

Minutes of the 73rd meeting of the Management Board

Held on 21 March 2024 via remote connection

I. Summary record of the proceedings

The Chair welcomed the participants¹ to the 73rd meeting of the Management Board (MB). The Chair provided an overview of the proxy votes notified before the meeting and verified that the necessary quorum² was achieved.

1. Agenda

The Chair introduced the draft agenda³, which was adopted as proposed. During the meeting, it was agreed to take point B.7 Management Board self-evaluation 2024 (plan) in the morning session. The order of points in these minutes follows that of the agenda.

2. Declaration of specific interests

The Chair announced that the Management Board members have updated/confirmed their Declarations of Interest, and that the Chair had reviewed, together with the secretariat, the Declarations of Interest and Commitment of the members, observers, persons of trust and the Executive Director in accordance with ECHA's Policy and Procedure for the Prevention and Management of potential Conflicts of Interest (CoIs)⁴. The Chair concluded, based on the declarations, that there was no need for specific restrictions with respect to the agenda of the 73rd Management Board meeting. No further specific interests were declared in the meeting with respect to any specific agenda items.

3. Minutes of the Extraordinary Management Board meeting

The restricted draft minutes of the Extraordinary MB meeting of 16 February 2024 were circulated on 6 March 2024. One amendment was proposed during the meeting⁵. The minutes⁶ were adopted, with the proposed amendment.

The Chair pointed out the status of agreed follow-up actions as follows:

| Action | MB | Status |
|---|----|---------|
| The secretariat will present future procurement plan amendment proposals accompanied by additional information on the related specific contracts, as necessary. | 71 | ONGOING |
| The secretariat will forward the revised MB decision on the classification of services for which charges are levied to the | EO | DONE |

¹ See Section IV for full list of participants and attendees

² As defined in Article 6 of the Management Board Rules of Procedure

³ MB/A/02/2024

⁴ ECHA's Policy on the Prevention and Management of potential Conflicts of Interest (POL-0021) and Procedure for ECHA bodies (PRO-0067)

⁵ See Section V

⁶ MB/M/01/2024

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| Action | MB | Status |
|---|----|------------------------|
| European Commission for its favourable opinion. | | |
| Restricted | EO | Information circulated |
| Restricted | EO | Information circulated |

A. Points for automatic adoption

No points for automatic adoption were scheduled for this meeting.

B. Points for discussion/ decision

B.1 Executive Director report

The Management Board (MB) took note of the Executive Director's (ED) oral report covering highlights of the ECHA Strategy 2024-2028 launch, the Shaping Tomorrow Conference, the recent meeting of Heads of Chemicals Authorities, the Integrated Regulatory Strategy (IRS) Workshop, people and organisational development, finance, audit, quality and agency risks, ED engagements with stakeholders, as well as recent legislative developments and new tasks with an impact on ECHA's mandate. The report was complemented by background information about ECHA's Communications and People and Organisational Development Strategies 2024-2028, circulated in writing prior to the meeting.

In the context of updates on finance, the MB took note of the request submitted by the ED to the Commission for its prior consent to establish a limited fee income reserve fund for ECHA.

Board members welcomed the format and content of the report. In their interventions, they expressed support to the increased engagement exemplified by the recent high-level events and workshops and confirmed that these events show that better results could be attained with closer collaboration. Board members asked for further information, in due course, about the follow-up steps taken further to the discussions with the Heads of Chemicals Authorities. MB members also noted ECHA's vacancy rate and reminded of the need to continue working to increase diversity of ECHA staff and management. ECHA's actions on reducing animal testing were welcomed.

Board members expressed concerns about the sharp increase in ECHA's tasks, surging the Committees with excessive workload, and potentially hampering ECHA's operational capability. In this context, Board members considered that the Commission and ECHA should work together to send a high-level request to the Member States to fully deliver their contribution to the implementation of the chemicals acquis, including by nominating and supporting committee members. Board members also reminded that with the increasing workload the Committees will need sufficient secretariat support as well. Board members representing the Commission explained that the new tasks for ECHA have been proposed with the appropriate additional resources and expressed their readiness to address Member States to ensure that the committees' membership and expertise match their tasks and workload.

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B.2 Update from the European Commission

The Management Board (MB) took note of an oral update from its members representing the European Commission regarding pending or upcoming Commission initiatives with an impact on ECHA's mandate and/or resourcing.

