

**GUIDANCE NOTE FOR CEPE MEMBERS  
ON  
CLP AND DPD LABELS AFTER 1 JUNE 2015  
(REVISION 1)**

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On 1 June 2015 the CLP Regulation (EC) No. 1272/2008 became mandatory for mixtures and the Dangerous Preparations Directive 1999/45/EC ('DPD') was repealed. Mixtures placed on the market in the EU/EEA on or after 1 June 2015 must be labelled and packaged according to CLP.

According to CLP,

*'placing on the market' means supplying or making available, whether in return for payment or free of charge, to a third party. Import shall be deemed to be placing on the market.*

**What happens with DPD-labelled products already in the pipeline?**

CLP includes a transitional provision: mixtures with DPD labels, which were placed on the market before 1 June 2015, need not be re-labelled until **1 June 2017**.

It is confirmed in ECHA guidance<sup>1</sup> that such mixtures, placed on the market by the formulator, may be sold further in the supply chain, as long as a distributor downstream does not change the composition of the mixture such that a new label would be required.

**What if these products were still in your warehouse on or after 1 June 2015?**

The ECHA guidance makes clear that mixtures stored in a warehouse can also benefit from the transitional provision, even if they are still in the ownership of the formulator. This applies as long as the supplier can prove that the goods were already packaged, labelled and available for a third party, e.g. in the warehouse or advertised on a website, on 1 June 2015.

**What happens to DPD-labelled products still on the shelves after 2 years?**

Any DPD-labelled products still in the supply chain on 1 June 2017 (i.e. at a distributor or retailer; not those stored by an end user or consumer) will need to be re-labelled according to CLP. This re-labelling is the responsibility of the supply chain actor who has ownership of the products at that time and will place them on the market on or after 1 June 2017.

For slow-moving products or those with long shelf life, formulators are encouraged to re-label goods still in their possession to avoid distributors holding too much DPD-labelled stock in 2017 which they may find difficult to re-label. Members can also consider other ways in which they may wish to support distributors with their obligation to re-label in 2017, e.g. supplying replacement labels.

END OF NOTE

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<sup>1</sup> Guidance on Labelling and Packaging in accordance with Regulation (EC) No 1272/2008, [v2.0 September 2016](#), section 2.3