



Forum-24/M/2016 –PUBLIC
Adopted on 23/09/2016

Minutes of the
24th meeting of the Forum for Exchange of Information on Enforcement
Helsinki, Finland
14-16 June 2016

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I. Summary record of the proceedings

Item 1 – Welcome and introduction

1.1 Opening by the Chair of the Forum

The Chair welcomed all the participants. She announced apologies from the Liechtenstein and Slovenian Forum members and stated that Iceland and Latvia did not have Forum representation for this meeting. The Danish Forum member appointed the Norway Forum member as her proxy.

The Chair informed that the quorum requirement was met.

1.2 Adoption of the agenda

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

1.3 Declarations of conflicts of interest with regard to agenda items

The Chair requested all participants to declare any potential conflicts of interest for any of the agenda items, according to Article 9(2) of the Rules of Procedure. No conflicts of interest were declared in the meeting.

1.4 State of play with action points from Forum-23

The ECHA Forum Secretariat informed the plenary on the status of action points from Forum-23 and highlighted the open actions.

1.5 Practicalities and brief recapitulation of results of the written procedures between Forum-23 and Forum-24

The Chair referred to the document with the results of the written procedures between Forum-23 and Forum-24.

Item 2 – Address by ECHA’s Director of Evaluation

The Director welcomed the participants and highlighted the finalisation of the Interlinks guide, which is a valuable document laying down the communication between ECHA and Member States. She noted that the interface between the laboratory animal welfare directive and REACH Articles on animal testing as a last resort is not yet fully clarified. The Director invited the Forum to discuss it further in one of the upcoming plenary meetings, together with COM, on how the Member States enforce this directive.

The Chair welcomed the suggestion and invited the Forum members to liaise with their relevant national enforcement authorities concerning the animal welfare.

On the project proposals to be discussed during the meeting, the Director supported all the proposals being shortlisted and emphasised the Substances in Articles’ pilot project, since it has not been yet explored by the Forum and offered ECHA’s support with the needed expertise.

The Director referred to the REACH Article 117 (2) report, published on ECHA’s website at the end of May 2016, where it was clear the cooperation with NEAs was crucial for the implementation of REACH and CLP legislations.

Item 3 – Forum’s enforcement activities - Work Packages

3.1 Prioritisation of REF projects

3.1.1 WG progress report

3.1.1.1 Part A: Project proposals

The Chair of the WG presented the findings of the WG prioritisation of REF projects. The WG assessed all the project proposals submitted by Forum members, the European Commission and the ECHA Accredited Stakeholder Organisations.

The WG combined different proposals and extracted elements from proposals to elaborate a shortlist of proposals for REF projects to the Forum, giving a recommended ranking for each of them. The first in the ranking was a proposal dealing with obligations applicable to intermediates and the second proposal covered a broad range of CLP requirements. Finally two proposals with the same ranking were presented, one dealing with registration provisions applicable to low tonnage band substances and another dealing with authorisation obligations.

The Forum discussed the recommendations from the WG, decided to eliminate the last two proposals from the recommended list and focus the discussion only on the topics of intermediates and CLP.

During the discussion, more members expressed preference for the CLP project proposal. However, Forum wanted to consider the proposals more thoroughly and allow them to be refined. The Forum members agreed to express their preference in writing highlighting pros and cons for each of the two recommended proposals. The WG would then consider the feedback in re-assessing and refining the recommendations for final selection of the REF-6 project at Forum-25.

In addition, the Forum discussed the WG recommendations for pilot projects. The WG proposed three pilot projects, one dealing with PIC obligations, another dealing with the registration of polymers and the third one dealing with exemptions from labelling and packaging requirements. For each of the pilot project proposals there was a number of Forum members interested in the participation. The Forum decided to collect further feedback from the members to provide suitable planning for the coming years.

3.1.1.2 Part B: Guidelines for inspectors

The Chair of the WG presented the conclusions from the questionnaire submitted by the Forum members regarding the content of the guidelines for inspectors related to REF projects. Based on the feedback received, the WG proposed to the Forum the elaboration of a short document on tips and hints for inspectors based on the lessons learned from the execution of the REF projects and practical issues with solutions that require specific attention. The WG REFs would draft the document taking into account the feedback received by the national coordinators after the execution of the REF project and would follow as far as possible the structure discussed during the breakout group session at Forum-23.

Forum members agreed with the proposal and requested to keep the document as part of the REF project report and keep the documents related to the project (e.g. manual, report) in the same location for practical purposes.

3.1.2 Mandate amendment

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

3.2 Interlinks

3.2.1 WG final report

CMR Pilot project

The coordinator of the pilot project on CMR presented the final draft report, project findings and recommendations for the Forum.

Further screenings for the Forum

The ECHA Secretariat informed that it was intending to propose new screenings for the Forum. New types of potential non-compliances were being collected and will be brought to the Forum's attention. The Forum members were also invited to inform ECHA of specific non-compliances that they would wish the ECHA Secretariat to include in its screenings so that they can be added to the list of potential non-compliances to be discussed at Forum-25.

Final report on WG activities

A member of the WG Interlinks, in the absence of the WG chair, presented the finished tasks done by the WG including:

- further development of the interlinks guide,
- defining the PIC interlinks,
- supporting the pilot project on CMR,
- commenting on the enforceability of ECHA decisions imposing PPORD conditions,
- investigating enforceability of the first authorisation decisions,
- preparing chapter in the interlinks guide dealing with the cooperation on enforcement of authorisation decisions,
- preparing and conducting a workshop on interlinks and
- addressing a number of minor issues.

The report also summarised the WG investigation of the operation of interlinks and the reporting cases raised at Forum-23. The WG concluded that the process worked well and encouraged the Forum and Member States focal points to continue reporting the NEA actions on interlinks cases and to inform ECHA about cases where the NEA decided not to take enforcement action. The Forum members were invited to provide examples to the ECHA Secretariat of specific cases where NEA believed that revocation of registration would be appropriate as the registrant did not comply, despite the NEAs' actions.

3.2.2 Follow-up of ECHA Decisions: updates from ECHA

The Forum received a document with all the SONC cases and PPORD extensions decisions that were sent to the Member States Focal point until 30 May 2016.

According to the feedback received at Forum-24, the document was updated, namely by introducing the annual number of cases, the response rate and response time and a compilation of the additional requests received by ECHA Focal point.

The COM requested more clarity on the way the results were presented (e.g. whether the NONs cases were excluded or not).

A Forum member noticed that the number of SONC cases for 2016 were around half of the recorded number for 2015 because of the Board of Appeal decision of September 2015. The member encouraged ECHA to continue with the practice once the revised procedure for issuing ECHA decisions was in place.

Some Forum members requested clarification on the number of cases regarding their countries. The ECHA Forum Secretariat reminded that the status of the cases for ECHA (closed or not closed) might be different to that of the NEAs.

3.2.3 Mandate amendment/closure

The WG had completed all its tasks. The Forum agreed to close the WG once the Interlinks Guide and CMR pilot project were adopted, via written procedure ([Annex 2b](#)).

3.3 Information and Communication System for Market Surveillance (ICSMS)

3.3.1 WG progress report

The Chair informed that the progress report had been submitted and highlighted that the prototype of REACH directive related product information (DRPI) was being tested by the WG (official testing period was 21-27 June 2016). The DRPI for CLP was planned for Q3 and PIC for Q4. A training for the inspectors, only concerning the REACH/CLP parts of ICSMS, will be organised in December 2016 at ECHA. The Forum members were invited to nominate one trainee per Member State.

The WG was revising the Guide for the inspectors based on the comments received from the Forum members. The Forum would then be consulted on the new version of the guide prepared by the WG.

3.3.2 Presentation of the ICSMS tool

The ECHA Forum Secretariat gave a live demonstration of the testing environment for the ICSMS tool. The WG would test the tool during the testing period and provide feedback to the COM.

The ECHA Forum Secretariat clarified that currently there were no guidelines available in the tool on how to choose the appropriate risk level and was based on the inspector's own assessment and experience. The COM representative clarified that ICSMS covers many types of risks and it would be difficult to generate such guidelines.

An invited expert raised concern on the amount of time needed to register all the controlled products in the ICSMS system and requested more clarification in the guidelines. A WG member reminded that it would be recommended to register the non-compliant product in cases where other authorities would be involved. The COM representative stated that the Forum should decide which issues/controls were relevant to be registered and added that some Member States were discussing with the COM the best way to migrate data from their national databases into ICSMS.

The COM representative reported that, in each Member State, it would be a person who would manage the access rights of the national users of the tool (regarding also the regulations in which the users would be able to generate cases and/or edit information).

3.3.3 Report from the ICSMS meeting in Brussels

COM representative informed the meeting that the current general structure of the ICSMS tool (after all requested features were implemented) was the final one. Only maintenance-related updates were foreseen for the future.

In the Brussels' meeting, it was discussed if the custom's controls should be included in the ICSMS system but no conclusion was yet achieved. In this ICSMS meeting, the ADCO chairs participated and the next meeting will take place in 2017. The Forum was invited to appoint a representative to participate in the meeting.

The COM representative encouraged the Forum members to understand the potential the system, once finalised, and agree within the Forum on how/when to use the tool.

