



Forum-23/M/2016 – PUBLIC

Adopted on 10/06/2016

**Minutes of the
23rd meeting of the Forum for Exchange of Information on Enforcement
Helsinki, Finland
16-18 March 2016**

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I. Summary record of the proceedings

Item 1 – Welcome and introduction

1.1 Opening by the Chair of the Forum

The Chair welcomed all the participants. She announced apologies from the Liechtenstein Forum member and stated that Iceland and Latvia did not have Forum representation. No proxies were appointed.

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-22

The ECHA Forum Secretariat informed the plenary on the status of action points from Forum-22 and highlighted the open actions.

1.5 Practicalities and brief recapitulation of results of the written procedures between Forum-22 and Forum-23

The ECHA Forum Secretariat referred to the document with the results of the written procedures between Forum-22 and Forum-23.

Item 2 – Address by ECHA’s Director of Cooperation

The Director welcomed the participants and shared that the Management Board was discussing the draft of ECHA’s Art 117(2) report on operation of REACH and CLP that ECHA prepares every 5 years. The report contains a section on Forum and its increasing work in the last 5 years. The report also recommends for a higher number of participating Member States in the Forum projects.

Many stakeholders follow the implementation and enforcement of ECHA decisions. After the discussion held in the Forum during Forum-22 on the Board of Appeal decision, ECHA would present a new proposal for the SONC process that would ensure a workable process to continue the cooperation on the interlinks in Dossier and Substance Evaluation.

The Director highlighted that ECHA released in February a new version of PD-NEA, a system that replaced RIPE, offering all the key features of RIPE and new powerful search features. ECHA would continue to support and develop the system taking due account of the feedback from the Forum and its WG “Implementation of PD-NEA”.

He complimented the publication of the Forum’s report on the first pilot project on authorisation, with results that indicated low level of non-compliance (at least for the two substances covered – MDA and Musk Xylene).

The first meeting of Biocides Enforcement Group was held back-to-back with the Forum meeting. The Director stressed that it was ECHA's intention, considering the Forum feedback, to fully integrate the Biocidal Enforcement Group's work in the Forum by the end of 2017.

The Chair added that the Forum was ready to take over the enforcement of the Biocidal Product Regulation (BPR), as it was discussed in previous Forum meetings.

Item 3 – Forum's enforcement activities - Work Packages

3.1 Implementation of PD-NEA

3.1.1 WG progress report

The Vice-chair of the Working Group (WG) informed that the workshop for PD-NEA and e-PIC SPOCs was successfully delivered in January 2016.

The WG conducted the User Acceptance Testing and accepted PD-NEA on the condition that ECHA improves performance in the June or November release.

The subgroup for BPR NEA IT requirements finalised the data requirements and were drafting the functional requirements. The data requirements were submitted to COM and they were scheduled for discussion at the Biocidal Enforcement Group (BEG) meeting in June. A Vision Document for ECHA management decisions towards launching an IT project aimed at delivering BPR data to NEAs was prepared and it will be discussed in their June meeting.

Replying to a Forum member, ECHA Forum Secretariat informed that the manual on the use of the ePIC for enforcement authorities was available on ECHA's website.

COM representative was supportive to move the BPR task of this WG to the BEG. The WG Vice-chair commented that it was the Forum's view to take over the BPR enforcement issues and suggested to maintain the task with the WG. ECHA Forum Secretariat added that the deliverables of the WG were being consulted with BEG and in that way COM (DG SANTE) was being informed on the work done by the Forum.

3.1.2 RIPE/PD-NEA project progress report

ECHA Forum Secretariat informed that the PD-NEA, Identity Access Management (IAM) and ePIC tools were released on 22 February. He informed on the planned releases of the new versions of the tool. In June, the PD-NEA tool will be aligned with IUCLID 6.1, which will bring some changes in the tabs of the tool. Independently of the releases, a "screening report" with information on the REACH Article 66 DU notifications and contact details of applicants of authorisation will be available for inspectors, once ECHA starts receiving these notifications.

3.1.3 Mandate amendment

The mandate of this WG was revised and the Forum adopted the updated mandate ([Annex 2a](#)).

3.2 Prioritisation of REF projects

3.2.1 WG progress report

The WG chair informed the plenary that Forum members, Commission, ECHA and Stakeholders were invited to submit proposals for REF-6 project by 15 April 2016. The chair clarified that the proposals that were submitted in the previous years and that were not chosen to be part of the scope of a REF project will be re-assessed

by the WG and it was not needed for the author to re-submit the same proposal. In addition, the WG started preparing for the revision of the project methodology and elaborated a thought starter for the content of guidelines for inspectors to be prepared after the finalisation of a REF project.

3.2.2 Market surveillance of detergents in soluble packaging

ECHA Forum Secretariat presented the summary of the replies received from the Forum members to a survey launched by Forum Secretariat, following a request from COM, on the new safety measures¹ to protect children from exposures. The new measures were related to the packaging and labelling of hazardous liquid laundry detergents for consumer use contained in a soluble film (also known as "liquid laundry detergent capsules", LLDC). Since 1 January 2016 (end of the transitional period), all products placed on the market would have to comply with the CLP applicable conditions.

COM representative added that a study on the issue would be finalised in October 2016 by COM, with the view to analyse the effectiveness of the new measures implemented in CLP, to highlight the potential challenges faced by enforcers and to define the criteria for "attractiveness". The report would also include some recommendations based on the experiences of international companies producing such products.

The participants were invited to provide feedback on their national experiences by October 2016. The Forum would re-assess the status at Forum-25 and decide whether to start a new pilot project on the issue.

3.2.3 Mandate amendment

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

3.3. REACH-EN-FORCE-4

3.3.1 WG progress report

The WG chair summarised the actions undertaken by the WG since November 2015. The operational phase of this project, with the intention to inspect 13 restrictions, started in February 2016 and will run until the end of the year. It was highlighted that cooperation with customs authorities was encouraged in the project for the inspection of imported project. Cooperation with occupational health and safety authorities was also relevant, for example, when enforcing Cr(VI).

3.3.2 Mandate amendment

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

3.4. REACH-EN-FORCE-5

3.4.1 Task Force progress report

The Chair informed that the Task Force took into account the Forum member's feedback collected after Forum-22 into the scope of the project and that the drafting of the project manual was initiated.

¹ New 3.3 section added in Part 3 of Annex II to Regulation (EC) No 1272/2008: '3.3 Liquid consumer laundry detergents in soluble packaging for single use'

The Forum agreed to have a representative of the SLIC-CHEMEX WG in this task force's composition.

A Forum member invited a representative from COM to participate in the elaboration of this project.

3.4.2 Mandate amendment

A chair was appointed and a WG was established. The Forum adopted the updated mandate ([Annex 2d](#)).

3.5 Pilot project on CLP: Child-resistant fastenings

3.5.1 WG progress report

The WG chair reminded the meeting that the project focused on presence and appropriateness of child-resistant fastenings (CRFs) and other aspects of packaging according to Article 35(2) of CLP (except LLDC). The operational phase ended in 31 December 2015 and the WG had initiated the drafting of the report. The publication of the final report was foreseen for the end of Q2 2016.

