



Annex 1

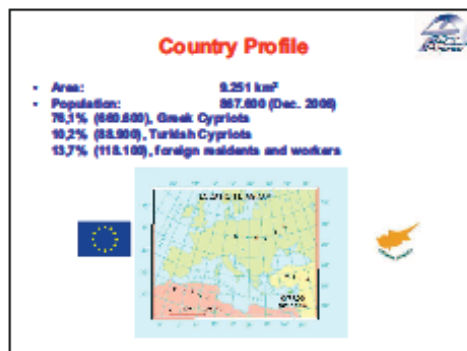
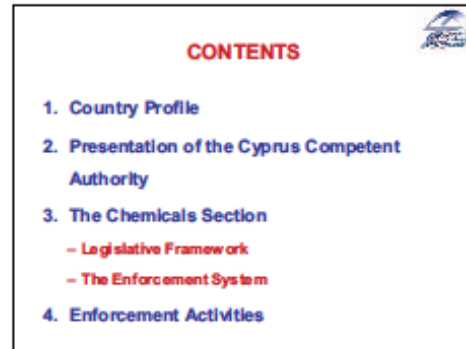
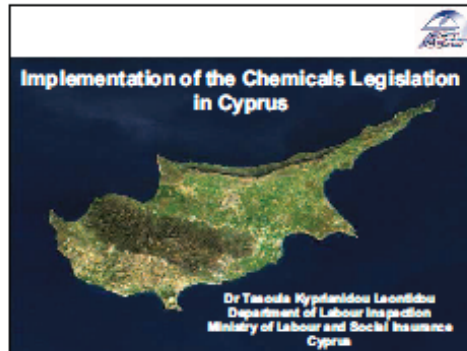
List of participants

Name	Country	e-mail
Albulescu Mihaela	Romania	mihaela.albulescu@gmail.com
Alonso Fernández Rosario	Spain	ralonso@mpsi.es
Bergström Emma	Sweden	Emma.Bergstrom@kemi.se
Børglum Birte	Denmark	bb@mst.dk
Bürgy Heribert	Switzerland	heribert.buergy@bag.admin.ch
Cox Claire	United Kingdom	claire.cox@environment-agency.gov.uk
Cuypers Paul	Belgium	paul.cuypers@lne.vlaanderen.be
Erdmann Lutz	Germany	lutz.erdmann@llur.landsh.de
Frenzl Stefan	Germany	chemg@buaa.bund.de
Gimnaou Panagiotis	Cyprus	
Havinga Sipke	Netherlands	Sipke.havinga@minvrom.nl
Kitajewska Katarzyna	Poland	K.Kitajewska@gis.gov.pl
Krähenbühl Peter	Switzerland	peter.kraehenbuehl@bag.admin.ch
Kyprianidou-Leodidou Tasoula	Cyprus	tkyprianidou@dli.mlsi.gov.cy
Leynen Michel	Belgium	michel.leynen@milieu.belgie.be
Mijatovic Jelena	Serbia	Jelena.Mijatovic@ekoplan.gov.rs
Orphanou Maria	Cyprus	morphanou@dli.mlsi.gov.cy
Osówniak Marta	Poland	M.Osowniak@gis.gov.pl
Paleomilitou Maria	Cyprus	
Rumar Karin	Sweden	Karin.Rumar@kemi.se
Seskauskas Viktoras	Lithuania	v.seskauskas@aaa.am.lt
Skjaergaard Catherine	Norway	cathrine.skjargard@klif.no
Tarancón Estrada María	Spain	maria.tarancon@juntadeandalucia.es
Witzani Helmut	Austria/Serbia	helmut.witzani@umweltbundesamt.at



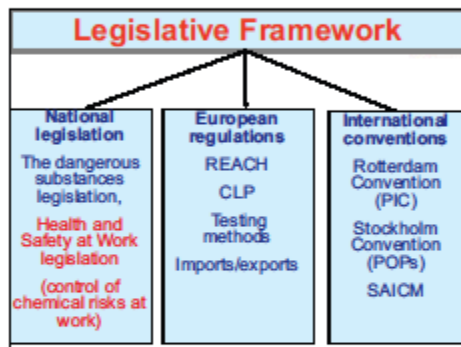
Annex 2

10/14/2011





10/14/2011



Institutional Framework

The Chemical Substances Council

- > Established under the Dangerous Substances, Law of 2010
- > Presided by the director of the DLI
- > Advises the Competent Authority on all matters related to chemicals management and control
- > Participate 7 ministries and 10 NGOs

Members of the Chemicals Council

Public Authorities

- > MLSI - Department of Labour (Employment)
- > Ministry of Health
- > Ministry of Agriculture, Natural Resources and Environment
- > Ministry of Economy – Customs department
- > Ministry of Communications and Works
- > Ministry of Commerce, Industry and Tourism
- > Ministry of Interior

Members of the Chemicals Council

NGOs

- > Consumers unions
- > Trade unions
- > Employers unions
- > Environmental protection unions

ENFORCEMENT SYSTEM

Actions

- > Improve the level of protection of consumers and workers from exposure to dangerous chemicals
- > Better management and control of chemicals at national level
- > Establish a risk communication network and a relationship of trust and understanding with all parties involved
- > Inspectors frequently have an advisory role while their main task remains the enforcement of the Law.
- > Verbal recommendations and instructions, especially when no contraventions, or only minor deficiencies are found