3.3.4 Mandate amendment

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

3.4 Implementation of PD-NEA

3.4.1 WG progress report

The Chair informed that a progress report was submitted to the meeting. She highlighted that the main activities related to BPR (data requirements for biocides for the NEAs, drafted by the WG) were sent to the Biocidal enforcement group (BEG) meeting for consultation. It was expected to be adopted at the BEG-2 meeting (16 June 2016)¹.

The WG also drafted the functional requirements, which would be introduced during the BEG-2 meeting, to be consulted with the BEG members by 1 July 2016. During the user acceptance testing of PD-NEA, the WG raised issues concerning the tool that will be addressed in the next releases.

3.4.2 PD-NEA project progress report

The ECHA Forum Secretariat informed that version 2.1 was released in May 2016 with the view to align the fields with the new IUCLID 6. The new releases were planned for end of October 2016 and January 2017, covering the performance issues, user interface upgrade as well as issues raised concerning the tool (bugs, new features or improvements).

The data and functional requirements for biocides access have been submitted for adoption and discussion for the BEG-2 meeting. The ECHA management planned to discuss the BPR data access for NEAs on 17 June 2016.

COM representative encouraged the collaboration of WGs PD-NEA and ICSMS to create a guide clarifying in what situations each of the two systems should be used. The ECHA Forum Secretariat informed that the ICSMS guide would provide such clarifications. A Forum member suggested involving the WG PD-NEA and the WG Interlinks, in order to have the Forum's documents fully aligned.

3.4.3 Mandate amendment

A new task was added to the mandate, expressing the need to review the ICSMS guide regarding the use of PD-NEA. The Forum adopted the updated mandate ([Annex 2d](#)).

¹ Post-meeting note: it was adopted at BEG-2.

3.5. REACH-EN-FORCE-4 on Restrictions

3.5.1 WG progress report

The Chair of the WG updated the Forum with the progress made on the execution of the REF-4 project. Member States were advanced with the preparation of the project at national level and countries reported almost 500 controls during the reporting period. Member States were tackling altogether all the restrictions within the scope of the REF project.

3.5.2 Mandate amendment

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

3.6. Pilot project on Control of internet sales of hazardous chemicals

3.6.1 Task Force progress report

The ECHA Forum Secretariat reported that the Task Force was preparing the manual and the questionnaire for consultation with the Forum at the end of June 2016. The Forum members were invited to confirm their participation in the operational phase of the project and to nominate the national coordinator by mid-August. A training for the national coordinators was foreseen to take place in the beginning of November 2016.

The Task force members suggested to change the timeline of the project, extending the operational phase by three months (initially planned to end on 31 May 2017) since by that date, the transitional period for selling stock labelled according to DPD would end. Therefore, the project findings could then verify the disappearance of the DPD labelled products from the market.

A Forum member added that COM had prepared some documents on market surveillance and internet sales that can be used by the task force.

3.6.2 Mandate amendment

Changes in the timeline, as discussed, were introduced. No chair was appointed and the work would continue as a task force. The Forum adopted the updated mandate ([Annex 2f](#)).

The ECHA Forum Secretariat clarified that CLEEN Secretariat would be involved in the consultation rounds and have an advising and supporting role in the preparation of the project manual.

3.7 Second project on Authorisation

3.7.1 WG progress report

The WG chair informed that the operational phase was ongoing until 30 October 2016. The WG, with the assistance of COM, have replied to the questions from national coordinators on Article 66 DU notifications that were sent to them in May 2016. The national coordinators would be kept up to date on a monthly basis regarding the DU notifications received by ECHA, via PD-NEA.

Some feedback from the Forum members and the COM was collected on the usefulness of the second pilot project since the findings from the first pilot indicated high level of compliance. The Chair concluded that the authorisation was a new instrument for which many guides were created and the Forum needed to test the compliance of this provision as a way to identify the future challenges. It was to be noted that not many companies were concerned by the authorisations, for the time being.

3.7.3 Mandate amendment

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

3.8 Training for enforcement trainers 2016

3.8.1 WG progress report

The WG chair informed on the work developed by the WG after Forum-23. The training would take place on 5-6 October 2016, back to back with a training session for the REF-5 national coordinators. The Forum members were invited to nominate two trainees for the training, and one of them would be the appointed REF-5 national coordinator. In addition, the Forum members were invited to signal the number of intended remote connections.

3.8.2 Mandate amendment

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

3.8.3 Establishment of the new WG for 2017

In order to initiate the discussion on the topics for the next training event, the Forum was invited to submit suggestions in writing for potential topics for next year Training for enforcement trainers 2017. The Forum adopted the proposed mandate and initial composition of the future WG ([Annex 2i](#)).

3.9 Enforceability of restrictions

3.9.1 WG progress report - Advice on restrictions

The WG Chair informed the Forum on the activities of the WG during the reporting period. All documents adopted by Forum were published on ECHA's website (Forum Guide for Dossier submitters, revised working procedure for developing Forum advice and support to RAC and SEAC, methodology for recommending analytical methods and Forum compendium of analytical methods). The nominated rapporteurs for two new restriction proposals submitted in April 2016 (4 Phthalates and TDFA dossier) processed these dossiers and were found in conformity by RAC and SEAC. Forum members were invited to comment on the proposals after 15 June. ECHA Forum Secretariat updated RAC and SEAC during one of its meetings on relevant developments of Forum's restriction projects. The Committees welcomed the information provided and appreciated the support given by the Forum.

3.9.2 Friendly reading project and restrictions guidelines

The ECHA Secretariat updated the Forum with the development of Questions and Answers related to restrictions and their publication on ECHA's website. The guidelines on lead in consumer articles that can be placed in the mouth by children was published and the upcoming guidelines on PAHs in consumer articles and nickel were under elaboration. Forum will be informed of the calls for evidence when these guidelines are published.

The Forum welcomed the information provided and questioned whether there was consistency between the interpretation given in the new Question and Answer [1183] regarding the azodyes restriction and the REF-4 project manual. It was agreed that the WG REF-4 would analyse with ECHA the consistency of the approach followed in both documents.

In addition, a Forum member requested whether it would not be necessary to update the Question and Answer on azodyes with the new standards applicable to

Appendix 10 of Annex XVII. The Forum requested ECHA to consider the need for a future amendment.

3.9.3 Amendment of the administrative costs for new restrictions

The ECHA Secretariat updated the Forum on the revision of the cost for enforcing restrictions based on the data from REACH Article 117 reports for the period 2010-2014. The elements considered in a study made by ECHA on 2014 for the administrative costs included desktop studies, on-site visits, costs of reporting and training costs. The average cost of enforcing a restriction was considered to be 53 800€ based on data on enforcement done during the period 2010-2014 and on 2014 prices, in a general estimate of average costs and on the opportunity cost of enforcing a new restriction. Other potential costs could include the development of testing (where needed). The study noted that enforcement of restrictions was only one task of many for the Member States enforcement authorities. The study concluded that additional burden of a single new restriction for any Member State agency was small, a new restriction may be accommodated by prioritisation and most likely did not entail a prohibitive cost. The total cost increased when the number of restriction grows.

A Forum member stated that the average cost would only cover a limited number of sampling and analysis and that the costs seemed to be largely underestimated. However, it would be a correct conclusion that the administrative costs were still much lower than the implementation costs.

The issue would possibly be discussed in a next SEAC plenary meeting. ECHA Secretariat agreed to keep the Forum informed.

3.9.4 Mandate amendment

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

3.10 REACH-EN-FORCE-5 on Extended SDS, exposure scenarios, risk management measures and operational conditions

3.10.1 WG progress report

In the absence of the WG chair, the Chair summarised the status of the work of this WG. The Forum members were invited to appoint the national coordinator as well as to provide comments on the draft manual.

3.10.2 Mandate amendment

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

3.11 Pilot project on CLP: Child-resistant fastenings

3.11.1 WG progress report

The WG chair highlighted the main findings of the project. A Forum member requested two changes and they were implemented directly in the document at the meeting. The Forum adopted the project report².

3.11.2 Mandate amendment/closure

All the tasks of the WG were completed and the WG was closed ([Annex 2l](#)).

² The adopted report was published in ECHA's website on 21 June 2016:
http://echa.europa.eu/documents/10162/13577/forum_pilot_project_crf_en.pdf

Item 4 – Update on relevant developments by the Commission

4.1 General updates by the European Commission

The COM representative updated the Forum on the relevant issues discussed at CARACAL and Enterprise SMEs Policy Group (ESPG) meetings.

The COM took into account the recommendations to COM stated in the final report of the Forum's projects, namely the [first pilot project on Authorisation](#) and [REF-3](#). For the latter, on the issue related to customs, it was proposed to bring the issue for discussion in the general ADCO meeting.

The presenter highlighted that only the Court of Justice of the EU (ECJ) can rule definitively on the meaning of Union law. However, COM's opinion, once requested, should be regarded as the final answer until the issue was discussed in the ECJ.

