



Forum-26/M/2017 –Public
Adopted on 26/06/2017

Minutes of the
26th meeting of the Forum for Exchange of Information on Enforcement
Helsinki, Finland
28-30 March 2017

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I. Summary record of the proceedings

Item 1 – Welcome and introduction

1.1 Opening by the Vice-Chair of the Forum

The Vice-Chair welcomed all the participants. He announced apologies and stated the proxies appointed. The Vice-Chair informed that the quorum requirement was met.

1.2 Adoption of the agenda

The Vice-Chair indicated the changes in the agenda (Content IV, [Annex 1](#)). The agenda was adopted.

1.3 Declarations of conflicts of interest with regard to agenda items

The Vice-Chair requested all participants to declare any potential conflicts of interest for any of the agenda items, according to Article 9(2) of the Rules of Procedure. No conflicts of interest were declared in the meeting.

1.4 State of play with action points from Forum-25

The ECHA Forum Secretariat informed the plenary on the status of action points from Forum-25 and highlighted the open actions.

1.5 Practicalities and brief recapitulation of results of the written procedures between Forum-25 and Forum-26

The Vice-Chair referred to the document with the results of the written procedures between Forum-25 and Forum-26.

Item 2 – Election of the Chair and Vice-Chairs of the Forum

The Forum elected, from among the members, the new Chair and Vice-Chairs of the Forum. Before the election, all the candidates explained their motivations to the plenary.

Katja vom Hofe (DE) was elected as the Chair starting from 1 March 2017. Sinead McMickan (IE) was elected as the Vice-Chair starting from 1 March 2017 and Szilvia Deim (HU) was elected as the Vice-Chair starting from 15 May 2017.

The elected Chair of the Forum took over the chairing of the meeting.

Item 3 – Address by ECHA's Director of Risk management

The Director welcome the new Chairs and participants of Forum-26. He highlighted the preliminary results of the second Forum pilot project on Authorisation, focusing on substances that had sunset dates in 2015 and encouraged some reflection on the usefulness of the succinct summary of the risk management measures and operational conditions. The Director supported the initiative to identify frequently occurring SDS compliance problems and to start a discussion with stakeholder organisations on how they can address them. The Director welcomed the discussion on the improvement in cooperating with ASOs and stated that other ECHA Committees had positive experiences. Lastly, the Director reflected on the synergies between the Forum and the new BPR Subgroup and encouraged a close cooperation between the two.

Item 4 – Enforcement projects in Member States

4.1 Austrian experience in enforcing REACH authorisation decisions

The Forum member presented the experiences gathered after the second pilot project on Authorisation, focusing on the enforcement of authorisations decisions relevant for the DUs covered by the supply chain of the authorisation holder.

4.2 Danish national project on aerosol dispensers

The expert informed the meeting about the national enforcement project. It focused on products used in garages and auto industry since the aerosol dispensers posed a risk to human health for the workers. The inspectors assessed the worker's safety based on the information provided by the suppliers in the SDS and label. It also assessed the obligation to register all products for occupational use based on the national legislation.

The expert summarised the project's methodology and the results found. Forum members and COM welcomed the project.

Item 5 – Cooperation with other networks

5.1 Update from SLIC-CHEMEX

The chair of the CHEMEX WG informed the Forum on the ongoing activities of this network.

5.2 Information on the PARCS network

A Finnish customs enforcement representative presented on the PARCS network, its activities, objectives and deliverables.

The Forum appreciated the work of the network and encouraged future collaboration.

Item 6 – Forum's enforcement activities - Ongoing projects

6.1 Prioritisation of REF projects

6.1.2 WG progress report

The WG chair presented the progress report, which focused on the second version of the REF project methodology and the second version of the working procedure for the prioritisation of REF projects. The Forum members and COM were invited to submit new project proposals by 30 April 2017.

6.1.2 Adoption of the revised REF methodology

The WG chair highlighted the changes introduced in the new version of the document. The Forum adopted the REF project methodology and the working procedure for the prioritisation of REF projects submitted for the meeting.

The prioritisation and selection of the REF-7 project will be done according to the new version of the methodology.

As a reply to COM, the WG chair would discuss with the WG and the Forum the possibility to publish the legal duties covered by the REF projects. ECHA Forum

Secretariat suggested to consider publishing a summary of the procedure for prioritising REF proposals.

6.1.3 Mandate amendment

A new chair was appointed for this WG. The Forum adopted the updated mandate ([Annex 2a](#)).

6.2 REACH-EN-FORCE-4 on Restrictions

6.2.1 WG progress report

The WG chair informed about the status of the project, presently collecting the data from the Member States. The WG discussed on elaborating a best practice document on the enforcement of restrictions to implement the Forum MAWP 2014-2018, at least for the restrictions covered within the scope of the REF-4 project.

COM suggested for the WG to reflect on the experiences gained in the project on the enforceability of restrictions and whether there could be some best practices drawn out of that. The WG chair would expect feedback from the inspectors if some severe problems were detected and should be reflected in the report.

6.2.2 Mandate amendment

The Forum adopted the updated mandate ([Annex 2b](#)).

6.3 Enforceability of restrictions

6.3.1 WG progress report - Advice on restrictions

The Forum Chair informed about the work of the WG, which recently received two new proposals for restrictions that have passed conformity to be examined by the Forum with the view to provide an advice on enforceability. Forum members have been invited to comment on both dossiers.

The WG chair informed that the outcome of technical workshop of COM's WG on the restriction of CMRs in textile articles and clothing for consumer use was available in COM's website.

6.3.2 Update of the Compendium

A WG member informed there was no significant input from stakeholders on methods to be included in the Compendium after one year of publication and after the different requests in open sessions with the stakeholders. Therefore, it was suggested to postpone the exercise for 2018. If done next year, the WG could also take into consideration the results from the REF-4 project (e.g. information on valid used methods not included in the Compendium) as well as the new Annex XVII restrictions which were not covered in the first version of the Compendium. The Forum agreed to revise the Compendium in 2018.

The WG proposed to support the WG Substances in articles by providing advice on different analytical methods for measuring candidate list substances in articles.

6.3.3 Mandate amendment

The Forum adopted the updated mandate ([Annex 2c](#)).

6.4 Pilot project Substances in Articles

6.4.1 WG progress report

The Chair informed that the preparation of the project was ongoing and that REACH Article 33(2) was added to the scope of the project as an optional module.

6.4.2 Mandate amendment

The Forum adopted the updated mandate ([Annex 2d](#)).

6.5 Characterisation of risks

6.5.1 TF progress report

The Chair summarised the work of the Task Force mentioning that the project would not focus on developing risk for non-compliance but on suggesting an alternative way to deal with this matter via the exchange of best practices in the Forum meetings. This possibly could be tackled when updating best practice documents. The Task Force will further elaborate a thought starter document to be presented at the Forum-27 meeting.

The project should elaborate guidelines for the use of ICSMS and elaborate on the "serious risk" as there was a need for a common understanding at EU level. It was deemed important to involve the Forum in the PROSAFE project regarding the "assessment of Risk from Chemicals in Consumer Products". The Forum nominated a Swedish expert as a Forum representative to liaise with PROSAFE.

6.5.2 Mandate amendment

The Forum adopted the updated mandate ([Annex 2e](#)).

6.6 Implementation of PD-NEA

6.6.1 WG progress report

The Chair informed that the WG has commented on the PD-NEA User Manual and it has been sent for translation and publication. The sub-WG on the BPR elements has been analysing the requirements for biocides, together with the ECHA experts and a contractor. Moreover, after the establishment of the BPRS, it was proposed for the sub-WG to form a WG under the umbrella of BPRS at the BPRS-1 meeting. The Forum agreed to detach this sub-WG from the WG PD-NEA and move it to BPRS.

6.6.2 PD-NEA project progress report

The ECHA Forum Secretariat informed that there has been the release of PD-NEA version 2.2.1, which included improvements and fixing of bugs. There will be two more releases in 2017, mainly focusing on performance improvements.

For countries who started using RIPE in 2011 and made their first security audit in the same year, a new security audit was due during 2017 – six years after the first audit¹. The user's administrators and PD-NEA administrators would be contacted regarding this task.

6.6.3 Mandate amendment

The Forum adopted the updated mandate ([Annex 2f](#)).

6.7 REACH-EN-FORCE-6 on classification and labelling of mixtures

6.7.1 WG progress report

The Chair summarised the status of the ongoing work of this WG.

¹ Post meeting note: Most security audits for RIPE were done in 2012. For these countries the new audits are due in 2018.

6.7.2 Mandate amendment

The Forum adopted the updated mandate ([Annex 2g](#)). The mandate was revisited after the discussion in agenda [point 10](#).

6.8 Training for enforcement trainers 2017

6.8.1 WG progress report

The WG chair highlighted the work done so far by the WG in preparing the next training event, that will take place on 4 and 5 October 2017 in ECHA. The training will be on an intermediate level for topic on CLP of the mixtures and on basic level for the topic on the authorisation, meaning that the nominated trainees should have at least basic knowledge on the CLP of the mixtures. Since the content of the training would be relevant for REF-6 project, the training for REF-6's National Coordinators would take place back to back. Therefore, the Forum members were invited to appoint the REF-6 National Coordinator as one of the trainees.

6.8.2 Mandate amendment

The Forum adopted the updated mandate ([Annex 2h](#)).

6.9 Pilot project on Control of internet sales of hazardous chemicals

6.9.1 Task Force progress report

The Chair informed that the operational phase of the project was ongoing. As a reply to a Forum member, a member of the Task Force clarified there was no specific methodology in the manual on how to use the search engine for identifying the hazardous mixtures for inspection so that Member States could approach the project according to their own priorities.

6.9.2 Operational phase: DE experiences

An expert shared some experiences gathered during the operational phase of this project as well as other national initiatives in enforcing CLP Article 48.

6.9.3 Mandate amendment

A Forum member volunteered as a chair for this Task Force, changing the status to a working group. The Forum adopted the updated mandate ([Annex 2i](#)).

