

SAFETY DATA SHEET

QCStd-27 Quality Control Standard, Part Number 190065000

Section 1. Identification

Product identifier : QCStd-27 Quality Control Standard, Part Number 190065000
Part No. : 190065000

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

Analytical chemistry.
 100 ml

Supplier/Manufacturer : Agilent Technologies Australia Pty Ltd
 679 Springvale Road
 Mulgrave
 Victoria 3170, Australia
 1800 802 402

Emergency telephone number (with hours of operation) : CHEMTREC®: +(61)-290372994

Section 2. Hazard(s) identification

Classification of the substance or mixture

H290 CORROSIVE TO METALS - Category 1
 H315 SKIN CORROSION/IRRITATION - Category 2
 H318 SERIOUS EYE DAMAGE/EYE IRRITATION - Category 1
 H335 SPECIFIC TARGET ORGAN TOXICITY - SINGLE EXPOSURE (Respiratory tract irritation) - Category 3
 H400 SHORT-TERM (ACUTE) AQUATIC HAZARD - Category 1
 H410 LONG-TERM (CHRONIC) AQUATIC HAZARD - Category 1

GHS label elements

Hazard pictograms



Signal word

: DANGER

Hazard statements

: H290 - May be corrosive to metals.
 H318 - Causes serious eye damage.
 H315 - Causes skin irritation.
 H335 - May cause respiratory irritation.
 H410 - Very toxic to aquatic life with long lasting effects.

Precautionary statements

Prevention

: P280 - Wear protective gloves. Wear eye or face protection.
 P234 - Keep only in original container.
 P271 - Use only outdoors or in a well-ventilated area.
 P273 - Avoid release to the environment.
 P261 - Avoid breathing vapour.
 P264 - Wash hands thoroughly after handling.

Section 2. Hazard(s) identification

- Response** : P391 - Collect spillage.
P304 + P340 + P312 - IF INHALED: Remove victim to fresh air and keep at rest in a position comfortable for breathing. Call a POISON CENTER or physician if you feel unwell.
P302 + P352 + P362 + P363 - IF ON SKIN: Wash with plenty of soap and water. Take off contaminated clothing. Wash contaminated clothing before reuse.
P332 + P313 - If skin irritation occurs: Get medical attention.
P305 + P351 + P338 + P310 - IF IN EYES: Rinse cautiously with water for several minutes. Remove contact lenses, if present and easy to do. Continue rinsing. Immediately call a POISON CENTER or physician.
- Storage** : P405 - Store locked up.
P406 - Store in corrosive resistant container with a resistant inner liner.
- Disposal** : P501 - Dispose of contents and container in accordance with all local, regional, national and international regulations.
- Supplemental label elements** : Not applicable.
- Other hazards which do not result in classification** : None known.

Section 3. Composition and ingredient information

Substance/mixture : Mixture

CAS number/other identifiers

Ingredient name	% (w/w)	CAS number
Nitric acid	≤10	7697-37-2
Cadmium	<0.1	7440-43-9
Copper	≤0.1	7440-50-8

There are no additional ingredients present which, within the current knowledge of the supplier and in the concentrations applicable, are classified as hazardous to health or the environment and hence require reporting in this section.

Occupational exposure limits, if available, are listed in Section 8.

Section 4. First aid measures

Description of necessary first aid measures

- Eye contact** : Get medical attention immediately. Call a poison center or physician. Immediately flush eyes with plenty of water, occasionally lifting the upper and lower eyelids. Check for and remove any contact lenses. Continue to rinse for at least 10 minutes. Chemical burns must be treated promptly by a physician.
- Inhalation** : Get medical attention immediately. Call a poison center or physician. Remove victim to fresh air and keep at rest in a position comfortable for breathing. If it is suspected that fumes are still present, the rescuer should wear an appropriate mask or self-contained breathing apparatus. If not breathing, if breathing is irregular or if respiratory arrest occurs, provide artificial respiration or oxygen by trained personnel. It may be dangerous to the person providing aid to give mouth-to-mouth resuscitation. If unconscious, place in recovery position and get medical attention immediately. Maintain an open airway. Loosen tight clothing such as a collar, tie, belt or waistband. In case of inhalation of decomposition products in a fire, symptoms may be delayed. The exposed person may need to be kept under medical surveillance for 48 hours.
- Skin contact** : Get medical attention immediately. Call a poison center or physician. Wash contaminated skin with soap and water. Remove contaminated clothing and shoes. Wash contaminated clothing thoroughly with water before removing it, or wear gloves. Continue to rinse for at least 10 minutes. Chemical burns must be treated promptly by a physician. Wash clothing before reuse. Clean shoes thoroughly before reuse.

