

MAIN CONCLUSIONS & ACTION POINTS - Forum-45
 (Adopted at the Forum-45 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. | |
| 1.3 Declarations of conflict of interest with regard to agenda items and quorum | | |
| 1.4 State of play with action points from Forum-44 | | |
| 1.5 Results of the written procedures and other issues between Forum-44 and Forum-45 | | |
| Item 2 – Forum’s enforcement activities - Ongoing projects | | |
| <i>2.1 REF-10 on Integrated control of products</i> <i>2.1.1 WG progress status</i> | | |
| 2.1.2 Mandate amendment | The Forum revised the mandate. | |
| 2.2 REF-12 2.2.1 WG Progress report | Forum agreed to share Annex 2 of the progress report with the HelpNet. | HET will share the Annex 2 with the HelpNet Secretariat for distribution with the Helpdesk correspondents. HET will share the Annex 2 with TAXUD inviting the COM colleagues to share it further with the PREG network. |
| 2.2.2 Mandate amendment | The Forum revised the mandate. | |
| 2.3.1 REF-11 on SDS | The Forum revised the mandate. | |
| 2.3.2 Train the trainers 2023 | The Forum revised the mandate. | |
| 2.3.3 Prioritisation of REF projects | The Forum revised the mandate. | |
| 2.3.4 Pilot project on enforcement of PFCA and related substances focusing on cosmetics | The Forum revised the mandate. | |
| 2.3.5 WG for examining the enforcement-related impacts on the Forum of the future | The Forum revised the mandate. | |

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| <i>REACH and CLP revision</i> | | |
| 2.4 <i>Enforceability of Restrictions</i> 2.4.1 WG Progress report | | <p>Forum members are invited to send written comments to the draft new procedure by 21 November.</p> <p>HET to send out for adoption the working procedure revised by the WG and publish it on ECHA's website after the adoption.</p> <p>HET and WG Restrictions to consider how to inform RAC and SEAC about the new process.</p> |
| 2.4.2 <i>Screening methods</i> 2.4.2.1 Results of the survey on the use of the screening devices – way forward | <p>The Forum agreed with the proposed way forward for further sharing of information on the experience of use of screening methods:</p> <ul style="list-style-type: none"> - Introduction of screening methods to the compendium of analytical methods. - <i>Considering the screening methods in the enforceability advice</i> - Sharing experience with the use of the screening methods at plenary meetings and, where available, exchanges of inspectors, - NEAs can liaise with other authorities which use these devices for other legislations | <p>WG Restrictions is invited to consider how to incorporate the screening methods in the compendium of analytical methods.</p> <p>Forum Chairs are invited to bring these conclusions to the ADCO Chairs meeting.</p> |
| 2.4.2.2 Updates on possible fundings for the Member States on screening devices | | <p>COM representative is invited to come back with additional clarification whether the handheld advices are covered by the part of the budget for border control points by end of November.</p> |
| 2.4.3 Mandate amendment | <p>The Forum revised the mandate.</p> | |
| Item 3 – Forum's enforcement activities - Starting projects | | |
| 3.1 <i>REF-13 – mandate set up</i> | <p>The Forum established the new WG REF-13.</p> | <p>Forum members are invited to nominate further members to the WG by 5 December.</p> <p>Forum Members and Alternates of WG REF-13 are invited to volunteer</p> |