ENFORCEMENT SYSTEM

Actions

- > Letters
- > Withdrawal from the market of chemical products that:
 - > Are not properly packaged and labelled
 - > Contain restricted chemicals
 - > Do not fulfil REACH or CLP requirements
- > Prosecution of Offenders
- > Fines



10/14/2011

Campaigns

1. Inspections for control of pre-registrations/ registrations, and SDSs (REACH-ENFORCE-1), classification, labeling and packaging and controls for different restrictions
- Controls for:
- > Companies producing or exporting more than 1000 tons of chemical substance per year
 - > Off shore companies
 - > Importers and distributors of bleaching agents, fertilizers, charcoal etc
 - > Classification, packaging and labeling of paraffin oils
 - > Dichloromethane in paint strippers
 - > Flammable sprays

Campaigns - First semester 2011

2. Targeted campaigns for the control of products containing chemicals for which restrictions apply:
 - > Benzene, Toluene and Chloroform in superglues (1 non compliant product out of 10)
 - > Azocolours (All samples in compliance)
 - > Nickel (all analysed samples in compliance)
 - > Phthalates (analysis in progress)
3. Notifications control for:
 - > Pharmaceutical companies
 - > Fertiliser importers
 - > Ink cartridge importers

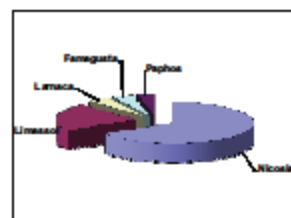
Outcome of Prosecutions

1. Paraffin oils (2 convictions, 2400 euro fine)
2. Phthalates restriction (2 convictions, 11100 euro fine)
3. Nickel restriction (1 conviction, 4000 euro fine)
4. Azocolours restriction (2 conviction, 3500 euro fine)

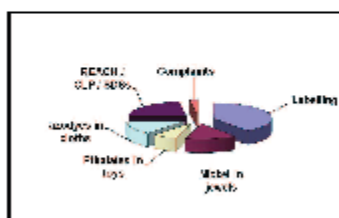
Pending

1. Products not properly labelled (1 company)

First semester 2011 Inspections per district



First semester 2011 Types of Inspections



REACH and CLP implementation (REACH-IT data)

By the end of the first semester of 2011:

- > 200 companies preregistered 2857 substances
- > 24 companies registered 102 substances

By 2013

- > 79 companies should register 1043 substances

By 2018

- > 116 companies should register 1212 substances



10/14/2011

CLP implementation (REACH-IT data)



By the end of the first semester of 2011:

- > 85 companies notified 432 substances

Outcome of REACH-ENFORCE-1 Control of preregistration- registrations and SDSs



41 inspections

- > 32% of companies with errors in their preregistrations
- > Lack of appropriate Safety Data Sheets
 - Only 23% of companies possess SDSs for all their products
 - Only 25% of SDSs comply with the main provisions of legislation
 - Only 9,7% of companies are able to prepare SDSs for their products
 - 83,9% of companies not comply with the provisions of REACH for SDSs

Results for selected campaigns for 2008-2010

	Aerosols				Nickel				Pesticides		
	2008	2009	2010	2011	2008	2009	2010	2011	2008	2009	2010
Number of samples	9	20	21	20	78	60	40	45	37	69	60
Samples in non compliance	3	5	5	6*	32	22	16	0*	23	41	20
Non compliance %	33,3	17,8	23,8		41,0	36,7	40,0	0,0	62,2	59,4	33,3

Information dissemination



- > REACH and CLP Helpdesks
- > Printed material from the DLI and District Offices, all free of charge
- > Advice and guidance during inspection by inspectors
- > Advertising campaigns on TV, radio and in the press
- > Information through the website of the DLI
- > Information dissemination by the Employers' Organizations and Trade Unions to their members

Future activities of the DLI



- > Preregistrations/registrations control, participation in the relevant campaigns of ECHA (REACH-ENFORCE-2)
- > Organise seminars and inform companies on new responsibilities under REACH and CLP
- > Publish and distribute educational material
- > Organise and materialise special surveys (FORUM/CLEEN) (REACH-ENFORCE-3)
- > Promote cooperation with customs department and other governmental departments

Planned campaigns



Controls for:

- > Continue on going campaigns (Nickel, Phthalates, azocolours)
- > Benzene, toluene and chloroform in superglues and spray paints
- > Nonylphenols in detergents
- > Cadmium in plastic
- > Aromatic compounds in plastic
- > Labeling and packaging of paraffin oils
- > Notifications
- > Registrations
- > Air freshners



Annex 3





OP/Conference of
 Heads of Legal Aids in the member States to CLP 2009

Chemicals for consumers and professionals: enforcement practices in Lithuania

Viktoras ŠEŠKAUSKAS
 Environmental Protection Agency

Sidmantė AMBRAZIENĖ
 State Non-Food Products Inspectorate
 under the Ministry of Economy

Lithuania
 lsmduof.gov.lithuania@ec.europa.eu

STATE OF LEGAL BACKGROUND FOR CHEMICAL ENFORCEMENT

- Changes in Laws on:
 - Chemical Substances and Preparations;
 - State Control of Environmental Protection;
 - Administrative Breaches Code
- Governmental Decisions on chemical legislation implementation and on enforcement system
- Amendments to statutes of enforcement authorities

