



Forum-29/M/2018 – PUBLIC

Adopted on 05/06/2018

**Minutes of the
29th meeting of the Forum for Exchange of Information on Enforcement
Helsinki, Finland
13-15 March 2018**

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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 Chair¹ welcomed all the participants. She announced apologies from Liechtenstein and Slovenian Forum members, which did not appoint a proxy. She stated that Latvia was nominated as the proxy for Estonia, Cyprus as proxy for Bulgaria and Finland as proxy for Denmark.

The Chair informed that the quorum requirement was met.

1.2 Adoption of the agenda

The 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 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-28

The ECHA Forum Secretariat informed the plenary on the status of action points from Forum-28 and highlighted the open actions.

1.5 Report of the written procedures and other issues between Forum-28 and Forum-29

The Chair referred to the document with the results of the written procedures between Forum-28 and Forum-29. The Chair informed there were no other issues that the Chairs have been consulted on which required the involvement of Forum members during this period.

Item 2 – Address by ECHA's Executive Director

The new Executive Director, who took office in 1 January 2018, welcomed the Forum. He will take time to understand the full spectrum of the Forum's work by attending one of the future's Forum meeting. COM's representative highlighted the need for the Forum to have enough resources. The Executive Director confirmed the importance of enforcement in the work of ECHA and other committees.

Item 3 - Forum's enforcement activities- Ongoing projects

3.1 Characterisation of risks

3.1.1 TF progress report

The Chair informed about the progress of the Task Force (TF) that was developing methodologies to categorise risks. The TF elaborated some examples of methodologies and would discuss them at the next Forum meetings. The TF would further elaborate on the guidelines and the structure of the document making the link to the use of ICSMS system.

¹ In the absence of the Forum Chair, the Vice-Chairs took over the chairing of the Forum-29 meeting. In the context of this document, the Vice-Chair who was chairing the meeting at the time is hereinafter referred as the "Chair" (of the Forum-29 meeting).

3.1.2 Discussion methodologies for elaborating the guidelines for inspectors

The ECHA Forum Secretariat conveyed the outcome of the discussion within the TF on the non-compliance with REACH Annex XVII restrictions. The TF concluded that, for the restrictions with a limit value, the enforcement authorities were recommended to notify to the ICSMS system the cases of non-compliance with the restriction, in line with the guidelines for the use of the ICSMS. The notifications were relevant to inform other authorities about the cases of non-compliant products (substances, mixtures or articles). These cases of non-compliance were classified as having the highest category of risk in ICSMS.

For consumer products and for RAPEX notifications, the majority of the TF members considered that the default position was to notify in RAPEX all the cases of non-compliance with the restrictions with a limit value. However, for certain restrictions, that still need to be identified, the TF suggested that it would be possible to make a judgment based on the risk assessment criteria, as to when to consider that there is "no serious risk" according to GPSD and AMS and therefore do not require a RAPEX notification.

Some participants shared the practices in their country and were in favor of the TF proposal. It was seen as a heavy workload for the inspectors if it was necessary to make a full risk assessment for all non-compliances found and notified in RAPEX.

3.1.3 Feedback from the PROSAFE project

The Forum alternate representing the Forum in the PROSAFE project informed about the discussions that took place on a workshop on 9 November 2017. DG JUST presented the document prepared by COM stating that the risk assessment for the RAPEX notification should be done only for restrictions without a limit value and without scientific opinion. Moreover, enforcement measures and RAPEX notifications were not linked.

One of the outcomes of the PROSAFE project and this workshop was a guidance document on risk assessment for several areas. A member of the TF participated in the drafting of this document. It was noted that not many experts on chemicals were present at the workshop hence there was not much discussion on this issue. The draft would be reviewed to take into account the COM's document and to provide more practical examples. On 19 April 2018, a second workshop would take place to discuss the guidance document.

A Forum member raised the concern about the experts involved in writing the guidance lacking expertise on chemicals. COM representative added that it was already suggested for the Forum to take over this task from PROSAFE since the NEAs could guarantee better expertise on risk assessment of chemicals.

The Forum agreed for the TF to examine the PROSAFE mandate and to consider whether it should prepare or contribute to the guide on the assessment of risks of chemicals in consumer products.

3.1.4 Mandate amendment

The Forum adopted the revised mandate of the WG, including its new task ([Annex 2a](#)).

3.2 Enforceability of restrictions

3.2.1 WG progress report

The Chair summarised the activities of the WG concerning the advices elaborated after Forum-28, the support provided to RAC and SEAC in the opinion development of the Annex XV restriction dossiers and future restriction proposals. Additionally, the WG reiterated its advice to the European Commission from 2016 regarding the proposals for priority methods for the Union Work Programme for Standardisation 2019.

3.2.2 Proposals for substances for restrictions and other WG issues for discussion

The ECHA Forum Secretariat presented the proposal of the WG on the feedback received from the Forum members regarding the discussions on the possibility for NEAs and enforcers to identify substances for restrictions. The WG concluded that suggestions raised by NEAs for new restrictions should be channelled via their MSCAs and that it would be useful to maintain a registry to record issues of concern with the existing restrictions. The registry could be shared with COM, ECHA and MSCA and presented at the CARACAL.

The Forum members were invited to submit proposals for issues of concern to allow the WG to draft the registry of concern with existing restrictions, for it to be adopted at the end of the year.

The COM representative welcomed the registry with the input of the Forum on both existing and new restrictions.

The WG Chair informed that the WG agreed on a high-level activity plan for the duration of its mandate and its division into subgroups. The WG would discuss the need for additional experts. She also highlighted that some new proposals for restriction focus on matters related to workplace protection and suggested to include CHEMEX experts in the WG to provide assistance with these specific restrictions. The Chair suggested for Forum members to consider appointing occupational hygienist experts for this WG.

The Forum members endorsed the activity plan for the WG presented and agreed to invite a SLIC CHEMEX WG member to provide expertise to the WG on cases where restriction proposals introduce conditions related to safe use of substances in the workplace.

COM representative encouraged the Forum members that have not yet volunteered to be a rapporteur to do so to gather experience in the restrictions process.

3.2.3 Mandate amendment

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

3.3 Prioritisation of REF projects

3.3.1 WG progress report

The Chair summarised the activities of the WG that involved the publication in ECHA webpage of the Registry of REACH, CLP and PIC obligations addressed in past inspection and enforcement campaigns of the ECHA Forum.

The WG planned the activities for the selection of the REF-8 project and invited ECHA ASOs, Forum members, Commission and ECHA to submit proposals for REF-8 project by 13 April 2018. The WG will then discuss and prepare recommendations for projects to be discussed at Forum-30.

Following the conclusions at the BPRS-3 to endorse the Forum REF methodology for the selection and management of BPRS projects, the WG planned the activities for the revision of the Methodology to include the BPR terminology. This task will be led by the representative of the BPRS appointed to the WG for this specific matter. The Forum will be involved in the adoption of the revised document.

3.3.2 Mandate amendment

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

3.4 Pilot project Substances in Articles (SiA)

3.4.1 WG progress report

The Chair summarised the activities of the WG, informing that the operational phase was running and the national coordinators discussed issues regarding the implementation of this project via WebEx. The WG and the national coordinators participated in the Webinar for PD-NEA users related to the new screening reports for SiA notifications available in PD-NEA on 6 March 2018.

The WG raised the possibility to prolong the operational phase of the project until the end of the year given that the targeting activities and the coordination intra-state was taking longer than initially expected. Moreover, the efforts for the chemical analysis was also underestimated.

The Forum agreed to extend the operational phase for six months. Consequently, the conclusion of the project would be in Q3 2019.

3.4.2 Mandate amendment

The Forum adopted the updated mandate, including the change in the timeline of the project ([Annex 2d](#)).

3.5 Joint initiative ECHA Forum – ECHA ASOs on Improvement of the quality of SDSs

3.5.1 WG progress report

The Chair informed that the WG reviewed the activity plan and timelines to ensure the expected deliverables still in 2018. The WG will further review the proposal for joint action and will share the SDS questionnaire with the ECHA ASOs involved in March/April 2018. It was suggested to inform the ASOs about the ongoing activities of this WG by issuing an item in the ECHA's newsletter to Stakeholders.

The OR Organisation "ORO" have contacted the Chairs requesting to join this WG. The Forum agreed to invite this organisation.

3.5.2 Mandate amendment

The Forum adopted the updated mandate including the reviewed timelines and ORO as a contributor ([Annex 2e](#)).

3.6 Implementation of PD-NEA

3.6.1 WG progress report

The Chair summarised the WG activities, which started thorough work on the specifications for DU reports (Article 38) and SiA notifications. WG REF-5 identified the Exposure Scenario fields relevant for NEAs and provided these for WG PD-NEA that would analyse and plan the requirements for PD-NEA accordingly. The WG would provide further input for the applications for authorisations (AfA) and DU notification data requirements.

The WG will perform testing of the functionalities regarding DU reports and SiAs, foreseen to take place in Q3 2018. Regarding the DU notifications and AfAs, however, the testing period was still to be confirmed.

3.6.2 Update on the Poison Centres

The ECHA Secretariat provided an update on the progress with the Poison Centres in ECHA. A guidance was elaborated and was under consultation, whereas the Forum would be consulted in June/July. The IT portal was under development and it was expected that it would be possible to submit data via the portal on Q1 2019. Based on the Management Board decision in December 2017, version 1 would allow industry to submit the notification.

Replying to an invited expert, the presenter clarified that the substances in a mixture will need to be declared by the industry. To ensure format consistency, ECHA would provide the substance inventory to be used by industry.

ECHA Secretariat added that CARACAL discussed this issue at its last meeting, resulting in a further consultation with the Member States. The Forum members were invited to consult the CARACAL documents and liaise with their MSCA to participate in the discussion in relation to the enforcement aspects.

3.6.3 Update on ECHA IT tools for inspectors

ECHA Forum Secretariat informed on the new release dates of the PD-NEA tool, which would bring more functionalities. There was a Webex training on how to use the screening report for SiA notifications available on PD-NEA on 6 March 2018. A survey on PD-NEA survey was running by 13 March 2018.

Replying to an invited expert, the presenter clarified that there was no search feature to correlate substances affected by different legislations (e.g. REACH registration of substances present in PIC Annex I).

3.6.4 Mandate amendment

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

3.7. REACH-EN-FORCE-6 on CLP

3.7.1 WG progress report

The Chair informed that the operational phase of this project was ongoing and all necessary deliverables were provided to the national coordinators. A Webex was scheduled to discuss and define the scope of enforcement actions related to poison centre data (Article 45 and Annex VIII of CLP).

3.7.2 Mandate amendment

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

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

3.8.1 WG progress report

The Chair informed that the operational phase of this project ended on 31 December 2017 and the national coordinators should submit the national data by 31 March 2018. The WG would meet in May and discuss the results to prepare the draft report. The ECHA Support team concluded its work with the REF-5 project but was available for further support. The national coordinators were consulted on the information needed for inspections related to Exposure Scenarios, which was forwarded to the WG PD-NEA.