The COM representative presented the outcome of the public consultation on a possible restriction of hazardous substances (CMR 1A and 1B) in textile articles and clothing for consumer use under REACH Article 68(2). It was suggested to narrow the scope of the restriction (focus on clothing, higher consumer exposure) and to select the substances that were more likely to be found in clothing. The COM invited the Forum to submit an advice on the enforceability of the new proposal for this restriction. The chair of the WG Restrictions suggested for the WG to assess the best way to provide the advice requested.

4.2 Market Surveillance regulation updates

The COM representative highlighted that the market surveillance regulation could be a tool for Member States to enhance the enforcement of REACH and CLP. COM launched a public consultation on the possible revision of the Mutual Recognition Regulation (EC) No 764/2008 applied in the field of the free movement of goods. A public consultation would be launched on actions to keep non-compliant products from EU market. The Forum members and their authorities were invited to participate in those consultations.

The Forum was updated on the outcome of the ADCO meeting. The ADCO groups, together with TAXUD, agreed to develop a customs' checklists and invited the Forum to collaborate in the task. Furthermore, a guidance developed by the ADCO chairs on "Horizontal Good Practices on Market Surveillance" was under consultation with the Forum chair and the Forum's representative in the ADCO meeting.

The COM representative informed that RAPEX and ICSMS systems would be merged by 2020 and for that, a task force was created to implement it. Replying to an invited expert, COM added that a guidance to help the users to classify the severity of the chemical risks was not foreseen.

The Forum was updated on the relevant news from the ICSMS experts' meeting. It was highlighted the creation of a "wiki" section (help, discussion section for the users). The next meeting would be in June 2017 and the Forum was invited to consider participating in that meeting.

Item 5 – Conclusions from day 1

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

Item 6 – Debriefing of the meeting with ECHA Directors

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

Item 7 – Practical issues for enforcement of REACH and CLP

Issue 24.1 – Alignment of supplier's contact information in the SDS and in the label

The Forum member who raised the issue presented it and the Forum discussed the proposed conclusion.

The Forum agreed to have a written consultation on the proposed draft conclusion.

Issue 24.2 How to check if importers can benefit from exemption for reimported substances?

The issue was presented by the Forum member who raised it, with the view to harmonise the approach taken when enforcing REACH Article 2(7)(c).

The Forum adopted the conclusion proposed and would be included in the supplement of the Manual of Conclusions. Wording issues could be addressed in a written consultation.

Issue 24.3 'Who is responsible in the supply chain in cases of non-compliance of article 67 (and annex XVII) of the REACH regulation? Is it the supplier of the starting material or the supplier of the article itself?'

The issue was presented by the Forum member, concerning the enforcement of REACH Article 67, specifically the restrictions number 43 and 47 ("Azocolourants and Azodyes" and "Chromium VI", respectively).

The issue would be consulted with the Forum, where more clarity regarding the responsibilities stated in the legislation would be added.

Issue 24.4 Controlling whether registrants have justified reasons to apply specific concentration limits higher than generic concentration limits.

The Forum member presented the issue on how the inspectors assess whether companies have justified reasons to set specific concentration limits higher than generic concentration limits as prescribed in Article 10(1) of CLP Regulation.

The Forum agreed to comment on the issue via a written consultation with the view to make the issue more practical for inspectors. The Forum agreed for the conclusion to be included in the Manual of Conclusions.

Issue 21.2 Who is responsible for the provision of a Safety Data Sheet (SDS) when an only representative is appointed?

The ECHA Secretariat has been discussing with COM to clarify COM's position on the issue and proposed to postpone the issue until Forum-25.

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

The Forum was consulted on the conclusion discussed at Forum-23 for this issue as well as on the document for the Consumer Safety Network (CSN) prepared by

the Finnish Safety and Chemicals Agency Tukes. Based on the feedback of both Forum members and the CSN, ECHA Forum Secretariat drafted a new conclusion, which was presented for discussion.

A new consultation round would be initiated after the meeting.

Item 8 – Cooperation with other networks

8.1 Update on SLIC-CHEMEX's activities

The SLIC CHEMEX WG Chair updated the Forum on its activities. Amongst them, it was highlighted that the organisation was collaborating in the development of the REF-5 manual.

The WG developed a guidance on occupational exposure limit (OEL) and derived no-effect level (DNEL) to help the national labour inspectors. The Forum was invited to comment on the draft guidance.

Answering a Forum member, the presenter clarified that the labour inspector focused on risk management measures (not measurement) and if they were implemented and controlled in the work place. Only when necessary, for enforcement reasons, the inspector would retrieve data from the company and work with specialists to evaluate the information.

The Chair shared that COM had prepared a document (in the frame of the REFIT programme) on the relationship between REACH and OSH, which focused on the need to understand better the difference between OEL/DNEL by inspectors and companies.

8.2 Update on IMPEL activities

The ECHA Forum Secretariat informed the Forum about the outcomes of the EU Environmental Networks Conference that took place in Utrecht on 12-13 May 2016. The Conference brought together for the first time four networks involved in the environmental compliance chain (IMPEL, ENPE, EUFJE and EnviCrimeNet). All the networks presented cases and concluded on the need to cooperate in future to promote compliance of the environmental legislation throughout Europe. IMPEL organised five thematic areas: industry and air, waste and trans-frontier shipments, water and land, nature protection and crosscutting activities.

Of particular relevance was the IMPEL Review Initiative (IRI) consisting on peer review programmes of enforcement systems in the Member States carried out by frontline experts and practitioners, policy makers, lawyers and managers from IMPEL members.

The Doing the Right Things project was a practical guide on planning of environmental inspections. The principles of the methodology have been spread to Turkey, Estonia, Spain and other countries. The methodology generated other projects *e.g.* prioritising inspections and setting targets.

Item 9 – Break-out groups session

9.1 Discussion of topics

The participants were divided into groups for discussing their selected topics.

9.2 Presentations from the break-out groups

The rapporteurs presented the summary of the discussions.

Item 10 – Enforcement projects in Member States

10.1 UK experience with controlling internet sales through popular sale platforms

The alternate member presented this national project, the methodology used and the issues encountered.

10.2 Follow-up on the Dutch pilot project on the borderline between the waste regulation and REACH

The Forum member presented the national project based on the findings of a previous project on the borderline issues between waste and REACH regulations. When inspecting ship fuels, inspectors found that it was challenging to identify all parts of the mixture and difficult to assess whether it had to be considered as waste or not. The methodology used and some preliminary results were presented to the Forum.

10.3 Handling of A.I.S.E. DetNET classification for detergent

The Forum member described an enforcement case using the tool developed by the International Association for Soaps, Detergents and Maintenance Products (A.I.S.E) to classify a mixture.

10.4 Allergens in paints

The Forum member presented the national project that was initiated based on a study done in five European countries that showed that information on paint preservatives (sensitising substances) were missing in the label and in the SDS of paint. Moreover, studies also showed that contact allergy caused by one of those preservatives used in paints had increased dramatically. The methodology used and the results of the project were presented to the Forum.

The COM representative added that the substances covered in the project were already identified by the Risk Management Expert group (RiME) and discussions were taken place in order to address the issue.

Item 11 – Updates from the ECHA Forum Secretariat

11.1 Forum level enforcement indicators

The ECHA Forum Secretariat submitted a document with the feedback received from the Forum members during the consultation that took place after the Forum-23 meeting on the issue. The Forum would be invited to fill in a questionnaire after Forum-24 with the proposed way forward on the use of the indicators. In the unclear cases, further discussion would take place in Forum-25. The Forum agreed for COM to be included in the survey.

11.2 Practical issues – Fast track procedure

A fast track procedure for quicker resolution of Forum's practical issues was discussed in a breakout group at Forum-23. The procedure entailed the use of HelpEx. HelpEx would have a dedicated Forum platform, where only Forum members and experts had access.

The Forum agreed to use the proposed fast track procedure for dealing with practical issues.

The Forum Secretariat will organise a webinar to demonstrate the use of the tool.

11.3 Proposal for implementation of REF-3 WG's recommendations to the Forum

In a breakout group at Forum-23, the participants discussed the recommendations made by the WG REF-3 in its report (published in December 2015) and the possibilities to put such recommendations in place. The feedback received was used to generate concrete proposals for discussion with the Forum.

The Forum agreed to create a template letter to be used by inspectors to contact ORs located in another country (Proposal 2). The letter would be simple, with boxes to choose from depending on the situation and would be available in all Member States' languages. A Forum member proposed to have the letter available in the ECHA Forum website. The former members of the WG REF-3 were invited to participate in the drafting of the letter.

The Forum agreed to liaise with DG TAXUD and PARCS Project Group. COM representative proposed for the issue to be discussed in the ADCO meetings and other COM services in 2017 (Proposal 3). Forum members were invited to participate in the discussion (e.g. with a back-to-back meeting in Helsinki or Brussels). ECHA Forum Secretariat added that the Forum would be [cooperating with DG TAXUD](#) when preparing the checklists and suggested to tackle this issue as well. A formal way to proceed was to establish a new Forum WG "Cooperation with customs" in order to allocate the necessary budget for the experts to participate in the discussion with COM.

The Forum agreed to increase the support for National Coordinators (Proposal 4) by consulting and test the draft questionnaire with the National Coordinators. An additional session (WebEx) would be organised at the beginning of the reporting phase to clarify any questions on the reporting process.