The Commission representatives updated the Board on the state-of-play of the One Substance, One Assessment package, adopted by the Commission on 7 December 2023. The information included details about the progress of the file in the European Parliament and in the Council. It was noted that results in the legislative process can be expected earliest mid-2025. Board members representing the Commission emphasised their availability, together with ECHA, to provide expert support to the co-legislator during the legislative process.

The Commission representatives also updated the MB on the state-of-play of the Chemicals Strategy for Sustainability in general, reminding that the CLP revision is expected to be in force before year-end 2024 and that there is no clarity yet on the adoption of the revision of the Cosmetics regulation. In the context of information provided about the financing strategy for ECHA, it was confirmed that ECHA's request for a limited reserve fund is moving forward within the Commission, subject to DG BUDG confirmation. It was also noted that the upcoming ECHA Basic Regulation would also consider the need for a single budget line for ECHA, and that preparations for the revision of the REACH Fee Regulation have been finalised. Finally, reference was made to the Chromium VI substances REACH restriction proposal, which is being prepared by ECHA upon the Commission's request.

B.3 Report from the Management Board Subgroup Strategy, Planning and Implementation (SPI)

The Management Board took note of an oral report from the Chair of its Subgroup on Strategy, Planning and Implementation (SG SPI), which met on 27 February 2024.

The SG SPI had discussed the draft 2023 Annual Report, requested changes thereto and given feedback on potential improvements to be considered for the next programming document. The SG SPI had also prepared the MB's Analysis and Assessment of the 2023 Consolidated Annual Activity Report. The SG SPI had furthermore provided feedback on the experience of preparing the Single Programming Documents in 2023 and took note of the evolution of new tasks for ECHA since the last meeting.

B.4 Report from the Management Board Subgroup Finance, Audit and Risks (FAR)

The Management Board took note of an oral report from the Chair of its Subgroup on Finance, Audit and Risks (SG FAR), which met on 1 March 2024.

The SG FAR Chair informed the MB that no finance items had been discussed in SG FAR. Under audit matters, the SG FAR had taken note of the follow-up audit reports of the Audit review of the Agency's IT Security Governance Framework, and the Stakeholder relationship management activities. The SG FAR had also taken note of the 2023 annual report of the Internal Audit Capability (IAC), the Commission's Internal Audit Service (IAS) audit plan 2024 (with no audit in 2024) and the IAC's compliance with IIA standards. With respect to risks, the SG FAR had taken note of the Agency's risk register in Q1/2024, putting focus on the potential risks related to the Committees' workload and the IT migration to public cloud. In addition, the SG FAR had taken note of the analysis of options to optimise the use and occupancy of ECHA's Office building and Conference Centre, and the next steps forward.

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B.5 Reporting 2023

B.5.A Annual Report 2023

The Management Board adopted the REACH General Report Part I of ECHA's Annual Report (AR) 2023⁷. The AR will be submitted to the Member States, the European Parliament, the Council, the Commission, the European Economic and Social Committee and the Court of Auditors and will be published on ECHA's website.

The ED briefly presented the draft Annual Report 2023 to the MB. The highlights of 2023 included, inter alia, the adoption of the new Strategy Statement 2024-2028, the continuation of delivering ECHA's legal mandate effectively, promoting alternatives to animal testing, and providing support to the Commission in the implementation of the Chemicals Strategy for Sustainability.

Board members expressed their appreciation for the results accomplished in the previous year and supported the draft report, thanking the SG SPI for having prepared its adoption. Board members requested and received information about the planned actions not fully implemented in 2023 and asked for changes with respect to Chapters 2 and 5.1. The Board adopted the report with the proposed changes.

B.5.B Analysis and Assessment of the Consolidated Annual Activity Report 2023

As part of the Annual Report 2023 (Parts II-IV), the Management Board took note of the ED's Consolidated Annual Activity Report for 2023, drawn up in her capacity as ECHA's authorising officer under the Financial Regulation. The Chair of the SG SPI presented the draft MB analysis and assessment⁸ of this report, prepared in the latest meeting of the SG on 27 February 2024.

The proposed analysis and assessment was adopted, together with an additional recommendation for 2024, proposed by a person of trust on behalf of a Commission representative, concerning the costing of ECHA activities. As part of the Annual Report 2023, the assessment will be sent to the Court of Auditors, the Commission, the European Parliament, and the Council, no later than 1 July 2024.

B.6 ECHA Committees

B.6.A Annual report from the Committees 2023

The Management Board took note of the annual report⁹ from the ECHA committees (Committee for Risk Assessment (RAC), Committee for Socio-Economic Analysis (SEAC), Member State Committee (MSC) and Biocidal Products Committee (BPC)).

