



U.S. Department
of Transportation

**Pipeline and Hazardous
Materials Safety
Administration**

1200 New Jersey Avenue, SE
Washington, DC 20590

May 1, 2024

Ms. Cindy Murphy
National Logistics Manager
Azelis
33 Riverside Avenue, 5th Floor
Westport, CT 06880-4223

Reference No. 23-0086

Dear Ms. Murphy:

This letter is in response to your September 19, 2023, email requesting clarification of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180) applicable to marking requirements when shipping marine pollutants by highway in non-bulk packagings. In your email, you describe a scenario where non-bulk packagings (i.e., drums) containing a marine pollutant have been marked with the United Nations (UN) number, proper shipping name, hazard class, and packing group—e.g., “UN3082, Environmentally hazardous substance, liquid, n.o.s. (contains Octocrylene), 9, PGIII.” Specifically, you ask whether you may cover these markings when offering these packagings for transportation domestically by highway, as well as whether hazardous materials shipping information must be included on any shipping papers if you do not cover the markings.

Provided the material is only a marine pollutant and does not meet any other hazard class under the HMR, the markings may be covered if you choose to do so. In accordance with § 171.4(c), the requirements of the HMR, including to those pertaining to package markings and shipping papers—specific to marine pollutants—do not apply to non-bulk packagings transported by motor vehicle, rail car, or aircraft.

I hope this information helpful. Please contact us if we can be of further assistance.

Sincerely,

Steven Andrews
Acting Chief, Regulatory Review and Reinvention Branch
Standards and Rulemaking Division

From: [INFOCNTR \(PHMSA\)](#)
To: [Dodd, Alice \(PHMSA\)](#)
Subject: FW: Interpretation request letter
Date: Tuesday, September 19, 2023 4:24:06 PM
Attachments: [image004.png](#)
[UVINUL_3039 \(ED\).pdf](#)

Hello Alice,

Please see the below interpretation request. Let us know if you need anything.

Sincerely,
 Janaye

From: Cindy Murphy <cindy.murphy@azelis.com>
Sent: Tuesday, September 19, 2023 3:27 PM
To: INFOCNTR (PHMSA) <INFOCNTR.INFOCNTR@dot.gov>
Subject: Interpretation request letter

CAUTION: This email originated from outside of the Department of Transportation (DOT). Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Hello,

Please assist with letter of interpretation on the following matter.

I am a chemical distributor. The manufacturers I distribute for will often include hazardous shipping information on package labels (UN#, proper shipping name, haz class, PG) when the package size or chemical itself is not DOT haz regulated for road transport.

Is it acceptable for me to cover the DOT markings on the label when shipping over the road, or must I keep the DOT markings visible and add the hazardous shipping information to the shipping papers (BOL) instead?

Attached to this email is a picture of a drum with DOT haz marking on the label yet the SDS for the product shows the material is not DOT regulated.

14. Transport Information

Land transport
 USDOT

Not classified as a dangerous good under transport regulations

Sea transport
 IMDG

Hazard class:	9
Packing group:	III
ID number:	UN 3082
Hazard label:	9, EHSM
Marine pollutant:	YES
Proper shipping name:	ENVIRONMENTALLY HAZARDOUS SUBSTANCE, LIQUID, N.O.S. (contains OCTOCRYLENE)

Thanks,

Cindy Murphy
 National Logistics Manager

Azelis
Email: cindy.murphy@azelis.com
Direct: (215) 208-9644

www.azelis.com

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Marine pollutant:	YES
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We create chemistry

Safety Data Sheet

Uvinul® 3039 (ED)

Revision date : 2020/05/21

Version: 7.0

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(30648839/SDS_GEN_US/EN)

1. Identification

Product identifier used on the label

Uvinul® 3039 (ED)

Recommended use of the chemical and restriction on use

Recommended use*: stabilizer

Unsuitable for use: The product is not recommended to be used in contact with mucous membranes, abraded skin, or blood; or for the manufacture of implants for the human body as it has not been tested for these applications.

For detailed regulatory information please request a Food Contact Certificate (FCC).

* The "Recommended use" identified for this product is provided solely to comply with a Federal requirement and is not part of the seller's published specification. The terms of this Safety Data Sheet (SDS) do not create or infer any warranty, express or implied, including by incorporation into or reference in the seller's sales agreement.

