

REF 2318 - ACR071 White acrylic powder

Safety Data Sheet

According to Annex II to REACH - Regulation (EU) 2020/878 and to Annex II to UK REACH

SECTION 1. Identification of the substance/mixture and of the company/undertaking

1.1. Product identifier

Code: REF 2318
Product name: ACR071 White acrylic powder

1.2. Relevant identified uses of the substance or mixture and uses advised against

Intended use: White acrylic powder

1.3. Details of the supplier of the safety data sheet

Name: PASSIONE BEAUTY S.P.A.
Full address: Viale Crispi 89-93
District and Country: 36100 Vicenza (VI)
Italia
Tel.: +39 0444-239569
e-mail address of the competent person responsible for the Safety Data Sheet: quality@pucosmetica.it

1.4. Emergency telephone number

For urgent inquiries refer to: +39 0444-239569

SECTION 2. Hazards identification

2.1. Classification of the substance or mixture

The product is classified as hazardous pursuant to the provisions set forth in (EC) Regulation 1272/2008 (CLP) (and subsequent amendments and supplements). The product thus requires a safety datasheet that complies with the provisions of (EU) Regulation 2020/878.

Any additional information concerning the risks for health and/or the environment are given in sections 11 and 12 of this sheet.

Hazard classification and indication:

Hazardous to the aquatic environment, chronic toxicity, category 2 H411 Toxic to aquatic life with long lasting effects.

2.2. Label elements

Hazard labelling pursuant to EC Regulation 1272/2008 (CLP) and subsequent amendments and supplements.

Hazard pictograms:



Signal words: --

Hazard statements:

H411 Toxic to aquatic life with long lasting effects.
EUH212 Warning! Hazardous respirable dust may be formed when used. Do not breathe dust.
EUH208 Contains: Benzoyl peroxide
May produce an allergic reaction.

Precautionary statements:

P273 Avoid release to the environment.
P391 Collect spillage.

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SECTION 2. Hazards identification ... / >>

2.3. Other hazards

On the basis of available data, the product does not contain any PBT or vPvB in percentage $\geq$ than 0,1%.

The product does not contain substances with endocrine disrupting properties in concentration $\geq$ 0.1%.

SECTION 3. Composition/information on ingredients

3.2. Mixtures

Contains:

Identification	x = Conc. %	Classification (EC) 1272/2008 (CLP)
Titanium dioxide		
INDEX 022-006-00-2	$3 \leq x < 3,5$	Carc. 2 H351, Aquatic Chronic 2 H411
EC 236-675-5		
CAS 13463-67-7		
Benzoyl peroxide		
INDEX 617-008-00-0	$0,809 \leq x < 0,909$	Self-react. B H241, Eye Irrit. 2 H319, Skin Irrit. 2 H315, Skin Sens. 1 H317, Aquatic Acute 1 H400 M=10, Aquatic Chronic 1 H410 M=10
EC 202-327-6		
CAS 94-36-0		

The full wording of hazard (H) phrases is given in section 16 of the sheet.

SECTION 4. First aid measures

4.1. Description of first aid measures

Contact with eyes: Immediately flush eyes with plenty of water, occasionally lifting the upper and lower eyelids. Check and remove any contact lenses. Continue rinsing for at least 10 minutes. Consult a doctor if irritation occurs.

Inhalation: remove the victim to fresh air and keep him at rest in a position that facilitates breathing.

If not breathing, if breathing is irregular, or respiratory arrest occurs, provide artificial respiration or oxygen by trained personnel. It may be dangerous for the person providing help to give mouth-to-mouth resuscitation. Consult a doctor if adverse health effects persist or are severe. If he is unconscious, place him in the lateral position and consult a doctor immediately. Keep the airway open. Loosen tight clothing such as collars, ties, belts or belts.

Skin contact: Rinse contaminated skin with plenty of water. Remove contaminated clothing and shoes.

Continue rinsing for at least 10 minutes. Seek medical assistance. Wash clothing before reusing it. Clean your shoes thoroughly before using them again.

Ingestion: Rinse mouth with water. Remove dentures, if present. If the material has been ingested and the exposed person is conscious, give small amounts of water to drink. Stop if the exposed person feels sick because vomiting can be dangerous. Do not induce vomiting unless directed by medical personnel. If vomiting occurs, the head should be kept low so that the vomit does not enter the lungs. Consult a doctor if adverse health effects persist or are severe. Never give anything by mouth to an unconscious person. If he is unconscious, place him in the lateral position and consult a doctor immediately. Keep the airway open. Loosen tight clothing such as collars, ties, belts.