3.5.2 Mandate amendment

The mandate of this WG was revised and the Forum adopted the updated mandate ([Annex 2e](#)).

3.6 Enforceability of restrictions

3.6.1 WG progress report - Advice on restrictions

The Chair summarised the activities of the WG since Forum-22.

The Forum Guide on Enforcement for Dossier submitters was consulted with CARACAL and was presented at the Workshop on restriction in Brussels (19-20 Jan 2016). The publication of the Guide in ECHA's website was foreseen for the end of March.

The Forum Guide on Enforceability of Restriction Proposals (GER) was consolidated and included the Guide on Enforcement for Dossier Submitters.

The revised working procedure for the Elaboration of Forum advice and support to RAC and SEAC adopted in October 2015 would be published on ECHA's website and replace the previous procedure.

The WG provided opinion to the Commission on the proposals for analytical methods to be covered by the Union Work Programme 2017 (UWP) according to its mandate.

The WG provided support to RAC and SEAC twice during the period on the restriction proposal regarding D4/D5 by giving their views on specific questions raised those committees. The WG will continue examining new restriction proposals, provide advice on enforceability and continue providing support to RAC/SEAC.

3.6.2 WG progress report - Analytical methods

The WG vice-chair informed that the revised methodology and the first version of the compendium have been finalised. Both documents were undergoing a written

procedure for adoption. The adopted documents will be then published on ECHA's website² and will be open for comments by the stakeholders.

COM informed that a reply to the letter sent by the ECHA Forum Secretariat/WG Restrictions-Analytical methods, on the work programme of the COM on analytical methods, was being prepared.

COM would contribute to raising awareness of the existence of the compendium and highlight to stakeholders that it will be possible for them to comment on the document during 2016.

3.6.3 Mandate amendment

The mandate of this WG was revised and the Forum adopted the updated mandate ([Annex 2f](#)).

3.7 Information and Communication System for Market Surveillance (ICSMS)

3.7.1 WG progress report

The Chair highlighted that COM made a decision on the product information (PI) forms that were discussed during the last Forum meeting. There will be three different PI forms, one for each legislation (REACH, CLP, PIC). The WG modified the specifications according to the new forms and it was preparing a guidance document. The timelines for these forms would be Q2 for REACH, Q3 for CLP and Q4 for PIC.

A Forum member requested to incorporate in the manual some practical examples on how to work with the tool. COM added that the manual would be a high-level one, covering all type of regulations and directives that are included in ICSMS.

The WG chair stated that the WG ICSMS was preparing a guidance that will include aspects that are more practical for inspectors on substances and mixtures on REACH/CLP/PIC.

3.7.2 Mandate amendment

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

3.8 Projects on authorisation

3.8.1 First pilot project report

The WG chair informed that the final report of the project was adopted by the Forum and published on 19 February 2016 on ECHA's website³.

3.8.2 Second pilot project: WG progress report

The WG chair informed the meeting that the operational phase of the project had started on 1 January 2016 (until 30 June 2016) and that 17 countries were participating.

² Post-meeting note- the documents were adopted and published:

http://echa.europa.eu/documents/10162/13577/methodology_analytical_methods_en.pdf
http://echa.europa.eu/documents/10162/13577/compendium_of_analytical_methods_en.pdf

³ http://echa.europa.eu/documents/10162/13577/first_forum_pilot_project_authorisation_en.pdf

The Forum discussed and agreed to extend the operational phase until 31 October 2016 and the adoption of the report in June 2017.

3.8.3 Mandate amendment of first and second pilot project

The mandate of the first pilot project was closed as all tasks and objectives were completed ([Annex 2h](#)).

The Forum adopted the updated mandate for the second pilot project with the ammended timeline ([Annex 2i](#)).

3.9 Training for enforcement trainers 2016

3.9.1 WG progress report

The WG chair presented the WG progress on the preparation of the training that will be held in ECHA on 5-6 October 2016. After the training event, there will be an afternoon session for REF-5 National Coordinators (NCs) on 6 October 2016. The scope of the training, as agreed in Forum-22, will focus on issues related to the REF-5 project, i.e. extended SDS, exposure scenarios, risk management measures and operational conditions. The WG prepared the training agenda, which was adopted by the Forum on 29 February. The training will be of an intermediate level, which means that the nominated trainees should have basic knowledge of the training subject area.

The Forum members were invited to share case studies to be used in the training and nominate two participants per MSs for the training event by 15 July 2016 (in the interests of efficient use of resources, one of the two nominated participants should also be the National Coordinator for REF-5 project).

COM suggested for the WG to inform the trainees on the sources of information (for example, a compilation of sites to guides/information on exposure scenarios) on the subject of the training for the preparation of the trainees before attending the training. The chair of WG informed that the case studies will be sent in advance to the trainees so that they can solve the cases by themselves.

A Forum member highlighted that REF-5 (and consequently the training) should include training on how risk management measures can be enforced by the inspectors and if they were appropriately implemented. The Chair clarified that the scope of the training was wider than the REF-5 scope and should provide the knowledge that would allow the inspectors to perform the inspection under the REF-5 project's umbrella. A WG member stressed that the training should provide an opportunity for the inspectors to understand the borderline situations between REACH and the occupational health and safety regulation.

3.9.2 Mandate amendment

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

3.10 Interlinks

3.10.1 WG progress report

The chair of the WG presented the status of the work of this group.

The draft interlinks guide was undergoing the Forum consultation with foreseen adoption at Forum-24. The dossier and substances evaluation chapter would still needed to be reviewed in light of ECHA's processes that have been revised due to the Board of Appeal case on SONCs (discussed in Forum-22). On the reporting via S-CIRCA BC, the consultation launched after Forum-22, it was concluded that the

Forum members, were in favour of not reporting to ECHA/MSCA using the S-CIRCA BC table. Instead, NEAs would report only using the tool PD-NEA.

The CMR pilot report was being drafted and was foreseen to be adopted via written procedure before Forum-24.

3.10.2 Follow-up of ECHA Decisions: updates from ECHA

A document was submitted to the Forum with all the SONC cases and PPOD extensions decisions that were sent to the Member States Focal point by 29 February via RIPE.

COM suggested analysing the data sent to NEAs until now and extracting some additional information. In addition, he suggested that the responses to queries could be gathered and transferred to the Manual of Conclusions, so that it can be shared by all inspectors.

3.10.3 Discussion on the SONC process

ECHA Secretariat prepared a new proposal for addressing the implications of Board of appeal (BoA) decision to continue the follow up from dossier evaluation process in a practical way. The same proposal was presented at CARACAL. It takes into account the all the feedback provided in the Forum-22's discussion.

3.10.4 Mandate amendment

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

Item 4 – Update on relevant developments by the Commission

4.1 General updates by the European Commission

The Commission representative informed the meeting of the issues discussed at the COM level that may influence the work of the Forum.

In the CARACAL meeting in March, DG GROW presented the fitness check of the most relevant chemicals legislation (excluding REACH) - an evaluation of several pieces of legislations- in the context of COM's initiative for better regulation, launched in May 2015, and the REFIT programme which aims at achieving the policy objectives in a more efficient manner. REACH will be assessed during the REACH review (due in 2017).