Section 4. First aid measures

Ingestion : Get medical attention immediately. Call a poison center or physician. Wash out mouth with water. Remove dentures if any. Remove victim to fresh air and keep at rest in a position comfortable for breathing. If material has been swallowed and the exposed person is conscious, give small quantities of water to drink. Stop if the exposed person feels sick as vomiting may be dangerous. Do not induce vomiting unless directed to do so by medical personnel. If vomiting occurs, the head should be kept low so that vomit does not enter the lungs. Chemical burns must be treated promptly by a physician. Never give anything by mouth to an unconscious person. If unconscious, place in recovery position and get medical attention immediately. Maintain an open airway. Loosen tight clothing such as a collar, tie, belt or waistband.

Most important symptoms/effects, acute and delayed

Potential acute health effects

Eye contact : Causes serious eye damage.
Inhalation : May cause respiratory irritation.
Skin contact : Causes skin irritation.
Ingestion : No known significant effects or critical hazards.

Over-exposure signs/symptoms

Eye contact : Adverse symptoms may include the following:
 pain
 watering
 redness

Inhalation : Adverse symptoms may include the following:
 respiratory tract irritation
 coughing

Skin contact : Adverse symptoms may include the following:
 pain or irritation
 redness
 blistering may occur

Ingestion : Adverse symptoms may include the following:
 stomach pains

Indication of immediate medical attention and special treatment needed, if necessary

Notes to physician : In case of inhalation of decomposition products in a fire, symptoms may be delayed. The exposed person may need to be kept under medical surveillance for 48 hours.

Specific treatments : No specific treatment.

Protection of first-aiders : No action shall be taken involving any personal risk or without suitable training. If it is suspected that fumes are still present, the rescuer should wear an appropriate mask or self-contained breathing apparatus. It may be dangerous to the person providing aid to give mouth-to-mouth resuscitation. Wash contaminated clothing thoroughly with water before removing it, or wear gloves.

See toxicological information (Section 11)

Section 5. Firefighting measures

Extinguishing media

Suitable extinguishing media : Use an extinguishing agent suitable for the surrounding fire.

Unsuitable extinguishing media : None known.

Specific hazards arising from the chemical : In a fire or if heated, a pressure increase will occur and the container may burst. This material is very toxic to aquatic life with long lasting effects. Fire water contaminated with this material must be contained and prevented from being discharged to any waterway, sewer or drain.

Section 5. Firefighting measures

- Hazardous thermal decomposition products** : Decomposition products may include the following materials: nitrogen oxides
- Special protective actions for fire-fighters** : Promptly isolate the scene by removing all persons from the vicinity of the incident if there is a fire. No action shall be taken involving any personal risk or without suitable training.
- Special protective equipment for fire-fighters** : Fire-fighters should wear appropriate protective equipment and self-contained breathing apparatus (SCBA) with a full face-piece operated in positive pressure mode.
- Hazchem code** : 2X
- Remark** : Flammable hydrogen gas may be produced on prolonged contact with metals such as aluminium, tin, lead and zinc.

Section 6. Accidental release measures

Personal precautions, protective equipment and emergency procedures

- For non-emergency personnel** : No action shall be taken involving any personal risk or without suitable training. Evacuate surrounding areas. Keep unnecessary and unprotected personnel from entering. Do not touch or walk through spill material. Do not breathe vapour or mist. Provide adequate ventilation. Wear appropriate respirator when ventilation is inadequate. Put on appropriate personal protective equipment.
- For emergency responders** : If specialised clothing is required to deal with the spillage, take note of any information in Section 8 on suitable and unsuitable materials. See also the information in "For non-emergency personnel".
- Environmental precautions** : Avoid dispersal of spill material and runoff and contact with soil, waterways, drains and sewers. Inform the relevant 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 spillage.

