

**Forum-44/M/2023 – Public**  
**Adopted on 17 October 2023**

**Minutes of the**  
**44<sup>th</sup> meeting of the Forum for Exchange of Information on Enforcement**  
**ECHA, Helsinki**

**13-15 June 2023**

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## **I. Summary record of the proceedings**

### **Item 1 – Welcome and introduction**

#### **1.1 Welcome and opening by the Forum Chair**

The Forum Chair welcomed all the participants and opened the meeting. She announced that the Forum members from the 27 EU Member States with voting rights and the three EEA countries were attending, physically and remotely. The Chair informed that the quorum requirement was met.

#### **1.2 Welcome by ECHA's Executive Director**

The ECHA's Executive Director thanked the Forum for its important work in the implementation of the chemicals legislations nationally. She highlighted the valuable work of the inspectors, by working close with the companies and explaining the legislations for the benefit of society.

ECHA expected to continue the good cooperation in the future with the new tasks arriving with the Chemicals Strategy for Sustainability and the new legislations mandated to ECHA. Also the new ECHA strategy and the Forum's Multi annual work programme need be kept aligned as much as possible, to maximise the efforts from both ECHA and enforcers.

#### **1.3 Adoption of the agenda**

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

#### **1.4 Declarations of conflicts of interest with regard to agenda items**

No conflicts of interest were declared at the meeting according to Article 9(2) of the Rules of Procedure.

#### **1.5 State of play with action points from Forum-43**

Forum members took note of the status of the action points from Forum-43 as listed in the meeting document. It was highlighted that a powerpoint was shared in Interact with the actions regarding item *11.1 of Forum-43 "Activities of the Regulatory Support team"* and thus were considered closed.

#### **1.6 Results of the written procedures and other issues between Forum-43 and Forum-44**

The Chair referred to the document with the results of the written procedures between Forum-43 and Forum-44. The Chair encouraged the Forum members to participate more actively in the written procedures.

The Chair attended the REACH Conference in Bratislava on May 22-23 2023 presenting an overview of the work of the Forum.

### **Item 2 - Election of the Forum Chair and Vice Chairs**

The Forum elected a new chair and vice chair. Henrik Hedlund (SE) will start as the Forum chair and Katja vom Hofe (DE) and Maria Orphanou (CY) will be the vice chairs as of 21 June 2023 in a three years mandate.

## **Item 3 - Forum's enforcement activities - Ongoing projects**

### **3.1 Pilot project on enforcement of PFCA and related substances focusing on cosmetics**

#### ***3.1.1 WG Progress report***

The WG was drafting the project manual, which was planned to be sent to the Forum and national coordinators for consultation in the end of June 2023. The remote training for project national coordinators will take place on 26<sup>th</sup> of October 2023.

#### ***3.1.2 Mandate amendment***

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

### **3.2 REF-12 on the compliance of imported substances, mixtures and articles**

#### ***3.2.1 WG progress report***

The Forum took note of the work done by the WG that was preparing the project manual. The project will investigate the REACH obligations concerning Registration, Authorisation and Restriction, to be checked in collaboration with Customs. The WG chair presented the scope proposed to be checked for each of these obligations. The Forum and national coordinators would be consulted on the draft manual during the summer.

The Forum mandated the WG in Forum-42 to explore the possibility to include in the project's scope the new TARIC codes for REACH Annex XVII that were introduced in February 2023 and which were found challenging to implement in practice. This task was put on hold until the draft manual was finalised for consultation.

The Forum supported the recommendations and outputs of the WG.

The WG chair informed that he would present an overview of REF-12 project in the Prohibitions & Restrictions Experts Group (PREG) meeting of 21-22 June 2023 with the view to engage the customs authorities and facilitate the work of the National coordinators when setting up the project nationally.

#### ***3.2.3 Mandate amendment***

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

### **3.3 Pilot project on classification of mixtures focusing on detergents and cleaning products**

#### ***3.3.1 WG progress report***

The Forum took note of the progress made by the WG. The WG members delivered inputs to ECHA experts and DG GROW in the framework of the CLP revision concerning bridging principles. Inputs were also submitted via the Member States delegations at the stage of European Parliament and Council's readings of the ordinary legislative proposal.

The WG members also provided inputs to the draft ECHA proposal for an amendment of the 'ECHA CLP guidance on application of the CLP criteria', concerning the section on bridging principles.

The WG Chair presented to the Forum members a draft guide for national inspectors focusing on the 'Areas of interest for enforcement of bridging principle including Weight of Evidence / Expert Judgement'.

It was agreed that the WG will end its activities by the Forum-45 plenary meeting.

### **3.3.2 Mandate amendment**

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

## **3.4 REF-10 on integrated control of products**

### **3.4.1 WG progress report**

The WG Chair presented to the Forum the preliminary results of the REF-10 project. The WG will further examine the results and elaborate the project report to be adopted at the end of 2023.

### **3.4.2 Mandate amendment**

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

## **3.5 Projects not for discussion**

The Forum addressed and confirmed the mandates of the WGs that were not discussed at the meeting:

*3.5.1 REF-11 on SDS: Mandate amendment* ([Annex 2e](#)).

*3.5.2 Train the enforcement trainers 2023:* The Training 2023 event will take place on 22-23 November 2023 in ECHA premises and it will be accessible also remotely. The Forum members were invited to nominate two participants per Member State. The mandate was amended ([Annex 2f](#)).

## **3.6 Prioritisation of REF projects**

### **3.6.1 Discussion and potential decision of the scope of the next REF project**

The Forum took note of the outcome of the prioritisation of the proposals for Forum projects received by the WG.

The WG concluded on the shortlist of two project proposals for REF-13. The Forum members discussed the options presented and concluded that the next Forum project (REF-13) will focus on the check of chemical products sold on-line.

### **3.6.2 Mandate amendment**

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

## **3.7 Enforceability of Restrictions**

### **3.7.1 WG progress report**

The Forum took note of the work done by the experts in the WG and the advice provided. The new advices that will be adopted will be published on the ECHA website, starting with the Forum advice on creosote. HET will discuss with the Chairs and WG Restrictions the proposed plan for publication and communication on the Forum advice documents.

### **3.7.2 Mandate amendment**

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

## **Item 4 - Forum's enforcement activities - Projects under finalisation**

### **4.1 REF-9 on Authorisation**

#### **4.1.1 WG final progress report**

The Forum was informed on the last activities of the WG's mandate: the preparation of the Enforcement Guide for inspectors and the workshop with the Stakeholders and industry representatives (to present and discuss the project's report and recommendations), which took place remotely on 12 May 2023.

The WG chair summarised the discussions held in the workshop.

#### **4.1.2 Closure of the mandate**

The Forum adopted the updated mandate ([Annex 2i](#)) and conditionally closed the mandate until the remaining task are finalised.

## **Item 5 - Forum's enforcement activities – Starting projects**

### **5.1 WG for examining the enforcement-related impacts on the Forum of the future REACH and CLP revision – Mandate setup**

The Chair proposed to the Forum to set up a working group to analyse the impact of the REACH Revision on the Forum. REACH Revision and Basic Regulation may bring change in the mandate of the Forum. Changes such as introduction of European Audit Capacity, amendment of the Customs mandate, or revision of the restrictions and authorisation processes may result in new or expanded tasks for the Forum. The Forum adopted the mandate of the new WG ([Annex 2j](#)).

