

**Capacity building on compliance with chemicals  
legislation with emphasis on REACH/CLP linked  
to Industrial Emission Directive – Technical  
aspects**

*FORUM Recent developments  
ECRAN-TAIEX, 60146  
Skopje,  
the Former Yugoslav Republic of Macedonia  
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**Forum for Exchange of Information on  
Enforcement (Forum)**

“The Forum for Exchange of Information on  
Enforcement (“the Forum”) shall coordinate a network  
of Member State authorities responsible for  
enforcement of REACH”

(art 76.1 REACH)

Harmonisation is one of the key duties

Multi Annual Work Programme (2014-2018)

## Composition of the Forum

- \* Each Member State shall appoint one member to the Forum based on their experience in enforcement of chemicals legislation for a renewable term of three years and shall maintain relevant contacts with the Member State competent authorities.
- \* Up to five co-opted members on the basis of their specific competence.
- \* The Forum shall appoint its Chairman.
- \* Stakeholders may be invited to attend meetings as observers, as appropriate, at the request of the Forum members or the Management Board.
- \* The Forum may establish working groups.

## Main tasks of the Enforcement Forum

- \* Spread good practice and highlight problems at Community level
- \* Propose, coordinate and evaluate harmonised enforcement projects and joint inspections
- \* Coordinate exchange of inspectors
- \* Identify enforcement strategies
- \* Develop working methods and tools of use to local inspectors
- \* Develop an electronic information exchange procedure

## Main tasks of the Enforcement Forum (2)

- \* Liaise with industry taking into account the specific needs of SMEs and other stakeholders, including relevant international organisations
- \* Examine proposals for restrictions with a view to advising on enforceability
- \* Agree common issues to be covered in the annual reports from the Member States in relation to enforcement of REACH and CLP

## Main tasks of the Enforcement Forum (3)

- \* Develop the project manuals and other necessary materials
- \* Prepare and deliver trainings
- \* Coordinate and give assistance to national coordinators (NC)
- \* Collect and compile results from NC
- \* Prepare the final reports

## Best practice package in REACH and CLP enforcement

- ❖ Minimum criteria for REACH and CLP inspections
- ❖ Strategies for Enforcement of REACH and CLP
  - effective organisation, planning, implementation, carrying out and review of the inspection activities contributing to more harmonised enforcement;
  - effective cooperation and information exchange amongst different enforcement authorities;

Recent developments in the  
Forum

## Ongoing pilot projects

**1<sup>st</sup> Pilot project** on authorisation of **Musk xylene and MDA** (running phase from 2014 until end of 2015);

- \* Continuation of the operational phase (started on 1 January and running until 30 June)
- \* Participation of 18 countries, 426 inspections planned
- \* Trainings done in all countries except some with a limited number of inspectors

**2<sup>nd</sup> Pilot project** on substances with a sunset date in 2015 (started in March 2015); the main objective is to build enforcement experience and practices involved in controlling authorisation related obligations;

## Training of enforcement trainers 2015

- \* Prepare and deliver the training for trainers on **classification and labelling of mixtures**
- \* 24-25 September 2015, ECHA
- \* Participation of the HelpNet members

## REF-4 Enforcement of REACH Annex XVII Restrictions

### List of restrictions entries proposed for the scope of REF-4:

- \* **Benzene** (entry 5) in glues for consumers and professionals
- \* **Asbestos fibres** (entry 6), fibres in articles
- \* **Cadmium** (entry 23) in plastic materials / packaging, brazing fillers and jewellery
- \* **Nickel** (entry 27) in jewellery, zippers and buttons
- \* **Chloroform** (entry 32) in glues for consumers and professionals
- \* **Azocolourants and Azodyes** (entry 43) in textile and leather articles
- \* **Diphenylether, octabromoderivative  $C_{12}H_2Br_8O$**  (entry 45), substances and mixtures

## REF-4 Enforcement of REACH Annex XVII Restrictions (2)

- \* **Chromium VI** (entry 47) in cement and leather articles
- \* **Toluene** (entry 48) in adhesives and spray paints
- \* **Trichlorobenzene** (entry 49), substances and mixtures
- \* **Polycyclic aromatic hydrocarbons (PAH)** (entry 50) in consumer articles
- \* **Phthalates** (entries 51, 52) in toys and childcare articles
- \* **Lead** (entry 63) in jewellery

## Topics for the REF5

- \* **Top 1 - Extended SDS / RMM** – Project combining suggestions from different submitters: consistency of the SDSs with CSRs and supply of extended SDS. Risk Management Measures and Operational Conditions.

## ECHA tools to support control of extended SDS

- **Exposure Scenarios (ES)** are communicated in the supply chain for registered substances for which a CSA including exposure assessment has been carried out
  - 5 years after first registration deadline, the ES remain a **challenge for supply chain communication**:
    - Lack of harmonised format
    - Length and complexity (but also missing uses!)
    - Unrealistic/Inappropriate conditions compared to on-site practices
- *Challenge for enforcement authorities too!*

## Initiatives to improve

ECHA and Stakeholders decided to work together to address challenges:

- **CSR/ES Roadmap**
  - A joint action plan towards 2018
  - Implementation plans provide details!

<http://echa.europa.eu/csr-es-roadmap>
- **Exchange Network on Exposure Scenarios (ENES)**
  - Meets twice a year to identify good practices
  - Successful 8th meeting held in May!

<http://echa.europa.eu/enes>

## Focus areas

- **Harmonisation of formats**
  - Publication of templates for ES for communication
  - Illustrative example of ES
- **Facilitating the electronic transmission**
  - ES Communication package = Catalogue of standard phrases + XML format
- **Streamlining the content**
  - Include a Table of Content between SDS main body and ES annex based on Structured Short Titles
    - quick overview of ES: e.g. Life cycle stages covered



## Enforcement aspects

Facilitating the verification of:

- ✓ Use coverage
- ✓ Compliance with ES conditions
- ✓ Consistency between registration - supply chain communication
- ✓ Promotion of good practices and advice
- ✓ Feedback 'from the field': practical difficulties with the implementation, additional areas where support is needed, etc.
- ✓ Promoting quality of eSDS. Being key link between REACH and other legislations.

## Key messages

- \* The extended Safety Data Sheet remains the key source of information to enable the safe use of chemicals
- \* Major efforts underway: to improve content / quality of information in exposure scenarios; to harmonise their structure; to enhance links between REACH and other legislations
- \* Established process of continuous improvement involving authorities and industry
- Facilitate the effective use of REACH information by DUs to comply with their obligations under other legislations
- \* Invite inspectors to **use and promote** the good practices in the daily work



Thank you!