

## ECRAN Regional Workshop on Compliance with REACH/CLP Regulations

*Recent FORUM developments*

TAIEX/ECRAN 60319

Zagreb, Croatia

15 – 16 September 2015

## 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
- \* Establish working procedures on interlinks among ECHA, NEAs and MSCAs;

## 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 the 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;

## Ongoing projects

- \* „project” on analytical methods in relation to Annex XVII
- \* preparation of a compendium of analytical methods for the enforcement of Annex XVI

## Training of enforcement trainers 2015

- \* Prepare and deliver once a year training for enforcement trainers (2010 - onwards);
- \* 24-25 September 2015, ECHA
- \* Topic: **classification and labelling of mixtures**
- \* Participation of the HelpNet members (event not open to stakeholders);
- \* Practical examples and case studies prepared in advance;

## 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 till 2018
  - Implementation plans provide more details!

<http://echa.europa.eu/csr-es-roadmap>
- **Exchange Network on Exposure Scenarios (ENES)**
  - Meets twice a year in Brussels to identify good practices on preparing and implementing exposure scenarios, and developing an effective communication exchange between supply chain actors to improve the protection of human health and the environment;
  - Next (9<sup>th</sup>) meeting in November 2015.



## Focus areas

- **Harmonising the 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!

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