Details of the supplier of the safety data sheet

Company:

BASF CORPORATION

100 Park Avenue

Florham Park, NJ 07932, USA

Telephone: +1 973 245-6000

Emergency telephone number

CHEMTREC: 1-800-424-9300

BASF HOTLINE: 1-800-832-HELP (4357)

Other means of identification

Synonyms:

2-Propenoic acid, 2-cyano-3,3-diphenyl-, 2-ethylhexyl ester

2. Hazards Identification

According to Regulation 2012 OSHA Hazard Communication Standard; 29 CFR Part 1910.1200

Classification of the product

Aquatic Chronic

1

Hazardous to the aquatic environment - chronic

Label elements

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Pictogram:



Signal Word:
Warning

Hazard Statement:

H410 Very toxic to aquatic life with long lasting effects.

Precautionary Statements (Prevention):

P273 Avoid release to the environment.

Precautionary Statements (Response):

P391 Collect spillage.

Precautionary Statements (Disposal):

P501 Dispose of contents and container to hazardous or special waste collection point.

Hazards not otherwise classified

If applicable information is provided in this section on other hazards which do not result in classification but which may contribute to the overall hazards of the substance or mixture. The product does not fulfill the criteria for PBT (Persistent/bioaccumulative/toxic) and vPvB (very persistent/very bioaccumulative).

3. Composition / Information on Ingredients

According to Regulation 2012 OSHA Hazard Communication Standard; 29 CFR Part 1910.1200

Octocrylene

CAS Number: 6197-30-4

Content (W/W): >= 99.0%

Synonym: 2-Cyano-3,3-diphenyl-2-propenoic acid 2-ethylhexyl ester

4. First-Aid Measures

Description of first aid measures

General advice:

Remove contaminated clothing.

If inhaled:

Keep patient calm, remove to fresh air. If symptoms persist, seek medical advice.

If on skin:

Wash thoroughly with soap and water

If irritation develops, seek medical attention.

If in eyes:

Wash affected eyes for at least 15 minutes under running water with eyelids held open.

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If symptoms persist, seek medical advice.

If swallowed:

Rinse mouth and then drink 200-300 ml of water.

If symptoms persist, seek medical advice.

Most important symptoms and effects, both acute and delayed

Symptoms: No applicable information available.

Indication of any immediate medical attention and special treatment needed

Note to physician

Treatment: Symptomatic treatment (decontamination, vital functions).

5. Fire-Fighting Measures

Extinguishing media

Suitable extinguishing media:
water spray, carbon dioxide, dry powder, foam

Unsuitable extinguishing media for safety reasons:
No data available.

Special hazards arising from the substance or mixture

Hazards during fire-fighting:
carbon monoxide, carbon dioxide, nitrogen oxides

Advice for fire-fighters

Protective equipment for fire-fighting:
Firefighters should be equipped with self-contained breathing apparatus and turn-out gear.

Further information:

Keep containers cool by spraying with water if exposed to fire. Collect contaminated extinguishing water separately, do not allow to reach sewage or effluent systems. Dispose of fire debris and contaminated extinguishing water in accordance with official regulations.

Impact Sensitivity:

Remarks: Based on the chemical structure there is no shock-sensitivity.

6. Accidental release measures

Personal precautions, protective equipment and emergency procedures

No special precautions necessary.

Environmental precautions

Do not discharge into drains/surface waters/groundwater.

Methods and material for containment and cleaning up

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For large amounts: Dike spillage. Pump off product.
For residues: Pick up with suitable absorbent material. Dispose of absorbed material in accordance with regulations.

7. Handling and Storage

Precautions for safe handling

Handle in accordance with good industrial hygiene and safety practice.

Protection against fire and explosion:

Prevent electrostatic charge - sources of ignition should be kept well clear - fire extinguishers should be kept handy.

Conditions for safe storage, including any incompatibilities

Further information on storage conditions: No special precautions necessary.

Storage stability:

Storage duration: 36 Months

8. Exposure Controls/Personal Protection

No substance specific occupational exposure limits known.

Advice on system design:

Provide local exhaust ventilation to control vapours/mists. Provide local exhaust ventilation to maintain recommended P.E.L.

Personal protective equipment

Respiratory protection:

Suitable respiratory protection for higher concentrations or long-term effect: Gas filter for gases/vapours of organic compounds (boiling point >65 °C, e. g. EN 14387 Type A)

Hand protection:

Chemical resistant protective gloves

Eye protection:

Safety glasses with side-shields.

