Helsinki, 22.03.2012
MB/07/2012 Annex 1
final

ANALYSIS AND ASSESSMENT OF THE ANNUAL ACTIVITY REPORT OF THE AUTHORISING OFFICER FOR THE YEAR 2011

THE MANAGEMENT BOARD,

Having regard to Regulation (EC) No 1907/2006 of the European Parliament and of the Council of 18 December 2006,

Having regard to the Financial Regulation of the European Chemicals Agency (MB/53/2008) and in particular Article 40 thereof,

Having regard to the Work Programme of the European Chemicals Agency for the year 2011 adopted by the Management Board at its meeting of 30 September 2010 and updated on 16 December 2010,

Having regard to the Annual Activity Report of the Authorising Officer of the European Chemicals Agency for the year 2011 as submitted to the Board on 12 March 2012,

1. Welcomes the results presented in the Annual Activity Report of the Authorising Officer as well as the high performance level achieved with regard to discharging the tasks under the REACH Regulation (EC) 1907/2006 and the CLP Regulation (EC) No 1272/2008. This is reflected in the fact that 52 out of the 66 ambitious performance targets set in the Work Programme 2011 were met.

2. Congratulates ECHA for the operational work performed in 2011 and, in particular, for the achievements in:

(a) Processing over 3 million C&L notifications covering over 100 000 different substances by the 3 January 2011 deadline, which exceeded expectations by 50%. The Management Board notes that the C&L inventory was not published in 2011, but shortly afterwards.

(b) Finalising the processing of all registration dossiers submitted by the first registration deadline in 2010 and having its staff, procedures, IT tools and support to registrants in place to allow smooth registration with proportionally few rejections and consequently only few appeals launched.

(c) Making most of the information on the chemicals registered or notified publicly available. By the end of the year a massive and unique volume of information from more than 23 000 registration dossiers covering more than 4 100 substances (or 78% of the registered substances) were freely available via the dissemination portal on the ECHA website.

(d) Making progress both with the evaluation of the testing proposals and with the compliance checks of the dossiers, supported by the large number of unanimous agreements by the Member State Committee.

(e) Submitting, as planned, the first proposal for the Community rolling action plan (CoRAP) for substance evaluation, including 91 substances for 2012-2014, to the Member States and ECHA Member State Committee.

(f) Adding 28 Substances of Very High Concern (SVHCs) to the Candidate List, including 11 substances for which ECHA had prepared the Annex XV dossier.

(g) Sending its third recommendation for inclusion of priority substances in the Authorisation List to the Commission. Inclusion of thirteen substances from the Candidate List was recommended. Being prepared to receive applications for authorisation.

(h) Adopting opinions in RAC and SEAC on the first four restriction proposals.

(i) Delivering, in accordance with the legal requirements of REACH, its first five-year report on the operation of the REACH Regulation; producing the first three-year report on the status of implementation and use of non-animal test methods and testing strategies; submitting both reports to the Commission and making them public in the interest of transparency.

(j) Supporting the implementation of REACH and CLP by rolling out a new tool RIPE for enforcement authorities, as well as releasing new versions of REACH-IT, IUCLID 5 and Chesar for industry.

(k) Supporting industry in building up capacity via various communication tools in the form of webinars and targeted materials in 22 EU languages.

(l) Providing direct support to registrants via the ECHA Helpdesk and in producing updated and new guidance documents for industry and making a substantial number of these available in 22 EU languages well ahead of the registration deadline.

3. Notes the high quality of the scientific advice provided by the Agency on request by the Commission, in particular in relation to the first reading of a legislative proposal for a regulation on biocidal products, the technical work on developing a regulatory framework for chemical substances on nano-scale and on alternative testing methods that may reduce the use of test animals.

4. Welcomes that the Agency continues to work transparently, that the Committees involve stakeholders and case owners as appropriate, that the eligibility criteria for accredited stakeholder organisations were improved and that the first workshop with those organisations was held in Brussels to facilitate their input in ECHA's work programmes.

5. Notes that progress in processing inquiries did not meet ECHA's annual target but that measures were put in place to meet such target from the fourth quarter of 2011.

6. Notes that the progress in processing confidentiality claims did not meet the target but that measures have been put in place to deliver a satisfactory performance in future. Encourages the Agency to make up the backlog in terms of confidentiality claims and additional information to be published, following the Commission's advice.

7. Welcomes the initiative of meeting with heads of MSCAs, which will deliver benefits of more effective planning and use of authorities' resources across the EU.

8. Welcomes the progress in implementing internal control standards, an integrated quality management system as well as the continuing analysis and management of risks.

9. Welcomes the results of the feasibility and needs assessment with regard to enhancing SME accessibility to communication with the Agency, including via REACH-IT, in different languages and encourages ECHA to implement the recommendations.

10. Acknowledges the work of the Board of Appeal and its Registry in processing 6 appeals.

11. Appreciates the Agency's substantial recruitment efforts, recruiting 88 staff members and filling 98% of the posts in the establishment plan.

12. Acknowledges that the Agency repaid the temporary 2010 subsidy to the Commission and was able to collect a higher amount of revenue in 2011 than planned. Appreciates the Agency's efforts in verifying the SME status of registrants.

13. Congratulates the Agency for a high rate of execution of commitment appropriations of 96% and notes that the payment execution reaches 81%.

14. Notes that the global carryover rate remains at nearly the same level as in 2010, but encourages the agency to take measures to reduce carry over in as far as possible.

15. Notes the Agency's continuing work to support the access of Member State authorities to the REACH-IT system, as well as the secure use of the information in that system.

16. Welcomes the new staff model and encourages the Agency to complement it with the financial aspects.

17. Welcomes the new corporate identity and user-friendly website.

18. Notes the reorganisation to align the structure of the Agency with its developing role, including for biocides and PIC.

19. Strongly appreciates the efforts of management and the entire staff in achieving the ambitious goals set by the regulations; approves of the measures taken to address the high levels of staff stress seen in 2010, as this is key to maintaining high staff morale and retaining the highly qualified staff.

Helsinki, 23 March 2012

SIGNED

For the Management Board
Thomas JAKL