3.8.2 Mandate amendment

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

3.9 PIC pilot project

3.9.1 WG progress report

The Chair summarised the activities of the WG that has finalised the project manual and delivered the training for the national coordinators in December 2017. The operational phase will run until 30 June 2018.

3.9.2 Mandate amendment

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

3.10 Forum Action Programme 2019+

3.10.1 WG progress report

The Chair informed that the WG agreed to rename this WG "Forum Multiannual Work Programme (MAWP) 2019-2023" since it will cover five years. This decision was because the work of the Forum was already well established and the previous high-level programme was found suitable.

The WG decided to use the existing structure of the MAWP 2014-2018 with some modifications. In order to gather broader perspective in defining enforcement priorities, the WG agreed to seek input not only from the Forum and BPRS members, but also the Management Board, CARACAL, BPR CAs and DNAs.

This information was brought to the CARACAL meeting to invite the CAs to provide input on the enforcement priorities for Forum for the next five years.

At the CARACAL meeting in March, some MSCA already proposed to focus on the improvement of the enforcement in the supply chain involving several Member States, on e-commerce, substance in articles (possibly repeat the SiA project on a larger scale), authorisation, increase collaboration with customs and generate more guidance for inspectors to better harmonise enforcement on all Member States.

A Forum member noted that some Member States used the LIFE+ programme, to run projects for inspectors even though, they have not yet been used for inspector exchanges. There were no formal reports from projects under the LIFE+ programme as they have not yet been finalised. The Forum member also suggested for the WG to assess the impact of Brexit in the activities of the MAWP.

The Forum members agreed to consult the other bodies and were invited to submit proposals for the issues the Forum should prioritise for the upcoming work programme and what guidance they would like to see being made available for inspectors. Additionally, the Forum members were invited to participate in the public consultation of ECHA's strategic plan 2019-2023.

3.10.2 Mandate amendment

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

3.11. REACH-EN-FORCE-7 on Registration

3.11.1 TF progress report

The Chair informed that the drafting of the project manual was in process. The Task Force (TF) was discussing the possible cases for enforcement indicated by ECHA after screening the registration dossiers. Based on the recommendation of WG 'Training for Trainers 2018', the training for REF-7 national coordinators will be delivered via WebEx one week after Training for Trainers event.

Forum members were invited to nominate national coordinators for REF-7 project in order to consult draft manual and questionnaire with them.

3.11.2 Mandate amendment

The Forum adopted the updated TF mandate ([Annex 2k](#)). A Forum member volunteered as chair and the TF became a WG.

3.12 Training for enforcement trainers 2018

3.12.1 WG progress report

The WG Chair updated the Forum on the activities of this WG, that was preparing the agenda for the next Training for Trainers event (3-4 October 2018). The training would be broadcasted and will focus on issues related to the REF-7 project's scope. The Forum adopted the final draft agenda on 05 March 2018.

The training will be on a medium level for the topic on registration and on medium (lower) level on the intermediates. Therefore, the nominated trainees should have at least basic knowledge on the registration obligations.

The Forum was invited to nominate two participants (trainees) per Member State and additional experts (including HelpNet members) to this WG to ensure support to the different discussing groups during the event.

3.12.2 Mandate amendment

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

3.13 Pilot project on Control of internet sales of hazardous chemical

3.13.1 WG progress report

The Chair informed that all project findings were analysed and a draft project report was created. It was under adoption via written procedure with the Forum.

3.13.2 Project results

The WG Chair summarised the project findings and highlighted the recommendations. 14 countries submitted their national results and in total, 82.4 % of all cases checked, the inspectors detected non-compliances with Article 48(2) of CLP. In 83.3 % (out of the 82.4% of non-compliant cases), no information was provided on hazard statements and/or supplementary statements.

The WG would prepare a "Tips and hints" document for inspectors based on the manual and the knowledge gained from the project.

3.13.3 Mandate amendment

The Forum adopted the updated mandate ([Annex 2m](#)) and agreed to close the WG after the adoption of the final project report.

3.14 Cooperation with Customs 2

3.14.1 WG progress report

The WG Chair informed that the WG participated in the PARCS workshop on 22 November 2017. For that, the WG prepared the framework for cooperation with customs' document, which was well received. The WG also examined the COM document CA/74/2017 on the role of customs in enforcement of REACH. The WG concluded that the paper did not affect the framework of cooperation developed by the WG or the proposed pilot project. The thought starter on the pilot project was well received and there was high interest in participation in the project.

The COM representative expressed appreciation for the work of the Forum on the cooperation with Customs and its activities with PARCS and DG TAXUD.

3.14.2 Future activities with PARCS network

In light of the issues described in 3.14.1, the Forum agreed to initiate the pilot project involving the Member States that have expressed interest. The WG would further develop the project manual.

The WG was informed of the [proposal concerning the Market Surveillance Regulation](#) where some provisions regarding customs duties were modified. The WG proposed to be mandated to examine this proposal and assess whether it impacts the NEA-Customs cooperation described in the framework developed by the WG.

The Forum discussed and agreed to mandate the WG with this task and provide the results of the assessment to COM. COM representative welcomed the Forum's feedback and was interested in the results of the pilot project. The project would provide important information about the data exchange between authorities, which will be described in detail the implementing act, foreseen to be implemented during the second half of 2019.

3.14.3 Mandate amendment

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

3.15 Information and Communication System for Market Surveillance (ICSMS)

3.15.1 WG progress report

The Chair informed that the WG did not have visibility of the final version of REACH directive related product information (DRPI) hence the work of this WG was on hold. ECHA Forum Secretariat informed that an invited expert from the WG was appointed to attend the annual ICSMS expert meeting, in May 2018, and report to the Forum.

COM representative reiterated that the communicated release of the DRPI was by the end of Q1 2018.

3.15.2 Mandate amendment

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

Item 4 – Update on relevant developments by the Commission

4.1 General updates by the European Commission

A COM representative informed on several issues with interest for the Forum.

He presented the package on environmental compliance assurance, for which a new formal high-level Commission expert group was created to help steer compliance and governance actions. It included a Governance Forum, composed of network and Member States representatives, providing consultative support to DG ENV, and it would not overlap with the ECHA Forum's mandate.

On the regulatory options for skin sensitizers, the presenter informed that the workshop in February on the issue was concluded that more information on SDS and labelling was needed and better monitoring and surveillance. Actions were put in practice to address these points.

He stated that the POPs recast was foreseen to be adopted by the COM on Q3 2018.

He presented COM's circular economy priorities that included a waste package, a plastic strategy and the interface between chemicals and waste. On the latter, four

issues have been identified, focusing on substances of concern in imported articles and in recovered materials. Moreover, better clarification on the definition of waste and on its classification was to be addressed. A paper on the different hazard classification in waste and chemicals was under an open consultation by May 2018.

A Forum member questioned the COM's plan to implement the new regulation on the import and export of Mercury since it implied more control of imports/articles with mercury by NEAs, for example, of dental amalgams. The presenter recommended to enforce REACH in case of overlapping obligations.

The second REACH review took into account the REACH fitness check and generated 16 recommendations for actions to be put in place in collaboration with Member States, ECHA and industry. The Chair added that action 13² implied direct action of the Forum and proposed for the WG "Work Programme 2019-2023" to assess the REACH Review and address any recommendation in the Forum work programme. Moreover, the exchange of inspectors would be tackled under agenda point 10.2.1.

The Chair welcomed a document from COM on the expected output from the Forum on the suggested guide on the NMP restriction.

4.2 Proposal for amendment of various regulations - COM(2017)795

A COM representative presented the Goods Package, which was a proposal for a regulation on compliance and enforcement of EU product legislation. It concerned Market surveillance for non-food harmonised products. The proposal combined several legislative acts and was put in place to try to solve a number of issues faced by market surveillance authorities. The proposal included a mechanism to support the operational enforcement capacity, collectively, in the single market, also denominated as "EU product compliance network". It promoted the cooperation between authorities, including customs, as well as the use of cooperative enforcement tools. It was foreseen for it to enter into force on 2020 and the Forum was welcomed to provide input by contacting DG GROW.

The presenter clarified that the proposal was based on existing sector legislations and did not aim at streamlining definitions. Additionally, PARCS and DG TAXSUD were involved during the process of drafting of the proposal.

A Forum member highlighted the burdensome reporting battery for several legislations and questioned how the reporting of this proposal was linked to the existing 5 year reporting on REACH and CLP activities to the COM and the reporting of Market surveillance regulation. The presenter informed that no additional reporting was proposed. As much as possible, COM could extract the data directly from ICSMS.

Upon the suggestion from Forum members, the presenter supported that the text could be improved to highlight more the environmental aspect and the cooperation with other networks, such as IMPEL.

² [REACH review](#): Action 13 - Enhance enforcement

1) *The Commission will consider by first quarter 2019 further measures (such as recommendations, guidance documents, training and pilot projects), under the relevant legislative instrument, to clarify and enhance the role of REACH enforcement authorities as well as customs authorities in the enforcement of REACH.*

2) *ECHA's Forum and Member States are requested to establish comparable parameters on enforcement. On the basis of those parameters, Member States should report annually to ECHA for the purpose of monitoring enforcement activities by Member States.*

An invited expert noted the absence of PIC Regulation from the proposal. She also raised concern with the suggestion in the proposal of using NEAs to act as advisers to industry and possibly be compensated for it. This idea was not welcomed as it would compromise the independence of the NEAs.

The proposal also gave a legal instrument to address the challenges faced with on-line sales (Article 4 of the proposal). Other documents created by COM, such as the "blue guide" on on-line sales, provided further support. Additionally, in September 2017, COM issued a communication on "Towards more responsibility of platforms".

Item 5 – Conclusions from day 1

The Forum adopted the conclusions and actions points collected for the issues discussed during the day.

Item 6 – Debriefing of the meeting with ECHA Directors

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

Item 7 – Forum's enforcement activities- Projects under preparation

7.1 Third pilot project on authorisation

7.1.1 Project proposal

The ECHA Forum Secretariat presented the proposal for the scope of the third pilot project on authorisation as well the timeline. The presenter highlighted the support ECHA could provide in relation to the information on applications for authorisation (AfA) for the substances covered by the project.

A Forum member raised concern about the possible non-availability of opinions/decisions/notifications concerning the substances on the time of the operational phase of the project and suggested to postpone the start of the operational phase. Since it was the third project on this issue, he recommended to have all the decisions in place and assess its consequences as an added value for the project.

ECHA Secretariat acknowledged the risk of delay of the decision by the REACH Committee on Chromium VI compounds. However, there was pressure to finalise it still in 2018 due to the sunset date being in September 2017.