6.10 Second project on Authorisation

6.10.1 WG progress report

The WG chair presented the preliminary results of the project summarising the draft report that was under consultation with the Forum.

6.10.2 Mandate amendment

The Forum agreed to close the mandate of the WG once the report was adopted. The Forum adopted the updated mandate ([Annex 2j](#)).

6.11 REACH-EN-FORCE-5 on Extended SDS, exposure scenarios, risk management measures and operational conditions

6.11.1 WG progress report

The Chair informed that the operational phase was ongoing and the WG was on hold to support the NCs during this phase. An ECHA support team was set in place to help inspections of Cluster 1 (First level suppliers) by extracting information from the CSRs into a concise and easy to understand format.

6.11.2 Mandate amendment

The Forum adopted the updated mandate ([Annex 2k](#)).

6.12 Revision of the best practice documents

6.12.1 TF progress report

The ECHA Forum Secretariat presented the result of the first consultation within TF. The Forum discussed the open issues presented and voted to partially merge the two documents, keeping the minimum criteria elements visible as an annex to strategies for enforcement documents. The Forum also agreed with the recommendation of the Task Force to include BPR in the scope of the documents and for the BPR experts in the Task Force to prepare the BPR essential requirements in consultation with the BPR Subgroup.

The Task Force would remain in the remit of the Forum and BPR Subgroup would provide its experts to work on BPR-related revisions and be debriefed in their meetings on the progress of this work.

6.12.2 Mandate amendment

The Forum adopted the updated mandate ([Annex 2l](#)).

6.13 Cooperation with Customs 2

6.13.1 TF progress report

The Chair informed that the Task Force prepared a survey to collect information on the involvement of customs with the enforcement of REACH. The information would be used to take stock of current practices in Europe and make new proposal for a workshop with DG TAXUD at the end of the year. COM representative added that the meeting would take place in November 2017 in Brussels, with the view to encourage the Customs authorities to collaborate at European level.

Forum members were invited to fill in the questionnaire after it will be launched.

6.13.2 Mandate amendment

The Forum adopted the updated mandate ([Annex 2m](#)).

6.14 Information and Communication System for Market Surveillance (ICSMS)

6.14.1 WG progress report

The Chair informed that the REACH Directive related product information (DRPI) was not yet available and no further timelines were known. The Manual for using ICSMS was adopted by the Forum.

A Forum member stated that the use of ICSMS was still unclear, since his country has their own national system. With ICSMS, the inspectors would need to additionally log the inspections in that tool due to the impossibility to import information from other systems to ICSMS. Therefore, some clarification was still needed on what should be logged in ICSMS. The WG chair replied that some countries logged information of only the non-compliant products found whilst others logged also the compliant ones. The WG would discuss further and try proposing a common approach.

The Forum agreed on compiling a list of ICSMS National Contact Points for REACH and CLP (ref. section 4.1 of the Manual on using ICSMS) to be made available to the Forum via PD-NEA.

6.14.2 Mandate amendment

The Forum adopted the updated mandate ([Annex 2n](#)).

Item 8 – Debriefing of the meeting with ECHA Directors

The Chair summarised the discussions held with ECHA's directors.

Item 9 – Update on relevant developments by the Commission

9.1 General updates by the European Commission

The COM representative (DG GROW) gave the Forum an update of the COM's activities that were relevant for the work of the Forum.

The Forum member that attended the last ADCO Chairs meeting stressed that the lack of resources was one common challenge shared by the Forum and the other ADCOs. He also highlighted the amount of work done under the Market Surveillance regulation (MSR), which contain elements of REACH, CLP, PIC and BPR. He recommended the Forum to make the exercise of analysing the synergies between all the regulations, perhaps during the recast of the MSR.

A Forum member requested a list of the ADCO members in order to liaise with them at national level. COM to liaise with the appropriate DG.

The ECHA Forum Secretariat confirmed the possibility to have the Forum-31 meeting back to back with COM's second REACH and CLP enforcement conference. However, discussions were still being held at the management level on the resources available.

By request of an invited expert, the COM representative informed that once set, the dates for the workshop on OSH and employment will be shared with the Forum members.

9.2 REACH review and the results from the public consultation

The COM representative of DG ENV gave an overview of the status of the REACH REFIT evaluation results of the public consultation. A report will be available in July 2017.

COM representative from DG GROW provided a general information on the content of the feedback received from the consultation. The information was still being assessed for the report, which will contain a section on enforcement.

A Forum member asked whether there was work being done for the next Member State reporting exercise, in particular in the clarification of the terms used in the questionnaire. COM responded that it continues working on that.

Item 10 - Coordination between Forum and BPR Subgroup

10.1 Update on the coordination of the BPR enforcement

The ECHA Forum Secretariat summarised the agenda and main issues planned for discussion at the BPRS-1 meeting that were relevant for the Forum (see Agenda and Minutes of the BPRS-1 meeting)

Item 11 – Presentation of the Helpex tool for Forum

ECHA Forum Secretariat summarised the new fast track procedure for the practical issues procedure using the HelpEx tool. The Forum topic in the HelpEx platform and its functionalities were presented.

The members would be able to customise their notifications of the tool. It was foreseen that a new user identification would be needed to use the Forum topic in

HelpEx for those that were already HelpEx users. Hence, only the users of the Forum topic would be able to access the issues in that topic. The Forum members could also nominate other people to be given access to the platform/topic. The use of this tool for the BPRS' practical issues was not yet discussed.

Item 12 – Serbia's enforcement activities

12.1 Capacities and practices in enforcing Serbian law on chemicals

The Serbian representative presented the country's legislation related to chemicals and how they relate with the European ones as well as an overview of the organisation of inspectors. The inspections were done at national level. Inspectors were located in three different locations but they worked under the remit of the same national institution. She informed on the national campaigns done and planned for and some general figures of chemicals investigated. Lastly, she presented the reasons Serbia would like to become an observer of the Forum.

The Chair thanked the representative for the presentation. A Forum member congratulated the presenter for the efforts to implement the enforcement of the regulations in Serbia as he had participated in joint inspections with Serbian inspectors.

The presenter added that the Serbian chemical agency provided expert assistance to enforcers in the more technically challenging cases and gave trainings. It had synergies with other ministries and academia to increase the pool of experts of different areas. There was good cooperation between the different enforcement bodies of other legislations via regular meetings.

As a reply to COM representative's on the authorisation system, the presenter informed that the authorisation process was being set in place based on the national registry.

Serbia would be willing to participate in the Forum's REF projects. There was no experiences yet regarding substance evaluation but preparations for that process were ongoing.

Serbian law provided a legal framework to classify and prevent the sale of dangerous substances to the general public.

12.2 Forum discussion on Serbia's observer status

The Chair moderated the discussion on the potential observer status of Serbia taking into consideration, amongst other criteria, the country's legislation and its proximity to the Community chemicals legislation and the readiness of their enforcement system. The Forum agreed that future observer status' requests should be considered case by case.

Item 13 – Updates from the ECHA Forum Secretariat

13.1 Status of the revision of the Forum's Multi Annual Work Programme

The ECHA Forum Secretariat presented the work done on the document MAWP, which was consulted with the Chairs and then with the Forum and BEG. The next step will be to draft the BPR-related sections, with the BPRS. Once the BPR-related sections are included, the MAWP will return to the Forum for consultation and adoption.

The Forum discussed about disclosing the Manual of Conclusions to other networks and highlighted the issue of confidentiality present in the different networks. The Forum agreed to provide a particular practical issue upon request from other networks with similar levels of confidentiality as for the Forum. Each such request

would need to be discussed and agreed with the Forum before being shared with the network.

The Forum agreed to publish the Forum level indicators after being consulted with the Forum and revise it annually. COM representative informed that COM would publish a document containing the EU level indicators.

In order to be involved in the review of ECHA's strategic perspective during the summer of 2017, the Forum would need to set up a WG in June 2017. The Forum would re-discuss the issue at Forum-27, when the extent and timing of input needed from the Forum would be clarified.

13.2 Outcome of the consultation of the non-conformities from automatic screenings

The ECHA Forum Secretariat presented the summary of the input received from the Forum members on the screening exercise presented at Forum-25 on potential cases of non-compliances that ECHA found concerns. The interested members would receive more information, as well as the number, of the cases from ECHA in order to plan and allocate resources. The Member States following the investigations were invited to report to the Forum their findings in the upcoming meetings.

13.3 Improvement of the SDS' quality – proposed actions

The ECHA Forum Secretariat presented some actions to be set in place that would help increase the quality of the SDS. The proposals were created based on the conclusions from various Forum projects that found high number of deficient SDS and the feedback provided by the Forum members. The WG Prioritisation raised several ideas of what could be done instead of setting up a project dedicated to the SDS.

The Forum mandated the TF Revision of Best practices document to consider highlighting in the strategic documents the importance of the control of SDS, by including SDS control as an integral part of each inspection (or percentage of it).

The Forum welcomed the proposal to collect information from volunteering Member States on the experiences when checking SDS, concretising on the deficiencies found and the follow-up actions, via an Excel questionnaire.

This information would then be assessed and conclusions drawn. The results could be shared with interested accredited stakeholders (ASO) and potentially join forces with Industry to tackle the issue. ASOs would be invited to – for example – disseminate the information among their members and potentially organise trainings on how to avoid the common problems with the SDSs. The Forum could take the opportunity of an open session to engage the ASOs on actions to improve the quality of the SDS amongst their members. The ECHA Forum Secretariat would contact the ASOs inquiring whether they would be interested in that exercise prior to collecting information from Member States. The proposal would need to be further concretised after discussion in the Forum-27.

Replying to an expert's concern, ECHA Forum Secretariat would investigate how to reach the suppliers of SDS that were not part of any organisation.

13.4 Template letter for contacting ORs in other Member States

The ECHA Forum Secretariat presented the draft template (model) letter and the proposed communication strategy. A Forum member expressed the need to have the information on the letter that the NEA of the Member State where the OR is located, was made aware of that communication.