## **Item 6 – Enforcement in the Member States**

### **6.1 Enforcement practices in DE**

The Forum took note of the 2022 project enforcing PFOA in ski waxes at international skiing competitions in Germany.

### **6.2 National project on e-commerce focusing on dropshipping**

The Forum took note of the results and recommendations from the latest e-commerce project in Sweden with special focus on dropshipping.

### **6.3 Enforcement of registration of nano-forms**

The Forum took note of the intermediate results of the current French project on nano-forms. Additional information will be provided in the future upon the completion of the project.

## **Item 7 - Forum's multiannual work programme**

The Chair informed that the drafting group, set up after last Forum meeting, consisted of the Forum/BPRS Chairs, ES and NL members and HET. The group has identified high level enforcement priorities as well as more generic Forum priorities. The first draft was made available as a room document and was consulted with the Forum by the end of July. It is expected a second consultation with the Forum before its adoption at Forum-45.

## **Item 9 - Potential update of the Interlinks process**

The need to change the Interlinks guide was raised at Forum-43 and afterwards the Forum members sent feedback on which elements of the guide would benefit from the revision. This included scenarios not yet covered or not practical to implement and more explanation in some areas such as when the need for enforcement remains after the registrant updates the dossier.

The drafting group would take into account the comments received and present a revised draft at Forum-45.

## **Item 10 – Practical issues for enforcement of REACH, CLP, PIC and POPs**

Forum discussed two practical issues relevant to enforcement in break-out groups, *Issue 44.1 - Derogation for artists' paints* and *Issue 44.3 - Packaging that looks like food*.

The comments gathered from the discussions will be processed by HET to generate the next version of the draft conclusion of this issue, which is then to be consulted with the Forum members.

Members were invited to submit new practical issues by 18 September 2023.

## **Item 11 - Enforcement of specific REACH restrictions entries**

### **11.1 Proposal on the practical way to prepare the Forum input on the enforceability in ECHA's investigation report on the CMR's in childcare articles**

ECHA Secretariat proposed a process by which Forum could comment on enforceability for the upcoming proposal for CMRs in childcare articles, which the European Commission plans to prepare using the process foreseen by Article 68(2) of REACH. It was suggested that the Forum position is based on description of the restriction in ECHA's investigation report, as the draft text will not yet be available during the Forum consultation.

The Forum agreed to pilot the preparation of such a statement and appointed two co-rapporteurs for this task. The Forum also highlighted long term implications of such parallel advice process including early planning and structural arrangements for handling such requests in the future. Further discussion was agreed to take place at Forum-45.

### **11.2 An example of implementation of diisocyanate training requirements into existing national regulations in Denmark**

The Forum took note of the national arrangements for implementing and control of training requirements of the diisocyanate restriction in Denmark.

### **11.3 Enforcement of tattoo inks in Spain**

The Forum took note of the methodology of a national project concerning tattoo inks, which are considered as personal care products in Spain and thus need additional approval from a different authority. The results of the project will be shared with the Forum in a future plenary meeting.

#### **11.4 Update on the initiative of sampling and testing tattooing inks**

The Dutch Forum member informed that 16 Member States have joined the initiative. The practicalities were still to be developed and the members will be contacted for the future steps.

#### **Item 12 – Update on relevant developments by the Commission**

DG GROW gave an update on the timeline of REACH and CLP revisions and their current contents as well as other issues for information.

The presenter replied to some of the Forum members' questions. He clarified that the REACH legal text is being developed jointly with DG TAXUD regarding the provisions impacting customs.

He also clarified that the expansion of OLAF's mandate would not include inspection-competences and that these will continue to be in the remit of Member States.

The current plan in REACH is for the revocation of the registration number in cases in which registrants fail to fulfil the information requirements to be for ECHA to decide.

COM will reply in writing whether the annual exchange of inspectors funded by COM would still continue after the hiatus caused by the pandemic.

#### **Item 13 – Cooperation with other networks**

##### **13.1 Updates from SLIC-CHEMEX**

The Forum took note of the information provided by the SLIC-CHEMEX Working Group via the meeting document.

##### **13.2 Forum's contribution to the Product Compliance Network (EUPCN) and the ADCO Chairs' meetings**

The Forum took note of the information from the EUPCN and ADCO Chairs' meetings as well as meetings of the EUPCN Partner Group on ICSMS that were attended by the Chairs and referred to in the meeting document.

#### **Item 15 – Enforcement in the Member States**

##### **15.1 Controlling disposable electronic cigarettes at the borders**

The Forum took note of the project controlling electronic cigarettes, in cooperation with the customs, in Denmark. Other participants shared their experiences with the same type of products.

##### **15.2 Enforcement practices in EL**

The Forum took note of the organisation of enforcement in Greece and their enforcement activities during 2022.

##### **15.3 Update on use of screening devices and possible further development**

The Czech invited expert presented the country's screening devices used by inspectors and shared the pros and cons of each of them.

The Forum members welcomed the practical information and shared the experiences with such devices. Due to the price of the screening devices, the

Member States would be interested having some financial participation from COM to acquire the devices. COM would investigate if such funding was available.

HET would send out a survey to the Forum members to collect their experiences with the screening devices and the results would be presented at Forum-45 to assess the best use of such information.

## **Item 16 – Debriefing of the meeting with ECHA Directors**

The Chair informed the Forum about the discussions that took place during the meeting with the ECHA management on 22 May 2023.

## **Item 17 – Updates from the ECHA Secretariat**

### **17.1 Implementing the EU sanctions – update**

A representative of the ECHA Secretariat recapped how ECHA implements the EU sanctions regulation by freezing the assets of sanctioned entities as well as potential scope of involvement of the national enforcement authorities.

### **17.2 Breach of CLH cases in registrations identified by ECHA – update**

ECHA secretariat informed the Forum on the progress of work with identified CLH non-compliance cases and steps taken to reduce the number of cases that would need to be verified by NEAs.

It was agreed that in Q3 2023 ECHA will inform the Forum of the outcome of its actions and share the final list of CLH non-compliance cases with the MS Focal Points. Forum members were invited to arrange the follow up of the cases according to national priorities.

### **17.3 Documents only for information**

#### ***17.3.1 Follow-up of ECHA Decisions***

The Forum took note on the statistics about the cases sent to the Member States Focal points until 31 May 2023.

#### ***17.3.2 Results of the Forum satisfaction survey 2022***

The Forum took note of the document with the compiled results of the satisfaction survey, concerning the Forum and BPRS activities during 2022. Forum, BPRS and WG members and alternates were the target audience of this survey.

The results will be assessed by the Forum and BPRS chairs during the summer and brought for the next plenaries for discussion with the members.

## **Item 18 – Updates from BPR Subgroup**

The BPRS Chair informed the Forum that the subgroup will also elect a new chair and vice-chairs in their plenary meeting.

The BPRS will decide on the scope of the next BEF project (BEF-3). It was also expected the adoption of the agenda for the Training for Trainers 2023 and a discussion on the BEF-2 project preliminary results of the inspections done in 2022.



## **Item 19 – A.O.B.**

### **19.1 Dates of Forum plenaries in 2024**

The Forum took note of the dates of the meetings in 2024:

Forum-46: week 12 (18-22 March)

Forum-47: week 24 (10-14 June) (Helsinki)

Forum-48: week 47 (18-23 November)

HET will request budget for a second physical meeting in 2024. In case it is approved, the dates will remain the same.