Some Forum members shared the concern raised on the timeline and were in favour of gathering more experience in checking the conditions stated in the decision. Hence, it was arguable whether substances with sunset dates in 2019 should be included in the scope of the project. Others suggested keeping the focus on the free-riders and finding the methodology to identify the DUs covered by the authorisation decision. ECHA Forum Secretariat added that the latter could be addressed by the [practical issue](#) under discussion.

The Forum agreed to start the third pilot project on authorisation and to mandate a WG to start developing the project manual to include inspections of potential free-riders and assess the compliance of the DUs with the authorisation decision. The final decision on timeline and substances to be included in scope will be taken at Forum-31, depending on the authorisation decisions issued by that time.

7.1.2 Establishment of the WG Mandate

The Forum set-up a new WG and adopted its mandate ([Annex 2p](#)).

The Forum agreed to invite a representative from SLIC CHEMEX Working Group as many conditions involved the monitoring of the conditions at the workplace and exposure of workers.

7.2 List of 'standard' phrases for setting the conditions used by RAC/SEAC

ECHA Secretariat presented the recent discussions in REACH Committee meetings about the enforceability of "*additional conditions and monitoring arrangements*" in authorisation's decisions, that have incited ECHA to seek the advice and suggestions from the members of Forum on this matter. ECHA has made a selection of typical additional conditions and monitoring arrangements recommended by RAC and SEAC for the different types of typical situations. The Forum was invited to provide feedback on whether the conditions and monitoring arrangements should be more specific and enforceable.

Some participants expressed their view that more specific conditions, for example, on exposure measurement, could be useful in some scenarios. However, it has to be kept in mind that a certain degree of flexibility should be allowed for the DU to adapt to their realities. Additionally, in the case that a condition could not be put in practice, an alternative should be given in the decision.

Some participants highlighted that it was important to have a holistic view of the conditions from the duty holder down through the chain to the DU and for them to be coherent.

ECHA Secretariat would collect the Forum's feedback on a new version of the meeting document and present it to RAC and COM. Future RAC opinions should then include the revised set of conditions. The ECHA Forum Secretariat would invite SLIC-CHEMEX to participate in the consultation.

Item 8 – EU-OSHA campaign on dangerous chemicals

A representative from the European agency for Safety and Health at work, EU-OSHA, presented the agency's 2018–19 Campaign on Healthy Workplaces³ aiming to raise awareness of the risks posed by dangerous substances in the workplace and to promote a culture of risk prevention. She invited the Forum members to contact the national focal points and help promote the campaign messages.

The Forum members appreciated the campaign and some highlighted that the cooperation between labour and REACH inspectors should be further improved. The presenter clarified that it was not planned to have a Europe-wide inspection campaign. The Member States were welcome to organise their own information campaign.

Item 9 - Updates from the ECHA Secretariat

9.1 Updates on the UK withdrawal from the EU

The ECHA Director informed about ECHA's work related to the UK withdrawal from the EU on 30 March 2019.

Some Forum members questioned hypothetical scenarios and the possible consequences of the withdrawal on enforcement cases. However, answers could only be given after the conclusion of the withdrawal agreement in October 2018.

³ <https://osha.europa.eu/en/healthy-workplaces-campaigns/dangerous-substances-18-19>

9.2 Understanding downstream user information needs

The Chair referred to the meeting document that summarised the status of ECHA projects designed to better understand what kind of information, generated under the REACH Regulation, end users of substances and mixtures need from their suppliers to manage risks. A fuller account will be provided at the next Forum meeting. ECHA Secretariat clarified that information about OELs/DNELs were not in the scope of the projects.

9.3 Solutions for late registrations agreed by the Directors Coordination Group for 2018 deadline

ECHA Secretariat informed on the Directors Coordination Group (DCG) agreed solutions for companies with difficulties in meeting the 2018 registration deadline. It would be possible for companies to declare themselves and acknowledge their non-compliance. Unlike in previous deadlines, companies may no longer rely on late pre-registration to be legally on the market.

The Forum welcomed the solutions proposed and stressed that NEAs would need to know about the companies that applied for these solutions. A Forum member suggested that ECHA should provide the company with a document that could be checked by the inspector, stating that it has applied for a DCG solution. Moreover, a Forum member suggested for ECHA to contact NEA in advance on granting the DCG solution for a specific company since inspectors might have relevant information for ECHA. However, due to the timing limitation (ECHA to reply within 3-4 days and the closeness to the deadline), contacting NEAs before issuing the DCG solutions for the companies would be highly challenging and for this reason will not be done.

ECHA Secretariat clarified that the solutions were not seen as “grace periods” given to the companies. The companies contact ECHA, before the deadline, specifying the issue that could cause delay in its registration. ECHA would then confirm which particular DCG solution the company would benefit. This ECHA confirmation document could be the one checked by the inspectors in case of an inspection. Nonetheless, the company still needed to submit its registration dossier but the completeness check would be put on hold. In the meantime, the companies would be considered by ECHA as compliant with their registration obligation.

Replying to a Forum member, ECHA Secretariat acknowledged that some data sharing disputes would not be solved before the deadline. In such situations, ECHA would contact the company that raised the complaint to submit its registration dossier but holding the completeness check by the end of the dispute. ECHA Forum Secretariat would share the CARACAL document that addresses the issue of SIEFs and phase-in substances.

9.4 Follow-up of ECHA Decisions: updates from ECHA

The Forum took note of the meeting document that included a summary of the cases sent to the Member States Focal points.

ECHA Forum Secretariat clarified that the number of revocation cases based on the OSOR principle that were sent in 2018 will be updated in the Excel table in Q2 2018.

9.5 Update on ECHA Guidance activities

The Forum took note of the updates from ECHA Guidance. Upon the question of a participant, it was clarified that the Guidance on the poison centres would follow

the standard procedures, which included the consultation with several bodies, during which the identified challenges should be addressed.

COM representative added that the discussion on the ongoing court case on the definition of an intermediate substance could potentially have repercussions for REF-7.

Item 10 – Enforcement projects in Member States

10.1 Visit of ECHA staff during the enforcement of ES in France

The French Forum member presented the content of the inspections where ECHA staff participated, under the umbrella of REF-5. Both companies and ECHA appreciated the experience and the shared information.

10.2 NL action on blended oils

The Dutch Forum member presented the results of the national project focusing on marine fuel (heavy fuel oil). This mixture was investigated having in mind both REACH and the Waste framework directive. Many violations were found, mainly originating from lack of knowledge. Due to its international market, international cooperation was important to fully investigate this mixture.

10.2.1 Feedback on the exchange of inspectors

In the context of the project in blended oils, the Netherlands organised a workshop with inspectors from other countries on 27-28 February 2018. This workshop had the objective to share experiences enforcing REACH and Waste when investigating oil recovery operators.

The Chair invited the Forum members that attended or organised such initiatives to report at Forum-30.

10.3 SE joint-project on labelling and packaging according to CLP

The Swedish expert presented the project that coordinated the efforts from the Swedish Chemicals Agency and the local authorities in enforcing the rules concerning CLP labelling and packaging of chemical products at retailers. The presenter introduced the methodology used for this project and its results.

10.4 DE national project on CLP

The German alternate member presented the project focusing on the CLP after the end of transitional period for classification, labelling and packaging under CLP regulation. Non-compliances were found in retailers and wholesalers, mostly concerning the old labelling and pictograms. The full assessment of the results was still ongoing.

Item 11 – Potential involvement of the Forum in ENES' work

An invited expert summarised the feedback received from the Forum after Forum-28 on this issue, indicating some need for Forum involvement. In the REACH review, there was an action to improve the workability and quality of extended SDSs, by encouraging more industry sectors to develop and use harmonised formats and IT tools. Examples of such tools were the ones generated in Exchange Network on Exposure Scenarios (ENES). In order to assess the need for information from NEAs on the usability and functionality of the tools, the presenter suggested

for a small group of volunteers to accompany the ENES developments and highlight the relevant ones to the Forum.

The Forum agreed to mandate three representatives of the Forum who would highlight the relevant issues addressed at ENES and bring them for discussion with the Forum.

Item 12 – Updates from the ECHA Forum Secretariat

12.1 Discussion on the follow-up of the REF-4 project results

The ECHA Forum Secretariat informed that the REF-4 project was published and received much attention from the media.

The presenter provided an overview of recommendations and suggested some follow-up actions for the Forum that could be covered in the Forum MAWP 2019-2023. It was suggested to explore in more detail the data collected in the project and develop additional monographies for other restrictions. Moreover, to have a future REF again on restrictions, focusing on the most challenging entries or on new restrictions.

The Chair recalled that the WG Restrictions (agenda point [3.2](#)) was collecting proposals for issues of concern with the view to draft a registry of concern with existing restrictions. Additionally, since all Member States have regular inspections targeting specific restrictions, it was suggested for those results to be reported to the Forum via, for example, a dedicated template.

The COM representative noted the amount of work done in the analytical methods and suggested if it could be further revised and fine-tuned, taking into account the experiences gathered during the project.

12.2 Publication of Forum outputs

The ECHA Forum Secretariat informed that there was a number of comments on the seven infographics presented at Forum-28. The infographics were revised according to the feedback received and would be published. New infographics were prepared and consulted with the Forum.

ECHA Communications would contact the Forum members that expressed interest to present their national projects in ECHA's newsletter. It was planned to publish two articles per year in the ECHA newsletter.

12.3 Information about Serbia's observer status

The ECHA Forum Secretariat informed the Forum about the developments after Serbia's presentation at Forum-26. Before the Management Board meeting in December, based on the advice of DG GROW, ECHA Management put the matter of Serbia's observer status on-hold until further notice.

12.4 Preparations for Forum-31

The ECHA Forum Secretariat informed about the proposed schedule for the week 13-16 November 2018, in Brussels, which will encompass COM's second REACH and CLP enforcement conference, the Forum-31 plenary meeting and its annual open session. Potentially BPRS-6 meeting will also take place during that week and, if agreed, its first open session could take place jointly with the one of the Forum.

The BPRS Chair added that the stakeholders interested in the BPR issues were mostly the same with interest in REACH/CLP. Therefore, he would welcome a joint open session.

COM representative added that discussions were ongoing on the scope of the enforcement conference whether it would include the enforcement of BPR as well. He suggested assessing the stakeholders' topics of interest to help the decision about a joint open session. ECHA Forum Secretariat requested to be consulted when drafting the agenda for the conference to ensure there was enough time to schedule a preparatory meeting for the open session with both Forum and BPRS members.

Item 13 – Conclusions from day 2

The Forum adopted the conclusions and actions points collected for the issues discussed during the day.

Item 14 – Practical issues for enforcement of REACH and CLP

Issue 26.4 - Can NEAs accept test results on a multi-constituent substance containing a constituent with a harmonised classification in Annex VI where the test result contradicts the classification of the multi-constituent substance based on its constituents?