CHANGES IN SANCTIONS, e.g.:

Admin. breaches code (ATPK, para. 84 ¹)	Penalty before REACH LTL (EUR, approx.)	Present penalty LTL (EUR, approx.)
Obligation on supply of information		500-5000 (150-1500)
Classification, labelling & packaging (CLP)	1000-2000 (300-600)	1000-15000 (300-4500)
Safety data sheets, violation of requirements	1000-2000 (300-600)	0-5000 (Notice) (1500)
Restricted substances		5000-15000 (1500-4500)

STATE OF PRACTICAL PREPARATIONS FOR CHEMICAL ENFORCEMENT

- National network of enforcement authorities
- Environmental Protection Agency (2007-2009 – State Environmental Protection Inspectorate; from 01.01.2010 incorporated into EPA). **Enforcement on chemicals:**
 - Inspectors – 5
 - Cars – 3
 - Computers – 6
 - Enforcement database – 1200 entries
- Prevention, information & awareness raising activities



FORMAL CHEMICAL ENFORCEMENT SYSTEM

Inspectorates:	Under the Ministry of :	Competent for enforcement on:
Environmental Protection Agency (EPA) (merged with State Environmental Protection Inspectorate from 01/01/2010)	Environment	Produced, imported, professionally used chemicals
State Labour Inspectorate	Social Security and Labour	Chemicals at workplaces
State Non-Food Products Inspectorate (SNFPI)	Economy	Household chemicals, biocides, etc.
Customs Department	Finance	Cross border flow of chemicals



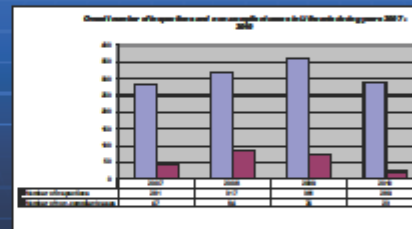
OTHER ENFORCEMENT AUTHORITIES RELATED TO CHEMICALS

- Drug, Tobacco and Alcohol Control Department
- State Plant Protection Service
- State Road Transport Inspectorate
- State Railroad Inspectorate
- State Public Health Service
- Lithuanian Criminal Police Bureau



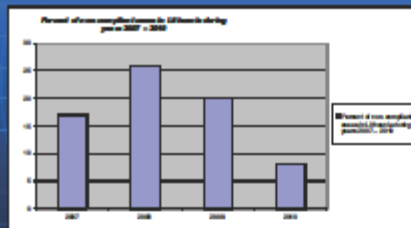
STATE CONTROL OF CHEMICAL SUBSTANCES AND MIXTURES

Overall number of inspections and non-compliant cases in Lithuania during 2007 - 2010



STATE CONTROL OF CHEMICAL SUBSTANCES AND MIXTURES

Percent of non-compliant cases in Lithuania during years 2007 - 2010



About State Non Food Products Inspectorate (SNFPI)



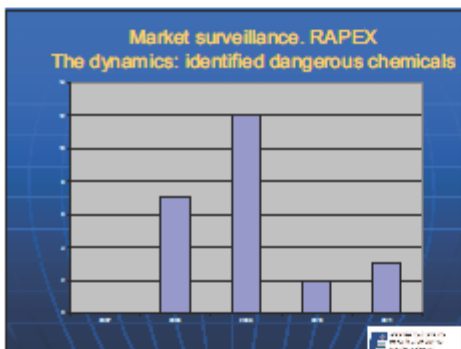
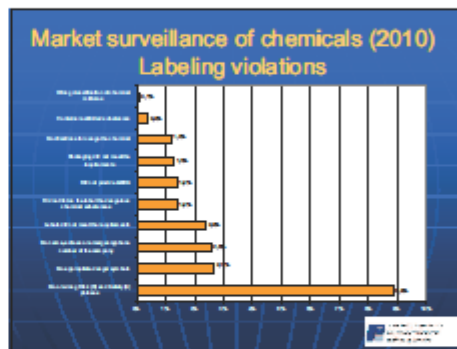
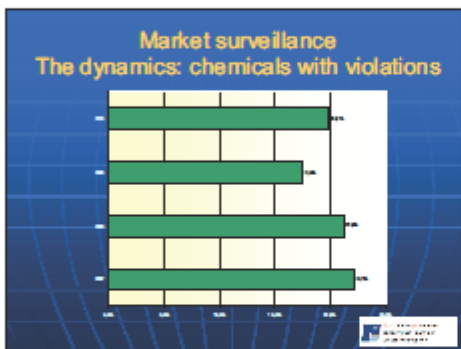
- Established on the 1st July, 2008
- 18 regional offices across Lithuania
- 101 employees, 76 of this number – state inspectors
- Controls of the non-food products of about 50 groups of products
- 2234 checks of non-food products carried out in 2010 (2007 checks – in 2008)

The Objectives of SNFPI

- Market surveillance of non food products safety and marking
- Consumer rights protection
- Promotion of fair competition in the market