Replying to a Forum member, the presenter clarified that result of the fitness check will provide inter alia, information on coherence between different pieces of chemicals legislation, excluding REACH. Where relevant, the links between other pieces of legislation and REACH should be addressed under the REACH review.

The presenter highlighted the amendment of the Persistent Organic Pollutants (POP) regulation, in which HBCDD was added on the list of banned substances.

The Chair stressed the importance of the measures taken by COM and recommended the Forum members/NEAs to be involved and provide feedback at Member State level.

Item 5 – Cooperation with other networks

5.1 Overview of the Biocidal Enforcement Group (BEG) meeting

A Forum member, who was also the appointed BEG member for their country, debriefed the Forum members on the discussions held in the BEG meeting in the previous day.

5.2 Update of the status of IMPEL projects

ECHA Forum Secretariat informed that the report of the second phase of the project “Linking the Directive on Industrial Emissions (IED) and the REACH Regulation” was not available.

An EU Environmental Enforcement Networks Conference will be organised in Utrecht on 12-13 May. The aim of the conference would be for environmental regulators across Europe to discuss practical implementation of EU environmental law. One key area to be addressed is the weak enforcement, insufficient penalties and sanctions. The ECHA Forum Secretariat plans to attend this Conference and report to the Forum.

Item 6 – Conclusions from day 1

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

Item 7 – Debriefing of the meeting with ECHA Directors

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

Item 8 – Break-out groups session

8.1 Discussion of topics

The participants separated into groups for discussing their selected topics.

8.2 Presentations from the break-out groups

The rapporteurs presented the summary of the discussions.

Item 9 – Enforcement projects in Member States

9.1 Germany’s e-commerce project

The invited expert presented its national project on e-commerce and highlighted some of the challenges faced.

9.2 Cooperation with Custom authorities beyond the REF-3 campaign in Cyprus

The Forum member presented the national example of practices put in place to ensure continuous good cooperation with customs’ authorities.

9.3 SME campaign on chemicals in Cyprus

The Forum member presented a project running in cooperation with the European University of Cyprus in regards to the Management of chemicals in micro-firms in Cyprus. A questionnaire was developed and sent to micro-firms (less than 10 people) in order to assess if there were special problems in the management of safety regarding the production and/or use of chemicals.

9.4 2015 Enforcement projects in the Czech Republic

The Forum member presented the enforcement system in the Czech Republic and a summary of the results of the enforcement projects run in 2015.

Item 10 – Updates from the ECHA Forum Secretariat

10.1 Project proposal: “Control of internet sales of hazardous chemicals pilot project”

ECHA Forum Secretariat presented the draft proposal for the future pilot project on e-commerce.

An invited expert suggested narrowing the scope of the project even further (e.g. specific products). Some Forum members stressed that some definitions would be required (e.g. “advertisement”, “offer”) to ensure that all had inspectors had the same understanding of the terms to be used under this project.

The Forum accepted with the proposal and established a Task Force for the preparation of this project ([Annex 2](#)).

10.2 Forum level enforcement indicators

ECHA Forum Secretariat presented the summary of the consultations with the Forum regarding the issue. The meeting document contains a set of questions, specific for the different indicators that the Forum was invited to answer. The result would then be assessed and a final proposal concerning the final set of indicators would be discussed and adopted by the Forum in the next plenary meeting.

COM representative informed that the Forum level indicators would be used for the elaboration of COM’s report in 2017 (REACH Article 117(4)).

Item 11 – Conclusions from day 2

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

Item 12 – Practical issues for enforcement of REACH and CLP

Issue 23.1 - How do you enforce labelling of scented products?

The Forum member presented the issue faced by its inspectors concerning the enforcement of CLP Article 17 of CLP of a mixture on a carrier (scented products, air fresheners on cardboard).

Issue 23.2 'Bridging principles'

The Forum member presented the background information and summarised the feedback from the Forum on the questions submitted for consultation.

Issue 23.3 'When is an oil lamp meant for decorative purposes and when is it for illumination?'

The Forum member submitting the issue informed the Forum on the challenges faced with these products.

Based on the Forum feedback and the discussion in the meeting, a conclusion was drafted during the meeting. The Forum members were invited to provide written comments.

Item 13- Updates from the ECHA Secretariat

13.1 Update on ECHA guidance activities

The Forum took note of the updates from ECHA Guidance.

13.2 The Commission Implementing Regulation on joint submission and data sharing

ECHA Secretariat informed the meeting on the requirements laid down in the Commission Implementing Regulation related to the transparency, fairness and non-discrimination sharing of data and its cost. The joint submission was also reaffirmed and strengthened.

13.3 Update of CSR/ES Roadmap and ENES activities and actions on communication with downstream users

Forum took note of the document with the activities planned for 2016 concerning CSR/ES Roadmap and ENES activities. In addition, the participants were informed on ECHA's Downstream User communications strategy for the period 2016–2018.

The Forum members were invited to consider whether/how synergies with the work of local inspectors can be created.

13.4 Updates from Board of Appeal

The Chair of the Board of Appeal reminded the meeting on the appeal process. Some statistics on the cases appealed was presented. The Forum was informed on some recent findings and some considerations concerning Substance Evaluation cases.

13.5 Update on the Q&A on Art 31(4)

ECHA Secretariat presented the status of the question "Is there an obligation under Article 31(4) of REACH to provide a safety data sheet (SDS) when a hazardous substance or mixture is supplied to a downstream user or distributor in the same format (that is, with the same packaging and labelling) as it is offered or sold to the general public?".

The Q&A was drafted in line with COM's interpretation and ECHA prepared a response to the comments submitted by Forum members. The aim was to publish the Q&A on ECHA's website.

Item 14 – A.O.B.

14.1 Updates on tests without testing proposals

ECHA Secretariat updated the Forum on the number of cases addressed, the types of findings and the timeline for the publication of the report. The Forum members were invited to report to ECHA any NEA action taken with regard to cases of animal testing without regulatory decision.

14.2 Dates of Forum meeting for 2017

The Forum took note of the dates of the plenary meetings in 2017.

14.3 Financial opportunities

COM informed on the calls for financing enforcement projects open by 25 March. COM would reimburse travel costs for a number of inspectors related to realisation of selected tasks of the Forum in 2017. In addition to financing "exchange of inspectors" defined in Art 77(4)(c), the Forum was invited to indicate what purposes missions would be needed.