The Forum agreed to have a dedicated session at Forum-25 (Open Session) on the communication issues between OR and "importing DU" and invite the relevant industry associations to make a presentation and share experiences. The former members of the WG REF-3 were invited to collaborate with ECHA Forum Secretariat in the preparation of this session.

Item 12 – Conclusions from day 2

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

Item 13- Preparation for the BEG-2 meeting

The ECHA Forum Secretariat presented the Biocidal enforcement group meeting's agenda and highlighted the topics relevant for the Forum. The BEG participants would discuss the future of the BEG/Forum and the IT support for BPR, which included the use of PD-NEA.

Item 14- Substances in Articles – Project proposal

The ECHA Secretariat presented the first draft of the proposal for a pilot project on substances in articles (SiA). Forum agreed at Forum-22 (November 2015) to execute a project on this subject and to start the preparatory conceptual work in 2016 so that a WG was established and the project executed in the second half of 2017.

The proposal tackled different points for discussion including the options for the scope and the enforcement approach(-es). The objectives of the project would be the enforcement of notification and communication obligations under REACH for

Candidate List (CL) substances in articles with the intention to learn from the pilot phase and to prepare the grounds for wider enforcement campaigns in future. Another objective would be to raise awareness and understanding of the legal obligations on SiA and ultimately, raising the level of compliance.

Different possibilities for the scope of the pilot project were introduced. It would be possible to limit the scope to certain legal requirements and to certain types of actors. It would also be possible to limit the scope to certain sectors or types of articles based on specific selection criteria (e.g. the potential for human exposure, the likelihood of presence of CL substances in certain articles, the experience of Member States in controlling certain types of articles and the articles already under the radar). Finally, the scope could be also limited to certain CL substances and the project could target the substances of interest for REACH Article 69(2) purposes and substances with more than a given number of REACH Article 7(2) notifications.

The proposal tackled the different possible approaches for enforcement ranging from the check of documentation, chemical analysis, site visits and desk inspections.

The Forum welcomed the first approaches addressed by ECHA and agreed that it would be relevant to inform about the enforcement approaches and methodologies for enforcing compliance with provisions relating to articles. In addition, it was highlighted the possibility to postpone the operational phase until the Forum gets financing for testing but this option was not taken on board as Forum had already approved in 2015 the execution of such project in 2017. In 2016 would still be possible for Member States to commit financial resources to conduct testing of articles in 2017.

The Forum agreed to provide written comments to the draft proposal and suggested the preference for one more consultation more before Forum-25. Otherwise, the final proposal would be approved at the plenary session. The WG dealing with the management of the pilot project will be established at Forum-25 and Forum members were invited to consider their involvement in the project as well as to nominate the possible experts to be part of the WG.

Item 15- Updates from the ECHA Secretariat

15.1 SME visits programme enforcement related findings

ECHA's Director of Cooperation presented the programme put in place for ECHA staff members to be in contact with the business of small companies and to gain feedback from SME on critical aspects of ECHA's work. ECHA's management concluded that the products in place (e.g. IT tools, CSR roadmap, downstream user communication) already addressed the concerns signalled by the companies. One of the major concern was the cost of data sharing and that the REACH legislation did not provide many legal tools for ECHA to help the members of the joint submission. On the enforcement perspective, companies expressed interest in the level playing field.

15.2 The integrated regulatory strategy

ECHA's Deputy Executive Director presented to the Forum the revised strategy adopted by ECHA management that would focus on "substances that matter". After eight years of experience with REACH and CLP, the time has come to use all the data collected and re-assess objectives, from setting up the legal machinery of the individual processes into a global and integrated process to fulfil ECHA's objective. ECHA would focus in mapping and identifying the substances that would need regulatory risk management actions (e.g. SVHC, potentially restricted substances, potentially need CLH) in order to preserve the human health and the environment.

The Forum was invited to consider ECHA's integrated strategy into the selection of REF projects' methodology.

A Forum member highlighted that, at Member State level, the prioritisation criteria might be different but was done in an integrated way.

15.3 REACH Article 117(2) report

An ECHA's representative of the Executive Office gave an overview of the [report on the operation of REACH and CLP 2016](#), published in May 2016. Reference to the Forum was included throughout the report and recommendations were proposed. An invited expert stressed that, contrary to the message in the report, the Forum and Member States were of the opinion that the legal text should be reviewed. ECHA representative clarified that what was envisioned by ECHA was for COM to put in place other legal instruments (e.g. implementing act), rather than open the full review of REACH.

15.4 Updates concerning Ombudsman cases on animal testing

The ECHA Secretariat informed the Forum on the activities concerning animal testing. He informed that the report on the tests without an ECHA decision on testing proposals would be drafted after the summer and the Forum would be invited to comment at that time.

He reported that a pilot was ongoing on compliance check (CCH) cases based on the EU Ombudsman decisions accepted by ECHA. It was proposed for ECHA to use the CCH mechanism (REACH Article 41(1)(a)) to verify whether the information provided in the registration dossier was generated in compliance with the last resort principle (REACH Article 13(1)). ECHA would then analyse the results of the pilot cases and re-assess, if relevant, the process by the end of the year.

15.5 Update on ECHA guidance activities

The Forum took note of the updates from ECHA Guidance.

Item 16 – A.O.B.

16.1 Workshop on REACH(ing) the WSSD 2020 goals

The Chair informed that she attended the [workshop on REACH\(ing\) the World Summit on Sustainable Development 2020 goals](#) (27-28 January, in ECHA). During the breakout group on data quality and availability, there was one point considered that further discussion in the Forum would be desired and an action point was taken: the Forum to explore the feasibility of a pilot project checking if the DUs are respecting the compliance with the registered uses.

The Chair stressed that REF-5 project foresees questions on the DU uses in its questionnaire. The Chair invited the Forum to comment whether it would be necessary to start a new project (to be submitted to the WG Prioritisation) or if it would be covered under the scope of REF-5.

16.2 Dates of Forum June meeting in 2017

The ECHA Forum Secretariat informed that it received feedback from a few Member States concerning their national holidays in June 2017. Therefore, the Secretariat would strive to create the agenda of Forum-27 so that the meeting would end on 22 June 2017.

16.3 Forum's website

The ECHA Forum Secretariat presented the new design of the Forum's page in ECHA's website.

Item 17 – Conclusions from day 3

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

Item 18 – Closing of the meeting

The Chair thanked the participants, the COM and the ECHA Forum Secretariat for their contributions and support. With that, she closed the meeting.

II. MAIN CONCLUSIONS & ACTION POINTS - Forum-24

14-16 June 2016

(Adopted at the Forum-24 meeting)

Agenda point	Conclusions / decisions / minority opinions	Action requested after the meeting
Item 1- Welcome and introduction		
1.2 Adoption of the Agenda	Agenda was adopted.	
Item 2 – Address by ECHA’s Director of Evaluation		
		Forum members to consider which authorities in the national level would be appropriate for checking whether animal testing is done as a last resort in context of Laboratory Animal Directive 2010/63/EU.
Item 3 – Forum’s enforcement activities- Work Packages		

<p>3.1 Prioritisation of REF projects</p> <p>3.1.1 WG progress report</p>	<p>The Forum agreed to elaborate a “tips and hints” document following the experience of each REF project.</p>	<p>Forum members are invited to indicate their REF project preference in writing, with the underlying argumentation of their choice by 19 August</p> <p>WG Prioritisation will review the feedback provided and, if necessary, revise the project proposals for further Forum consideration and decision at Forum-25</p> <p>Forum-S will send out a template for indicating preference of the Forum members and willingness of their MS to participate in the pilot projects by 24 June.</p> <p>Forum members are invited to complete the template and indicate their pilot project preference, with the underlying argumentation as well as willingness of participation in the project of their choice by 19 August</p> <p>WG Prioritisation will present the results of this exercise at Forum-25.</p> <p>Forum-S will provide estimates of intermediate dossiers per MS and also lists of intermediate registrant that received Art 36 letter regarding non-intermediate uses from ECHA by 15 July</p> <p>Forum-S will organise a discussion on enforcement or other measures effecting the improvement in the quality of SDS at Forum-25.</p>
<p>3.1.2 Mandate amendment</p>	<p>The Forum revised the mandate of the WG.</p>	

<p>3.2 Interlinks</p> <p>3.2.1 WG progress report</p>		<p>Forum-S will launch a consultation on the on the questions raised from the recommendations of the CMR pilot project by 20 June</p> <p>Forum members are invited to provide feedback on the questions raised from the recommendations of the CMR pilot project by 15 July.</p> <p>Forum members are invited to adopt the interlinks guide and the CMR pilot project report in written procedure launched after the meeting with a deadline of 4 July.</p> <p>Forum members are invited to submit suggestions for non-compliances that could be sought by ECHA’s automated screening tools by 1 September</p> <p>ECHA will prepare a list of potential non compliances that ECHA could detect via automatic screening for consideration and discussion at Forum-25</p> <p>Forum members are invited to provide the examples of cases where they believe that revocations may be appropriate by 1 September.</p>
<p>3.2.2 Follow-up of ECHA Decisions: updates from ECHA</p>		<p>Forum-S to clarify the understanding of “concluded cases” and – where known - clarify which cases are concluded for ECHA and which for NEAs. The clarifications will be made in the document for Forum-25</p>
<p>3.2.3 Mandate amendment</p>	<p>The mandate of the WG was revised.</p>	
<p>3.3 Information and Communication System for Market Surveillance (ICSMS)</p> <p>3.3.1 WG progress report</p>		<p>Forum members to nominate one participant from each MS for the training by 15 Sept 2016.</p>