Body protection:

Body protection must be chosen based on level of activity and exposure.

General safety and hygiene measures:

No special measures necessary if stored and handled correctly. Wear protective clothing as necessary to prevent contact. Avoid inhalation of vapours/mists. Wash soiled clothing immediately. No eating, drinking, smoking or tobacco use at the place of work.

9. Physical and Chemical Properties

Form: liquid
Odour: odourless
Odour threshold: No applicable information available.

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Colour:	yellow	
pH value:	6.9 - 7.2	
Melting point:	-8 °C	(other)
Boiling point:	> 300 °C (1,013 hPa) The substance / product decomposes.	
Sublimation point:	No applicable information available.	
Flash point:	119 °C	
Flammability:	hardly combustible	(DIN 51758) (derived from flash point)
Lower explosion limit:	For liquids not relevant for classification and labelling. The lower explosion point may be 5 - 15 °C below the flash point.	
Upper explosion limit:	For liquids not relevant for classification and labelling.	
Autoignition:	not determined	
Vapour pressure:	< 0.001 hPa (20 °C)	
Density:	1.05 g/cm3 (25 °C)	
Relative density:	No applicable information available.	
Vapour density:	No applicable information available.	
Partitioning coefficient n- octanol/water (log Pow):	6.1 (23 °C)	(OECD Guideline 117)
Self-ignition temperature:	not self-igniting	
Thermal decomposition:	No decomposition if correctly stored and handled.	
Viscosity, dynamic:	637 mPa.s (40 °C) 4,254 mPa.s (20 °C)	
Viscosity, kinematic:	No applicable information available.	
Particle size:	The substance / product is marketed or used in a non solid or granular form.	
Solubility in water:	< 0.1 mg/l (20 °C)	
Solubility (quantitative):	No applicable information available.	
Solubility (qualitative):	No applicable information available.	
Molar mass:	No applicable information available.	
Evaporation rate:	Value can be approximated from Henry's Law Constant or vapor pressure.	
Other Information:	If necessary, information on other physical and chemical parameters is indicated in this section.	

10. Stability and Reactivity

Reactivity

No hazardous reactions if stored and handled as prescribed/indicated.

Corrosion to metals:
Corrosive effects to metal are not anticipated.

Oxidizing properties:
not fire-propagating

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Formation of
flammable gases:

Remarks:

Forms no flammable gases in the
presence of water.

Chemical stability

The product is stable if stored and handled as prescribed/indicated.

Possibility of hazardous reactions

The product is chemically stable.

No hazardous reactions if stored and handled as prescribed/indicated.

Conditions to avoid

No conditions to avoid anticipated.

Incompatible materials

No substances known that should be avoided.

Hazardous decomposition products

Decomposition products:

Hazardous decomposition products: No hazardous decomposition products if stored and handled as prescribed/indicated.

Thermal decomposition:

No decomposition if correctly stored and handled.

11. Toxicological information

Primary routes of exposure

Routes of entry for solids and liquids are ingestion and inhalation, but may include eye or skin contact. Routes of entry for gases include inhalation and eye contact. Skin contact may be a route of entry for liquefied gases.

Acute Toxicity/Effects

Acute toxicity

Assessment of acute toxicity: Virtually nontoxic after a single ingestion. Virtually nontoxic after a single skin contact.

Oral

Type of value: LD50

Species: rat (male/female)

Value: > 5,000 mg/kg (OECD Guideline 401)

No mortality was observed.

Inhalation

Study does not need to be conducted.

Dermal

Type of value: LD50

Species: rat (male/female)

Value: > 2,000 mg/kg (OECD Guideline 402)

No mortality was observed.

Assessment other acute effects

Assessment of STOT single:

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Based on available Data, the classification criteria are not met.

Irritation / corrosion

Assessment of irritating effects: Not irritating to the skin. Not irritating to the eyes.

Skin

Species: rabbit

Result: non-irritant

Method: OECD Guideline 404

Eye

Species: rabbit

Result: non-irritant

Method: OECD Guideline 405

Sensitization

Assessment of sensitization: Skin sensitizing effects were not observed in animal studies.

Guinea pig maximization test

Species: guinea pig

Result: Non-sensitizing.

Method: OECD Guideline 406

Aspiration Hazard

No aspiration hazard expected.

Chronic Toxicity/Effects

Repeated dose toxicity

Assessment of repeated dose toxicity: The substance may cause damage to the liver after repeated ingestion of high doses, as shown in animal studies.