Methods and material for containment and cleaning up

- Methods for cleaning up** : Stop leak if without risk. Move containers from spill area. The spilled material may be neutralized with sodium carbonate, sodium bicarbonate or sodium hydroxide. Absorb spillage to prevent material damage. Dispose of via a licensed waste disposal contractor.

Section 7. Handling and storage

Precautions for safe handling

- Protective measures** : Put on appropriate personal protective equipment (see Section 8). Do not get in eyes or on skin or clothing. Do not breathe vapour or mist. Do not ingest. Avoid release to the environment. Use only with adequate ventilation. Wear appropriate respirator when ventilation is inadequate. Keep in the original container or an approved alternative made from a compatible material, kept tightly closed when not in use. Keep away from alkalis. Empty containers retain product residue and can be hazardous. Do not reuse container. Absorb spillage to prevent material damage.
- Advice on general occupational hygiene** : Eating, drinking and smoking should be prohibited in areas where this material is handled, stored and processed. Workers should wash hands and face before eating, drinking and smoking. Remove contaminated clothing and protective equipment before entering eating areas. See also Section 8 for additional information on hygiene measures.
- Conditions for safe storage, including any incompatibilities** : Store in accordance with local regulations. Store in original container protected from direct sunlight in a dry, cool and well-ventilated area, away from incompatible materials (see Section 10) and food and drink. Store in corrosive resistant container with a resistant inner liner. Store locked up. Separate from alkalis. Keep away from metals. Keep container tightly closed and sealed until ready for use. Containers that have been opened must be carefully resealed and kept upright to prevent leakage. Do not store in unlabelled containers. Use appropriate containment to avoid environmental contamination. See Section 10 for incompatible

Section 7. Handling and storage

materials before handling or use.

Section 8. Exposure controls and personal protection

Control parameters

Occupational exposure limits

Ingredient name	Exposure limits
Nitric acid	Safe Work Australia (Australia, 1/2014). STEL: 10 mg/m ³ 15 minutes. STEL: 4 ppm 15 minutes. TWA: 5.2 mg/m ³ 8 hours. TWA: 2 ppm 8 hours.
Cadmium	Safe Work Australia (Australia, 1/2014). Notes: as Cd TWA: 0.01 mg/m ³ , (as Cd) 8 hours.
Copper	Safe Work Australia (Australia, 1/2014). Notes: as Cu TWA: 1 mg/m ³ , (as Cu) 8 hours. Form: Dusts and mists Safe Work Australia (Australia, 1/2014). TWA: 0.2 mg/m ³ 8 hours. Form: Fume

Appropriate engineering controls : Use only with adequate ventilation. If user operations generate dust, fumes, gas, vapour or mist, use process enclosures, local exhaust ventilation or other engineering controls to keep worker exposure to airborne contaminants below any recommended or statutory limits.

Environmental exposure controls : Emissions from ventilation or work process equipment should be checked to ensure they comply with the requirements of environmental protection legislation. In some cases, fume scrubbers, filters or engineering modifications to the process equipment will be necessary to reduce emissions to acceptable levels.

Individual protection measures

Hygiene measures : Wash hands, forearms and face thoroughly after handling chemical products, before eating, smoking and using the lavatory and at the end of the working period. Appropriate techniques should be used to remove potentially contaminated clothing. Wash contaminated clothing before reusing. Ensure that eyewash stations and safety showers are close to the workstation location.

Eye/face protection : Safety eyewear complying with an approved standard should be used when a risk assessment indicates this is necessary to avoid exposure to liquid splashes, mists, gases or dusts. If contact is possible, the following protection should be worn, unless the assessment indicates a higher degree of protection: chemical splash goggles and/or face shield. If inhalation hazards exist, a full-face respirator may be required instead.

Skin protection

Hand protection : Chemical-resistant, impervious gloves complying with an approved standard should be worn at all times when handling chemical products if a risk assessment indicates this is necessary. Considering the parameters specified by the glove manufacturer, check during use that the gloves are still retaining their protective properties. It should be noted that the time to breakthrough for any glove material may be different for different glove manufacturers. In the case of mixtures, consisting of several substances, the protection time of the gloves cannot be accurately estimated.

Body protection : Personal protective equipment for the body should be selected based on the task being performed and the risks involved and should be approved by a specialist before handling this product.