Item 15 – Conclusions from day 3

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

Item 16 – 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-23

16-18 March 2016

(Adopted at the Forum-23 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 Director of Cooperation		
Item 3 – Forum’s enforcement activities- Work Packages		
3.1 Implementation of PD-NEA 3.1.1 WG progress report		
3.1.2 PD-NEA project progress report		
3.1.3 Mandate amendment	The Forum revised the mandate of the WG.	
3.2 Prioritisation of REF projects 3.2.1 WG progress report		Forum members and COM are invited to submit proposals for REF-6 project by 15 April.
3.2.2 Market surveillance of detergents in soluble packaging	Forum members/NEAs are invited to consider A.I.S.E guidelines and data from Poison Centres when planning, executing and reporting on the specific national enforcement actions undertaken.	Forum members are invited to report back to Forum about the national actions undertaken during 2015/2016 by 7 October Forum-S will collect the feedback provided by the Forum members and present the results at Forum-25 (November 2016) COM is invited to provide a final report on checking the new requirements related to LLDCs by Forum-25 Forum to discuss further actions in that area at Forum-25
3.2.3 Mandate amendment	The Forum revised the mandate of the WG.	
3.3 REACH-ENFORCE-4 3.3.1 WG progress report		

3.3.2 Mandate amendment	The Forum revised the mandate of the WG.	
3.4 REACH-ENFORCE-5 3.4.1 Task Force progress report		Forum members are invited to nominate national coordinators by 15 July
3.4.2 Mandate amendment	The Forum revised the mandate of the WG.	
3.5 Pilot project on CLP: Child-resistant fastenings 3.5.1 WG progress report		
3.5.2 Mandate amendment	The Forum revised the mandate of the WG.	
3.6 Enforceability of Restrictions 3.6.1 WG progress report - Advice on restrictions		
3.6.2 WG progress report: Analytical methods		
3.6.3 Mandate amendment	The Forum revised the mandate of the WG.	
3.7 Information and Communication System for Market Surveillance (ICSMS) 3.7.1 WG progress report		
3.7.2 Mandate amendment	The Forum revised the mandate of the WG.	

<p>3.8 Project on Authorisation</p> <p>3.8.1 Pilot Authorisation - First pilot project report</p>		
<p>3.8.2 Pilot Authorisation - Second pilot project: WG progress report</p>	<p>The Forum decided to prolong operational and reporting phases of the project to ensure that Article 66 Notifications may be controlled.</p>	
<p>3.8.2 Mandate amendment</p>	<p>The mandate of the WG was revised.</p>	
<p>3.9 Training for enforcement trainers 2016</p> <p>3.9.1 WG progress report</p>		<p>Forum members are invited to send possible training material and potential case studies for topics in the draft final Training Agenda until 8 April 2016</p> <p>Forum members are invited to nominate two participants per MSs for the training event by 15 July 2016 (preferably the one of the two nominated participants could also be the National Coordinator for REF-5 project)</p>
<p>3.9.2 Mandate amendment</p>	<p>The mandate of the WG was revised.</p>	
<p>3.10 Interlinks</p> <p>3.10.1 WG progress report</p>		<p>Forum members are invited to provide written comments on the complete draft of the Interlinks Guide by 5 April 2016</p>
<p>3.10.2 Follow-up of ECHA Decisions: updates from ECHA</p>		<p>Forum-S to prepare further information on responses from the NEAs in preparation of the discussion of the status reporting for WG Interlinks.</p>
<p>3.10.3 Discussion on the SONC process</p>		<p>Forum is invited to provide feedback on the approach proposed by ECHA by 8 April</p>
<p>3.10.4 Mandate amendment</p>	<p>The mandate of the WG was revised.</p>	

Item 4 – Update on relevant developments by the Commission		
4.1 General updates by the European Commission		
Item 5 – Cooperation with other networks		
5.1 Overview of the BEG meeting		Forum-S to again request the COM for elaboration of legal mandate for coordinating the BPR enforcement in the Forum and the accompanying resources for ECHA for the BEG-2 in June.
5.2 Update of the status of IMPEL projects		
Item 7 – Debriefing of the meeting with ECHA Directors		
		Forum members are invited to provide feedback to Forum-S whether the coordination of BPR enforcement would be covered by the same Forum member or whether another expert/member would be required by 20 May
Item 8 – Break-out Groups Session		
Topic 1: Handling of Practical issues		<p>Forum members are invited to provide feedback on the “fast track” process discussed in the Break Out Group by 15 April</p> <p>Forum-S will organise a discussion at the Forum-24 plenary with the small training on HelpEx.</p> <p>Forum-S will send a reminder to the Forum member with their helpex credentials by 25 March</p>

<p>Topic 2: REF-3 recommendations to the Forum</p>		<p>Forum-S will initiate consultation on the actions proposed by 24 March</p> <p>Forum members are invited to provide feedback on the actions proposed by 15 April</p> <p>Forum-S will organise further discussion on the actions that are supported by the majority of the responding members with the view to formulate the agreed list of actions deriving from the REF-3 project at Forum-24.</p>
<p>Topic 3: Content of the Guide for inspectors</p>		<p>Forum-S to send a questionnaire based on the conclusions of the BOG to the Forum members by 24 March</p> <p>Forum members will seek input from NEA and will provide feedback to WG prioritisation by 20 April</p> <p>WG Prioritisation to assess the information provided and propose the content of the guidelines for Forum-24</p>
<p>Item 9 – Enforcement projects in Member States</p>		
<p>9.1 Germany’s e-commerce project</p>		<p>UK Forum member is invited to arrange presentation of the British experience with controlling internet sales through popular sale platforms at Forum-24</p> <p>DE alternate is invited to send the “Principles of good online practice” to Forum-S who will provide them to the WG preparing the pilot project on internet sales by 25 March.</p>

9.2 Cooperation with Custom authorities beyond the REF3 campaign		
9.3 SME campaign on chemicals	Forum invited the CY Forum member to present the final results of the project.	
9.4 2015 Enforcement projects in the Czech Republic		
Item 10 – Updates from the ECHA Forum Secretariat		
10.1 "Control of internet sales of hazardous chemicals pilot project" Project proposal	The Forum established a task force to start preparation of the pilot project	
10.2 Forum level enforcement indicators		Forum members are invited to respond to the questionnaire on the indicators by 8 April
Item 12 – Practical issues for enforcement of REACH and CLP		
23.1 'How do you enforce labelling of scented products?'		
23.2 'on bridging principles'		

<p>23.3 ‘When is an oil lamp meant for decorative purposes and when is it for illumination?’</p>	<p>The Forum discussed the practical ways in which inspectors may judge whether an oil lamp is meant for illumination or decorative purposes.</p>	<p>Forum-S will organise the consultation of the draft conclusion by 25 March 2015</p> <p>Forum members will be invited to submit comments by 15 April 2015</p> <p>Forum-S will liaise with the FI expert to seek input from the Consumer Safety Network (CSN) on the indicative criteria for identifying decorative lamps the CSN is to agree in the meeting in June 2016</p>
<p>Forum 21 - 21.2 ‘Who is responsible for the provision of a Safety Data Sheet (SDS) when an only representative is appointed?’</p>		
Item 13 – Updates from the ECHA Secretariat		
<p>13.1 Update on ECHA guidance activities</p>		
<p>13.2 The Commission Implementing Regulation on joint submission and data sharing</p>		