Product groups

- Personal protective equipment
- Electrical equipment
- Gas appliances and equipment
- Lifting equipment
- Machinery
- Pressure equipment
- Simple pressure vessels
- Construction products, Furniture
- New hot water boilers
- Toys
- Leather products and footwear
- Chemical products
- Detergents
- Biocides
- Products contacting with food
- Cosmetics products
- Textile products
- Tobacco and tobacco products
- Oil products
- Constituent parts of means of transport
- Other products and services



- ### Enforcement by SNFPI: problems
- Identification of product origin
 - Incorrect MSDS (especially – for imported chemicals)
 - Financing of samples for lab tests
 - Cooperation and exchange of information between authorities on EU level



RETROSPECTIVE ENFORCEMENT RESULTS, LT, 2008

INSPECTORATES	Inspectors total	Inspectors with chem. knowledge	Visits/ checks total	Breaches % (No.)
State Environmental Protection Inspectorate	378	543	317 chem.	27 % (84)
State Labour Inspectorate	97	7+15	11242 total	72 % (8082)
State Non Food Products Inspectorate	89	19	199 chem. 4 RAPEX	40 % (80)
Customs Department	908	15 (Customs Laboratory)	201882 total	8.7 % (1498)



ENFORCEMENT IN PROFESSIONAL USE OF CHEMICALS: PROBLEMS

- High number of violations
- Need of competence development
- Limited resources

PRIORITY – 1

Decrease of violations number

Planned to achieve by:

- Strengthening of cooperation among enforcement authorities
- Preventive actions, awareness raising

PRIORITY – 2

Competence development

Planned to achieve by:

- participation in international enforcement activities
- use of international experience and guidelines

PRIORITY – 3

Raising of enforcement effectiveness

Keeping in mind limited resources, planned to achieve by:

- Improvement of enterprises selection for control (risk based approach)

CHALLENGES

- **Control on e. commerce of chemicals**
- **Customs control + complex enforcement co-operation inside country**
- **Instruments for customs control of import of chemicals under development yet (ECICS database, CUS No)**

VISION

Healthy people
Clear air and water, pure soil
Sustainable chemical business in Lithuania





Annex 4

14.10.2011

EURODETER
a CLEEN-project on Detergents

LARNACA (CY)
12th CLEEN-CONFERENCE (Sep. 2011)

Maria Terzioua (GR) / Roserita Alonca (MT) / Mikael Luyben (SE) /
Paula Cigana (SI)
Working Group Management



Background



- Objectives of Regulation (EC) n° 628/2004
 - Achieve the free movement of detergents and surfactants for detergents in the internal market
 - Ensure a high degree of protection of the environment and human health
- No harmonized project has been performed so far at a European level to enforce this Regulation

2

Background (2)



- Regulation (EC) No 648/2004 on detergents harmonises the rules for the placing on the market of detergents and surfactants for detergents, among which are the following:
 - the additional labelling of detergents
 - the biodegradability of surfactants in detergents;
 - restrictions or ban of surfactants on grounds of biodegradability;
 - the information that manufacturers must hold at the disposal of the Member State competent authorities and medical personnel.

3

EURODETER-project main goals

- To carry out harmonised European enforcement of the Reg (CE) n° 648/2004
- To find out the compliance with the legislation (detergents, BPD and DPD) by companies dealing with detergents and/or surfactants
- To exchange information and experience among the Member States
- To reduce risks to human health and the environment from using detergents which are not in compliance with the legislation

4

The EURODETER-project will deal with (1):

Verification of the compliance with legislation to which detergents and surfactants are subject to at :

- Manufacturers, formulators, importers, distributors, and users.

Aspects of the legislation to be enforced:

- Information provided by manufacturers (art 9 and Annex VII).
 - Ingredient Data Sheet for medical personnel
 - Publication of the list of ingredients on the website
- General labelling (and packaging) provisions (art 11 and Annexes VII A and VII B of DR, DPD for mixtures).

5

The EURODETER-project will deal with (2):

- Special requirements for allergenic fragrances
- Special requirements for preservation agents (PT 6)
- Legal situation of substances added as preservation agents (PT 6) under the BPD
- DPD-requirements (labelling and packaging)
- Legal status of surfactants regarding biodegradability

6



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Project Management, WG, timetable

EURODETER-project

Project management

- Belgium
- Spain

Working Group

ES, BE + FFRFFFF

Main objectives :

- Develop a guidance manual (finishing phase)
- Develop a questionnaire (finishing phase)
- Create an excel-tool to collect and process the data
- Analyze results and draft conclusions

Timetable

Preparation phase : 2011
 Operational phase : January – November or 2012
 Reporting phase to the WG : December 2012 – January 2013
 Final report : September 2013 (14th CLS&E-conference)

EURODETER-project

Milestones Preparation Phase (2011)

- Decision on participation : Belgium, Spain, Denmark, Estonia, Greece, Lithuania, Latvia, Poland, South Korea, Sweden, Switzerland (Germany & United Kingdom as observing partners)
- Distribution of draft manual : 13th CLS&E Conference (September 2011)
- Working committee on draft manual 1, 1 and questionnaire prepared national instructions by all participating countries : 20th of October 2011
- Adapting manual and questionnaire by WG
- Distribution of final manual and questionnaire : December 2011
- Project-participation open till the operational phase ends

EURODETER-project

Milestones Operational Phase (2012)

- Training of inspectors by national coordinators : first quarter 2012
- Send out the excel-tool for collecting the results : first quarter 2012
- Execute inspections (May – November 2012)
- Sending of a progress-report questionnaire by the WG to all countries (June 2012)
- Presentation of the progress report : 13th CLS&E-Conference
- Collecting and processing the results by the NC : December 2012 – January 2013
- Collecting the results by the WG : end of January 2013
- Processing the results and drafting the report by the WG : February – September 2013

Thank you!!



