Forum/15/M/2013 – PUBLIC
Adopted on 11/10/2013

Minutes of the 15th meeting of the Forum for Exchange of Information on Enforcement Helsinki 18-20 June 2013

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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 the participants and the new staff member of the ECHA Forum Secretariat. She opened the meeting by informing the Forum members about the presences and absences. She announced the apologies from IS, LI and IE. The UK Forum member was appointed proxy for IE in this meeting.

The CHAIR highlighted a new item on the agenda, the break-out group session, which aims to further improve the efficiency of the meeting. To assess its efficiency, a survey would be distributed by email after the meeting.

The CHAIR informed that the quorum requirement was met. The participants were informed that the meeting was being recorded solely for the purpose of writing the minutes and that this recording would be destroyed after the adoption of the minutes.

1.2 Adoption of the agenda and declarations of conflict of interest with regard to the agenda points

The ECHA Forum Secretariat indicated the changes in the Agenda (Annex IV) and it was adopted with its changes.

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

1.3 State of play with action points from Forum-14

The ECHA Forum Secretariat informed the Forum that the status of action points from both Forum-13 and Forum-14 were summarised in document ECHA/Forum-15/2013/1.3. The open items will be added to the list of action points from Forum-15 to allow easy tracking.

1.4 Practicalities and brief recapitulation of results of the written procedures between Forum-14 and Forum-15

The ECHA Forum Secretariat presented the results of the two written procedures between Forum-14 and Forum-15:

1) Adoption of the inclusion of the accepted conclusions from Forum-13 plenary meetings in the Manual of Conclusions: In favour: 18; Against: 0.
2) Adoption of the inclusion of the accepted conclusions from Forum-14 plenary (Issues 11 and 13): In favour: 16; Against: 0.
3) Adoption of minutes of Forum-14: In favour: 11; Against: 0
4) Adoption of the Working Instruction for Processing Practical Issues for Enforcement: In favour: 9; Against: 0; 1 member abstained from voting.

Item 2 – Address by ECHA's Director of Regulatory Affairs

ECHA's Director welcomed the participants and highlighted some of the topics on the agenda. He informed that ECHA senior management was following the Forum multiannual work programme with great interest and would also like to contribute. With that, he wished to have an alignment between Forum's work programme and that of ECHA.

He shared that ECHA was also interested in the further development of collaboration with other enforcement authorities – in particular with customs authorities and enforcement activities targeted towards compliance with the forthcoming CLP deadline for mixtures in 2015. Integrating the recommendations from the REACH Review into the work programme over the next couple of years would be a sensible step.

He presented the results from the 31 May 2013 REACH deadline for registering substances manufactured or imported in quantities of 100 to 1 000 tonnes per annum. The most hazardous and most widely used chemicals in Europe had been registered with 6 600 substances in ECHA's database. Although it was too premature to evaluate whether the quality of the dossiers had improved for this second deadline, ECHA felt well prepared to tackle potential quality issues for the REACH 2013 dossiers. In some of the follow-up activities ECHA would, most probably, need the Forum's support and cooperation in the forthcoming years.

Item 3 – Enforcement of regulatory decisions

3.1 Translation of the regulatory decisions for enforcement

On 9 October 2012, in the Workshop on Interlinks organised by ECHA, the participants (Forum members and MSCAs) were requested to give feedback to help ECHA to understand the needs of the MSs to receive translated ECHA decisions. ECHA gave an overview of the feedback received.

3.2 Enforcement of Article 36 letters

ECHA presented the generic process for enforcement following up ECHA's Article 36 decisions letters using RIPE as a communications tool. The process was outlined for the communication between ECHA and the MS Focal Point, and a sequence of steps was proposed. The process was generic enough to allow for a similar approach for intermediates (strictly controlled conditions and tonnage bands) as well as nanomaterials. ECHA explained that the process was described in such a generic way to ensure it could be used to follow-up on all interlinks.

Some issues still remained open including the prioritisation of cases. ECHA informed that that issue would be addressed in Forum-16 since ECHA was still discussing the prioritisation criteria.

ECHA proposed to use the Excel table for an overview of all open cases and closed cases as well as for status reporting by the Focal points.

A Forum member pointed out that the involvement of the MSs in the follow up of ECHA's decisions and projects was a courtesy-based action. It was expressed that the NEAs had no legal competence to enforce ECHA's letters for requesting information. It was necessary for the NEA to build an enforceable case under national law.

A Forum member commented that the cooperation of NEAs could only be done to the extent possible, depending on their workload and priorities. As such, it might happen that not all of ECHA's requests could be dealt with.

ECHA acknowledged both situations.

ECHA clarified that in the Pilot project on Intermediates and in the SONCs communications, the letters sent to the NEAs were, at the same time, sent to the registrants.

In response to a question from one of the members, ECHA clarified that information regarding revocations was sent manually to the NEAs through RIPE

messaging, via focal points. Some were still in the appeal period and could be the reason why some MSs had not yet received such information.

For the communication language, it was proposed that focal points communicate in English and it would be acceptable for the detailed documents (e.g. inspection reports) to be in the national language.

ECHA proposed that if the company supplied some information requested by ECHA, there had to be a period to assess whether that information was acceptable for ECHA and to decide that the request was fulfilled.

One member highlighted that the presented meeting document did not include horizontal communication and suggested that this description should be considered in the future.

ECHA explained it did not require an acknowledgement that the request was received by the NEAs since the RIPE messaging would act as a record.

The timelines used in the document were based on the experiences from the Pilot project on Intermediates.

Based on desktop studies, ECHA invited the NEAs to assess if the strictly controlled conditions (SCCs) were met. The NEAs could physically determine whether the conditions were met (or not) and inform ECHA of this judgement.

ECHA would redraft the document and continue to discuss it until an agreement is reached with the Forum. An internal work-instruction would then be created to simplify its use.

3.3 Update on the implementation of interlinks

ECHA presented the state of play of one specific interlink (SONCs) and a document that gave an overview of status of all interlink cases that were put in motion.

With regard to the SONCs, ECHA stated that all elements of the process were in place and could be put in practice. ECHA summarised the process again, highlighting in particular the agreed double feedback mechanism where generic status feedback was provided by MSCAs using CIRCA BC and specific feedback was to be provided by the MS focal points using RIPE.

ECHA clarified that the last version of the table did include the substance name for better control by the inspectors.

A Forum member highlighted that the timelines set should take into account that the company's situation might change and that requires time to address. ECHA advised that those situations should be reported to ECHA as soon as possible to allow possible inclusion in the process.

ECHA estimated that by the end of 2013, 60-80 SONCs would be submitted.

Item 4 – Forum's enforcement activities - Work Packages

4.1 REACH-EN-FORCE-2 project: Obligations of downstream users - formulators of mixtures

4.1.1 Draft of final project report

The Chair of the WG presented the final results (statistical information on the inspections were highlighted and grouped in different sections), conclusions and recommendations, which were included in the draft final report of the project.

The Forum decided to publish the final report after it has been approved in written procedure.

4.1.2 Mandate amendment

The Forum amended the mandate and decided to close the WG after the successful completion of the written procedure on the report.

The mandate was fulfilled except for the preparation of a guidance document for REACH & CLP enforcers on the basis of the manual and experience obtained in the project. However, that had been covered in the recommendations section. The WG recommended the Forum to consider the establishment of a new WG responsible for collecting all recommendations and experiences from REACH-EN-FORCE projects and elaborating a document entitled "Recommendations for REACH & CLP enforcers on the basis of manual and experience obtained in the REACH-EN-FORCE projects". The Chair suggested establishing a new WG once REF-3 project was finished so its recommendations could be included.

The elaboration of the guidance was removed from the mandate.

4.2 Pilot project on Intermediates

4.2.1 Draft of final project report

The Forum member leading the Forum pilot project on Intermediates presented the final results, conclusions and recommendations included in the draft final report.

The Chair underlined that the report gave strong recommendations and provided a good signal to industry.

The Forum agreed to publish the final report after adoption in written procedure.

The Forum discussed what could be the way forward with over 400 intermediates cases in the pipeline, resulting from the intermediate mass screening.

ECHA explained that it was now focusing on SVHCs and directly contacting companies to clarify the information in their dossiers. With that, ECHA expected to gather information that would allow the prioritisation of cases for inspection and to verify whether the operators of these substances were using them under appropriate conditions as intermediates.

ECHA added that onsite and transported isolated intermediates were exempted from the authorisation requirements therefore verification of intermediates and checking that SCCs are correctly applied was crucial for preventing the use of light intermediate registration to evade the authorisation obligations.

ECHA found that in the dossiers for intermediates there was plenty of inconsistent information. By applying algorithms in the database, a mass screening of the dossiers was undertaken and ECHA planned to automatically generate Article 36 letters to the registrants requesting them to clarify some information in their dossiers. ECHA indicated it would involve the NEAs only in those cases where registrants did not reply to ECHA's letters as indicated in agenda item 3.2.

4.3 Electronic Information Exchange System - EIES

4.3.1 Working group report

The Chair of the WG informed the plenary that the WG examined the initial response from COM to its requests and drafted a specification for new features for ICSMS, expecting to send the final version to COM in July 2013. The WG expected that it would receive a response from COM in early autumn 2013 in time for Forum-16 to prepare its recommendation on whether or not ICSMS is fit for EIES.

4.3.2 Mandate amendment

The Forum reviewed and adopted the mandate of the WG.

4.4 Implementation of RIPE

4.4.1 RIPE WG progress report

The Chair of the WG EIES reported that the WG commented on the RIPE satisfaction survey and the foreseen scope of RIPE v.1.9 and v.2. Its main findings regarding RIPE v.2's scope were firstly that further assessment was needed on whether or not to add more information on endpoints, given that endpoint summaries were rarely filled and secondly that new features to facilitate the management of interlinks would be useful.

4.4.2 RIPE project progress report

ECHA informed the Forum about the preparations for RIPE v.2 and the progress on RIPE v.1.9. The contract for RIPE 1.9 was signed and the first iteration was under development. Release in production was expected in September 2013.

ECHA informed the plenary that certain elements of the scope foreseen for RIPE v.1.9 might have to be left out due to technical limitations. More specifically, the update of endpoint summaries and the history of legal entity change would not be available in RIPE v.1.9, but may be in future versions.

In addition, the feature to include the files with responses from registrants and conditions of use of downstream user reports may not be possible to implement since the files attached in section 13 of the IUCLID dossiers were not classified as such. Therefore, the application might have no way of identifying the right file.

The conclusion on the removal of the country division was still pending.

Regarding RIPE v.2, ECHA was in the course of writing a Project Initiation Document and further discussion was foreseen for July 2013.

ECHA informed the Forum that the Agency was considering whether or not to expand RIPE for biocides. As a first step, it wanted to survey the Forum in the margins of the meeting to assess in how many countries the REACH and CLP inspectors would also be dealing with biocides.

The Forum members urged ECHA to make the decision on the removal of country division and RIPE v.2 as soon as possible. A Forum member stressed the importance of the development of RIPE v.2. The member also pointed out that the removal of the country division had been identified by RIPE users in the ECHA survey as one of the crucial elements for effective enforcement in the MSs. Members also inquired whether there were plans to expand RIPE for PIC, to which ECHA replied that this expansion was under consideration. The analysis of needs for PIC and biocides enforcement with regard to RIPE will be foreseen as tasks under the RIPE v.2 project.

4.4.3 Mandate amendment

The Forum reviewed and adopted the mandate of the WG.

4.5 Training for enforcement trainers 2013

4.5.1 WG progress report

The Chair of the WG presented eight training topics, including presentations and cases for the participants of the training, for the 'Training for enforcement

trainers 2013' event (19-20 November). Topics were listed in the preliminary draft agenda, which was discussed by the Forum.

The Forum members raised concerns on the ambitious programme and the amount of time allotted for each of the topics.

The Forum members proposed to broadcast the training event via webinar to make the training available for more participants and to share knowledge.

4.5.2 Mandate amendment

The mandate of the WG was reviewed. It was noted that there are new members from EEA states, SLIC CHEMEX and ECHA in the composition of the WG.

4.6 Work Programme 2014-2016/8

4.6.1 Progress report

The Chair of the WG presented the status of the work developed. A draft of the Forum's MAWP was prepared for the meeting.

On activity A, the WG suggested that the Forum should have a work programme of five years to allow a better overview and a better alignment with ECHA's work programme (also five years). With the yearly update of the annexes to the Forum's MAWP, there was a possibility to include all of the short-term plans. A review clause would be added, recommending a review of the MAWP to be done after three years.

Under activity B, PIC-related tasks would be included but it was advised not to undertake a full revision of the Forum's strategic documents[1] due to time constraints.

On activity C, the COM's recommendations outlined in the REACH review were to be incorporated into the activities in the MAWP.

Activity D was not complete since the procedures and deadlines for providing input to the updates of the MAWP and the Annual WP of ECHA had not been provided to the WG.

A Forum member informed of an interview[2] with the DE Forum member, a COM representative and the ECHA Forum Secretariat published in ECHA's newsletter, where three main areas were identified: i) Coordinating harmonised enforcement projects for the REACH, CLP and PIC regulations; ii) Improving the national enforcement authorities' access to data via REACH Information Portal for Exchange (RIPE) and the electronic information exchange system (EIES) and iii) Setting up interlinks and communication tools between the national competent authorities, enforcement authorities and ECHA to improve enforcement. The same Forum member suggested that those should be included in the MAWP.

Adding to the description of tasks, the MAWP should also contain quantitative goals.

The WG chair clarified that the draft was still under consultation and it included a long and short-term strategic plan. The document would be reviewed and open for comments by ECHA Management after the meeting.

The Forum members agreed with the proposed scope of the MAWP 2014-2018 with the revision to be done after three years.

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[1] Strategies for enforcement of REACH and CLP;
Minimum Criteria for REACH and CLP inspections

[2] http://newsletter.echa.europa.eu/home/-/newsletter/entry/3_13_forum

4.6.2 Mandate amendment

The timeline was reviewed and the mandate was adopted.