The annual report included information on the Committee's membership (appointments, qualifications, turnovers, rapporteur work, performance), workload management and prognosis, as well as challenges and main achievements in 2023. Board members thanked all committee members and Chairs for their work and significant achievements in 2023.

With respect to the BPC, Board members pointed out the need for Member States to provide adequate support to the members they appoint and the best way to bring this to the attention of political decision-makers was discussed. While the secretariat's support was acknowledged, it was recalled that further work is needed for harmonisation in active substance evaluation. A

⁷ MB/03/2024

⁸ MB/04/2024

⁹ MB/05/2024

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Board member representing the Commission reminded that the deadline of the review programme has been extended, however, efforts from all sides, particularly from Member States, need to step up to deliver by the new deadline.

Board members welcomed the MSC's important achievements in establishing generic approaches and clarifications were sought and received with respect to the committee's workload. It was also discussed how the considerable expertise available within the MSC could be leveraged to assist other ECHA bodies.

With respect to RAC and SEAC, Board members noted with concern the increasing workload, both in terms of number and complexity of opinions, in a context of a historically low membership, which makes the committees' work unsustainable and which will get more challenging with the high number of incoming new tasks. The Chairs pointed out the current members' dedication and motivation, thanked them for it, and at the same time, asked MB members to help their Member States to urgently fill the empty committee places.

Board members and RAC and SEAC Chairs discussed measures already in place to assist with the increasing workload, e.g., the drinking water working group, and information was sought and received about the ongoing work of committees. In response to a question from a Board member, the RAC chair provided information about the expertise available in the committee and explained how it will need to evolve to take account of new and additional tasks. In this context, the crucial role of co-opted members was acknowledged and the on-going call for new co-opted members welcomed. With respect to new tasks, it was pointed out that they risk creating bottlenecks in the committees, even with measures such as working groups, and that this risk can be mitigated by the way legislation assigns the tasks to ECHA.

B.6.B Appointment of Committee members

The Management Board renewed¹⁰ the mandate of one current member, Stefano CASTELLI (Italy), for the Committee for Socio-Economic Analysis (SEAC).

B.6.C Revision of the Management Board decision on the transfer of a proportion of fees to Member States

The Management Board adopted a revision to the draft MB decision¹¹ on the financial arrangements for the transfer of a proportion of fees to the Member States (MS).

The draft decision had been first adopted on 15 December 2023¹² and submitted for the Commission's opinion. This revision addresses feedback received from the Commission services. The MB Chair will submit the revised draft for the Commission's opinion, which is required for the decision to enter into force.

B.7 Management Board self-evaluation 2024 (plan)

The Management Board approved the proposed plan¹³ for conducting its 2024 self-evaluation.

The Chair presented the plan, consisting of interviews and data gathering, with a view for the MB to discuss the summary of input in September 2024. Board members expressed support for the plan and asked that the evaluation also covers feedback from the secretariat, to assess the added value of the MB to their work.

¹⁰ MB/06/2024

¹¹ MB/07/2024

¹² MB/M/04/2023

¹³ MB/08/2024

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Confirmation of decisions taken

The Management Board confirmed all the decisions taken during its 73rd meeting¹⁴, using the EUSurvey tool. The decisions were confirmed with the required two-thirds majority of votes.

C. Points for information

C.1 Update of the Management Board Rolling Plan 2024-2026

The Management Board took note of its updated Rolling Plan¹⁵ for the following three years.

4. Any other business

- **Information on the ECHA Conference and the meeting of Heads of Chemicals Authorities (28-29 February 2024)**

The Management Board took note of information on the ECHA Conference Shaping Tomorrow¹⁶ and the meeting of Heads of Chemicals Authorities¹⁷, held, respectively, on 28 and 29 February 2024.

- **Appraisals (oral information by the Chair)**

The Management Board took note of information provided by its Chair on the conclusion of the performance appraisal process of the Executive Director for 2023. It was noted that there are no issues of concern to be brought to the Board's attention.

- **ECHA Chem portal (demo)**

The Management Board took note of information provided by ECHA staff on the newly launched ECHA Chem portal¹⁸, in the form of a demonstration.

Next meeting and closure

The Chair thanked all participants and the secretariat for their participation in the 73rd MB meeting and recalled that the next Board meeting is scheduled to take place from 18 to 19 June 2024 in Helsinki, circumstances permitting.