The Forum agreed to make the template letter available in all EU languages and give the choice to the inspectors whether to send only the English version or additionally in the language of the Member State where the OR is located. The Forum agreed for the PD-NEA focal point(s) to be informed about the communication. The PD-NEA would also be the depository for the template letter. The template would be then transferred to the NEA's own identity header/footer.

13.5 Improvement of the cooperation with ASOs

The ECHA Forum Secretariat re-opened the discussion on the cooperation with the ASOs with the view to increase satisfaction of both Forum and ASOs and improve transparency. The Forum acknowledged the low turnout, relatively low activity of ASOs and low satisfaction of Forum and ASOs with the current cooperation model.

The Forum agreed to consult the ASOs on the Forum meeting's draft agendas and request input. On the same line, the Forum members could also signal the agenda items for which input from ASOs would be sought.

The ECHA Forum Secretariat took the initiative to include a Forum item in the agenda of the 2017 ECHA ASO workshop taking place in Brussels during autumn. In that meeting, the Forum representatives would try to find the ASO's needs regarding the Forum.

13.6 IT tool for the calculation of classification of mixtures

The ECHA Forum Secretariat informed that there was no plan for ECHA to develop an IT tool for the calculation of classification of mixtures, as this was not requested and supported at a policy level. Alternatively, the Forum could consider including this aspect in the REF-6 project as an optional action.

The REF-6 WG chair agreed to discuss it with the WG. He questioned the need to collect information during the operational phase of REF-6 on the commercial tools for the classification of mixtures. The Chair added that it could be interesting to find the inadequate IT tools that could be the target of additional investigation by the Member States.

Item 15 – Practical issues for enforcement of REACH and CLP

Issue 26.1 – Delivery of SDS via direct link

The invited expert who raised the issue presented it and the Forum discussed the proposed conclusion.

A draft conclusion was proposed and was revised at the meeting. The Forum agreed with the revised conclusion. Editorial changes could still be made during the consultation with the Forum on the inclusion of this issue in the Manual of Conclusions.

Issue 26.2 - Recovery of UVCB Substances

The Forum member who raised the issue presented it followed by a discussion with the Forum.

The issue and a conclusion would be sent for a written consultation after the meeting, as the draft conclusion was made available in a room document.

Issue 26.3 - Restricting sale of products for professionals to general public

The Forum member who raised the issue presented it and the Forum discussed the proposed draft conclusion.

The Forum agreed with the conclusion as drafted.

Issue 26.4 - Can inspectors accept test of multiconstituent substances to override CLH?

This issue was postponed until the next Forum meeting.

The ECHA Forum Secretariat reminded that issue 25.1 was still open but would be concluded and adopted via written procedure after the meeting.

The CHAIR reminded the Forum that new practical issues could be submitted by 21 April.

Item 16- Updates from the ECHA Secretariat

16.1 Enhanced completeness check

ECHA Secretariat presented a summary of the completeness check procedure and the reasons ECHA was performing enhanced completeness checks and manual verifications. The presenter clarified that checking the CSR were not in the scope of the manual verification but will be tackled in the future.

16.2 Taking action on existing registrations

ECHA Secretariat gave a presentation on the ongoing activities in ECHA's registration unit and substance ID and data sharing unit to address shortcomings that have taken place during registration. These include reinforcing the *one substance, one registration* (OSOR) principle, actions on lead registrants acting without the agreement of the joint submission and a retrospective examination of existing registrations against the revised completeness check.

A Forum member expressed appreciation for the work done that would facilitate the work of the enforcers.

16.3 ECHA's work with the Poison centres

ECHA Secretariat informed the Forum on the work undertaken in ECHA concerning the new harmonised format for poison centre notifications.

A Forum member appreciated that ECHA would be the recipient of the information since it would be practical for the NEAs to search the information that could be otherwise scattered. Forum agreed to discuss in the future plenary meetings the role of the NEAs related to the obligations to notify information to poison centres using the new harmonised format.

16.4 ECHA Interact - update and implementation plan 2017

ECHA Forum Secretariat informed on the INTERACT initiative, project update and implementation plan for 2017. The initiative aims at standardising and simplifying the interactions between Authorities and Committees (RAC/SEAC/MSC and Forum) with ECHA processes, through a single and easy-to-use portal, providing access to all relevant case and substance information. The Forum was invited to appoint a contact person for this initiative on behalf of their country/organisation. It was not necessary for all Member States to be involved at that point of the project.

16.5 Follow-up of ECHA Decisions: updates from ECHA

The Chair informed that a document was submitted with the summary of the cases sent to the Focal points by 6 March 2017.

16.6 Update on ECHA guidance activities

The Forum took note of the updates from ECHA Guidance.

16.7 Understanding downstream user information needs in the context of workplace risk assessment

ECHA Secretariat informed that ECHA was preparing a survey to better understand downstream (end) user's information needs from extended safety data sheets to help them with workplace risk assessment to be conducted in two Member States. The aim would be to better understand the needs and opportunities associated with information on safe use of substances and mixtures generated under the REACH Regulation. The Forum would be kept informed.

Item 17 – A.O.B.

17.1 Dates of the Forum meetings in 2018

The Forum took note of the dates for the Forum plenary meetings in 2018:

- Forum-29: week 12-16 March
- Forum-30: week 18-21 June
- Forum-31: week 5-9 November

17.2 Preparation for the Forum 10th anniversary

The ECHA Forum Secretariat proposed to celebrate the 10-year anniversary of the Forum in the November meeting of 2017. As a way to highlight the impact of the work of the Forum in the Member States, the Forum members were encouraged to share national experiences (projects, activities, etc.) derived from the work of the Forum or present how national enforcement has changed/developed in the last 10 years. These presentations could be delivered during the Forum plenaries in 2017 or the open session or made into poster exhibition in the conference centre lobby in time for the Open session in November 2017.

17.3 Information on Dutch project

The Forum member informed the Forum that the report of a pilot project presented at Forum-24 on the borderline between waste and REACH was available in English and was sent to the Forum members interested and ECHA Forum Secretariat.

Item 19 – Closing of the meeting

The Chair thanked the participants, the COM and the ECHA Forum Secretariat for their contributions and support. With that, she closed the meeting.

II. MAIN CONCLUSIONS & ACTION POINTS - Forum-26
28-30 March 2017

(Adopted at the Forum-26 meeting)

Agenda point	Conclusions / decisions / minority opinions	Action requested after the meeting
Item 1- Welcome and introduction		
1.2 Adoption of the Agenda	Agenda was adopted.	
Item 2 – Election of the Chair and Vice-Chairs of the Forum		
	The Forum elected Katja vom Hofe (DE) as Chair and Szilvia Deim (HU) and Sinead McMickan (IE) as Vice Chairs.	
Item 3 – Address by ECHA's Director of Risk management		
Item 4 – Enforcement projects in Member States		
4.1 Austrian experience in enforcing REACH authorisation decisions		
4.2 Danish national project on aerosol dispensers		Forum-S to investigate with ECHA Secretariat if there is an agreement on whether to include the propellant in the classification of the Aerosols – when it should be included or excluded. DE, DK, and IE Forum members are to prepare a practical issue on this subject for the June Forum meeting.
Item 5 – Cooperation with other networks		
5.1 Updates from SLIC-Chemex		Forum-S to provide the SLIC CHEMEX information to the RAC/SEAC secretariat
5.2 Information on the PARCS network		FI PARCS representative will send the list of contact points in the PARCS to Forum secretariat who will then distribute it to the Forum. FI PARCS representative will inquire if the PARCS factsheet on REACH can

Agenda point	Conclusions / decisions / minority opinions	Action requested after the meeting
		<p>be distributed and if so, provide it to the Forum-S who will distribute it to Forum members.</p> <p>Com, Forum-S and FI PARCS representative will seek the possibility to present the Forum in the upcoming PARCS meeting in June.</p> <p>TF Customs 2 will be mandated to prepare the presentation about the Forum at PARCS.</p>
Item 6 – Forum’s enforcement activities- Ongoing projects		
<p>6.1 Prioritisation of REF projects</p> <p>6.1.1 WG progress report</p>	-	<p>Forum members are invited to submit proposals for REF-7 and pilot projects by 30 April 2017.</p>
6.1.2 Adoption of the revised REF methodology	<p>The Forum adopted:</p> <ul style="list-style-type: none"> - The revised methodology for selection and management of the REF projects and pilot projects. - The revised working procedure for the prioritisation and selection of harmonised enforcement projects coordinated by the Forum 	
6.1.3 Prioritisation WG Mandate amendment	The Forum revised the mandate of the WG.	
<p>6.2 REF-4</p> <p>6.2.1 WG progress report</p>	Forum agreed to elaborate a best practice document for the enforcement of the restrictions in the scope of REF-4 project.	<p>UK Forum member will submit the results of their restrictions-related inspections (also other restrictions out of scope of REF-4) for the REF-4 report.</p> <p>UK forum member will present the results of the national activities on restrictions at the Forum-27</p>
6.2.2 Mandate amendment	The Forum revised the mandate of the WG.	
6.3 Enforceability of Restrictions		Forum members are invited to submit comments on the enforceability of the proposals for