13.3 Update of CSR/ES Roadmap and ENES activities and actions on communication with downstream users		Forum members are invited to consider whether/how synergies with the work of local inspectors can be created. Feedback can be sent to Forum-S email by 22 April
13.4 Updates from Board of Appeal		Forum-S will organise a discussion on enforcing the breaches of joint submission at the Forum next plenaries.
13.5. Update on the Q&A on Art 31(4)		
Item 22 – AOB		
14.1 Updates on tests without Testing proposals (TPs)		Forum members are invited to report to ECHA any NEA action taken with regard to cases of animal testing without regulatory decision by end of April 2016
14.2 Dates of Forum meeting for 2017		
14.3 Financial opportunities		<p>COM to send the information on the open call for financing enforcement projects by 25 March</p> <p>In light of COM offer to reimburse travel costs for a number of inspectors, related to realisation of selected tasks of the Forum in 2017, Forum members are invited to indicate what purposes they would need missions for in addition to “exchange of inspectors” defined in Art 77(4)(c). Feedback should be sent to Forum-S by 22 April</p>

III. List of Attendees**Forum members**

	Country	Name
1	AT	ANWANDER Eugen
2	BE	CUYPERS Paul
3	BG	ZIDAROVA Elena
4	CY	KYPRIANIDOU-LEONTIDOU Tasoula
5	CZ	JAROLÍM Oldřich
6	DE	FRENZEL Stefan
7	DK	BØRGLUM Birte
8	EE	HONGA Aljona
9	EL	CHANTZIANTONIOU Dimitris
10	ES	SÁNCHEZ-PEÑA Pablo
11	FI	LAHTINEN Marilla
12	FR	ALFANO Anne-Catherine
13	HR	KREKOVIC Dubravka
14	HU	DEIM Szilvia
15	IE	MCMICKAN Sinead
16	IT	ALESSI Mariano
17	LT	GRINCEVIČIŪTĖ Otilija
18	LU	ENGELS Kim
19	MT	CASSAR Michael
20	NL	VAN DEN BERG Jos
21	NO	HAGEN Gro
22	PL	KITAJEWSKA Katarzyna
23	PT	BRAVO Graça
24	RO	ALBULESCU Mihaiela
25	SE	HEDLUND Henrik
26	SI	NOVAK Vesna
27	SK	KOLESAR Dušan
28	UK	POTTS Michael

Invited experts

	Country	Name
1	AT	WURM Gernot
2	CZ	MUSIL Petr
3	DE	ZIERHUT Matthias Dr.
4	DK	JENSEN Anette Ravn
5	EE	KARRO Marina
6	ES	ZAMORA NAVAS Laura
7	FI	KORKOLAINEN Pipsa
8	FI	RAITALA Suvi
9	HR	CIGIC Petra
10	HU	MAROSVÖLGYI Nikoletta

	Country	Name
11	IT	POLCI Maria Letizia
12	LT	PIPIRAITE VALISKIENE Donata
13	NO	SULEIMAN Abdulqadir
14	SK	POČAROVSKÁ Miriam
15	UK	CARTER Paul

Advisers

	Country	Name
1	FI	LEIKOSKI Mervi
2	DK	FAGERLUND Michael
3	DE	BÖHLEN Elmar
4	DE	JACOBI Tobias
5	FR	COISSARD Vincent

European Commission representative

	DG	Name
1	GROW	AGUADO-MONSONET Miguel
2	ENV	KANELLOPOULOS Helene

	ECHA	Unit
1	BARANSKI Maciej	Support, Forum and HelpNet Secretariat
2	BARCARU Ofelia	Evaluation
3	BASMATZI Theodora	Legal Affairs
4	CALVO TOLEDO Juan Pablo	Support, Forum and HelpNet Secretariat
5	CLIFFE Brendan	Support, Forum and HelpNet Secretariat
6	FELICIANO Tania	Support, Forum and HelpNet Secretariat
7	FRONTINI Ales	Support, Forum and HelpNet Secretariat
8	HERDINA Andreas	Director of Cooperation
9	MURRAY Andrew	Risk Management implementation
10	NIKULA Terhi	Support, Forum and HelpNet Secretariat
11	NOUWEN Johan	Support, Forum and HelpNet Secretariat
12	ORTUÑO Mercedes	Board of Appeal
13	TŁOCZEK Magdalena	Support, Forum and HelpNet Secretariat
14	TUOMAINEN Anita	Support, Forum and HelpNet Secretariat

IV. List of Annexes

ANNEX 1. Final agenda Forum-23

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

ANNEX 2 a – “Implementation of RIPE/PD-NEA”

ANNEX 2 b – “Prioritisation of REF projects”

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

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

ANNEX 2 e – “Forum Pilot Project on Child Resistant Fastenings”

ANNEX 2 f – “Enforceability of restrictions”

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

ANNEX 2 h – “First Forum Pilot Project on Authorisation”

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

ANNEX 2 j – “Training for Enforcement Trainers 2016”

ANNEX 2 k – “Interlinks”

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

ANNEX 3. Glossary of acronyms and abbreviations

Annex 1 – Final agenda Forum-23

11 March 2016

ECHA/Forum-23/2016/dA_room_doc

**Twenty third meeting of the
Forum for Exchange of Information on Enforcement
(Forum-23)
16-18 March 2016
European Chemicals Agency
Helsinki, Finland
Wednesday, 16 March: starts at 09:00
Friday, 18 March: ends at 12:00**

DAY 1 Wednesday 16 March 2016

Item 1 – Welcome and Introduction

09:00-09:30

- 1.1 Opening by the Chair of the Forum –*Chair*
- 1.2 Adoption of the Agenda –*Chair*
- 1.3 Declarations of conflict of interest with regard to agenda items –
Chair
- 1.4 State of play with action points from Forum-22 – *ECHA Forum
Secretariat*
- 1.5 Practicalities and results of the written procedures between Forum-
22 and Forum-23 - *ECHA Forum Secretariat*

ECHA/Forum-23/2016/dA_room_doc

ECHA/Forum-23/2016/1.4

ECHA/Forum-23/2016/1.5

**For adoption
For information**

Item 2 – Address by ECHA’s Director of Cooperation

09:30-09:40

For information

**Item 3 – Forum’s enforcement activities- Work
Packages**

09:40-15:45

- 3.1 Implementation of PD-NEA (50’)
 - 3.1.1 WG progress report – *WG Chair*
 - 3.1.2 PD-NEA project progress report - *ECHA Forum Secretariat*
 - 3.1.3 Mandate amendment - *ECHA Forum Secretariat*

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ECHA/Forum-23/2016/3_draft_mandates