¹⁴ The online confirmation concerned all the decisions taken in the meeting, namely:

- 3. Minutes of the Extraordinary Management Board meeting of 16 February 2024
- B.1.A Annual Report 2023
- B.1.B Analysis and Assessment of the Consolidated Annual Activity Report 2023
- B.6.B Appointment of Committee members
- B.6.C Revision of the Management Board decision on the transfer of a proportion of fees to Member States
- B.7 Management Board self-evaluation 2024 (plan)

¹⁵ MB/09/2024

¹⁶ Recording available at <https://shaping-tomorrow.echa.europa.eu/>

¹⁷ Summary notes circulated to the MB on 19 March 2024

¹⁸ <https://chem.echa.europa.eu/>

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II. Documents submitted to the Management Board

| | |
|--|--------------|
| Draft Agenda | MB/A/02/2024 |
| Draft Minutes of the Extraordinary Management Board meeting (restricted) | MB/M/01/2024 |
| Annual Report 2023 | MB/03/2024 |
| Analysis and Assessment of the Consolidates Annual Activity Report 2023 | MB/04/2024 |
| Annual report from the Committee 2023 | MB/05/2024 |
| Appointment of Committee members | MB/06/2024 |
| Revision of the Management Board decision on the transfer of a proportion of fees to Member States | MB/07/2024 |
| Management Board self-evaluation 2024 (plan) | MB/08/2024 |
| Update of the Management Board Rolling Plan 2024-2026 | MB/09/2024 |

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III. Decisions taken / conclusions reached by the Management Board

The Management Board:

- Adopted the agenda for its 73rd meeting (Decision 7/2024)
- Approved the minutes of the Extraordinary Management Board meeting held on 16 February 2024, with one amendment (Decision 8/2024)
- Took note of the Executive Director report
- Took note of the update from the European Commission
- Took note of the report from its Subgroup Strategy, Planning and Implementation (SPI)
- Took note of the report from its Subgroup Finance, Audit and Risks (FAR)
- Adopted the Annual Report 2023 (Decision 9/2024)
- Adopted its Analysis and Assessment of the Authorising Officer's Consolidated Annual Activity Report 2023, with one addition (Decision 10/2024)
- Took note of the annual report from the Committees 2023
- Renewed the mandate of one member of the Committee of Socio-Economic Analysis (SEAC), as follows (Decision 11/2024):

| | |
|--------------|-----------------------|
| SEAC renewal | Stefano CASTELLI (IT) |
|--------------|-----------------------|

- Adopted the Revision of the draft Management Board decision on the transfer of a proportion of fees to Member States (Decision 12/2024)
- Approved the Management Board self-evaluation 2024 (plan) (Decision 13/2024)
- Took note of the update of the Management Board Rolling Plan 2024-2026
- Took note of the information on the ECHA Conference and the meeting of Heads of Chemicals Authorities (28-29 February 2024)
- Took note of the conclusion of the performance appraisal of the Executive Director for 2023
- Took note of the ECHA Chem portal demo

Agreed follow-up actions:

- The secretariat will incorporate the Management Board's analysis and assessment of the Consolidated Annual Activity Report 2023 in the Annual Report 2023 and send it to the Court of Auditors, the Commission, the European Parliament, and the Council, no later than 1 July 2023.
- The secretariat will submit the Annual Report 2022 to the Member States, the European Parliament, the Council, the Commission, the European Economic and Social Committee and the Court of Auditors and have it published.
- The secretariat will work with the Commission services to send a high-level request to Member States concerning the urgent need to nominate sufficient members for the ECHA committees.
- The secretariat will report to the Management Board about the status of implementation of the follow-up actions further to the meeting of the Heads of Chemicals Authorities.

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IV. List of attendees

Representatives of the Member States

| Name | Country | Comment |
|-----------------------------|---------|---|
| Paul KRAJNIK | AT | |
| Catheline DANTINNE | BE | |
| Teodora VALKOVA | BG | |
| Tatjana KOLESNIKOVA | CZ | |
| Axel VORWERK | DE | |
| Charlotta WALLENSTEN | DK | |
| Annemari LINNO | EE | Also acting as proxy for Kristine KAZEROVSKA (LV) |
| Sofia ZISI | EL | Also acting as proxy for Tasoula KYPRIANIDOU (CY) and Hanna KORHONEN (FI) |
| Oscar GONZALEZ SANCHEZ | ES | |
| Agnes LEFRANC | FR | |
| Dubravka Marija KREKOVIC | HR | |
| Szilvia DEIM | HU | |
| Yvonne MULLOOLY | IE | |
| Pasqualino ROSSI | IT | |
| Donata PIPIRAITE-VALISKIENE | LT | |
| Jerome FAE | LU | |
| Ingrid BORG | MT | (afternoon session) |
| Anna LEWANDOWSKA | PL | Also acting as proxy for Kees HOPPENER (NL) |
| Dilia JARDIM | PT | |
| Claudia DUMITRU | RO | |
| Per ÄNGQUIST | SE | |
| Alojz GRABNER | SI | Also acting as proxy for Ingrid BORG (MT) |
| Katarina ZGALINOVICOVA | SK | |