Agenda point	Conclusions / decisions / minority opinions	Action requested after the meeting
6.3.1 WG progress report - Advice on restrictions		restrictions for diisocyanates and lead in PVC by 21 April
6.3.2 Update of the Compendium	Forum agreed to postpone the revision of the Compendium until 2018.	
6.3.3 Mandate amendment	<p>The Forum revised the mandate of the WG.</p> <p>WG Enforceability of Restrictions will provide ad-hoc support to the WG preparing the pilot project on substances in articles.</p>	
<p>6.4 Pilot project Substances in Articles</p> <p>6.4.1 WG progress report</p>		Forum members are invited to appoint the national coordinators by the end of April 2017, if not done so already.
6.4.2 WG Mandate	The Forum revised the mandate of the WG.	
<p>6.5 Characterisation of risks</p> <p>6.5.1 TF progress report</p>	Forum agreed to participate in the PROSAFE project and mandated the SE alternate to represent it, subject to the agreement of PROSAFE.	
6.5.2 TF Mandate	The Forum revised the mandate of the TF.	
<p>6.6 Implementation of PD-NEA</p> <p>6.6.1 WG progress report</p>	The Forum decoupled the subgroup working on implementation of BPR IT tool for inspectors from WG "Implementation of PD-NEA" for potential inclusion as Working Group under the Forum BPR Subgroup (BPRS)	
6.6.2 PD-NEA project progress report		<p>Forum members are invited to remind the MS Auditors and NEA Administrators about the impending Security Audit due in 2017 for those countries who started using RIPE in 2011.</p> <p>Forum-S will send and information to the MS Auditors and NEA Administrators about the impending Security Audit due in 2017 for those countries who started using RIPE in 2011.</p>

Agenda point	Conclusions / decisions / minority opinions	Action requested after the meeting
6.6.3 Mandate amendment	The Forum revised the mandate of the WG.	
<p>6.7 REF-6</p> <p>6.7.1 WG progress report</p>		<p>Forum-S to seek the possibility to do screening for cases where the C&L is not agreed for the 4 interested countries (AT, BG, DE, IT) and there are no or very few notifiers from other countries.</p> <p>Forum-S will inform the Forum about the results of the screening who will decide how to proceed at the next plenary.</p> <p>Forum members interested in a potential pilot project on Article 41 are invited to submit a project proposal to the WG Prioritisation by 30 April.</p>
6.7.2 Mandate amendment	The Forum revised the mandate of the WG.	
<p>6.8 Training for enforcement trainers 2017</p> <p>6.8.1 WG progress report</p>		<p>Forum members are invited to send possible training material (on all subjects of the training) and propose case studies until 14 April 2017 based on final Training Agenda,</p> <p>Forum members are invited to nominate two participants per MSs for the training event envisaged for 04-05 October 2017 by 15 June 2017. In the interests of efficient use of resources one of the two nominated participants should also be the National Coordinator for REF-6 project.</p> <p>Forum members are invited to nominate additional experts to act as trainers during the training. Experts should be nominated by 14 April</p>
6.8.2 Mandate amendment	The Forum revised the mandate of the WG.	

Agenda point	Conclusions / decisions / minority opinions	Action requested after the meeting
<p>6.9 Pilot project on Control of internet sales of hazardous chemical</p> <p>6.9.1 Task Force progress report</p>		<p>Forum members interested in the DG SANTE trainings for food inspectors regarding internet sales are invited to express interest to the Forum-S by 14 April</p> <p>Forum-S will relay the names to the COM, who will seek whether it is possible to make the participation possible in the upcoming training sessions.</p>
<p>6.9.2 Operational phase: DE experiences – DE invited expert</p>		
<p>6.9.3 Mandate amendment</p>	<p>The Forum revised the mandate of the TF.</p>	
<p>6.10 Second pilot project on Authorisation</p> <p>6.10.1 WG Project report</p>		<p>Forum members are invited to give feedback on the draft report by 3 April</p>
<p>6.10.2 Mandate amendment</p>	<p>The Forum revised the mandate of the WG.</p>	
<p>6.11 REACH-ENFORCE-5</p> <p>6.11.1 WG progress report</p>		
<p>6.11.2 Mandate amendment</p>	<p>The Forum revised the mandate of the WG.</p>	
<p>6.12 Revision of the best practice documents</p> <p>6.12.1 Task Force progress report</p>	<p>The Forum agreed to partially merge the best practice documents. The Minimum criteria will be kept as an annex to the enforcement strategies document.</p> <p>The Forum also agreed to include BPR in the scope of these documents and involve the BPRS in the development of "BPR Essential requirements".</p>	<p>Forum-s will report on the progress of the TF at the BPRS meetings.</p>
<p>6.12.2 TF Mandate</p>	<p>The Forum revised the mandate of the TF.</p>	

Agenda point	Conclusions / decisions / minority opinions	Action requested after the meeting
6.13 Cooperation with Customs 2 6.13.1 Task Force progress report		Forum members will be invited to respond to the questionnaire on the involvement of customs by 3 May
6.13.2 TF Mandate	The Forum revised the mandate of the TF.	
6.14 Information and Communication System for Market Surveillance (ICSMS) 6.14.1 WG progress report	Forum members agreed to compile a list of ICSMS contact points for REACH, PIC and CLP that will be made available in PD-NEA.	WG ICSMS will consider the issue of double reporting of cases – in national systems and in ICSMS – and report the result of its discussion at Forum-27.
6.14.2 Mandate amendment	The Forum revised the mandate of the WG.	
Item 8 – Debriefing of the meeting with ECHA Directors		
		Forum members are invited to indicate to Forum-S the extent of overlap between the NEAs in charge of REACH, CLP, PIC, BPR and NEAs in charge of POPs by 28 May Forum-S will send the minutes of the meeting to the Forum members by 7 April
Item 9 – Update on relevant developments by the Commission		
9.1 General updates by the European Commission		
9.2 REACH review and the results from the public consultation		
Item 10 – Coordination between Forum and BPR Subgroup		
10.1 Update on the coordination of the BPR enforcement		
Item 11 – Use of the HelpEx tool by the Forum		
11.1 Presentation of the Helpex tool for Forum		Forum-S to deliver Helpex together with the relevant manuals in April

Agenda point	Conclusions / decisions / minority opinions	Action requested after the meeting
		Forum-S to check if a new user ID will be required for existing HelpEx users to use the Forum platform.
Item 12 – Serbia’s enforcement activities		
12.1 Capacities and practices in enforcing Serbian law on chemicals		
12.2 Forum discussion on Serbia’s observer status	Forum agreed to consider observer status of third countries on a case by case basis, taking into account, inter alia, the degree of approximation of national legislations to the Community chemicals legislation and the readiness of their related enforcement system.	
Item 13– Updates from the ECHA Forum Secretariat		
13.1 Status of the revision of the Forum’s Multi Annual Work Programme	<p>1) Forum agreed to release specific issues from the Manual of Conclusions to other enforcement networks, where it is relevant, after agreeing case by case. The condition of release is that the other network would be bound by confidentiality of the shared practical issue.</p> <p>2) Forum-S will draft a document with Forum indicators, consult with Forum and then publish on the ECHA website after agreement. It will be updated annually.</p> <p>3) Forum agreed that the time span for the Forum Activity Programme can be addressed in the new WG that prepares it</p>	<p>COM to share the template document where it publishes the EU level indicators with the Forum-S by 28 April</p> <p>Forum-S will prepare a document for F-27 outlining timelines and input needed for the different programming documents that ECHA Secretariat is preparing and propose when to set up a Forum WG for preparing a new Forum Activity Programme.</p>
13.2 Outcome of the consultation of the non-conformities from automatic screenings		<p>Forum-S will investigate the number of cases expected for each case type and inform the Forum members.</p> <p>Forum-S will individually approach the Forum members about the timeline period in which they wish to receive cases 3, 4, 5, 6.</p>

Agenda point	Conclusions / decisions / minority opinions	Action requested after the meeting
		<p>Forum members who have not yet responded to the questionnaire are invited to express interest in the cases by end June 2017.</p>
<p>13.3 Improvement of the SDS' quality – proposed actions</p>	<p>The Forum agreed on the proposed voluntary actions at national level with the exception of the training for IT tool suppliers for SDSs.</p>	<p>NL Forum member has agreed to deliver a presentation on the national project on SDS at Forum-27</p> <p>TF Revision of the Best practice documents to consider how to best reflect the importance of SDS control in the documents.</p> <p>Forum-S will liaise with ASOs to see if they are interested in undertaking a joint action with the Forum regarding the improvement of the quality of the SDS by 17 April.</p> <p>Forum-S will investigate if there are avenues of reaching suppliers that are not members of ASOs before Forum-27.</p> <p>Forum-S will report on the progress of the joint action, reaction of the ASOs and related relevant information at Forum-27.</p>
<p>13.4 Template letter for contacting ORs in other Member States</p>	<p>The Forum agreed to translate the template letter. Involved focal points will decide if they wish to use it.</p> <p>The Forum agreed that the MS focal points will be copied in the letters sent to the ORs in their countries.</p> <p>The template letter will be stored in the PD-NEA.</p>	
<p>13.5 Improvement of the cooperation with ASOs</p>	<p>The Forum agreed to ask ASOs for written input for the plenary meetings by sharing the preliminary draft agenda with them. Forum members may also indicate agenda items in the preliminary draft agenda for which written ASO input could be sought.</p>	<p>Forum-S will investigate what are the needs of the stakeholders as regards the information on the activities of the Forum before Forum-27.</p> <p>Forum-S will examine the possibility to discuss this with ASOs at the ECHA stakeholder workshop in 2017 about their needs regarding the Forum.</p>

Agenda point	Conclusions / decisions / minority opinions	Action requested after the meeting
13.6 IT tool for the calculation of classification of mixtures		WG REF-6 will consider whether it will be possible to include the assessment of classification of mixtures derived from IT tools in the project questionnaire.
Item 15– Practical issues for enforcement of REACH and CLP		
Practical issues		<p>Forum members are invited to send new practical issues by 21 April</p> <p>Forum-S will send issue 25.1 for adoption in written procedure by 14 April.</p>
Issue 26.1 – delivery of SDS via direct link	The Forum agreed the conclusion on this practical issue at the meeting.	Forum-S will send a supplement for the MOC for Forum consultation by 14 April 2016
Issue 26.2 – recovery of UVCB Substance		<p>Forum-S will send the practical issue with a restructured draft conclusion for written consultation by 14 April</p> <p>SE Forum member offered to send a report from a similar case done in the past by 5 April</p>
Issue 26.3 – restricting sale of products for professionals to general public	The Forum agreed the conclusion on this practical issue at the meeting.	Forum-S will send a supplement for the MOC for Forum consultation by 14 April 2016
Issue 26.4 – can inspectors accept test of multiconstituent substances to override CLH		Forum-S will send the issue for written consultation by 28 April
Item 16 – Updates from the ECHA Secretariat		
16.1 Enhanced completeness check		Forum-S will distribute the email address to which questions on the presentation can be asked.
16.2 Taking action on existing registrations		Forum-S will investigate in-house whether the registration numbers of the sample of cases where ECHA intervened to resolve the case of “false lead registrants”, can be shared with the NEAs and/or the COM and report back to the Forum by 28 April.

