Improving Safe Use of Chemicals
What we have learned through inspections

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Topics

• Organisation of chemical related enforcement in Ireland
• National strategy/work programmes
• IE chemical usage profile
• Inspection findings
• What we have learned
The Health & Safety Authority
IE Implementing Legislation

CLP

SEVESO & Chemical Weapons

ADR Road Transport

REACH

Carcinogens Chemical Agents Asbestos

Export Import (PIC)

Deter-gents

Chemical Agents

Asbestos

Chemical Weapons

SEVESO
Organisation of Authorities under the Chemicals Act

Chemicals Act 2008 (& 2010)
- REACH
- CLP
- Detergents
- PIC
- Health & Safety Authority
- Environmental Protection Agency
- Dept. of Agriculture, Food and the Marine
- Dept. of Health (PCC)
- Revenue
Health and Safety Authority

Sligo -

Athlone (4)

Dublin (13)

Kilkenny (1)

Waterford (2)

Cork (9)

Limerick (2)

Galway (2)

33 staff working in chemicals area – policy (12) & inspectorate (21)
6 Units covering ADR, Occ. Hygiene, COMAH, Mark. Surv., Risk Mngmt. & all CA/NEA duties
National Enforcement Strategy

• **Proactive** inspections
• **Reactive** work - referrals, complaints, accidents/incidents
• **Focus:** **high risk chemicals**: CMRs Cat. 1 & 2, respiratory/skin sensitisers
• **Detailed** inspections: Information in the Supply Chain requirements/Registration
• **Target** top of chains
• **Market Surveillance activities** - consumer aspects & identified risks
Profile of chemical actors in Ireland

Supply Chain Roles from Inspector data 2015-2018

Year

2015 2016 2017 2018

<table>
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<tr>
<th>Year</th>
<th>Manufacturers</th>
<th>Importers</th>
<th>Distributors</th>
<th>Downstream users</th>
<th>Only Reps</th>
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<tr>
<td>2018</td>
<td>6</td>
<td>9</td>
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Percentage (%)
Profile of chemical use

2018 inspection figures:

- 6% registration duties
- Further 4% notification duties
- 17% companies supplied/used CMR products - checked for compliance with restriction entries 28-30 Annex XVII
- 11% companies using substance subject to authorisation
- 38% supplied/used skin/respiratory sensitisers
- 21% supplied detergents
- 18% companies did not have SDSs accessible for employees
Detailed SDS/label assessments

- 239 SDSs assessed
  - 197 mixtures
  - 42 substances
  - 14 on Annex XVII
  - 9 on Annex XIV
  - 84 skin/respiratory sensitisers
  - 40 Carc. 1A/1B
  - 10 mutagens
  - 27 repro.
161 SDSs assessed

- 28% classification issues
- 53% deficiencies in section 8
- 22% PPE issues
- 21% OELVs missing/wrong
- 11% label elements incorrect
- 5% section 9 incorrect
- 25% emergency no. non-compliance
- Others: format, sections 3, 7, 10, 11 & 15
Market surveillance

Past market surveillance campaigns:
• 2016 Campaign on liquid laundry detergent capsules (LLDCs)
• 2017/2018 hazardous chemicals and products sold to the general public
• E-liquids
Enforcement actions taken

Contravention Notices served in relation to:
- No child resistant fastenings (CRF)
- Non-compliant classification/labelling
- No authorisation number on a label
- Supply of restricted substance to general public (entries 28/30 Annex XVII REACH)
- Failure to register
- Failure to notify to the inventory

Additionally:
- Verbal advice
- Written advice
- Voluntary withdrawal from the market
Capturing the findings

- **Question Sets** for all REACH/CLP inspections covering REACH & CLP obligations
- **Product assessments** completed on SDS/label/packaging
- **On site & desktop assessments** captured on internal IT system
- Monthly/Quarterly **updates** for CEO/Board/Ministry
- End of year **reporting** on all findings under Chemicals Act
- All results feed in to REACH Art. 117 & CLP Art. 46 reporting obligations

Purpose: to shape future work programmes
Chemical Usage Surveys

• 2007, 2012 & 2018 surveys

2018:
• greater focus & improvement in chemical management in Irish workplaces
• Authority valuable source of information for Irish businesses
• significant usage of Authority’s website & chemicals helpdesk
• knowledge on REACH & CLP better than previous surveys
• still gaps in knowledge in relation to roles and requirements of imported products under REACH/CLP & awareness of PIC
What we have learned – companies & compliance

- Majority IE actors DUs – end users (~70%)
- High % micro and SMEs
- Non-compliances related to information in the supply chain
- Awareness of roles/requirements needs improving
- Impact on risk assessment
- Need for ensuring safe use
- Locating the responsible actor in chain
- Lack of SME organisational representation
What have we learned - internally

Addressing challenges:
• Inspector upskilling/training
• Internal support: policy-enforcement
• Multi-disciplinary teams
• Detailed inspections
• Communication across teams
• Cooperation with other agencies
• Targeting actors/products
• Recording of results
• New Unit devoted to Market Surveillance of Chemicals
• ECHAs Forum for the exchange of information on enforcement benefits
Parting thoughts

For effective compliance:

• Planned & targeted inspection focus
• Access to relevant persons
• Access to relevant documentation
• Open communication
• Good cooperation
Thank You