4.7 Pilot project on PPORDs and ORs

4.7.1 Pilot project on PPORDs and ORs

The Forum member leading this project presented the draft of the final report. The consultation round terminated on the first day of the Forum meeting and the comments received were to be implemented in the draft. With those changes, the Forum adopted the report.

It was requested that the Interlinks document should be reviewed and updated to reflect the actual situation in different NEAs.

4.7.2 Status on ECHA / MSCA pilot project on PPORDs

ECHA and four MSCAs were developing a pilot project for which the scope was the PPORD dossiers and the request for extension of the exemption period. Requests for further information were sent and, according to REACH Article 9(4), ECHA may decide to impose conditions on the dossier submitter. The next steps on this project include an agreement between ECHA and the MSCAs on the approach and content, the definition of the conditions to be imposed and the criteria to grant extensions.

4.8 Preparation of coordinated enforcement project REACH-EN-FORCE-3

4.8.1 WG progress report

In light of the proposal of the WG Horizontal Methodology to extend REF-3 project (see point 4.9.1), the REF-3 WG Chair presented a proposal for the scope and timeline of a second phase.

The Forum agreed with the prolongation of the project and with the timeline proposed.

Some Forum members presented suggestions to broaden the scope of the second operational phase: perform inspections under PIC and CLP legislation; check and report on the “importing downstream user”; control of C&L and transnational cooperation.

The WG planned to prepare an interim report of the first operational phase, as it was set in the timeline agreed in Forum-14.

COM welcomed the extension of the project. To make the cooperation more efficient and effective, it was suggested for the WG to inform COM on the challenges faced during the operational phase.

The WG Chair expressed that the extension of the scope should be in line with the already developed manual and questionnaire.

A WG member requested more involvement of the other WG members, by being more active or by appointing experts.

For countries that found the reporting period short, it was advised to keep the overall timeline of the project but to adjust as necessary, at national level.

4.8.2 Mandate amendment

The timeline was amended according to the WG proposal. The COM representative was removed from the mandate (to be replaced).

4.9 Horizontal methodology for a harmonised elaboration, management, reporting and evaluation of Forum coordinated enforcement projects

The Chair of the WG introduced the progress made by the WG since Forum-14 to the plenary. The Chair informed that the WG would require additional time to streamline the document. The WG proposes to prolong the mandate until Forum-16. The WG proposed a planning for REF projects to be executed during the next Forum MAWP. To fill in the gaps until the steady execution of the new procedure, the WG proposed to prolong the REF-3 project in 2014 and to establish the new WG Prioritisation of REF projects towards agreeing the scope of REF-4 in 2014. Suggestions were made to consider the execution of pilot projects or small-scale projects in 2015, or to consider a consolidation phase of REF projects in 2015.

The Forum agreed to commence a new cycle of projects from 2014 including a yearly operational phase from 2016. The methodology for managing and evaluating projects would facilitate that process. Some Forum members indicated that it could be challenging for Forum members to execute different projects at the same time although in different phases.

4.9.2 Mandate amendment

The mandate of the WG was amended to update its composition and to prolong its mandate until Forum-16.

4.9.3 Establishment of the WG "Prioritisation of REF projects"

The establishment of the WG was postponed until Forum-16.

4.10 Enforceability of restrictions

4.10.1 WG progress report – overview

The Chair of the WG introduced the achievements of the WG during the period Forum-14 and Forum-15 to the plenary. During this period, the WG produced the following outcomes:

1. Draft Forum advice on enforceability of the restriction proposal regarding lead and lead compounds in consumer articles intended for consumer use.
2. WG advice to SEAC regarding the restriction proposal on 1,4-DCB.
3. Impact assessment of the Forum advice on opinions resulting on new restrictions included in Annex XVII.
4. Elaboration of the list identifying enforceability difficulties with terminology of Annex XVII restrictions to be handed over to ECHA.
5. Elaboration of the first draft of the Forum methodology for recommending analytical methods for the enforcement of REACH Annex XVII restrictions.

4.10.2 Advice process

4.10.2.1 Draft Forum advice – Lead dossier

The lead member from the WG for this dossier introduced the draft Forum advice on enforceability of the restriction proposal regarding lead and lead compounds in consumer articles intended for consumer use. In the view of the Forum, there were some difficulties in enforcing the proposed restriction. The proposal could be

improved if some more definitions and clarifications with regard to the scope were provided.

The ECHA Forum Secretariat informed that the draft Forum advice was sent to RAC/SEAC co-rapporteurs on 7 June 2013 and the dossier submitter will assess the advice to make amendments to the proposal if needed. The dossier submitter and RAC and SEAC co-rapporteurs will elaborate responses to the Forum advice that will be sent to Forum. Intermediate versions of the Committee's opinions will be discussed in their plenary meetings in September and the Forum will have the possibility to elaborate its final advice afterwards.

In the ensuing discussions, it appeared that issues for further consideration in the final Forum advice will be the possibility to assess possible derogations including the second-hand market, transitional periods and a revised wording of the proposal. In addition, it is necessary for this dossier to further assess the possible analytical and sampling techniques to enforce this restriction considering the diversity of matrices for the articles under the scope of the restriction. To this regard, the WG was suggested to make use of the expertise of the new members of the WG to assess the information provided in the Annex XV report and further elaborate on the availability of analytical methods.

4.10.2.2 Forum advice - 1,4-DCB dossier

The lead member from the WG for this dossier introduced the advice provided by the WG to SEAC co-rapporteurs based on the conditions proposed in the SEAC draft opinion on the restriction proposal for 1,4-DCB. The comments provided by the WG concerned the wording of the conditions and the fact that the applicability of the restriction did not appear clear enough. As a result of the advice of the WG, SEAC introduced some amendments to the conditions and the opinion was adopted in its plenary meeting in June 2013.

4.10.2.3 Assessment of impact of Forum advice on opinions and final Regulations

An expert from the WG presented the outcome of the impact assessment of the Forum advice on three dossiers resulting in new Annex XVII restrictions: DMFu, lead in jewellery and phenylmercury compounds. The results of this assessment show that Forum advice is taken into account to a certain extent by the Committees and the advice is reflected in all the dossiers.

The expert highlighted that the cooperation with the RAC and SEAC co-rapporteurs had increased and that the dossier submitters considered the enforceability of the proposals to a higher degree.

Nevertheless, it was pointed out that in general, limited attention was given to sampling and testing methods, placing on the market, second-hand market and monitoring issues and therefore cooperation and understanding about enforceability can still be improved. Suggestions made by the WG to improve this situation were the inclusion of the Forum guide for developing advice on enforceability of restrictions (GDAERF) as part of the requirements for drafting Annex XV dossiers and to cover enforceability issues in training programmes for dossier submitters.

The Forum expressed its satisfaction that its advice brings added value to the restriction process.

4.10.2.4 Update on general issues

ECHA Forum Secretariat introduced two documents to the Forum, one containing points for information and the other containing points for adoption. The ECHA

Forum Secretariat clarified that a possible solution to improve quality of Annex XV dossiers in terms of enforceability, consisted of the inclusion of the GDAERF as an addendum of the guidance for elaborating Annex XV proposals for restrictions. This possibility was under investigation and if feasible it will be necessary to update the GDAERF to take into account the future methodology to recommend analytical methods.

The Forum agreed with the following issues:

1. Publication of the working procedure for the development of Forum advice on the ECHA website for the purpose of enhancing transparency in the working methods related to the restriction process;
2. The technical amendment of the mandate by the Chair of the Forum to the members of the WG to reflect the applicability of the Forum Rules of Procedure to the members of the WG Enforceability of Restrictions that need to work in accordance to the above mentioned working procedure and to set guidance to the Chair of the WG and the members for their activities;
3. The amendment of the mandate of the WG Enforceability of Restrictions to clarify the possible outcomes expected from the WG in relation to the elaboration of a Forum advice on restriction proposals;
4. List identifying enforceability difficulties with terminology of Annex XVII restrictions and its handing over to ECHA.

It was pointed out that the identification of issues that require a common approach within the Forum and which were impossible to tackle during the elaboration of the WG advice to SEAC co-rapporteurs, was subject to expert judgement given that the WG is composed of Forum members and experienced experts in restrictions. Those issues would need to be parked and discussed in the plenary meetings of the Forum. In general, it was suggested that some issues resulting from the discussions during the drafting process could be tackled by the Forum as practical issues for enforcement when it was difficult to reach an agreement within the WG or within the Forum in written consultation.

The Forum acknowledged that the advice of the WG to SEAC co-rapporteurs will not always be needed. If necessary, it will be limited to simple enforcement related issues regarding the wording of the conditions of the proposals and to simple cases resulting from comments submitted during the public consultation of the SEAC draft opinion that require enforcement expertise.

The plenary acknowledged that the WG could provide, when needed, an advice on a restriction proposal on the basis of the conditions proposed in the SEAC draft opinion even if these conditions differ from the conditions of the original Annex XV proposal or from intermediate versions of the opinions that have been consulted with the Forum and for which the Forum has provided an advice.

4.10.3 Project Friendlier reading of Annex XVII

The ECHA Forum Secretariat provided additional information on the ECHA Annex XVII project that would split into two actions:

1. Friendlier reading of Annex XVII – website tool to allow the searching of Annex XVII – to be implemented by the end of June;
2. Better understanding of Annex XVII – identifying issues concerning the Annex XVII entries that would benefit from further clarifications – publication of Q&As later this year.

ECHA welcomed the extensive input provided by the Forum for the identification of enforceability difficulties with terminology of Annex XVII restrictions and indicated that the idea is to prioritise clarifications based on COM's priorities and in common issues identified by HelpNet and Forum. For that, ECHA's approach was to check for background knowledge or information from EU-sectorial legislation, to interact with ECHA Legal Affairs and have discussions with COM services and to prepare Q&As or guidelines documents, as appropriate.

4.10.4 Analytical methods

4.10.4.1 Progress made with project methodology to recommend analytical methods

An expert from the WG informed the Forum about the state of play with the elaboration of the Forum methodology to recommend analytical methods for enforcement of Annex XVII restrictions.

- The WG met on 24 April and agreed on the characteristics of recommended analytical methods for enforcement.
- The WG proposed a method to evaluate the performance of analytical methods based on a number of requirements for the proposed characteristics.
- After the WG meeting, the WG elaborated the first draft of the methodology and a questionnaire to collect information on the different analytical methods.
- The first version is under revision within the WG and will be finalised by the end of June.
- The WG has to find a concrete way forward and the Forum will be consulted on the paper between Forum-15 and Forum-16.
- It is expected that the methodology is available at Forum-16 and if the Forum agrees with the way forward, the first compendium could be elaborated during the first quarter of 2014.

It was suggested that the methodology fitted the purposes of enforcement authorities by taking into account practical elements. Some of these elements can refer to the availability of methods with very low limits of detection that fit for the purposes of the quantification or identification of traces but which could be too expensive or sophisticated for a given restriction. The screening methods might also need particular attention especially when the objective was to identify the substance in the matrix or to have a semi-quantitative analysis of the content.

The question was raised when the questionnaire would be available for the Forum members to alert the laboratories. The projection was that the questionnaire will be available at Forum-16 and the methodology will be consulted with the Forum members before that meeting. The methodology included the questionnaire, however only the questionnaire including instructions will be sent to the laboratories.

4.10.5 Mandate amendment

The mandate of the WG was amended as agreed in 4.10.2.4 with additional comments and with changes in composition.

Item 6 – Relevant developments within ECHA

6.1 Results from the registration deadline

ECHA provided information on the highlights from the REACH 2013 deadline. By 31 May 2013, 9 084 registrations were received and 2 923 more substances registered since 2010. The number of received dossiers and substances registered were in line with the forecasts.

Over 6 600 substances were registered since 2008, thus making ECHA's website the biggest public regulatory database of chemicals.

The next steps include concluding the completeness checks on all dossiers, contacting lead registrants that have not registered and publishing the final numbers in September 2013.

ECHA clarified that the support provided by ECHA was proactive, helping and guiding the registrant towards a successful submission.

It was foreseen for 2013 to continue with the mass screening of intermediate dossiers and on substance identity. The process should be similar to the one already put in place for dealing with Article 36 letters.

6.2 Guidance updates

ECHA presented the Guidance activities, namely the on-going consultations. The *moratorium* period ended thus new publications would be available from September.

The Forum would be consulted on: Guidance on the application of the CLP criteria (Part 2 Physical hazards – second and fourth ATP and Part 3 Health hazards – second and fourth ATP)

ECHA explained the consultation procedure for PIC Guidance, similar to the one already in place for REACH and CLP. The existing procedure will be amended serve the needs for PIC. In practice, this means that customs authorities as well as designated national authorities (DNAs) will also be included in the Guidance Consultation Procedure for PIC.

ECHA informed that the Forum was not involved with the consultation on the update of safety data sheets (SDSs) and C&L Guidance. It was clarified that the roadmap for the update of C&L Guidance was still under development and could be considered to include a Forum consultation. For the update of the SDS Guidance, ECHA explained that the scope of the update was very limited, with no relevant impact on the content.

6.3 CSR Roadmap – an update

ECHA presented the draft of the CSR/ES Roadmap that should be published in July 2013 as well as a new CSR/ES Roadmap website (ECHA). Five key challenges were identified and further steering of the work required the participation of all parties. The Forum was invited to continue to observe the roadmap activities and identify any overlaps or gains that may arise.

6.4 Thought starter on authorisation

ECHA presented the authorisation process and proposed to initiate a discussion on what elements of enforcement were necessary and on the possibility to start a pilot project.

ECHA proposed that enforcement of the authorisation requirements could start after the first sunset date, when substances listed in Annex XIV could no longer be used without an authorisation being granted to the applicant.

The suggested pilot project could focus on the enforcement of Annex XIV or, at a later stage, on the enforcement of the granted authorisations.