Agenda point	Conclusions / decisions / minority opinions	Action requested after the meeting
16.3 ECHA's work with the Poison centres		Forum-s will schedule a discussion on the role of NEAs in with relation to the Poison Centres at the next plenary meeting.
16.4 ECHA Interact - update and implementation plan 2017		Forum members are invited to nominate a contact person to take part in the ECHA project group working on the interact project.
16.5 Follow-up of ECHA Decisions: updates from ECHA		
16.6 Update on ECHA Guidance activities		
16.7 Understanding downstream user information needs in the context of workplace risk assessment		
Item 17 – AOB		
17.1 Dates of the Forum meetings in 2018	Forum acknowledged the following dates for meetings in 2018 Forum-29: week 12-16 March Forum-30: week 18-21 June Forum-31: week 5-9 November	
17.2 Preparation for the Forum 10th anniversary		
17.3 NL National projects		<p>NL Forum member will send the document on the national project to the Forum-S by 7 April.</p> <p>Forum-S will send out the documents from the NL projects to the Forum members by 14 April.</p>

III. List of Attendees

Forum members

	Country	Name
1	AT	ANWANDER Eugen
2	BE	CUYPERS Paul
3	BG	ZIDAROVA Elena
4	CY	KYPRIANIDOU-LEONTIDOU Tasoula
5	CZ	JAROLÍM Oldřich
6	DE	VOM HOFE Katja
7	DK	BØRGLUM Birte
8	EE	HONGA Aljona
9	EL	FOUFA Eleni
10	ES	SÁNCHEZ-PEÑA Pablo
11	FI	ASSMANN Mervi
12	FR	PIONNEAU Clotilde
13	HR	KREKOVIĆ Dubravka
14	HU	DEIM Szilvia
15	IE	MCMICKAN Sinead
16	IT	ALESSI Mariano
17	LT	PIPIRAITE-VALISKIENE Donata
18	LU	ENGELS Kim
19	LV	KAZEROVSKA Kristine
20	MT	CASSAR Michael
21	NL	VAN DEN BERG Jos
22	NO	HAGEN Gro
23	PL	KITAJEWSKA Katarzyna
24	PT	BRAVO Graça
25	SE	HEDLUND Henrik
26	SK	POČAROVSKÁ Miriam
27	UK	POTTS Mike

Invited experts

	Country	Name
1	AT	WURM Gernot
2	CZ	MARKO Martin
3	DK	RAVN BHARATHAN Anette
4	EE	KARRO Marina
5	ES	ZAMORA NAVAS Laura
6	FI	LAHTINEN Marilla
7	HR	CIGIC Petra
8	HU	MAROSVÖLGYI Nikoletta
9	IT	POLCI Maria Letizia
10	LT	GRINCEVIČIŪTĖ Otilija
11	LV	LAPČINSKIS Linards
12	MT	FARRUGIA Bernice

	Country	Name
13	NO	SULEIMAN Abdulqadir
14	PT	BARATA Sofia
15	SK	SKOVAJSOVÁ Dana

Advisers

	Country	Name
1	BE	LEYNEN Michel
2	DE	FRENZEL Stefan
3	DE	WURSTHORN Sibylle
4	DK	FAGERLUND Michael
5	FR	COISSARD Vincent

European Commission representative

	DG	Name
1	GROW	AGUADO-MONSONET Miguel
2	ENV	MAURER Helmet

Serbia's representative

	Country	Name
1	RS	GNJATOVIĆ Nada

ECHA

	ECHA	Unit
1	BARANSKI Maciej	Support, Forum and HelpNet Secretariat
2	CALVO TOLEDO Juan Pablo	Support, Forum and HelpNet Secretariat
3	CLIFFE Brendan	Support, Forum and HelpNet Secretariat
4	DE BRUIJN Jack	Director of Risk Management
5	FELICIANO Tania	Support, Forum and HelpNet Secretariat
6	FRONTINI Ales	Support, Forum and HelpNet Secretariat
7	JOMIER Amandine	Dossier submission and PIC
8	KURONEN Terhi	Support, Forum and HelpNet Secretariat
9	MAK Istvan	Dossier submission and PIC
10	NOUWEN Johan	Support, Forum and HelpNet Secretariat
11	TŁOCZEK Magdalena	Support, Forum and HelpNet Secretariat
12	TUOMAINEN Anita	Support, Forum and HelpNet Secretariat
13	VALJENTO Katalin	Dossier submission and PIC

IV. List of Annexes

ANNEX 1. Final agenda Forum-26

ANNEX 2. Revision of mandates of Forum WGs/Task Forces

ANNEX 2 a –“Prioritisation of REF projects”

ANNEX 2 b –“Coordinated enforcement project REACH-EN-FORCE-4 on Restrictions

ANNEX 2 c – “Enforceability of restrictions”

ANNEX 2 d – “Pilot project Substances in Articles”

ANNEX 2 e – “Categorisation of risks”

ANNEX 2 f – “Implementation of PD-NEA”

ANNEX 2 g – “Coordinated enforcement project REACH-EN-FORCE-6”

ANNEX 2 h – “Training for Enforcement Trainers 2017”

ANNEX 2 i – “Forum Pilot Project on CLP focusing on control of internet sales”

ANNEX 2 j – “Second Forum Pilot Project on Authorisation”

ANNEX 2 k –“Coordinated enforcement project REACH-EN-FORCE-5 on Exposure Scenarios, extended SDS, RMM and OC”

ANNEX 2 l – “Revision of the best practice documents”

ANNEX 2 m – “Cooperation with Customs 2”

ANNEX 2 n - “Information and Communication System for Market Surveillance (ICSMS)”

ANNEX 3. Glossary of acronyms and abbreviations

Annex 1 – Final agenda Forum-26

28 March 2016
ECHA/Forum-26/2017/A

Agenda
Twenty sixth meeting of the
Forum for Exchange of Information on Enforcement
(Forum-26)
28-30 March 2017

European Chemicals Agency
Helsinki, Finland
Tuesday, 28 March: starts at 09:00
Thursday, 30 March: ends at 12:15

DAY 1 Tuesday 28 March 2017
CLOSED SESSION

Item 1 – Welcome and Introduction 09:00-09:30

- 1.1 Opening by the Vice-Chair of the Forum – *Vice-Chair*
- 1.2 Adoption of the Agenda – *Vice-Chair*
- 1.3 Declarations of conflict of interest with regard to agenda items – *Vice-Chair*
- 1.4 State of play with action points from Forum-25 – *ECHA Forum Secretariat*
- 1.5 Practicalities and results of the written procedures between Forum-25 and Forum-26 – *ECHA Forum Secretariat*

ECHA/Forum-26/2017/dA
ECHA/Forum-26/2017/1.4
ECHA/Forum-26/2017/1.5

For adoption
For information

Item 2 – Election of the Forum Chair and Vice Chairs 09:30-10:30

- 2.1 Presentation of the candidates - *Vice-Chair*
- 2.2 Candidates' motivation speeches
- 2.3 Election procedure
- 2.4 Counting of the votes and announcement of the elected Forum Chair and Vice-Chairs

ECHA/Forum-26/2017/2

For discussion

Coffee break 10:30-11:00

Item 3 – Address by ECHA's Director of Risk management 11:00-11:15

For information

Item 4 – Enforcement projects in Member States 11:15-12:00

- 4.1 Austrian experience in enforcing REACH authorisation decisions – *AT Forum member (20')*
- 4.2 Danish national project on aerosol dispensers – *DK invited expert (20')*

For discussion

Item 5 – Cooperation with other networks

12:00-12:30

- 5.1 Updates from SLIC-Chemex – *Kären Clayton*
- 5.2 Information on the PARCS network - *Heli Lampela*

For information

Lunch break 12:30-13:30

Item 6 – Forum’s enforcement activities- Ongoing projects

13:30-17:45

- 6.1 *Prioritisation of REF projects (45')*
 - 6.1.1 WG progress report – *WG Chair*
 - 6.1.2 Adoption of the revised REF methodology - *WG Chair*
 - 6.1.3 Mandate amendment- *ECHA Forum Secretariat*
- 6.2 *REACH-EN-FORCE-4 on Restrictions (10')*
 - 6.2.1 WG progress report – *WG Chair*
 - 6.2.2 Mandate amendment- *ECHA Forum Secretariat*
- 6.3 *Enforceability of Restrictions (20')*
 - 6.3.1 WG progress report - *WG Chair*
 - 6.3.2 Update of the Compendium – *WG member*
 - 6.3.3 Mandate amendment - *ECHA Forum Secretariat*
- 6.4 *Pilot project on substances in articles (10')*
 - 6.4.1 WG progress report- *ECHA Forum Secretariat*
 - 6.4.2 Mandate amendment - *ECHA Forum Secretariat*
- 6.5 *Characterisation of risks (15')*
 - 6.5.1 Task Force progress report - *Chair*
 - 6.5.2 Mandate amendment - *ECHA Forum Secretariat*
- 6.6. *Implementation of PD-NEA (15')*
 - 6.6.1 WG progress report – *WG Chair*
 - 6.6.2 PD-NEA project progress report - *ECHA Forum Secretariat*
 - 6.6.3 Mandate amendment - *ECHA Forum Secretariat*
- 6.7 *REACH-EN-FORCE-6 on CLP (15')*
 - 6.7.1 WG progress report - *WG Chair*
 - 6.7.2 Mandate amendment - *ECHA Forum Secretariat*