**For discussion
For adoption**

Coffee break 10:30-11:00

3.2 Prioritisation of REF projects (60')

3.2.1 WG progress report – *WG Chair*

3.2.2 Market surveillance of detergents in soluble packaging - *ECHA Forum Secretariat*

3.2.3 Mandate amendment- *ECHA Forum Secretariat*

ECHA/Forum-23/2016/3.2.1

ECHA/Forum-23/2016/3.2.2

ECHA/Forum-23/2016/3_draft_mandates

**For information
For adoption**

3.3 REACH-EN-FORCE-4 on Restrictions (20')

3.3.1 WG progress report – *WG Chair*

3.3.2 Mandate amendment- *ECHA Forum Secretariat*

ECHA/Forum-23/2016/3.3.1

ECHA/Forum-23/2016/3_draft_mandates

**For information
For adoption**

3.4 REACH-EN-FORCE-5 on Extended SDS, exposure scenarios, risk management measures and operational conditions (20')

3.4.1 Task Force progress report – *Task Force member*

3.4.2 Mandate amendment- *ECHA Forum Secretariat*

ECHA/Forum-23/2016/3.4.1

ECHA/Forum-23/2016/3_draft_mandates

**For information
For adoption**

3.5 Pilot project on CLP: Child-resistant fastenings (20')

3.5.1 WG progress report - *WG Chair*

3.5.2 Mandate amendment- *ECHA Forum Secretariat*

ECHA/Forum-23/2016/3.5.1

ECHA/Forum-23/2016/3_draft_mandates

**For information
For adoption**

Lunch break 13:00-14:00

3.6 Enforceability of Restrictions (20')

- 3.6.1 WG progress report: Advice on restrictions - *WG Chair*
- 3.6.2 WG progress report: Analytical methods – *WG co-Chair*
- 3.6.3 Mandate amendment - *ECHA Forum Secretariat*

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ECHA/Forum-23/2016/3_draft_mandates

**For information
For adoption**

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

- 3.7.1 WG progress report - *WG Chair*
- 3.7.2 Mandate amendment - *ECHA Forum Secretariat*

ECHA/Forum-23/2016/3.7.1

ECHA/Forum-23/2016/3_draft_mandates

**For information
For adoption**

3.8 Projects on Authorisation (30')

- 3.8.1 First pilot project report – *WG Chair*
- 3.8.2 Second pilot project: WG progress report - *WG Chair*
- 3.8.3 Mandate amendment of first and second pilot project - *ECHA Forum Secretariat*

ECHA/Forum-23/2016/3.8.2

ECHA/Forum-23/2016/3_draft_mandates

**For information
For adoption**

3.9 Training for enforcement trainers 2016 (15')

- 3.9.1 WG progress report - *WG Chair*
- 3.9.2 Mandate amendment - *ECHA Forum Secretariat*

ECHA/Forum-23/2016/3.9.1

ECHA/Forum-23/2016/3_draft_mandates

**For information
For adoption**

Coffee break 15:15-15:45

Item 4 – Update on relevant developments by the Commission	15:45-17:00
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4.1 General updates by the European Commission

ECHA/Forum-23/2016/4.1

**For information
For discussion**

Item 5 – Cooperation with other networks	17:00-17:15
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5.1 Overview of the BEG meeting – *AT Forum member*

5.2 Update of the status of IMPEL projects – *ECHA Forum Secretariat*

For information

Item 6 – Adoption of conclusions from day 1	17:15-17:45
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For adoption

Regular meeting with ECHA Directors and Forum Chairs	18:00-18:45
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DAY 2 Thursday 17 March 2016

Item 7 – Debriefing of the meeting with ECHA Directors	09:00-09:30
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For information

Item 3 – Forum’s enforcement activities- Work Packages (cont.)	09:30-10:45
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3.10 Interlinks (75')

3.10.1 WG progress report - *WG Chair*

3.10.2 Follow-up of ECHA Decisions: updates from ECHA - *ECHA Forum Secretariat*

3.10.3 Discussion on the SONC process - *ECHA Forum Secretariat*

3.10.4 Mandate amendment - *ECHA Forum Secretariat*

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ECHA/Forum-23/2016/3.10.1_2

ECHA/Forum-23/2016/3.10.2

ECHA/Forum-23/2016/3.10.3

ECHA/Forum-23/2016/3_draft_mandates

**For discussion
For adoption**

Coffee break 10:45-11:15

Item 8 – Break out groups 11:15-12:45

Topic 1: Handling of Practical issues

Topic 2: REF-3 recommendations to the Forum

Topic 3: Content of the Guide for inspectors

ECHA/Forum-23/2016/8
ECHA/Forum-23/2016/8_Topic3_room_doc

Lunch break 12:45-13:45

8.2 Presentations from the break-out groups (15' each group) –
Rapporteurs

For discussion

Item 9 – Enforcement projects in Member States 14:30-15:45

9.1 Germany's e-commerce project – *DE invited expert*

9.2 Cooperation with Custom authorities beyond the REF3 campaign –
CY Forum member

9.3 SME campaign on chemicals - *CY Forum member*

9.4 2015 Enforcement projects in the Czech Republic – *CZ Forum member*

ECHA/Forum-23/2016/9.3

For information

Coffee break 15:45-16:15

Item 10 – Updates from the ECHA Forum Secretariat 16:15-17:15

10.1 "Control of internet sales of hazardous chemicals pilot project"
Project proposal

10.2 Forum level enforcement indicators

ECHA/Forum-23/2016/10.1
ECHA/Forum-23/2016/10.2

For discussion

Item 11 – Adoption of conclusions from day 2 17:15-17:45

For adoption

DAY 3 Friday 18 March 2016

Item 12 – 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-23/2016/12_room_doc

For discussion

Item 13– Updates from the ECHA Secretariat 10:15-11:15

- 13.1 Update on ECHA guidance activities
- 13.2 The Commission Implementing Regulation on joint submission and data sharing
- 13.3 Update of CSR/ES Roadmap and ENES activities and actions on communication with downstream users
- 13.4 Updates from Board of Appeal
- 13.5 Update on the Q&A on Art 31(4)

ECHA/Forum-23/2016/13.1

ECHA/Forum-23/2016/13.3

ECHA/Forum-23/2016/13.3_room_doc

ECHA/Forum-23/2016/13.5_room_doc

For information

For discussion

Item 14 – A.O.B. 11:15-11:30

- 14.1 Updates on tests without Testing proposals
- 14.2 Dates of Forum meeting for 2017

For information

Item 15 – Conclusions from day 3 11:30-12:00

For adoption

Item 16 – End of the meeting 12:00

Sandwiches available

Annex 2 a "PD-NEA"

Forum Working Group "Implementation of PD-NEA" (Mandate adopted at Forum-23)

Composition:

Chair: Eleni FOUFA (EL)

Forum Members

- Eugen ANWANDER (AT) (WG Vice-chair)
- Pablo SANCHEZ-PEÑA (ES)

Invited Experts

- Paolo IZZO (IT)
- Juergen WILLE (DE) (Also BPR)
- Juergen SCHMID (DE)
- Sofia BARATA (PT)

Biocidal Products Regulation (BPR) Experts

- Eugen ANWANDER (AT) (Vice-chair, coordinating the BPR work package)
- Brigitte EDER (AT)
- Francesca RAVAIOLI (IT)
- Natalija UMBRASIENE (LT)
- Pia LINDFORS (FI)
- Juergen WILLE (DE)

Objective:

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

Mandate:

- Provide input during further development and implementation of PD-NEA
- Verify that the UAT conditions are implemented with and follow up the implementation of the WG improvement requests
- Subject request from BPR MSCAs/BEG help ECHA to prepare functional and data requirements for expansion of PD-NEA for the inspectors enforcing Biocidal Product Regulation

Timeline:

- Forum-25 (end of 2016)