One of the exemptions from authorisation are the substances registered as intermediates, which need to comply with REACH Article 3(15). The intermediate MDA (4,4'-Diaminodiphenylmethane), which is a carcinogenic category 1B substance with a sunset date in the near future, could be the focus of such a project.

The Chair welcomed ECHA's initiative to start a dialogue on this issue. Having the document as a basis for discussion, it was suggested that the cooperation and further development of the project should continue during the next Forum meetings.

ECHA emphasised the existing link between the intermediate verification process and the authorisation process. In regard to downstream user confirmations, ECHA requested for those confirmations to have information on the supply chain of SVHCs and to make them available to MSs.

A Forum member announced the intention to participate in the project but raised the concern that the Forum would have numerous projects running. It was suggested to contemplate this project in the Forum's MAWP.

6.5 Use of alternatives to testing on animals for REACH - status update

ECHA reminded the Forum of a previous request to the Forum members to consider investigating some incidents where it was found that animal testing may have been executed without ECHA's approval of the testing proposal. The Forum members acknowledged the importance of the issue but it was necessary to take into account the different priorities in each MS.

The provided document included the message from the MSCAs. On the assessment of this issue, it was noted that further clarification regarding the interpretation of Annex VIII 8.4, thus the respective Guidance document needs to be amended.

Item 7- Break-out Groups Session

The Chair introduced this item as a new instrument on the Forum plenary agenda intended to stimulate focused discussions. The idea of break-out groups came as a result of the discussion between the Chairs and the ECHA Forum Secretariat for further improvement of the conduct of the meetings.

7.1 Discussion of topics

(see Content II)

7.2 Presentations from the break-out groups

The rapporteur from each break-out group presented the highlights and conclusions established during the discussion to the Forum.

7.3 Wrap-up

The Chair summarised the presented conclusions and expressed that this agenda item was useful for debating particular topics. The Forum agreed that such sessions should be a recurrent agenda item.

Although no final decision could be achieved in the break-out groups, some Forum members declared that topics such as pilot projects should be left out of the scope for break-out sessions.

The ECHA Forum Secretariat would elaborate summaries of the three break-out groups to allow the participants to take notice of all the discussions that took place.

Item 9 – Practical issues for enforcement of REACH and CLP

9.1 Follow-ups and left over(s)

Issue 1 - Pilot project in the NL to investigate further possibilities to digitalise the process of formulating, distributing and using safety data sheets (SDS) in the supply chain

The NL Forum member informed the ECHA Forum Secretariat that when further information on the specifications of the IT platform for disseminating information on safety data sheets is known, the owner of the system would make them available to the Forum members. The Forum agreed that this was sufficient to close the issue.

Although no formal link with ENES exists, this network was aware of the Dutch project and should be in contact with the Dutch authorities to update the project to also include the exposure scenarios, if deemed necessary.

Issues 2, 4, 5 and 6 were postponed for Forum-16.

Issue 7 - Duty to communicate information on substances in articles: the scope of Article 33 of REACH

The ECHA Forum Secretariat re-introduced the issue and the Forum agreed that further clarification was required.

Item 10 – Enforcement projects in the Member States

10.1 Enforcement of Nickel restriction in Cyprus

The CY Forum member presented a national campaign towards the implementation of the nickel restriction (REACH Entry 27 of Annex XVII). The goal was to check products that came into direct and prolonged contact with the skin, such as work tools and accessories (pens, belts and metallic glasses). It was found that some parts of the pens contained nickel that exceeded the restriction, even in European products. As a consequence, they were removed from the market, destroyed and such information was submitted and published in the RAPEX system. Some comments were received refuting the fact that pens did not have a prolonged contact with the skin. It was referred that one euro coins release more nickel than the pen parts.

Cyprus authorities contacted COM with that information requesting its position that was subsequently shared with the industry. No further comments were received from the stakeholders.

Item 11 – Transparency and classification of documents at the Forum

The document presented the ways by which the Forum, its members as well as the ECHA Forum Secretariat would classify the Forum's documents. As all Forum documents were handled and submitted by the ECHA Forum Secretariat, it will need to adhere to the Agency's policy on the internal classification and handling of information and documents.

For documents elaborated by ECHA Forum Secretariat submitted for deliberation by the Forum, the ECHA Forum Secretariat would designate the appropriate classification of the document in accordance with the said policy. For documents produced and submitted by members of the Forum, the ECHA Forum Secretariat will rely on the respective Forum member/WG as an author, assigning the appropriate security level. For this meeting, all documents present the classification "restricted" for ECHA staff and Forum members, set to be the default classification.

The Forum requested some clarification on the examples given, on the actors involved and their responsibilities.

A Forum member reminded that Forum's documents needed to be shared with the hierarchy of the NEAs.

ECHA clarified that the final decision on the classification of the documents was to be taken by the Forum. The draft document would be further elaborated taking into account the Forum member's comments while clarifying that the scope for further amendments to the document was very limited.

Item 12 – Update on relevant developments presented by the Commission

12.1 Updates by the Commission

COM informed the Forum on the recent case law in the EU court regarding REACH Annex XVII and on the latest publications on the EU Official Journal.

The Forum welcomed the information on the case law related to enforcement and questioned COM for more detailed information.

DG TAXUD was finalising the document explaining the legal basis on customs. It was expected that the document would be ready to be presented in Forum-16, in parallel with its presentation to CARACAL, and the Enterprise and SME Policy Group (ESPG). COM informed that TAXUD created an expert group to assess the different legislations in which the customs need to intervene (possibly on REACH, in 2014). For Forum-16, COM expects to share the work developed on the implementation of restrictions in TARIC with the Forum.

COM expressed an interest in the REF-3 project and its challenges. Although some may be addressed at national level by the national coordinators, COM invited the WG REF-3 to identify problems that can only be solved at Commission level. It was agreed that information could be presented in the national coordinator's report during the reporting phase of REF-3.

Some Forum members demonstrated regret that the amendment of Annex XVII on restrictions of PAH on consumer articles was done after the Forum's

recommendations on the enforcement of that restriction was completed.

AA Forum member suggested that it could be interesting to have the enforcement authorities involved in the policy-making process to provide a more practical approach. COM welcomed the interest of the Forum but reminded that COM should act as mediator between the different parties.

COM informed that the amendment of the Market Surveillance Regulation and the results of the environmental inspection survey were still under preparation. A Forum member suggested having the chemical legislation on board the Market Surveillance Regulation. It was recommended for COM to consider streamlining the reporting template for all the regulations. COM affirmed that the same template used for REACH can be used.

12.2 Enforcement indicators contract: collaboration with the Forum

COM presented information on the call for tender for a contract to elaborate a proposal to establish indicators for monitoring and measuring the enforcement of REACH and CLP. The contract should start in September 2013 and the Forum was invited to participate in this project.

The Forum agreed to cooperate with COM by means of a steering group in combination with possible detailed discussions during the break-out group session in future meetings, if deemed necessary.

Some participants stressed the need to identify the different levels of activity and the need to distinguish between performance and effective indicators. It was noted that the Forum WG Horizontal Methodology already discussed the key performance indicators. The outcome of that discussion could be interesting for COM as well.

A Forum member suggested including a consultation round with the Forum on the interim and draft final report in the timeline of the project. COM was requested to ensure that the indicators were appropriate and applicable at the national enforcement authority level.

Item 13 - Reports from the ECHA Forum Secretariat

13.1 Manual of Conclusion

The ECHA Forum Secretariat informed on the new adopted conclusions. The Forum was informed that the translation of the Manual of Conclusions has been foreseen in ECHA's budget and would be launched during Q4 of 2013. The ECHA Forum Secretariat would like to rely on the Forum members for proofreading the translated manual before publication.

The last available version from 3 June 2013 was made available in a new folder on CIRCA BC (Library>15).

13.2 Guidance to the Chairs of the ECHA Committees and Enforcement Forum on possible mitigating measures to manage potential conflicts of interest

The ECHA Forum Secretariat informed the Forum that the document on the Guidance to the Chair, discussed in the Forum-14 plenary meeting, was consulted with the Chairs of the Committees and the Forum Chair. It was adopted by ECHA's Executive Director on 6 May 2013 and, hence, the guide was applicable from that date onwards.

ECHA Forum Secretariat would continue monitor for conflicts of interest and provide the relevant information to the Chair.

It was suggested that the members of the WG Restriction should inform about this document since they were one of the actors.

13.3 Forum-14 Survey results

A document with the results of the survey elaborated during Forum-15 meeting was submitted to the Forum for information.

13.4 IMPEL Project – follow-up

As agreed at the last Forum meeting, the Bulgarian Forum member was mandated to participate on behalf of the Forum in this project.

The project manager of the IMPEL project sent to the participants a country-specific questionnaire regarding the interlinks between the REACH Regulation and the Industrial Emissions Directive. The kick-off meeting will take place on 27 June 2013. The BG Forum member and an ECHA staff member (working with risk management) will be present. It was suggested to share the terms of reference of the project with all of the Forum members.

Item 14 – AOB

14.1 Study visit of Croatian enforcement inspectors to German enforcement authorities, 11 -12 June 2013, Hannover and Lüneburg (DE)

The ECHA Forum Secretariat staff member participating in the event presented a brief summary. The agenda of the event included a visit to the laboratory of the consumer protection and food safety authority. He thanked the DE enforcement authorities for a well-organised and successful event, focusing on the presentation of practical cases and information. The Croatian observer shared this view.

14.2 Update on the Life+ project

The ECHA Forum Secretariat informed the Forum that the project proposal “REACHenSPECT” required a new revision, both on the financial and project management.

The consortium, under the lead of Crete University, received information from COM on the shortcomings of the project. The consortium concluded that the necessary changes were not easy to implement and so decided to postpone the application for 2014. This new timeline, would allow for the project proposal to be improved, for consulting the Forum to have a broader support and for other countries to re-assess their participation in the project.

The project would be submitted under “Environmental governance and information” action point of Life+.

Item 16 – Closing of the meeting

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

II. Summary of the Break-out-groups session

Summary of the Break-out groups discussion

15th meeting of the Forum for Exchange of Information on Enforcement

Helsinki

18-20 June 2013

Topic 1: Substances in Articles (SiA): Focus on enforcement

Moderator: Maciej Baranski

Rapporteur: Eugen Anwander (AT)

Participants: see Annex 1

Background documents: see Annex 2

ECHA explained that the results of the questionnaire on the awareness and enforcement of requirements for substances in articles (SiAs) seemed to indicate that the Member States were keen to collect experience in SiA enforcement and establish practices for enforcement of REACH obligations related to SiAs.

ECHA explained that based on the feedback received from the MSs, it deemed that a pilot project on SiA enforcement would be a good way of collecting such experience. Therefore, ECHA developed a specific project proposal for discussion and consideration by the participants. The intention was to start the discussion on SiA enforcement and develop such an activity that may be acceptable for the Forum. ECHA stressed that no decision or commitment for involvement in that project was expected of the participants of the break-out group.

ECHA proposed to skip the presentation of the results of the questionnaire and go directly to the discussion of the proposal of the pilot project.

The ensuing discussion focused on the validity and usefulness of a pilot project on SiAs in general. At the beginning, it was clarified that the intention of ECHA was to have a Forum pilot project on SiAs. Certain participants expressed their reluctance about such a project. One participant expressed a positive view about the aforementioned and another Forum member declared interest in writing. The discussion centered on the following concerns highlighted by the participants:

1. Legal uncertainties

Participants have stressed that uncertainty of legal interpretation of some of the legal provisions related to SiAs is a strong reason not to pursue an enforcement project endorsed by the Forum in this area, because any enforcement conclusion may be challenged by the affected company in court. The concerns focused on the interpretation of the 0.1% threshold, the exemption under Article 7(6) and the lack of final agreement of the Forum on the bottom-up obligation of suppliers to seek information up the supply chain. One of the participants foresaw national political challenges related to such a project. One of the participants argued that these challenges are not the focus of the proposed project. ECHA argued that the pilot project could be executed even with these known challenges. The 0.1% threshold uncertainty could simply be accepted with every country following its own position. The uncertainty of bottom-up supply chain duties could be resolved by the project targeting only article importers, not distributors, which would allow avoidance of the necessity to pass judgment whether a supplier in the supply chain has the duty to inquire upstream. ECHA also proposed to provide further guidance on what could constitute good grounds to benefit from the Article 7(6) exemption. Ultimately, the project could effectively avoid the areas of legal uncertainty by focusing only on the checking of routines and management practices that companies have to check if the articles they import contain SVHCs. Their discussion regarding the legal uncertainties did not result in a consensus.

2. "Risk based approach"

The participants have expressed a concern that the focus and scope of the project is not selected on the basis of actual risk. This has been expressed in two aspects – with regard to substances proposed as the focus of the project and the provisions proposed to be in the scope of the pilot project. The concerns are dealt with separately in the paragraphs below.

a. Choice of substances

Two of the participants indicated that actual risk to health and environment was not considered when selecting the substances proposed as the focus of the project. It would be preferable to select the substances that have already been included in Annex XVII as restrictions, since in these cases the risk was already recognised at the Community level. ECHA indicated that the substances proposed as the focus of the project were taken from the candidate list and as such were known to be very hazardous and may, at some point, end up on Annex XIV. One of the participants also suggested a combined investigation of articles for the contents of SVHCs and restricted substances. It was deemed feasible for phthalates as analytical tests allow the detection of many phthalates at the same time. However, questions for the need for a pilot project on restrictions were posed given that they were enforced already for many years.

b. Choice of provisions

One of the participants indicated that the enforcement focus on Article 7(2) should not be a priority as it was only an administrative obligation to submit a dossier to ECHA and does not help to save lives or the health of people who use the articles. In response, it was argued by ECHA that inspectors should not question the intention of the legislation but check compliance with it. Furthermore the purpose behind Article 7(2) was not to produce an administrative provision, but to force the notifier to examine the composition of its article and become informed of any SVHCs present in it. In conclusion, the participants requested a clearer justification for the choice of provisions for the project.