Coffee break 15:40 - 16:10

- 6.8 *Training for enforcement trainers 2017 (15')*
 - 6.8.1 WG progress report - *WG Chair*
 - 6.8.2 Mandate amendment - *ECHA Forum Secretariat*
- 6.9 *Pilot project on Control of internet sales of hazardous chemicals (20')*
 - 6.9.1 Task Force progress report – *Chair*
 - 6.9.2 Operational phase: DE experiences – *DE invited expert*
 - 6.9.3 Mandate amendment- *ECHA Forum Secretariat*

- 6.10 *Second pilot project on Authorisation (20')*
 - 6.10.1 WG progress report - *WG Chair*
 - 6.10.2 Project's preliminary results – *WG Chair*
 - 6.10.3 Mandate amendment/closure - *ECHA Forum Secretariat*

- 6.11 *REACH-EN-FORCE-5 on Extended SDS, exposure scenarios, risk management measures and operational conditions (10')*
 - 6.11.1 WG progress report – *WG Chair*
 - 6.11.2 Mandate amendment- *ECHA Forum Secretariat*

- 6.12 *Revision of the best practice documents (20')*
 - 6.12.1 Task force progress report – *Chair*
 - 6.12.2 Mandate amendment- *ECHA Forum Secretariat*

- 6.13 *Customs 2 (10')*
 - 6.13.1 Task Force progress report – *Chair*
 - 6.13.2 Mandate amendment- *ECHA Forum Secretariat*

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ECHA/Forum-26/2017/6.1.1_room_doc3
ECHA/Forum-26/2017/6.2.1
ECHA/Forum-26/2017/6.3.1
ECHA/Forum-26/2017/6.4.1
ECHA/Forum-26/2017/6.5.1
ECHA/Forum-26/2017/6.6.1
ECHA/Forum-26/2017/6.7.1
ECHA/Forum-26/2017/6.8.1
ECHA/Forum-26/2017/6.9.1
ECHA/Forum-26/2017/6.10.1
ECHA/Forum-26/2017/6.11.1
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**For information
For adoption**

Item 7– Adoption of conclusions from day 1	<i>17:45-18:00</i>
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For adoption

Regular meeting with ECHA Directors and Forum Chairs	<i>18:15-19:00</i>
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DAY 2 CLOSED SESSION Wednesday 29 March 2017

Item 8 – Debriefing of the meeting with ECHA Directors 09:00-09:30

For information

Item 6 – Forum’s enforcement activities- Ongoing projects (cont.) 09:30-09:45

6.14 *Information and Communication System for Market Surveillance (ICSMS)*
(15')

6.14.1 WG progress report - *WG Chair*

6.14.2 Mandate amendment/closure - *ECHA Forum Secretariat*

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ECHA/Forum-26/2017/Draft_mandates

For information
For adoption

Item 9 – Update on relevant developments by the Commission 09:45-10:45

9.1 General updates by the European Commission

9.2 REACH review and the results from the public consultation

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For information

Coffee break 10:45-11:15

Item 10 – Coordination between Forum and BPR Subgroup 11:15-12:15

10.1 Update on the coordination of the BPR enforcement

ECHA/Forum-26/2017/10.1

For discussion

Item 11 – Use of the HelpEx tool by the Forum 12:15-13:00

11.1 Presentation of the Helpex tool for Forum – *ECHA Forum Secretariat*

For information

Lunch break 13:00-14:00

OPEN SESSION

Item 12 – Serbia’s enforcement activities 14:00-15:00

12.1 Capacities and practices in enforcing Serbian law on chemicals – *Serbian representative* (30')

For information

CLOSED SESSION

12.2 Forum discussion on Serbia's observer status (30')

For discussion

Item 13 – Updates from the ECHA Forum Secretariat 15:00-18:00

13.1 Status of the revision of the Forum's Multi Annual Work Programme (20')

13.2 Outcome of the consultation of the non-conformities from automatic screenings (20')

13.3 Improvement of the SDS' quality – proposed actions (40')

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ECHA/Forum-26/2017/13.3

For information

For discussion

Coffee break 16:20-16:50

13.4 Template letter for contacting ORs in other Member States (20')

13.5 Improvement of the cooperation with ASOs (40')

13.6 IT tool for the calculation of classification of mixtures (10')

ECHA/Forum-26/2017/13.4

ECHA/Forum-26/2017/13.5

ECHA/Forum-26/2017/13.6

For discussion

Item 14– Adoption of conclusions from day 2 18:00-18:15

For adoption

DAY 3 CLOSED SESSION Thursday 30 March 2017

Item 15 – Practical issues for enforcement of REACH and CLP 09:00-10:30

Items raised by Forum/ECHA/COM (list of practical issues is prepared independently from the agenda)

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For discussion

Coffee break 10:30-10:50

Item 16– Updates from the ECHA Secretariat 10:50-11:50

- 16.1 Enhanced completeness check (10')
- 16.2 Taking action on existing registrations (15')
- 16.3 ECHA's work with the Poison centers (15')
- 16.4 ECHA Interact - update and implementation plan 2017 (15')
- 16.5 Follow-up of ECHA Decisions: updates from ECHA
- 16.6 Update on ECHA guidance activities
- 16.7 Understanding downstream user information needs in the context of workplace risk assessment

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For information

Item 17 – A.O.B. 11:50-12:00

- 17.1 Dates of the Forum meetings in 2018
- 17.2 Preparation for the Forum 10th anniversary

For information

Item 18 – Adoption of conclusions from day 3 12:00-12:15

For adoption

Item 19 – End of the meeting 12:15

sandwiches available

[BPR Subgroup meeting: Friday 31th March]

Annex 2 a “Prioritisation of REF Projects”

Forum Working Group
Work Package A.1
“Prioritisation of REF Projects”
(Mandate adopted at Forum-26)

Composition:

- **Chair:** Tasoula KYPRIANIDOU LEONTIDOU (CY) – rotating Chair

Vice Chair(s):

-

Forum Members/Alternates

- Maria Letizia POLCI (IT alternate)
- Paul CUYPERS (BE)
- Oldrich JAROLIM (CZ)
- Dubravka KREKOVIC (HR)
- Abdulqadir SULEIMAN (NO Alternate)

Invited Experts

- Roberto VALADARES (PT)
- Semira MEHIC (SI)
- Hannah DOHERTY (UK)
- Andrea MAYER-FIGGE (DE)
- Tamas KOVACS (HU)

ECHA

- Juan Pablo CALVO TOLEDO

Objective:

- Propose annually the subject for the next harmonised enforcement project coordinated by the Forum (REF Projects)

Mandate:

According to the working procedure for the prioritisation and selection of REF projects, the WG shall:

- Review annually a list of proposals for REF projects submitted by Forum members, ECHA Secretariat, the Commission and the Stakeholder Organisations accredited by ECHA (ASOs);
- Prioritise the subjects by applying Forum’s methodology for the prioritisation, selection and management of REF projects
- Draft a recommendation proposing the subject for the next REF project
- Elaborate and update a registry of legal obligations subject to previous enforcement projects.
- Proposes to the Forum the way to make publicly available the legal duties covered by the REF projects and the pilot projects executed and finalised so far as well as a summary of the procedure for prioritising REF projects and pilot projects.

Propose to the Forum topics for pilot and small-scale projects as an output of the prioritisation exercise where appropriate.

In addition, the WG will revise the methodology for the prioritisation, selection and management of REF projects and implementing its working procedures to be adopted by the Forum.

The WG will operate from Forum-16 (October 2013) until the end of 2018 (end of the Forum WP 2014 – 2018). The mandate of the WG can be renewed to operate after this period.

Timelines:

- The basic timeframes are regulated by the Forum Methodology on Prioritisation and Selection of Project Proposals and the working procedure for the prioritisation and selection of harmonised enforcement projects coordinated by the Forum
- Elaborate the guidelines for inspectors for the projects REF-1, REF-2 and REF-3 by Forum-28 (2017)
- Shortlist of subjects for REF-7 by Forum-28.

Annex 2 b "REF-4"

Forum Working Group

Work Package A.1

"Coordinated enforcement project REACH-EN-FORCE-4 on Restrictions"

(Mandate adopted at Forum-26)

Composition:

- **Chair:** Marilla LAHTINEN (FI)

Forum Members and Alternates

- Maria ORPHANOU (CY Alternate)
- Eugen ANWANDER (AT)
- Pablo SANCHEZ-PENA (ES)

Invited Experts

- Ingviold KVIEN (NO)
- Matthias ZIERHUT (DE)
- Rachael ALLEN (UK)
- Gonçalo BAPTISTA (PT)

Commission

Objective:

- conceive and manage the fourth major Forum enforcement project

Mandate:

- Develop the project manual (guidance document, checklist, planning, recommendations) for the execution of the project
- Prepare and deliver the training for project national coordinators
- Management of the Operational phase
- Management the Reporting phase: Follow-up operational phase, collect the results and draft project evaluation
- Elaborate tips and hints for inspectors based on the relevant outcomes from the project and best practices on the enforcement of the restrictions covered in the REF-4 project

Timeline:

- Approve the scope: 2015
- Project manual: Q4 2015
- Prepare and deliver the training for project national coordinators: Q1 2016
- Operational phase: 2016
- Reporting phase (National Coordinators): Q1 2017
- Evaluation phase: Q3 2017
- Draft report: Q4 2017
- Adoption of the report: Q4 2017
- Tips and hints for inspectors and best practices on the enforcement of the restrictions covered in the REF-4 project: Q4 2017

Annex 2 c "Restrictions"

Forum Working Group "Enforceability of restrictions" Work Package B12

(Mandate adopted at Forum-26)

Composition:

Chair: Eugen ANWANDER (AT)

Co-Chair: Maria Letizia POLCI (IT Alternate)

Forum Members/Alternates

- Paul CUYPERS (BE)
- Mariano ALESSI (IT)
- Aljona HONGA (EE)
- Jos VAN DEN BERG (NL)
- Tasoula KYPRIANIDOU-LEONTIDOU (CY)

Invited Experts (advisory process)

