

Draft Minutes
of the 71st Meeting of the Member State Committee (MSC-71)
13-14 October 2020
web conference

Adopted on 8 December 2020

I. Summary Record of the Proceedings

Item 1 - Welcome and Apologies

The Chairman of the Committee, Mr Watze de Wolf, opened the meeting and welcomed the participants to the 71st meeting of the Member State Committee (MSC) which was held as a web conference meeting (for the full list of attendees and further details see Part II of the minutes). The Chairman referred to the web conference instruction which the participants had received prior to the plenary meeting.

The Chairman informed MSC that part of plenary would be chaired by the MSC Deputy Chair, Ms Charmaine Ajao.

Item 2 - Adoption of the Agenda

The Agenda was adopted as provided for the meeting by the MSC Secretariat without further changes (final Agenda is attached to these minutes as Section III), with the clarification that the regular update on appeals and court cases under "Any other business" was to be held fully in open session.

Item 3 - Declaration of specific interests to items on the Agenda

No potential specific interests were declared by any members, experts or advisers with any item on the agenda of MSC-71.

Item 4 - Administrative issues

- Interact meetings module: Update and outlook for access to the tool for MSC stakeholder observers

SECR gave an update on the status of Interact and explained what is planned as regards access to the tool for MSC stakeholder observers and Commission participants. SECR invited for MSC members' and experts' feedback on the meetings module based on the first pilot on MSC-71 documents.

- Outlook for MSC-72

The Chairman presented an outlook on the potential length of MSC-72 (December 2020) and MSC-73 (February 2021) meetings which are currently expected to require up to 2 and 3.5 plenary days respectively.

Item 5 – Minutes of the MSC-70 meeting

SECR informed the committee that the minutes of MSC-70 were adopted by MSC in written procedure and published in MSC S-CIRCABC and on ECHA's website.

Item 6 – Substance evaluation

1. Written procedure report on seeking agreement on draft decisions on substance evaluation

The Deputy Chair introduced the outcome of the written procedure for four substance evaluation (SEv) cases for the MSC-70 round (see Appendix to the final agenda in Section III for more detailed identification of the cases). The written procedure took place after the MSC-70 meeting, due to revised timelines to adjust to the extraordinary circumstances brought by the COVID19 pandemic. MSC reached unanimous agreement on three draft decisions and one agreement document.

The Deputy Chair reminded that no SEV cases were submitted for consultation with Member State Competent Authorities (MSCA) or ECHA, nor referred to MSC for the MSC-71 round. Thus, no written procedure for SEV took place in advance of MSC-71.

2. Introduction to and preliminary discussion on draft decisions on substance evaluation when amendments were proposed by MS-CA's/ECHA (*Session 1, open session*):

No cases

3. Seeking agreement on draft decisions when amendments were proposed by MS-CA's/ECHA (*Session 2, closed*)

No cases

4. General topics

None

Item 7 – Dossier evaluation

1. Written procedure reports on seeking agreement on draft decisions on dossier evaluation

Written procedure reports for MSC-70 and MSC-71 rounds

SECR introduced first the report on the outcome of the MSC-70 written procedure (WP) for agreement seeking on draft decisions (DD) for two dossier evaluation cases (see Section III Final agenda "Appendix to the MSC-71 agenda" for more detailed identification of the cases). WP was launched on 29 June 2020. For the case CCH-038/2020 ten MSC members with voting rights voted against the DD and five members abstained from voting. By the closing date 8 July 2020, MSC reached unanimous agreement on the remaining one DD. SECR has referred the DD of CCH-038/2020 to the Commission for further decision-making in accordance with the procedure of Article 133(3) of REACH.

SECR then introduced the report on the outcome of the MSC-71 written procedure (WP) for agreement seeking on draft decisions (DD) for two dossier evaluation cases (see Section III Final agenda "Appendix to the MSC-71 agenda" for more detailed identification of the cases). WP was launched on 17 September 2020. The MSC Chair terminated the WP for one DD, based on a request from an MSC member. By the closing date 28 September 2020, MSC reached unanimous agreement on the remaining one DD.

