

MINUTES

**SIXTH MEETING OF THE BPR SUBGROUP OF THE
FORUM FOR EXCHANGE OF INFORMATION ON ENFORCEMENT**

BPRS-6

12 NOVEMBER 2018

Brussels, BELGIUM

Contents

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Glossary of acronyms and abbreviations

AOB	Any Other Business
BEF-1	First Biocides Enforcement Project
BPRS	BPR Subgroup, a Subgroup of the Forum which coordinates the BPR enforcement
CLEEN	Chemicals Legislation European Enforcement Network
CLP or CLP Regulation	Regulation (EC) No 1272/2008 on Classification, Labelling and Packaging of Substances and Mixtures
COM	European Commission
DG	Directorate General at the Commission
DG SANTE	Directorate General on Health and Food Safety/European Commission
EU	European Union
FORUM	The Forum for Exchange of Information on Enforcement: Network of authorities responsible for the enforcement of the REACH, CLP, PIC and BPR regulations in the EU, Norway, Iceland and Liechtenstein
ICSMS	Internet-supported information and communication system for the pan-European market surveillance
MAWP	Multiannual Work Programme
MOC	Manual of Conclusions
MS	Member State
NEAs	National Enforcement Authorities
PD-NEA	Portal Dashboard for National Enforcement Authorities – the successor system to RIPE
RAPEX	Rapid Alert System
REACH	Regulation (EC) No 1907/2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals
REF	REACH-EN-FORCE, Coordinated Enforcement Project of the Forum
ROPs	Rules of Procedure
SPC	Summary of Product Characteristics
TA	Treated Articles
TF	Task Force of the Forum/BPRS
WG	Working Group of the Forum/BPRS
WIN PPIE	ECHA Work Instruction - Processing Practical Issues for Enforcement

I. Summary record of the proceedings

The items reported in the minutes refer to the final agenda adopted at the BPRS-6 (Content IV, Annex I).

Item 1 – Welcome and introduction

1.1 Opening by the Chair of the BPRS

The Chair of the BPRS welcomed the participants and opened the meeting. The plenary was held at the Consular Section of the Embassy of the Republic of Poland in Belgium. He announced apologies, new appointed BPRS members, participating invited experts and COM representative. The quorum requirement was met. The Chair announced that the meeting was recorded for the purpose of writing the minutes. The recordings are going to be destroyed after the minutes are adopted.

1.2 Opening remark

The ECHA's Head of Unit of the Support, Forum and HelpNet Secretariat Unit delivered an opening remark highlighting the important topics for discussion during the meeting – open session, project on online sales and practical issues.

1.3 Adoption of the agenda

The Chair informed the plenary that there were no changes to the agenda compared to the one uploaded onto Secure CIRCA BC and indicated that there were three room documents. The final agenda was adopted at the plenary.

1.4 Declarations of conflicts of interest with regard to agenda items

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

1.5 State of play with regard to the action points from BPRS-4

The ECHA Forum Secretariat informed the plenary on the status of the action points from the BPRS-5 (document ECHA/BPRS-6/2018/1.5) and highlighted that almost all the actions were discharged and two of them were to be addressed in agenda items of the BPRS-6.

1.6 Report of the written procedures and other issues between BPRS-4 and BPRS-5

The Chair informed the BPRS that a meeting document (i.e. ECHA/BPRS-6/2018/1.6) reported the results of the written procedures that took place since BPRS-5.

Item 2 – Update and cooperation with the Forum

2.1 Updates from Forum activities

One of the members of the BPRS briefly summarised, on behalf of the Chair of the Forum, the subjects to be discussed at the Forum-31 meeting that were relevant for the BPRS. The first key message was the new enforcement project (REF-8) on online sales, and the potential cooperation with the BPRS. Further discussion among the BPRS members took place under the agenda point 2.2 of the BPRS-6. The operational phase of the potential

project is foreseen in 2020.

The second relevant point was an update from the WG on project prioritisation and from the WG on the Work Programme 2019-2023. Both the revised project methodology and the Work Programme were presented for adoption during this meeting.

Finally, the speaker mentioned the topics to be discussed during the first Forum-BPRS joint closed session. The joint plenary took place on 13 November afternoon in preparation for the first open session with ECHA's Stakeholders on 14 November.

2.2 Follow-up discussion on the potential joint Forum/BPRS enforcement project REF-8 on online sales in 2020

The Chair of the BPRS introduced the topic related to the Forum enforcement project, REF-8 on online sales. After discussion the BPRS members decided to join the Forum REF-8 project, by preparing and executing a dedicated module on BPR.

The preparatory phase of the project will be in 2019, while its operational phase in 2020. The BPRS members were asked to appoint experts to join a new Forum WG in order to kick off the collaboration with the Forum colleagues. Inspections will cover checks of biocidal products placed on the market through on-line platforms in order to address BPR obligations. Results of the CLP controls of biocidal products would be reported via the CLP part of the questionnaire and processed by the Forum.

The scope of the project will be better define by the WG members in the course of the next year, while drafting the related Manual for enforcement. Duties related to advertising aspects of the BPR and CLP provisions could also be tackled within the project.