### **19.2 Dutch enforcement case**

The Forum took note of the enforcement case investigated in The Netherlands.

### **19.3 NEAs interviews about chemicals in articles in the context of PARCS project**

The Forum took note that PARC project was intended to do interviews with enforcement authorities about chemicals in articles, how NEAs work, select articles, databases used, issues with analytical methods, etc.

### **19.4 Topics for Training for Enforcement Trainers event 2024**

The Forum members were invited to submit proposals for three topics as subject for the 2024 training event and rank them by priority. The proposals received would be discussed with the Forum Chairs and be brought for Forum-45 for decision.

## II. MAIN CONCLUSIONS & ACTION POINTS - Forum-44

Agenda point	Conclusions / decisions / minority opinions	Action requested after the meeting
<b>Item 1- Welcome and introduction</b>		
1.2 Adoption of the Agenda	Agenda was adopted.	
1.4 Declarations of conflict of interest with regard to agenda items and quorum		
1.5 State of play with action points from Forum-43		
1.6 Results of the written procedures and other issues between Forum-43 and Forum-44		
<b>Item 2 – Election of the Forum Chair and Vice Chairs</b>		
	The Forum elected Henrik Hedlund as the Forum Chair, and Katja vom Hofe and Maria Orphanou as Vice Chairs.	
<b>Item 3 – Forum’s enforcement activities - Ongoing projects</b>		
<i>3.1 Pilot project on enforcement of PFCA and related substances focusing on cosmetics</i> 3.1.1 WG Progress report		Forum members are invited to nominate the NCs for this pilot project by 20 June 2023.
3.1.2 Mandate amendment	The Forum revised the mandate.	
<i>3.2 REF-12</i> 3.1.1 WG Progress report		Forum members are invited to nominate the REF-12 National Coordinator by 30 June 2023. The NC should be the participant of the training for trainers event 2023.
3.2.2 Mandate amendment	The Forum revised the mandate.	
<i>3.3 Pilot project on classification of mixtures focusing on detergents and cleaning products:</i> 3.1.1 WG Progress report		The WG will send out the draft guide for consultation by the end of June.  The Forum members are invited to participate in the written consultation of the draft guide by 31 August.

<b>Agenda point</b>	<b>Conclusions / decisions / minority opinions</b>	<b>Action requested after the meeting</b>
3.3.2 Mandate amendment	The Forum revised the mandate.	
3.4 REF-10 on Integrated control of products 3.4.1 WG progress status		
3.4.2 Mandate amendment	The Forum revised the mandate.	
3.5.1 REF-11 on SDS: Mandate amendment		
3.5.2 Train the enforcement trainers 2023: Mandate amendment		Forum members are invited to nominate two trainees for the event (one of them should be REF-12 NC) latest by 30 June 2023
3.6 Prioritisation of REF projects 3.6.1 Discussion and potential decision of the scope of the next REF project	The Forum decided that the REF-13 project in 2025 will focus on online sales.	FI Forum member is invited to share the results of the national project on the PAH restriction when it is done.  COM is invited to provide further information how Forum could apply for joint actions under MSR by end of July  HET will plan a session for the Forum to discuss joint actions with MSR authorities at Forum-45  HET will share the available materials from the EUPCN related to shopping under cover identity, provided by the Chair, by 30 June
3.6.2 Mandate amendment	The Forum revised the mandate.	
3.7 Enforceability of Restrictions 3.7.1 WG Progress report		HET will discuss with the Chairs and WG Restrictions the proposed plan for publication and communication on the Forum advices.
3.7.2 Mandate amendment	The Forum revised the mandate.	Forum members are invited to nominate new members for the WG by 7 July.
<b>Item 4 – Forum’s enforcement activities - Projects under finalisation</b>		
4.1 REF-9 on Authorisation 4.1.1 WG final progress report		The WG to finalise the preparation of the draft ‘Practical Guide on enforcement of authorisation duties’ for consultation with the Forum by the end of June 2023.

Agenda point	Conclusions / decisions / minority opinions	Action requested after the meeting
		<p>WG will implement the Forum's comments and finalise the guide.</p> <p>HET will send the document for written procedure for adoption with the Forum</p>
4.1.2 Closure of the mandate	The Forum agreed to conditionally close the mandate after the adoption of the practical guide for inspectors.	
<b>Item 5 – Forum's enforcement activities - – Starting projects</b>		
5.1 WG for examining the enforcement-related impacts on the Forum of the future REACH and CLP revision – Mandate set-up		Forum members are invited to nominate further members to the WG by 7 July.
<b>Item 6 - Enforcement in the Member States</b>		
6.1 PFOA in ski waxes		DE Expert will share the press release about the project if it is available in English.
6.2 National project on e-commerce focusing on dropshipping		
6.3 Enforcement of registration of nano-forms		
		Forum members FI, FR, HR, HU and IE are invited to prepare an enforcement related topic (e.g. presentation, BoG discussion) for Forum-45
<b>Item 7 – Forum's multiannual work programme</b>		
		Forum members are invited to comment on the draft work programme by 31 July
<b>Item 9 – Potential update of the Interlinks process</b>		
		<p>HET will send the current interlinks guide for comments by 22 June</p> <p>Members are invited to submit further suggestions to revise the guide by 31 July</p> <p>Members are invited to nominate themselves or experts to be part of the drafting group by 31 July.</p>

Agenda point	Conclusions / decisions / minority opinions	Action requested after the meeting
<b>Item 10 - Practical issues for enforcement of REACH/CLP/PIC/POPS</b>		
10.1 Break out groups discussion		HET will revise the conclusions based on the feedback from the break out groups and send it for consultation with the Forum.
10.2 Wrap-up		Forum members are invited to submit new practical issues by 18 September 2023
<b>Item 11 – Discussion on the enforcement of specific REACH restrictions entries</b>		
11.1 Proposal on the practical way to prepare the Forum input on the enforceability in ECHA's investigation report on the CMR's in childcare articles	The Forum agreed to deliver the advice on enforceability of the restriction for CMRs in childcare articles based on the description on the ECHA investigation report.	HET to schedule an agenda item in Forum-45 to discuss the process to handle such requests in the future.
11.2 An example of implementation of diisocyanate training requirements into existing national regulations in Denmark		
11.3 Enforcement of tattoo inks in Spain		ES Forum member is invited to inform the Forum on the result of the upcoming campaign.
11.4 Update on the initiative of sampling and testing tattooing inks		NL Forum member is invited to update the Forum on the progress of the tattooing inks project at Forum-45.
<b>Item 12 – Update on relevant developments by the Commission</b>		
Update on relevant developments by the Commission		COM is invited to provide an update on estimated enforcement cost of new restrictions at Forum-45
<b>Item 13 – Cooperation with other networks</b>		
13.1 Updates from SLIC-CHEMEX		
13.2 Forum's contribution to the EU Product Compliance Network (EUPCN) and the ADCO Chairs' meetings		
<b>Item 15 – Enforcement projects in the Member States</b>		
15.1 Controlling disposable electronic cigarettes at the borders		DK Forum member will clarify how the flavours of electronic cigarettes are checked and inform the Forum.
15.2 Enforcement practices in EL		EL expert will clarify which jewellery types were found to be