Other skin protection : Appropriate footwear and any additional skin protection measures should be selected based on the task being performed and the risks involved and should be approved by a specialist before handling this product.

Section 8. Exposure controls and personal protection

Respiratory protection : Based on the hazard and potential for exposure, select a respirator that meets the appropriate standard or certification. Respirators must be used according to a respiratory protection program to ensure proper fitting, training, and other important aspects of use.

Section 9. Physical and chemical properties

Appearance

Physical state : Liquid. [Clear.]
Colour : Not available.
Odour : Odourless.
Odour threshold : Not available.
pH : <2
Melting point : 0°C (32°F)
Boiling point : 100°C (212°F)
Flash point : Not available.
Evaporation rate : Not available.
Flammability (solid, gas) : Not applicable.
Lower and upper explosive (flammable) limits : Not available.
Vapour pressure : Not available.
Vapour density : Not available.
Relative density : 1.05
Density : 1.05 g/cm³
Solubility : Easily soluble in the following materials: cold water and hot water.
Partition coefficient: n-octanol/water : Not available.
Auto-ignition temperature : Not available.
Decomposition temperature : Not available.
Viscosity : Not available.

Section 10. Stability and reactivity

Reactivity : No specific test data related to reactivity available for this product or its ingredients.

Chemical stability : The product is stable.

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

Conditions to avoid : No specific data.

Incompatible materials : Attacks many metals producing extremely flammable hydrogen gas which can form explosive mixtures with air.
 Reactive or incompatible with the following materials:
 alkalis
 metals
 Reactive or incompatible with the following materials: metals and alkalis.
 Incompatible with finely-powdered metals.

Hazardous decomposition products : Under normal conditions of storage and use, hazardous decomposition products should not be produced.

Section 11. Toxicological information

Information on toxicological effects

Acute toxicity

Product/ingredient name	Result	Species	Dose	Exposure
Nitric acid	LC50 Inhalation Vapour	Rat	2500 ppm	1 hours
	LC50 Inhalation Vapour	Rat	130 mg/m ³	4 hours

Irritation/Corrosion

Not available.

Sensitisation

Not available.

Mutagenicity

Not available.

Carcinogenicity

Not available.

Reproductive toxicity

Not available.

Teratogenicity

Not available.

Specific target organ toxicity (single exposure)

Name	Category	Route of exposure	Target organs
QCStd-27 Quality Control Standard, Part Number 190065000	Category 3	Not applicable.	Respiratory tract irritation

Specific target organ toxicity (repeated exposure)

Name	Category	Route of exposure	Target organs
Cadmium	Category 1	Not determined	Not determined

Aspiration hazard

Not available.

Information on likely routes of exposure : Routes of entry anticipated: Oral, Dermal, Inhalation.

Potential acute health effects

- Eye contact** : Causes serious eye damage.
- Inhalation** : May cause respiratory irritation.
- Skin contact** : Causes skin irritation.
- Ingestion** : No known significant effects or critical hazards.

Symptoms related to the physical, chemical and toxicological characteristics

- Eye contact** : Adverse symptoms may include the following:
pain
watering
redness
- Inhalation** : Adverse symptoms may include the following:
respiratory tract irritation
coughing

Section 11. Toxicological information

- Skin contact** : Adverse symptoms may include the following:
 pain or irritation
 redness
 blistering may occur
- Ingestion** : Adverse symptoms may include the following:
 stomach pains

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

Short term exposure

- Potential immediate effects** : Not available.
- Potential delayed effects** : Not available.

Long term exposure

- Potential immediate effects** : Not available.
- Potential delayed effects** : Not available.

Potential chronic health effects

Not available.

- General** : No known significant effects or critical hazards.
- Carcinogenicity** : No known significant effects or critical hazards.
- Mutagenicity** : No known significant effects or critical hazards.
- Teratogenicity** : No known significant effects or critical hazards.
- Developmental effects** : No known significant effects or critical hazards.
- Fertility effects** : No known significant effects or critical hazards.

Numerical measures of toxicity

Acute toxicity estimates

Not available.