Genetic toxicity

Assessment of mutagenicity: The substance was not mutagenic in bacteria. No mutagenic effect was found in various tests with mammalian cell culture and mammals.

Carcinogenicity

Assessment of carcinogenicity: No data available concerning carcinogenic effects. Study does not need to be conducted.

Reproductive toxicity

Assessment of reproduction toxicity: The potential to impair fertility cannot be excluded when given at maternally toxic doses.

Teratogenicity

Assessment of teratogenicity: Effects observed at maternally toxic doses.

12. Ecological Information

Toxicity

Aquatic toxicity

Assessment of aquatic toxicity:

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The inhibition of the degradation activity of activated sludge is not anticipated when introduced to biological treatment plants in appropriate low concentrations. Very toxic to aquatic life with long lasting effects.

Toxicity to fish

LC50 (96 h) > 0.5 mg/l, Brachydanio rerio (Directive 92/69/EEC, C.1, static)

Tested above maximum solubility. The details of the toxic effect relate to the nominal concentration.

Aquatic invertebrates

EC50 (48 h) > 0.023 mg/l, Daphnia magna (OECD Guideline 202, part 1, static)

No toxic effects occur within the range of solubility. The statement of the toxic effect relates to the analytically determined concentration.

Aquatic plants

EC50 (72 h) > 220 mg/l (growth rate), Desmodosmus subspicatus (OECD Guideline 201, static)

The details of the toxic effect relate to the nominal concentration.

Chronic toxicity to fish

No observed effect concentration (21 d) > 0.02 mg/l, Gasterosteus aculeatus (other, Flow through.)

The details of the toxic effect relate to the nominal concentration.

Chronic toxicity to aquatic invertebrates

No observed effect concentration (21 d) 0.00266 mg/l, Daphnia magna (OECD Guideline 211, semistatic)

The statement of the toxic effect relates to the analytically determined concentration.

Assessment of terrestrial toxicity

Toxic effects have been observed in studies with soil living organisms.

Soil living organisms

Toxicity to soil dwelling organisms:

No observed effect concentration (28 d) 125 mg/kg, Eisenia foetida (OECD Guideline 222, artificial soil)

The details of the toxic effect relate to the nominal concentration.

Toxicity to terrestrial plants

No data available.

Other terrestrial non-mammals

No data available.

Microorganisms/Effect on activated sludge

Toxicity to microorganisms

DIN EN ISO 8192 aerobic

activated sludge, domestic/EC50 (30 min): > 10,000 mg/l

Persistence and degradability

Assessment biodegradation and elimination (H2O)

Not readily biodegradable (by OECD criteria). Poorly biodegradable.

Elimination information

0 - 10 % BOD of the ThOD (28 d) (OECD 301F; ISO 9408; 92/69/EEC, C.4-D) (aerobic, activated sludge, domestic)

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Assessment of stability in water

In contact with water the substance will hydrolyse slowly.

Information on Stability in Water (Hydrolysis)

$t_{1/2}$ 206.15 a, (calculated, pH 7)

Bioaccumulative potential

Assessment bioaccumulation potential

Accumulation in organisms is expected.

Bioaccumulation potential

Bioconcentration factor: 915 (28 d), Brachydanio rerio (OECD-Guideline 305)
Significant accumulation in organisms is not to be expected.

Bioconcentration factor: Salmo gairdneri, syn. O. mykiss (OECD-Guideline 305)
Significant accumulation in organisms is not to be expected.

Mobility in soil

Assessment transport between environmental compartments

The substance will not evaporate into the atmosphere from the water surface.
Adsorption to solid soil phase is expected.

13. Disposal considerations

Waste disposal of substance:

Incinerate or dispose of as a solid in a RCRA-licensed facility. Do not discharge into waterways or sewer systems without proper authorization. Dispose of in a licensed facility.

Container disposal:

Dispose of in a licensed facility. Recommend crushing, puncturing or other means to prevent unauthorized use of used containers. Contaminated packaging should be emptied as far as possible and disposed of in the same manner as the substance/product.