3.3.2 Presentation of the ICSMS tool		
3.3.3 Report from the ICSM meeting in Brussels		
3.3.4 Mandate amendment	The Forum revised the mandate of the WG.	
3.4 Implementation of PD-NEA		
3.4.1 WG progress report		
3.4.2 PD-NEA project progress report		
3.4.3 Mandate amendment	The Forum revised the mandate of the WG.	
3.5 REACH-EN-FORCE-4		WG REF-4 is invited to update the questionnaire on progress of the project, send it to the National Coordinators and report at Forum-25
3.5.1 WG progress report		
3.5.2 Mandate amendment	The Forum revised the mandate of the WG.	
3.6 Pilot project on Control of internet sales of hazardous chemicals		Forum members are invited to confirm the participation in the pilot project and nominate National Coordinators as soon as possible - deadline 12 August 2016.
3.6.1 TF progress report		
3.6.2 Mandate amendment	The Forum revised the mandate of the TS.	
3.7 Second pilot project on Authorisation		
3.7.1 WG progress report		
3.7.2 Mandate amendment	The mandate of the WG was revised.	

<p>3.8 Training for enforcement trainers 2016</p> <p>3.8.1 WG progress report</p>		<p>Forum members are invited to nominate two participants per MSs by 15 June 2016.</p> <p>Forum members to inform the Forum-S of the number of the remote attendees by 15 September 2016.</p> <p>Forum members to submit available case studies related to the training topics by 30 June 2016</p>
<p>3.8.2 Mandate amendment</p>	<p>The mandate of the WG was revised.</p>	
<p>3.8.3 Establishment of the new WG for 2017</p>		
<p>3.9 Enforceability of Restrictions</p> <p>3.9.1 WG progress report - Advice on restrictions</p>		

<p>3.9.2 Friendly reading project and restrictions guidelines</p>		<p>Forum-S to inform the Forum about the launching of public consultation of the guidelines regarding PAHs and Nickel</p> <p>WG REF-4 to look into the Q&A regarding the azo dyes restriction entry to ensure alignment between the project manual and the Q&A.</p> <p>Forum-S will provide the presentation on “friendly reading of Annex XVII project” to REF-4 WG and the national coordinators after clarifying the above.</p> <p>UK Forum member to send a reference to standards that are applicable to Appendix 10 of Annex XVII to Forum-S.</p> <p>ECHA to consider changing the Q&A on restriction entry 43 based on these standards.</p>
<p>3.9.3 Amendment of the administrative costs for new restrictions</p>	<p>It was decided that Forum will be informed of the results of the SEAC discussions on this matter.</p>	
<p>3.9.4 Mandate amendment</p>	<p>The Forum revised the mandate of the WG.</p>	
<p>3.10 REACH-EN-FORCE-5</p> <p>3.10.1 WG progress report</p>		<p>Forum members are invited to appoint national coordinator (if not done so far) by 15 June</p> <p>Forum members are invited to comment on the draft manual by 22 June</p> <p>National coordinators are invited to provide feedback on the questionnaire by 1 July</p>
<p>3.10.2 Mandate amendment</p>	<p>The Forum revised the mandate of the WG.</p>	

<p>3.11 Pilot project on CLP: Child-resistant fastenings</p> <p>3.11.1 WG progress report</p>		
<p>3.11.2 Mandate amendment</p>		
<p>Item 4 – Update on relevant developments by the Commission</p>		
<p>4.1 General updates by the European Commission</p>		
<p>4.2 Market Surveillance regulation updates</p>		
<p>Item 6 – Debriefing of the meeting with ECHA Directors</p>		
<p>Item 7 – Practical issues for enforcement of REACH and CLP</p>		
<p>24.1</p>	<p>The Forum decided to launch a further consultation on the issue.</p>	<p>Forum-S will send the practical issue for further consultation by 8 July</p>
<p>24.2</p>	<p>The Forum adopted the conclusion proposed in the room document.</p>	<p>Forum-S will include the adopted conclusion in the “Supplement of the MOC” and send it for Forum consultation by 8 July</p> <p>Forum-S will add NL feedback to the compilation table and see if it affects the conclusion on Q2, and if so amend it accordingly.</p>
<p>24.3</p>	<p>The Forum decided to launch a further consultation on the issue.</p>	<p>Forum-S will send the practical issue for further consultation by 8 July</p>
<p>24.4</p>	<p>The Forum decided to launch a further consultation on the issue.</p>	<p>Forum-S will send the practical issue for further consultation by 8 July</p>

<p>21.2</p> <p>Who is responsible for the provision of a Safety Data Sheet (SDS) when an only representative is appointed?</p>		
<p>23.3</p> <p>When is an oil lamp meant for decorative purposes and when is it for illumination?</p>	<p>The Forum decided to launch a further consultation on the issue.</p>	<p>Forum-S will send the practical issue for further consultation by 8 July</p>
<p>Item 8 – Cooperation with other networks</p>		
<p>8.1 Update on SLIC-CHEMEX's activities</p>		<p>CHEMEX representative will provide the CHEMEX OEL and DNEL interim guidance to Forum-S by 1 July</p> <p>Forum-S will provide the interim guidance for comments to the Forum by 10 July</p> <p>Forum members will provide their general feedback on the OEL and DNEL interim guidance by 16 September</p> <p>Forum-S will arrange a discussion at Forum-25 how Forum can contribute to the further development of this document.</p>
<p>8.2 Update of the status of IMPEL projects</p>		
<p>Item 9 – Break-out Groups Session</p>		

<p>Topic 1: Member States reporting template related to Art 117 of REACH, Art 46(2) of CLP and Art 22(1) of PIC</p>		<p>COM is invited to revise the questionnaire on "control" taking account of the discussion in the BOG and send it to Forum-S by 3 July.</p> <p>Forum members will be invited to provide feedback by 17 September.</p> <p>COM will review the remainder of the template and in questions where there are evident divergences (e.g. trainings), will seek further input from the Forum and propose clarifications by Forum-25</p> <p>If necessary, Forum-S will organise further discussion on this matter in 2017</p>
<p>Topic 2: Implementation of CSR/ES roadmap</p>		
<p>Topic 3: Organising the revision of Forum's Best Practice documents</p>		<p>Forum members are invited to participate or appoint an invited expert with background in enforcement policies to the Task force on revision of Best Practice Documents (before Forum-25)</p>
<p>Item 10 – Enforcement projects in Member States</p>		
<p>10.1 British experience with controlling internet sales through popular sale platforms</p>		
<p>10.2 Follow-up on the Dutch pilot project on the borderline between the waste regulation and REACH</p>		

10.3 Handling of AISE DetNET classification for detergent – Austrian experience		
10.4 Allergens in paints		
Item 11 – Updates from the ECHA Forum Secretariat		
11.1 Forum level enforcement indicators	Forum agreed to vote in writing on the proposals of the Forum-S for each indicator. Majority voting will be deemed decisive but cases where feedback will be evenly split will be re- discussed at the next plenary meeting	Forum-S will launch a questionnaire by 8 July
11.2 Practical issues – Fast track procedure	Forum agreed to use the “fast track procedure”	Forum-S will implement it and organise a webinar on the use of HelpEx before Forum-25
11.3 Proposal for implementation of REF-3 WG’s recommendations to the Forum	The Forum agreed on proposals 2, 3, 4 and 5. The ex-members of WG REF-3 (AT, ES, NL, IT) will participate in the elaboration of the OR Excel database for PD-NEA (if agreed), OR letter and the open session at Forum-25.	Forum members are invited to look for relevant experts for a WG “Cooperation with Customs 2” that will explore closer liaisons with customs authorities, including proposal 4. Forum members are invited to bring forward experts for Forum-25 Forum-S will approach the remaining ex-members of WG REF- 3 and invite their cooperation on implementing the REF-3 follow-up actions.
Item 13 – Preparation for the BEG meeting		
		Forum-S will propose revisions to the ROPs that facilitate the coordination of BPR by the Forum before Forum-25

Item 14 – Substances in Articles – Project proposal		
		<p>Forum members are invited to comment on the proposal and indicate which scope option they are interested in by 19 August</p> <p>ECHA will revise the proposal and submit it for discussion at the latest by Forum-25</p> <p>Forum members are invited to submit information on the methodology they apply when enforcing compliance with provisions relating to articles (e.g. related to restrictions)</p> <p>Forum members invited to consider involvement in the WG for preparation of this project be established at Forum-25</p>
Item 15 – Updates from the ECHA Secretariat		
15.1 SME visits programme enforcement related findings		
15.2 The integrated regulatory strategy		WG Prioritisation is invited to consider whether the project prioritisation methodology can take into account the concept of “substances that matter” from the ECHA integrated regulatory strategy.
15.3 REACH Article 117(2) report		
15.4 Updates concerning Ombudsman cases on animal testing		Forum members are invited to provide feedback on this information by 1 September
15.4 Update on ECHA guidance activities		