Item 3 – Updates from the Forum Secretariat

3.1 Briefing on the agenda of the first joint open session with ASOs on 14 November

A member of the Forum Secretariat updated the BPRS members on the arrangements for the first joint open session with ASOs on 14 November to be held at the *Centre de Conférence Albert Borschette* in Brussels.

The preparation of the open session was to take place during the joint closed session of the Forum and BPRS where members could coordinate their responses to the points raised by the ASOs.

Two topics were related to the BPR. First was to be presented by the European Association of Chemical Distributors (Fecc) on their good practice guidance about the storage tank management for active substances. The second was by International Association for Soaps, Detergents and Maintenance Products (A.I.S.E.) on the labelling of treated articles under BPR, more specifically the case of detergents.

3.2 Practical Issues: practises and goals under the BPRS

A member of the Forum secretariat delivered a presentation on the general principles and practises of the so-called 'practical issues' under the BPRS. The speaker clarified the goals of having harmonised conclusions on common issues for enforcement that NEAs can implement in their market.

The presentation touched upon also the legal status of the conclusions and its decision making within the BPRS.

Practical issues are intended to harmonise interpretations and practices of enforcement authorities to the best extent possible. Full harmonisation is often not reachable. In that instance, multiple implementation of models is equally valid.

Harmonised conclusions are not legally binding, they rely on voluntary agreement of NEAs to approach different cases of enforcement. When more approaches are defined and acknowledged in the conclusions, NEAs can agree to apply one of them.

3.3 Update on the ECHA guidance

An ECHA representative updated the BPRS on the work from the Guidance Team at ECHA. He mentioned the latest documents published on the ECHA website and the future plans regarding BPR Guidance.

Item 4 – Practical issues for enforcement

4.1 Items raised by the BPRS/ECHA/COM

- Issue 3.1 - Article 3(3) decisions (horse rug as a biocidal product)

At the BPRS-3 the Commission representative communicated that the Commission's legal service decided that no transitional period is allowed for Article 3(3) decisions. Therefore at BPRS-4 the members had decided to park the Issue 3.1 until the Practical Issue BEG 3.2 will be agreed by the BPRS members. This is because both issues have to describe what NEAs will do when they encounter a specific non-compliance. The same principle will be applied in both draft conclusions. The situation remained the same also at the BPRS-6, and the work on BEG 3.1 will start when conclusion is reached on issue BEG 3.2.

- Issue BEG 3.2 - Article 95 enforcement

The Forum Secretariat presented the status of the issue. At the BPRS-5 it was decided to adopt the draft conclusion by majority decision. The minority positions of the members not agreeing with the conclusion were recorded accordingly. A written procedure for adoption was launched after the plenary. Based on the outcome of the adoption procedure, which showed a high number of unexpected abstentions, the BPRS Chair decided to stop it and to bring again the topic for discussion at the BPRS-6.

Some BPRS members pointed out the importance to have a clear consensus in adopting Practical Issues, especially in view of potential cases brought to the European Court of Justice by the industry.

In light of diverging views expressed by the NEAs at the plenary, the BPRS decided to re-draft the issue at hand focusing on what NEAs do in order to check compliances with Article 95, and what measures NEAs take when they encounter non-compliances. As action point, the Forum Secretariat will propose an outline for the argumentation of a new conclusion of the issue.

- Issue BPRS 5.1 – Is repackaging or refilling of biocidal products by distributors allowed under BPR? (Assuming that distributors do not change the composition of the biocidal products and label them correctly)

The Forum Secretariat presented the status of the issue. The Practical Issue went through three rounds of written consultations before the BPRS-6. Based on the latest inputs gathered during the meeting the Forum Secretariat was asked to review again the issue and to circulate it for further comments after the BPRS-6. Inputs from COM were welcome.

- Issue BPRS 5.2 - How do Member State handle the making available (second supply) on the market of non-compliant treated articles?

The Forum Secretariat presented the status of the issue. The Practical Issue went through two rounds of written comments and afterwards submitted to the BPRS members for written adoption. A negative vote collected from a BPRS member, together with some other suggestions for editions, led the Chair of the BPRS to stop the procedure and to bring it again for discussion at the BPRS-6.

The comments gathered during the plenary were immediately integrated in the conclusion, and the BPRS members eventually adopted the issue with consensus. After the BPRS-6, the Forum Secretariat will launch its inclusion in the so-called 'Manual of Conclusion' (MoC) and ask for the last editorial comments (if necessary).

Finally, the Chair of the BPRS invited BPRS members to submit new practical issues for enforcement for the next BPRS 50 days before the next meeting, i.e. by 22 January 2019. The new practical issues should be sent using the revised template of Annex II of the MoC.

Item 5 - BPRS enforcement activities (on-going projects)

5.1 - First BPR enforcement project – Treated Articles

5.1.1 WG progress report

The Vice-Chair of the BPRS WG "First enforcement project on Treated Articles (BEF-1)" introduced the work done by the WG and its conclusions since June 2018 (BPRS-5).

The Manual and its Annexes were adopted by the BPRS members via written procedure. This was preceded by two rounds of consultation among the BPRS members, and one round of consultation among the National Coordinators (NCs) for the BEF-1.

The WG delivered an *ad hoc* training for National Coordinators (NCs) on 9 October 2018. The training was focused on the use of the questionnaire of the BEF-1.