3. Feasibility - expenses and planning

The participants stressed that tests of articles were expensive and the NEAs would have trouble finding resources. In addition, they stressed that project activities would need to be agreed well in advance and aligned with national priorities to be factored into enforcement plans for next year. Therefore, it was already too late, at least in some countries, to have the project operational phase in 2014, as originally proposed by ECHA.

Conclusions

The discussion concluded that it was too premature to establish an SiA pilot project due to the concerns highlighted above. ECHA has committed to seek comments in writing from all Forum members and try to address the concerns of the Forum members in discussions in future Forum plenaries (e.g. in break-out group sessions).

Topic 2: Enforcement of PIC-Forum's role

Moderator: Tasoula KYPRIANIDOU-LEONTIDOU (CY)

Rapporteur: Jos VAN DEN BERG (NL)

Participants: see Annex 1

Background documents: see Annex 2

The participants were requested to consult the three background documents to discuss the Forum's role on the enforcement of the PIC Regulation (hereinafter referred as PIC). The discussion revolved around the questions proposed beforehand.

1. **What would be the most interesting "interlink" between the REACH, CLP and PIC regulations?**

The discussion was initiated with a tour de table, allowing participants to express if and how they surmounted the tasks of enforcement of PIC.

BG, CY, EL, DE and SE Forum members were appointed as designated national authorities (DNAs). CY, SK, BG, HR, IT, ES and EE were involved in PIC enforcement. It was acknowledged that the role of the customs authorities was different in the different Member States (MSs) varying from an active role to a desktop role for providing information to NEAs.

A Commission representative provided background information including the history of the legislative process of the new PIC Regulation. It applies to the chemicals listed in Annexes I and V (banned chemicals) of PIC. To comply, according to Article 18 of this regulation, MSs are required to appoint authorities for controlling the export of chemicals. The legislation also refers to imports, for which it does not provide rules as these are covered by REACH and the Biocidal Products Regulation as well as MS legislation.

According to PIC, the Forum shall be used to coordinate a network of Member State authorities responsible for enforcing PIC. The tasks of the Forum for the PIC Regulation are the same as those laid down in the REACH legislation. Customs authorities are in charge of the enforcement.

2. **What could be considered as a new "interlink" to be added to the "inventory" on the exchange of information between the authorities involved in terms of enforcement?**

The participants shared two practical situations, used at national level, when cooperation with customs is required:

a) In the Netherlands, customs authorities identify the chemicals described in Annexes I and V of PIC based on their TARIC code. When checking the export notification number, if it contains any of those chemicals, customs authorities forward that information to the enforcement authorities – ILT – (which are different from the customs authorities). Only when the non-compliance is addressed, can the chemical be imported. There is no specific agreement on the reception of the cases. For now, enforcement authorities get the cases periodically, in batches. There is Memorandum of Cooperation (MoC) and a specific custom procedure for the PIC Regulation. This aforementioned is the reactive approach.

There is also a proactive approach by the ILT. Within the integral REACH/CLP inspection, the PIC Regulation is also part of each inspection.

b) In Bulgaria, customs authorities are designated to control the import and export of chemicals listed in Annexes I and V of PIC, according to customs legislation and they enforce themselves.

It was acknowledged that checking exports in the light of PIC was hard to achieve due to the lack of necessary legislative tools. Imports are mainly regulated by REACH and exports are only regulated by PIC. For that reason, it was imperative to establish a good collaboration with customs authorities.

On the enforcement of PIC, the participants did not identify any special need to change the current administrative structure. The collaboration or internal agreements established so far have been working according to the expectations. Throughout most MSs, there exists both an informal or formal set of administrative rules that ensure cooperation with the Forum.

The Commission noted that regarding the communication between DNAs and competent authorities there was still room for improvement and better control, in some instances. It was suggested to identify the necessary interlinks for further improvement. It was stressed that coordination among MSs was extremely important, in particular for those cases concerning imports in one MS declared in another MS.

3. Which Forum tasks should be executed in the next MAWP?

The participants discussed the role that the Forum could play under PIC. Since customs authorities have such a relevant role in enforcement, it was indicated as necessary to find ways to involve them when defining the Forum's role and tasks, highlighting the need to identify interlinks between PIC and CLP.

In regard to the inclusion of tasks related to PIC in the Forum's MAWP, it was suggested to have a pilot project on the exports since there is an explicit obligation for exports in the PIC Regulation. On the contrary, no specific rules on the import of chemicals exists in PIC.

The DNAs are also required to regularly report to the Commission on the implementation of PIC, including information on enforcement. That exercise could be similar to the one carried out for REACH and CLP. The role of the Forum could be to support the Commission in developing a harmonised template for the reporting and eventually collecting the information.

4. How would you as a Forum member be in favour to participate in the creation of some materials to inform the importers and exporters on their duties under the PIC Regulation?

It was mentioned that the mechanism to develop the Guidance on PIC for stakeholders was already established by ECHA. This would be organised via ECHA's Guidance Consultation Procedure and the Forum will be involved at the appropriate stages. It was stated that inspectors may need additional support for enforcement. A manual for inspectors or a document similar to the minimum criteria for enforcement authorities on PIC could be very helpful.

5. Which IT-tool(s) do you and your DNA currently use to deal with your obligations under the PIC Regulation? What kind of information/data do the inspectors need to obtain in order to enforce the PIC obligations?

The participants identified EDEXIM as the IT tool/database mostly used.

EDEXIM will continue to be available until the end of the year for managing 2014 export notifications. At the end of 2014, EDEXIM will be closed down. January 2015 is the final data migration from EDEXIM to the new IT-application and this new system will be the only tool for PIC implementation. A participant requested that the tool should be available not only for customs authorities but also for NEAs (in charge of REACH, CLP and PIC).

Topic 3: Enhancing exchange of practical information on enforcement

Moderator: Juan Pablo CALVO TOLEDO

Rapporteur: Parsla PALLO (LV)

Participants: see Annex 1

Background documents: see Annex 2

The participants were invited to brainstorm on general issues directly connected to the legal tasks of the Forum, namely identifying and sharing best practices on enforcement. It was requested for the participants to provide input on ways to improve the effectiveness and efficiency of the Forum's work, by the improvement of the plenary meeting agendas or by suggesting new actions that could be included in the Forum's MAWP. The discussion revolved around the questions proposed beforehand.

The great number of invited experts present in this group allowed the collecting of a number of practical ideas.

1. Which type of information should the Forum for Exchange of Information on Enforcement "exchange" to identify best practice in enforcement?

A debate on the definition of "harmonised inspection" was held. Since enforcement is dependent on national legislation, a "total harmonised enforcement" approach was not a realistic possibility. Most of the participants shared the view that the inspection could only be harmonised between the inspectors and the company, by having a systematic approach for handling similar situations in a similar way. With that, companies (and the general public) were made aware that enforcement was taking place in all MSs.

On how to improve the sharing of best practices on enforcement, the main idea was that further cooperation between MSs was necessary, by keeping the promotion of the exchange of inspectors programme organised with the financial support of MSs, ECHA or COM. Projects that required analytical tests could be promoted by COM to allow the MSs to initiate new projects that could be prohibitive if they were dependent of MSs' financing alone.

It was indicated that some northern countries have deep collaboration and had an exchange of inspectors. Other MSs may consider adopting this type of collaboration. At MS level, the Forum member could communicate the necessity to include such initiatives in their own work programme to their management.

One idea that was expressed was to have the Forum meeting in different MSs, where one part of the agenda could be a visit to the host NEAs and its inspectors to learn and share experiences. It was noted that this could be difficult to implement.

It was proposed for MSs to exchange information on the planning of inspections, including prioritisation of inspection topics and criteria for choosing companies for inspection. That could be shared with other MSs and organise collaborative projects. MSs that shared the same goals would develop the project together

from its initial stage and conduct joint inspections, thus augmenting the cooperation between the inspectors and develop and share best practices.

Another way to promote best practices was to provide more practical cases during the train-the-trainers event. The procedures for planning the enforcement activities, including prioritisation and criteria for targeting the companies, should also be included in the training. With that, a harmonised approach throughout the inspection process could be more easily achieved.

It was acknowledged that the people involved in the practical tasks of the projects (e.g. REF-projects) were not sharing the knowledge and expertise that was gathered during the project. National coordinators' voices should be heard and it was proposed to have a meeting with the national coordinators, after each project, for debriefing and communicating all the relevant aspects/challenges/problems/successes that originated from the project.

2. Which type of actions should the Forum undertake to make the sharing of practice in enforcement more effective and efficient?

It was suggested to have a webinar for inspectors as a forum where they can ask questions at that moment in time or *a posteriori*. ECHA's Forum Secretariat would evaluate the possibility to organise such an event but it would also rely on the participation of the Forum Member.

As a way to share and discuss practical information on enforcement in depth, the format of the break-out sessions during the Forum plenary meetings was welcomed (e.g. to discuss the content of an SDS and the type of information that was acceptable during an inspection).

Examples of initiatives elaborated by inspectors in different MSs were given: developing checklist before going into the field; developing electronic tools for their internal communication; elaboration of FAQs for inspectors.

Such actions should be shared. The Forum Members could act as an interface between inspectors and the Forum and inform other NEAs during the plenary meetings. The idea could motivate other MSs to develop similar actions and in that way, help to promote harmonisation of enforcement.

It was underlined that the Forum had two strategic documents (the background documents for this topic) and those were the pillars that the enforcement activities should be based upon.

Annex 1 – Participants

Topic 1: Substances in articles: Focus on enforcement

	Last Name	First Name	Country	Participant
1	ALESSI	Mariano	IT	FM
2	AMNUELE	Kristine	LV	IE
3	(Rapporteur) ANWANDER	Eugen	AT	FM
4	BØRGLUM	Birte	DK	FM
5	DESIGNOLLE	Vincent	FR	FM
6	EKMAN	Annette	FI	FM
7	ENGELS	Kim	LU	IE
8	HAGEN	Gro	NO	FM
9	JAROLIM	Oldrich	CZ	FM
10	KARRO	Marina	EE	IE
11	MARKO	Martin	CZ	IE
12	NOVAK	Vesna	SI	FM
13	OSOWNIAK	Marta	PL	FM
14	OSZOLI	Anna Zsófia	HU	IE
15	PIPIRAITE-VALISKIENE	Donata	LT	FM
16	POTTS	Mike	UK	FM
17	RAITALA	Suvi	FI	IE
18	SÁNCHEZ PEÑA	Pablo	ES	FM
19	VOM HOFE	Katja	DE	FM
20	(Moderator)BARANSKI	Maciej		ECHA
21	CLIFFE	Brendan		ECHA
22	MERKOURAKIS	Spyridon		ECHA
23	TANNARO	Celia		ECHA
24	TLOCZEK	Magdalena		ECHA

FM: Forum member; IE: Invited Expert; ADV: Adviser; OBS: Observer; COM: Commission

Topic 2: Enforcement of PIC: Forum's role

	Last Name	First Name	Country	Participant
1	CABRITA	Rui	PT	FM
2	FOUFA	Eleni	EL	FM
3	FRENZEL	Stefan	DE	ADV
4	HELBIG	Juergen		COM
5	KOLESAR	Dušan	SK	FM
6	KREKOVIC	Dubravka Marija	HR	OBS
7	(Moderator)KYPRIANIDOU-LEONTIDOU	Tasoula	CY	FM
8	LULEVA	Parvoleta	BG	FM
9	POLCI	Maria Letizia	IT	IE
10	PROMET	Natali	EE	FM
11	(Rapporteur) VAN DEN BERG	Jos	NL	FM
12	WESTERBERG	Agneta	SE	FM
13	ZAMORA NAVAS	Laura	ES	IE
14	ZIELINSKI	Janusz	-	COM

15	FRONTINI	Ales		ECHA
16	NOUWEN	Johan		ECHA
17	YOUNGHUSBAND	Michael		ECHA

FM: Forum member; IE: Invited Expert; ADV: Adviser; OBS: Observer; COM: Commission

Topic 3: Enhancing exchange of practical information on enforcement

	Last Name	**First Name**	**Country**	**Participant**
1	AGUADO-MONSONET	Miquel A.		COM
2	ALBULESCU	Mihaela	RO	FM
3	ALFANO	Anne-Catherine	FR	IE
4	CUYPERS	Paul	BE	FM
5	DEIM	Szilvia	HU	FM
6	FOSSNES	Tone Line	NO	IE
7	JENSEN	Anette Ravn	DK	ADV
8	LEIKOSKI	Mervi	FI	ADV
9	MIFSUD	Shirley	MT	FM
10	(Rapporteur) PALLO	Parsla	LV	FM
11	PETERSEN	Pia G.	DK	IE
12	SILLREN	Barbro	SE	ADV
13	UZOMECKAS	Zilvinas	LT	IE
14	VIEIRA PRAZERES	Telmo	PT	IE
15	WURM	Gernot	AT	IE
16	ZEITLER	Reinhard	DE	ADV
17	(Moderator)CALVO TOLEDO	Juan Pablo		ECHA
18	FELICIANO	Tania		ECHA

FM: Forum member; IE: Invited Expert; ADV: Adviser; OBS: Observer; COM: Commission

Annex 2 – Background documents

Reference	Title	Topic
ECHA/Forum-15/2013/7.1_topic1_1	ECHA's proposal for Forum SiA pilot project	1
ECHA/Forum-15/2013/7.1_topic1_2	Summary of results from MS questionnaire on activities related to SiA requirements and follow up actions suggested by ECHA	1
ECHA/Forum-15/2013/7.1_topic1_3	Full compilation of replies from Questionnaire to MS on activities related to the requirements on substances in articles	1
ECHA/Forum-15/2013/7.1_topic1_4 Room doc	Full compilation of replies from Questionnaire to MS on activities related to the requirements on substances in articles	1
ECHA/Forum-15/2013/7.1_topic2_1	ECHA/Forum-13/2012/5.1: Enforcement issues related to the new PIC Regulation	2
ECHA/Forum-15/2013/7.1_topic2_2	ECHA/Forum-14/2013/8.2: Information on the priorities for the implementation of PIC Regulation	2
ECHA/Forum-15/2013/7.1_topic2_3_Room doc	UK case on the PIC enforcement experience	2
ECHA/Forum-15/2013/7.1_topic3_1	Strategies for enforcement of REACH and CLP	3
ECHA/Forum-15/2013/7.1_topic3_2	Minimum Criteria for REACH and CLP inspections	3