Item 16 – AOB		
16.1 Workshop on REACH(ing) the WSSD 2020 goals		Forum members (in particular members of REF-5 WG) are invited to consider if the issue can be covered within the frame of REF-5 or whether it should be handled via the WG Prioritisation. Forum members are invited to submit the feedback by 15 July.
16.2 Dates of Forum meeting in June 2017		
16.3 Forum's Website		
		Forum members are invited to express interest in commenting on ECHA assumptions regarding the workload implied by the Forum on the national level by 15 July

III. List of Attendees

Forum members

	Country	Name
1	AT	ANWANDER Eugen
2	BE	CUYPERS Paul
3	BG	TCHOBANOVA Elena
4	CY	KYPRIANIDOU-LEONTIDOU Tasoula
5	CZ	JAROLÍM Oldřich
6	DE	FRENZEL Stefan
7	EE	HONGA Aljona
8	EL	FOUFA Eleni
9	ES	SÁNCHEZ-PEÑA Pablo
10	FI	LAHTINEN Marilla
11	FR	ALFANO Anne-Catherine
12	HR	KREKOVIĆ Dubravka
13	HU	DEIM Szilvia
14	IE	MCMICKAN Sinead
15	IT	POLCI Letizia
16	LT	GRINCEVIČIŪTĖ Otilija
17	LU	ENGELS Kim
18	MT	GRECH Dawn
19	NL	VAN DEN BERG Jos
20	NO	HAGEN Gro
21	PL	KITAJEWSKA Katarzyna
22	PT	BRAVO Graça
23	RO	ALBULESCU Mihaiela
24	SE	HEDLUND Henrik
25	SK	POČAROVSKÁ Miriam
26	UK	HANLEY Louse

Invited experts

	Country	Name
1	AT	WURM Gernot
2	CZ	MUSIL Petr
3	DK	JENSEN Anette Ravn
4	EE	KARRO Marina
5	ES	ZAMORA NAVAS Laura
6	FI	LEIKOSKI Mervi
7	HR	CIGIC Petra
8	HU	ADER Borbala
9	LT	PIPIRAITE VALISKIENE Donata
10	NO	SULEIMAN Abdulqadir
11	SE	ALKELL Karin
12	SK	PISOVA Petra

	Country	Name
13	UK	CARTER Paul

Advisers

	Country	Name
1	BE	PENSAERT Jeanine
2	DE	JACOBI Tobias
3	FI	RAITALA Suvi
4	NO	SKJÆRGÅRD Cathrine

European Commission representative

	DG	Name
1	GROW	AGUADO-MONSONET Miguel

SLIC-CHEMEX representative

	Country	Name
1	UK	CLAYTON Karen

	ECHA	Unit
1	BARANSKI Maciej	Support, Forum and HelpNet Secretariat
2	MUSHTAQ Fesil	Risk Management Implementation Unit
3	YLA-MONONEN Leena	Director of Evaluation
4	CALVO TOLEDO Juan Pablo	Support, Forum and HelpNet Secretariat
5	CLIFFE Brendan	Support, Forum and HelpNet Secretariat
6	FELICIANO Tania	Support, Forum and HelpNet Secretariat
7	FRONTINI Ales	Support, Forum and HelpNet Secretariat
8	HERDINA Andreas	Director of Cooperation
9	MURRAY Andrew	Risk Management implementation
10	NIKULA Terhi	Support, Forum and HelpNet Secretariat
11	NOUWEN Johan	Support, Forum and HelpNet Secretariat
12	KIOKIAS Sotirios	Risk Management Implementation Unit
13	TŁOCZEK Magdalena	Support, Forum and HelpNet Secretariat
14	TUOMAINEN Anita	Support, Forum and HelpNet Secretariat
15	TUNNELA Outi	Support, Forum and HelpNet Secretariat
16	LEFEVRE Remi	Classification and Prioritisation Unit
17	MALM Jukka	Director of Regulatory affairs
18	HOLLINS Stephen	Executive Office
19	CARTLIDGE George	Evaluation

IV. List of Annexes

ANNEX 1. Final agenda Forum-24

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

ANNEX 2 a – “Prioritisation of REF projects”

ANNEX 2 b – “Interlinks”

ANNEX 2 c – “Information and Communication System for Market Surveillance (ICSMS)”

ANNEX 2 d – “Implementation of PD-NEA”

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

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

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

ANNEX 2 h – “Training for Enforcement Trainers 2016”

ANNEX 2 i – “Training for Enforcement Trainers 2017”

ANNEX 2 j – “Enforceability of restrictions”

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

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

ANNEX 3. Glossary of acronyms and abbreviations

Annex 1 – Final agenda Forum-24

13 June 2016
ECHA/Forum-24/2016/dA

Agenda
Twenty fourth meeting of the
Forum for Exchange of Information on Enforcement
(Forum-24)
European Chemicals Agency
Helsinki, Finland
Margot Wallstrom meeting room
Tuesday, 14 June: starts at 09:00
Thursday, 16 June: ends at 12:30

DAY 1 Tuesday, 14 June 2016

Item 1 – Welcome and Introduction 09:00-09:30

- 1.1 Opening by the Chair of the Forum –*Chair*
- 1.2 Adoption of the Agenda –*Chair*
- 1.3 Declarations of conflict of interest with regard to agenda items –
Chair
- 1.4 State of play with action points from Forum-23 – *ECHA Forum Secretariat*
- 1.5 Practicalities and results of the written procedures between Forum-23 and Forum-24 – *ECHA Forum Secretariat*

ECHA/Forum-24/2016/dA
ECHA/Forum-24/2016/1.4
ECHA/Forum-24/2016/1.5

For adoption
For information

Item 2 – Address by ECHA’s Director of Evaluation 09:30-09:40

For information

Item 3 – Forum’s enforcement activities- Work Packages 09:40-17:00

- 3.1 Prioritisation of REF projects (80’)
 - 3.1.1 WG progress report – *WG Chair*
 - 3.1.1.1 Part A: Project proposals (for discussion)
 - 3.1.1.2 Part B: Guidelines for inspectors (for adoption)
 - 3.1.2 Mandate amendment- *ECHA Forum Secretariat*

ECHA/Forum-24/2016/3.1.1_1
ECHA/Forum-24/2016/3.1.1_2_AnnexIII
ECHA/Forum-24/2016/3.1.1_3_AnnexIV

ECHA/Forum-24/2016/3

For discussion
For adoption

Coffee break 11:00-11:30

3.2 Interlinks (60')

- 3.2.1 WG final report - *WG Chair*
- 3.2.2 Follow-up of ECHA Decisions: updates from ECHA - *ECHA Forum Secretariat*
- 3.2.3 Mandate amendment/closure - *ECHA Forum Secretariat*

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ECHA/Forum-24/2016/3.2.2
ECHA/Forum-24/2016/3

For discussion
For adoption

3.3 Information and Communication System for Market Surveillance (ICSMS) (30')

- 3.3.1 WG progress report - *WG Chair*
- 3.3.2 Presentation of the ICSMS tool - *WG Chair*
- 3.3.3 Report from the ICSM meeting in Brussels - *COM*
- 3.3.4 Mandate amendment - *ECHA Forum Secretariat*

ECHA/Forum-24/2016/3.3.1
ECHA/Forum-24/2016/3

For discussion
For adoption

Lunch break 13:00-14:00

3.4 Implementation of PD-NEA (15')

- 3.4.1 WG progress report – *WG Chair*
- 3.4.2 PD-NEA project progress report - *ECHA Forum Secretariat*
- 3.4.3 Mandate amendment - *ECHA Forum Secretariat*

ECHA/Forum-24/2016/3.4.1
ECHA/Forum-24/2016/3

For discussion
For adoption

3.5 REACH-EN-FORCE-4 on Restrictions (15')

- 3.5.1 WG progress report – *WG Chair*
- 3.5.2 Mandate amendment- *ECHA Forum Secretariat*

ECHA/Forum-24/2016/3.5.1_room_doc
ECHA/Forum-24/2016/3

For information
For adoption

- 3.6 Pilot project on Control of internet sales of hazardous chemicals (15')

- 3.6.1 Task Force progress report – *Task Force member*
- 3.6.2 Mandate amendment- *ECHA Forum Secretariat*

ECHA/Forum-24/2016/3.6.1
ECHA/Forum-24/2016/3

For information
For adoption

- 3.7 Second pilot project on Authorisation (15')

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

ECHA/Forum-24/2016/3.7.1
ECHA/Forum-24/2016/3

For information
For adoption

- 3.8 Training for enforcement trainers 2016 (30')

- 3.8.1 WG progress report - *WG Chair*
- 3.8.2 Mandate amendment - *ECHA Forum Secretariat*
- 3.8.3 Establishment of the new WG for 2017 - *ECHA Forum Secretariat*