Questionnaires and parts of the manual requested by NCs were to be sent for translation soon after BPRS-6. The NCs were invited to double check the translated version of the questionnaire, once ready, before circulating them to their national inspectors.

After the BPRS-6 the ECHA Communication Unit will implement the layout and graphic of the leaflet on Treated Articles.

The Forum Secretariat will finally elaborate the .iPDF questionnaires in the national languages in view of the operational phase of the BEF-1 that will be officially kicked off in January 2019.

5.2 Forum WG Prioritisation of REACH-EN-FORCE project

5.2.1 WG Progress report - Amendment of the methodology in line with the BPR

The BPRS members adopted the revised REF/BEF Project Methodology for the selection, management and evaluation of harmonised enforcement projects.

5.3 REACH-EN-FORCE-6 on Classification and Labelling – BPR module

5.3.1 Forum WG progress report

A member of the Forum Secretariat informed the plenary about the progress of the REF-6 project. The operational phase of the project is approaching its end and no issues have been raised or reported so far by the National Coordinators. The WG will continue supporting the Member States/National Coordinators for the operational phase when needed.

5.4 BPRS Training for Trainers 2018

5.4.1 WG progress report

The Chair of the BPRS WG "Training for Trainers on treated articles" briefed the plenary on the Training for Trainers event held on 4-5 October 2018 at ECHA. The topic of the training was treated articles and it was chosen to support the first harmonized enforcement project selected by the BPRS.

The WG elaborated the training material (presentations and case studies) via written consultation before the training event at ECHA.

A total of 36 inspectors/trainees nominated by the BPRS members physically participated at the training event. Additionally 160 inspectors/trainees followed remotely part of the training which was broadcasted via WebEx.

The WG sent after the event a feedback form to all the attendees. Based on the responses collected, the training was highly appreciated (i.e. 98% of the responders evaluated the training excellent or good).

The collaboration with the BPRS WG first enforcement Project on Treated Articles (BEF-1) and the European Commission resulted beneficial for the purpose of the training.

The BPRS adopted the Final report of the BPRS WG TFT on treated Articles, and closed the mandate of the WG.

5.5 BPRS Training for Trainers 2019

5.5.1 Discussion on the need for BPR training in 2019

The BPRS decided to organise a training for enforcement trainers in 2019.

5.5.2 Potential establishment of a new WG

The BPRS established an *ad hoc* WG to prepare the training for enforcement trainers in 2019. The BPRS members wishing to appoint members to the WG were invited to indicate their names to the Forum Secretariat. The BPRS members were also asked to submit their suggestions for topics to cover during the future training related to the BPR.

5.6 Forum Work Programme 2019-2023

5.6.1 WG progress report

The BPRS adopted the work programme of both BPRS and Forum for the years 2019-2023. The programme was drafted considering the suggestions from Member State Competent Authorities, ECHA Management Board, CARACAL, DNAs and ECHA Secretariat.

5.7 Implementation of PD-NEA BPR

5.7.1 WG progress report

The Forum Secretariat presented the progress report of the WG. The WG members investigated together with the ECHA colleagues the potential synergies between PD-BPR and the new ECHA dissemination site for biocides (to be released at the end of November 2018) to assess its fitness for enforcement purposes.

The WG concluded that that ECHA's new dissemination website, while providing very useful information on active substances, does not contain all the information, which NEAs need to enforce BPR.

After the discussion at the plenary, the BPRS members expressed the urgent need for NEAs to have access to the remaining ECHA's BPR data, in particular on Biocidal Products.

The Forum Secretariat was asked to deliver the message to the ECHA Secretariat. Follow-up discussion will take place at the BPRS-7.

Item 6 – Updates on relevant developments by the European Commission

6.1 General updates on the BPR provisions by the European Commission

The COM representative (DG SANTE) gave an update of the COM's activities that were relevant for the work of the BPRS, in particular the on-going work related to in situ biocidal products – authorisation holders' roles; the progress on the Endocrine disruptors Technical guidance and CA guidance; and the status on the Article 50 TFEU on the UK withdrawal.

The speaker debriefed the plenary also on the 'Fact finding missions for biocides', which ended in June 2018. Five Member States were visited by DG SANTE: HU, DE, ES, BE, and NL. The main objective was the investigation of the implementation of certain provisions of the BPR, e.g. relevant national legislation, designation of competent authorities, compliance with deadlines, and official controls of biocidal products.

Good practices (e.g. training of operators, national system of rapid information exchange to report incidents) and challenges (e.g. borderline products, several authorities in charge of controls) were also identified and analysed during the visits. The final reports are available online at: http://ec.europa.eu/food/audits-analysis/audit_reports/index.cfm

6.2 Update on the mistake in the translation of Article 58(6) of the BPR

The topic originated from an action point from the BPRS-6 regarding the discussion that took place within the WG Training for Trainers 2018 on the use of the term 'Member State of Introduction' in Article 58(6) of the BPR and differences in the translation in the national languages. The BPRS members affected by the mistake (i.e. AT, DE, CZ and CH) were invited to directly liaise to COM to provide a formulation that could be used in the corrected translation. The BPRS will be informed on the outcome of the procedure.