2. Introduction to and preliminary discussion on draft decisions on compliance checks and testing proposals when amendments were proposed by MS-CA's (*Session 1, open session*)

Compliance checks

CCH-111/2020 Phenol (EC No. 203-632-7)

Session 1 (open)

No representative of the Registrant participated in the initial discussion. In absence of specific confidentiality concerns in the DD, an open session was held.

SECR introduced the proposal for amendment (PfA) that required discussion in the meeting. The PfA on the transgenic rodent (TGR) somatic and germ cell gene mutation assays suggested (a) conducting the TGR assay (OECD Testing Guideline (TG) 488) according to updated test guideline following a 28+28 day dosing and sampling regime as well as removing the option for the comet assay (OECD TG 489), and (b) requesting, instead of recommending, the collection of germ cells.

The Registrants had submitted written comments on the PfA and MSC duly considered them in its discussion.

The MSC supported the onboarding of the updated OECD TG 488 dosing and sampling regime as well as the request to collect germ cells (from the seminiferous tubules). It took note that the old approach had provided conclusive results on somatic cells only, whereas the new dosing and sampling regime permits the testing of mutations in both somatic tissues and tubule germ cells from the same animal with conclusive results in both type of cells. Hence, it noted that with the new regime a negative result in germ cells can be considered conclusive as well.

Session 2 (closed)

MSC agreed unanimously to the DD as provided for the meeting.

Testing proposal examinations

TPE-039/2020 isliFe

Session 1 (open)

No representative of the Registrant participated in the initial discussion. In absence of specific confidentiality concerns in the DD, an open session was held.

SECR introduced the proposal for amendment (PfA) that required discussion in the meeting. The PfA on *in vivo* mammalian erythrocyte micronucleus (MN) test suggested to request the combination of comet assay (OECD Testing Guideline (TG) 489) and MN test (OECD TG 474), under Annex IX, as an alignment to the mutagenicity approach agreed in MSC-70, considering (a) the positive *in vitro* results that indicate a concern for both chromosomal aberration (CA) and gene mutation, and (b) no other *in vivo* data available.

The Registrants had not submitted written comments on the PfA.

The MSC noted that this was the first case, which follows the approach agreed in MSC-70. A technical consideration was raised with regards to the recommendation to collect spermatogonia from the combined study. For spermatogonia to be viable for use in a CA spermatogonia test at a later stage, the animals in the combined test need to be injected with a metaphase-arresting agent a few hours prior collecting the tissue. This does not interfere with the micronucleus test, however there is uncertainty if this treatment will impact the comet assay. The uncertainty could be avoided by taking out the specific recommendation from the draft decision (DD).

Session 2 (closed)

The MSC acknowledged the technical issue and unanimously agreed to remove the recommendation for the collection of spermatogonia, under the germ cells section in the DD, and agreed with the DD as amended.

MSC agreed unanimously to the DD as amended at the meeting.

3. Seeking agreement on draft decisions on compliance checks and testing proposal examinations when amendments were proposed by MS-CA's (*Session 2, closed*)

As listed above and a case stopped in written procedure:

TPE-040/2020 5-hydroxy-4-propylfuran-2(5H)-one (List No. 821-451-7)

Session 2 (closed)

SECR explained that agreement was initially sought in written procedure. An MSC member requested stopping the written procedure to allow a discussion on the PfA on *in vivo* mammalian alkaline comet assay requested in the DD. Subsequently, the Chair terminated the written procedure for the case.

The PfA suggested to include a recommendation to perform additional *in vitro* tests and, if the test is positive, follow up with a combined *in vivo* comet assay (OECD TG 489) and micronucleus (MN) test (OECD TG 474).

The Registrants had submitted written comments agreeing with the PfA and MSC duly considered them in its discussion.

The MSC noted that the DD recommended the combined *in vivo* comet assay (OECD TG 489) and micronucleus (MN) test (OECD TG 474) with the subsequent recommendation of collection of spermatogonia. Hence, the same technical considerations raised for TPE-039/2020 applied for this case as well.

Therefore, MSC unanimously agreed (a) to include the recommendations for additional tests and (b) to remove the recommendation for the collection of spermatogonia, under the germ cells section in the DD, and agreed with the DD as amended.

MSC agreed unanimously to the DD as amended at the meeting.

4. General topics

Requesting terrestrial toxicity studies under compliance checks: Terrestrial decision tree for priority setting (*closed session*).