Agenda point	Conclusions / decisions / minority opinions	Action requested after the meeting
		non-compliant and inform the Forum
15.3 Update on use of screening devices and possible further development		<p>COM is invited to look into funding possibilities for Members States to purchase screening devices and provide further information by Forum-45</p> <p>Forum members are invited to share their experiences with screening devices via a survey to be sent by HET</p> <p>Forum Chairs and HET to assess the feedback from the survey and propose a way forward at Forum-45.</p>
<b>Item 16 – Debriefing of the meeting between Forum Chairs and ECHA Directors</b>		
<b>Item 17 – Updates from the ECHA Secretariat</b>		
17.1 Implementing the EU sanctions – update		
17.2 Breach of CLH cases in registrations identified by ECHA – update		<p>HET will inform the Forum of the outcome of the follow up action on the CLH cases in Q3 2023.</p> <p>HET will share the resulting cases with the MS Focal Points in Q3 2023.</p> <p>Forum members are invited to arrange the follow up of the cases according to national priorities.</p>
<p>17.3 Documents for information:</p> <p>17.3.1 Follow-up of ECHA Decisions</p> <p>17.3.2 Results of the Forum satisfaction survey 2022</p>		<p>HET and the Forum and BRPS Chairs will discuss the results and potentially prepare a discussion at Forum-45.</p>
<b>Item 18 – Updates from BPR Subgroup</b>		
<b>Item 19 – AOB</b>		
19.1 Dates of Forum plenaries in 2024	<p>The Forum to take note of the meeting dates for 2024:</p> <p>Forum-46: week 12 (18-22 March)</p> <p>Forum-47: week 24 (10-14 June) (Helsinki)</p>	

Agenda point	Conclusions / decisions / minority opinions	Action requested after the meeting
	Forum-48: week 47 (18-23 Nov)	
NL case		
NEAs interviews about chemicals in articles in the context of PARCS project		
Training for Trainers 2024		The Forum members are invited to submit proposals of three topics for the Training 2024 by <b>29 September 2023</b> . The Forum members are asked to rank the topics in order of priority 1, 2 and 3.

### III. List of Attendees

#### Forum members

	Country	Name
1	AT	FUCHS Michael
2	BE	VAN DEN HOLE Chris
3	BG	GAIGUROVA Margarita
4	CY	ORPHANOU Maria
5	CZ	JAROLÍM Oldrich
6	DE	VOM HOFE Katja
7	DK	SCHARFF Ida
8	EE	HONGA Aljona
9	EL	APERGI Elli-Maria
10	ES	TEBAR LUJAN Jorge
11	FI	MÄKI Markus
12	FR	ABDELHAFIZ Sam
13	HR	VULJANIC Kristina
14	HU	MAROSVÖLGYI Nikoletta
15	IE	McMICKAN Sinead
16	IS	BRAGASON Ísak
17	IT	SCIMONELLI Luigia
18	LI	RELLA-QUADERER Maria Rosaria
19	LT	ŠPŪRIENĖ Otilija
20	LU	ENGELS Kim
21	LV	KAMERADE Kristine
22	MT	MIFSUD Shirley
23	NL	KLINGENBERG Albert
24	NO	HAGEN Gro
25	PL	MOCZULAK Aleksandra
26	PT	CENTENICO Ana
27	RO	MIJA Maria
28	SE	HEDLUND Henrik
29	SI	HAJRLAHOVIC MEHIC Semira
30	SK	POČAROVSKÁ Miriam

#### Invited experts/Advisors

	Country	Name
1	AT	ANWANDER Eugen
2	CZ	STANĚK Alois
3	DE	TSCHECH Guenter
4	DE	FRENZEL Stefan
5	DK	NIELSEN SCHULEIT Linda
6	DK	MIKKELSEN Sonja
7	EL	NAKOPOULOU Chrysanthi
8	ES	SANCHEZ CONDE Angela
9	FI	TALASNIEMI Petteri
10	FR	SIMBELIE Karine



	Country	Name
11	HR	PILETIC Kaca
12	IE	Walsh Caroline
13	LT	ŠIUPIENĖ Julita
14	LU	WEBER Jill
15	LV	MARTINOVA Laura
16	MT	GARG Ramandeep
17	NL	HELLEMA Peter
18	NL	VAN DER MEER Mirjam
19	NO	SULEIMAN Abdulqadir
20	PL	STULCZEWSKI Dawid
21	PT	MARMELO Ricardo
22	PT	SANTOS Andrea
23	SE	RUMAR Karin
24	SE	ZETTERBERG Camilla
25	SE	WALLES Sofia

#### European Commission representatives

	DG	Name
1	ENV	FABRE Julien
2	ENV	STRATAKIS Sofoklis
3	GROW	BLASS RICO Ana Maria
4	GROW	De BUSTOS Aurora

	ECHA	Unit
1	ANNYS Erwin	Support and Enforcement Unit
2	BARANSKI Maciej	Support and Enforcement Unit
3	Maria Jose BELMONTE SANCHEZ	Data availability Unit
4	CALVO TOLEDO Juan Pablo	Support and Enforcement Unit
5	MAK Istvan	Data availability Unit
6	MATEUS Tania	Support and Enforcement Unit
7	NIKULA Terhi	Support and Enforcement Unit
8	TECCE Nicola	Support and Enforcement Unit
9	TŁOCZEK Magdalena	Support and Enforcement Unit

#### **IV. List of Annexes**

ANNEX 1. Final agenda Forum-44

ANNEX 2. Revision of the mandates of the Forum WGs

ANNEX 2 a - "Pilot project on PFCA"

ANNEX 2 b – "REF-12 on imports"

ANNEX 2 c – "Pilot project on classification of mixtures"

ANNEX 2 d – "REF-10 on Integrated chemical control of products"

ANNEX 2 e – "REF-11 on SDS"

ANNEX 2 f – "Train the trainers 2023"

ANNEX 2 g - "Prioritisation of REF projects"

ANNEX 2 h – "Enforceability of restrictions"

ANNEX 2 i – "REF-9 on Authorisation"

ANNEX 2 j – "Impact on enforcement of REACH/CLP review"

ANNEX 3. Glossary of acronyms and abbreviations

## Annex 1 – Final agenda Forum-44

### Agenda

#### Forty fourth meeting of the Forum for Exchange of Information on Enforcement

Forum-44  
13-15 June 2023  
Helsinki, Finland  
ECHA Conference Centre, Meeting room Voima (K260)

#### **DAY 1** Tuesday, 13 June 2023

<b>Welcome coffee</b>	09:00-09:45
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**Location:** Meeting room area

<b>Item 1 – Welcome and Introduction</b>	09:45-10:15
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- 1.1 Welcome and opening by the Forum Chair
- 1.2 Welcome by ECHA's Executive Director
- 1.3 Adoption of the agenda - *Chair*
- 1.4 Declarations of conflict of interest with regard to agenda items and quorum - *Chair*
- 1.5 State of play with action points from Forum-43 – *ECHA HET*
- 1.6 Results of the written procedures and other issues between Forum-43 and Forum-44 - *ECHA HET*

*ECHA/Forum-44/2023/dA*  
*ECHA/Forum-44/2023/1.5*  
*ECHA/Forum-44/2023/1.6*

***For adoption***  
***For information***

<b>Item 2 – Election of the Forum Chair and Vice Chairs</b>	10:15-10:50
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- 2.1 Presentation of the candidates (5')
- 2.2 Candidates' motivation speeches (15')
- 2.3 Election procedure (10')
- 2.4 Counting of the votes and announcement of the elected Forum Chair and Vice-Chairs (5')