6.3 General overview on ICSMS and update on the training to be delivered by DG GROW

One member of the Forum Secretariat presented an overview of ICSMS and its generic form to the BPRS members. The COM representative followed up the open action point from the BPRS-5 concerning the ICSMS training to be delivered to the BPRS members by DG GROW. Unfortunately, due to resource constrain an *ad hoc* training won't be provided. The links to informative material uploaded on CIRCABC will be circulated to the BPRS members after the plenary.

Item 7 – Cooperation with other networks

7.1 National inspector exchange between UK and FI

The UK BPRS member delivered a presentation on a national inspector exchange project between UK and Finland that took place in September 2018.

The four week project included the analysis of the strategy and activities of the UK NEA, and inspection visits to local industries.

7.2 Disinfectants for human hygiene (PT01): Market surveillance

The Dutch invited expert updated the plenary on a national project focused on market surveillance for human hygiene disinfectants.

Active discussion followed up the presentations and the BPRS members appreciated the inputs delivered by the speaker.

Item – Any Other Business

No other business were recorded.

II. MAIN CONCLUSIONS & ACTION POINTS - Adopted at the BPRS-6 (Public version)

Agenda point	Conclusions / decisions / minority opinions	Action requested after the meeting
Item 1- Welcome and introduction		
1.1 Opening by the Chair of the BPRS		
1.2 Opening remarks		
1.3 Adoption of the Agenda	The agenda was adopted	
1.4 Declarations of conflict of interest with regard to agenda items		
1.5 State of play with action points from BPRS-5		
1.6 Report of the written procedures and other issues between BPRS-5 and BPRS-6		
Item 2 – Updates and cooperation with the Forum		
2.1 Updates from Forum activities		
2.2 Follow-up discussion on the potential joint Forum/BPRS enforcement project REF-8 on online sales in 2020	BPRS decided to join the Forum REF-8 project by preparing a dedicated module on BPR.	BPRS members appointing experts to the REF-8 WG are invited to indicate the name of the experts by 5 December.
Item 3 – Updates from the Forum Secretariat		
3.1 Briefing on the agenda of the first joint open session with ASOs on 14 November 2018 in Brussels		
3.2 Practical Issues: practises and goals under the BPRS		
Item 4 – Practical issues for enforcement		
4.1 Items raised by the BPRS/ECHA/COM		
B-3.2	BPRS decided to re-draft the issue to focus on what MS do to check compliance and what are the	Forum-S to propose an outline of the argumentation for the new conclusion by 30 November.

Agenda point	Conclusions / decisions / minority opinions	Action requested after the meeting
	measures they can take when they encounter non-compliance.	BPRS members are invited to comment on the outline and suggest ways it can be made generally acceptable.
B-5.1		BPRS members are invite to send the comments made during the plenary in writing by 30 November. Forum-S is to revise the conclusion and send it for written consultation by 21 December
B-5.2	The BPRS adopted the conclusion of the practical issue B-5.2	Forum-S will include this practical issue into the "Supplement of the MOC" and send it for editorial comments by 30 November. Forum-S will launch w a written procedure for adoption after the editorial consultation.
		BPRS members are invited to submit new practical issues by 22 January 2019
Item 5 – BPRS enforcement activities - on-going projects		
5.1 First BPR enforcement project – treated articles		
5.1.1 WG progress report		National Coordinators for the BEF-1 are invited to double check the translated version of the questionnaire before circulating it to their national inspectors WG BEF-1 is invited to ask the NCs when and how they plan to train the national inspectors in their countries in view of the operational phase of the BEF-1 in 2019
5.1.2 Mandate amendment	BPRS reviewed the mandate of the WG.	
5.2 Forum WG Prioritisation of REACH-EN-FORCE project		

Agenda point	Conclusions / decisions / minority opinions	Action requested after the meeting
5.2.1 Amendment of the methodology in line with the BPR	BPRS members adopted the revised REF/BEF project methodology.	
5.2.2 Mandate amendment	BPRS reviewed the mandate of the WG.	
5.3 REACH-ENFORCE-6 on Classification and Labelling		
5.3.1 WG progress report		
5.3.2 Mandate amendment	BPRS reviewed the mandate of the WG.	
5.4 BPRS WG Training for Trainers 2018		
5.4.1 WG final report		
5.4.2 Mandate closure	BPRS closed the mandate of the WG.	
5.5 BPRS Training for Trainers 2019		
5.5.1 Discussion on the need for BPR training in 2019	The BPRS decided to organise a training for enforcement trainers in 2019.	
5.5.2 Potential establishment of a new WG	The BPRS established a WG to prepare the training.	<p>BPRS members wishing to appoint members to the WG are invited to indicate their names by 30 November.</p> <p>BPRS members to send to the Forum-S topics they would like to have as subject of the training by 10 December.</p>
5.6 Forum Work Programme 2019-2023		
5.6.1 WG progress report	The BPRS adopted the Work Programme of the Forum 2019-2023	
5.6.2 Mandate amendment	BPRS reviewed the mandate of the WG.	
5.7 Implementation of PD-NEA BPR		
5.7.1 WG progress report	BPRS noted the conclusion of the WG that ECHA's new dissemination website, while providing very useful information on active substances, does not contain all the information, which NEAs need to enforce BPR.	Forum-S will inquire whether the ECHA dissemination website could be linked to provide data to the national IT systems for approvals and