ECHA Forum Secretariat reminded that two questions remained open from this issue and they were raised in HelpNet in the CLP HelpEx. There were no responses, hence it was proposed to extend the deadline. After conclusion of the HelpNet discussion, the matter would be brought back to the Forum.

Issue 27.1 - Does Article 25(4) of CLP apply where the use of the wording "non-toxic" etc. does not refer to the hazard classification assigned to the product?

This issue was adopted in September 2017. However, DG ENV dealing with the Ecolabel provisions and the respective criteria contacted the ECHA Forum Secretariat. ECHA legal unit was assessing the COM's view that might impact the conclusion adopted for this issue.

Issue 27.3 – Verification of a company's decision to benefit from the registration exemption under Article 2(7)(d) and not to register a recovered substance

The ECHA Forum Secretariat reminded that the Forum commented on the draft guide presented at Forum-28. The document was revised accordingly and the Forum was invited to adopt its final version.

A Forum member requested to include a note stating that the inspector might want to request assistance from the national competent authority responsible for the waste legislation.

After including the mentioned request, the guide was adopted by the Forum.

Issue 28.1 - What is the correct way to label a product in a coaxial cartridge?

The ECHA Forum Secretariat reminded about the status of the discussion where several comments were received by the Forum after the last plenary meeting. The conclusion was drafted based on the feedback received.

After including some amendments requested by a Forum member, the conclusion was adopted by the Forum.

ECHA Secretariat informed that the update of the labelling guidance was under preparation and it will include some examples from this practical issue.

Issue 29.1 - What specific information must be in the SDS after revision based on item 0.2.5 of Annex II of REACH?

The submitter presented the issue, where the text of point 0.2.5 of Annex II was not clear as to what information must be included on the first page of the SDS. ECHA Forum Secretariat prepared a draft conclusion, supported by the submitter.

The Forum adopted the conclusion for this issue, as drafted.

Issue 29.2 - How should the inspector react to cases where the DU uses an Annex XIV substance after the sunset date referring to an ongoing application for authorisation, but his use or the operational conditions do not match those described in the application?

The issue originated from the experiences gathered during the enforcement of authorisation. The submitter summarised it and ECHA Forum Secretariat presented a draft conclusion for the consideration of the Forum.

The Forum discussed the draft conclusion and would collect further comments in writing.

Issue 29.3 - How to identify all sites concerned with an authorisation decision: not only the applicant but are also DUs and other actors covered by it?

The submitter summarised the issue and ECHA Forum Secretariat presented a draft conclusion for the consideration of the Forum.

The Forum discussed the draft conclusion and would collect further comments in writing.

Issue 29.4 - Is it possible for the applicant and DUs to implement different conditions than what appears in the CSR?

The submitter presented the issue, where OC/RMM found on the site differed from the ones in the CSR and from the application and authorisation. However, the RMMs put in place guaranteed the safety of the workers.

The ECHA Forum Secretariat presented a draft conclusion that provided a high-level solution. The Forum was invited for further feedback.

Item 15 – Use of alternatives to testing in animals – feedback from the Forum and next steps

ECHA Secretariat reminded that the cases of suspected breach of the duty to consider alternatives to animal tests were sent to the Forum members. The large proportion of Member States were willing to act without formal ECHA decisions. Feedback was pending from the two countries with 49% of the cases, whilst 43% of the cases were confirmed to be addressed.

The Member States were invited to follow up the cases and inform ECHA of the results via PD-NEA. In case needed, ECHA was available to provide support on individual cases. This information would be included in ECHA's annual Article 54 report on evaluation.

The Forum members were also invited to inform ECHA on the interplay between different regulations during enforcement of these cases *e.g.* REACH and Animal Welfare Directive.

Some participants gave examples on their methodology when investigating such cases and the challenges faced.

Due to the nature of the cases, it would be necessary to contact NEAs in other Member States during the course of the investigation. Therefore, the Forum agreed for NEAs to provide support to authorities from other countries, upon request.

It was possible that different Member States enforce the issue differently due to the different interplay between REACH and Animal Welfare Directive. The Forum members agreed to inform about the national regulatory context (legislation, authority) for the enforcement of the cases, if requested by the contacting authorities.

Item 16 – Updates on the cooperation between Forum and BPR Subgroup

16.1 Updates from the BPRS discussions

The BPRS chair gave a summary of the issues to be discussed at BPRS-4 meeting.

16.2 Update on the discussion concerning joint sessions Forum/BPRS – feedbacks received by Forum/BPRS members

In view of the feedback received from the Forum after Forum-28, both Forum and BPRS were in favour of organising a joint session whenever there was a need to cover all joint activities of the Forum and the BPRS.

Due to practical limitations on the two next meetings in 2018, the Forum agreed to have the first joint session in March 2019 in case of issues relevant for both bodies. COM representative advised caution when selecting the issues for discussion with both Forum and BPRS members taking into account the different audiences of the groups.

The Forum was in favour of having a joint open session with the BPRS.

Item 17 – A.O.B.

17.1 Dates of the Forum plenary meetings in 2019 and 2020

The Chair informed on the dates of the following years:

- o Forum-32: 18-22 March 2019⁴
- o Forum-33: 10-14 June 2019
- o Forum-34: 4-8 November 2019

In 2020, ECHA will move to the new address. Hence, the following meetings will be already in the new building:

- o Forum-35: 23-27 March 2020
- o Forum-36: 22-26 June 2020
- o Forum-37: 2-6 November 2020

A Forum member raised the issue that national holidays should be considered when scheduling the meetings.

⁴ After meeting note: this date was presented as provisional. In the meantime, it has been confirmed.

17.2 Commitment to follow-up referred cases by other Member States

The Chair summarised the room document describing a scenario of a request from another different Member State to investigate a non-compliant dossier. This investigation was currently done on a voluntary basis. The Forum members were invited to reflect on the issue and provide feedback for further discussion at Forum-30.

An invited expert supported to have an agenda item in the upcoming Forum meeting and volunteered to share their national procedure for cross-border cooperation.

Item 18 – Conclusions from day 3

The Forum adopted the conclusions and actions points collected for the issues discussed during these days.

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-29

13-15 March 2018

(Adopted at the Forum-29 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 – Address by ECHA's Executive Director		
Item 3 – Forum's enforcement activities- Ongoing projects		
3.1 Characterisation of risks		
3.1.1 TF progress report		
3.1.2 Discussion methodologies for elaborating		<p>Forum-s to distribute the COM paper addressing the need to conduct risk assessment for individual cases of non-compliance by 23 March. (to be opened on 14.3)</p> <p>Forum members are invited to provide written feedback on the practical consequences of the recommendation that all cases of non-compliance with restriction have to be notified to RAPEX by 20 April</p>
3.1.3 Feedback from the PROSAFE project	The Forum considers that the task force should examine the PROSAFE mandate and consider whether it should prepare or contribute to the guide on the assessment of risks of chemicals in consumer products.	
3.1.4 Mandate amendment	The Forum revised the mandate of the TF.	
3.2 Enforceability of Restrictions		
3.2.1 WG progress report		
3.2.2 Proposals for substances for restrictions and other WG issues for discussion	The Forum endorsed the two year activity plan for the WG and agreed to invite the SLIC CHEMEX WG member to the WG to support it in cases where restriction proposals introduce conditions related to safe use of substances in the workplace.	<p>Forum members are invited to submit suggestions for issues of concern with existing restriction entries (in line with those proposed by FI and CY) by 31 May.</p> <p>WG Restrictions will consider how to address the issues that are submitted (e.g. sharing with decision makers, practical issues for enforcement, Q&As etc.).</p>

3.2.3 Mandate amendment	The Forum revised the mandate of the WG.	Forum-S will send an invitation to SLIC CHEMEX WG to nominate a representative to the WG by 23 March
3.3 Prioritisation of REF projects 3.3.1 WG progress report		Forum members are invited to submit proposals for REF projects by 13 April 2018
3.3.2 Prioritisation WG Mandate amendment	The Forum revised the mandate of the WG.	
3.4 Pilot project Substances in Articles 3.4.1 WG progress report	The Forum agreed to prolong the operational phase of the project by six months until the end of 2018.	
3.4.2 WG Mandate	The Forum revised the mandate of the WG.	
3.5 Joint initiative ECHA Forum – ECHA ASOs on Improvement of the quality of SDSs 3.5.1 WG progress report		Forum-s will consider and propose how to ensure regular information is supplied to stakeholders and interested parties about the progress of this WG (e.g. via the newsletter or ECHA website).
3.5.2 WG Mandate amendment	The Forum revised the mandate of the WG and included ORO in the list of contributing Accredited Stakeholder Organisations.	
3.6 Implementation of PD-NEA 3.6.1 WG progress report		
3.6.2 Update on the Poison Centres		
3.6.3 Update on ECHA IT tools for inspectors		
3.6.4 Mandate amendment	The Forum revised the mandate of the WG.	
3.7 REF-6 3.7.1 WG progress report		
3.7.2 Mandate amendment	The Forum revised the mandate of the WG.	
3.8 REACH-ENFORCE-5 3.8.1 WG progress report		
3.8.2 Mandate amendment	The Forum revised the mandate of the WG.	

3.9 PIC pilot project 3.9.1 WG progress report		
3.9.2 Mandate amendment	The Forum revised the mandate of the WG.	
3.10 Forum Action Programme 2019+ 3.10.1 WG progress report		<p>Forum members are invited to provide suggestions on what they believe should be the Forum enforcement priorities in the years 2019-2023 by 20 April 2018</p> <p>Forum members are invited to indicate if they wish that Forum produce any more enforcement guides in addition to those being produced or planned now (MOC, "hints from projects", guide on characterisation of risks) by 20 April 2018</p> <p>Forum members are invited to provide comments to the ECHA strategic plan 2019-2023 during the public consultation phase foreseen for April and submit them to the Forum-S by the end of the consultation period</p> <p>Forum-S will relay the Forum and WG comments to the Executive Office in ECHA.</p>
3.10.2 Mandate amendment	The Forum revised the mandate of the WG.	
3.11 REF-7 project 3.11.1 TF progress report		<p>Forum members are invited to nominate National Coordinators for REF-7 project - deadline 13 June 2018</p>
3.11.2 Mandate amendment	The Forum revised the mandate of the WG.	
3.12 Training for enforcement trainers 2018 3.12.1 WG progress report		<p>Forum members are invited to consider becoming a Member of the WG and/or consider to nominate additional 5 national experts who could support discussion in discussion groups during the training by 28 March 2018.</p> <p>Forum members are invited to nominate two participants per MSs by 15 June 2018 for the training event envisaged for 03-04 October 2018.</p>

3.12.2 Mandate amendment	The Forum revised the mandate of the WG.	
3.13 Pilot project on Control of internet sales of hazardous chemical		
3.13.1 WG progress report		
3.13.2 Preliminary project results		Forum-s will send the draft disclaimer for the project reports for consultation with the Forum by 23 March. Forum-s will share the reply to the industry complaint with the Forum by 28 March.
3.13.3 Mandate amendment	The Forum revised the mandate of the WG.	
3.14 Cooperation with Customs 2		
3.14.1 WG progress report		
3.14.2 Future activities with PARCS network	The Forum agreed to initiate the pilot project on Restrictions and Labelling in cooperation with customs.	COM is invited to propose the deadline for proposing the suggestions related to the implementing rules of the re-casted AMS Regulation by 27 March.
3.14.3 WG Mandate	The Forum revised the mandate of the WG.	
3.15 Information and Communication System for Market Surveillance (ICSMS)		
3.15.1 WG progress report		
3.15.2 Mandate amendment/closure	The Forum revised the mandate of the WG.	
Item 4– Update on relevant developments by the Commission		
4.1 General updates by the European Commission	Forum mandated the WG “Work Programme 2019-2023” to assess the actions related to enforcement specified in the REACH Review and address any recommendation in the Forum Work Programme.	COM is invited to submit the written description of the request regarding the NMP restriction. Forum will react to the request after discussion.