RCRA: None

14. Transport Information

Land transport

USDOT

Not classified as a dangerous good under transport regulations

Sea transport

IMDG

Hazard class: 9
Packing group: III
ID number: UN 3082
Hazard label: 9, EHSM
Marine pollutant: YES
Proper shipping name: ENVIRONMENTALLY HAZARDOUS SUBSTANCE, LIQUID, N.O.S. (contains OCTOCRYLENE)

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Air transport

IATA/ICAO

Hazard class: 9
Packing group: III
ID number: UN 3082
Hazard label: 9, EHS
Proper shipping name: ENVIRONMENTALLY HAZARDOUS SUBSTANCE, LIQUID, N.O.S. (contains OCTOCRYLENE)

15. Regulatory Information

Federal Regulations

Registration status:

Chemical TSCA, US released / listed

EPCRA 311/312 (Hazard categories): Refer to SDS section 2 for GHS hazard classes applicable for this product.

Safe Drinking Water & Toxic Enforcement Act, CA Prop. 65:

WARNING: This product can expose you to chemicals including BENZOPHENONE, which is known to the State of California to cause cancer. For more information, go to www.P65Warnings.ca.gov.

NFPA Hazard codes:

Health: 1 Fire: 1 Reactivity: 0 Special:

HMIS III rating

Health: 1 Flammability: 1 Physical hazard: 0

16. Other Information

SDS Prepared by:

BASF NA Product Regulations

SDS Prepared on: 2020/05/21

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ENVIRONMENTALLY HAZARDOUS SUBSTANCE, LIQUID, N.O.S.
(OCTOCRYLEN)
(OCTOCRYLENE), MARINE POLLUTANT

WGK 2 (PG III)
G00002 + S0810061
H.M.L.H.A.R.T.E.M.P.F.F.

Uvinul® 3039 (ED)

UN 3082

Πολύ τοξικό για τους υδρόβιους οργανισμούς, με μακροχρόνιες επιπτώσεις. Να αποφεύγεται η ελευθέρωση στο περιβάλλον. Μαζέψτε την ουσία ή το προϊόν που χύθηκε. Διαθέστε το περιεχόμενο/περιέκτη σε σημεία συλλογής επικινδύνων ή ειδικών αποβλήτων.

Octocrylene

D Achtung

Sehr giftig für Wasserorganismen mit langfristiger Wirkung. Freisetzung in die Umwelt vermeiden. Ausgetretene Mengen auffangen. Inhalt/Behälter der Problemabfallentsorgung zuführen.

CH BASF Schweiz AG, Klybeckstrasse 141, CH-4057 Basel, Tel. +49 (0)180 2273 112

GE Warning

Very toxic to aquatic life with long lasting effects. Avoid release to the environment. Collect spillage. Dispose of contents/container to hazardous or special waste collection point.

6197-30-4

F Attention

Très toxique pour les organismes aquatiques, entraîne des effets néfastes à long terme. Éviter le rejet dans l'environnement.



Recueillir le produit répandu. Faire éliminer le contenu/récipient dans un point de collecte des déchets spéciaux.

200 kg net

ou dangereux.

NL Waarschuwing

Zeer giftig voor in het water levende organismen, met langdurige gevolgen.

Voorkom lozing in het milieu. Gelekte/gemorste stof opruimen. Inhoud/verpakking afvoeren naar verzamelpunt voor speciaal of gevaarlijk afval.

E Atención

Muy tóxico para los organismos acuáticos, con efectos nocivos duraderos.

Evitar su liberación al medio ambiente. Recoger el vertido. Eliminar el contenido/el recipiente en un punto de recogida de residuos especiales.

P Atencão

Muito tóxico para os organismos aquáticos com efeitos duradouros.

Evitar a liberação para o ambiente. Recolher o produto derramado. Eliminar o conteúdo/recipiente em um ponto de coleta de resíduos especiais ou perigosos.

I Attenzione

Molto tossico per gli organismi acquatici con effetti di lunga durata.

Non disperdere nell'ambiente. Raccogliere la fuoriuscita. Smaltire il prodotto/recipiente in punti di raccolta per rifiuti pericolosi o speciali.

GR Προσοχή

BASF SE
67056 Ludwigshafen Germany

Tel. +49 1802273 112

DK Advarsel
Meget giftig med langvarige virkninger for vandlevende organismer.
Undgå udledning til miljøet. Udslip opsamles. Indholdet beholderen bortskaffes i et sted til farligt eller special affald.

