

Helsinki, 7 July 2014

FINAL

(Agreed by RAC via written procedure)

COMMITTEE FOR RISK ASSESSMENT (RAC)

Concerns:

**Classification, labelling and
Procedure for agreement seeking**

packaging:

Procedure for agreement seeking

Introduction of a differentiated approach to agreement of CLH hazard classes and adoption of opinions at the Committee

I. Introduction

Faced with an increasing number of opinions, 40 to 50 of which per year concern CLH, the Secretariat is considering measures to improve the working procedure for agreement seeking within RAC as one step towards meeting the challenge.

Debating time in the Committee is one of the key bottlenecks; an increase in meetings days from 15 in 2013 to 23 in 2014 has been noted. The ability of the Committee to adequately scrutinise the dossiers remains an essential factor in developing timely opinions of high quality.

Overall, there is a need to increase the efficiency of the Committee's procedures for the moment within the current structure, while maintaining the quality and the transparency of the process.

Proposals to tackle this matter and to overcome potential bottlenecks in plenary debates (and in the whole process) while maintaining the necessary transparency for the stakeholders could take several forms, but would be largely based on a selection of what needs to be debated in Committee and what does not:

- 1) Fast-track agreement – for adoption of opinions by separating the hazard classes for agreement without further discussion in the plenary (so-called **A-points**) and allowing more debating time for complex dossiers / hazard classes.
- 2) the establishment of different working sub-groups (which would also need to be populated by members/experts) or;
- 3) adjusting the CLH process further, e.g. the timing and sequence of steps and the public consultation.

This initial proposal considers only fast-track agreement (1) under the CLH process as currently designed.

II. Fast-track agreement

Fast-track agreement means that following adequate scrutiny by the Rapporteur and commenting members, selected hazard classes would be proposed for agreement through a list without further debate in Committee. The increase in efficiency would be directly related to the numbers of hazard classes listed across the substances for discussion at a given meeting, i.e. the list would need to be substantial enough to gain time in the Committee.

The procedure is as follows:

- 1) After the public consultation has closed, the Rapporteur while completing the RCOM identifies with the Secretariat for each substance the potential hazard classes which could go to **fast-track agreement**; this is called the **draft A-list**.

- 2) The Committee will be made aware of the hazard classes/categories proposed for A-listing through the 1st draft opinion and covering message accompanying the launch of the RAC consultation.
- 3) In order to ensure adequate preparation and maintain the high quality of the opinions, active participation of RAC members in the commenting rounds is necessary. Should the Chairman consider that additional scrutiny of the proposed A-listed endpoints is necessary, he may request members to specifically comment on this matter.
- 4) Depending on the outcome of the RAC consultation(s), i.e. the members' comments and the Rapporteur's response, the A-list would be updated and prepared for fast-track agreement in the Committee. All issues that clearly need debate in the plenary would remain on the agenda for discussion.

Introduction of this approach would enable the Committee to:

- 1) Save significant time at plenary meetings, provided the A-list could be of substantial length.
- 2) Maintain the required transparency of the opinion development: stakeholder observers would have the opportunity to take note of the proposed fast tracking before the relevant plenary session in RAC.
- 3) Improve the quality of the discussion of complex dossiers by optimising the available debating time for critical issues.

III. Action requested

The Committee is invited to agree upon the proposed Committee procedure for implementation from RAC-30 in September 2014 onwards.