*ECHA/Forum-44/2023/2*

***For adoption***

**Item 3 – Forum’s enforcement activities - Ongoing projects**

10:50-14:40

*3.1 Pilot project on enforcement of PFCA and related substances focusing on cosmetics (15')*

- 3.1.1 WG Progress report – ECHA HET
- 3.1.2 Mandate amendment - ECHA HET

ECHA/Forum-44/2023/3.1.1  
ECHA/Forum-44/2023/Draft\_mandates

**For discussion**  
**For adoption**

**Coffee break 11:05-11:35**

*3.2 REF-12 on the compliance of imported substances, mixtures and articles (60')*

- 3.2.1 WG progress report – WG Chair
- 3.2.3 Mandate amendment - ECHA HET

ECHA/Forum-44/2023/3.2.1  
ECHA/Forum-44/2023/Draft\_mandates

**For discussion**  
**For adoption**

*3.3 Pilot project on classification of mixtures including detergents and cleaning products (30')*

- 3.3.1 WG progress report – WG Chair
- 3.3.2 Mandate amendment - ECHA HET

ECHA/Forum-44/2023/3.3.1\_room\_doc  
ECHA/Forum-44/2023/Draft\_mandates

**For discussion**  
**For adoption**

**Lunch break 13:05-14:05**

*3.4 REF-10 on integrated control of products (30')*

- 3.4.1 WG progress status – WG Chair
- 3.4.2 Mandate amendment - ECHA HET

ECHA/Forum-44/2023/Draft\_mandates

**For discussion**  
**For adoption**

3.5 Mandate amendment of WGs not addressed at the meeting (no progress report) (5’):

- 1) REF-11 on SDS
- 2) Train the trainers 2023

*ECHA/Forum-44/2023/Draft\_mandates*

<b>Item 4 – Forum’s enforcement activities - Projects under finalisation</b>	<b>14:40-15:10</b>
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4.1 REF-9 on Authorisation (30’)

- 4.1.1 WG final progress report – *WG Chair*
- 4.1.2 Closure of the Mandate - *ECHA HET*

*ECHA/Forum-44/2023/4.1.1\_room\_doc*  
*ECHA/Forum-44/2023/Draft\_mandates*

**For information**  
**For adoption**

<b>Item 5 – Forum’s enforcement activities – Starting projects</b>	<b>15:10-15:30</b>
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5.1 *WG for examining the enforcement-related impacts on the Forum of the future REACH and CLP revision – Mandate setup*

*ECHA/Forum-44/2023/Draft\_mandates*

**For adoption**

**Coffee break 15:30-16:00**

<b>Item 6 – Enforcement in the Member States</b>	<b>16:00-17:10</b>
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- 6.1 Enforcement practices in DE (30’) – *DE invited expert*
- 6.2 National project on e-commerce focusing on dropshipping (20’) – *SE Forum Alternate*
- 6.3 Enforcement of registration of nano-forms (20’) – *FR Forum member*

**For adoption**

<b>Item 7 – Forum's multiannual work programme</b>	<b>17:10-17:40</b>
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*ECHA/Forum-44/2023/7\_room\_doc*

**For discussion**

<b>Item 8 - Adoption of conclusions from day 1</b>	<b>17:40-18:00</b>
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**For adoption**

<b>End of day 1</b>	<b>18:00</b>
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**DAY 2** Wednesday, 14 June 2023

**Item 3 – Forum’s enforcement activities - Ongoing projects (cont.)**

09:00-11:30

3.6 *Prioritisation of REF projects (60’)*

3.6.1 Discussion and potential decision of the scope of the next REF project - *WG Chair*

3.6.2 Mandate amendment - *ECHA HET*

*ECHA/Forum-44/2023/3.6.1  
ECHA/Forum-44/2023/Draft\_mandates*

***For discussion  
For adoption***

**Coffee break 10:00-10:30**

3.7 *Enforceability of Restrictions (40’)*

3.7.1 WG progress report – *WG Chair*

3.7.2 Mandate amendment - *ECHA HET*

*ECHA/Forum-44/2023/3.7.1  
ECHA/Forum-44/2023/Draft\_mandates*

***For discussion  
For adoption***

**Item 9 – Potential update of the Interlinks process**

11:10-11:40

*ECHA/Forum-44/2023/9*

***For information***

**Item 10 – Practical issues for enforcement of REACH/CLP/PIC/POPs**

11:40-14:30

10.1 Break out group discussions:

10.1.1 Introduction (15’)

10.1.2 Discussion in groups (60’)

**Lunch break 13:00-14:00**

10.2 Wrap-up (30’)

*ECHA/Forum-44/2023/10  
ECHA/Forum-44/2023/10\_room\_doc*

***For discussion***

<b>Item 11 – Enforcement of specific REACH restrictions entries</b>	<i>14:30-16:40</i>
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11.1 Proposal on the practical way to prepare the Forum input on the enforceability in ECHA's investigation report on the CMR's in childcare articles (40') – *HET*

11.2 An example of implementation of diisocyanate training requirements into existing national regulations in Denmark (20') – *DK invited expert*

**Break (15:30-16:00)**

11.3 Enforcement of tattoo inks in Spain (30') – *ES Forum member*

11.4 Update on the initiative of sampling and testing tattooing inks (10') – *NL Forum member*

*For discussion*

<b>Item 12 – Update on relevant developments by the Commission</b>	<i>16:40-17:30</i>
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*For information*

<b>Item 13 – Cooperation with other networks</b>	<i>17:30-17:55</i>
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13.1 Updates from SLIC-CHEMEX (5')

13.2 Forum's contribution to the EU Product Compliance Network (EUPCN) and the ADCO Chairs' meetings (20') – *Forum Chair*

*ECHA/Forum-44/2023/13.1  
ECHA/Forum-44/2023/13.2\_room\_doc*

*For information*

<b>Item 14 - Adoption of conclusions from day 2</b>	<i>17:55-18:10</i>
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*For adoption*

<b>End of day 2</b>	<i>18:10</i>
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**Social event**

**DAY 3 Thursday, 15 June 2023**

**Item 15 – Enforcement projects in Member States** 09:00-10:40

15.1 Controlling disposable electronic cigarettes at the borders (20') –  
*DK Forum member*

15.2 Enforcement practices in EL (20') – *EL invited expert*

15.3 Update on use of screening devices and possible further  
development (60') – *CZ Alternate member*

***For information  
For discussion***

**Item 16 – Debriefing of the meeting between  
Forum/BPRS Chairs and ECHA Directors** 10:40-11:00

***For information***

**Coffee break 11:00 - 11:30**

**Item 17 – Updates from the ECHA Secretariat** 11:30-12:20

17.1 Implementing the EU sanctions – update (20')

17.2 Breach of CLH cases in registrations identified by ECHA – update  
(30')

17.3 Documents only for information:

17.3.1 Follow-up of ECHA Decisions

17.3.2 Results of the Forum satisfaction survey 2022

*ECHA/Forum-44/2023/17.3.1*

*ECHA/Forum-44/2023/17.3.2*

***For information***

**Item 18 – Updates from BPR Subgroup** 12:20-12:30

Update on the coordination of the BPR enforcement – *BPRS Chair*

***For information***

**Item 19 – AOB** 12:30-12:45

19.1 Dates of Forum plenaries in 2024

***For information***

**Item 20 – Adoption of conclusions from day 3** 12:45-13:00

***For adoption***

**End of meeting** 13:00



## **Annex 2a “Pilot on enforcement of PFCAs”**

### **Forum Working Group ‘Pilot project on enforcement of PFCAs and related substances focusing on cosmetics’**

(mandate adopted at Forum-44)

#### **Composition**

**Chair:** Henrik HEDLUND (SE)

#### **Forum Members and Alternates**

- Eugen ANWANDER (AT)
- Michael FUCHS (AT)
- Petteri TALASNIEMI (FI)

#### **Invited Experts**

- Mana ASHJA (SE)

#### **ECHA**

- Magdalena TŁOCZEK
- Ignacio GONZALES RODRIGUEZ

#### **Objective:**

- Conceive and manage the small-scale pilot project on enforcement of restrictions of PFCAs (including PFOAs) and related substances focusing on cosmetics.