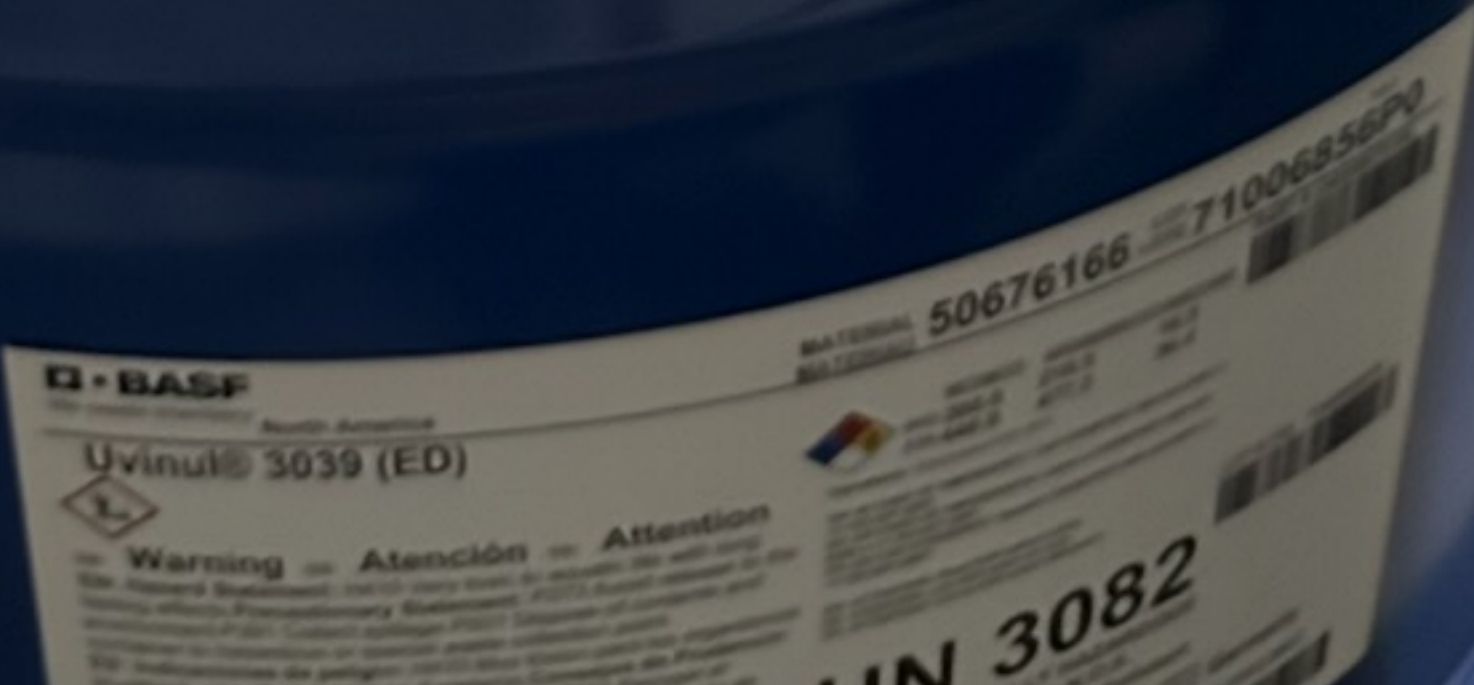
N Advarsel
Meget giftig, med langtidsvirkning, for liv i vann. Unngå frigivelse i miljøet. Saml inn utslipp. Innholdsbeholder leveres til et sted for skadelig eller spesielt avfall.

S Varning
Mycket giftigt för vattenlevande organismer med långtidseffekt. Undvik utsläpp till miljön. Samla upp spill. Innehållsbehållaren lämnas till insamlingsanläggning för farligt avfall.

FIN Varoitus
Erittäin myrkyllistä vesieläölle, pitkäaikaisia haittavaikutuksia. Vältettävä päästämistä ympäristöön. Valumet on kerättävä Hävitä sisältö/pakkaus ongelmajätteen tai erikoijätteen keräyspisteeseen.

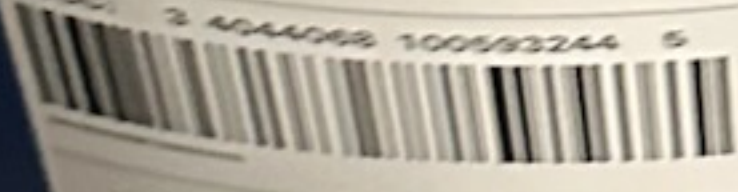


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• BASF
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