		WG Forum MAWP 2019-2023 is invited to bring any issues with addressing the REACH review for further discussion with the Forum the plenary meeting in June.
4.2 Proposal for amendment of various regulations - COM(2017)795		
Item 6 – Debriefing of the meeting with ECHA Directors		
Debriefing of the meeting with ECHA Directors		
Item 7– Forum’s enforcement activities- Projects under preparation		
7.1 Third pilot project on authorisation 7.1.1 Project proposal	The Forum approved the start of the third pilot project on authorisation. The final decision on timeline and substances to be included in scope will be taken at Forum-31, depending on the authorisation decisions issued.	
7.1.2 Establishment of the WG Mandate	The Forum established a WG “Third Forum Pilot Project on Authorisation”	Forum members are invited to provide the names of new WG members by 6 April 2018. Forum-S will send an invitation to SLIC CHEMEX WG to nominate a representative to the WG by 23 March 2018
7.2 List of ‘standard’ phrases for setting the conditions used by RAC/SEAC	The Forum agreed to provide the feedback to ECHA and COM about the conditions and monitoring arrangements and involve SLIC CHEMEX WG.	ECHA Secretariat will amend the document and include a holistic example including several conditions for one case by 22 March Forum-s will alert SLIC CHEMEX WG about the plan to consult them about the enforceability of conditions of authorisation by 20 March. Forum-S will start the consultation of Forum and SLIC CHEMEX by 23 March 2018 Forum members and SLIC CHEMEX WG are invited to give their feedback on the conditions by 30 April
Item 8 – EU-OSHA campaign on dangerous chemicals		
EU-OSHA Healthy Workplace Campaign 2018-19 and its actions under the roadmap for carcinogens		Forum members are invited to liaise with the national EU OSHA Focal Points about involvement in the healthy workplaces campaign through national initiatives.

		<p>List of OSHA focal points is available at: https://osha.europa.eu/en/about-eu-osha/national-focal-points/focal-points-index</p> <p>Forum members are invited to liaise with the national OSH inspectors to inquire about planned campaigns related to chemicals at workplaces in connection to the OSHA's "healthy workplaces campaign".</p>
Item 9 – Updates from the ECHA Secretariat		
9.1 Updates on the UK withdrawal from the EU		
9.2 Understanding downstream user information needs		Forum-S will book an agenda item in at Forum-30 so that Forum can be informed on the outcome of these studies
9.3 Solutions for late registrations agreed by the Directors Coordination Group for 2018 deadline		<p>Forum members willing to provide feedback on the proposed solutions on issues 15 and 21 are invited to do it in writing by 6 April.</p> <p>Forum members are invited to distribute the information on the existence of these solutions to NEAs at the national level.</p> <p>ECHA Secretariat will inform the NEAs about the companies who avail of the DCG solutions by early June 2018</p> <p>Forum-s will distribute the CARACAL paper on the SIEFs by 23 March 2018</p>
9.4 Follow-up of ECHA Decisions: updates from ECHA		
9.5 Update on ECHA Guidance activities		
Item 10 – Enforcement projects in Member States		
10.1 Visit of ECHA staff during the enforcement of ES in France		Forum-s will distribute the mission report from the visit with the Forum.
10.2 NL action on blended oils		
10.2.1 Feedback on the exchange of inspectors		Forum members who organised inspector exchanges are invited to share their experiences with the Forum at Forum-30

		<p>COM is invited to share with the Forum the overview of the exchanges planned under their funding scheme at Forum-30.</p> <p>Forum-s to book time at Forum-30 sharing experience from other exchange visits.</p>
10.3 SE joint-project on labelling and packaging according to CLP		
10.4 DE national project on CLP		
Item 11 – Potential involvement of the Forum in ENES' work		
Potential involvement of the Forum in ENES' work	Forum agreed to mandate three representatives of the Forum to attend ENES meetings and report back to the Forum.	<p>Forum members from AT, NO and SE will send the names of representatives to be mandated for this task by 6 April 2018.</p> <p>Forum-S will draft a mandate for those representatives and consult it with the Chairs by 23 March 2018.</p> <p>Forum Chairs will review and sign the mandate by 20 April 2018.</p> <p>Forum-S will share the mandate with the representatives by 27 April</p>
Item 12 – Updates from the ECHA Forum Secretariat		
12.1 Discussion on the follow-up of the REF-4 project results		<p>Forum-S to update the presentation delivered at Forum-29 by adding the proposals expressed at the meeting.</p> <p>Forum members are invited to submit written feedback on proposed follow up actions by 13 April.</p> <p>Forum-S will schedule further discussion on the matter at Forum-30</p>
12.2 Publication of Forum outputs		Forum members are invited to comment on the infographic on Forum coordinated projects by 13 April 2018
12.3 Information about Serbia's observer status		
12.4 Preparations for Forum-31		
Item 14 – Practical issues for enforcement of REACH and CLP		
Practical issues		Forum members are invited to submit new practical issues by 24 April 2018

27.3. How can inspectors verify a company's decision to benefit from the registration exemption under Article 2(7)(d) and not to register a recovered substance?	The Forum adopted the conclusion on the issue with modifications to Annex 1 during the meeting.	Forum-S will send a supplement for the MOC for Forum consultation on minor editorial modifications by 30 March 2018
28.1 What is the correct way to label a product in a coaxial cartridge?	The Forum adopted the conclusion on the issue with modifications agreed during the meeting.	Forum-S will send a supplement for the MOC for Forum consultation on minor editorial modifications by 30 March 2018
29.1 What specific information must be in the SDS after revision based on item 0.2.5 of Annex II of REACH?	The Forum adopted the conclusion on the issue.	Forum-S will send a supplement for the MOC for Forum consultation on minor editorial modifications by 30 March 2018
29.2 How should the inspector react to cases where the DU uses an Annex XIV substance after the sunset date referring to an ongoing application for authorisation, but his use or the operational conditions do not match those described in the application?		Forum-s will launch a written consultation by 23 March Forum members are invited to submit written comments to the draft conclusion by 13 April.
29.3 How to identify all sites concerned with an authorisation decision: not only the applicant but are also DUs and other actors covered by it?		Forum-s will launch a written consultation by 23 March Forum members are invited to submit written comments to the draft conclusion by 13 April.
29.4 Is it possible for the applicant and DUs to implement different conditions than what appears in the CSR?		Forum-s will launch a written consultation by 23 March Forum members are invited to submit written comments to the draft conclusion by 13 April.
Item 15 – Use of alternatives to testing in animals –feedback from the Forum and next steps		
Use of alternatives to testing in animals – possible	Forum members agreed to help the REACH NEAs from other countries following up these cases, if their help is requested.	Forum members from DE and FR are invited to give feedback on the cases by 13 April

enforcement considerations	Forum members agreed to share information about the animal welfare authorities in their country with other Forum colleagues when they request it and help to solicit support of these authorities, if it is needed during the cross border follow-up of the cases.	<p>Forum members from MS willing to follow up the cases are invited to provide feedback on what action they undertook and report on their findings and interplay with the Animal Welfare Directive to Forum-S via PD-NEA.</p> <p>Forum members from MS following up the cases points are invited to contact ECHA bilaterally about potential support from ECHA needed for following up these cases (F-28).</p>
Item 16 – Updates on the cooperation between Forum and BPR Subgroup		
16.1 Updates from the BPRS discussions		
16.2 Update on the discussion concerning joint sessions Forum/BPRS – feedbacks received by Forum/BPRS members	<p>Forum agreed to have a joint open session at the November meeting, if so desired by the BPRS.</p> <p>Forum agreed to have a joint closed session with BPRS in March 2019, if required by the topics to be addressed jointly by both bodies.</p>	<p>Forum-S will assess the topics to be brought to Forum-32/BPRS-7 and decide, in consultation with the Chairs, if it is relevant to have a joint session in Forum-32/BPRS-7.</p>
Item 17 – AOB		
17.1 Dates of the Forum plenary meetings in 2019 and 2020	<p>In 2019:</p> <ul style="list-style-type: none"> o F-32: 11-15 March 2019 or possibly 18-22 March 2019 o F-33: 10-14 June 2019 o F-34: 4-8 November 2019 <p>In 2020:</p> <ul style="list-style-type: none"> o F-35: 23-27 March 2020 o F-36: 22-26 June 2020 o F-37: 2-6 November 2020 	
17.2 Cross border cooperation		<p>Forum-S will book an agenda item at Forum-30 to further discuss the issue.</p>

III. List of Attendees

Forum members

	Country	Name
1	AT	ANWANDER Eugen
2	BE	CUYPERS Paul
3	CY	KYPRIANIDOU-LEONTIDOU Tasoula
4	CZ	JAROLÍM Oldřich
5	DE	FRENZEL Stefan
6	EL	CHATZIANTONIOU Dimitrios
7	ES	SÁNCHEZ-PEÑA Pablo
8	FI	ASSMANN Mervi
9	FR	PIONNEAU Clotilde
10	HR	KREKOVIĆ Marija Dubravka
11	HU	DEIM Szilvia
12	IE	MCMICKAN Sinead
13	IT	ALESSI Mariano
14	IS	INGVARSDOTTIR Hafdis Inga
15	LT	ŠPŪRIENĖ Otilija
16	LU	ENGELS Kim
17	LV	KAZEROVSKA Kristine
18	MT	FARRUGIA Bernice
19	NL	VAN DEN BERG Jos
20	NO	HAGEN Gro
21	PL	MOCZULAK Aleksandra
22	PT	BARATA Sofia
23	RO	MIJA Maria
24	SE	HEDLUND Henrik
25	SK	POČAROVSKÁ Miriam
26	UK	POTTS Mike

