

Swedish Chemicals Agency's Code of Statutes

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KIFS 2023:2 – Regulations amending the Swedish Chemicals Agency's Regulations (KIFS 2017:7) on Chemical Products and Biotechnological Organisms

Adopted on 14 June 2023.

**KIFS
2023:X**

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By virtue of Section 25(7) and (14) of the Ordinance (2008:245) on chemical products and biotechnological organisms and Section 11 of the Ordinance (2012:861) on hazardous substances in electrical and electronic equipment, the Swedish Chemicals Agency prescribes¹, with regard to the Swedish Chemicals Agency's regulations (KIFS 2017:7) on chemical products and biotechnological organisms:

that Chapter 12, Section 5 shall cease to apply;

that Chapter 4, Section 3, Section 3a, Section 5 and Annex 4 shall read as follows;

that a new section – Chapter 4, Section 3b – with the following wording shall be inserted.

Chapter 4

Section 3 The provisions of Sections 7 and 9-14 of the Ordinance (2008:245) shall not apply to sodium hydroxide and potassium hydroxide as substances or in mixtures. Nor

¹ Commission Delegated Directive (EU) 2023/171 of 28 October 2022 amending, for the purposes of adapting to scientific and technical progress, Annex III to Directive 2011/65/EU of the European Parliament and of the Council as regards an exemption for hexavalent chromium as an anticorrosion agent in gas absorption heat pumps.

shall the provisions apply to explosives, fuel oils or fuels intended for engine operation.

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Section 3a By way of derogation from Section 3, however, authorisation is required

1. for professional transfer in accordance with Section 7(2) of the Ordinance (2008:245) of methanol products intended as fuel for engine operation. Otherwise, such methanol products may be handled without the authorisation referred to in Section 7(1) of the Ordinance (2008:245),
2. for handling that is not in a professional capacity in accordance with Section 7(1) of the Ordinance (2008:245) of sodium hydroxide and potassium hydroxide as substances or in mixtures intended for clearing or cleaning drains. For the aforementioned products the provisions of Section 9(2) of the Ordinance (2008:245) also apply.

Section 3b² The provisions laid down in Section 7(1) and Section 9(2) of the Ordinance (2008:245) shall not apply to liquids for electronic cigarettes and for refill containers for electronic cigarettes containing not more than 20 mg/ml nicotine.

The provisions concerning the authorisation requirement for professional transfer in accordance with Section 7(2) of the Ordinance (2008:245) shall not apply to chemical products classified as Skin Corrosive in hazard category 1A which are considered to be particularly hazardous products solely because of their corrosive properties.

Section 5 Records do not need to be kept when transferring:

1. chemical products covered by the exemptions under Section 3;

² Most recent wording of previous Section 3a KIFS 2021:8.

2. chemical products classified as Skin Corrosive in hazard category 1A which are considered particularly dangerous products solely because of their corrosive properties and which are transferred for professional handling.

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In the case of methanol products intended as fuel for engine operation, records shall be kept on professional transfers.

Chapter 4, Section 3, Section 3a, Section 3b and Section 5 of these regulations shall enter into force on 1 January 2025; all other provisions on 1 September 2023.

On behalf of the Swedish Chemicals Agency

PER ÄNGQUIST

Gerda Lind

Uses exempted from the prohibition in Sections 8-9 of the Ordinance (2012:861) on hazardous substances in electrical and electronic equipment³

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Annex 4

Exemption	Scope and application date
9.a.II Up to 0.75 % hexavalent chromium by weight, used as an anticorrosion agent in the cooling solution for carbon steel cooling systems in absorption refrigerators — intended to operate fully or partly with electrical heater, having an average utilised power input of ≥ 75 W at constant running conditions; — intended to fully operate with non-electric heater.	The exemption applies to categories 1 to 7 and 10 and expires on 21 July 2021.
9.a.III Up to 0.7 % hexavalent chromium by weight, used as an anticorrosion agent in the working fluid of the carbon steel sealed circuit of gas absorption heat pumps for space and water heating.	The exemption applies to category 1 and expires on 31 December 2026.

³ Most recent wording of the Annex KIFS 2022:6.