Section 12. Ecological information

Toxicity

Product/ingredient name	Result	Species	Exposure
Nitric acid	Acute LC50 180000 µg/l Marine water	Crustaceans - Carcinus maenas - Adult	48 hours
	Acute LC50 72 ppm Fresh water	Fish - Gambusia affinis - Adult	96 hours
Cadmium	Acute EC50 97 µg/l Fresh water	Algae - Pseudokirchneriella subcapitata - Exponential growth phase	72 hours
	Acute EC50 0.095 mg/l Marine water	Algae - Ulva pertusa	96 hours
	Acute EC50 200 µg/l Fresh water	Aquatic plants - Lemna minor	4 days
	Acute EC50 13.5 µg/l Fresh water	Daphnia - Daphnia magna - Neonate	48 hours
	Acute LC50 0.072 µg/l Marine water	Crustaceans - Amphipoda - Adult	48 hours
	Acute LC50 1.1 µg/l Fresh water	Fish - Pimephales promelas - Juvenile (Fledgling, Hatchling, Weanling)	96 hours
	Chronic NOEC 2 µg/l Fresh water	Algae - Parachlorella kessleri - Exponential growth phase	72 hours
Copper	Chronic NOEC 0.02 µg/l Fresh water	Fish - Cyprinus carpio	4 weeks
	Acute EC50 1100 µg/l Fresh water	Aquatic plants - Lemna minor	4 days
	Acute EC50 2.1 µg/l Fresh water	Daphnia - Daphnia longispina -	48 hours

Section 12. Ecological information

	Acute IC50 13 µg/l Fresh water	Juvenile (Fledgling, Hatchling, Weanling) Algae - Pseudokirchneriella subcapitata - Exponential growth phase	72 hours
	Acute IC50 5.4 mg/l Marine water	Aquatic plants - Plantae - Exponential growth phase	72 hours
	Acute LC50 0.072 µg/l Marine water	Crustaceans - Amphipoda - Adult	48 hours
	Acute LC50 7.56 µg/l Marine water	Fish - Periophthalmus waltoni - Adult	96 hours
	Chronic NOEC 2.5 µg/l Marine water	Algae - Nitzschia closterium - Exponential growth phase	72 hours
	Chronic NOEC 7 mg/l Fresh water	Aquatic plants - Ceratophyllum demersum	3 days
	Chronic NOEC 0.02 mg/l Fresh water	Crustaceans - Cambarus bartonii - Mature	21 days
	Chronic NOEC 2 µg/l Fresh water	Daphnia - Daphnia magna	21 days
	Chronic NOEC 0.8 µg/l Fresh water	Fish - Oreochromis niloticus - Juvenile (Fledgling, Hatchling, Weanling)	6 weeks

Persistence and degradability

Product/ingredient name	Aquatic half-life	Photolysis	Biodegradability
nitric acid	-	-	Readily

Bioaccumulative potential

Product/ingredient name	LogP _{ow}	BCF	Potential
nitric acid	-0.21	-	low

Mobility in soil





Soil/water partition coefficient (K_{oc}) : Not available.

Other adverse effects : No known significant effects or critical hazards.

Section 13. Disposal considerations

Disposal methods : The generation of waste should be avoided or minimised wherever possible. Disposal of this product, solutions and any by-products should at all times comply with the requirements of environmental protection and waste disposal legislation and any regional local authority requirements. Dispose of surplus and non-recyclable products via a licensed waste disposal contractor. Waste should not be disposed of untreated to the sewer unless fully compliant with the requirements of all authorities with jurisdiction. Waste packaging should be recycled. Incineration or landfill should only be considered when recycling is not feasible. This material and its container must be disposed of in a safe way. Care should be taken when handling emptied containers that have not been cleaned or rinsed out. Empty containers or liners may retain some product residues. Avoid dispersal of spilt material and runoff and contact with soil, waterways, drains and sewers.

Section 14. Transport information

	ADG	IMDG	IATA
UN number	UN3264	UN3264	UN3264
UN proper shipping name	CORROSIVE LIQUID, ACIDIC, INORGANIC, N.O.S. (nitric acid, solution)	CORROSIVE LIQUID, ACIDIC, INORGANIC, N.O.S. (nitric acid, solution)	Corrosive liquid, acidic, inorganic, n.o.s. (nitric acid, solution)
Transport hazard class(es)	8 	8  	8 
Packing group	III	III	III
Environmental hazards	Yes. The environmentally hazardous substance mark is not required.	Yes.	Yes. The environmentally hazardous substance mark is not required.