ECHA Secretariat (SECR) presented the terrestrial toxicity decision tree, which is used internally to identify cases where terrestrial toxicity studies are most needed for the hazard and risk assessment. Terrestrial toxicity is not a priority endpoint under the current Integrated Regulatory Strategy. Following ECHA guidance, the decision tree establishes the criteria used to identify cases where terrestrial toxicity testing is most useful, including inter alia the substance properties and its uses, in particular the environmental release categories. The decision tree was updated based on discussion with Member State experts. The MSC welcomed the information and the interaction with Member State experts and expressed support.

Item 8 – SVHC identification - Seeking agreement on Annex XV proposals for identification of SVHC

Not applicable to this meeting round

Item 9 – ECHA's recommendations of priority substances to be included in Annex XIV and opinion of MSC

1. *Invitation for volunteers for the Rapporteurship in drafting the opinion of the MSC on the draft 10th recommendation for inclusion of substances into Annex XIV*
 - Draft terms of Reference and appointment of the Rapporteur and Co-Rapporteur
 - Possible establishment of a MSC Working Group to support the Rapporteur

The member who volunteered as Rapporteur in advance of the meeting confirmed absence of any potential conflicts of interest for taking up the task. The member who volunteered as Co-Rapporteur in advance of the meeting confirmed the same, except for the substance terphenyl, hydrogenated where she announced a specific interest on it by her Member State, hence expressed preference not to work on it. The Chairman gave other members

an opportunity to step forward, but no additional members volunteered. MSC adopted the mandate and the tasks of the rapporteur, and appointed the volunteering members as the Rapporteur and Co-Rapporteur for drafting the opinion of the MSC on ECHA's draft 10th recommendation of substances for inclusion into Annex XIV. MSC also established an *ad hoc* working group with members and experts to support the rapporteurs in the development of the opinion.

2. Highlights of the comments received during the consultation of the 10th draft recommendation of priority substances and the next steps

SECR presented the highlights of the comments received during the 3-months consultation of the draft recommendation for Annex XIV. All the seven substances (benzene-1,2,4-tricarboxylic acid 1,2-anhydride (TMA); dicyclohexyl phthalate (DCHP); terphenyl, hydrogenated; three siloxanes: octamethylcyclotetrasiloxane (D4), decamethylcyclopentasiloxane (D5), dodecamethylcyclohexasiloxane (D6) and disodium octaborate) had been commented on in the consultation which closed on 5 June 2020. The comments had been made available already in June and MSC was to expect the responses to these comments by ECHA at the end of October. Impact of the comments and data from the registration updates until end of the consultation will be reflected in the updated prioritisation results and a suggestion of assignments of the substances into the Latest Application Date (LAD) slots will also be made available to MSC by end of October.

As the next steps, the opinion development can start and the first discussion of the MSC draft opinion is to take place in the December plenary with the adoption expected in February 2021.

Item 10 – Opinion of MSC on ECHA's draft update of the Community Rolling Action Plan (CoRAP 2021-2023)

1. Invitation for volunteers for the Rapporteurship in drafting the opinion of the MSC on the CoRAP update

- Draft terms of Reference and appointment of the Rapporteur and Co-Rapporteur

Both members who volunteered as Rapporteur and Co-Rapporteur in advance of the meeting did not indicate a specific interest which might hamper them taking up their task as rapporteurs, on the basis of their current knowledge of the substances that may be included in the draft CoRAP 2021-2023 update and which will become available to MSC by end of November. The Chairman gave other members an opportunity to step forward, but no additional members volunteered. MSC adopted the mandate and the tasks of the rapporteur, and appointed one member as the Rapporteur and another member as the Co-Rapporteur for drafting the opinion of the MSC on the draft CoRAP 2021-2023 update. The absence of any specific interests will be confirmed in writing once the substances on the draft CoRAP update for 2021-2023 are available.

Item 11 – Annual review of stakeholder observers' participation at MSC (closed session)

- Discussion and update of the MSC decision about the invited organisations

SECR presented the outcome of the MSC accredited stakeholder organisations (ASO) participation review, the expressions of interest in MSC work of new ASOs and the expressed preferences of the new ASOs for their observer status (to become occasional MSC observers) and proposed a way forward, as outlined in a respective document.