Annex 2 b "Prioritisation of REF Projects"

Forum Working Group Work Package A.1 **"Prioritisation of REF Projects"**

(Mandate adopted at Forum-23)

Composition:

Chair: Maria Letizia POLCI (rotating Chair – changing every year)

Vice Chair(s):

-

Forum Members/Alternates

- Paul CUYPERS (BE)
- Oldrich JAROLIM (CZ)
- Tasoula KYPRIANIDOU LEONTIDOU (CY)
- Dubravka KREKOVIC (HR)
- Abdulqadir SULEIMAN (NO Alternate)

Invited Experts

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

ECHA

- Juan Pablo CALVO TOLEDO

Objective:

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

Mandate:

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

- Review annually a list of proposals for REF projects submitted by Forum members, ECHA Secretariat, the Commission and the Stakeholder Organisations accredited by ECHA (ASOs);
- Prioritise the subjects by applying Forum's methodology for the prioritisation, selection and management of REF projects
- Draft a recommendation proposing the subject for the next REF project
- Elaborate and update a registry of legal obligations subject to previous enforcement projects.

Propose to the Forum topics for pilot and small-scale projects as an output of the

prioritisation exercise where appropriate.

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

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

Timelines:

- The basic timeframes are regulated by the Forum Methodology on Prioritisation and Selection of Project Proposals and the working procedure for the prioritisation and selection of harmonised enforcement projects coordinated by the Forum
- Elaborate a thought starter regarding the content of guidelines for inspectors by Forum-23
- Deliver a final proposal regarding the content of guidelines for inspectors by Forum-24
- Deliver a draft revised methodology to be adopted by Forum at Forum-25
- Elaborate the guidelines for inspectors for the projects REF-1, REF-2 and REF-3 by Forum-28 (2017)
- Shortlist of subjects for REF-6 by Forum-25.

Annex 2 c "REF-4"

Forum Working Group

Work Package A.1

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

(Mandate adopted at Forum-23)

Composition:

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

Forum Members and Alternates

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

Invited Experts Karin ALKELL (SE)

- Line TELJE HØYDAL (NO)
- Matthias ZIERHUT (DE)
-
- Rachael ALLEN (UK)
- Gonçalo BAPTISTA (PT)

Commission

- Giuseppina LUVARA (DG GROW)

Objective:

- conceive and manage the fourth major Forum enforcement project

Mandate:

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

Timeline:

- Approve the scope: 2015
- Project manual: Q4 2015
- Prepare and deliver the training for project national coordinators: Q1 2016
- Operational phase: 2016
- Reporting phase (National Coordinators): Q1 2017
- Evaluation phase: Q3 2017
- Draft report: Q4 2017
- Adoption of the report: Q4 2017

Annex 2 d "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-23)

Composition:

Chair: Abdulqadir SULEIMAN (NO Alternate)

Forum Members

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

Invited Experts

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

SLIC-Chemex

- To be nominated

Commission

-

ECHA

- Andrew MURRAY (Risk Management Implementation Unit)

Objective:

- conceive and manage the fifth major Forum enforcement project

Mandate:

- Identify the difficulties for conducting the project and propose the actions to facilitate the project in 2017
- Narrow down and propose a specific scope of the project and recommend it to Forum for adoption
- Develop the project manual (guidance document, checklist, planning, recommendations) for the execution of the project
- Prepare and deliver, if needed, the training for project national coordinators
- Management of the Operational phase
- Management the Reporting phase: Follow-up operational phase, collect the results and draft project evaluation

- Cooperate with WG Train the trainers 2016 during the preparation and delivery of the content of the training

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

Annex 2 e “CRF”

Forum Working Group

“Forum Pilot Project on Child Resistant Fastenings”

(Mandate adopted at Forum-23)

Composition:

Chair: Szilvia DEIM (HU)

Forum Members/Alternates

- Sinead MCMICKAN (IE)
- Dimitrios CHATZIANTONIOU (EL)

Invited Experts⁴

- Rosemarie GREIWE (DE)
- Erika BURAI (HU)

Objectives:

- Coordinate and manage the preparatory, operational and reporting phases of the Forum pilot project on child resistant fastenings

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 – December 2014 – June 2015 (completed)
- Operational phase – July 2015 – December 2015 (completed)
- Reporting phase – January 2016 – June 2016

Forum-23 (Q1 2016) – Draft report ongoing

Forum-24 (Q2 2016) – Final report

⁴ Jana KÜTT (EE) resigned on 6 Jan 2016

Annex 2 f “Restrictions”

**Forum Working Group
“Enforceability of restrictions”
Work Package B12**

(Mandate adopted at Forum-23)

Composition:

Chair: Eugen ANWANDER (AT)

Co-Chair: Maria Letizia POLCI (IT Alternate)

Forum Members/Alternates

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

Invited Experts (advisory process)

- Claire COX (UK)
- Leonello ATTIAS (IT)
- Tone Line FOSSNES (NO)
- Uwe LICHT-KLAGGE (DE)
- Karin RUMAR (SE)
- Gernot WURM (AT)
- Laura WILMS (DE)

Invited experts (analytical methods)

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

European Commission

- Patricia HUALDE GRASA (COM)

ECHA

- Juan Pablo CALVO TOLEDO (ECHA)
- Sotiris KIOKIAS (ECHA)

Objective:

- Facilitate the enforceability of restrictions

Mandate:

- According to the working procedure for developing the Forum advice on enforceability of the Annex XV proposals for restrictions adopted by the Forum, the WG shall:
 - Prepare a draft Forum advice on the enforceability of Annex XV proposals for restrictions that are in conformity with the REACH requirements, taking into account the comments of the Forum members. This draft Forum advice will be submitted to the Forum for adoption.
 - Provide support when possible on enforcement related issues to RAC and SEAC during the process of the elaborating the RAC and SEAC opinions.
- In the execution of this mandate, the members of the WG shall follow the rules and principles established in the mandate given by the Chair of the Forum to the individual members and invited experts of the WG.
- The WG shall report to the Forum plenary the results of its findings and its actions between the plenaries
- Review in 2017 the information provided by the stakeholders during 2016 and revise if needed the methodology and the compendium by F-29.
- Propose a manual intended to assist the control of compliance with the Annex XVII restrictions in close cooperation with ECHA.
- 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.