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| | | for the role of WG Vice-Chair by 5 December |
| 3.2 Train the enforcement trainers 2024 3.2.1 Proposed topics for training | The Forum agreed to focus the training for trainers 2024 on online sales | HET and Chairs to consider how inspectors can be better trained on the learnings and best practices identified in the Forum projects and make a proposal at Forum-46. |
| 3.2.2 Mandate set-up | The Forum adopted the new mandate. | Forum members are invited to nominate further members to the WG by 5 December. Forum members are invited to suggest possible training material suitable for the adopted topic by 9 February 2024 . |
| Item 4 – Forum’s enforcement activities - Projects under finalisation | | |
| 4.1 Pilot project on classification of mixtures focusing on detergents and cleaning products: 4.1.1 WG final progress report | Forum agreed to prolong mandate of the WG to finalise the guide and aiming to organise an ASO Workshop in Q1 2024. | WG CLP pilot will consult the COM before the adoption of the guide. |
| 4.1.2 Mandate closure | The Forum revised the mandate. | |
| Item 5 - Updates from the ECHA Secretariat | | |
| 5.1 Improvement of Forum’s work - Discussion of the satisfaction survey | | Forum members are welcome to submit written feedback to the document by 31 Jan 2024; HET to send the satisfaction survey concerning the activities of 2023 in Q1 2024 and compare the results with the ones from 2022. If relevant, schedule a discussion item in one of the future plenary meetings |
| 5.2 Documents only for information 5.2.1 Follow-up of ECHA decisions | | |
| 5.2.2 State of revision of Interlinks guide | | Forum members are invited to volunteer for the drafting group working on further revision of the interlinks guide by 24 November. |
| Item 6 – Forum's multiannual work programme 2024-2025 | | |
| | Forum adopted the Forum work Programme 2024-2025 | HET will arrange the publication of the Work Programme on the ECHA website. |

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| Item 7 – Cooperation with other networks (Part I) | | |
| 7.1 Forum's contribution to the EU Product Compliance Network (EUPCN) and the ADCO Chairs' meetings | | Forum members are invited to inform HET and Chairs if they are interested to attend the EUPCN/ADCO meeting on behalf of the Forum Chairs. |
| Item 9 – Update on relevant developments by the Commission | | |
| Update on relevant developments by the Commission 9.1 CLP review process update | | Com representative is invited to inform the HET and Forum on the progress of the CLP update process as soon as there are relevant developments. |
| 9.2 REACH review | | |
| 9.3 Future of the programme for the exchange of inspectors | | Forum members interested to host or benefit from inspector exchange in 2024 are invited to jointly prepare a request with a specific proposal for such an exchange and submit it to the COM Forum contact points before the end of 2023. HET will share the contact details of the COM Forum contact points by 16 November. |
| 9.4 Update on estimated enforcement cost of new restrictions (tbc) | | WG Restrictions will prepare a caveat indicating that the estimate of 55000 EUR does not reflect the full cost of enforcing a new restriction but only a small part of the overall costs. Such caveat will be added to the guide for dossier submitters with recommendations to add it to future Annex XV dossiers. |
| 9.5 State of play of the restriction on microplastics | | |
| Item 10 – Discussion on the enforcement of specific REACH restrictions entries | | |
| 10.1 Enforcement of entry 75 on tattoo inks 10.1.1 Swedish Medical Products Agency's project on tattoo inks | | DK Forum member is invited to submit a practical issue addressing the Danish experiences in enforcement of Entry 75. |

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| 10.1.2 Update on the initiative of sampling and testing tattoo inks | | |
| 10.1.3 Preliminary discussion on the way forward | Forum agreed to start preparation of the guide on enforcement of entry 75 in June 2024 after collecting the preliminary results of the joint Member State initiative lead by the Netherlands. | |
| 10.2 Practical way to handle future ad-hoc request from COM on Forum's input on the enforceability of restrictions | Forum agreed, in principle, to provide advice on enforceability of new restrictions foreseen under Art 68(2) when invited by the European Commission. | Forum members are invited to provide written feedback on the presentation and their experience in the process by 8 January HET will draft a document describing the process for Forum-46 |
| Item 11 - Enforcement in the Member States (part I) | | |
| 11.1 Supervision and support of the REACH, CLP and PIC enforcement authorities in Hungary | | |
| 11.2 Finnish Chemical Products register in KemiDigi data system | | |
| Item 12 - Preparation for the Joint Open session | | |
| 12.1 Break out groups discussion | | |
| 12.2 Wrap-up | | |
| Item 14 - Debriefing of the Open session | | |
| | | HET and Chairs will summarise the main points of the Forum response in a presentation that can be shared with the participants of the open session. Forum will pilot this approach at the open session at Forum-48 HET will prepare a summary of response for Euratex, consult with the Chairs, and send it out by 17 November. |