Protection of first aiders: No action should be taken which involves personal risk or without adequate training. It can be dangerous for the person providing aid to perform mouth-to-mouth resuscitation.

4.2. Most important symptoms and effects, both acute and delayed

Signs/symptoms of overexposure

Eye contact Adverse symptoms may include the following:

irritation

redness

Inhalation: Adverse symptoms may include the following:

irritation of the respiratory tract

cough

Skin contact: No specific data.

Ingestion: No specific data.

4.3. Indication of any immediate medical attention and special treatment needed

Notes to physician Treat symptomatically. Contact a poison treatment specialist immediately if large quantities have been ingested or inhaled.

Specific treatments: No specific treatments.

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SECTION 5. Firefighting measures

5.1. Extinguishing media

Suitable extinguishing media: Use dry chemical powder.

Unsuitable extinguishing media: Avoid high pressure media which could cause the formation of a potentially explosive dust-air mixture.

5.2. Special hazards arising from the substance or mixture

Hazards arising from the substance or mixture: May form an explosive dust-air mixture if dispersed. This material is toxic to aquatic life with long lasting effects. Fire water contaminated with this material must be contained and prevented from being discharged into waterways, sewers or drains.

Hazardous Combustion Products: Decomposition products may include the following materials:

carbon dioxide
carbon monoxide
metal oxide/oxides

5.3. Advice for firefighters

Special protective actions for firefighters: Promptly isolate the area by removing all people from the area of the accident in case of fire. No action shall be taken involving personal risk or without adequate training. Move containers from fire area if this can be done without risk.

Use water spray to keep containers exposed to fire cool.

Special protective equipment for firefighters: Firefighters must wear appropriate protective equipment and self-contained breathing apparatus (SCBA) with a face shield operating in positive pressure mode. Firefighter clothing (including helmets, protective boots and gloves) compliant with the European standard EN 469 will provide a basic level of protection for chemical incidents.

SECTION 6. Accidental release measures

6.1. Personal precautions, protective equipment and emergency procedures

For non-emergency personnel: No action shall be taken involving any personal risk or without adequate training.

Evacuate surrounding areas. Prevent access to unnecessary and unprotected personnel. Do not touch or walk on spilled material. Turn off all sources of ignition.

The use of flares, smoke or flames is not permitted in the danger area. Avoid breathing dust. Provide adequate ventilation. Wear an appropriate respirator when ventilation is inadequate.

Wear appropriate personal protective equipment.

For emergency responders: If specialized clothing is required to deal with the spillage, take note of any information in Section 8 on suitable and unsuitable materials. See also what is reported in "For non-emergency personnel".

6.2. Environmental precautions

Avoid dispersion and runoff of spilled material and contact with soil, waterways, drains and sewers. Inform the competent authorities if the product has caused environmental pollution (sewers, waterways, soil or air). Water polluting material.

May be harmful to the environment if released in large quantities. Collect spills.

6.3. Methods and material for containment and cleaning up

Small spill: Move containers from area of spill. Use non-sparking tools and explosion-proof equipment. Avoid generation of dust. Using a vacuum cleaner with a HEPA filter will reduce dust dispersion. Place the spilled material in a designated and labeled waste container.

Dispose of through a licensed waste disposal contractor.

Large spill: Move containers from spill area. Use non-sparking tools and explosion-proof equipment. Approaching release from windward. Prevent entry into sewers, waterways, basements or confined areas. Avoid generation of dust. Do not dry sweep.

Vacuum the dust with an appliance equipped with a HEPA filter and place it in a closed and labeled waste container. Avoid creating dusty conditions and prevent wind dispersion.

Dispose of through a licensed waste disposal contractor.

6.4. Reference to other sections

See Section 1 for emergency contact information.

See Section 8 for information on appropriate personal protective equipment.

See Section 13 for more information on waste treatment.

SECTION 7. Handling and storage

7.1. Precautions for safe handling

Protective measures: Wear appropriate personal protective equipment (see Section 8). Persons with a history of skin sensitization problems should not be employed in any process in which this product is used. Do not get in eyes, on skin or clothing. Do not swallow.