Agenda point	Conclusions / decisions / minority opinions	Action requested after the meeting
	The BPRS expressed the urgent need for NEAs to have access to the remaining ECHA's BPR data – especially on Biocidal Products - that is required for enforcement.	authorisations by 30 November
5.7.2 Mandate amendment	BPRS reviewed the mandate of the WG.	
Item 6 – Updates on relevant developments by the European Commission		
6.1 General updates on the BPR provisions by the COM		<p>Forum-S will share the link to the ICSMS training materials received from the COM by 23 November.</p> <p>BPRS members are invited to use the online training material for ICSMS.</p>
6.2 Update on the mistake in the translation of Article 58(6) of the BPR		<p>BPRS members from AT, DE, CH are invited to propose a formulation for the DE language translation and channel it to the COM by the end of 2018.</p> <p>BPRS member from CZ is invited to propose a formulation for the CZ language translation and channel it to the COM by the end of 2018.</p> <p>COM is invited to launch a procedure for amending the translations of the legislation and inform the Forum-S.</p>
Item 7 – National enforcement policies / cooperation with other networks		
7.1 National inspector exchange between UK and FI		
7.2 Disinfectants for human hygiene (PT01): Market surveillance		
Item 8 – Any Other Business		
Item 9 – Adoption of conclusions and action points		

III. List of attendees of the BPRS-6

BPRS members

	Country	Name
1	AT	ANWANDER Eugen
2	BG	HRISTOVA Viktoriya
3	CH	BUERGY Heribert
4	CY	GAVRIEL Alexandros
5	CZ	JAROLÍM Oldřich
6	DE	VOM HOFE Katja
7	DK	HANSEN Lise Bach
8	EE	LINNO Annemari
9	EL	GKILPATHI Dimitra
10	ES	VAZQUEZ Margarita
11	FI	KARNANI Päivi
12	FR	CROIZE-POURCELET Gilles
13	HR	VRHOVAC FILIPOVIC Ivana
14	HU	NEMET Balázs
15	IE	WHELAN Michelle
16	IT	RAVAIOLI Francesca
17	LT	HAKAITE Palmira
18	LU	ENGELS Kim
19	MT	FARRUGIA Bernice
20	NL	BRAAM Marianne
21	NO	SKJARGARD Cathrine
22	PL	PISAREK Dominik
23	RO	CIRLAN Cristiana
24	SE	KARLSSON Jenny
25	SK	POCAROVSKA Miriam
26	UK	POTTS Mike

Invited Expert

	Country	Name
1	LV	CEPURITE Liene (representing BPRS member)

Advisors

	Country	Name
1	BE	VAN DEN DRIESSE Kristof
2	DE	FRENZEL Stefan
3	DE	WURSTHORN Sibylle
4	DK	MADSEN Betina
5	ES	SÁNCHEZ-PEÑA Pablo (Forum member)
6	FR	TCHANAKIAN FIONA

	Country	Name
7	IE	MURPHY Brian (BPRS alternate member)
8	NL	DE BOER Jabik (BPRS alternate member)
9	NL	HISSINK Diny
10	UK	COLLINS Shelley

European Commission representative

	DG	Name
1	DG SANTE	NEGULICI Ligia

ECHA's Forum Secretariat Staff

	ECHA	Unit
1	BARANSKI Maciej	Support, Forum and HelpNet Secretariat
2	CALVO TOLEDO Pablo	Support, Forum and HelpNet Secretariat
3	NIKULA Terhi	Support, Forum and HelpNet Secretariat
4	NOUWEN Johan	Support, Forum and HelpNet Secretariat
5	TECCE Nicola	Support, Forum and HelpNet Secretariat
6	TUOMAINEN Anita	Support, Forum and HelpNet Secretariat

IV. List of Annexes

Annex 1. Final agenda of BPRS-6 (as adopted at the plenary)

Annex 2. List of mandates of BPRS WGs/Forum WGs

Annex 2 a BPRS WG - First BPR enforcement project – BEF-1

Annex 2 b BPRS WG - Prioritisation of REF Projects

Annex 2 c BPRS WG - Enforcement project REACH-EN-FORCE-6 – BPR module

Annex 2 d BPRS WG - Training for enforcement trainers 2018

Annex 2 e BPRS WG – Forum/BPRS Programme 2019+

Annex 2 f BPRS WG – PD-BPR

Annex 2 g Forum/BPRS WG - REF-8 internet sale – BPR module

Annex 2 h BPRS WG – Training for enforcement trainers 2019

Annex 1 – Final agenda of BPRS-6**Agenda of the 6th BPR Subgroup Forum meeting (BPRS-6)****12 November 2018 from 09:00 to 18:40****Venue:** Embassy of the Republic of Poland to the Kingdom of Belgium, Avenue des Gaulois 29, 1040 Etterbeek, Brussels - Belgium**Item 1 – Welcome and Introduction**

09:00–09:20

- 1.1 Opening by the Chair of the BPRS – *BPRS Chair*
- 1.2 Opening remarks - *ECHA A2 HoU*
- 1.3 Adoption of the Agenda – *BPRS Chair*
- 1.4 Declarations of conflict of interest with regard to agenda items – *BPRS Chair*
- 1.5 State of play with action points from BPRS-5 – *ECHA Forum Secretariat*
- 1.6 Report of the written procedures and other issues between BPRS-5 and BPRS-6 – *BPRS Chair*