Annex 5

14.10.2011

EuroBiocides – follow up

Heribert Börgy
Lamaca, September 2011

After Sucevita

- Finalisation of the full report
- Publication of a focused management summary report
- Publication of the reports on the CLEEN website in June 2011
- Letter to the commission in July 2011
- Up to now no official reaction of the commission
- Just a week ago arrived an invitation for the CLEEN meeting next Thursday September 22 to present the EuroBiocides report
- It was not possible to send anyone to the meeting and to prepare a presentation → postponed to the next meeting 7-9 December 2011

Behind the scenes

- A lot of work of a lot of persons
- Afterwards a lot of work of only a very few people
- A lot of data but problems with data consistency
- A long project time

⇒ Some thoughts for actual and future projects

Beyond the project

- Relations with past projects ⇒ long term evolution of certain key figures (e.g. percentage correct data – comparison with ECLIPS)
- That implies also that the gathering and sifting of the data should grant an easy post processing for a future project
- Raw data
There should exist a master table or database with the raw data. Corrections should be introduced to it, too
- Make clear what can be redone and what not (e.g. because of lacking resources)

Report

- Structure of the final report should be already known at the start of the project
- First evaluation of the data should be done by the responsible national authority – communication of aggregated results to the project management

Supporting material

- Keep it simple
All tools should be as simple as possible → e.g. report tables in Excel without any logics and functions
- A lot of local inspectors are not very familiar with specific regulations → check-lists and supporting material must guarantee a step by step approach for the inspectors
- A short project manual for the inspectors could be helpful (2-4 pages) with the aims, explanation of supporting materials and the precise requirements on the data
- Check the questions – especially in how many ways they could be understood



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Discussion

- Who goes to Brussels in December?
- Any important points to communicate to the commission or the CA?
- Other things?



Annex 6



HCB in fireworks

- > Agreement on EUROPOP project at 11th CLEEN conference
- > Project set-up:
 - ✓ Preparation phase Q3/10 – Q2/11 (already finalised)
 - ✓ Operation phase Q1/11 – Q1/12 (ongoing)
 - ✓ Reporting phase Q2/12 – Q3/12
- > Participating countries: AT, BE, DK, EE, DE, IS, NL, SW, CH
- > Project coordination: AT and DK

Recap: Background

„POP Regulation“ Reg. (EC) No 850/2004

- > Scope: phasing out or restricting the production, placing on the market and use of substances subject to the
 - > Stockholm Convention on Persistent Organic Pollutants or the
 - > Protocol on Long-Range Transboundary Air Pollution on Persistent Organic Pollutants
- > Article 3: “The production, placing on the market and use of substances listed in Annex I, whether on their own, in preparations or as constituents of articles, shall be prohibited.”

Annex I/POP-Regulation

■ List of substances subject to prohibitions
e.g. Hexachlorobenzene (HCB)

Classification:

CLP: Carc. 1B, H350
STOT RE 1, H372
Aquatic Acute 1, Aquatic Chronic 1, H400, H410

DSD: Carc. Cat. 2; R45
T; R48/25
N; R50-53

Status quo

- > Manual sent to participating countries end of June 2011
- > Control activities took already place in several countries (e.g. AT, DE, DK, NL) and will last until end Q1/12
- > Intermediate results reconfirm a violation rate of 25 %

Next steps

- > Submission of results to AT project leader Simone Fankhauser via checklist (Annex to Project manual) by end of March at the latest
- > Working group drafts final report
- > Results and conclusions presented at 13th CLEEN conference as well as at a meeting of the MS Cas for the POP regulation
- > Final report published on CLEEN website



Annex 8

14.10.2011


**Hexachlorobenzene
in fireworks**



Clare Cox – Regulatory Specialist
September 2011

Our role in chemicals

- Enforcement of POPs, REACH and PCBs
- Work on a campaign basis: chemical and industry specific
- Intelligence lead, risk-based targeting – creates the biggest impact within the supply chain



UK Fireworks Industry

- UK imports of fireworks 2010 – 1.6 million, worth £20 million
- 163 companies in UK importing fireworks 2010
- Peak imports August to October
- No UK fireworks manufacturers, all imported
- Several enforcement authorities



HCB in Fireworks


- Intelligence about HCB in fireworks entering the UK – late 2008
 - Research early 2009
 - First enforcement campaign mid-2009
 - Further campaigns in 2010 and 2011
- 

Enforcement aims

1. Prevent fireworks containing HCB entering the UK
2. Raise awareness and educate
3. Assess compliance – key companies in the supply chain
4. Take action for non-compliances



Research

- Import data – who, when, how much?
 - Firework drawings – HCB? Unknown chemical?
 - Intelligence – customs, fireworks related non-compliances
 - Internet research – reputation, established company?
 - Trade associations
- 



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Assessing Compliance

- Information notices & guidance - 26 companies
 - Companies required to submit information
- Audits of classification paperwork – 5 drawings
 - Checks for HCB or unexplained chemicals
 - Evidence of chemical contents of fireworks requested



Assessing Compliance

- Direct letters & guidance – 13 companies
 - Companies asked to check their compliance
- Sampling & analysis of fireworks
 - Limited laboratories – dismantling of an explosive
 - Gas chromatography & mass spectrometry
 - Expensive - £3,000+ per firework



Awareness Raising

- Trade associations - cascade of information to members
- Guidance
- Magazine & journal articles
- Website information



Enforcement: Echo2 Ltd

- Imported 'Devils Wrath' and 'Devils Desire' fireworks August 2009 containing 'phanyl-hexachloride C6 CL6'
- Analysed fireworks – contained HCB
- Total 8.25kg HCB in 4800 fireworks
- None sold or used.



