



**Chemical
Legislation
European
Enforcement
Network**

www.cleen-europe.eu

fundamental principle

The member states are responsible for the enforcement of chemicals legislation.

It is their task to undertake controls and to establish and maintain an appropriate infrastructure for the purpose

the beginnings

Early '90s:

A working group of MS Competent Authorities examined activities in some Member States to encourage compliance regarding the former Dangerous Substances Directive (92/32/EEC)

Main results:

- Differing extent of enforcement in the MS
- Industry interest in equal enforcement conditions that level the playing field

the beginnings

- 1990 - 1992: Elaboration of a first enforcement manual – topic: notification of (former) “New Substances”
- 1993: Manual presented and use recommended to all MS (Dortmund Conference)
- 1995: the Netherlands initiate and facilitate an EU wide enforcement project on the notification of new substances (DSD)
- May 1999: Decision to establish a network and appoint a management (secretariat)
- Since 1999: continuous co-operation in enforcing chemicals law (joint projects, advancement of methods, information exchange). Shaping the campaign standards in EU chemical enforcement.

the secretariats

Secretariats since 1999:

Greece
Netherlands

Germany
Austria

Austria
Poland

Switzerland
Lithuania



Tasks :

- Representation of CLEEN towards Commission/third parties
- Coordination of inspection activities beyond current projects
- Preparation of Conferences/Meetings (contents, organisation)
- Keeping the CLEEN Web page (www.cleen-europe.eu)
- Influencing the preparation of legislation with regard to enforceability

roles in CLEEN

- The secretariat:
 - Fulfills general management functions and fosters communication within the network
- The member states:
 - Undertake inspections
 - Collect and analyse inspection data, draft inspection reports
 - Host the annual conference and/or intermediate meetings, assist in practical arrangements
 - May form working groups to initiate and facilitate the implementation of projects (proposals, elaboration of guidance manual and tools, strategy documents)
 - May form “task force” groups in support of the secretariat (issue related)

CLEEN's enforcement footprint

- The CLEEN project design serves as model for all EU-wide chemical enforcement campaigns up to the present.
- The network established the first successfully functioning, continuous enforcement cooperation in the field of chemicals legislation between EU Member state authorities. Harmonisation and standardisation of enforcement practice was significantly advanced.
- CLEEN triggered the establishment of the Forum on enforcement under the REACH regulation (EC/1907/2006).

European networking

Preconditions:

- Established information exchange structures on the national level between the central competent authority (CA) and the regional authorities
- Functioning co-ordination of enforcement activities among authorities within a country
- Effective co-ordination of enforcement actions and campaigns when carried out by cross-national MS inspectorates

standard working method

- A task force group prepares working materials (eg. guidance documents), time table, public relations, etc.; training of inspectors in the MS
- Inspections (common set of target chemicals / chemical products for all countries, harmonised procedure)
- Reporting to project management, final report, recommendations, public relations

project design

- Orientation phase: Working materials, training
- Operational phase: Inspections
- Reporting phase: Final report
- (Follow-up phase: Repeated inspections)

benefits – national level

- Comparable results help to improve existing methods / structures / knowledge at home
- Common effort of MS increases willingness of national authorities to participate
- Training of inspectors more efficient and easier, higher motivation
- Increased public attention yields better compliance

benefits – EU/EEA level

- Harmonised strategies and common enforcement tools are obtained
- Large coordinated campaigns cause higher awareness and enhanced understanding of the relevant legislation in the community
- Common campaigns provide large scale experience and substantial facts regarding practicality of regulations.
Results may yield recommendations for the European Commission on enforceability, etc.
- Co-operation with new Member States and Accession Countries is intensified
- Projects draw attention from non-EU/EEA countries and may foster approximation of standards

list of projects

Project	Field of chemical law	Subject	Year	Status
EuroDeter	Reg. (EC) 648/2004 as amended	Enforcement of the specific detergents regulations	2012 - 2013	preparation phase
e-Commerce II	Dir. 1999/45/EC Dir. 2001/58/EC Dir. 2000/31/EC 1998/8/EC; 67/548/EEC and 1999/45/EC ff;	Internet trade in dangerous chemicals (classified, restricted, banned). Assessment of compliance with marketing restrictions and obligations regarding the communication of hazard information	2011-2012	running
EuroPOP	POP convention	Content of HCB in fireworks (EuroPOP)	2011-	running
Biocides	1998/8/EC	Biocide products: marketing of goods containing forbidden active substances; provisions of the Preparations Dir.	2007-2009	completed.
EuNick	Dir.76/769/EEC	Restriction of Ni in products intended to come into direct and prolonged contact with skin	2007 - 2009	completed
EUVIECHEM	unspecific	"European voluntary Information exchange system on chemicals" (violations; suspected violations)	2004-	completed
e-Commerce	Dir. 1999/45/EC Dir. 2001/58/EC Dir. 2000/31/EC	Internet chemical trade; SDS; restrictions and bans	2004-2008	completed
Azodyes	Dir. 76/769/EEC / resp. 2003/3/EC	Azodyes covered by the 12th ATP; RRS of o-Anisidine	2005-	completed
EuroPCB	Dir. 1996/59/EC	Labeling, decontamination and disposal of transformers and other devices containing polychlorinated biphenyls and polychlorinated terphenyls (PCB/PCT)	2004-05	completed
ECLIPS	Dir 2001/58/EC; Dir 99/45/EC	C&L and SDS dangerous preparations	2002-04	completed
EurOzone	Reg. (EC) 2037/2000	Illegal trade and leakages of ozone depleting substances	2000-01	completed
EuroCad	Dir.76/769/EEC, 91/338/EEC ,Reg. (EC) 2037/2000	Restriction of Cd in plastics	1999-2001	completed
EUREX	Reg. (EEC) 793/93	Existing Substances Regulation, data submission (art. 3, 4)	1997-99	completed
SENSE	Dir. 67/548/EEC resp. 92/32/EEC	Notification of New Substances, C&L, SDS – photo & paper industry	1996-97	completed
NONS	Dir. 67/548/EEC resp. 92/32/EEC	Notification of New Substances - dyestuffs	1995-96	completed