For information/adoptionECHA/BPRS-6/2018/1.5
ECHA/BPRS-6/2018/1.6**Item 2 – Updates and cooperation with the Forum**

09:20–09:50

- 2.1 Updates from Forum activities (10') – *Forum Chair/Vice Chair/Forum member*
- 2.2 Follow-up discussion on the potential joint Forum/BPRS enforcement project REF-8 on online sales in 2020 (20') – *BPRS Chair*

ECHA/BPRS-6/2018/2.2

For information/agreement**Item 3 – Updates from the Forum Secretariat**

09:50–10:40

- 3.1 Briefing on the agenda of the first joint open session with ASOs on 14 November 2018 in Brussels (20') – *ECHA Forum Secretariat*
- 3.2 General overview on ICSMS and update on the training to be delivered by DG GROW (10') – *ECHA Forum Secretariat*
- 3.3 Practical Issues: practises and goals under the BPRS (15') – *ECHA Forum Secretariat*
- 3.4 Update on ECHA guidance activities (5') – *ECHA A2 HoU*

For information/agreement

ECHA/BPRS-5/2018/3.1
ECHA/BPRS-5/2018/3.2
ECHA/BPRS-5/2018/3.4

Coffee break 30'

Item 4 – Practical issues for enforcement

11:10-12:10

4.1 Items raised by the BPRS/ECHA/COM (list of practical issues is prepared independently from the agenda) - *ECHA Forum Secretariat*

For discussion/adoption

ECHA/BPRS-5/2018/4.1

Lunch break 60'

**Item 5 – BPRS enforcement activities
On-going projects**

13:10-14:50

- 5.1 First BPR enforcement project – treated articles (10')
 - 5.1.1 WG progress report - *WG Chair*
 - 5.1.2 Mandate amendment - *ECHA Forum Secretariat*
- 5.2 Forum WG Prioritisation of REACH-EN-FORCE project (20')
 - 5.2.1 Amendment of the methodology in line with the BPR - *ECHA Forum Secretariat*
 - 5.2.2 Mandate amendment - *ECHA Forum Secretariat*
- 5.3 REACH-EN-FORCE-6 on Classification and Labelling (BPR) (10')
 - 5.3.1 WG progress report - *BPRS Chair*
 - 5.3.2 Mandate amendment - *ECHA Forum Secretariat*
- 5.4 BPRS WG Training for Trainers 2018 (15')
 - 5.4.1 WG final report – *WG Chair*
 - 5.4.2 Mandate closure - *ECHA Forum Secretariat*
- 5.5 BPRS Training for Trainers 2019 (15')
 - 5.5.1 Discussion on the need for BPR training in 2019 – *ECHA Forum Secretariat*
 - 5.5.2 Potential establishment of a new WG - *ECHA Forum Secretariat*
- 5.6 Forum Work Programme 2019-2023 (10')
 - 5.6.1 WG progress report - *WG Chair*
 - 5.6.2 Mandate amendment - *ECHA Forum Secretariat*

- 5.7 Implementation of PD-NEA BPR (20')
- 5.7.1 WG progress report - WG Chair
- 5.7.2 Mandate amendment - ECHA Forum Secretariat

For information/discussion/adoption

ECHA/BPRS-5/2018/5.1.1
ECHA/BPRS-5/2018/5.2.1
ECHA/BPRS-5/2018/5.3.1
ECHA/BPRS-5/2018/5.4.1
ECHA/BPRS-5/2018/5.6.1
ECHA/BPRS-5/2018/5.7.1

Item 6 – Updates on relevant developments by the European Commission	<i>14:50-15:30</i>
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- 6.1 General updates on the BPR provisions by the COM (30')
- 6.2 Update on the mistake in the translation of Article 58(6) of the BPR (10')

For information/discussion

Coffee break 30'

Item 7 – National enforcement policies / cooperation with other networks	<i>16:00-16:50</i>
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- 7.1 National inspector exchange between UK and FI (30') – *UK/FI BPRS members*
- 7.2 Disinfectans for human hygiene (PT01): Market surveillance (20') – *NL BPRS invited expert*

For information/discussion

Item 8 – Any Other Business	<i>16:50-16:55</i>
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Item 9 – Adoption of conclusions and action points	<i>16:55-17:00</i>
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End of Meeting	<i>17:00</i>
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Annex 2. List of mandates of BPRS WGs/Forum WGs

Annex 2 a – BPRS WG - First BPR enforcement project (Mandate adopted at BPRS-6) “BPRS BEF-1”

Composition

Chair: Jenny KARLSSON (SE)

Vice Chair: Jabik DE BOER (NL)

BPRS Members/Alternates:

- Francesca RAVAIOLI (IT)
- Marios ADAMIDES (CY)
- Heribert BUERGY (CH)
- Emma BERGSTROM (SE)
- Marianne BRAAM (NL)

Invited Experts

- Karin PFAFF (DE)
- Nadine GRISEL (CH)
- Serge PICCOLO (FR)
- Fiona TCHANAKIAN (FR)

ECHA: Nicola Tecce

Objective:

- Conceive and manage the first major BPRS enforcement project on treated articles

Mandate:

1. Develop the project manual (guidance document, checklist, planning, recommendations) for the execution of the project
2. Prepare and deliver, if needed, 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. Cooperate with WG Train the trainers 2018 during the preparation and delivery of the content of the training
6. Elaborate tips and hints for inspectors based on the relevant outcomes from the project
7. Elaborate a questionnaire on gathering information on national enforcement activities from the BPRS members.