#### **Mandate:**

1. Develop the project manual (guidance document, checklist, planning, recommendations) for the execution of the project
2. Prepare and deliver the training for project national coordinators
3. Management of the Operational phase
4. Management the Reporting phase: Follow-up operational phase, collect the results and draft project evaluation
5. Draft practical enforcement guidance for inspectors (tips and hints for inspectors)
6. Prepare and organise remote WebEx workshop for ECHA ASOs to present the results and recommendations from this project

#### **Timeline:**

- Project manual: 31 October 2023
- Prepare and deliver the training for project national coordinators: 31 October 2023
- Operational phase: 1 November 2023 – 30 April 2024
- Reporting phase (National Coordinators): 31 May 2024
- Project report: 31 October 2024
- Workshop with ECHA ASOs: Q1 2025
- Adoption of the practical enforcement guidance for inspectors (tips and hints for inspectors): Q1 2025

## Annex 2b “REF-12”

**Forum Working Group**  
Work Package A.1  
**“Coordinated enforcement project REACH-EN-FORCE-12”**  
(mandate adopted at Forum-44)

### Composition

**Chair:** Henrik HEDLUND (SE)  
**Vice-Chair:** Maria ORPHANOU (CY)

#### Forum Members and Alternates

- Luigia SCIMONELLI (IT)
- Chris VAN DEN HOLE (BE)
- Markus MAKI (FI)
- Eugen ANWANDER (AT)

#### Invited Experts

- Marcus HAGBERG (SE)
- Jörgen ROSBERG (SE)
- Johannes LEOPOLDT (DE)
- Erik BARSEGHIAN (NL)
- Alfred EBNET (DE) (customs)
- Judith SCHMITT (DE) (customs)
- Joris ROBYN (BE) (customs)
- Doris ASSAYAG-SOURY (FR) (customs)

#### COM

-

#### ECHA

- Tania MATEUS

### Objective:

- Conceive and manage the twelfth major Forum project REF-12 on the enforcement on the compliance of imported substances, mixtures and articles.

### Mandate:

1. Develop the project manual (guidance document, checklist, planning, recommendations) for the execution of the project;
2. Liaise with the WG ‘Training for trainers 2023’
3. Define the specific duties to be covered in the project;
4. Prepare and deliver the training for project national coordinators
5. Management of the Operational phase
6. Management the Reporting phase: Follow-up operational phase, collect the results and draft project evaluation
7. Elaborate tips and hints for inspectors based on the relevant outcomes from the project
8. Prepare and organise remote WebEx workshop for ECHA ASOs to present the results and recommendations from this project

**Timeline:**

- Project manual: Q4 2023
- Prepare and deliver the training for project national coordinators: Q4 2023
- Operational phase: 2024
- Reporting phase (National Coordinators): Q1 2025
- Evaluation phase: Q3 2025
- Draft report: Q3 2025
- Adoption of the report: Q4 2025
- Tips and hints for inspectors: Q2 2026
- Workshop with ECHA ASOs: Q2 2026

## **Annex 2c “Pilot on Classification of mixtures”**

### **Forum Working Group “Pilot project on classification of mixtures including detergents and cleaning products”**

(mandate adopted on Forum-44)

**Chair:** Eugen ANWANDER (AT)

**Vice-Chair:** Jorge TEBAR LUJAN (ES)

#### **Forum Members and Alternates**

##### **Invited Experts**

- Kristina KARLSSON (SE)
- Sibylle WURSTHORN (DE)
- Gaetano Abate (DE)
- Erik BARSEGHIAN (NL)
- Maria ALESSANDRELLI (IT)
- Sonia D'ILIO (IT)

##### **ECHA**

- Nicola TECCE; Kirsi MYOHANEN

**Objective:** Conceive and manage the pilot project on classification of mixtures including detergents and cleaning products

##### **Mandate:**

1. Develop the criteria for national example cases on mixture classification that go beyond standard summation or additivity approaches for the execution of the pilot project
2. Consider whether the WG needs to collect input from ASOs or COM, and if so, liaise with the ASOs or COM to obtain it
3. Management of the analysis of the cases on mixture classification as submitted to the WG
4. If needed, follow-up the assessment phase of the pilot project with supplementary analysis of national cases on mixture classification as submitted to the WG
5. Elaborate a project report including a guidance for national inspectors focusing on the challenges/biases in the interpretation of CLP and mixture classification
6. Prepare and conduct a remote workshop for ECHA ASOs to discuss the project results and recommendations for the industry

##### **Timeline:**

- Preparatory phase: January 2022-June 2022
- Analysis of submitted cases: July 2022-December 2022
- Drafting of project report/guidance: January-June 2023;
- Follow-up: July-November 2023.

## Annex 2d "REF-10"

### Forum Working Group

#### Work Package A.1

### "Coordinated enforcement project REACH-EN-FORCE-10"

(mandate adopted at Forum-44)

#### Composition

**Chair:** Karin RUMAR (SE)

#### **Forum Members and Alternates**

- Kaca PILETIC (HR)
- Eugen ANWANDER (AT)

#### **Invited Experts**

- Eric BARSEGHIAN (NL)
- Mieke CONICKX (BE)
- Anneli PÄRNÄNEN (FI)
- Emilie ROGERS (NO)
- Michel LEYNEN (BE)
- Frank VILSMEIER (DE)

#### **ECHA**

- Juan Pablo CALVO TOLEDO
- Ignacio GONZALEZ RODRIGUEZ
- Telmo VIEIRA PRAZERES

#### **Objective:**

- Conceive, manage and evaluate the tenth major Forum enforcement project REF-10 'Integrated chemical control of products'.
- Present the relevant project recommendations to ECHA ASOs to promote compliance
- develop practical enforcement guidance for enforcement authorities based on the lessons learnt from the project

#### **Mandate:**

1. Develop the project manual (guidance document, checklist, planning, recommendations) for the execution of the project;
2. The WG will consider whether it needs to cooperate with other public enforcement networks and authorities such as customs, RoHs, Market Surveillance, environment and if so, liaise with them to facilitate this cooperation and coordinate the project accordingly
3. The WG will consider whether it needs to collect input from ASOs and if so, liaise with the ASOs to obtain it
4. Prepare and deliver the extended training for project national coordinators and inspectors (conditional on the availability of sufficient number of experts to prepare it)
5. Management of the Operational phase
6. Management the Reporting phase: Follow-up operational phase, collect the results and draft project evaluation
7. Prepare and conduct a remote workshop for ECHA ASOs to discuss the project results and recommendations for the industry
8. Elaborate a guideline and training to tackle the question related to the verification of the notification to the SCIP database and liaise if necessary with IMPEL to assist on this task