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SECTION 7. Handling and storage ... / >>

Avoid breathing dust. Avoid release into the environment. Avoid creating dust during handling and avoid all possible sources of ignition (sparks or flames). Prevent dust accumulation. Use only with adequate ventilation. Wear an appropriate respirator when ventilation is inadequate. Store in the original container or an approved alternative made of a compatible material, kept tightly closed when not in use. Electrical equipment and lighting must be protected to appropriate standards to prevent dust from coming into contact with hot surfaces, sparks or other sources of ignition.

Take precautionary measures against electrostatic discharges. To avoid fire or explosion, dissipate static electricity during transfer by grounding and bonding containers and equipment before transferring material. Empty containers retain product residue and can be dangerous. Do not reuse the container.

General occupational hygiene advice: Eating, drinking and smoking are prohibited in areas where the material is handled, stored or processed. Workers must wash their hands and faces before eating, drinking and smoking. Remove contaminated clothing and protective equipment before entering food and beverage areas. See also Section 8 for further information on hygiene measures.

7.2. Conditions for safe storage, including any incompatibilities

Do not store above temperatures listed below: 304°C (579.2°F). Store in accordance with local regulations. Store in a segregated and approved area. Store in the original container away from direct sunlight, in a dry, cool and well-ventilated place, away from incompatible materials (see Section 10) and food and drink. Keep under lock and key. Eliminate all sources of ignition. Separate from oxidizing materials. Keep container tightly closed and sealed until ready for use. Open containers must be carefully closed and kept upright to avoid leaks. Do not store in unlabeled containers. Use an appropriate container to avoid contamination of the environment. Consult Section 10 for incompatible materials before handling or use.

7.3. Specific end use(s)

Recommendations: Not available.

Specific solutions for the industrial sector: Not available.

SECTION 8. Exposure controls/personal protection

8.1. Control parameters

Benzoyl peroxide								
Health - Derived no-effect level - DNEL / DMEL								
Route of exposure	Effects on consumers		Chronic	Chronic	Effects on workers			
	Acute	Acute			Acute local	Acute	Chronic	Chronic
	local	systemic	local	systemic		systemic	local	systemic
Oral				2				
				mg/kg bw/d				
Inhalation								39
								mg/m3
Skin							0,034	13,3
							mg/cm2	mg/kg
								bw/d

VND = hazard identified but no DNEL/PNEC available ; NEA = no exposure expected ; NPI = no hazard identified ; LOW = low hazard ; MED = medium hazard ; HIGH = high hazard.

During the risk assessment process, it is essential to take into consideration the ACGIH occupational exposure levels for particulate not otherwise classified (PNOC respirable fraction: 3 mg/m3; PNOC inhalable fraction: 10 mg/m3). For values above these limits, use a P type filter, whose class (1, 2 or 3) must be chosen according to the outcome of risk assessment. The above values are not TLVs, but guide values, to be used for particles that do not have their own TLV and that are insoluble or poorly soluble in water and have low toxicity.

8.2. Exposure controls

As the use of adequate technical equipment must always take priority over personal protective equipment, make sure that the workplace is well aired through effective local aspiration.

HAND PROTECTION

In the case of prolonged contact with the product, protect the hands with penetration-resistant work gloves (see standard EN 374).

Work glove material must be chosen according to the use process and the products that may form. Latex gloves may cause sensitivity reactions.

SKIN PROTECTION

Wear category I professional long-sleeved overalls and safety footwear (see Regulation 2016/425 and standard EN ISO 20344). Wash body with soap and water after removing protective clothing.

EYE PROTECTION

Wear airtight protective goggles (see standard EN ISO 16321).

RESPIRATORY PROTECTION

Use a type P filtering facemask, whose class (1, 2 or 3) and effective need, must be defined according to the outcome of risk assessment (see standard EN 149).

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SECTION 8. Exposure controls/personal protection ... / >>

ENVIRONMENTAL EXPOSURE CONTROLS

The emissions generated by manufacturing processes, including those generated by ventilation equipment, should be checked to ensure compliance with environmental standards.

Product residues must not be indiscriminately disposed of with waste water or by dumping in waterways.