Enforcement: Echo2 Ltd

- Enforcement notice – high temperature incineration to dispose of fireworks
- Prosecuted February 2011
- Fined £2,600 with costs of £4,573
- Estimated total cost to the company £38,000



Enforcement: Cosmic Fireworks Ltd

- 2008 imported 27,350 fireworks (cakes) containing 16.5kg HCB
- Enforcement notice – high temperature incineration to dispose of fireworks
- No action against Cosmic Fireworks Ltd – company dissolved



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Enforcement: other

- 2008 556,000 fireworks (rockets and cakes) imported
- Contained 360kg HCB
- Warning letter



Summary of UK findings

- 590,634 fireworks containing HCB
- 385kg HCB
- 3 companies
- All affected fireworks manufactured in HuNan Province, China



Summary of UK findings

- All HCB found in stars in large 'cake' and 'rocket' fireworks for blue and green effects



Summary of UK findings

- HCB 3.5 to 7% (of star) – our findings
- Possibly up to 15% HCB
- New names for chemicals



Unintentional use of HCB

- POPs Regulation Article 3 - exemption for unintentional trace contamination
- Industry have asked 'What is unintentional trace contamination?'
- 2 levels of HCB:
 - Intentional use HCB = ~5%
 - Unintentional use = ???



Unintentional use of HCB

- EIG proposal:
 - >0.1% = intentional use
 - <0.01% = unintentional trace contamination
 - between 0.1% and 0.01% possibly unintentional but further investigation required





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Unintentional use of HCB

- Factors to consider:
 - % HCB required for benefit
 - Circumstances
 - Systems & agreements
 - Detection limit for measuring HCB
- EU wide agreement where possible.
- Future aim must be to eliminate the use of HCB.



Questions?

Email: claire.cox@environment-agency.gov.uk

www.environment-agency.gov.uk





Annex 9

Chemical Legislation European Enforcement Network

eCommerce II monitoring internet chemical trade

Progress report

COMMISSION
EUROPEENNE
L'UNION

EUROPEAN COMMISSION
Directorate-General for Economic and Financial Affairs
Unit for Chemicals and Nanomaterials

EUROPEAN COMMISSION
Directorate-General for Economic and Financial Affairs
Unit for Chemicals and Nanomaterials

Chemical Legislation European Enforcement Network

Content:

- Project scope, participants and tasks
- Time line
- Intermediate results (statistics)
- Other intermediate activity reports

EUROPEAN COMMISSION
Directorate-General for Economic and Financial Affairs
Unit for Chemicals and Nanomaterials

Chemical Legislation European Enforcement Network

Project scope

Overview of target chemicals

PRIMARY TARGET CHEMICALS	SECONDARY TARGET CHEMICALS
<ul style="list-style-type: none"> CLP - substances Substances (COSY) Isomers eg. R 011, R011, R012 REACH (substances) substances PT14, trace substances PT14, specific PT14 	<ul style="list-style-type: none"> Asbestos Fluorinated (HFC) cooling substances and mixtures Procarcinogenic substances eg. Aromatics (HMOs) Pesticides Substance Pesticides (HMOs) Hydrogen peroxide (H2O2)

EUROPEAN COMMISSION
Directorate-General for Economic and Financial Affairs
Unit for Chemicals and Nanomaterials

Chemical Legislation European Enforcement Network

Project members and tasks

Country	Role(s) / Contact	Responsible Phase
Belgium	Federale Gewestelijke Overheidsdienst (FGO) - Agentschap voor Milieubeveiliging (AGM)	Monitoring, statistics, intermediate reports, final report, dissemination of results
Germany	Bundesagentur für Arbeit (BfA) - Bundesagentur für Arbeit (BfA) - Bundesagentur für Arbeit (BfA)	Software, data management, reporting
Italy	Ministero della Sanità (MIS) - Ministero della Sanità (MIS) - Ministero della Sanità (MIS)	Monitoring, statistics, intermediate reports, final report, dissemination of results
France	Direction Générale de l'Évaluation des Risques (DG-ER)	Monitoring, statistics, intermediate reports, final report, dissemination of results
Spain	Ministerio de Sanidad y Consumo (MIS) - Ministerio de Sanidad y Consumo (MIS) - Ministerio de Sanidad y Consumo (MIS)	Monitoring, statistics, intermediate reports, final report, dissemination of results
Sweden	Statens Beredning för Kemiska Ämnen (SBA) - Statens Beredning för Kemiska Ämnen (SBA) - Statens Beredning för Kemiska Ämnen (SBA)	Monitoring, statistics, intermediate reports, final report, dissemination of results
Denmark	Statens Beredning for Kemiske Stoffer (SBS) - Statens Beredning for Kemiske Stoffer (SBS) - Statens Beredning for Kemiske Stoffer (SBS)	Monitoring, statistics, intermediate reports, final report, dissemination of results