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| Item 15 - Enforcement in the Member States (part II) | | |
| 15.1 Enforcement experiences with PAH 15.1.1 Finnish project | | FI Forum member will share the analytical results of the project when they are available. |
| 15.1.2 PAH in Rubber infill: Dutch project | | |
| 15.2 Enforcement practices in HR | | |
| 15.3 Project on the compliance of room scents/air freshener products on Irish Market | | |
| 15.4 Follow-up on French Nanoforms Action | | |
| Item 16 - Practical issues for enforcement of REACH/CLP/PIC/POPS | | |
| | | Forum members are invited to submit new practical issues by 28 January 2024 |
| F-45.1 | | <p>HET will upload the practical issue for consultation by 13 November</p> <p>Forum members are invited to comment on the practical issue by 1 December.</p> <p>CZ alternate is invited to bring in a practical issue on supply of unpackaged mixtures to consumers for Forum-46</p> |
| Item 17 – Cooperation with other networks (part II) | | |
| 17.1 Updates from SLIC-CHEMEX | | CHEMEX chair is invited to inform the Forum of the results of the pilot project on diisocyanates in one of the plenary meetings in 2024. |
| Item 18 – Debriefing of the meeting between Forum Chairs and ECHA Directors | | |
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| Item 19 – Updates from BPR Subgroup | | |
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| Item 20 – AOB | | |

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| | | HET to request LAU to regularly update the Forum on relevant cases that impact enforcement. |
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MAIN CONCLUSIONS & ACTION POINTS – 2023 Open Session
 (Adopted at the 2023 Open session)

| Agenda point | Conclusions / decisions / minority opinions | Action requested after the meeting |
|--|---|--|
| Item OS 1- Welcome and introduction | | |
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| Item OS 2 – Updates from the Forum | | |
| <i>OS 2.1 Update on the scope of upcoming REF project</i> | | ECHA Accredited Stakeholder Organisations are invited to submit proposals for REF-14 project by 12 April 2024. |
| OS 2.2 Projects and related activities finalised during 2023 | | |
| OS 2.2.1 REF-10 on Integrated controls | | |
| OS 2.2.2 Pilot project on classification of mixtures including detergents and cleaning products | | |
| OS 2.2.3 Workshop of the project REF-9 on Authorisation | | |
| Item OS 3 – BPR related topics | | |
| <i>OS 3.1 Update on the scope of upcoming BEF project (BEF-3)</i> | | |
| OS 3.2 Results of the BPRS project BEF-2 on approved/non-approved active substances in Biocidal products | | |
| OS 3.3 Enforcement issues: BPR labels and P-statements, Article 95 list and suppliers' name change | | |

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| Item OS 4 – REACH topics proposed by ASOs | | |
| <i>OS 4.1 REACH-restriction for substances in tattoo inks and permanent make-up</i> | | SME united is invited to submit their experiences related to implementation of entry 75 on tattoo inks that may be considered by the Forum in further harmonisation of enforcement. |
| <i>OS 4.2 Better Market Surveillance – overview on latest legislative steps and conclusions of the project REACH4Textiles</i> | | EURATEX representatives are invited to submit the list of analytical methods identified in the REACH4Textiles project to the Forum for consideration for inclusion in the Forum compendium of analytical methods. Forum will discuss if the lines to take can be made available to the participants of the open session. |
| <i>OS 4.3 Lessons learned from a targeted screening exercise on registration dossiers</i> | | |
| <i>OS 4.4 REACH dossier consistency for improved hazard and risk assessment</i> | | |
| <i>OS 4.5 Registration of in situ generated ozone under REACH: Update</i> | | |