SECTION 9. Physical and chemical properties

9.1. Information on basic physical and chemical properties

Properties	Value	Information
Appearance	solid powder	
Colour	Transparent white	
Odour	characteristic	
Melting point / freezing point	not available	
Initial boiling point	not available	
Flammability	not available	
Lower explosive limit	not available	
Upper explosive limit	not available	
Flash point	> 93,3 °C	
Auto-ignition temperature	not available	
Decomposition temperature	not available	
pH	not available	
Kinematic viscosity	not available	
Solubility	not available	
Partition coefficient: n-octanol/water	not available	
Vapour pressure	not available	
Density and/or relative density	not available	
Relative vapour density	not available	
Particle characteristics	not available	

9.2. Other information

9.2.1. Information with regard to physical hazard classes

Information not available

9.2.2. Other safety characteristics

Information not available

SECTION 10. Stability and reactivity

10.1. Reactivity

No specific test data regarding reactivity is available for this product or its ingredients.

10.2. Chemical stability

The product is stable.

10.3. Possibility of hazardous reactions

Under normal conditions of storage and use, hazardous reactions will not occur.

10.4. Conditions to avoid

Avoid creating dust during handling and avoid all possible sources of ignition (sparks or flames). Take precautionary measures against electrostatic discharges.

To avoid fire or explosion, dissipate static electricity during transfer by grounding and bonding containers and equipment before transferring material. Prevent dust accumulation.

10.5. Incompatible materials

Reactive or incompatible with the following materials:
oxidizing materials

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SECTION 10. Stability and reactivity ... / >>

10.6. Hazardous decomposition products

Under normal conditions of storage and use, no hazardous decomposition products should be generated.

SECTION 11. Toxicological information

11.1. Information on hazard classes as defined in Regulation (EC) No 1272/2008

Metabolism, toxicokinetics, mechanism of action and other information

Information not available

Information on likely routes of exposure

Warning! Hazardous respirable dust may be formed when used. Do not breathe dust.

Delayed and immediate effects as well as chronic effects from short and long-term exposure

Information not available

Interactive effects

Information not available

ACUTE TOXICITY

ATE (Inhalation) of the mixture:

Not classified (no significant component)

ATE (Oral) of the mixture:

Not classified (no significant component)

ATE (Dermal) of the mixture:

Not classified (no significant component)

Benzoyl peroxide

LD50 (Oral):

6400 mg/kg rat

SKIN CORROSION / IRRITATION

Does not meet the classification criteria for this hazard class

SERIOUS EYE DAMAGE / IRRITATION

Does not meet the classification criteria for this hazard class

RESPIRATORY OR SKIN SENSITISATION

May produce an allergic reaction.

Contains:

Benzoyl peroxide

GERM CELL MUTAGENICITY

Does not meet the classification criteria for this hazard class

CARCINOGENICITY

Does not meet the classification criteria for this hazard class

Benzoyl peroxide

Irritation/corrosion

Result: Skin: Moderately irritating. Species: Female. Exposure: 1%

Result: Skin - Strongly irritating. Human species. Exposure: 1344 hours 5% I

REPRODUCTIVE TOXICITY

Does not meet the classification criteria for this hazard class

STOT - SINGLE EXPOSURE

Does not meet the classification criteria for this hazard class

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SECTION 11. Toxicological information ... / >>

STOT - REPEATED EXPOSURE

Does not meet the classification criteria for this hazard class

ASPIRATION HAZARD

Does not meet the classification criteria for this hazard class

11.2. Information on other hazards

Based on the available data, the product does not contain substances listed in the main European lists of potential or suspected endocrine disruptors with human health effects under evaluation.

SECTION 12. Ecological information

This product is dangerous for the environment and is toxic for aquatic organisms. In the long term, it have negative effects on aquatic environment.

12.1. Toxicity

Titanium dioxide

LC50 3 mg/l fresh water exposure 48h, Crustaceans species - Ceriodaphnia dubia - Neonates

LC50 6.5 mg/l fresh water, exposure 48/h, Daphnia species - Daphnia pulex - Neonates

Titanium dioxide

LC50 - for Fish 1000000 µg/l

Benzoyl peroxide

LC50 - for Fish 2 mg/l/96h fish

EC50 - for Crustacea 0,07 mg/l/48h daphnia

EC50 - for Algae / Aquatic Plants 0,83 mg/l/72h algae

12.2. Persistence and degradability

Benzoyl peroxide

Result: 60% - 28 days

Biodegradability: Intrinsic

12.3. Bioaccumulative potential

Benzoyl peroxide

Partition coefficient: n-octanol/water 3,2 potential: low

12.4. Mobility in soil

Information not available

12.5. Results of PBT and vPvB assessment

On the basis of available data, the product does not contain any PBT or vPvB in percentage $\geq$ than 0,1%.