III. Main Conclusions & Action Points - Forum-15 - 18-20 June 2013

(Adopted at the Forum-15 meeting)

Agenda point	Conclusions / decisions / minority opinions	Action requested after the meeting
Item 1- Welcome and introduction		
1.2 – Adoption of Agenda and declarations of conflict of interest	The agenda was adopted.	-
Item 2 - Address by ECHA's Director of Regulatory Affairs		
Item 3 - Enforcement of regulatory decisions		
3.1 Translation of the regulatory decisions for enforcement	The Forum discussed the needs for translation in the context of cooperation on the follow up of ECHA regulatory decisions. Members agreed that a pragmatic approach to organising the cooperation is essential.	**Forum members are** invited to submit comments to the ECHA document for translations by 15 August
3.2 Enforcement of Article 36 letters	The Forum discussed the process for organising the follow up of Art 36 letters.	**Forum members** are invited to submit comments by 22 July.
3.3 Update on the implementation of interlinks	The Forum took note of the on-going cooperation on SONCs and statuses of other interlink cases.	-
Item 4 - Forum's enforcement activities- Work Packages		
4.1.1 REF-2- Draft of Final report	The Forum decided to publish the final report after it has been approved in written procedure.	**Forum members** are invited to submit comments to the report by 10 July. **The WG and Forum-S** will revise the final report and launch the

Agenda point	Conclusions / decisions / minority opinions	Action requested after the meeting
		written procedure for its adoption by 19 July
4.1.2 REF-2- Mandate closure	The Forum amended the mandate and decided to close the WG after the successful completion of the written procedure on the report.	
4.2.1 Pilot project on Intermediates - Draft of Final project report	The Forum decided to make the final report public after adoption in written procedure.	**DE Forum member** will prepare and send to Forum-S the draft public version by end of August **Forum-S** will organise a consultation of the report followed by adoption in written procedure before Forum-16.
4.3.1 Electronic Information Exchange System – EIES – WG progress report	The Forum took note of the progress of the work.	
4.3.2 EIES - Mandate amendment	The Form reviewed the mandate.	
4.4.1 Implementation of RIPE	The Forum took note of the progress of the work.	
4.4.2 RIPE project progress report	The Forum took note of the progress of the work.	
4.4.3 RIPE - Mandate amendment	The Form reviewed the mandate.	
4.5.1 Training for enforcement trainers- WG progress report	The Forum discussed the draft agenda and scope of the training for trainers.	**Forum members** are invited to send their contribution/comments (agenda, informative material)

Agenda point	Conclusions / decisions / minority opinions	Action requested after the meeting
		by 1 July. **WG** will revise the agenda based on Forum comments by 12 July **Forum-S** will send the agenda for adoption in written procedure by 15 July. **Forum members** will respond to written procedure by 5 August **Forum members** are requested to appoint two trainees that will be participating in the training by 30 August 2013 **Forum-S** to investigate of if the training can be broadcasted to more participants in the Member States by 5 July
4.5.2 Training for enforcement trainers - Mandate amendment	The mandate of the WG was reviewed.	
4.6.1 Work Programme 2014-2016/8 – WG progress report	The Forum took note of the progress of the WG.	**Forum members** and ECHA are invited to submit comments on draft Forum MAWP by 9 August
4.6.2 Work Programme 2014-2016/8 - Mandate	WG Mandate was revised.	-

Agenda point	Conclusions / decisions / minority opinions	Action requested after the meeting
amendment		
4.7.1 Pilot Project on PPORDs and ORs – Draft Final project report	The report of the pilot project was adopted.	-
4.7.2 Status on ECHA/MSCA Pilot project on PPORDs	The Forum took note of the progress of the ECHA pilot project on PPORDs.	-
4.8.1 REF-3- WG progress report	The Forum took note of the progress and decided to prolong the REF-3 project until June 2015. Exact scope of the second phase will be further clarified.	**The Forum members** are invited to send suggestions regarding the scope of 2nd phase of the project by 31 July. The suggestions should be – overall - in line with the existing scope of REF-3. **Forum-S** will reserve time for the discussion of 2nd phase of REF-3 at Forum-16.
4.8.2 REF-3 - Mandate amendment	The Forum revised the mandate of the WG.	-
4.9.1 Horizontal methodology - WG progress report	The Forum took note of the progress of the WG and agreed to: • establish the WG Prioritisation at F-16 • commence a new cycle of projects as of 2014	-
4.9.2 Horizontal methodology - Mandate amendment	The Forum reviewed the mandate of the WG.	
4.9.3 Establishment of the WG "Prioritisation of	The Forum decided to establish that WG at Forum-16.	**Forum-S** will distribute the proposed mandate of WG Prioritisation by

Agenda point	Conclusions / decisions / minority opinions	Action requested after the meeting
REF projects"		28 June **Forum members** will provide feedback by 15 August
4.10.1 Enforceability of Restrictions- WG progress report	The Forum took note of the progress of the WG.	-
4.10.2.1 Draft Forum advice – Lead dossier	The Forum discussed the draft advice of the lead dossier.	-
4.10.2.2 Forum advice - 1,4-DCB dossier	The Forum took note of the details of the advice on 1,4 DCB.	
4.10.2.3 Assessment of impact of Forum advice on opinions and final Regulations	The Forum took note of the assessment and expressed its satisfaction that its advice brings added value to the restrictions process.	-
4.10.2.4 Update on general issues	The Forum agreed to - Publish the working procedure for developing Forum advice on the ECHA website - Make technical amendments for the WG mandate	-
4.10.3.1 Forum's input to project "Friendlier reading of Annex XVII"	The Forum took note of the WG input on the ECHA project.	
4.10.3.2 Next steps with project "Friendlier reading of Annex XVII"	The Forum took note of the ECHA project.	-
4.10.4.1 Progress made	The Forum took note of the progress and supported the	WG will consult the draft methodology to

Agenda point	Conclusions / decisions / minority opinions	Action requested after the meeting
with project methodology to recommend analytical methods	way forward proposed by the WG for preparation of the compendium of analytical methods.	recommend analytical methods with the Forum before the next plenary meeting.
4.10.5 Enforceability of Restrictions- Mandate amendment	The Forum revised the mandate of the WG.	-
Item 6 – Relevant developments within ECHA		
6.1 Results from the registration deadline	The Forum took note of the preliminary results of the 2nd registration deadline.	**Forum-S** will foresee time at F16 for information about ECHA's follow up actions after the registration and results of screenings and liaisons with lead registrants.
6.2 Guidance updates	The forum took note of the development of the guidance documents.	-
6.3 CSR Roadmap – an update	The forum took note of the information.	
6.4 Thought starter on Authorisation	The Forum took note of the information and proposals presented.	**Forum members** are invited to submit comments by 5 August **Forum-S** will reserve time for discussing the subject at F16.
6.5 Use of alternatives to testing on animals for REACH- status update	The Forum took note of the information provided.	
Item 7 Break-out Groups Session		
7.1 Discussion of the 3 topics	-	-

Agenda point	Conclusions / decisions / minority opinions	Action requested after the meeting
7.2 Presentations from the break-out groups		
7.2.1 Topic 1 – SIA	The Forum discussed the validity of a potential pilot project on SiA.	**Forum members** are invited to comment on the SiA pilot project proposal and results of the questionnaire by 5 August **Forum-S** will reserve time at future plenary meetings to discuss and gradually resolve the concerns related to a coordinated Forum project on SiA. **Forum-S** will send a summary of the discussion by 5 July. **Forum members** will be invited to provide their comments on the summary by 9 August
7.2.2 Topic 2 – Forum role in PIC enforcement coordination	The Forum discussed the role of the Forum in coordinating the enforcement of the PIC regulation.	**Forum-S** will send a summary of the discussion by 5 July. **Forum members** will be invited to provide their comments on the summary by 9 August
7.2.3 Topic 3 - Enhancing the exchange of practical information on enforcement	The Forum discussed how it can enhance the exchange of practical information on enforcement.	**Forum-S** will send a summary of the discussion by 5 July. **Forum members** will be invited to provide their comments on the summary by 9

Agenda point	Conclusions / decisions / minority opinions	Action requested after the meeting
		August **Forum-S** will assess the feasibility of implementing the proposals made by Forum-16
7.3 Wrap-up	The discussions in break out groups were generally welcomed by the Forum members. The Forum expressed a favourable opinion about continuing this practice. Members acknowledged that Forum-S will invite them to suggest topics for break out groups for future plenary meetings.	-
Item 9 – Practical issues for enforcement of REACH and CLP		
Issue 1- Pilot project in the NL to investigate further possibilities to digitalize the process of formulating, distribution and use of Safety Data Sheets (SDS) in the supply chain	Issue was closed.	**Forum-S** will distribute documentation from NL when available.
Issue 2- Article 40 of the CLP Regulation	Issue postponed to F-16.	**-**
Issue 4 – Registration of CMR's	Issue was closed.	**Forum-S** will distribute to the Forum the lists of CMRs not included in Annex VI of CLP regulation when available.

Agenda point	Conclusions / decisions / minority opinions	Action requested after the meeting
		Forum-S will further investigate other substance screenings (e.g. PBT or vPvB) and provide the substance lists to the Forum when available.
Issue 5 - Enforcement of dossier evaluation or substance evaluation decisions, following an appeal; suspensive effect.	Issue postponed to F16	-
Issue 6 – Enforceability of SIEF agreements	Issue postponed to F-16	-
Issue 7 - Addendum Duty to communicate information on substances in articles: The scope of Article 33 of REACH	The Forum discussed the issue and decided that further elaboration is needed.	
Item 10 – Enforcement projects in the Member States		
10.1 Enforcement of Nickel restriction in Cyprus	The Forum took note of the CY experience on the enforcement of the Nickel restriction.	**CY Forum member** is invited to send the clarification from COM related to this restriction to the Forum-S by 28 June **Forum-S** to distribute that document to the Forum adding any other relevant material if available by 1 July.

Agenda point	Conclusions / decisions / minority opinions	Action requested after the meeting
Item 11 – Forum's Transparency		
11.1 Transparency and classification of documents at the Forum	The Forum took note of the proposed rules on the classification of documents.	**Forum members** are invited to send comments and requests for clarification to the document by 2 August **Forum-S** will revise the document based on the comments and send to the Forum for information.
Item 12 – Update on relevant developments by the Commission		
12.1 Updates by the European Commission	The Forum took note of the information presented.	**Forum-S / WG REF-3** will invite the national coordinators to include in their reports to WG REF-3 the challenges which inspectors faced when in implementing the project.
12.2 Enforcement indicators contract: Collaboration with the Forum	The Forum decided to get involved in the development of enforcement indicators through participating in the steering group of the COM's contract. In addition the Forum will contribute to the development of the indicators by providing input through discussion in plenary meetings and consultations where necessary.	**The Forum members** are invited to express the willingness to be part of the steering group by 5 August. **The Forum** members are invited to send to COM any information about the national experience or practice regarding enforcement indicators by 27 September **WG MAWP** is invited to consider to whether to add this task to the Forum MAWP
Item 13 – Updates from the ECHA Forum Secretariat		
13.1 Manual of	The Forum took note of the	-

Agenda point	Conclusions / decisions / minority opinions	Action requested after the meeting
Conclusions	information on the development of the MoC.	
13.2 Guidance to the Chairs of the ECHA Committees and Enforcement Forum on possible mitigating measures to manage potential conflicts of interest	The Forum took note of the information.	**Forum-S** will make the guide available to the WG Restrictions by 28 June.
13.3 F-14 Survey results	The Forum took note of the results of the survey.	**-**
13.4 IMPEL Project	The Forum took note of the information on the Forum involvement in the IMPEL project.	**Forum-S** will distribute the terms of reference of the IMPEL project to the Forum members by 5 July. **Forum-S** will send the IMPEL project's questionnaire to the Forum members by 5 July.
Item 14 – AOB		
14.1 Study visit of Croatian enforcement inspectors to German enforcement authorities	The Forum took note of the information provided.	
14.2 Update on LIFE+ project	The Forum took note of the information provided.	

ACTION POINTS FROM FORUM-13

OPEN AT THE TIME OF FORUM-15

Agenda point	Conclusions / decisions / minority opinions	Action requested after the meeting (by whom/by when)
Item 8 – Work Packages – Activity Reports		
8.1.1 – Interlinks between ECHA, MSCAs and NEAs - final report from WG	The Forum took note of and adopted the final report of the Working Group. The Forum took note of the progress of the Forum pilot project on interlinks related to communication of information on ORs and PPORDs between the involved actors. The Forum concluded that the project will be continued as a stand alone activity with no reference to WG Interlinks which now expires.	**Forum-S** will describe how the review of the interlinks inventory will take place and submit it for consultation with the Forum by 21 January 2013.
Item 19 – Debriefing over the open session		
19. Debriefing over the open session	The Forum discussed possible ways to obtain more added value during the interactions with the stakeholder organisations.	**Forum-S** will investigate liaising with stakeholder organisations not accredited by ECHA and inform the Forum by 31 January 2013.