MSC considered the ASO participation in the past year in line with the MSC General approach¹ for admission of observers from ASOs and commitments made by MSC permanent observers in different quotas.

Within the 'NGOs and Trade Union' quota² the Committee decided to re-confirm the regular observer status of five Environmental and Health Care NGOs (ChemSec, Client Earth, EEB, Greenpeace and HEAL) within their rotation group to share four seats when participating in MSC plenary meetings; five Animal Welfare NGOs (ECEAE, Eurogroup for Animals, HSI, PISC and Cruelty Free Europe) within their rotation group to share two seats when participating in MSC plenary meetings; and ETUC.

Furthermore, MSC decided to re-confirm within the 'Industry' quota³ the regular observer status of Cefic, CONCAWE, Eurometaux, ORO, CEPE and FECC (the latter two to share one seat⁴ when participating in MSC plenary meetings) and of SMEUnited with possible occasional participation in MSC meetings, acknowledging the collaboration agreement of this ASO with the MSC observer from Cefic.

MSC decided also to re-confirm the occasional observer status of the remaining ASOs that maintained interest in MSC work (mainly sectorial ones). These are invited to follow the MSC work as occasional observers and participate in MSC plenary meetings on an occasional basis, in accordance with MSC General Approach on the ASO admission to the MSC work at the discretion of the MSC Chair's decision.

The Committee also agreed on admission of three new ASOs, Eurocolour, European Professional Beekeepers Association (EPBA) and Photoinitiators Platform (PIP) as MSC occasional observers.

The MSC Deputy Chair thanked MSC for the decisions taken and pointed out that MSC-S would inform the new occasional ASOs of the MSC decision and would update the list of the MSC ASOs on ECHA's website after the meeting.

Item 12 – Any other business

1. BoA decisions on long-term aquatic toxicity testing - impact on REACH information requirements (*closed session*)

ECHA Secretariat (SECR) informed on recent Board of Appeal (BoA) decisions which impact on the implementation of REACH standard information requirements on long-term aquatic toxicity. Further OECD TG 234 testing may be requested in a compliance check decision in order to follow-up on case-specific information triggering an endocrine disruption concern. When questioned, SECR tentatively confirmed that case-specific information could also trigger the need for other studies than an OECD TG 234, for instance the OECD TG 240. The MSC welcomed the information and asked to be kept informed on the topic in its future meetings.

2. Update on appeals and court cases of relevance to MSC (*open session*)

SECR gave an overview of a new decision of the Board of Appeal (BoA) of ECHA in Cases A-009-2018 and A-010-2018 dismissing an appeal against ECHA dossier evaluation decisions. MSC took note of the information received. SECR also gave a brief update on new appeal cases on Evaluation and a case submitted to the European Court of Justice relating to the Authorisation process. SECR further gave an update of pending court cases on Authorisation and Evaluation and pending appeals on Evaluation.

¹ http://echa.europa.eu/documents/10162/13578/general_approach_aso_in_msc_work_en.pdf

² With seven seats allocated as follows: one seat for trade unions, four seats for ENV&HH NGOs, two seats for Animal Welfare NGOs

³ With seven seats allocated to ASOs representing general industry interests

⁴ i.e. one representative from this rotation group to be physically present per meeting

3. Suggestions from members

No suggestions were received by members under this agenda item.

Item 13 - Adoption of main conclusions and action points

The conclusions and action points of the meeting were adopted at the meeting (see Section IV).