12.6. Endocrine disrupting properties

Based on the available data, the product does not contain substances listed in the main European lists of potential or suspected endocrine disruptors with environmental effects under evaluation.

12.7. Other adverse effects

Information not available

SECTION 13. Disposal considerations

13.1. Waste treatment methods

Reuse, when possible. Product residues should be considered special hazardous waste. The hazard level of waste containing this product should be evaluated according to applicable regulations.

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SECTION 13. Disposal considerations ... / >>

Disposal must be performed through an authorised waste management firm, in compliance with national and local regulations.

CONTAMINATED PACKAGING

Contaminated packaging must be recovered or disposed of in compliance with national waste management regulations.

SECTION 14. Transport information

The product is not dangerous under current provisions of the Code of International Carriage of Dangerous Goods by Road (ADR) and by Rail (RID), of the International Maritime Dangerous Goods Code (IMDG), and of the International Air Transport Association (IATA) regulations.

14.1. UN number or ID number

not applicable

14.2. UN proper shipping name

not applicable

14.3. Transport hazard class(es)

not applicable

14.4. Packing group

not applicable

14.5. Environmental hazards

not applicable

14.6. Special precautions for user

not applicable

14.7. Maritime transport in bulk according to IMO instruments

Information not relevant

SECTION 15. Regulatory information

15.1. Safety, health and environmental regulations/legislation specific for the substance or mixture

Seveso Category - Directive 2012/18/EU: E2

Restrictions relating to the product or contained substances pursuant to Annex XVII to EC Regulation 1907/2006

Contained substance

Point 75

Regulation (EU) 2019/1148 - on the marketing and use of explosives precursors

not applicable

Substances in Candidate List (Art. 59 REACH)

On the basis of available data, the product does not contain any SVHC in percentage $\geq$ than 0,1%.

Substances subject to authorisation (Annex XIV REACH)

None

Substances subject to exportation reporting pursuant to Regulation (EU) 649/2012:

None

Substances subject to the Rotterdam Convention:

None

Substances subject to the Stockholm Convention:

None

Healthcare controls

Information not available

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SECTION 15. Regulatory information ... / >>

15.2. Chemical safety assessment

A chemical safety assessment has not been performed for the preparation/for the substances indicated in section 3.

SECTION 16. Other information

Text of hazard (H) indications mentioned in section 2-3 of the sheet:

Self-react. B	Self-reactive substance or mixture, type B
Carc. 2	Carcinogenicity, category 2
Eye Irrit. 2	Eye irritation, category 2
Skin Irrit. 2	Skin irritation, category 2
Skin Sens. 1	Skin sensitization, category 1
Aquatic Acute 1	Hazardous to the aquatic environment, acute toxicity, category 1
Aquatic Chronic 1	Hazardous to the aquatic environment, chronic toxicity, category 1
Aquatic Chronic 2	Hazardous to the aquatic environment, chronic toxicity, category 2
H241	Heating may cause a fire or explosion.
H351	Suspected of causing cancer.
H319	Causes serious eye irritation.
H315	Causes skin irritation.
H317	May cause an allergic skin reaction.
H400	Very toxic to aquatic life.
H410	Very toxic to aquatic life with long lasting effects.
H411	Toxic to aquatic life with long lasting effects.
EUH212	Warning! Hazardous respirable dust may be formed when used. Do not breathe dust.