Invited experts

	Country	Name
1	AT	WURM Gernot
2	CZ	MARKO Martin
3	DK	MIKKELSEN Sonja
4	EE	LINNO Annemari
5	EL	SKAFIDA Panagiota
6	ES	ZAMORA NAVAS Laura
7	FI	MÄKI Markus
8	HR	PILETIĆ Kaća
9	IE	LOWE Majella
10	IT	POLCI Maria Letizia
11	LT	UŽOMECKAS Žilvinas
12	LU	HERMES Joe

	Country	Name
13	NO	SULEIMAN Abdulqadir
14	SE	RUMAR Karin
15	SK	HULANSKÁ Katarína
16	UK	CARTER Paul

Advisers

	Country	Name
1	BE	LEYNEN Michel
2	DE	WURSTHORN Sibylle
3	DK	FAGERLUND Michael
4	FI	VALKAMA Tuuli
5	SE	EKSTIG Lisa

European Commission representative

	DG	Name
1	ENV	MAURER Helmut
2	GROW	AGUADO-MONSONET Miguel
3	GROW	SNOEREN Birgit

EU-OSHA representative

	Agency	Name
1	EU-OSHA	SCHNEIDER Elke

	ECHA	Unit
1	ALBERTO Joana	Support, Forum and HelpNet Secretariat
2	BARANSKI Maciej	Support, Forum and HelpNet Secretariat
3	CALVO TOLEDO Juan Pablo	Support, Forum and HelpNet Secretariat
4	FRONTINI Ales	Support, Forum and HelpNet Secretariat
5	HANSEN Bjorn	Executive Director
6	HERDINA Andreas	Director of Cooperation
7	LEFEVRE-BREVART Sandrine	Computational assessment and dissemination
8	MATEUS Tania	Support, Forum and HelpNet Secretariat
9	NICOT Thierry	Risk Management Implementation Unit
10	NIKULA Terhi	Support, Forum and HelpNet Secretariat
11	NOUWEN Johan	Support, Forum and HelpNet Secretariat
12	PEDROSA Tiago	Registration Directorate
13	PILLET Monique	Risk Management Implementation Unit
14	ROSSI Laura	Evaluation
15	SOMPOLSKI Daniel	Dossier Submission and PIC
16	TŁOCZEK Magdalena	Support, Forum and HelpNet Secretariat
17	TUOMAINEN Anita	Support, Forum and HelpNet Secretariat

IV. List of Annexes

ANNEX 1. Final agenda Forum-29

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

ANNEX 2 a – “Characterisation of risks”

ANNEX 2 b – “Enforceability of restrictions”

ANNEX 2 c – “Prioritisation of REF projects”

ANNEX 2 d – “Pilot project on substances in article”

ANNEX 2 e – “Joint initiative ECHA Forum – ECHA ASOs on Improvement of the quality of SDSs”

ANNEX 2 f – “Implementation of PD-NEA”

ANNEX 2 g - “REF-6 on CLP”

ANNEX 2 h – “REF-5 on Exposure Scenarios, extended SDS, RMM and OC”

ANNEX 2 i – “Pilot Project on control of PIC”

ANNEX 2 j – “Forum Work Programme 2019-2023”

ANNEX 2 k – “REF-7 on Registration”

ANNEX 2 l – “Training for Enforcement Trainers 2018”

ANNEX 2 m – “Pilot project on Control of internet sales of hazardous chemicals”

ANNEX 2 n – “Customs 2”

ANNEX 2 o – “Information and Communication System for Market Surveillance (ICSMS)”

ANNEX 3. Glossary of acronyms and abbreviations

Annex 1 – Final agenda Forum-29

13 March 2018
ECHA/Forum-29/2018/dA

Agenda
Twenty ninth meeting of the
Forum for Exchange of Information on Enforcement
(Forum-29)
13-15 March 2018

European Chemicals Agency
Helsinki, Finland
Tuesday, 13 March: starts at 09:00
Thursday, 15 March: ends at 12:00

DAY 1 CLOSED SESSION Tuesday 13 March 2018

Item 1 – Welcome and Introduction 09:00-09:15

- 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-28 – *ECHA Forum Secretariat*
- 1.5 Report of the written procedures and other issues between Forum-28 and Forum-29 - *Vice-Chair*

ECHA/Forum-29/2018/dA
ECHA/Forum-29/2018/1.4
ECHA/Forum-29/2018/1.5

For adoption
For information

Item 2 – Address by ECHA's Executive Director 09:15-09:30

For information

Item 3 – Forum's enforcement activities- Ongoing projects 09:30-15:45

- 3.1 *Characterisation of risks (45')*
 - 3.1.1 Task Force progress report – *Vice-Chair*
 - 3.1.2 Discussion methodologies for elaborating the guidelines for inspectors – *ECHA Forum Secretariat*
 - 3.1.3 Feedback from the PROSAFE project – *Forum representative*
 - 3.1.4 Mandate amendment - *ECHA Forum Secretariat*
- 3.2 *Enforceability of Restrictions (30')*
 - 3.2.1 WG progress report - *WG Chair*
 - 3.2.2 Proposals for substances for restrictions and other WG issues for discussion- *ECHA Forum Secretariat*
 - 3.2.3 Mandate amendment - *ECHA Forum Secretariat*

- 3.3. *Prioritisation of REF projects (10')*
 - 3.3.1 WG progress report – *WG Chair*
 - 3.3.2 Mandate amendment- *ECHA Forum Secretariat*

- 3.4 *Pilot project on substances in articles (10')*
 - 3.4.1 WG progress report- *WG Chair*
 - 3.4.2 Mandate amendment - *ECHA Forum Secretariat*

Coffee break 11:05-11:30

- 3.5 *Joint initiative ECHA Forum – ECHA ASOs on Improvement of the quality of SDSs (15')*
 - 3.5.1 WG progress report - *WG Chair*
 - 3.5.2 Mandate amendment - *ECHA Forum Secretariat*

- 3.6 *Implementation of PD-NEA (35')*
 - 3.6.1 WG progress report – *WG Chair*
 - 3.6.2 Update on the Poison Centres – *ECHA Secretariat*
 - 3.6.3 Update on ECHA IT tools - *ECHA Forum Secretariat*
 - 3.6.4 Mandate amendment - *ECHA Forum Secretariat*

- 3.7 *REACH-EN-FORCE-6 on CLP (10')*
 - 3.7.1 WG progress report - *WG Chair*
 - 3.7.2 Mandate amendment - *ECHA Forum Secretariat*

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

- 3.9 *Pilot project on Control of PIC (10')*
 - 3.9.1 WG progress report – *WG Chair*
 - 3.9.2 Mandate amendment- *ECHA Forum Secretariat*

- 3.10 *Forum Action Programme 2019+ (10')*
 - 3.10.1 WG progress report – *WG Chair*
 - 3.10.2 Mandate amendment- *ECHA Forum Secretariat*

Lunch break 13:00-14:00

- 3.11 *REACH-EN-FORCE-7 on Registration (15')*
 - 3.11.1 TF progress report - *Vice-Chair*
 - 3.11.2 Mandate amendment - *ECHA Forum Secretariat*

- 3.12 *Training for enforcement trainers 2018 (15')*
 - 3.12.1 WG progress report - *WG Chair*
 - 3.12.2 Mandate amendment - *ECHA Forum Secretariat*

3.13 Pilot project on Control of internet sales of hazardous chemicals (20')

3.13.1 WG progress report - *WG Chair*

3.13.2 Project results – *WG Chair*

3.13.3 Mandate amendment- *ECHA Forum Secretariat*

3.14 Customs 2 (40')

3.14.1 WG progress report – *WG Chair*

3.14.2 Future activities with PARCS network – *WG Chair*

3.14.3 Mandate amendment- *ECHA Forum Secretariat*

3.15 Information and Communication System for Market Surveillance (ICSMS) (10')

3.15.1 WG progress report - *WG Chair*

3.15.2 Mandate amendment - *ECHA Forum Secretariat*

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ECHA/Forum-29/2018/3. 7. 1

ECHA/Forum-29/2018/3. 8. 1

ECHA/Forum-29/2018/3. 9. 1

ECHA/Forum-29/2018/3. 10. 1

ECHA/Forum-29/2018/3. 11. 1

ECHA/Forum-29/2018/3. 12. 1

ECHA/Forum-29/2018/3. 13. 1

ECHA/Forum-29/2018/3. 14. 1

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ECHA/Forum-29/2018/3. 14. 1_Appendix2

ECHA/Forum-29/2018/3. 14. 1_Appendix3

ECHA/Forum-29/2018/3. 14. 1_Appendix5

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ECHA/Forum-29/2018/draft_mandates

For information

For adoption

Coffee break 15:45-16:15

Item 4 – Update on relevant developments by the Commission

16:15-17:30

4.1 General updates by the European Commission

4.2 Proposal for amendment of various regulations - COM(2017)795

ECHA/Forum-29/2018/4. 1

For information

Item 5– Adoption of conclusions from day 1

17:30-17:45

For adoption

Regular meeting with ECHA Directors and Forum Chairs

18:00

DAY 2 CLOSED SESSION Wednesday 14 March 2018

Item 6 – Debriefing of the meeting with ECHA Directors	<i>09:00-09:30</i>
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For information

Item 7 – Forum’s enforcement activities- Projects under preparation	<i>09:30-11:00</i>
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7.1 *Third pilot project on authorisation*

7.1.1 *Project proposal – ECHA Forum Secretariat*

7.1.2 *Establishment of the WG Mandate - ECHA Forum Secretariat*

7.2 *List of ‘standard’ phrases for setting the conditions used by RAC/SEAC – ECHA Secretariat*

*ECHA/Forum-29/2018/7.1.1
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***For discussion
For adoption***

Coffee break 11:00-11:30

Item 8 – EU-OSHA campaign on dangerous chemicals	<i>11:30-12:00</i>
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EU-OSHA Healthy Workplace Campaign 2018-19 and its actions under the roadmap for carcinogens – EU-OSHA representative

For information

Item 9– Updates from the ECHA Secretariat	<i>12:00-13:00</i>
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9.1 *Updates on the UK withdrawal from the EU (15’)*

9.2 *Understanding downstream user information needs (5’)*

9.3 *Solutions for late registrations agreed by the Directors Coordination Group for 2018 deadline (20’)*

9.4 *Follow-up of ECHA Decisions: updates from ECHA (15’)*

9.5 *Update on ECHA guidance activities (5’)*

*ECHA/Forum-29/2018/9.2
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ECHA/Forum-29/2018/9.4
ECHA/Forum-29/2018/9.4_AnnexI
ECHA/Forum-29/2018/9.5*