-
- Leonello ATTIAS (IT)
- Tone Line FOSSNES (NO)
- Uwe LICHT-KLAGGE (DE)
- Karin RUMAR (SE)
- Gernot WURM (AT)
- Katarina WAGNER (DE)
- Rachael ALLEN (UK) (Remote participation)

Invited experts (analytical methods)

- Werner ALTKOFER (DE)
- Kevin PITCHFORD (UK)
- Carolina FERRANTI (IT)
- Julia GONZALEZ GUTIERREZ (ES)
- Durk SCHAKEL (NL)
- (EL)?
- Andromachi KATSONOURI (CY)

European Commission

- Patricia HUALDE GRASA (COM)

ECHA

- Juan Pablo CALVO TOLEDO (ECHA)

Objective:

- Facilitate the enforceability of restrictions

Mandate:

- According to the working procedure for developing the Forum advice on enforceability of the Annex XV proposals for restrictions adopted by the Forum, the WG shall:
 - Prepare a draft Forum advice on the enforceability of Annex XV proposals for restrictions that are in conformity with the REACH requirements, taking into account the comments of the Forum members. This draft Forum advice will be submitted to the Forum for adoption.
 - Provide support when possible on enforcement related issues to RAC and SEAC during the process of the elaborating the RAC and SEAC opinions.
- In the execution of this mandate, the members of the WG shall follow the rules and principles established in the mandate given by the Chair of the Forum to the individual members and invited experts of the WG.
- The WG shall report to the Forum plenary the results of its findings and its actions between the plenaries
- Review in 2018 the information provided by the stakeholders during 2016/2017 and revise if needed the methodology and the compendium by F-32 (Q4 2018).
- Provide opinion to the Commission on the development of standard methods when invited to do so by the Commission, in line with the proposal from the Forum to the Commission on this matter.
- Consider to provide an advice to the Commission on the restriction proposal prepared by the COM regarding Article 68 (2) CMR in textile articles.
- Provide ad-hoc support to the WG managing the pilot project on Substances in Articles

Timeline:

- 30 June 2017, reporting at each plenary meeting

Annex 2 d "SiA Project"

Forum Working Group "Pilot project Substances in Articles"

(Mandate adopted at Forum-26)

Composition:

Chair:

Karin RUMAR (SE Alternate)

Forum Members/Alternates

- Mervi ASSMAN (FI)
- Maria Letizia POLCI (IT Alternate)
- Eugen ANWANDER (AT)
-

Invited Experts

- Ingvild KVIEN (NO)
- Sibylle WURSTHORN (DE)
- Juergen SCHMID (DE)
- Susana BARBOSA ANDRADE (PT)
- KANAMAE Haidi (EE)
- MAROSVÖLGYI Nikoletta (HU)

Commission

ECHA

- Telmo VIEIRA PRAZERES
- Rémi LEFEVRE

Objectives:

- conceive and manage the pilot project on substances in articles

Mandate:

- Develop the project manual (guidance document, checklist, planning, recommendations) for the execution of the project
- Prepare and deliver the training for project national coordinators
- Management of the Operational phase
- Management the Reporting phase: Follow-up operational phase, collect the results and draft project evaluation

Timeline:

- Project manual: Q32017
- Prepare and deliver the training for project national coordinators: Q3 2017
- Operational phase: October 2017 – June 2018
- Reporting phase (National Coordinators): Q32018
- Evaluation phase: Q Q3 2018
- Draft report: Q4 2018
- Adoption of the report: Q4 2018

Annex 2 e “Categorisation of risks”

Forum Task Force Work Packages B.1 and C.1 **“Categorisation of Risks”**

(Mandate adopted at Forum-26)

Composition:

Forum Members/Alternates

Kristine Kazerovska (LV)
Eugen Anwander (AT)
Paul Cuypers (BE)
Stefan Frenzel (DE)

Invited Experts

Margareta DAHO (SE)
Andrea Mayer Figge (DE)
Shima Dobel (DK)

ECHA

COM

Miguel Aguado (DG GROW)

Objective:

Preparing a thought starter on approaches to categorise risks related to non-compliance of legal requirements at the level of Forum, NEAs and inspectors

Mandate:

The Task Force shall develop:

- thought starter explaining the proposed project intended to define approaches to categorise risks related to non-compliance of legal requirements at the level of Forum, NEAs and inspectors for further discussion at Forum-27

Timelines:

- F-27: thought starter

Annex 2 f “PD-NEA”

Forum Working Group “Implementation of PD-NEA” (Mandate adopted at Forum-26)

Composition:

Chair: Pablo SANCHEZ-PEÑA (ES)

Forum Members/Alternates

- Eugen ANWANDER (AT)
- Sofia BARATA (PT)
- Eleni FOUFA (EL)

Invited Experts

- Juergen SCHMID (DE)

Objective:

- Support the implementation of the PD-NEA allowing inspectors access to data submitted to ECHA

Mandate:

- Provide input during further development and implementation of PD-NEA
- Verify that the UAT conditions are implemented with and follow up the implementation of the WG improvement requests

Timeline:

- Forum-29 (Q1 2018)

Annex 2 g "REF-6"

Forum Working Group

Work Package A.1

"Coordinated enforcement project REACH-EN-FORCE-6"

(Mandate adopted at Forum-26)

Composition:

- **Chair:** Henrik HEDLUND (SE)

Forum Members and Alternates

- Gro HAGEN (NO)
- Elena ZIDAROVA (BG)
- Dimitrios CHATZIANTIKOU (EL Alternate)
- Sofia BARATA (PT Alternate)
- Pablo SANCHEZ-PEÑA (ES)

Invited Experts

- Petra SCHLAG (DE)
- Markus MAKI (FI)
- Mariana DE VRIES-HLAVACOVA (NL) (also biocides?)
- Žilvinas UŽOMECKAS (LT)
- Zsuzsanna KISS (HU)
- Panagiota SKAFIDA (EL)
- Anna MASLARSKA (BG)

BPRS Members and Experts

- Viktoriya HRISTOVA (BG)
- Emma Bergstrom (SE)

Objective:

- conceive and manage the sixth major Forum enforcement project REF-6

Mandate:

- Develop the project manual (guidance document, checklist, planning, recommendations) for the execution of the project
- Prepare and deliver the training for project national coordinators
- Management of the Operational phase
- Management the Reporting phase: Follow-up operational phase, collect the results and draft project evaluation
- Elaborate tips and hints for inspectors based on the relevant outcomes from the project
- Decide whether to include biocides in the scope of the project in collaboration with the appointed BPR experts

Timeline:

- Project manual: Q4 2017
- Prepare and deliver the training for project national coordinators: Q4 2017
- Operational phase: 2018
- Reporting phase (National Coordinators): Q1 2019
- Evaluation phase: Q3 2019
- Draft report: Q4 2019
- Adoption of the report: Q4 2019
- Tips and hints for inspectors: Q4 2019

Annex 2 h "Train the trainers 2017"
Forum Working Group
Work Package C.2.
"Training for enforcement trainers 2017"
(Mandate adopted at Forum-26)

Composition:

Chair: Mike POTTS (UK)

Forum Members/Alternates

- Eugen ANWANDER (AT)
- Otilija GRINCEVICIUTE (LT Alternate)
- Henrik HEDLUND (SE)
- Tasoula KYPRIANIDOU-LEONTIDOU (CY)
- Clotilde PIONNEAU (FR)
- Kristīne KAZEROVSKA (LV)

Invited Experts

- Erika BURAI (HU)
- Paul CARTER (UK)
- Hannah DOHERTY (UK)
- Semira HAJRLAHOVIĆ MEHIĆ (SI)
- Irena Zorica JEŽIĆ VIDOVIĆ (HR)
- Uwe LICHT-KLAGGE (DE)
- Chrysanthi NAKOPOULOU (EL)
- Dominik PISAREK (PL)
- Caroline WALSH (IE)
- FR

Commission

SLIC-Chemex

- Nathan KUPER

ECHA

Objective:

- Prepare and deliver the training for trainers on the enforcement of REACH and CLP in the fourth quarter of 2017

Mandate:

- Examine the training subjects relevant for enforcement in the fourth quarter of 2017 and prepare the priority topics for agreement before Forum-25
- Specify as early as possible the envisaged level of the content of the training
- Prepare materials necessary for the training such as presentations or documents
- Actively conduct the training event with support from other Forum members, ECHA and COM and other experts in specific topics as necessary

- Collect, summarise and evaluate the recommendations and reactions of participants
- Consider inviting input from the Accredited Stakeholders Organisations

Timeline:

- Before Forum-25: conclude on list of subjects and prioritisation
- Forum-28/Forum-29: final report

Annex 2 i “Internet sales”

Forum Working Group

“Forum Pilot Project on CLP focusing on control of internet sales”

(Mandate adopted at Forum-26)

Composition:

Chair: Gro HAGEN (NO)

Forum Members/Alternates

- Eugen ANWANDER (AT)
- Eleni FOUFA (EL)
- Stefan FRENZEL (DE Alternate)
- Martin MARKO (CZ Alternate)

Invited Experts

- Sabine HAMACHER (DE)
- Jorun HOLME (NO)
- Blaž OMAHEN (SI)
- Maria PALEOMILITOU (CY)

COM

- Miguel AGUADO MONSONET DG GROW

CLEEN (cooperation – preparatory phase)

- Heribert BÜRGY
- Lutz ERDMANN

Objectives:

- Coordinate and manage the preparatory, operational and reporting phases of the Forum pilot project on control of the internet sales (**Article 48.2 of CLP**)

Mandate:

- Develop the project manual and other materials needed for the execution of the project
- Coordinate and provide consulting assistance to the national coordinators from the participating countries during the operational and reporting phase of the project
- Collect and compile results from the national coordinators
- Prepare final project report and present it to the Forum plenary
- Cooperate with CLEEN network

Timeline:

- Preparatory phase – January 2016 – November 2016
- Operational phase – December 2016 – August 2017
- Reporting phase – September 2017 – February 2018
- After Forum-30 (Q3 2018) - final report