future challenges

The continuous enlargement process of the EU and the dynamically developing chemical legislation in many sectors bring about new enforcement challenges and create a sustained need for internationally co-ordinated inspections.

CLEEN will continue reinforcing the European network of national chemical inspectorates and make special efforts to integrate those of new Member States and Candidate Countries.

CLEEN secretariat

Viktoras Seskauskas
Environmental Protection Agency
Division of Chemical Substances
Juozapaviciaus Str. 9e
LT-09311 Vilnius
Lithuania

+370 618 74567

v.seskauskas@aaa.am.lt

Heribert Bürgy
Federal Office of Public Health
Consumer Protection Directorate
Stationsstrasse 15
CH-3003 Bern
Switzerland

+41-31-3229625

heribert.buergy@bag.admin.ch

www.cleen-europe.eu

project details - NONS

1995 – 1996

- Scope: Notification of New Substances
Dir. 67/548/EEC resp. 92/32/EEC
- Focus: Dyestuffs
- Results: 37% of new substances not notified properly

project details - SENSE

(Solid Enforcement Substances in the EU)

1996 – 1997

- Scope: Notification of New Substances
C&L and MSDS of substances
Dir. 67/548/EEC resp. 92/32/EEC
knowledge about Reg. 793/93/EEC
- Focus: Photochemicals, paints, intermediates,
dyestuffs, paper industry chemicals
- Results: 5% of new substances not notified
properly; 62% informed on Reg. 793/93/EEC

project details - EUREX

(EU-Regulation Existing Substances)

1997 – 1999

- Scope: Existing Substances Regulation
Reg. (EEC) 793/93
- Focus: Art. 3 and 4 (data submission)
- Results: 90% submitted HEDSET (25% too late)
10% did not submit HEDSET (violation)

project details - EuroCad

1999-2001

- Scope: Cd restriction under Dir.76/769/EEC
91/338/EEC resp. 1999/51/EC
- Focus: Cd in plastics
- Results: Most exceedings from imports
Source: Far East companies
- Problem: Most Far East companies produce for
the US market (different limits)

project details - EurOzone

2000 - 2001

- Scope: Ozone depleting substances
Reg. (EC) 2037/2000
- Focus: Illegal trade and leakages
- Results:
 - Significant difference between MS concerning the support of phase out process
 - Good progress made towards ODS phase out all over Europe
 - 10% leakages fixed/30% mobile installations

project details - ECLIPS

2002 – 2004

- Scope: C&L of Preparations and MSDS
1999/45/EEC 2001/58/EC
- Focus: Consumer products with the properties:
dangerous for the environment,
sensitizing, CMR, R67
- Results: 60% of labelling, 65% of SDS not correct

project details - EuroPCB

2004 – 2005

- Scope: Directive on the disposal of PCBs and PCTs
Dir. 1996/59/EC
- Focus: Labelling, decontamination or disposal of PCB
containing transformers and capacitors
- Results: European Inventory

project details - EUVICHEM

2004 – 2006

- Scope: European voluntary information exchange system in case of violations
Dir. 67/548/EEC, Dir. 1999/45/EC,
Dir. 76/769/EEC
- Focus: Dangerous substances, preparations and articles
- Results: Form for voluntary information exchange between European authorities established

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project details - eCommerce

2004 – 2008

- Scope: C&L and SDS of dangerous substances and preparations; bans & restrictions
- Dir. 1999/45/EC, Dir. 2001/58/EC, Dir. 2000/31/EC
- Focus: Internet shopping: dangerous consumer products which can be ordered via internet

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project details - EurAzos

2005 – 2007

- Scope: Azodyes covered by Dir. 76/769/EEC
- Focus: Textile and leather articles containing azodyes which may release aromatic amines (carcinogenic, mutagenic)

details - REACH enforcement project

2006 – 2008

- Scope:
 - identify state of the art of preparation of REACH enforcement
 - identify new needs due to REACH
 - develop enforcement methods for REACH Regulation (EC) No 1907/2006
- Focus: enforcement of REACH
- Project steered by CWG subgroup on enforcement

project details - EuroBiocides

2006 – 2009

- Scope: Authorisation and placing on the market of biocidal products, Dir. 1998/8/EC, Reg. (EC) 1896/2000
- Focus: Biocidal products; Marketing of forbidden active substances and provisions demanded by the Preparations Dir.

project details - EuNick

2007 – 2009

- Scope: Ni restriction under Dir.76/769/EEC
- Focus: Products containing Nickel which come into direct and prolonged contact with the skin (e.g. jewellery, post assemblies)