ECHA/Forum-24/2016/3.8.1
ECHA/Forum-24/2016/3

For information
For adoption

Coffee break 15:30-16:00

- 3.9 Enforceability of Restrictions (75')

- 3.9.1 WG progress report: Advice on restrictions - *WG Chair*

- 3.9.2 Friendly reading project and restrictions guidelines – *ECHA Secretariat*
- 3.9.3 Amendment of the administrative costs for new restrictions - *ECHA Secretariat*
- 3.9.4 Mandate amendment - *ECHA Forum Secretariat*

ECHA/Forum-24/2016/3.9.1
ECHA/Forum-24/2016/3

For information
For adoption

Item 4– Update on relevant developments by the Commission	<i>17:15-17:50</i>
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- 4.1 General updates by the European Commission
- 4.2 Market Surveillance regulation updates

ECHA/Forum-24/2016/4.1_room_doc
ECHA/Forum-24/2016/4.1_room_doc_2
ECHA/Forum-24/2016/4.2_room_doc

For discussion
For information

Item 5 – Adoption of conclusions from day 1	<i>17:50-18:00</i>
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For adoption

<i>Regular meeting with ECHA Directors and Forum Chairs</i>	<i>18:15-19:00</i>
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DAY 2 Wednesday 15 June 2016

Item 6 – Debriefing of the meeting with ECHA Directors	09:00-09:15
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For information

Item 7 – Practical issues for enforcement of REACH and CLP	09:15-11:45
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Items raised by Forum/ECHA/COM (list of practical issues is prepared independently from the agenda)

*ECHA/Forum-24/2016/7
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For discussion

Coffee break 10:30-11:00

Item 3 – Forum’s enforcement activities- Work Packages (cont.)	11:45-12:15
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3.10 REACH-EN-FORCE-5 on Extended SDS, exposure scenarios, risk management measures and operational conditions (30’)

3.10.1 WG progress report – *WG Chair*

3.10.2 Mandate amendment- *ECHA Forum Secretariat*

*ECHA/Forum-24/2016/3.10.1
ECHA/Forum-24/2016/3*

**For information
For adoption**

Item 8 – Cooperation with other networks	12:15-12:45
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8.1 Update on SLIC-CHEMEX’s activities– *Karen Clayton*

8.2 Update on IMPEL activities – *ECHA Forum Secretariat*

ECHA/Forum-24/2016/8.2_room_doc

For information

Lunch break 12:45-13:45

Item 9 – Break out groups 13:45-16:15

9.1 Discussion of topics (75')

Topic 1: Member States reporting template related to Art 117 of REACH, Art 46(2) of CLP and Art 22(1) of PIC

Topic 2: Implementation of CSR/ES roadmap

Topic 3: Organising the revision of Forum's Best Practice documents

Coffee break 15:00-15:30

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

ECHA/Forum-24/2016/9.1_room_doc
ECHA/Forum-24/2016/9.1_Topic1_room_doc

For discussion

Item 10 – Enforcement projects in Member States 16:15-17:30

- 10.1 British experience with controlling internet sales through popular sale platforms - *UK Alternate*
- 10.2 Follow-up on the Dutch pilot project on the borderline between the waste regulation and REACH - *NL Forum member*
- 10.3 Handling of AISE DetNET classification for detergent – Austrian experience – *AT Forum member*
- 10.4 Allergens in paints – *SE Forum member*

For information

Item 11 – Updates from the ECHA Forum Secretariat 17:30-18:15

- 11.1 Forum level enforcement indicators
- 11.2 Practical issues – Fast track procedure
- 11.3 Proposal for implementation of REF-3 WG's recommendations to the Forum

ECHA/Forum-24/2016/11.1
ECHA/Forum-24/2016/11.3_room_doc

For discussion

Item 12 – Adoption of conclusions from day 2 18:15-18:30

For adoption

DAY 3 Thursday 16 June 2016

Item 13 – Preparation for the BEG meeting 09:00-09:45

For discussion

Item 3 – Forum’s enforcement activities- Work Packages (cont.) 09:45-10:15

3.11 Pilot project on CLP: Child-resistant fastenings (30’)

3.11.1 WG progress report - *WG Chair*

3.11.2 Mandate amendment/closure - *ECHA Forum Secretariat*

ECHA/Forum-24/2016/3.11.1
ECHA/Forum-24/2016/3

For adoption

Item 14 – Substances in Articles – Project proposal 10:15-11:15

ECHA/Forum-24/2016/14

For discussion

Item 15– Updates from the ECHA Secretariat 11:15-12:00

15.1 SME visits programme enforcement related findings

15.2 The integrated regulatory strategy

15.3 REACH Article 117(2) report

15.4 Updates concerning Ombudsman cases on animal testing

15.5 Update on ECHA guidance activities

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ECHA/Forum-24/2016/15.5_room_doc

For information

Item 16 – A.O.B. 12:00-12:15

16.1 Workshop on REACH(ing) the WSSD 2020 goals

16.2 Dates of Forum June meeting in 2017

16.3 Forum’s website

For information

Item 17 – Conclusions from day 3 12:15-12:30

For adoption

Item 18 – End of the meeting 12:30

Sandwiches available

Annex 2 a "Prioritisation of REF Projects"

Forum Working Group
Work Package A.1
"Prioritisation of REF Projects"
(Mandate adopted at Forum-24)

Composition:

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

Vice Chair(s):

-

Forum Members/Alternates

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

Invited Experts

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

ECHA

- Juan Pablo CALVO TOLEDO

Objective:

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

Mandate:

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

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

Propose to the Forum topics for pilot and small-scale projects as an output of the prioritisation exercise where appropriate.

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

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

Timelines:

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

Annex 2 b “Interlinks”

Forum Working Group

“Interlinks”

(Mandate adopted at Forum-24)

Composition:

Chair: Mike POTTS (UK)

Forum Members/Alternates

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

Invited Experts

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

Fieldwork of pilot project

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

Commission

- Enrique GARCIA-JOHN
- Mariana FERNANDES DE BARROS

Objectives:

- Support the development of institutional interlinks

Tasks:

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

Timeline: Adoption of the interlinks guide and the final report of the pilot project on CMRs and Skin Sensitisers

Annex 2 c "ICSMS"

Forum Working Group "Information and Communication System for Market Surveillance (ICSMS)"

(Mandate adopted at Forum-24)

Composition:

Chair: Birte BØRGLUM (DK)

Forum Members/Alternates

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

Invited Experts

- Tone Line FOSSNES (NO)
- Gernot WURM (AT)
- Piergiuseppe CALÁ (IT)
- Axel DORENBECK (DE)
-

Commission

- Peter BARICIC

Objectives:

- Support the European Commission in expanding the tool and contribute to promoting best practices in its use among REACH/CLP inspectors after it is released

Mandate:

- Cooperate with the Commission to provide any necessary feedback about WG ICSMS requests or specification that are needed for implementing the agreed changes
- Test the new version of ICSMS before it is released, ensuring that all agreed changes are in place
- Develop a guidance document for using the ICSMS in enforcement of REACH, CLP and PIC
- With the support from the Commission, contribute to planning, preparing and conduct of the training for Member State representatives about the use of new ICSMS by REACH, CLP and PIC inspectors by the end of December 2016.
-

Timeline:

- Forum-26 (Q1 2017)

Annex 2 d "PD-NEA"

Forum Working Group "Implementation of PD-NEA" (Mandate adopted at Forum-24)

Composition:

Chair: Eleni FOUFA (EL)

Forum Members

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

Invited Experts

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

Biocidal Products Regulation (BPR) Experts

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

Objective:

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

Mandate:

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

Timeline:

- Forum-25 (end of 2016)

Annex 2 e "REF-4"

Forum Working Group

Work Package A.1

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

(Mandate adopted at Forum-24)

Composition:

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

Forum Members and Alternates

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

Invited Experts

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

Commission

- Giuseppina LUVARA (DG GROW)

Objective:

- conceive and manage the fourth major Forum enforcement project

Mandate:

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

Timeline:

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

Annex 2 f “Internet sales”

Forum Task Force

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

(Mandate adopted at Forum-24)

Composition:

Chair:

Forum Members/Alternates

- Martin MARKO (CZ)
- Eugen ANWANDER (AT)
- Stefan FRENZEL (DE Alternate)
- Eleni FOUFA (EL)

Invited Experts

- Jorun HOLME (NO)
- Blaž OMAHEN (SI)
- Maria PALEOMILITOU (CY)
- Sabine HAMACHER (DE)

COM

- DG GROW

CLEEN (cooperation)

- Heribert BÜRGE
- Lutz ERDMANN

Objectives:

- Coordinate and manage the preparatory, operational and reporting phases of the Forum pilot project on control of the internet sales (**Article 48.2 of CLP**)

Mandate:

- Develop the project manual and other materials needed for the execution of the project
- Coordinate and provide consulting assistance to the national coordinators from the participating countries during the operational and reporting phase of the project
- Collect and compile results from the national coordinators
- Prepare final project report and present it to the Forum plenary
- Cooperate with CLEEN network

Timeline:

- Preparatory phase – January 2016 – November 2016
- Operational phase – December 2016 – August 2017
- Reporting phase – September 2017 – February 2018
- After Forum-30 (Q3 2018) - final report