Timeline:

- 30 June 2017, reporting at each plenary meeting

Annex 2 g "ICSMS"

Forum Working Group

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

(Mandate adopted at Forum-23)

Composition:

Chair: Birte BØRGLUM (DK)

Forum Members/Alternates

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

Invited Experts

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

Commission

- Peter BARICIC

Objectives:

- Support the European Commission in expanding the tool and contribute to promoting best practices in its use among REACH/CLP 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
- Develop a guidance document for using the ICSMS in enforcement of REACH, CLP and PIC
- With the support from the Commission, contribute to planning, preparing and conduct of the training for Member State representatives about the use of new ICSMS by REACH, CLP and PIC inspectors by the end of February 2017
-

Timeline:

- Forum-26 (Q1 2017)

Annex 2 h "First Pilot Authorisation"

Forum Working Group

Work Package A.1

"First Forum Pilot Project on Authorisation" - objectives completed

(Mandate adopted at Forum-23)

Composition:

Chair: Jos VAN DEN BERG (NL)

Forum Members/Alternates

- Mariano ALESSI (IT)
- Eugen ANWANDER (AT) - *fieldwork*
- Stefan FRENZEL (DE Alternate)
- Majella LOWE (IE Alternate)

Invited Experts

- Paul CARTER (UK)
- Amalia CASTELLTORT SEGURA (ES)
- Adhemar ROG (NL)
- Nikolaos SPETSERIS (EL)
- Jordane WODLI (FR)

Objectives:

- Coordinate and manage the preparatory, operational and reporting phases of the Forum first 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 first pilot project on authorisation related to the presence of 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
- Cooperate with the future WG "Forum Pilot Project 2 on authorisation"

Timeline:

- Preparatory phase – March 2014 – December 2014 (completed)
- Operational phase – January 2015 – June 2015 (completed)
- Reporting phase – July 2015 – December 2015 (completed)
- Final report - Forum-23 (Q1 2016) (completed)

Annex 2 i "Second Pilot Authorisation"

Forum Working Group

Work Package A.1

"Second Forum Pilot Project on Authorisation"

(Mandate adopted at Forum-23)

Composition:

Chair: Jos VAN DEN BERG (NL)

Forum Members/Alternates

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

Invited Experts

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

COM

- Miquel A. AGUADO-MONSONET (DG GROW)

Objectives:

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

Mandate:

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

- Collect and examine project experiences with enforceability of the authorisation decision "package" including the decisions and the succinct summaries
- Prepare final project report and present it to the Forum plenary
- Cooperate with the WG "First Forum Pilot Project on authorisation"

Timeline:

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

Annex 2 j "Train the trainers 2016"

Forum Working Group Work Package C.2. "Training for enforcement trainers 2016"

(Mandate adopted at Forum-23)

Composition:

Chair: Otilija GRINCEVICIUTE (LT)

Forum Members/Alternates

- Anne Catherine ALFANO (FR)
- Eugen ANWANDER (AT)⁵
- Gro HAGEN (NO)
- Tasoula KYPRIANIDOU-LEONTIDOU (CY)⁷

Invited Experts

- Gaetano ABATE (DE)
- Gaëlle AVON (FR)⁶
- Paul CARTER (UK)⁷
- Semira HAJRLAHOVIĆ MEHIĆ (SI)
- Uwe LICHT-KLAGGE (DE)⁷
- Donata PIPIRAITĖ-VALIŠKIENĖ (LT)⁷
- Sophie SEYTRE (FR)⁸
- Karin STAAF (SE)⁷
- Cecilia WESTÖÖ (SE)⁷

Commission

-

SLIC-Chemex

- Nathan KUPER⁷

ECHA

- Andrew MURRAY

Objective:

- Prepare and deliver the training for trainers on the enforcement of REACH and CLP in the fourth quarter of 2016

Mandate:

- Examine the training subjects relevant for enforcement in the fourth quarter of 2016 and prepare the priority topics for agreement before Forum-22

⁵ Nominations submitted after Forum-22

⁶ Nominations submitted in February 2016

⁷ Confirmation after Forum-22

- Specify as early as possible the envisaged level of the content of the training
- Prepare materials necessary for the training such as presentations or documents
- Actively conduct the training event with support from other Forum members, ECHA and COM and other experts in specific topics as necessary
- Collect, summarise and evaluate the recommendations and reactions of participants
- Consider inviting input from the Accredited Stakeholders Organisations
- Cooperate with WG REF-5 during the preparation of the content of the training and delivery of the event

Timeline:

- Before Forum-22: conclude on list of subjects and prioritisation
- Forum-25/Forum-26: final report

Annex 2 k “Interlinks”

Forum Working Group

“Interlinks”

(Mandate adopted at Forum-23)

Composition:

Chair: Mike POTTS (UK)

Forum Members/Alternates

- Katja VOM HOFE (DE)
- Mihaela ALBULESCU (RO)
- Eugen ANWANDER (AT)
- Jos van den BERG (NL) – only pilot project

Invited Experts

- Borbála ADER (HU)
- Rosemarie GREIWE (DE)

Fieldwork of pilot project

- NL (Jos van den BERG)
- FI (Mervi LEIKOSKI)
- IE (Sinead McMICKAN)
- IT (Mariano ALESSI)
- FR (Carline TERENDIJ)

Commission

- Enrique GARCIA-JOHN
- Mariana FERNANDES DE BARROS

Objectives:

- Support the development of institutional interlinks

Tasks:

- Further develop the consolidated guide on handling the interlinks between NEAs, MSCA and ECHA, including the relevant Focal Points
- Define the interlinks between institutions relevant for PIC enforcement and incorporate them in the consolidated guide on handling the interlinks between NEAs, MSCA and ECHA
- Support the operation of pilot projects related to interlinks if they are established
- Comment about the enforceability of the conditions for PPORDs defined in a small sample of ECHA draft decisions setting PPORD conditions in order to formulate general recommendations for writing enforceable PPORD conditions when preparing future advice
- Cooperate with the Commission on drafting the chapter of the interlinks guide dealing with the cooperation related to enforcement of authorisation decisions. Inform the Forum on the proceedings of the COM ad hoc Working Group dealing with enforceability of authorisations, if needed.

Timeline: Forum-24 (June 2016)

Annex 2 I “Internet sales”

Forum Task Force

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

(Mandate proposed at Forum-23)

Composition:

Chair:

Forum Members/Alternates

- Martin MARKO (CZ)
- Eugen ANWANDER (AT)

Invited Experts

- Maria PALEOMILITOU (CY)
- DE
- Jorun HOLME (NO)
- FI?

COM

DG GROW

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 – May 2017
- Reporting phase – June 2017 – November 2017
- After Forum-28 (Q1 2018) - final report

Annex 3- Glossary of acronyms and abbreviations

ASO: ECHA's Accredited Stakeholder Organisations
BEG: Biocidal enforcement group (chaired by DG SANTE)
BoA: Board of Appeal
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
CMR: Carcinogenic, mutagenic or toxic to reproduction
COM: European Commission
CSR: Chemical Safety Report
DG: Directorate General at Commission
DEV: Dossier Evaluation
DU: Downstream Users
ECHA: European Chemicals Agency
ES: Exposure Scenario
ESPG: Enterprise SMEs Policy Group
EU: European Union
HBCDD: hexabromocyclododecane
IAM: Identity Access Management
ICSMS: Information and Communication System for Market Surveillance
LLDC: Liquid laundry detergent capsules
MS: Member States
MSCA: Member State Competent Authority
NEAs: National Enforcement Authorities
OC: Operational conditions
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
SEAC: Committee for Socio-economic Analysis
SEV: Substance Evaluation
SVHC: Substance of very high concern
SDS: Safety Data Sheet
SME: Small and Medium Sized Enterprises
SONC: Statement of Non-Compliance
SPOC: Single point of contact (in the context of RIPE)
UAT: User acceptance testing
WG: Working Group of the Forum