IV. List of Attendees

Forum members

	Country	Name
1	AT	ANWANDER Eugen
2	BE	CUYPERS Paul
3	BG	LULEVA Parvoleta
4	CZ	JAROLIM Oldrich
5	CY	KYPRIANIDOU-LEONTIDOU Tasoula
6	DE	VOM HOFE Katja
7	DK	BØRGLUM Birte
8	EE	PROMET Natali
9	EL	FOUFA Eleni
10	ES	SÁNCHEZ PEÑA Pablo
11	FI	EKMAN Annette
12	FR	DESIGNOLLE Vincent
13	HU	DEIM Szilvia
14	IT	ALESSI Mariano
15	LT	PIPIRAITE-VALISKIENE Donata
16	LV	PALLO Parsla
17	MT	MIFSUD Shirley
18	NL	VAN DEN BERG Jos
19	NO	HAGEN Gro
20	PL	OSOWNIAK Marta
21	PT	CABRITA Rui
22	RO	ALBULESCU Mihaiela
23	SE	WESTERBERG Agneta
24	SI	NOVAK Vesna
25	SK	KOLESÁR Dusan
26	UK	POTTS Mike

Invited experts

	Country	Name
1	AT	WURM Gernot
2	CZ	MARTIN Marko
3	DK	PETERSEN Pia-Gitte
4	EE	KARRO Marina
5	ES	ZAMORA NAVAS Laura
6	FR	ALFANO Anne-Catherine
7	HU	OSZOLI Anna Zsófia
8	IT	POLCI Maria Letizia
9	LT	UZOMECKAS Zilvinas
10	LU	ENGELS Kim
11	LV	AMNUELE Kristine
12	NO	FOSSNES Tone-Line

	Country	Name
13	PT	PRAZERES Telmo
14	SE	RUMAR Karin

Advisers

	Country	Name
1	DE	FRENZEL Stefan
2	DE	ZEITLER Reinhard
3	DK	RAVN-JENSEN Anette
4	FI	LEIKOSKI Mervi
5	FI	RAITALA Suvi
6	SE	SILLREN Barbro

Appointed Observer

	Organization	Name
1	HR	KREKOVIC Dubravka Marija

European Commission

	DG	Name
1	ENTR	AGUADO-MONSONET Miguel
2	ENV	ZIELINSKI Janusz

	ECHA	Unit
1	BARAŃSKI Maciej	Guidance and Forum Secretariat
2	CALVO TOLEDO Juan Pablo	Guidance and Forum Secretariat
3	CARTELIDGE George	Evaluation
4	CESNAITIS Romanas	Risk Management Identification
5	CHRIST Gabi	Substance ID and Data sharing
6	CLIFFE Brendan	Guidance and Forum Secretariat
7	FEDTKE Norbert	Evaluation
8	FELICIANO Tania	Guidance and Forum Secretariat
9	FRONTINI Ales	Guidance and Forum Secretariat
10	JACQUET Cyril	Legal Affairs
11	JONES Stella	Guidance and Forum Secretariat
12	KIOKAS Sotirios	Risk Management Implementation
13	MALM Jukka	ECHA Director Regulatory Affairs
14	MEGAW Peter	Guidance and Forum Secretariat
15	MERKOURAKIS Spyridon	Risk management implementation
16	NICOT Thierry	Risk management implementation
17	NIKULA Terhi	Guidance and Forum Secretariat
18	NOUWEN Johan	Guidance and Forum Secretariat
19	SANCHEZ-SAEZ Javier	Dossier submission and dissemination
20	SCHULTHEISS Christian	Legal Affairs
21	TANARRO Celia	Guidance and Forum Secretariat
22	TŁOCZEK Magdalena	Guidance and Forum Secretariat
23	WALIN Laura	Computational Assessment
24	YOUNGHUSBAND Michael	Guidance and Forum Secretariat

V. List of Annexes

ANNEX I. Final agenda Forum-15

ANNEX II. Revision and Establishment of mandates of Forum WGs

ANNEX II a – Revised mandate of WG "Obligations of Downstream users – formulators of mixtures REACH-EN-FORCE-2"

ANNEX II b – Revised mandate of WG "Electronic Information Exchange System"

ANNEX II c – Revised mandate of WG "Implementation of RIPE"

ANNEX II d – Revised mandate of the WG "Training for Enforcement Trainers 2013"

ANNEX II e – Revised mandate "Preparation of Forum Work Programme 2014-2018 and review of best practice documents"

ANNEX II f – Revised mandate of WG "Preparation of coordinated enforcement project REACH-EN-FORCE-3"

ANNEX II g – Revised mandate of WG "Horizontal methodology for a harmonised elaboration, management, reporting and evaluation of Forum coordinated enforcement projects"

ANNEX II h – Draft mandate of the new WG "Prioritisation of REF Projects

ANNEX II i – Revised mandate of the WG "Enforceability of restrictions"

ANNEX III. List of meeting documents and room documents for Forum-15

ANNEX IV. Glossary of acronyms and abbreviations

Annex I – Final agenda Forum-15

14 June 2013
ECHA/Forum-15/2013/A/final

Agenda
Fifteenth meeting of the Forum for Exchange of Information on Enforcement (Forum-15)
18-20 June 2013

European Chemicals Agency
Helsinki, Finland
Tuesday, 18 June: starts at 09:00
Thursday, 20 June: ends at 16:00

DAY 1 Tuesday 18 June 2013

Item 1 – Welcome and Introduction *09:00-09:20*

1.1 Opening by the Chair of the Forum – *CHAIR (5')*
1.2 Adoption of the Agenda and declarations of conflict of interest with regard to agenda items – *CHAIR (5')*
1.3 State of play with action points from Forum-14 – *ECHA Forum Secretariat (5')*
1.4 Practicalities and brief recapitulation of results of the written procedures between Forum-14 and Forum-15 -*ECHA Forum Secretariat (5')*

ECHA/Forum-15/2013/A/final
ECHA/Forum-15/2013/1.3 Room doc

For adoption
For information

Item 2 – Address by ECHA's Director of Regulatory Affairs *09:20-09:30*

For information

Item 3 – Enforcement of regulatory decisions *09:30-11:40*

3.1 Translation of the regulatory decisions for enforcement - *ECHA Forum Secretariat (30')*
3.2 Enforcement of Article 36 letters - *ECHA Forum Secretariat (45')*

ECHA/Forum-15/2013/3.1
ECHA/Forum-15/2013/3.2
ECHA/Forum-15/2013/3.2 Room doc
For discussion

Coffee break 10:45-11:15

3.3 Update on the implementation of interlinks - *ECHA Forum Secretariat (25')*

ECHA/Forum-15/2013/3.3
ECHA/Forum-15/2013/3.3 Room doc
For information

Item 4 – Forum's enforcement activities- Work Packages *11:40-17:30*

4.1 REACH-EN-FORCE-2 project: Obligations of Downstream Users - formulators of mixtures (A.1) (50')

4.1.1 Draft of Final project report - *WG Chair*
4.1.2 Mandate closure - *ECHA Forum Secretariat*

ECHA/Forum-15/2013/4.1.1
ECHA/Forum-15/2013/4_draft_mandates

For discussion
For adoption

4.2 Pilot project on Intermediates (35')

4.2.1 Draft of Final project report – *DE Forum member*

ECHA/Forum-15/2013/4.2.1

For discussion
For adoption

Lunch Break 13:05- 14:00

4.3 Electronic Information Exchange System - EIES (B.4) (30')

4.3.1 Working group report- *WG Chair / ECHA Forum Secretariat*
4.3.2 Mandate amendment - *ECHA Forum Secretariat*

ECHA/Forum-15/2013/4.3.1
ECHA/Forum-15/2013/4_draft_mandates

For information

4.4 Implementation of RIPE (B.3) (30')

4.4.1 RIPE WG progress report – WG Chair
4.4.2 RIPE project progress report - *ECHA Forum Secretariat*
4.4.3 Mandate amendment - *ECHA Forum Secretariat*

ECHA/Forum-15/2013/4.4.1
ECHA/Forum-15/2013/4_draft_mandates

For information

4.5 Training for enforcement trainers 2013 (B.6) (15')

4.5.1 WG progress report – *WG Chair*
4.5.2 Mandate amendment - *ECHA Forum Secretariat*

ECHA/Forum-15/2013/4.5.1
ECHA/Forum-15/2013/4_draft_mandates

For information

Coffee break 15:15 – 15:45

4.6 Work Programme 2014-2016/8 (A.1) (60')

4.6.1 Progress report– *WG Chair*
4.6.2 Mandate amendment - *ECHA Forum Secretariat*

ECHA/Forum-15/2013/4.6.1
ECHA/Forum-15/2013/4_draft_mandates

For discussion

4.7 Pilot project on PPORDs and ORs (30')

4.7.1 Draft of Final Pilot Project report - *NL Forum member*

ECHA/Forum-15/2013/4.7.1

For discussion
For adoption

4.7.2 Status on ECHA/MSCA Pilot project on PPORDs – *ECHA*

For information

4.8 Preparation of coordinated enforcement project REACH-EN-FORCE-3 (A1) (15')

4.8.1 WG progress report - *WG Chair*
4.8.2 Mandate amendment - *ECHA Forum Secretariat*

ECHA/Forum-15/2013/4.8.1
ECHA/Forum-15/2013/4_draft_mandates
For discussion

Item 5 – Adoption of conclusions from day 1 *17:30- 18:00*

For adoption

Dinner

DAY 2 Wednesday 19 June 2013

Item 4 – Forum's enforcement activities- Work Packages (continued) *09:00-12:30*

4.9 Horizontal methodology for a harmonised elaboration, management, reporting and evaluation of Forum coordinated enforcement projects (A.1, B.1 and B.5) (60')

4.9.1 WG progress report – *WG Chair*
4.9.2 Mandate amendment – *ECHA Forum Secretariat*
4.9.3 Establishment of the WG "Prioritisation of REF projects" - *ECHA Forum Secretariat*

ECHA/Forum-15/2013/4.9.1
ECHA/Forum-15/2013/4_draft_mandates

For discussion
For adoption

Coffee break 10:00-10:30

4.10 Enforceability of Restrictions (B.12) (120')

4.10.1 WG progress report – overview - *WG Chair*

ECHA/Forum-15/2013/4.10.1

For information

4.10.2 Advice process

4.10.2.1 Draft Forum advice – Lead dossier - *WG expert*
4.10.2.2 Forum advice - 1,4-DCB dossier – WG expert
4.10.2.3 Assessment of impact of Forum advice on opinions and final Regulations– *WG expert*

ECHA/Forum-15/2013/4.10.2.1
ECHA/Forum-15/2013/4.10.2.2
ECHA/Forum-15/2013/4.10.2.3

For information
For discussion

4.10.2.4 Update on general issues– *ECHA Forum Secretariat*

ECHA/Forum-15/2013/4.10.2.4a
ECHA/Forum-15/2013/4.10.2.4b

For information
For agreement

4.10.3 Project Friendlier reading of Annex XVII

4.10.3.1 Forum's input to project "Friendlier reading of Annex XVII" – *ECHA Forum Secretariat*
4.10.3.2 Next steps with project "Friendlier reading of Annex XVII" – *ECHA Project Manager*

For information

4.10.4 Analytical methods

4.10.4.1 Progress made with project methodology to recommend analytical methods - *WG expert*

For discussion

4.10.5 Mandate amendment - *ECHA Forum Secretariat*

ECHA/Forum-15/2013/4_draft_mandates

Lunch Break 12:30 - 13:15

Item 6 – Relevant developments within ECHA *13:15-14:30*

6.1 Results from the registration deadline (15')
6.2 Guidance updates (20')
6.3 CSR Roadmap – an update (15')
6.4 Thought starter on Authorisation (20')
6.5 Use of alternatives to testing on animals for REACH- status update (05')

ECHA/Forum-15/2013/6.3 Room doc
ECHA/Forum-15/2013/6.4
ECHA/Forum-15/2013/6.5

For information

Item 7 – Break-out Groups Session *14:30-17:30*

7.1 Discussion of topics:

ECHA/Forum-15/2013/7.1

Topic 1: Substances in Articles: Focus on enforcement

ECHA/Forum-15/2013/7.1_topic1.1
ECHA/Forum-15/2013/7.1_topic1.2
ECHA/Forum-15/2013/7.1_topic1.3
ECHA/Forum-15/2013/7.1_topic1.3 Room doc

Topic 2: Enforcement of PIC: Forum's role

ECHA/Forum-15/2013/7.1_topic2.1
ECHA/Forum-15/2013/7.1_topic2.2
ECHA/Forum-15/2013/7.1_topic2.3 Room doc

Topic 3: Enhancing exchange of practical information on enforcement

ECHA/Forum-15/2013/7.1_topic3.1
ECHA/Forum-15/2013/7.1_topic3.2

For discussion

Coffee break 16:00-16:30

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

7.3 Wrap-up (15') - *CHAIR*

For discussion

Item 8 – Adoption of conclusions from day 2 *17: 30-18:00*

For adoption

DAY 3 Thursday 20 June 2013

Item 9 – Practical issues for enforcement of REACH and CLP *09:00-10:30*

9.1 Items raised by Forum/ECHA/COM (leftovers from Forum-14)

9.2 New items raised by Forum members

ECHA/Forum-15/2013/9
ECHA/Forum-15/2013/9_i3_annex1
ECHA/Forum-15/2013/9_i3_annex2
ECHA/Forum-15/2013/9_i3_annex3 Room doc
ECHA/Forum-15/2013/9_i6_Room doc
ECHA/Forum-15/2013/9_addendum Room doc

For discussion

Coffee break 10:30 – 11:00

Item 10 – Enforcement projects in the Member States *11:00-11:30*

10.1 Enforcement of Nickel restriction in Cyprus – *CY Forum member*

ECHA/Forum-15/2013/10.1

For discussion

Item 11 – Forum's Transparency *11:30-12:00*

11.1 Transparency and classification of documents at the Forum – *ECHA Forum Secretariat*

ECHA/Forum-15/2013/11.1

For discussion

Lunch Break 12:00-13:00

Item 12 – Update on relevant developments by the Commission *13:00-14:00*

12.1 Updates by the European Commission
12.2 Enforcement indicators contract: Collaboration with the Forum

ECHA/Forum-15/2013/12.2

For information

Coffee break: 14:00 – 14:30

Item 13 – Updates from the ECHA Forum Secretariat *14:30-15:10*

13.1 Manual of Conclusions - *ECHA Forum Secretariat* (5')
13.2 Guidance to the Chairs of the ECHA Committees and Enforcement Forum on possible mitigating measures to manage potential conflicts of interest – *ECHA Forum Secretariat (20')*
13.3 F-14 Survey results - *ECHA Forum Secretariat* (5')
13.4 IMPEL Project – follow-up - *ECHA Forum Secretariat* (10')