II. List of attendees

Members/Alternate members	ECHA staff
ALMEIDA, Inês (PT)	AJAO, Charmaine
ATTIAS, Leonello (IT)	ANASTASI, Audrey Anne
BARTHELEMY-BERNERON, Johanna (FR)	ANDREOU, Kostas
CONWAY, Louise (IE)	CESNAITIS, Romanas
de KNECHT, Joop (NL)	CONSOLI, Elisa
DIMITROVA, Rada (BG)	DE COEN, Wim
DUDRA, Agnieszka (PL)	DE WOLF, Watze
FERNÁNDEZ SÁNCHEZ, Raquel (ES)	HALLING, Katrin
FINDENEGG, Helene (DE)	HERBATSCHEK, Nicolas
GRIZELJ, Romana (HR)	JOHANSSON, Matti
HERMES, Joe (LU)	JUTILA, Arimatti
HJORTH, Rune (DK)	KAPANEN, Anu
HORSKÁ, Alexandra (SK)	KARHU, Elina
HUMAR-JURIČ, Tatjana (SI)	KARJALAINEN, Anne-Mari
JANTONE, Anta (LV)	LE CURIEUX, Frank
KOUTSODIMOU, Aglaia (EL)	LISBOA VIEIRA, Duarte
KULHÁNKOVÁ, Pavlína (CZ)	LUOMA, Leena
LANDVIK, Nina (NO)	MUSSET, Christel
MALKIEWICZ, Katarzyna (SE)	NAUR, Liina
MIHALCEA UDREA, Mariana (RO)	RODRIGUEZ-RUIZ, Amaia
NUGIN, Merike (EE)	RUOSS, Jurgen
PALEOMILITOU, Maria (CY)	RÖNTY, Kaisu
RISSANEN, Eeva (FI)	SOBANSKA, Marta
ŠPŪRIENĖ, Otilija (LT)	VAHTERISTO, Liisa
STOCKER, Eva (AT)	
TÁRNOCZAI, Tímea (HU)	
VANDERSTEEN, Kelly (BE)	
Representatives of the Commission:	
KOBE, Andrej (DG ENV)	
Observers	
DREVE, Simina (FECC)	
DRMAC, Dunja (Cefic)	
DROHMANN, Dieter (ORO)	
FERNANDES DE BARROS, Mariana (Cefic)	
GRANGE, Emma (CFE)	
LEINALA, Eeva (OECD)	
LENNQUIST, Anna (ChemSec)	
LOONEN, Helene (EEB)	
MUSU, Tony (ETUC)	
NIEMELÄ, Helena (Concawe)	
WAETERSCHOOT, Hugo (Eurometaux)	
WAGNER, Kristina (ECEAE)	

Apologies:

TREZZI, Jean (LU)

Experts and advisers to MSC members

ALIVERNINI, Silvia (IT) (Expert to ATTIAS, Leonello)
 BALČIŪNIENĖ, Jurgita (LT) (Expert to ŠPŪRIENĖ, Otilija)
 BOLWIG, Asger (DK) (Expert to HJORTH, Rune)
 BURGA, Karen (FR) (Expert to BARTHELEMY-BERNERON, Johanna)
 CATONE, Tiziana (IT) (Expert to ATTIAS, Leonello)
 CIESLA, Jacek (PL) (Expert to DUDRA, Agnieszka)
 COPOIU, Oana (RO) (Expert to MIHALCEA UDREA, Mariana)

DOBRAK-VAN BERLO, Agnieszka (BE) (Expert to VANDERSTEEN, Kelly)
EINOLA, Juha (FI) (Expert to RISSANEN, Eeva)
FILIPOVA, Hristina (BG) (Expert to DIMITROVA, Rada)
GYMNAOU, Panagiotis (CY) (Expert to PALEOMILITOU, Maria)
GÜNDEL, Ulrike (DE) (Expert to FINDENEGG, Helene)
HÖLZL, Christine (AT) (Expert to STOCKER, Eva)
JÖHNCKE, Ulrich (DE) (Expert to FINDENEGG, Helene)
KOKAVCOVA, Martina (SK) (Expert to HORSKÁ, Alexandra)
KOZMÍKOVÁ, Jana (CZ) (Expert to KULHÁNKOVÁ, Pavlína)
KUROVA, Martina (SK) (Expert to HORSKÁ, Alexandra)
LUNDBERGH, Ivar (SE) (Expert to MALKIEWICZ, Katarzyna)
NYTRAI, Viktor (HU) (Expert to TÁRNOCZAI, Tímea)
PASQUIER, Elodie (FR) (Expert to BARTHELEMY-BERNERON, Johanna)
REIERSON, Linda (NO) (Expert to LANDVIK, Nina)
ROSENTHAL, Esther (DE) (Expert to FINDENEGG, Helene)
SAKSA, Jana (EE) (Expert to NUGIN, Merike)

Agenda

71st meeting of the Member State Committee

13-14 October 2020
(ECHA Conference Centre)