Annex 2 g "Second Pilot Authorisation"

Forum Working Group

Work Package A.1

"Second Forum Pilot Project on Authorisation"

(Mandate adopted at Forum-24)

Composition:

Chair: Jos VAN DEN BERG (NL)

Forum Members/Alternates

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

Invited Experts

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

COM

- Miquel A. AGUADO-MONSONET (DG GROW)

Objectives:

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

Mandate:

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

- Prepare final project report and present it to the Forum plenary
- Cooperate with the WG 'First Forum Pilot Project on authorisation'

Timeline:

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

Annex 2 h "Train the trainers 2016"
Forum Working Group
Work Package C.2.
"Training for enforcement trainers 2016"
(Mandate adopted at Forum-24)

Composition:

Chair: Otilija GRINCEVICIUTE (LT)

Forum Members/Alternates

- Eugen ANWANDER (AT)
- Gro HAGEN (NO)
- Tasoula KYPRIANIDOU-LEONTIDOU (CY)

Invited Experts

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

Commission

-

SLIC-Chemex

- Nathan KUPER

ECHA

- Andrew MURRAY

Objective:

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

Mandate:

- Examine the training subjects relevant for enforcement in the fourth quarter of 2016 and prepare the priority topics for agreement before Forum-22
- Specify as early as possible the envisaged level of the content of the training
- Prepare materials necessary for the training such as presentations or documents
- Actively conduct the training event with support from other Forum members, ECHA and COM and other experts in specific topics as necessary
- Collect, summarise and evaluate the recommendations and reactions of participants
- Consider inviting input from the Accredited Stakeholders Organisations
- Cooperate with WG REF-5 during the preparation of the content of the training and delivery of the event

Timeline:

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

Annex 2 i "Train the trainers 2017"

Forum Working Group Work Package C.2. **"Training for enforcement trainers 2017"**

(Mandate proposed at Forum-24)

Composition:

Chair: Mike POTTS (UK)

Forum Members/Alternates

Tasoula KYPRIANIDOU-LEONTIDOU (CY)

Invited Experts

Commission

ECHA

Objective:

- Prepare and deliver the training for trainers on the enforcement of REACH and CLP in the fourth quarter of 2017

Mandate:

- Examine the training subjects relevant for enforcement in the fourth quarter of 2017 and prepare the priority topics for agreement before Forum-25
- Specify as early as possible the envisaged level of the content of the training
- Prepare materials necessary for the training such as presentations or documents
- Actively conduct the training event with support from other Forum members, ECHA and COM and other experts in specific topics as necessary
- Collect, summarise and evaluate the recommendations and reactions of participants
- Consider inviting input from the Accredited Stakeholders Organisations

Timeline:

- Before Forum-25: conclude on list of subjects and prioritisation
- Forum-28/Forum-29: final report

Annex 2 j "Restrictions"

Forum Working Group
"Enforceability of restrictions"
Work Package B12
(Mandate adopted at Forum-24)

Composition:

Chair: Eugen ANWANDER (AT)

Co-Chair: Maria Letizia POLCI (IT Alternate)

Forum Members/Alternates

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

Invited Experts (advisory process)

- Leonello ATTIAS (IT)
- Tone Line FOSSNES (NO)
- Uwe LICHT-KLAGGE (DE)
- Karin RUMAR (SE)
- Gernot WURM (AT)
- Laura WILMS (DE)
- Rachael ALLEN (UK) (Remote participation)

Invited experts (analytical methods)

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

European Commission

- Patricia HUALDE GRASA (COM)

ECHA

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

Objective:

- Facilitate the enforceability of restrictions

Mandate:

- According to the working procedure for developing the Forum advice on enforceability of the Annex XV proposals for restrictions adopted by the Forum, the WG shall:
 - Prepare a draft Forum advice on the enforceability of Annex XV proposals for restrictions that are in conformity with the REACH requirements, taking into account the comments of the Forum members. This draft Forum advice will be submitted to the Forum for adoption.
 - Provide support when possible on enforcement related issues to RAC and SEAC during the process of the elaborating the RAC and SEAC opinions.
- In the execution of this mandate, the members of the WG shall follow the rules and principles established in the mandate given by the Chair of the Forum to the individual members and invited experts of the WG.
- The WG shall report to the Forum plenary the results of its findings and its actions between the plenaries
- Review in 2017 the information provided by the stakeholders during 2016 and revise if needed the methodology and the compendium by F-29.
- Propose a manual intended to assist the control of compliance with the Annex XVII restrictions in close cooperation with ECHA.
- Provide opinion to the Commission on the development of standard methods when invited to do so by the Commission, in line with the proposal from the Forum to the Commission on this matter.
- Consider to provide an advice to the Commission on the restriction proposal prepared by the COM regarding Article 68 (2) CMR in textile articles.

Timeline:

- 30 June 2017, reporting at each plenary meeting

Annex 2 k "REF-5"

Forum Working Group

Work Package A.1

"Coordinated enforcement project REACH-EN-FORCE-5 on Exposure Scenarios, extended SDS, RMM and OC"

(Mandate adopted at Forum-24)

Composition:

Chair: Abdulqadir SULEIMAN (NO Alternate)

Forum Members

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

Invited Experts

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

ECHA

- Andrew MURRAY (Risk Management Implementation Unit)

Objective:

- conceive and manage the fifth major Forum enforcement project

Mandate:

- Identify the difficulties for conducting the project and propose the actions to facilitate the project in 2017
- Narrow down and propose a specific scope of the project and recommend it to Forum for adoption
- Develop the project manual (guidance document, checklist, planning, recommendations) for the execution of the project
- Prepare and deliver, if needed, the training for project national coordinators
- Management of the Operational phase
- Management the Reporting phase: Follow-up operational phase, collect the results and draft project evaluation
- Cooperate with WG Train the trainers 2016 during the preparation and delivery of the content of the training

Timeline:

- Assessment of needs and proposals to facilitate the project: Q4 2015
- Approve the scope by the Forum: Q4 2015
- Project manual: Q4 2016
- Prepare and deliver the training for project national coordinators:Q4 2016
- Operational phase: 2017
- Reporting phase: Q1 2018
- Evaluation phase: Q3 2018
- Draft report: Q3 2018
- Adoption of the report: Q4 2018

Annex 2 I"CRF"

Forum Working Group
"Forum Pilot Project on Child Resistant Fastenings"

(Mandate closed at Forum-24)

Composition:

Chair: Szilvia DEIM (HU)

Forum Members/Alternates

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

Invited Experts

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

Objectives:

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

Mandate:

- Develop the project manual and other materials needed for the execution of the project
- Coordinate and provide consulting assistance to the national coordinators from the participating countries during the operational and reporting phase of the project
- Collect and compile results from the national coordinators
- Prepare final project report and present it to the Forum plenary

Timeline:

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

Forum-23 (Q1 2016) – Draft report ongoing

Forum-24 (Q2 2016) – Final report

Annex 3- Glossary of acronyms and abbreviations

ADCO: Administrative Cooperation Groups
ASO: ECHA's Accredited Stakeholder Organisations
BEG: Biocidal enforcement group (chaired by DG SANTE)
BoA: Board of Appeal
BPR: Biocidal Product Regulation
CAD: Chemical Agents Directive
CARACAL: MSCA Committee for REACH and CLP
CCH: Compliance checks
CLP or CLP Regulation: Regulation (EC) No 1272/2008 on Classification, Labelling and Packaging of Substances and Mixtures
C&L: Classification and Labelling
CMR: Carcinogenic, mutagenic or toxic to reproduction
COM: European Commission
CSR: Chemical Safety Report
DG: Directorate General at Commission
DEV: Dossier Evaluation
DU: Downstream Users
ECHA: European Chemicals Agency
ENPE: the European Network of Prosecutors for the Environment
EnviCrimeNet: the Network of police officers focusing on tackling environmental crime
ES: Exposure Scenario
ESPG: Enterprise SMEs Policy Group
EU: European Union
EUFJE: the EU Forum of Judges for the Environment
IED: Industrial Emissions Directive
ICSMS: Information and Communication System for Market Surveillance
IMPEL: the Network for the Implementation and Enforcement of EU Environmental Law
MSCA: Member State Competent Authority
NEAs: National Enforcement Authorities
OC: Operational conditions
PAH: Polycyclic aromatic hydrocarbons
RAC: Committee for Risk Assessment
REACH and REACH Regulation: Regulation (EC) No 1907/2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals
REF: REACH-EN-FORCE, Coordinated Enforcement Project of the Forum
RIPE: REACH Implementation Portal for Enforcers - IT system for Enforcers
RMM: Risk Management Measure
PD-NEA: Portal Dashboard for National Enforcement Authorities – the successor system to RIPE
PPORD: Product and process orientated research and development
SCED: specific consumer exposure determinants
SDS: Safety Data Sheet
SEAC: Committee for Socio-economic Analysis
SEV: Substance Evaluation
SME: Small and Medium Sized Enterprises
SONC: Statement of Non-Compliance
SPERC: specific environmental release categories
SVHC: Substance of very high concern
WG: Working Group of the Forum