LEGEND:

- ADR: European Agreement concerning the carriage of Dangerous goods by Road
- ATE: Acute Toxicity Estimate
- CAS: Chemical Abstract Service Number
- CE50: Effective concentration (required to induce a 50% effect)
- CE: Identifier in ESIS (European archive of existing substances)
- CLP: Regulation (EC) 1272/2008
- DNEL: Derived No Effect Level
- EmS: Emergency Schedule
- GHS: Globally Harmonized System of classification and labeling of chemicals
- IATA DGR: International Air Transport Association Dangerous Goods Regulation
- IC50: Immobilization Concentration 50%
- IMDG: International Maritime Code for dangerous goods
- IMO: International Maritime Organization
- INDEX: Identifier in Annex VI of CLP
- LC50: Lethal Concentration 50%
- LD50: Lethal dose 50%
- OEL: Occupational Exposure Level
- PBT: Persistent, bioaccumulative and toxic
- PEC: Predicted environmental Concentration
- PEL: Predicted exposure level
- PMT: Persistent, mobile and toxic
- PNEC: Predicted no effect concentration
- REACH: Regulation (EC) 1907/2006
- RID: Regulation concerning the international transport of dangerous goods by train
- TLV: Threshold Limit Value
- TLV CEILING: Concentration that should not be exceeded during any time of occupational exposure.
- TWA: Time-weighted average exposure limit
- TWA STEL: Short-term exposure limit
- VOC: Volatile organic Compounds
- vPvB: Very persistent and very bioaccumulative
- vPvM: Very persistent and very mobile
- WGK: Water hazard classes (German).

GENERAL BIBLIOGRAPHY

1. Regulation (EC) 1907/2006 (REACH) of the European Parliament
2. Regulation (EC) 1272/2008 (CLP) of the European Parliament
3. Regulation (EU) 2020/878 (II Annex of REACH Regulation)
4. Regulation (EC) 790/2009 (I Atp. CLP) of the European Parliament
5. Regulation (EU) 286/2011 (II Atp. CLP) of the European Parliament
6. Regulation (EU) 618/2012 (III Atp. CLP) of the European Parliament
7. Regulation (EU) 487/2013 (IV Atp. CLP) of the European Parliament

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SECTION 16. Other information ... / >>

8. Regulation (EU) 944/2013 (V Atp. CLP) of the European Parliament
9. Regulation (EU) 605/2014 (VI Atp. CLP) of the European Parliament
10. Regulation (EU) 2015/1221 (VII Atp. CLP) of the European Parliament
11. Regulation (EU) 2016/918 (VIII Atp. CLP) of the European Parliament
12. Regulation (EU) 2016/1179 (IX Atp. CLP)
13. Regulation (EU) 2017/776 (X Atp. CLP)
14. Regulation (EU) 2018/669 (XI Atp. CLP)
15. Regulation (EU) 2019/521 (XII Atp. CLP)
16. Delegated Regulation (UE) 2018/1480 (XIII Atp. CLP)
17. Regulation (EU) 2019/1148
18. Delegated Regulation (UE) 2020/217 (XIV Atp. CLP)
19. Delegated Regulation (UE) 2020/1182 (XV Atp. CLP)
20. Delegated Regulation (UE) 2021/643 (XVI Atp. CLP)
21. Delegated Regulation (UE) 2021/849 (XVII Atp. CLP)
22. Delegated Regulation (UE) 2022/692 (XVIII Atp. CLP)
23. Delegated Regulation (UE) 2023/707

- The Merck Index. - 10th Edition
- Handling Chemical Safety
- INRS - Fiche Toxicologique (toxicological sheet)
- Patty - Industrial Hygiene and Toxicology
- N.I. Sax - Dangerous properties of Industrial Materials-7, 1989 Edition
- IFA GESTIS website
- ECHA website
- Database of SDS models for chemicals - Ministry of Health and ISS (Istituto Superiore di Sanità) - Italy

Note for users:

The information contained in the present sheet are based on our own knowledge on the date of the last version. Users must verify the suitability and thoroughness of provided information according to each specific use of the product.

This document must not be regarded as a guarantee on any specific product property.

The use of this product is not subject to our direct control; therefore, users must, under their own responsibility, comply with the current health and safety laws and regulations. The producer is relieved from any liability arising from improper uses.

Provide appointed staff with adequate training on how to use chemical products.

CALCULATION METHODS FOR CLASSIFICATION

Chemical and physical hazards: Product classification derives from criteria established by the CLP Regulation, Annex I, Part 2. The data for evaluation of chemical-physical properties are reported in section 9.

Health hazards: Product classification is based on calculation methods as per Annex I of CLP, Part 3, unless determined otherwise in Section 11.

Environmental hazards: Product classification is based on calculation methods as per Annex I of CLP, Part 4, unless determined otherwise in Section 12.