Timeline:

- Assessment of needs and proposals to facilitate the project: Q1 2018
- Approve the scope by the BPRS: Q2 2018
- Project manual: Q4 2018
- Prepare and deliver the training for project national coordinators: Q4 2018
- Operational phase: 2019
- Reporting phase: Q1 2020
- Questionnaire to be run after the BPRS-3

**Annex 2 b BPRS WG - Prioritisation of REF Projects
(Mandate adopted at Forum-31 and BPRS-6)
"Prioritisation of REF Projects"****Composition**

Chair: Oldrich JAROLIM (CZ) – rotating Chair

Forum Members/BPRS Members / Alternates

- Tasoula KYPRIANIDOU LEONTIDOU (CY)
- Maria Letizia POLCI (IT)
- Paul CUYPERS (BE)
- Dubravka KREKOVIC (HR)
- Abdulqadir SULEIMAN (NO)
- Sofia BARATA (PT)
- Semira MEHIC (SI)

Invited Experts

- Andrea MAYER-FIGGE (DE)
- Tamas KOVACS (HU)

ECHA

- Juan Pablo CALVO TOLEDO

Objective:

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

Mandate:

1. Review annually a list of proposals for REF projects submitted by Forum members, ECHA Secretariat, the Commission and the Stakeholder Organisations accredited by ECHA (ASOs);
2. Prioritise the subjects by applying Forum's methodology for the prioritisation, selection and management of REF projects
3. Draft a recommendation proposing the subject for the next REF project
4. Elaborate and update a registry of legal obligations subject to previous enforcement projects.
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 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-9 by Forum-34.

**Annex 2 c - BPRS WG - Coordinated enforcement project REACH-EN-FORCE-6
(Mandate adopted at Forum-31 and BPRS-6)
"REF-6"****Composition**

Chair: Henrik HEDLUND (SE)

Forum Members and Alternates

- Gro HAGEN (NO)
- Elena ZIDAROVA (BG)
- Dimitrios CHATZIAN TINOU (EL)
- Graca BRAVO (PT)
- Pablo SANCHEZ-PEÑA (ES)
- Žilvinas UŽOMECKAS (LT)
- Markus MAKI (FI)

Invited Experts

- Petra SCHLAG (DE)
- Panagiota SKAFIDA (EL)
- Adhemar ROG (NL)
- Harm VOERMAN (NL)

BPRS Members and Experts

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

ECHA: Outi TUNNELA; Ales FRONTINI; Anita TUOMAINEN

Objective:

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

Mandate:

1. Management of the Operational phase
2. Management the Reporting phase: Follow-up operational phase, collect the results and draft project evaluation
3. Elaborate tips and hints for inspectors based on the relevant outcomes from the project
4. Include biocides in the scope of the project in collaboration with the appointed BPR experts
5. Define the scope of enforcement activities under Art 45 and Annex VIII of CLP
6. Address in the manual the issue of mechanical compression strength of the LLDCs

Timeline:

- Project manual: Q4 2017
- Prepare and deliver the training for project national coordinators: Q4 2017
- Define the scope of enforcement activities under Art 45 and Annex VIII of CLP: Q2 2018
- Operational phase: 2018
- Reporting phase (National Coordinators): Q1 2019
- Evaluation phase: Q3 2019
- Draft report: Q4 2019
- Adoption of the report: Q4 2019
- Tips and hints for inspectors: Q4 2019

**Annex 2 d - Forum WG - Training for enforcement trainers 2018 – BPR module
(Mandate closed at BPRS-6)
“BPRS Train the trainers 2018”****Composition**

Chair: Mike POTTS (UK)

Vice-Chair: Jenny KARLSSON (SE)

BPRS Members/Alternates

- Dominik PISAREK (PL)
- Eugen ANWANDER (AT)
- Heribert Bürgy(CH)

BPRS Invited Experts

- Becky HAMER (UK)
- Shelley Collins (UK)
- Nadine Grisel (CH)
- Margareta Daho (SE)

Commission

- DG SANTE

ECHA

- Nicola Tecce

Objective:

- Prepare and deliver the training for trainers on the enforcement of BPR in the fourth quarter of 2018

Mandate:

1. Examine the training subjects relevant for enforcement in the fourth quarter of 2018 and prepare the priority topics for agreement before BPRS-3
2. Specify as early as possible the envisaged level of the content of the training
3. Prepare materials necessary for the training such as presentations or documents
4. Actively conduct the training event with support from other BPRS members, ECHA and COM and other experts in specific topics as necessary
5. Collect, summarise and evaluate the recommendations and reactions of participants

Timeline:

- Before BPRS-3: conclude on list of subjects and prioritisation
- BPRS-6/BPRS-7: final report

**Annex 2 e - BPRS WG - Preparation of the Forum Work Programme 2019-2023
(Mandate closed at Forum-31 and BPRS-6)
"Work Programme 2019+"****Composition**

Chair: Sinead McMICKAN (IE)

