of the remaining perfume has to be corrected in consequence.

If the perfume has already been registered separately as a preparation, with the statement of its dangerous constituents according to the safety data sheet, there is also the possibility to indicate this preparation as a constituent of the perfumed preparation.

### Example 1:

A dangerous preparation destined for private users contains 5% of perfume. The perfume contains 10% of a substance classified “skin sensitizer cat. 1”, the remaining 90% of the perfume does not contain dangerous constituents. The preparation does not contain other constituents classified as sensitizers.

- the perfume must be classified as “dangerous, skin sensitizer (H317)”
- the preparation does not need to be classified as “sensitizing” because the sensitizing substance in the perfume is found in a concentration of 0.5% in the mixture. The minimum limit for classification is 1% for “skin sensitizer cat. 1”.
- the safety data sheet of the preparation must indicate the presence of the sensitizing substance because the trigger limit in this case is 0.1%. (Annex I, ch. 3. 4. 3 CLP)

When registering the preparation the following must be declared:

- 0.5% “skin sensitizer cat. 1” substance.
- 4.5% “perfume with sds”, and attach the safety data sheet of the perfume

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- declare the dangerous constituents detailed in the safety data sheet of the preparation as well as those constituents not classified as dangerous, which are in a quantity greater than or equal to 1% of the preparation.

### Example 2:

A dangerous preparation destined for private users contains 5% of perfume. The perfume contains 1.5% of a substance classified “skin sensitizer cat. 1”, the remaining 98.5% of the perfume does not contain dangerous constituents.

- the perfume must be classified as “dangerous, skin sensitizer (H317)”
- the preparation does not need to be classified as “sensitizing” because the sensitizing substance in the perfume is found in a concentration of 0.075% in the mixture. The minimum limit for classification is 1% for “skin sensitizer cat. 1”.
- the safety data sheet of the preparation does not need to indicate the presence of the sensitizing substance because the trigger limit in this case is 0.1%. (Annex I, ch. 3. 4. 3 CLP)

When registering the preparation the following must be declared:

- 5% “perfume with sds” and attach the safety data sheet of the perfume
- declare the other dangerous constituents detailed in the safety data sheet of the preparation as well as those constituents, not classified as dangerous, which are in a quantity greater than or equal to 1% of the preparation

### ➤ 5. Substances and their threshold values

For the specific threshold values of sensitizing substances please consult Annex 6 of the CLP Regulation.

### ➤ 6. Any questions?

Should you have questions, the Notification Unit for Chemical Substances remains at your disposal.

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[cheminfo@bag.admin.ch](mailto:cheminfo@bag.admin.ch)

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