9. Elaborate tips and hints for inspectors based on the relevant outcomes from the project

### **Timeline**

- Project manual: Q4 2021
- Prepare and deliver the extended training for project national coordinators and inspectors: Q4 2021
- Operational phase: 2022
- Reporting phase (National Coordinators): Q1 2023
- Evaluation phase: Q3 2023
- Draft report: Q4 2023
- Adoption of the report: Q4 2023
- Workshop with ECHA ASOs: Q2 2024
- Tips and hints for inspectors: Q2 2024

## Annex 2e “REF-11”

### Forum Working Group

#### Work Package A.1

### “Coordinated enforcement project REACH-EN-FORCE-11”

(mandate adopted at Forum-44)

#### Composition

**Chair:** Abdulqadir SULEIMAN (NO)

#### **Forum Members and Alternates**

- Ana CENTENICO (PT)

#### **Invited Experts**

- Shara SMITH (IE)
- Linnea KANNING (SE)
- Sonja HAGEN MIKKELSEN (DK)
- Barbara Schmid (DE)
- Milena ORSO GIACONE (IT)
- Carlo MUSCARELLA (IT)
- Antonietta COVONE (IT)
- Marius SULGA (LT)
- Anu MATILAINEN (FI)
- Tamás KOVÁCS (HU)
- Erik BARSEGHIAN (NL)

#### **ECHA**

- Tania MATEUS
- Andrew MURRAY
- Fesil MUSHTAQ
- Outi TUNNELA
- Amandine JOMIER

#### **Objective:**

- Conceive and manage the eleventh major Forum enforcement project REF-11 on SDS and checking the conformity with the requirements of the new Annex II of REACH.

#### **Mandate:**

1. Develop the project manual (guidance document, checklist, planning, recommendations) for the execution of the project;
2. Liaise with the WG ‘Training for trainers 2022’
3. Define the specific duties to be covered in the project;
4. The WG will consider whether it needs to collect input from ASOs and if so, liaise with the ASOs to obtain it
5. Prepare and deliver the training for project national coordinators
6. Management of the Operational phase
7. Management the Reporting phase: Follow-up operational phase, collect the results and draft project evaluation
8. Elaborate tips and hints for inspectors based on the relevant outcomes from the project
9. Prepare and organise a short WebEx workshop for ECHA ASOs to present the results and recommendations from this project

**Timeline:**

- Project manual: Q4 2022
- Prepare and deliver the training for project national coordinators: Q4 2022
- Operational phase: 2023
- Reporting phase (National Coordinators): Q1 2024
- Evaluation phase: Q3 2024
- Draft report: Q4 2024
- Adoption of the report: Q4 2024
- Tips and hints for inspectors: Q2 2025
- Workshop with ECHA ASOs: Q2 2025



## **Annex 2f “Train the enforcement trainers 2023”**

### **Forum Working Group** Work Package C.2. **“Training for enforcement trainers 2023”** (mandate adopted at Forum-44)

#### **Composition**

**Chair:** Chris van den Hole (BE)

**Vice-Chair:** Gro Hagen (NO)

**Forum Members/Alternates:**

- Otilija Spuriene (LT)

**Invited Experts:**

- Angelina Angelova (BG)
- Uwe Licht-Klagge (DE)
- Ricardo Marmelo (PT)
- Johannes Leopoldt (DE)
- Regina Wagner (DE)

**ECHA:**

- Magdalena TŁOCZEK
- Christina LOUKOU
- Istvan MAK
- Thierry NICOT

**COM:**

- DG TAXUD: Alessandro EL KHOURY, Renato LAZZARONI, Francesco SIANO, Herve SCHEPERS, Wilhelmus VAN HEESWIJK, Ino VEI

**Objective:**

- Prepare and deliver the training for trainers on the enforcement of imports in the fourth quarter of 2023.

**Mandate:**

1. Specify as early as possible the envisaged level of the content of the training
2. Prepare materials necessary for the training such as presentations or documents
3. Liaise with the WG REF-12
4. Actively conduct the training event with support from other Forum members, ECHA and COM and other experts in specific topics as necessary
5. Collect, summarise and evaluate the recommendations and reactions of participants

**Timeline:**

- Final report - Q1 2024

## **Annex 2g “Prioritisation of REFs”**

### **Forum Working Group Work Package A.1 “Prioritisation of REF Projects”** (Mandate adopted at Forum-44 and BPRS-19)

**Chair:** Maria ORPHANOU (CY) - rotating Chair

**Vice-Chair:** Jenny KARLSSON (SE) – for BPR topics

#### **Forum Members/Alternates**

- Semira HAJRLAHOVIĆ MEHIĆ (SI)
- Oldrich JAROLIM (CZ)
- Abdulqadir SULEIMAN (NO)

#### **Invited Experts**

- Tamas KOVACS (HU)
- Laura WILMS (DE)
- Andrea SANTOS (PT)

**Ad-hoc invited experts from BPRS** (cooperating in the elaboration of the Registry of legal obligations subject to previous enforcement projects and BEF-3 topics):

- Helmut DE VOS (BE)
- Anna GRONWALD-MACEDO (DE)

**ECHA:** Magdalena TLOCZEK; Nicola TECCE

**Objective:** Propose annually the subject for the next harmonised enforcement project coordinated by the Forum and BPRS (i.e. REF and BEF Projects)

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

1. Review annually a list of proposals for REF and BEF, when needed, projects submitted by Forum members, ECHA Secretariat, the Commission and the Stakeholder Organisations accredited by ECHA (ASOs);
2. Prioritise the subjects by applying Forum’s methodology for the prioritisation, selection and management of REF and BEF projects
3. Draft a recommendation proposing the subject for the next REF and BEF project
4. Elaborate and update an inventory of project recommendations and a registry of legal obligations subject to previous enforcement projects in the following regulatory areas: REACH, CLP, PIC, POP, BPR.
5. Propose to the Forum topics for pilot and small-scale projects as an output of the prioritisation exercise where appropriate.
6. In addition, the WG will revise, when needed, the methodology for the prioritisation, selection and management of REF and BEF projects and implementing its working procedures to be adopted by the Forum.

The WG will operate from Forum-31 (November 2018) until the end of 2023 (end of the Forum MAWP 2019 – 2023). 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

- Shortlist of subjects for REF-13 by Forum-44
- Shortlist of subjects for BEF-3 by BPRS-19

## **Annex 2h “Enforceability of restrictions”**

### **Forum Working Group** Work Package B12 **“Enforceability of restrictions”** (mandate adopted at Forum-44)

#### **Composition**

**Chair:** Peter HELLEMA (NL) (as of 01 July 2023)

**Vice-Chair:** Eugen ANWANDER (AT)

#### **Forum Members/Alternates**

- Michael FUCHS (AT)
- Philip TANGHE (BE)
- Katja VOM HOFE (DE)

#### **Invited Experts (advisory process)**

- Leonello ATTIAS (IT)
- Tone Line FOSSNES (NO)
- Uwe LICHT-KLAGGE (DE)
- Gernot WURM (AT)
- Katharina PELS (DE)
- Charlotte RAHM (SE)
- Caroline NILSSON (SE)
- Raffaella CRESTI (IT)
- Regina WAGNER (DE)
- Edwin HEUVELING (NL)

#### **Invited Experts ad-hoc (advisory process) [only under specific circumstances]:**

- Erik BARSEGHIAN (NL)
- Sammy DRISSI-AMRAOUI (FR)