Web conference

13 October: starts at 10:00 am
14 October: ends at 12:30 pm

Item 1 – Welcome and Apologies

Item 2 – Adoption of the Agenda

MSC/A/071/2020
For adoption

Item 3 – Declaration of specific interests to items on the Agenda

Item 4 – Administrative issues

- Interact meetings module: Update and outlook for access to the tool for MSC stakeholder observers
- Outlook for MSC-72

For information

Item 5 – Minutes of the MSC-70

- Final minutes of MSC-70

MSC/M/70/2020
For information

Item 6 – Substance evaluation

Closed session for 6.3

1. Written procedure report on seeking agreement on draft decisions on substance evaluation⁵

Written procedure report for MSC-70 round

ECHA/MSC-71/2020/007
For information

⁵ For the list of cases agreed in MSC-70 written procedure, please see the appendix at the end.

2. Introduction to and preliminary discussion on draft decisions on substance evaluation when amendments were proposed by MS-CA's/ECHA (Session 1, open session):

No cases

[For discussion]

3. Seeking agreement on draft decisions when amendments were proposed by MS-CA's/ECHA (Session 2, closed)

No cases

[For agreement]

4. General topics

None

Item 7 – Dossier evaluation

Closed session for 7.3 and partly for 7.4

1. Written procedure reports on seeking agreement on draft decisions on dossier evaluation⁶

Written procedure reports for MSC-70 and MSC-71 rounds

ECHA/MSC-71/2020/008-9

For information

2. Introduction to and preliminary discussion on draft decisions on compliance checks and testing proposals when amendments were proposed by MS-CA's (Session 1, open session)

ECHA/MSC-71/2020/001

For discussion followed by agreement seeking under 7.3:

Compliance checks

MSC code	Substance name	EC/List No.	Document
CCH-111/2020	Phenol	203-632-7	ECHA/MSC-71/2020/002-3

Testing proposal examinations

MSC code	Substance name	EC/List No.	Document
TPE-039/2020	isliFe	-	ECHA/MSC-71/2020/004-5

For information and discussion

3. Seeking agreement on draft decisions on compliance checks and testing proposal examinations when amendments were proposed by MS-CA's (Session 2, closed)

As listed above and a case stopped in written procedure:

TPE-040/2020⁷ 5-hydroxy-4-propylfuran-2(5H)-one List No. 821-451-7

For agreement

4. General topics

⁶ For the list of cases agreed in MSC-70 and MSC-71 written procedures, please see the appendix at the end.

⁷ Documents are available in MSC S-Ciracbc in the substance specific folder under 05. Dossier evaluation

- 1) Requesting terrestrial toxicity studies under compliance checks: Terrestrial decision tree for priority setting (*Closed session*)

ECHA/MSC-71/2020/012
For information

Item 8 – SVHC identification - Seeking agreement on Annex XV proposals for identification of SVHC

Not applicable to this meeting round

Item 9 – ECHA’s recommendations of priority substances to be included in Annex XIV and opinion of MSC

1. Invitation for volunteers for the Rapporteurship in drafting the opinion of the MSC on the draft 10th recommendation for inclusion of substances into Annex XIV
 - Draft terms of Reference and appointment of the Rapporteur and Co-Rapporteur

ECHA/MSC-71/2020/010
For decision

- Possible establishment of a MSC Working Group to support the Rapporteur

ECHA/MSC-71/2020/013

For discussion and decision

2. Highlights of the comments received during the consultation of the 10th draft recommendation of priority substances and the next steps

For information

Item 10 – Opinion of MSC on ECHA’s draft update of the Community Rolling Action Plan (CoRAP 2021-2023)

1. Invitation for volunteers for the Rapporteurship in drafting the opinion of the MSC on the CoRAP update
 - Draft terms of Reference and appointment of the Rapporteur and Co-Rapporteur

ECHA/MSC-71/2020/011
For decision

Item 11 – Annual review of stakeholder observers’ participation at MSC

Closed session

- Discussion and update of the MSC decision about the invited organisations

ECHA/MSC-71/2020/006
For discussion and decision

Item 12 – Any other business

Partly closed session

1. BoA decisions on long-term aquatic toxicity testing - impact on REACH information requirements

Closed session
For information and discussion

2. Update on appeals and court cases of relevance to MSC

Open session
For information

3. Suggestions from members

For information

Item 13 – Adoption of main conclusions and action points

- Table with conclusions and action points from MSC-71

For adoption

INFORMATION DOCUMENTS

Information documents are not allocated a specific agenda time but the documents are available on MSC CIRCABC before the meeting. Based on the listed documents and the meeting agenda, if any MSC member considers that information documents may merit a discussion under any agenda point, they should inform MSC Secretariat.