Additional information

- ADG** : **Hazchem code** 2X
Special provisions 223, 274
- IMDG** : The marine pollutant mark is not required when transported in sizes of ≤5 L or ≤5 kg.
Emergency schedules F-A, S-B
Special provisions 223, 274
- IATA** : The environmentally hazardous substance mark may appear if required by other transportation regulations.
Quantity limitation Passenger and Cargo Aircraft: 5 L. Packaging instructions: 852. Cargo Aircraft Only: 60 L. Packaging instructions: 856. Limited Quantities - Passenger Aircraft: 1 L. Packaging instructions: Y841.
Special provisions A3, A803

Special precautions for user : **Transport within user's premises:** always transport in closed containers that are upright and secure. Ensure that persons transporting the product know what to do in the event of an accident or spillage.

Transport in bulk according to Annex II of Marpol and the IBC Code : Not available.

Section 15. Regulatory information

Standard Uniform Schedule of Medicine and Poisons

7, 6, 5

Model Work Health and Safety Regulations - Scheduled Substances

No listed substance

International regulations

Chemical Weapon Convention List Schedules I, II & III Chemicals

Not listed.

Montreal Protocol (Annexes A, B, C, E)

Not listed.

Stockholm Convention on Persistent Organic Pollutants

Not listed.

Rotterdam Convention on Prior Informed Consent (PIC)

Not listed.

Section 15. Regulatory information

UNECE Aarhus Protocol on POPs and Heavy Metals

Not listed.

Inventory list

Australia	: Not determined.
Canada	: At least one component is not listed in DSL but all such components are listed in NDSL.
China	: <input checked="" type="checkbox"/> Not determined.
Europe	: All components are listed or exempted.
Japan	: <input checked="" type="checkbox"/> Japan inventory (ENCS) : All components are listed or exempted. Japan inventory (ISHL) : Not determined.
Malaysia	: <input checked="" type="checkbox"/> Not determined.
New Zealand	: <input checked="" type="checkbox"/> All components are listed or exempted.
Philippines	: <input checked="" type="checkbox"/> Not determined.
Republic of Korea	: <input checked="" type="checkbox"/> All components are listed or exempted.
Taiwan	: <input checked="" type="checkbox"/> All components are listed or exempted.
Thailand	: <input checked="" type="checkbox"/> Not determined.
Turkey	: <input checked="" type="checkbox"/> Not determined.
United States	: <input checked="" type="checkbox"/> All components are listed or exempted.
Viet Nam	: <input checked="" type="checkbox"/> Not determined.

Section 16. Any other relevant information

History

Date of issue/Date of revision	: 21/07/2017
Date of previous issue	: 24/01/2013.
Version	: 2

Key to abbreviations

: ADG = Australian Dangerous Goods
 ATE = Acute Toxicity Estimate
 BCF = Bioconcentration Factor
 GHS = Globally Harmonized System of Classification and Labelling of Chemicals
 IATA = International Air Transport Association
 IBC = Intermediate Bulk Container
 IMDG = International Maritime Dangerous Goods
 LogPow = logarithm of the octanol/water partition coefficient
 MARPOL = International Convention for the Prevention of Pollution From Ships, 1973 as modified by the Protocol of 1978. ("Marpol" = marine pollution)
 NOHSC = National Occupational Health and Safety Commission
 SUSMP = Standard Uniform Schedule of Medicine and Poisons
 UN = United Nations

Procedure used to derive the classification

Classification	Justification
<input checked="" type="checkbox"/> Met. Corr. 1, H290 Skin Irrit. 2, H315 Eye Dam. 1, H318 STOT SE 3, H335 Aquatic Acute 1, H400 Aquatic Chronic 1, H410	Expert judgment Expert judgment Expert judgment Expert judgment Calculation method Calculation method

References : Not available.

Indicates information that has changed from previously issued version.

Notice to reader

Section 16. Any other relevant information

Disclaimer: The information contained in this document is based on Agilent's state of knowledge at the time of preparation. No warranty as to its accurateness, completeness or suitability for a particular purpose is expressed or implied.