#### **Invited experts (analytical methods) (TBC)**

- Nadja GOETZ (DE)
- Carolina FERRANTI (IT)
- Julia GONZÁLEZ GUTIÉRREZ (ES)
- Durk SCHAKEL (NL)
- Timokleia TOGKALIDOU (EL)
- Andromachi KATSONOURI (CY)

#### **Process revision:**

- Caroline NILSSON (SE) – invited expert
- Charlotte RAHM (SE) – invited expert
- Stefan FRENZEL (DE) – German alternate member
- Petteri TALASNIEMI (FI) – Finnish alternate member
- Eugen ANWANDER (AT) – Austrian alternatemember

#### **COM**

- Karin KILIAN (DG ENV)
- BERTATO Valentina (ENV)
- PIRSELOVA Katarina (ENV)

#### **ECHA**

- Juan Pablo CALVO TOLEDO

**Mandate:****Advisory process (only task of the WG)**

1. 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:
  - a) 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.
  - b) Provide support when possible on enforcement related issues to RAC and SEAC during the process of the elaboration of the RAC and SEAC opinions.

Develop the Forum advice on enforceability of the anticipated restriction for CMRs in Childcare articles based on the description in ECHA Investigation Report.

**Analytical methods**

[the task can be discussed on an ad-hoc basis depending on the needs]

2. Review in 2023 the information on analytical methods provided by the stakeholders and by the Member States by Q1 2023 and revise if needed the methodology and the compendium of analytical methods recommended for the enforcement of REACH Annex XVII restrictions by F-45 (Q4 2023).

**Other**

3. The WG shall report to the Forum plenary the results of its findings and its actions between the plenaries.
4. Review Working Procedure of the Forum for developing Forum advice and support to RAC and SEAC rapporteurs (extended for 2023) [horizontal task]

**Timeline:**

- Examination of proposals for restriction and support to RAC and SEAC according to plans
- 31 December 2023, reporting at each plenary meeting

## Annex 2i "REF-9"

### Forum Working Group

#### Work Package A.1

### "Coordinated enforcement project REACH-EN-FORCE-9"

(mandate closed? at Forum-44)

#### Composition

**Chair:** Eugen ANWANDER (AT)

**Vice-Chair:** Sam ABDELHAFIZ (FR)

#### Forum Members and Alternates

- Markus MAKI (FI)
- Mirjam VAN DER MEER (NL)

#### Invited Experts

- Elvera BREEDLAND (NL)
- Lisa EKSTIG (SE)
- Ilda Cristina de CARVALHO GATO (PT)
- Majella LOWE (IE)
- Jarmo OSMO (FI) (OSH)
- Monique WAEGEMAEKERS (NL)
- Sibylle WURSTHORN (DE)

#### SLIC CHEMEX

- Monique WAEGEMAEKERS (NL)

#### ECHA

- Magdalena TŁOCZEK
- Andrew MURRAY
- Fesil MUSHTAQ
- Thierry NICOT

#### Objective:

- Conceive and manage the ninth major Forum enforcement project REF-9 on authorisation.

#### Mandate:

1. Make a recommendation to Forum about the substances to be included in the scope of the project by Forum-35
2. Develop the project manual (guidance document, checklist, planning, recommendations) for the execution of the project
3. Liaise with the WG 'Training for trainers 2020'
4. Define the specific duties to be covered in the project
5. Prepare and deliver the training for project national coordinators
6. Management of the Operational phase
7. Management the Reporting phase: Follow-up operational phase, collect the results and draft project evaluation
8. Elaborate tips and hints for inspectors based on the relevant outcomes from the project
9. Prepare and organize a short WebEx workshop for ECHA ASOs to present the results and recommendations from this project

**Timeline:**

- Project manual: Q4 2020
- Prepare and deliver the training for project national coordinators: Q4 2020
- Operational phase: 2021
- Reporting phase (National Coordinators): Q1 2022
- Evaluation phase: Q3 2022
- Draft report: Q4 2022
- Adoption of the report: February 2023
- Tips and hints for inspectors: Q2 2023
- Workshop with ECHA ASOs: Q2 2023

## **Annex 2j “Impact of REACH/CLP revision on the Forum”**

### **Forum Working Group**

#### Work Package A.1

### **“examining the enforcement-related impacts of the future REACH and CLP revision on the Forum”**

(mandate created at Forum-44)

#### **Composition**

**Chair:** Katja VOM HOFE (DE)

**Vice-Chair:** Chris VAN DEN HOLE (BE)

#### **Forum Members and Alternates**

- Henrik HEDLUND (SE)
- Luigia SCIMONELLI (IT)
- Ida SCHARFF (DK)
- Mirjam VAN DER MEER (NL)

#### **Invited Experts**

- DK (?)
- Gunter TSCHECH (DE)

#### **COM**

- Julien FABRE

#### **ECHA**

- Maciej BARANSKI

#### **Objective:**

- Assess the impact of future REACH/ CLP revision and the Basic Regulation on the Forum and enforcement and propose a roadmap for the Forum to adjust its priorities and practices to align with potential changes in its mandate.

#### **Mandate:**

- Examine the proposals for the REACH Revision and Basic Regulation as well as the revised CLP Regulation and identify potential impacts on the Forum mandate and workload.
- Examine whether the existing Forum priorities and practices are fit for purpose of its potential new mandate and identify any needs for change
- Prepare a roadmap for updating the priorities and practices of the Forum to fit the potential new mandate.
- Collect the views of the NEAs about the enforcement-impacts of the REACH/CLP Revision and Basic Regulation

#### **Timeline:**

- Forum-47 (June 2024)



### **Annex 3- Glossary of acronyms and abbreviations**

ADCO: Administrative Cooperation Groups  
AfA: Application for Authorisation  
ASO: ECHA's Accredited Stakeholder Organisations  
BPR: Biocidal Product Regulation  
BPRS: Biocidal Product Regulation Subgroup of the Forum  
CA: Competent Authority  
CARACAL: MSCA Committee for REACH and CLP  
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 and reprotoxic  
COM: European Commission  
CSS: European Commission's Chemicals Strategy for Sustainability  
DG: Directorate General at Commission  
DG ENV: European Commission Directorate-General for Environment  
DG GROW: European Commission Directorate-General for Internal Market, Industry, Entrepreneurship and SMEs  
DG TAXUD: European Commission Directorate-General for Taxation and Customs Union  
ECHA: European Chemicals Agency  
EU: European Union  
EUPCN: EU Product Compliance Network under the Market Surveillance Regulation  
HET: ECHA's Harmonised Enforcement Team  
ICSMS: Information and Communication System for Market Surveillance  
MSCA: Member State Competent Authority  
NEAs: National Enforcement Authorities  
OLAF: European Anti-Fraud Office  
OR: Only representative  
OSH: Occupational safety and health  
POPs: Persistent Organic Pollutants  
RAC: Risk Assessment Committee of ECHA  
REACH and REACH Regulation: Regulation (EC) No 1907/2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals  
REF: REACH-EN-FORCE, Major Harmonised Enforcement Project of the Forum  
SEAC: Committee for Socio-economic Analysis of ECHA  
SLIC: Senior labour inspectors committee  
TARIC: integrated Tariff of the European Union, is a multilingual database integrating all measures relating to EU customs tariff, commercial and agricultural legislation  
WG: Working Group of the Forum