- Status report on on-going substance evaluation work (presentation slides)
- Status report on on-going dossier evaluation work (presentation slides)

APPENDIX to the MSC-71 agenda:

List of evaluation cases agreed by MSC in written procedure after the MSC-70 meeting and in advance of the MSC-71 meeting:

Substance evaluation

MSC code	Substance name	EC/List No.
SEV-2-AT-002/2012	Tris(2-ethylhexyl) benzene-1,2,4-tricarboxylate	222-020-0
SEV-2-FR-013/2013	tris(4-nonylphenyl, branched) phosphite	701-028-2
SEV-ES-010/2018	3-ethoxy-1,1,1,2,3,4,4,5,5,6,6,6-dodecafluoro-2-(trifluoromethyl)hexane	435-790-1
SEV-BE-008/2018	Amphoteric Fluorinated Surfactant ⁸	

Dossier evaluation

MSC code	Substance name	EC/List No.
CCH-051/2020	2,2'-azobis[2-methylbutyronitrile]	236-740-8
CCH-146/2020	Graphite	231-955-3

Dossier evaluation case which was not agreed in the MSC-70 written procedure but referred to the European Commission for decision making

MSC code	Substance name	EC/List No.
CCH-038/2020	Tris(2-ethylhexyl) benzene-1,2,4-tricarboxylate	222-020-0

⁸ As an agreement not to request for any tests under substance evaluation

IV. Main Conclusions and Action Points

Main conclusions and action points MSC-71, 13-14 October 2020 (adopted at MSC-71)

CONCLUSIONS / DECISIONS / MINORITY OPINIONS	ACTIONS REQUESTED
Item 4 – Administrative issues	
<ul style="list-style-type: none"> Interact meetings module: Update and outlook for access to the tool for MSC observers 	
MSC took note of the presentation.	MSC to provide feedback to MSC-S (via MSC Functional Mailbox (FMB) msc@echa.europa.eu) on the meetings module based on the first pilot on MSC-71.
Item 6 – Substance evaluation	
1. Written procedure report on seeking agreement on draft decisions on substance evaluation Written procedure report for MSC-70 round	
MSC took note of the report.	MSC to consider the decisions uploaded on MSC S-CIRCABC for the written procedure as agreed ones.
Item 7 – Dossier evaluation	
1. Written procedure reports on seeking agreement on draft decisions on dossier evaluation Written procedure reports for MSC-70 and MSC-71 rounds	
MSC took note of the reports.	MSC to consider the decisions uploaded on MSC S-CIRCABC for the written procedure as agreed ones as well as published via INTERACT MSC MEETING MODULE.
Item 7 – Dossier Evaluation	
3. Seeking agreement on draft decisions on compliance checks and testing proposal examinations when amendments were proposed by MS-CA's (Session 2, closed)	
<p>MSC reached unanimous agreement on the following ECHA draft decisions (as modified in the meeting):</p> <p><u>Compliance checks</u></p> <ul style="list-style-type: none"> CCH-111/2020, Phenol (EC No. 203-632-7) <p><u>Testing proposals</u></p> <ul style="list-style-type: none"> TPE-039/2020, isliFe TPE-040/2020, 5-hydroxy-4-propylfuran-2(5H)-one 	MSC-S to upload the agreed decisions on MSC S-CIRCABC in the respective case folders and also publish them via INTERACT MSC MEETING MODULE.
Item 9 – ECHA's recommendations of priority substances to be included in Annex XIV and opinion of MSC	
<ul style="list-style-type: none"> Invitation for volunteers for the Rapporteurship in drafting the opinion of the MSC on the draft 10th recommendation for inclusion of substances into Annex XIV <ul style="list-style-type: none"> Draft terms of Reference and appointment of the Rapporteur and Co-Rapporteur Possible establishment of a MSC Working Group to support the Rapporteur 	
MSC adopted the mandate and the tasks of the rapporteur, and appointed one of its members as a Rapporteur and another one as a Co-Rapporteur for	MSC-S to send the appointment letters to the Rapporteur and the Co-Rapporteur after the meeting.