For information

Lunch break 13:00-14:00

Item 10 – Enforcement projects in Member States 14:00-15:00

10.1 Visit of ECHA staff during the enforcement of ES in France - *FR Forum member*

10.2 NL action on blended oils – *NL Forum member*

10.2.1 Feedback on the exchange of inspectors

10.3 SE joint-project on labelling and packaging according to CLP – *SE advisor*

10.4 DE national project on CLP – *DE Forum alternate*

*ECHA/Forum-29/2018/10.2
ECHA/Forum-29/2018/10.2_room_doc*

For information

Item 11 – Potential involvement of the Forum in ENES' work 15:00-15:30

ECHA/Forum-29/2018/11

For discussion

Coffee break 15:30-16:00

Item 12 – Updates from the ECHA Forum Secretariat 16:00-17:30

12.1 Discussion on the follow-up of the REF-4 project results (45')

12.2 Publication of Forum outputs (25')

ECHA/Forum-29/2018/12.2_room_doc

For discussion

12.3 Information about Serbia's observer status (10')

12.4 Preparations for Forum-31 (10')

For information

Item 13 – Adoption of conclusions from day 2 17:30-17:45

For adoption

DAY 3 CLOSED SESSION Thursday 15 March 2018

Item 14 – Practical issues for enforcement of REACH and CLP 09:00-10:15

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

*ECHA/Forum-29/2018/14
ECHA/Forum-29/2018/14_Annex1a
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ECHA/Forum-29/2018/14_room_doc*

For discussion

Item 15 – Use of alternatives to animal testing – feedback from the Forum and next steps 10:15-10:45

*ECHA/Forum-29/2018/15
ECHA/Forum-29/2018/15_room_doc*

For discussion

Item 16 – Updates on the cooperation between Forum and BPR Subgroup 10:45-11:15

- 16.1 Updates from the BPRS discussions – *BPRS Chair*
- 16.2 Update on the discussion concerning joint sessions Forum/BPRS – feedbacks received by Forum/BPRS members

ECHA/Forum-29/2018/16.2

For information

Item 17 – A.O.B. 11:15-11:30

- 17.1 Dates of the Forum plenary meetings in 2019 and 2020 – *ECHA Forum Secretariat*

For information

Item 18– Adoption of conclusions from day 3 11:30-11:45

For adoption

Item 19 – End of the meeting 12:00

Sandwiches available

Annex 2 a “Categorisation of Risks”

Forum Task Force
Work Packages B.1 and C.1
“Categorisation of Risks”
(Mandate adopted at Forum-29)

Composition:

Chair

Forum Members/Alternates

- Eugen ANWANDER (AT)
- Paul CUYPERS (BE)
- Stefan FRENZEL (DE)
- Sofia BARATA (PT)
- (FR)

Invited Experts

- Margareta DAHO (SE)
- Andrea MAYER FIGGE (DE)
- Rune HJORTH (DK)
- Roberto VALADARES (PT)
- Olivier COUTURAUD (FR)

ECHA

- Juan Pablo CALVO TOLEDO
- Celia TANARRO (Unit A.2, Support, Forum & HelpNet Secretariat)

COM

- Miguel AGUADO (DG GROW)
- Ana BLASS (DG GROW)

Objective:

Develop the guidelines enabling the inspectors and NEAs to categorise the risks from non-compliance when using ICSMS.

Mandate:

The Task Force shall:

- Develop an example(s) enabling the Forum members to make a choice on the methodology to follow to elaborate the guidelines for inspectors and NEAs to categorise the risks
- Elaborate the methodology to be validated by the Forum.
- provide input to the COM projects undergoing developing guidelines to tackle serious risk (e.g. PROSAFE project) and assess the results of these projects.
- To assess the objectives of the PROSAFE project and whether the Task Force could take over some of the tasks foreseen in the PROSAFE project

Timelines:

- F-29: Example(s) to be presented for the Forum for validation of the methodology utilised
- F-32: Guidelines for the inspectors for the use of ICSMS

Annex 2 b “Restrictions”

Forum Working Group
Work Package B12
“Enforceability of restrictions”
(Mandate adopted at Forum-29)

Composition:

Chair: Maria Letizia POLCI (IT Alternate)– rotating Chair

Vice-Chair: Eugen ANWANDER (AT)

Forum Members/Alternates

- 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)
- Gernot WURM (AT)
- Katarina WAGNER (DE)
- Michael LAMBERT (UK)
- Charlotte RAHM (SE)

Invited experts (analytical methods)

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

European Commission

- Patricia HUALDE GRASA (DG GROW)
- Giuseppina LUVARÀ (DG ENV)

ECHA

- Juan Pablo CALVO TOLEDO
- Stephen HOLLINS

SLIC- CHEMEX

-

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 2019 the information provided by the stakeholders during 2016/2017/2018 and revise if needed the methodology and the compendium by F-34 (Q4 2019).
- 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
- Elaborate a discussion paper exploring ways for enforcement authorities and the Forum to identify and to propose substances for restriction to be discussed at Forum-29

Timeline:

- 30 November 2019, reporting at each plenary meeting

Annex 2 c “Prioritisation of REF Projects”

Forum Working Group
Work Package A.1
“Prioritisation of REF Projects”
(Mandate adopted at Forum-29)

Composition:

Chair: Tasoula KYPRIANIDOU LEONTIDOU (CY) – rotating Chair

Vice Chair(s):

-

Forum Members/BPRS Members / Alternates

- Maria Letizia POLCI (IT alternate)
- Paul CUYPERS (BE)
- Oldrich JAROLIM (CZ)
- Dubravka KREKOVIC (HR)
- Abdulqadir SULEIMAN (NO Alternate)
- Sofia BARATA (PT)
- Marianne BRAAM (NL – BPRS member)

Invited Experts

- Semira MEHIC (SI)
- Hannah DOHERTY (UK) – BPRS support
- 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.

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 propose the adjustments of the methodology with regard to the inclusion of the BPR terminology and the Annex I with the essential requirements of BPR. The WG shall signal if any more significant changes will be needed to use the REF project methodology for the BPR projects so that BPR projects can be prioritised and managed according to this methodology (subject to the agreement in the BPR Subgroup to be decided at the BPRS-2).

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
- Propose the revised methodology including the BPR terminology by Forum-31/BRPS-6
- Shortlist of subjects for REF-8 by Forum-31.

Annex 2 d “Substances in Articles”

Forum Working Group “Pilot project Substances in Articles” (Mandate adopted at Forum-29)

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)
- Haidi KANAMAE (EE)
- Nikoletta MAROSVÖLGYI (HU)

Commission

-

ECHA

- Juan Pablo CALVO TOLEDO
- Telmo VIEIRA PRAZERES
- Rémi LEFEVRE
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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: 1 October 2017 – 31 December 2018
- Reporting phase (National Coordinators): 28 February 2019
- Draft report: 31 May 2019
- Adoption and publication of the report: 30 September 2019

Annex 2 e “Joint initiative on Improvement of the quality of SDSs”

**Forum Working Group
“Joint initiative ECHA Forum – ECHA ASOs on
Improvement of the quality of SDSs”
(Mandate revised at Forum-29)**

Composition:

Chair: Henrik HEDLUND (SE)

Forum Members/Alternates

- Chiel BOVENKERK (NL Alternate)
- Sinead MCMICKAN (IE)
- Oldrich JAROLIM (CZ)
- Bernice FARRUGIA (MT Alternate)
- Abdulqadir SULEIMAN (NO Alternate)

Invited Experts

- Fatima ARMAGAN (DK)
- Tarja KARLEMO (FI)
- Filipe VITORINO (PT)
- Laura ABEL (DE)
- Paul CARTER (UK)
- Angelo TRAVAGLIA (IT)
- Zilvinas UZOMECKAS (LT)

Commission

- Miguel AGUADO MONSONET (DG GROW)

ECHA

- Juan Pablo CALVO TOLEDO
- Fesil MUSHTAQ

ECHA Accredited Stakeholder Organisations

- CEFIC
- ACEA
- Fertilizers Europe
- ECPA
- FECC
- EUROMETAUX
- CONCAWE
- ASD
- EURATEX
- ECOPA
- Orgalime
- ORO

MS volunteering to share deficiencies experiences with SDSs

- HU, CY, IT, IE, DK, CZ, DE, NO, SE, UK, NL, MT, PT, AT, FI, EE, LT

Objectives:

Identify the common deficiencies found in the SDSs and propose solutions for improvement and encourage ECHA ASOs to implement the solutions and monitoring the progress.

Mandate:

- Define the detailed scope of the joint action
- Prepare an action plan including such actions as:
 - o The collection of data on deficient SDSs
 - o Identify the topics that require priority actions
 - o The analysis of the data and the identification of reasons for the deficiencies
 - o The identification of potential solutions
 - o The implementation by the ECHA ASOs of the solutions
 - o The monitoring of the progress with the improvements
- Oversee the implementation of the joint action
- Oversee the reporting from the joint action and from follow-up of the solutions identified by it during the open sessions 2018/2019

Tentative Timeline:

- Draft scope and action plan: October 2017
- Adoption of the action plan: December 2017
- Implementation of the action plan:
 - o Data collection : May 2018 – August 2018
 - o Analysis of the data and identification of potential solutions– September 2018 – October 2018
 - o Presentation of the outcomes in the open session of Forum-31 (November 2018)
- Monitoring of results
 - o 2019 onwards: Implementation of the solutions proposed in the action plan by ASOs
 - o 2019 onwards: ASOs report on actions taken during annual open sessions of the Forum meetings

Annex 2 f “PD-NEA”

**Forum Working Group
“Implementation of PD-NEA”
(Mandate adopted at Forum-29)**

Composition:

Chair: Pablo SANCHEZ-PEÑA (ES)

Forum Members/Alternates

- Eugen ANWANDER (AT)
- Eleni FOUFA (EL)

Invited Experts

- Juergen SCHMID (DE)
- Maria Jose FALCAO (PT)

ECHA

- Anita TUOMAINEN

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-32 (Q1 2019)

Annex 2 g “REF-6”

Forum Working Group

Work Package A.1

“Coordinated enforcement project REACH-EN-FORCE-6”

(Mandate adopted at Forum-29 and BPRS-4)

Composition:

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

Forum Members and Alternates

- Gro HAGEN (NO)
- Elena ZIDAROVA (BG)
- Dimitrios CHATZIAN TINOU (EL Alternate)
- Graca BRAVO (PT)
- Pablo SANCHEZ-PEÑA (ES)

Invited Experts

- Petra SCHLAG (DE)
- Markus MAKI (FI)
- Mariana DE VRIES-HLAVACOVA (NL)
- Žilvinas UŽOMECKAS (LT)
- Zsuzsanna KISS (HU)
- Panagiota SKAFIDA (EL)

BPRS Members and Experts

- Viktoriya HRISTOVA (BG)
- Emma BERGSTROM (SE)
- Gilles CROIZÉ-POURCELET (FR)
- Anna MASLARSKA (BG)

ECHA

- Anita TUOMAINEN

Objective:

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

Mandate:

- 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
- Include biocides in the scope of the project in collaboration with the appointed BPR experts
- Define the scope of enforcement activities under Art 45 and Annex VIII of CLP
- Address in the manual the issue of mechanical compression strength of the LLDCs

Timeline:

- Project manual: Q4 2017
- Prepare and deliver the training for project national coordinators: Q4 2017
- Define the scope of enforcement activities under Art 45 and Annex VIII of CLP: Q2 2018
- 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 "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-29)

Composition:

Chair: Abdulqadir SULEIMAN (NO Alternate)

Forum Members

- Dimitrios CHATZANTONIOU (EL Alternate)
- Eugen ANWANDER (AT)
- Maria ORPHANOU (CY Alternate)
- Otilija ŠPURIENĖ (LT)
- Paul CUYPERS (BE)
- Sofia BARATA (PT Alternate)

Invited Experts

- Jan WESTERLAKEN (NL)
- Marie CARDFELT (SE)
- Annette KRÜGER (DE)
- Jouni RÄISÄNEN (FI)
- Ida SCHARFF (DK)
- Gediminas VALENTĖLIS (LT)
- Janka MORÁVKOVÁ (CZ)
- Kristina KARLSSON (SE)

ECHA

- Tania MATEUS
- Andrew MURRAY (Risk Management Implementation Unit)
- Sandrine LEFEVRE-BREVART (Computational Assessment and dissemination Unit)
- Andreas AHRENS (Computational Assessment and dissemination 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 “Pilot Project on PIC”

Forum Working Group “Forum Pilot Project on PIC” (Mandate adopted at Forum-29)

Composition:

Chair: Jos VAN DEN BERG (NL)

Forum Members/Alternates

- Eugen ANWANDER (AT)

Invited Experts

- Panagiota SKAFIDA (EL)
- Andrea ENGELHARDT (DE)
- Isabel COSTA (PT)

COM

ECHA

- Tania MATEUS
- Chiara MACCHI (Unit C1, Dossier submission and PIC)

Objectives:

- Coordinate and manage the preparatory, operational and reporting phases of the Forum pilot project on PIC.

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

Timeline:

- Preparatory phase: July – December 2017
- Operational phase: January - June 2018
- Reporting phase: July - December 2018

Annex 2 j “Forum Work Programme 2019-2023”
Forum Working Group
“Preparation of the Forum Work Programme 2019-2023”
(Mandate adopted at Forum-29 and BPRS-4)

Composition:

Chair: Sinead McMICKAN (IE)

Forum/BPRS Members/Alternates

- Katja VOM HOFE (DE)
- Graça BRAVO (PT)
- Dominik PISAREK (PL) (BPRS)
- Eugen ANWANDER (AT) (BPRS)

Invited Experts

- DE

Commission

- Miriam GUTIERREZ-MEDINA (DG GROW)

ECHA

- Maciej BARANSKI

Objectives:

Prepare a Forum Work Programme 2019-2023 outlining the work of the Forum and BPRS for the years starting 2019 onward.

Mandate:

- Develop Forum Work Programme 2019-2023 describing the activities of the Forum and BPRS with accompanying high level planning
- Define the time scope of the Work Programme
- Comment on the ECHA strategic document 2019-2023
- Ensure that the Forum Work Programme 2019-2023+ is consistent, where applicable, with the strategic priorities and objectives defined in the ECHA strategic document 2019-2023
- Collect and process suggestions from the ECHA Management Board, CARACAL, BPR CAs and DNAs when drafting the Work Programme.

Tentative Timeline:

- Forum-31/BPRS-6 – final Forum Work Programme 2019-2023

Annex 2 k "REF-7"

Forum Working Group

Work Package A.1

"Coordinated enforcement project REACH-EN-FORCE-7"

(Mandate adopted at Forum-29)

Composition:

- **Chair:** Paul CUYPERS (CY)

Forum Members and Alternates

- Jos VAN DEN BERG (NL)
- Abdulqadir SULEIMAN (NO)
- Clotilde PIONNEAU (FR)

Invited Experts

- Rui CABRITA (PT)
- Michael FAGERLUND (DK)
- Angelika HOOPS (DE)
- Tamas KOVACS (HU)
- Barbro SILLREN (SE)

ECHA

- Magdalena TLOCZEK
- Catherine CORNU
- Augusto DI BASTIANO
- Istvan MAK

Objective:

- Conceive and manage the seventh major Forum enforcement project REF-7 'Enforcement of Registration obligations after the last registration deadline in cooperation with customs authorities including the verification of the strictly control conditions applicable to the substances registered as intermediates'

Mandate:

- Develop the project manual (guidance document, checklist, planning, recommendations) for the execution of the project
- Consider the inclusion of an optional module on the registration of monomers in polymers within the project
- Discuss with ECHA Secretariat possibilities for preliminary screening of the registration dossiers and identification of some cases where there is concern
- 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

Timeline:

- Project manual: Q4 2018
- Prepare and deliver the training for project national coordinators: Q4 2018
- Operational phase: 2019
- Reporting phase (National Coordinators): Q1 2020
- Evaluation phase: Q3 2020
- Draft report: Q4 2020
- Adoption of the report: Q4 2020
- Tips and hints for inspectors: Q4 2020

Annex 2 I "Training the trainers 2018"

Forum Working Group Work Package C.2. **"Training for enforcement trainers 2018"** (Mandate adopted at Forum-29)

Composition:

Chair: Mike POTTS (UK)

Forum Members/Alternates

- Bernice FARRUGIA (MT)
- Semira HAJRLAHOVIĆ MEHIĆ (SI)
- Krisitīne KAZEROVSKA (LV)
- Tasoula KYPRIANIDOU-LEONTIDOU (CY)
- Clotilde PIONNEAU (FR)
- Otilija SPURIENE (LT)

Forum Invited Experts

- Gaetano ABATE (DE)
- Paul CARTER (UK)
- Nathalie HAYAUD (FR)
- Uwe LICHT-KLAGGE (DE)
- Maria ORPHANOU (CY)
- Žilvinas UŽOMECKAS (LT)

Commission

ECHA

- Magdalena TLOCZEK
- Catherine CORNU
- Augusto DI BASTIANO
- Istvan MAK

Objective:

- Prepare and deliver the training for trainers on the enforcement of REACH, CLP and PIC in the fourth quarter of 2018

Mandate:

- Examine the training subjects relevant for enforcement in the fourth quarter of 2018 and prepare the priority topics for agreement before Forum-28
- 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
- Cooperate with the WG REF-7
- Collect, summarise and evaluate the recommendations and reactions of participants

Timeline:

- Before Forum-28: conclude on list of subjects and prioritisation
- Forum-31/Forum-32: final report

Annex 2 m “Internet sales”

Forum Working Group
“Forum Pilot Project on CLP focusing on control of internet sales”
(Mandate adopted at Forum-29)

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)

ECHA

- Magdalena TLOCZEK

Objectives:

- Coordinate and manage the preparatory, operational and reporting phases of the Forum pilot project on control of the internet sales

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 n “Customs 2”

Forum Working Group “Cooperation with Customs 2” (Mandate adopted at Forum-29)

Composition:

Chair: Tasoula Kyprianidou-Leontidou (CY)

Forum Members/Alternates

- Eleni FOUFA (EL)
- Pablo SANCHEZ-PENA (ES)

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)
- DG TAXUD?

ECHA

- Maciej BARANSKI

Objectives:

- Prepare proposal for a framework of possible involvement of Customs in control of REACH and CLP and execute joint pilot project with the Customs related to enforcement of REACH and CLP

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. Prepare, oversee and report from a pilot project testing the cooperation with customs authorities, in cooperation with the PARCS network.
6. Examine the draft market surveillance regulation to see whether it affects the cooperation with customs as defined by the Working Group

Timeline:

- Forum 29 (Q1 2018) – Tasks 1-4 and 6.
- Task 5: preparatory phase 2018, operational phase: Q1-Q2 2019 Reporting phase: Q3-Q4 2019

Annex 2 o “ICSMS”

**Forum Working Group
“Information and Communication System for Market Surveillance
(ICSMS)”**

(Mandate adopted at Forum-29)

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 CALÁ (IT)
- Axel DORENBECK (DE)
- Michael FAGERLUND (DK)

Commission

- Peter BARICIC

ECHA

- Anita TUOMAINEN

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-30 (Q2 2018)

Annex 2 p “3rd Authorisation”

Forum Working Group
Work Package A.1
“Third Forum Pilot Project on Authorisation”
(Mandate adopted at Forum-29)

Composition:

Chair: Jos VAN DEN BERG (NL)

Forum Members/Alternates

- Eugen ANWANDER (AT)
- Paul CUYPERS (BE)
- Majella LOWE (IE)
- Clotilde PIONNEAU (FR)

Invited Experts

- Lina DUNAUSKIENĖ (LT)
- Lisa EKSTIG (SE)
- Nicole NOWKA-ROSSMANN (DE)
- Nathan KUPER (NL)
- Pirjo KORHONEN (FI)
- Žilvinas UŽOMECKAS (LT)

SLIC-CHEMEX

-

ECHA

- Magdalena TLOCZEK

Objectives:

- Coordinate and manage the preparatory, operational and reporting phases of the Forum third 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 third pilot project on authorisation related to the presence of chromium VI compounds and other substances subject to authorisation on the market
- 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
- Prepare final project report and present it to the Forum plenary
- prepare proposal to the Forum about the feasibility of timelines and substances to be included in scope taking into account the authorisation decisions issued by the end 2018

Timeline:

- Preparatory phase – March 2018 – December 2018
- Operational phase and reporting phase – to be decided at Forum-31

Annex 3- Glossary of acronyms and abbreviations

AMS: Accreditation and Market Surveillance regulation
ASO: ECHA's Accredited Stakeholder Organisations
BPR: Biocidal Product Regulation
CARACAL: MSCA Committee for REACH and CLP
CCH: Compliance checks
CLP or CLP Regulation: Regulation (EC) No 1272/2008 on Classification, Labelling and Packaging of Substances and Mixtures
C&L: Classification and Labelling
COM: European Commission
CSR: Chemical Safety Report
DCG: Directors Coordination Group
DEV: Dossier Evaluation
DG: Directorate General at Commission
DNEL: derived no effect levels
DU: Downstream Users
ECHA: European Chemicals Agency
ES: Exposure Scenario
EU: European Union
GPSD: General Product Safety Directive
ICSMS: Information and Communication System for Market Surveillance
MSCA: Member State Competent Authority
NEAs: National Enforcement Authorities
OC: Operational conditions
OEL: occupational exposure limits
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
RIPE: REACH Implementation Portal for Enforcers - IT system for Enforcers
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
SEV: Substance Evaluation
SME: Small and Medium Sized Enterprises
SONC: Statement of Non-Compliance
SVHC: Substance of very high concern
WG: Working Group of the Forum