Forum/BPRS Members/Alternates

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

Commission

- Miriam GUTIERREZ-MEDINA (DG GROW)

ECHA

- Maciej BARANSKI

Objectives:

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

Mandate:

1. Develop Forum Work Programme 2019-2023 describing the activities of the Forum and BPRS with accompanying high level planning
2. Define the time scope of the Work Programme
3. Comment on the ECHA strategic document 2019-2023
4. Ensure that the Forum Work Programme 2019-2023+ is consistent, where applicable, with the strategic priorities and objectives defined in the ECHA strategic document 2019-2023
5. Collect and process suggestions from the ECHA Management Board, CARACAL, BPR CAs and DNAs when drafting the Work Programme.
6. Prepare, send and process the results of a survey to Forum members on existing interactions in OHS and REACH enforcement to allow the Forum to support and respond to Action 12(2) recommended in the REACH Review 2017

Tentative Timeline:

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

**Annex 2 f – BPRS WG - Implementation of PD-NEA BPR
(Mandate adopted at BPRS-6)
“PD-BPR”**

Composition

Chair: Eugen ANWANDER (AT)

BPRS Members/Alternates:

- Francesca RAVAIOLI (IT)
- Brigitte EDER (AT)

Invited Experts:

- Natalja UMBRASIENE (LT)
- Pia LINDFORS (FI)
- Jurgen SCHMID (DE)

ECHA

- Anita TUOMAINEN

Objective:

- Support the implementation of the Portal Dashboard for biocides (PD BPR) allowing inspectors access to data submitted to ECHA.

Mandate:

1. Analyse the requirements for the BPR inspectors;
2. Provide input during the further development and implementation of PD BPR;
3. Verify that the UAT conditions are implemented and follow up the implementation of the WG improvement requests;
4. Provide training on the use of the PD BPR to MSs;
5. Support the production of a Manual for using the PD BPR.

Timeline:

- BPRS-7 (Q1 2019)

**Annex 2 g – Forum WG - Coordinated enforcement project REACH-EN-FORCE-8
(Mandate adopted at Forum-31 and BPRS-6)
“REF-8”****Composition**

Chair: Karin RUMAR (SE)

Forum members/alternates:

- Marta OSOWNIAK (PL)
- Eugen ANWANDER (AT)

Invited Experts:

- Letizia POLCI (IT)
- CZ
- Kevin BUCKLEY (IE)
- Sara YASSINE (DK)
- Timea TARNOCZAI (HU)
- Maria PALEOMILITOU (CY)
- Jurgita BALCIUNIENE (LT)
- Ingrida STULGIENE (LT)
- Lotta KAILA (FI)
- Anne HORN (DE)

BPRS Members/Alternates:

- Brian MURPHY (IE)
- FR
- Cathrine Skjærgård (NO)
- Jenny KARLSSON (SE)
- Francesca RAVAIOLI (IT)
- Fiona TCHANAKIAN (FR)

COM

- Miguel AGUADO (DG GROW)

ECHA

- Tania MATEUS
- Ales FRONTINI
- Nicola TECCE

Objective:

- Conceive and manage the eighth major Forum enforcement project REF-8 ‘Enforcement of CLP, REACH and BPR duties related to substances, mixtures and articles sold on-line’.

Mandate:

1. Develop the project manual (guidance document, checklist, planning, recommendations) for the execution of the project, taking into account the learnings from previous Forum projects “control of internet sales” and “REF-4” and others at EU level;
2. Define the specific duties to be covered in the project;
3. Prepare and deliver the training for project national coordinators
4. Management of the Operational phase
5. Management the Reporting phase: Follow-up operational phase, collect the results and draft project evaluation

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

Timeline:

- Project manual: Q4 2019
- Prepare and deliver the training for project national coordinators: Q4 2019
- Operational phase: 2020
- Reporting phase (National Coordinators): Q1 2021
- Evaluation phase: Q3 2021
- Draft report: Q4 2021
- Adoption of the report: Q4 2021
- Tips and hints for inspectors: Q4 2021

**Annex 2 h – BPRS WG - Training for enforcement trainers 2019
(Mandate adopted at BPRS-6)
“BPRS Train the trainers 2019”****Composition**

Chair: Dominik PISAREK (PL)

BPRS Members/Alternates:

- Francesca RAVAIOLI (IT)
- Heribert BUERGY (CH)

Invited Experts:

- Nils Manegold (DE)
- Markus KLAR (SE)
- Nadine GRISEL (CH)

ECHA

- Nicola Tecce

Objective:

- Prepare and deliver the training for trainers on the enforcement of BPR in the fourth quarter of 2019.

Mandate:

1. Examine the training subjects relevant for enforcement in the fourth quarter of 2018 and prepare the priority topics for agreement by BPRS-7
2. Specify the envisaged level of the content of the training
3. Prepare materials necessary for the training such as presentations or documents
4. Cooperation with the Forum WG Tft 2019 in case the topic selected is similar (REF-8 on online sales)
5. Actively conduct the training event with support from other BPRS members, ECHA and COM and other experts in specific topics as necessary.
6. Collect, summarise and evaluate the recommendations and reactions of participants

Timeline:

- By the BPRS-7: conclude on list of subjects and prioritisation, adopt the agenda of the training event
- BPRS-9: final report