

**Position Statement of the N-Methylpyrrolidone (NMP) Producers Group, Inc.
Regarding the EU Classification and Labeling for NMP**

July 20, 2005

Further to our Position Statement dated December 16, 2003, the N-Methylpyrrolidone Producers Group, Inc. (NMP Producers Group) would like to inform you about the formal European Union (EU) review of the classification and labeling of N-methylpyrrolidone (NMP) (Chemical Abstract Service Number 872-50-4) for health effects, and of the recent decision on a specific concentration limit for preparations containing NMP.

NMP is currently classified, according to Annex 1 of the Dangerous Substances Directive (67/548/EEC), as follows:

Xi: R36/38 Irritating to eyes and skin (also required for preparations containing NMP concentrations of 10% or greater)

In November 2003, the European Commission Working Group on the Classification and Labeling of Dangerous Substances (Working Group) discussed classification proposals on NMP as put forward by the French Authorities and agreed to amend the EU classification and labeling to:

R36/37/38 Irritating to eyes, respiratory system, and skin

R61 May cause harm to the unborn child (Category 2: for substances that should be regarded as if they cause developmental toxicity in humans)

Symbol: T

At the meeting in March 2005 (ICU/CL05/09 FUIII 21 June 2005), the Working Group agreed that the “specific concentration limits” to be applied in the classification and labeling of preparations containing NMP should be as follows:

$C \geq 10\%$ T; R36/37/38-61
 $5\% \leq C < 10\%$ T; R61

This replaces the EU default concentration limit of 0.5% for a Category 2 developmental toxicant. The result is that the R61 classification and labeling will apply when NMP is present in a preparation at greater than or equal to 5%; preparations where NMP is present below 5% will not be classified and labeled as R61. Furthermore, it has been agreed that the default concentration limit should apply to the irritating properties of NMP, however, the concentration limit, currently proposed at 10%, is still under discussion. Once this concentration limit is set, it will mean that the R36/37/38

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classification and labeling will apply when NMP is present in a preparation at greater than or equal to that concentration limit; preparations where NMP is present below the concentration limit will not be classified and labeled as R36/37/38.

Although the above decisions have yet to be ratified by the EU, the possible implications for NMP should be considered.

In the EU, substances classified as Category 2 developmental toxicants (T: R61) carry the “Toxic” symbol and trigger classification of preparations containing the substance at the “specific concentration limit.” These materials are also subject in the EU to increased worker protection, recordkeeping, and “marketing and use” regulations which typically limit usage to professional users and prohibit use by the general public.

Now that the classification and labeling and “specific concentration limit” for NMP is agreed to by the Working Group, the decision needs to be verified by the EU “Technical Progress Committee” before the final decision is published in the EU Official Journal as an “Adaptation to Technical Progress” for incorporation into Annex I of the Dangerous Substances Directive (67/548/EEC). This process is likely to take at least several months to complete. The date by which producers and suppliers of products containing NMP will need to comply with the agreed EU classification and labeling requirements will be stipulated in the EU Official Journal.

The NMP Producers Group will provide further updates as information on proposed timings for finalization and implementation of the amended classification and labeling requirements becomes available. Until these changes are implemented, you should continue to use NMP in accordance with the instructions given in the Safety Data Sheet provided by your supplier.

If you have any queries about the content of this note, please contact the NMP Producers Group at the above address.