Representatives of the European Commission

| Name | DG | Comment |
|----------------------|--------|--|
| Aurel CIOBANU-DORDEA | DG ENV | Also acting as proxy for Kristin SCHREIBER (DG GROW) |

 For questions: mb-secretariat@echa.europa.eu

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| Name | DG | Comment |
|-------------------|-----------|----------------|
| Kristin SCHREIBER | DG GROW | (until 11:00) |
| Klaus BEREND | DG SANTE | |

Independent persons appointed by the European Parliament

| Name | Comment |
|-------------------|---|
| Olwenn MARTIN | (morning session and part of afternoon session) |
| Kristel BERNAERTS | Also acting as proxy for Olwen MARTIN (EP) |

Representatives from interested parties appointed by the European Commission

| Name | Organisation | Comment |
|------------------|---------------------|----------------|
| Marco MENSINK | Cefic | |
| Alexander ROESKE | IGBCE | |
| Helene LOONEN | EEB-BEUC | |

Observers from EEA/ EFTA countries

| Name | Country | Comment |
|-------------------------------|----------------|----------------|
| Steinunn Fjóra SIGURDARDOTTIR | Iceland | |
| Heidi MORKA | Norway | |

Persons of trust participating on behalf of a Board member

| Name | Country/DG | Comment |
|------------------|-------------------|--|
| Hinni PAPPONEN | FI | On behalf of Hanna KORHONEN (FI) |
| Giuseppe CASELLA | DG GROW | On behalf of Kristin SCHREIBER, from 11:00 |

Not participating, no substitutes

| Name | Country | Comment |
|-------------------------------|----------------|----------------|
| Tasoula KYPRIANIDOU-LEONTIDOU | CY | |
| Kristine KAZEROVSKA | LV | |
| Kees HOPPENER | NL | |

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European Commission observers

| Name | DG | Comment |
|-------------------|-----------|----------------|
| Abdel EL-AMELI | DG GROW | |
| Cristina DE AVILA | DG ENV | |

ECHA Staff and representatives of ECHA Bodies

| Name | Title |
|----------------------|---|
| Sharon MCGUINNESS | Executive Director |
| Mercedes VIÑAS | Director of Submissions and Interaction |
| Ofelia BERCARU | Director of Prioritisation and Integration |
| Mike RASENBERG | Director of Hazard Assessment |
| Kai TAKA-AHO | Director of Information Systems |
| Shay O'MALLEY | Director of Resources |
| Katinka VAN DER JAGT | Chair of Member State Committee |
| Roberto SCAZZOLA | Chair of the Committee for Risk Assessment |
| Maria OTTATI | Chair of Committee for Socio-Economic Analysis |
| Joost VAN GALEN | Chair of Biocidal Products Committee |
| Frank BÜCHLER | Head of Governance, Strategy and Relations Unit |
| Annika MALKIA | Head of Data Availability Unit |
| Tuula HAKALA | Head of Finance Unit |
| Minna HEIKKILÄ | Head of Legal Affairs Unit |
| Minna STROMBERG | Internal Audit Capability |
| Gabriella CSEH | Management Board Secretary, Governance, Strategy and Relations Unit |
| Maurizio GIARDINI | Policy and Improvement Officer, Governance, Strategy and Relations Unit |
| Aleksi HYVATTI | Governance Officer, Governance, Strategy and Relations Unit |
| Hristina RANGELOVA | Budget Officer, Finance Unit |
| Anni FAST | Regulatory Officer, Data Availability Unit |
| Roberta DI BLASI | Regulatory Assistant, Data Availability Unit |

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V. [Amendments to the draft minutes of the February extraordinary Management Board meeting \(16 February 2024\)](#)

Amendments proposed by a Board member representing a Member State:

Point B.1 Restricted

Deletion of staff members' names on page 6.