Annex 2 j "Second Pilot Authorisation"

Forum Working Group

Work Package A.1

"Second Forum Pilot Project on Authorisation"

(Mandate adopted at Forum-26)

Composition:

Chair: Jos VAN DEN BERG (NL)

Forum Members/Alternates

- Eugen ANWANDER (AT)
- Stefan FRENZEL (DE Alternate)
- Majella LOWE (IE Alternate)
- Zilvinas UZOMECKAS (LT Alternate)
- Katja VOM HOFE (DE)

Invited Experts

- Amalia CASTELLTORT SEGURA (ES)
- Adhemar ROG (NL)
- Nikolas SPETSERIS (EL)
- Marius SULGA (LT)
- Jordane WODLI (FR)

COM

- Miquel A. AGUADO-MONSONET (DG GROW)

Objectives:

- Coordinate and manage the preparatory, operational and reporting phases of the Forum second pilot project on authorisation aimed at building enforcement experience and practices involved in controlling authorization related obligations

Mandate:

- Develop the project manual and necessary materials for the execution of the Forum second pilot project on authorisation related to the presence of substances subject to authorisation on the market and check the compliance in the supply chain and with conditions in granted authorisations
- Prepare and deliver the training for the national coordinators
- Coordinate and provide consulting assistance to the national coordinators from the participating countries during the operational and reporting phase of the project
- Supply the national coordinators with up-to-date versions of project documents
- Collect and compile results from the national coordinators
- Collect and examine project experiences with enforceability of the authorisation decision "package" including the decisions and the succinct summaries

- Prepare final project report and present it to the Forum plenary
- Cooperate with the WG 'First Forum Pilot Project on authorisation'

Timeline:

- Preparatory phase – March 2015 – December 2015
- Operational phase – January 2016 – October 2016
- Reporting phase (project findings) – November 2016 – February 2017
- Reporting phase for the NCs – 30 November 2016
- Final report - Forum-27 (Q2 2017)

Annex 2 k "REF-5"

Forum Working Group

Work Package A.1

"Coordinated enforcement project REACH-EN-FORCE-5 on Exposure Scenarios, extended SDS, RMM and OC"

(Mandate adopted at Forum-26)

Composition:

Chair: Abdulqadir SULEIMAN (NO Alternate)

Forum Members

- Dimitrios CHATZIANTONIOU (EL Alternate)
- Eugen ANWANDER (AT)
- Henrik HEDLUND (SE)
- Maria ORPHANOU (CY Alternate)
- Otilija GRINCEVICIUTE (LT)
- Paul CUYBERS (BE)
- Sofia BARATA (PT Alternate)

Invited Experts

- Renske BEETSTRA (NL)
- Marie CARDFELT (SE)
- Annette KRÜGER (DE)
- Jouni RÄISÄNEN (FI)
- Ida SCHARFF (DK)
- Gediminas VALENTĖLIS (LT)
- Janka MORÁVKOVÁ (CZ)

ECHA

- Andrew MURRAY (Risk Management Implementation Unit)

Objective:

- Conceive and manage the fifth major Forum enforcement project

Mandate:

- Identify the difficulties for conducting the project and propose the actions to facilitate the project in 2017
- Narrow down and propose a specific scope of the project and recommend it to Forum for adoption
- Develop the project manual (guidance document, checklist, planning, recommendations) for the execution of the project
- Prepare and deliver, if needed, the training for project national coordinators
- Management of the Operational phase
- Management the Reporting phase: Follow-up operational phase, collect the results and draft project evaluation
- Cooperate with WG Train the trainers 2016 during the preparation and delivery of the content of the training
- Elaborate tips and hints for inspectors based on the relevant outcomes from the project

Timeline:

- Assessment of needs and proposals to facilitate the project: Q4 2015
- Approve the scope by the Forum: Q4 2015
- Project manual: Q4 2016
- Prepare and deliver the training for project national coordinators:Q4 2016
- Operational phase: 2017
- Reporting phase: Q1 2018
- Evaluation phase: Q3 2018
- Draft report: Q3 2018
- Adoption of the report: Q4 2018
- Tips and hints for inspectors: Q4 2018

Annex 2 I “Best practice documents”

Forum Task force

“Revision of the best practice documents”

(Mandate adopted at Forum-26)

Composition:

Chair:

Forum Members/Alternates

- Katja VOM HOFE (DE) (also BPR)
- Marilla LAHTINEN (FI Alternate)
- Sinead McMICKAN (IE)
- Eugen ANWANDER (AT) (also BPR)

Forum BPR Subgroup members

- Emma BERGSTRÖM (SE)

Invited Experts

Commission

- Miguel AGUADO

Objectives:

- Review and amend the Forum’s best practice documents “Strategies for the enforcement of REACH and CLP” and “Minimum Criteria for REACH and CLP Inspections” according to the MWAP 2014-2018.

Mandate:

- Revise the best practice documents taking into account the information in the MAWP 2014-2018 and the experience from the Member States in the application and implementation of these documents.
- Consider the REACH review and the experience obtained with the Forum’s projects to cover new issues and any changes that affect the implementation of the Chemicals legislation.
- Include enforcement activities related to the PIC Regulation and BPR.
- Cooperate with the Forum’s BPR Subgroup and revise the documents to include enforcement activities related to BPR.

Timeline:

- Q4 2017: Adoption of the revised best practice documents by the Forum.

Annex 2 m "Customs 2"

Forum Task Force "Cooperation with Customs 2" (Mandate adopted at Forum-26)

Composition:

Chair:

Forum Members/Alternates

- Eleni FOUFA (EL)
-

Invited Experts

- Paivi SIMPANEN (FI) (Customs)
- Efstathios THEOCHAROUS (CY) (NEA)
- Sibylle WURSTHORN (DE) (NEA)
- Ricardo FERREIRA MARMELO (PT) (Customs)
- Annemari LINNO (EE) (NEA)
- Alfred EBNET (DE) (Customs)

Commission

- Miguel AGUADO (COM)

Objectives:

- Prepare proposals for the discussion with the European Commission DG TAXUD and the Customs Authorities on the possible involvement of Customs in control of REACH and CLP (and possibly aspects of PIC)

Mandate:

1. Collect and list the experience of countries where Customs was involved in checking of REACH and CLP and on that basis prepare a list of specific REACH and CLP checks that could potentially be done customs authorities.
2. Examine the outputs of Forum WG "Cooperation with Customs" and examine if the proposals made therein are still actual.
3. Once it becomes available in 2017, examine the COM position on the exact extent of the role of Customs on the application of REACH, and see whether any of the proposals identified in tasks 1 and 2 fall within the scope of Customs responsibilities identified by the COM.
4. Prepare the Forum position for the discussion with DG TAXUD and the Customs Authorities at the workshop planned by the COM in 2017.
5. Propose to test in practice the proposal developed in Task 1 and if agreed with Customs and Forum, prepare, oversee and report from it.
6. Prepare a presentation about the Forum for the plenary meeting for the PARCS network in June or November 2017, in advance of the workshop identified in Task 4.

Timeline:

- Forum 29 (Q1 2018) – Tasks 1-4 and 6.
- Timing of Task 5 can be determined after the workshop with PARCS

Annex 2 n "ICSMS"

Forum Working Group

"Information and Communication System for Market Surveillance (ICSMS)"

(Mandate adopted at Forum-26)

Composition:

Chair: Birte BØRGLUM (DK)

Forum Members/Alternates

- Pablo SÁNCHEZ PEÑA (ES)
- Elena ZIDAROVA (BG)

Invited Experts

- Tone Line FOSSNES (NO)
- Gernot WURM (AT)
- Piergiuseppe CALÀ (IT)
- Axel DORENBECK (DE)

Commission

- Peter BARICIC

Objectives:

- Support the European Commission in expanding the tool and contribute to promoting best practices in its use among REACH/CLP/PIC inspectors after it is released

Mandate:

- Cooperate with the Commission to provide any necessary feedback about WG ICSMS requests or specification that are needed for implementing the agreed changes
- Test the new version of ICSMS before it is released, ensuring that all agreed changes are in place

Timeline:

- Forum-27 (Q2 2017)

Annex 3- Glossary of acronyms and abbreviations

ADCO: Administrative Cooperation Groups
ASO: ECHA's Accredited Stakeholder Organisations
BEG: Biocidal enforcement group (chaired by DG SANTE)
BPR: Biocidal Product Regulation
BPR Subgroup: Forum's coordination of BPR enforcement
CARACAL: MSCA Committee for REACH and CLP
CCH: Compliance checks
CLH: Harmonised classification and labelling
CLP or CLP Regulation: Regulation (EC) No 1272/2008 on Classification, Labelling and Packaging of Substances and Mixtures
C&L: Classification and Labelling
CMR: Carcinogenic, mutagenic or toxic to reproduction
COM: European Commission
CSR: Chemical Safety Report
DG: Directorate General at Commission
DRPI: REACH Directive related product information
DU: Downstream Users
ECHA: European Chemicals Agency
ES: Exposure Scenario
ENV: Environment
EU: European Union
GPSD: General Product Safety Directive
GROW(TH): DG for Internal Market, Industry, Entrepreneurship and SMEs
ICSMS: Information and Communication System for Market Surveillance
MAWP: Multi Annual Work Programme
MSCA: Member State Competent Authority
NEAs: National Enforcement Authorities
POP: persistent organic pollutants
RAC: Committee for Risk Assessment
REACH and REACH Regulation: Regulation (EC) No 1907/2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals
REF: REACH-EN-FORCE, Coordinated Enforcement Project of the Forum
RMM: Risk Management Measure
PD-NEA: Portal Dashboard for National Enforcement Authorities – the successor system to RIPE
SDS: Safety Data Sheet
SEAC: Committee for Socio-economic Analysis
SME: Small and Medium Sized Enterprises
SONC: Statement of Non-Compliance
SVHC: Substance of very high concern
WG: Working Group of the Forum