ECHA/Forum-15/2013/13.1
ECHA/Forum-15/2013/13.2
ECHA/Forum-15/2013/13.3

For information

Item 14 – AOB *15:10-15:25*

14.1 Study visit of Croatian enforcement inspectors to German enforcement authorities, 11 -12 June 2013, Hannover and Lüneburg - *ECHA Forum Secretariat*

For information

Item 15 – Conclusions and action points from Day 3 *15:25-15:55*

For adoption

Item 16 – Closing of the meeting *15:55-16:00*

Closing by the CHAIR

Annex II a

Forum Working Group

"REACH-EN-FORCE-2 project:
Obligations of Downstream Users - formulators of mixtures"
Work Package A.1
(Mandate revised at Forum-15)

Composition:

Chair: Natali PROMET (EE)

Forum Members/Alternates
- Marta OSOWNIAK (PL)

Invited Experts
- Hannah DOHERTY (UK)
- Lutz ERDMANN (DE)
- Marina KARRO (EE)
- Maria TARANCÓN ESTRADA (ES)
- Cecilia WESTOO (SE)
- Maren WIKHEIM (NO)

Objective:
- Coordinate and manage the operational and reporting phase of the REACH-EN-FORCE-2 project

Mandate:
- Revise the project manual further to comments submitted at Forum-8
- Coordinate and provide consulting assistance to the national project coordinators from the participating countries within 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
- Prepare final project report and present it to the Forum plenary

Timeline: Q2 2013, reporting to the Forum at each plenary
Interim results from the project – Forum-13 (done)
Draft project report + statistic analysis – Forum-14 (done)
Final project report (for publication)– Forum-15

Annex II b

Forum Working Group
"Electronic Information Exchange System"
(Mandate reviewed at Forum-15)

Composition:

Interim Chair: Birte BORGLUM (DK)

Forum Members/Alternates
- Pablo SÁNCHEZ PEÑA (ES)
- Marta OSOWNIAK (PL)
- Paul CUYPERS (BE)

Invited Experts
- Tone Line FOSSNES (NO)
- Maria TARANCON (ES)
- Søren JAKOBSEN (DK)
- Gernot WURM (AT)
- Piergiuseppe CALÁ (IT)
- Axel DORENBECK (DE)

Commission
- Peter BARICIC

Objectives:

1. Assess to what extent ICSMS fulfils the general functional requirements for the electronic information exchange system (EIES), judge if this extent is sufficient for to satisfy the needs of EIES and define any needed adaptations

Mandate:
- Prepare a justified recommendation for the Forum whether ICSMS can be conditionally accepted as EIES, after considering the proposals provided by the Commission
- Liaise with the Commission to provide any necessary information about WG EIES requests and further specify those change requests which are needed by the Commission to make their implementation proposal
- Maintain a prioritized list of change requests indicating what adaptations need to be made to ICSMS in its further adaptations so that it suits the EIES requirements better
- Investigate if further data would be needed to be exchanged using EIES to implement the horizontal interlinks.

Timeline: Forum-16

Annex II c

Forum Working Group
"Implementation of RIPE"
(Mandate revised at Forum-15)

Composition:

Chair: Pablo SANCHEZ-PEÑA (ES)

Forum Members

- Eugen ANWANDER (AT)
- Eleni FOUFA (EL)

Invited Experts

- Barbro SILLREN (SE)
- Paolo IZZO (IT)
- Andrea MAYER-FIGGE (DE)
- Søren JAKOBSEN (DK)
- Telmo PRAZERES (PT)
- Georg HERB (DE)

Objective: Support the implementation of the REACH Information Portal for Enforcement (RIPE) allowing inspectors access to data submitted to ECHA

Mandate:

- Provide input during preparation, development and implementation of RIPE 2.0
- Prepare specification for any further screening or statistics reports
- Contribute to preparation and delivery of RIPE training for SPOCs /MS RIPE Administrators related to the practical examples of use of RIPE in daily enforcement

Timeline:

- Forum-19

Annex II d

Forum Working Group

"Training for enforcement trainers 2013"
(Mandate revised at Forum-15)

Composition:

Chair: Eugen ANWANDER (AT)

Forum Members

- Mariano ALESSI (IT)
- Mihaiela ALBULESCU (RO)
- Tasoula KYPRIANIDOU-LEONTIDOU (CY)
- Anne-Catherine ALFANO (FR alternate)

Invited Experts
- Ewa BULWAN-TULKOWSKA (PL)
- Celsino GOVONI (IT)
- Semira HAJRLAHOVIĆ MEHIC (SI)
- Louise HANLEY (UK)
- Nathan KUPER (SLIC-CHEMEX)
- Hubert RÖCKER(DE)
- Line TELJE HØYDAL (NO)
- DE REF-3 expert (tbc)

Commission

ECHA
- Augusto Di Bastiano
- BridgetGinnity
- Cyril Jacquet
- Helen Jardin
- Spyridon Merkourakis
- Andrew Murray
- Outi Tunnela
- Catalina-Natalia Yilmaz

Objective:

- Prepare and deliver the training for trainers on the enforcement of REACH and CLP in second half of 2013

Mandate:

- Examine the training subjects relevant for enforcement for second half of 2013 and prepare a subject proposal to the Forum 14
- 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 and summarise the recommendations and reactions of participants and formulate a draft training programme for the next training, such as Intermediates…

Timeline:

- before Forum-14: conclude on list of subjects and prioritisation (done)
- Forum-17: final report

Annex II e

Forum Working Group on

"Preparation of Forum Work Programme 2014-2018 and review of best practice documents"

(Mandate confirmed in Forum-15)

Composition:

Chair: Katja VOM HOFE (DE)

Forum Members

- Tasoula KYPRIANIDOU-LEONTIDOU (CY)
- Gro HAGEN (NO)
- Eugen ANWANDER (AT)
- Mike POTTS (UK) Vice Chair
- Vincent DESIGNOLLE (FR)
- Annette EKMAN (FI)

Invited Experts

- Hannah DOHERTY (UK)
- Pia Gitte PETERSEN (DK)

Commission

- Miguel AGUADO-MONSONET (DG ENTR)

Objective:

- Review and prepare the Forum Work Programme for years 2014-2018
- Ensure that the Forum's multi-annual work programme is consistent , where applicable, with the emphasis spelt out in the Agency's Multi-Annual Work Programme 2014 to 2018
- Provide input to the updates of the MAWP and the Annual Work Programmes of ECHA
- Consider the Commission's view regarding the review of REACH, where applicable
- Review, prioritise and update the best practise documents taking into consideration the PIC regulation (based on the identified role of the Forum)

Mandate:

- On the basis of the review, finalise the Forum Work Programme 2014-2018;

Timeline: Forum-16, October 2013 – Finalise the Work Programme in line with comments received at Forum and from ECHA Management and send for adoption in written procedure with aim to have the Work programme in 2014 operational.

Annex II f

Forum Working Group

"Preparation of coordinated enforcement project REACH-EN-FORCE-3"

Work Package A.1

(Mandate revised at Forum-15)

Composition:

Chair: Paul CUYPERS (BE)

Forum Members

Jos VAN DEN BERG (NL)
Eugen ANWANDER (AT)
Shirley MIFSUD (MT)
Pablo SÁNCHEZ PEÑA (ES)
Anne-Catherine ALFANO (FR alternate)
Maria Letizia POLCI (IT alternate)

Invited Experts

Alfred EBNET (DE) (customs)
Paivi SIMPANEN (FI) (customs)
Panagiotis GIMNAOU (CY)
James GUERRIER (FR) (customs)
Ruta Birute DAUKSIENE (LT) (customs)
Sibylle WURSTHORN (DE)

Commission
COM representative (tbc)

Objective:

- conceive and manage the third major Forum enforcement project

Mandate:

- Prepare a document identifying and proposing priority of possible subjects for third Forum enforcement project, considering the project prioritisation criteria
- Subject proposals shall include an aspect where the procedure of cooperation with customs could be tested
- After the subject is approved by the Forum, develop the project manual (guidance document, checklist, planning,

recommendations) for the execution of the third Forum enforcement 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:

First phase
- Subject proposals and prioritisation: 1 September 2010(done)

- Approval of the REF-3 subject : Forum-10(done)
- Project manual: Q3 2012 (written procedure)(done)
- Prepare and deliver the training for project national coordinators:Q4 2012 – Q1 2013(done)
- Operational phase: 01 February 2013 – 31 August 2013
- Reporting phase (National Coordinators): 01 September - 31 October 2013
- Evaluation phase: 01 November – 31 December 2013
- Final report with the WG recommendations: 01 February 2014 (Forum 17)

Timeline for the prolonged REF-3 (sequel project)

Second phase
- Inform National Coordinators: after F-15
- Adjusted scope and update supportive documents : to be adopted at Forum-16
- Inform National Coordinators about new documents: Q4 2013-January 2014
- Second Operational phase: 01 February 2014– 30 November 2014
- Second Reporting phase (National Coordinators): 01 December - 31 January 2015
- Evaluation phase: 01 February – 31 May 2015
- Final consolidated report for REF-3 with the WG recommendations: June 2015 (Forum 21)

Annex II g

Forum Working Group

"Horizontal methodology for a harmonised elaboration, management, reporting and evaluation of Forum coordinated enforcement projects"

Work Packages A.1, B.1 and B.5

(Mandate established at Forum-10)

First revision – Forum-12

Composition:

Chair: Mike POTTS (UK)

Forum Members
Katja VOM HOFE (DE)
Birte BØRGLUM (DK)
Paul CUYPERS (BE)
Rui CABRITA (PT)

Invited Experts
Andrea MAYER-FIGGE (DE)
Aleksandra MOCZULAK (PL)
Gisela HOLZGRAEFE (IMPEL)

Commission
Miguel AGUADO-MONSONET (COM)

ECHA
Juan Pablo CALVO TOLEDO (ECHA)

Objectives:

- Draft the consolidated final report of the REACH-EN-FORCE-1 (REF-1) project **(completed)**

- Set up a methodology for a harmonised elaboration, management, reporting and evaluation of Forum coordinated enforcement projects. This methodology would take into account the experience gathered on enforcement methods and enforcement practice when dealing with REF-1, REF-2 and PAH projects (and later on with REF-3 and potentially other projects)
- Elaborate a draft document (to be adopted by the Forum) retracing this methodology

Mandate:

- Compile the facts reports regarding REF-1 project and draft a final project report considering the revision of conclusions and recommendations from the WG REF-1 adopted by Forum **(completed)**

- Set up a methodology for a harmonised elaboration (including selection, prioritisation, manual elaboration, identification of success criteria), management (including implementing, training, assistance to the national coordinators), reporting (including reporting tools, data analysis and drawing of conclusions and recommendations for further actions) and evaluation (including indicators) of Forum coordinated enforcement projects.
- Draft, in cooperation with the ECHA Forum Secretariat, a document retracing this methodology. It will include a procedure reflecting the method adopted (including time-schedule).
- Liaise with national coordinators from REF-1, REF-2, ex-members of REF-1 and members of the WG REF-2 as far as possible. Later on, liaise also with members of REF-3 and potentially other projects.

Timeline:

- Draft the consolidated REF-1 Project Report : **December 2011 (completed)**
- Present to Forum a progress report on setting up the methodology for a harmonised elaboration, management, reporting and evaluation of Forum coordinated enforcement projects : **Forum-12, Forum-13, Forum-14, Forum-15**
- Propose a draft document retracing this methodology : **Forum-16**

Annex II h

Establishment of the WG Prioritisation of REF projects

Draft mandate of the WG Prioritisation of REF Projects

Forum Working Group

"Prioritisation of REF Projects"

Work Package A.1

(Mandate established at Forum-15)

Composition:

Chair: -

Vice Chair(s): -

Forum Members/Alternates

-

Invited Experts

-

Objective:

- Propose periodically to the Forum the subject or subjects for the next harmonised enforcement projects coordinated by the Forum (REF Projects)

Mandate:

- Elaborate in a periodic basis a document proposing possible subject(s) for the next harmonised enforcement project coordinated by the Forum taking into account the methodology for the prioritisation and selection of REF projects and its criteria for prioritisation.

- Elaborate and maintain a registry of articles of chemical regulations under the remit of the Forum covered by previous REF Projects, Forum enforcement projects and Forum pilot projects. It will be also in charge of maintaining Annex VIII (objectives of enforcement projects) of this document.

- Propose to the Forum revised criteria for prioritisation and revised Forum enforcement strategies to the Forum when necessary.

- Collaborate, as necessary, in the revision of the methodology for the prioritisation and selection of REF projects and its implementing

procedures and working instructions to be adopted by the Forum.

- Propose themselves topics for REF projects, where necessary.

- The WG will operate from Forum-15 (June 2013) until the end of 2016/2018 (end of the Forum WP 2014 – 2016/2018). 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.

Note accompanying the draft mandate for the WG Prioritisation of REF[3] Projects

1. Introduction

The following note gives a description of the main objective and activities of the Forum Working Group for the Prioritisation of REF Projects.

The WG Prioritisation of REF Projects will be a permanent WG operating during a whole multiannual work programme of the Forum and composed of Forum members, alternates and invited experts from the Member States. The WG will be chaired by a Forum member or an alternate to the Forum member and in the execution of its mandate the WG will abide to the Rules of Procedure of the Forum and to the Revised Working Procedure on the Work of the Working Groups.

The main objective of the WG Prioritisation of REF Projects will be to propose periodically to the Forum the possible subject or subjects for the harmonised enforcement projects coordinated by the Forum for Exchange of Information on Enforcement.

To fulfil this objective, the WG Prioritisation of REF Projects will apply the methodology for the selection and management of REF Projects and its implementing procedures and working instructions.