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Current project schedule

- Adoption of project:	Conference September 2010
- Preparation phase:	September 2010 – January 2011
- Management structure clarified:	December 2010
- Final draft manual distributed:	February 2011
- Kick-off training, tasks assigned:	February 2011
- Inspection:	Year 2011 (OS2011 – OS2012)
- Mid-term project meeting:	September 2011
- Presentation of preliminary results:	CLSNV conference 12
- Reporting phase:	March – June (September 2012)
- Presentation of results, evaluation:	CLSNV conference 13
- Final report published:	December 2012

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Country proportions

Statistics of 546 cases reported by 5 project partners

Country	Number of Cases
BE	38
DE	34
ES	32
FR	20
IT	53

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Other activity reports

BE	in progress on-going Focus on illegal products
ES	in progress during Jan- Feb 2013 with participation of last 11 autonomous communities Focus on illegal products (PT 14, 18, 30)
NO	<ul style="list-style-type: none"> Searches for domestic sites regarding total banning of use Five Norwegian sites via internet found – mostly e-commerce „Search engine“ type of platform for connecting to tables of toxic chemicals and contraindications specified (no homepage/trader listing -> www.311.no) Increased sales of toxic, restricted based technical products Listing of producers to explosives (e.g. nitrocellulose) observed but no legal base for intervention

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Cross-border activities

Type:

- Information and request for assistance communicated
- Direct contact to platform/trader

Countries concerned:

- CH → DE
- DE → AT, PL
- NL → BE, DE, FR, UK

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Outlook

Members of 10th item meeting concluded:

- Project follows schedule as initially agreed
- Comprehensive activity report shall be prepared after end of operational phase (> March 2012)
- Continuation of project operation advisable (e.g. until CLANN 14):
 - EMSA team still building up higher effectiveness in its phase
 - Internet surveillance is a long-term task – continuous investigation needed for significant impact
 - Results prove widespread contraventions regarding all chemical groups in focus
 - Challenge producers to explosives – acquired knowledge and competence could be used to strengthen MS efforts to fight them
- Recruitment of additional MS beneficial
- Enhancement of technical abilities (development of spider as theme) sought

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Thanks for your attention !

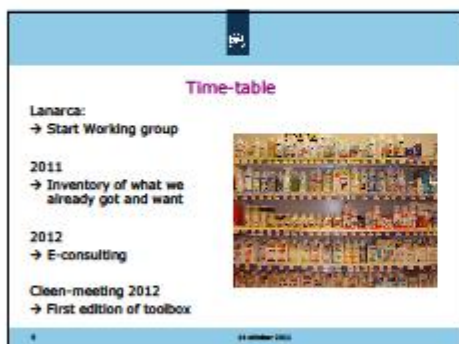
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Annex 10

14.10.2011





Annex 11

ECHA
European Chemicals Agency

Update on Forum activities since the 11th CLEEN conference

13th CLEEN conference
19-20 September 2010, Larnaca, Cyprus
Micaela Bernal
EDMA – Forum Secretariat

Since 11th CLEEN Conference

- Meetings**
 - Forum-8: 12-14 October 2010
 - Forum-9: 1-3 March 2011
 - Forum-10: 3-5 October 2011
- New Work Programme: 2011 – 2013**
 - New three-year WIP adopted in June 2011, published on ECHA web site
 - Most work packages kept, but refocused
- Strategies for Enforcement of REACH and CLP: March 2011**
- Minimum Criteria for REACH and CLP Inspections: March 2011**
- Working Groups**
 - new WGs established
 - 9 WGs active

Update on Forum activities since the 11th CLEEN conference
Micaela Bernal, EDMA

Forum Working Groups Closed Since September 2011

- Preparation of the Forum enforcement project REACH-EN-FORCE 2 (REF-2)**
 - REF-2 focuses on obligations of DUs (formulators) and SDSs
 - Manual adopted at Forum-9
- Forum Activities on CLP enforcement**
 - CLP guidelines produced from perspective of enforcement
 - Forum WIP, Strategies and Minimum criteria revised to cover CLP
- Training for Enforcement Trainers on CLP**
 - Training prepared and organised on 25 January 2011
 - 62 trainers from 29 countries trained
- Cooperation with customs**
 - Procedure for involving customs in REACH enforcement agreed
 - Further development and testing during 3rd coordinated Forum Project

Update on Forum activities since the 11th CLEEN conference
Micaela Bernal, EDMA

Active Forum Working Groups

- Continuation of REACH-EN-FORCE 1**
 - WG mandated to oversee continuation REACH-EN-FORCE-1
- Work progress**
 - Project focus on pre-registration, registration & SDS
 - Duration May 2010 – April 2011
 - Infractions found (preliminary):
 - registration obligations: 4% (Art 5) (decrease from 8%)
 - SDS missing/partial: 9% (Art 31.1) (decrease from 11%)
 - SDS deficiencies: 16% (Art 31.5 and 31.6) (decrease from 20%)
 - In general non compliance in 20% of visited companies (decrease from 24%)
 - Prolongation phase report will be published on ECHA website
 - Closure foreseen at Forum-10