CONCLUSIONS / DECISIONS / MINORITY OPINIONS	ACTIONS REQUESTED
<p>drafting MSC's opinion.</p> <p>MSC established a Working Group with a defined mandate to support the rapporteurs and appointed members and experts to it.</p>	<p>Rapporteur to plan the work with the Working Group.</p> <p>Rapporteur to provide the first draft opinion by 25 November 2020 for MSC's consideration.</p>
<p>Item 10 – Opinion of MSC on ECHA's draft update of the Community Rolling Action Plan (CoRAP 2021-2023)</p> <ul style="list-style-type: none"> • Invitation for volunteers for the Rapporteurship in drafting the opinion of the MSC on the CoRAP update <ul style="list-style-type: none"> • Draft terms of Reference and appointment of the Rapporteur and Co-Rapporteur 	
<p>MSC adopted the mandate and the tasks of the rapporteur, and appointed one of its members as a Rapporteur and another one as a Co-Rapporteur for drafting the opinion of the MSC on the CoRAP 2021-2023 update.</p>	<p>MSC-S to send the appointment letters to the Rapporteur and the Co-Rapporteur after the meeting.</p> <p>Rapporteur to present her first reflections for the opinion and collect feedback from MSC during the December plenary.</p>
<p>Item 11 – Annual review of stakeholder observers' participation at MSC</p> <ul style="list-style-type: none"> • Discussion and update of the MSC decision about the invited organisations 	
<p>MSC took note of the update of the ASO observers' participation in the MSC work and took the following decisions:</p> <p>1. With regard to the admission of ASOs as MSC regular stakeholder observers (StOs) in different quotas, MSC decided to:</p> <p>Reconfirm the MSC regular StO status of:</p> <ul style="list-style-type: none"> • five Environmental and Health Care NGOs (ChemSec, Client Earth, EEB, Greenpeace and HEAL) within their rotation group to share four seats when participating in MSC plenary meetings, • five Animal Welfare NGOs (ECEAE, Eurogroup for Animals, HSI, PISC and Cruelty Free Europe) within their rotation group to share two seats when participating in MSC plenary meetings, • ETUC, Cefic, Concawe, Eurometaux and ORO, • CEPE and FECC within a rotation group to share one seat when participating in MSC plenary meetings. • SMEunited who is to be represented on a regular basis by the MSC observer from Cefic and will participate in the MSC meetings on occasional basis. <p>2. With regard to the admission of ASOs as MSC occasional StOs, MSC decided to:</p> <ul style="list-style-type: none"> • re-confirm that the remaining stakeholder organisations (mainly sectorial ones) that showed interest in the MSC work can continue to be invited on an occasional basis, in accordance with MSC General approach on the ASO admission to the MSC work at the discretion of the MSC Chair's decision, • agree on admission of Eurocolour, European Professional Beekeepers Association and 	<p>MSC to review ASO participation in its work in one year's time.</p> <p>MSC-S to inform the three new occasional ASOs of the MSC decision taken and to update the list of the MSC ASOs on ECHA's website after the meeting.</p> <p>MSC-S to share the AP11 document with the MSC regular StOs via S-CIRCABC.</p>

CONCLUSIONS / DECISIONS / MINORITY OPINIONS	ACTIONS REQUESTED
Photoinitiators Platform as MSC occasional StOs.	
Item 12 - Any other business (<i>closed session</i>)	
1. BoA decisions on long-term aquatic toxicity testing - impact on REACH information requirements	
MSC welcomed the information on possible impacts from recent BoA decisions.	MSC to submit any written comments on the presentation by 26 October 2020 to MSC FMB (with a copy to evaluation_feedback@echa.europa.eu) with subject line "MSC-71: Analysis of BoA decision".
Item 13 – Adoption of main conclusions and action points	
MSC adopted the main conclusions and action points of MSC-71 at the meeting.	MSC-S to upload the main conclusions and action points on MSC S-CIRCABC by 15 October 2020.