In particular, the WG will elaborate the possible subject or subjects for project proposals using the prioritisation criteria adopted by the Forum as part of the above mentioned methodology. For the elaboration of the subject(s) of project proposals, the WG will consider the project proposals submitted by “submitters of project proposals”.

The WG Prioritisation of REF Projects will not have responsibilities in the Management of harmonised enforcement projects coordinated by the Forum.

2. Tasks of the WG

The following tasks will be part of the mandate of the WG Prioritisation of REF Projects:

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[3] REF stands for REACH, CLP and PIC Harmonised Enforcement Projects coordinated by the Forum for Exchange of Information on Enforcement

1. **Elaboration of a document proposing possible subjects for the next harmonised enforcement project coordinated by the Forum. (including Annex III of this document)**

When the Forum starts the selection process for the next harmonised enforcement project coordinated by the Forum, the WG will apply the prioritisation criteria to the project proposals sent by submitters of project proposals. The final outcome of the WG will be a document proposing to the Forum the possible subject or subjects for the next harmonised enforcement project coordinated by the Forum.

2. **Elaboration and maintenance of a registry of articles of REACH, CLP and PIC Regulations covered by previous REF Projects, Forum enforcement projects and Forum pilot projects. and objectives of enforcement projects (Annexes IV and VIII of this document)**

The WG Prioritisation of Projects will be tasked to elaborate and maintain a registry of articles of REACH, CLP and PIC Regulations covered by previous enforcement projects. The registry is a tool supporting the decision making during the process of project selection including the submission of project proposals, the prioritisation of project proposals, the elaboration of subjects for projects and the final decision regarding the selection of projects. In addition, the registry is regarded as a tool to monitor the work of the Forum and to communicate this work to external parties.

3. **Revision of the criteria for prioritisation and revision of the Forum enforcement strategies (Chapter 4 of this document)**

There may be reasons in future to amend the criteria for prioritisation of project proposals. Furthermore, the Forum is tasked to identify enforcement strategies. To use efficiently and in synergy the expertise in the Forum, the WG Prioritisation will be in charge of the revision of the criteria for prioritisation of project proposals and will propose to the Forum revised enforcement strategies based on the criteria for prioritisation and based on the registry of articles covered by Forum enforcement projects whenever this is deemed to be necessary.

4. **Revision of Methodology for selection of REF projects and revision of implementing procedures and working instructions (Chapter 5 of this document)**

It is foreseen to revise the methodology for prioritisation and selection of REF projects and its implementing procedures and working instructions periodically and after some experiences with the use of the methodology. The WG will collaborate in the revision of such documents in close cooperation with the Forum Secretariat.

Annex II i

Forum Working Group

"Enforceability of restrictions"
Work Package B12
(Mandate revised at Forum-15)

Composition:

Chair: Paul CUYPERS (BE)

Forum Members/Alternates
- Mariano ALESSI (IT)
- Jos VAN DEN BERG (NL)
- Maria Letizia POLCI (IT Alternate)
- Mervi LEIKOSKI (FI Alternate)

Invited Experts
Rachael ALLEN (UK)
Werner ALTKOFER (DE)
Skirmante AMBRAZIENE (LT)
Leonello ATTIAS (IT)
Marek DUSZYNSKI (PL)
Carolina FERRANTI (IT)
Tone Line FOSSNES (NO)
Julia GONZALEZ GUTIERREZ (ES)
Philipp HOHENBLUM (AT)
Uwe LICHT-KLAGGE (DE)
Karin RUMAR (SE)
Durk SCHAKEL (NL)
George TSAGAROPOULOS (EL)
Kevin PITCHFORD (UK)
Siru VILJAKAINEN (FI

European Commission
Patricia HUALDE GRASA (COM)
Remi LEFEVRE (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.
  - Prepare a draft final Forum advice that will be submitted to the Forum for adoption.
  - Provide support on enforcement related issues to SEAC (co-)rapporteurs during the process of the elaborating the SEAC opinion.
- 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 the results of its findings and its actions between the plenaries
- Propose a methodology for recommending analytical methods. After this methodology is elaborated, propose the elaboration of a compendium of recommended analytical methods in liaison with stakeholder organisations if needed, and other relevant bodies.
- Propose a manual intended to assist the control of compliance with the Annex XVII restrictions in close cooperation with ECHA.

Timeline:

31 December 2014, reporting at each plenary meeting

Annex III

List of meeting documents and presentations in Forum-15

Documents[4] and presentations[5] uploaded in CIRCABC per Agenda Point

AP	Documents/Presentations (PPT)
1.2	Final_agenda_Forum-15_clean_07062013
1.3	ECHA_Forum-15_2013_1.3_Room doc_Status of conclusions and action points from F14 and F13
3.1	ECHA_Forum-15_2013_3.1_AP 3.1 Translation_ECHA_decisions
	(PPT) AP 3.1 Translations
3.2	ECHA_Forum-15_2013_3.2_Art 36 letters for Forum
	ECHA_Forum-15_2013_3.2 Room doc_Role and tasks fo MS Focal Points
	(PPT) AP 3.2 Enforcement of Art 36 letters
3.3	ECHA_Forum-15_2013_3.3_Update on Interlinks
	ECHA_Forum-15_2013_3.3_Room doc_Dossier Evaluation Process_AtD
	(PPT) AP 3 3 Interlinks for SONCs_final
4	ECHA_Forum-15_2013_4_draft_mandates
4.1.1	ECHA_Forum-15_2013_4.1.1_REF-2 Progress Report
	(PPT) AP_4.1.1._REF-2 report Forum15
4.2.1	ECHA_Forum-15_2013_4.2.1. Draft final report on the Pilot Project on Intermediates
	(PPT) AP_4.2.1_Pilot Project Intermediates-Forum-15
4.3.1	ECHA_Forum-15_2013_4.3.1_EIES WG Progress Report
4.4.1	ECHA_Forum-15_2013_4.4.1_Progress report WG RIPE
4.4.2	(PPT) AP 4.4.2 RIPE project update
4.5.1	ECHA_Forum-15_2013_4.5.1. WG_Training 2013 progress report
	(PPT) AP_4.5.1 WG 'Training 2013' Forum_15
4.6.1	ECHA_Forum-15_2013_4.6.1_WG MAWP_progress_Report
	ECHA_Forum-15_2013_4.6.1_WG MAWP_progress_Report_Annex1a_Draft_MAWP
	ECHA_Forum-15_2013_4.6.1_WG MAWP_progress_Report_Annex1b-Annexs_Draft_MAWP
	ECHA_Forum-15_2013_4.6.1_WG MAWP_progress_Report_Annex2-list

[4] Documents uploaded in CIRCA BC: Library > iv_meetings > 18. Forum-15 (18 - 20 June 2013) > 02. Meeting documents
Room documents uploaded in CIRCA BC: Library > iv_meetings > 18. Forum-15 (18 - 20 June 2013) > 05. Room documents
5 Meeting presentations uploaded in CIRCA BC: Library > iv_meetings > 18. Forum-15 (18 - 20 June 2013) > 03. Presentations

	COM (EXCEL)
	ECHA_Forum-15_2013_4.6.1_WG MAWP_progress Report_Annex3-list WG (EXCEL)
4.7.1	ECHA_Forum-15_2013_4.7.1_Pilot project on ORs and PPORDst
	ECHA_Forum-15_2013_4.7.1_Pilot project on ORs and PPORDst_room_doc
4.7.2	(PPT) AP_4.7.2_Draft_PPORD_19_06_2013_Forum_meeting
4.8.1	ECHA_Forum-15_2013_4.8.1_WG REF3 progress report
	(PPT) F-15 AP 4.8.1 Proposal REF-3 Continued
4.9.1	ECHA_Forum-15_2013_4.9.1_WG HPM
	(PPT) AP_4.9.1_WG Horizontal Methodologies
4.10.1	ECHA_Forum-15_2013_4.10.1_WG REST progress_report
	(PPT) AP 4 10 1 Progress Report F-15 WG Restrictions FINAL
4.10.2.1	ECHA_Forum-15_2013_4.10.2.1_Draft Forum Advice-Lead
	(PPT) AP_4.10.2.1_WGEnforceability of restrictions_advise Lead
4.10.2.2	ECHA_Forum-15_2013_4.10.2.2_Forum advice - 1,4-DCB dossier
	(PPT) AP 4.10.2.2 - 1,4-DCB
4.10.2.3	ECHA_Forum-15_2013_4.10.2.3_Impact of Forum Advice on Restriction proposals
	(PPT) AP_4.10.2.3_ assessment_ impact_Forum_Advice
4.10.2.4	ECHA_Forum-15_2013_4.10.2.4a_REST_update
	ECHA_Forum-15_2013_4.10.2.4b_REST_update - For agreement
	(PPT) AP 4.10.2.4- REST update general issues
4.10.3.2	(PPT) AP_4.10.3.2_Annex XVII
4.10.4.1	(PPT) AP 4.10.4.1 Progress made with project methodology to recommend AM-rev
6.1	(PPT) AP_6.1_Results_registration_deadline
6.2	(PPT) AP_6.2_Guidance_update_
6.3	ECHA_Forum-15_2013_6.3_AP 6.3 CSR Roadmap – update_room_doc
	(PPT) AP_6.3_CSR_ES Roadmap_update_Forum 15
6.4	ECHA_Forum-15_2013_6.4_Thought_starter_Authorisation_proposal
	(PPT) AP_6.4_Authorisation_Enforcement_v01
6.5	ECHA_Forum-15_2013_6.5_Use of alternatives to testing
7.1	ECHA_Forum-15_2013_7.1_Break out groups cover note
	ECHA_Forum-15_2013_7.1_topic1_1_SiA pilot project proposal
	ECHA_Forum-15_2013_7.1_topic1_2__Questionnaire summary & follow up suggestions
	ECHA_Forum-15_2013_7.1_topic1_3_Compilation of answers to questionnaire

	ECHA_Forum-15_2013_7.1_topic1_4_Room doc_Note on SiA Exemption from notification under Art 7(6)
	(PPT) AP 7.1 Forum 15_SiA pilot project_v3
	(PPT) AP 7.1 Forum 15_SiA questionnaire results
	ECHA_Forum-15_2013_7.1_topic2_1_Enforcement issues related to the PIC
	ECHA_Forum-15_2013_7.1_topic2_2_Priorities implementation of PIC
	ECHA_Forum-15_2013_7.1_topic2_3_Room doc_UK PIC enforcement case
	ECHA_Forum-15_2013_7.1_topic3_1_Strategies for Enforcement of REACH and CLP_March 2011
	ECHA_Forum-15_2013_7.1_topic3_2_Minimun criteria for REACH and CLP Inspections_March 2011
9	ECHA_Forum-15_2013_9_Practical_issues for enforcement
	ECHA_Forum-15_2013_9_addendum Room doc
10.1	ECHA_Forum-15_2013_10.1_Ni restriction_CY
	(PPT) AP_10.1_CY_Nickel campaign
11.1	ECHA_Forum-15_2013_11.1_Forum transparency
12.1	(PPT) AP_12.1_Update on COM issues_
12.2	(PPT) AP_12.2_ENFIND_contract_
13.1	ECHA_Forum-15_2013_13.1_Manual of Conclusions
13.2	ECHA_Forum-15_2013_13.2_Guidance to the chair
13.3	ECHA_Forum-15_2013_13.3_Forum-14 Survey Results

Annex IV. Glossary of acronyms and abbreviations

AMS: Regulation (EC) No 765/2008 concerning the Accreditation and Market Surveillance

ATP: Adaptation of technical progress

CARACAL: MSCA Committee for REACH and CLP

CCH: Compliance checks

CEN: European Committee for Standardisation

C&L: Classification and Labelling

CLH: Harmonised Classification and Labelling

CLP or CLP Regulation: Regulation (EC) No 1272/2008 on Classification, Labelling and Packaging of Substances and Mixtures

CMR: a substance or mixture which is carcinogenic, mutagenic or toxic to reproduction

COM: European Commission

DCB: Dichlorobenzene

DG: Directorate General at Commission

DSD: Decision Support Documents

DPD: Dangerous Preparations Directive

ECHA: European Chemicals Agency

EEA: European Economic Area

EIES: Electronic Information Exchange System

ENTR: DG Enterprise and Industry at the European Commission

ENV: DG Environment at the European Commission

EPG: Enterprise Policy group

EU: European Union

ECHA Forum-S: Forum Secretariat

ICSMS: The internet-supported information and communication system for the pan-European market surveillance of technical products

KPI: Key performance indicators

MAWP: Multi Annual Work Program

MB: the Management Board of ECHA

MS: Member States

MSC: Member States Committee

MSCA: Member State Competent Authority

NEAs: National Enforcement Authorities

OSH: Occupational safety and health

PAH: Polycyclic aromatic hydrocarbons

PBT: Persistent, Bioaccumulative, Toxic substances

PEG: Partners Expert Group

PVC: Polyvinyl chloride

RAC: Risk Assessment Committee

RAPEX: EU rapid alert system

R&D: Research and Development

REACH and REACH Regulation: Regulation (EC) No 1907/2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals

REF-1: REACH-EN-FORCE 1, 1st Coordinated Enforcement Project of the Forum focusing on pre(-)registration and SDSs provisions of REACH

REF-2: REACH-EN-FORCE 2, 2nd Coordinated Enforcement Project of the Forum

REF-3: REACH-EN-FORCE 3, 3rd Coordinated Enforcement Project of the Forum

RIPE: REACH Implementation Portal for Enforcers - IT system for Enforcers

RMO: Risk Management Options

RoP: Rules of Procedure

SDS: Safety Data Sheet

SEAC: Socio Economic Analysis Committee

SIEF: Substance Information Exchange Forum

SME: Small and Medium Sized Enterprises

SONC: Statement of Non-Compliance

SPOC: Single Points of Contact

TPE: Testing Proposal Evaluation

vPvB: very Persistent and very bioaccumulative substances

WG: Working Group of the Forum

WP: Work Programme of the Forum