Update on Forum activities since the 11th CLEEN conference
Micaela Bernal, EDMA

Active Forum Working Groups

- Execution REACH-EN-FORCE-2**
 - WG mandated to oversee execution and report from the second Forum coordinated enforcement project regarding **Obligations of Downstream Users – Formulators of Mixtures**
- Work progress**
 - 30 countries participate in the project
 - Selection of companies and inspections ongoing
 - Report foreseen for: June 2012 (TBC)

Update on Forum activities since the 11th CLEEN conference
Micaela Bernal, EDMA

Active Forum Working Groups

- Preparation of REACH-EN-FORCE-3**
 - WG mandated to collect new project proposals, prioritise them and present a subject proposal for approval of the Forum. Project should allow the testing of the customs cooperation procedure. The WG will prepare the manual (afterwards)
- Work progress**
 - Prioritisation in progress: 21 proposals in the list
 - Registration related obligations are on top of the list
 - Decision of Forum expected: October 2011

Update on Forum activities since the 11th CLEEN conference
Micaela Bernal, EDMA



Chemical Legislation European Enforcement Network

Active Forum Working Groups



• Electronic information exchange system (EIES) for REACH enforcers

- WG mandated to identify general functional requirements for the system of electronic exchange of information for REACH and CLP enforcement,

Work progress

- In 2009 the WG prepared a list of data that would need to be exchanged by inspectors
- General description of functionalities of EIES prepared and adopted
- Implementation of EIES under consideration by ECHA

Update on Forum activities since the 11th CLP EN conference
Meeting the week of 1/2011

Active Forum Working Groups



• Implementation of RIPE

- WG mandated to assist ECHA in developing RIPE – REACH Information Portal for Enforcement through which inspectors will get necessary data from REACH-IT

Work progress

- WG consulted on the early version of RIPE in December 2010
- WG participated in user testing in February 2011 and May 2011
- WG will participate in specifying requirements and implementation of future versions of RIPE

Related activities by ECHA

- ECHA trained MS RIPE administrators and single points of contact on 9 June 2011 (see below for formal training)
- **RIPE released on 27 June 2011**

Update on Forum activities since the 11th CLP EN conference
Meeting the week of 1/2011

Active Forum Working Groups



• Enforceability of restrictions

- WG mandated to draft Forum advice on enforceability of proposals for restrictions, facilitate preparation of working procedures for that process and review the guidance on advice on enforceability

Work progress

- Since June 2010 WG prepared the advice on enforceability of the following restriction proposals:
 - DMF
 - Lead in jewelry
 - Arylamides
 - Cadmium
 - Mercury measuring devices
 - Phenylenes compounds
- Draft guidance on preparing advice for the Forum is being revised
- Document on "lessons learnt" has been compiled for future reference
- The Forum will start examining the restriction proposal regarding phthalates submitted by Denmark

Update on Forum activities since the 11th CLP EN conference
Meeting the week of 1/2011

Active Forum Working Groups



• Training for trainers 2012

- Forum provides training to aim exchange of best practice
- WG is mandated to prepare and deliver the training for trainers on the enforcement of REACH and CLP in second half of 2012

Work progress

- Prioritisation of training subjects ongoing
- Adoption of subject(s) expected at Forum-10 (October 2011)
- Agenda and materials will be prepared after the subject is fixed

Update on Forum activities since the 11th CLP EN conference
Meeting the week of 1/2011

Active Forum Working Groups



• MS Report under Art 46 of CLP

- WG mandated to agree on issues regarding an enforcement to be covered in the MS report to ECHA under Article 46(2) of CLP and develop an according template

Work progress

- Subjects agreed and template developed
- Adoption expected in written procedure before Forum-10
- Urgent: MS shall submit the first report by 29 January 2012

Update on Forum activities since the 11th CLP EN conference
Meeting the week of 1/2011

Active Forum Working Groups



• Interlinks between ECHA, MSCAs and Enforcement Authorities

- WG mandated to draft Forum's position on interlinks (i.e. communication channels and procedures) between ECHA, MSCAs and Enforcement Authorities.

Work progress

- Draft position paper in preparation
- All REACH processes covered (Registration, Evaluation, Authorisation and Restrictions) as well as CLP related interlinks
- Forum members ensure appropriate coordination between tasks of Forum and work of their MSCAs
- Proposal for a pilot project to test a the communication channels is in preparation
- Draft position document is expected to be finalised by Forum-11 (February 2012)

Update on Forum activities since the 11th CLP EN conference
Meeting the week of 1/2011



Highlights for Forum-10 and next major activities until Forum-11

- 2nd Forum Stakeholder Workshop back-to-back with Forum-10
- Forum will consider establishment of new WG's
 - Documentation required by inspectors
 - Guidance and best practices from REF projects
- Finalise the interlinks position paper
- "Manual of decisions" on practical enforcement issues will be prepared
- Implementation of REACH-EN-FORCE-2
- Prepare REACH-EN-FORCE-3 with customs element
- Test RIPE 1.5 and provide input in design of RIPE 2.0

Updated on: Forum activities since the 1st CLERH conference
March 2010 until ECHA