

Amendment to the Programming Document 2018-2020 (poison centres searchable database)

51st Meeting of the Management Board 20-21 September 2018

Proposal

The Management Board is invited to adopt as amendment to the Programming Document 2018-2020 ECHA's work for the poison centre notification portal. More explicitly:

Section 1.2.4 'Classification and Labelling – Main actions and outputs of 2018', 8th bullet point on page 58 of the Programming Document should be amended follows:

- Further develop tools and support to facilitate data provision by companies to be used by national Poison Centres under Art 45 of the CLP Regulation:
 - [...]
 - ***Expand ~~Start~~ the development of the notification portal to include the functionalities described in Annex I of the Commission decision xx/xx, to enable participating Member States to access and manage notifications from industry in the new format and facilitate company notifications to multiple countries simultaneously. [...].***

The adoption of the Commission Decision requesting ECHA to develop the functionalities of a searchable database is still pending. Should the adoption not occur before the MB meeting, the amendment of the Programming Document will be taken off the agenda and submitted for written procedure. The Secretariat will circulate the Commission Decision as soon as it is adopted and notified to the Agency.

Background

After the iterations over the past months between the actors involved in defining the scope of ECHA's work for poison centres under the CLP Regulation, the Commission is finalising a request to the Agency to expand the functionalities of the notification portal by developing a searchable database. For this reason there was no written procedure concerning Poison Centres over the summer.¹ The development of the new functionalities became urgent because of the legal deadline of 1 January 2020 established in the legislation. Member States that wish to rely on the database need certainty that no national systems need to be in place by that time.

Rationale

The Commission decision will provide legal certainty for the Agency. This allows to update ECHA's Programming Document as financing decision for the Agency and start the work on the enlarged scope for the notification portal on which some Member States rely upon. Without the extension, the central notification portal will remain limited to industry functionalities that allow central submission and subsequent dispatching of information to the relevant Member State. All Member States would need to have national systems in place to be able to meet the requirements of the revised Annex VIII to the CLP Regulation.

¹ See information note accompanying Written Procedures MB/WP/02-04/2018, 18 July 2018.

Alternative options

N/A

Drawbacks

The Commission Decision will confirm that the extended scope of the central notification portal lies within the scope of the CLP Regulation, and provides human and financial resources. However, there are a number of risks related to the resources: The financing depends on the yearly surplus from REACH fees. The Commission has signalled no longer to commit to top up the budgeting, if needed and within limits. ECHA needs to reflect this in the annual budget and the Secretariat will make a proposal in the respect. The estimated resources will be based on a forecast on the number of notifications and the needs from national bodies. A planned Commission workability study will further clarify these aspects. The implementation time is limited, for both options, having national systems in place and developing the searchable database at EU level.

Attachment:

- Commission decision requesting ECHA to expand the development of the notification portal under Article 45 of the CLP Regulation (in the adoption process / will be notified to the Management Board as soon as it becomes available).

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