


Methodology and Strategies for Enforcement in practise

Enforcement and tools

- Legislation
- Legal experts at Keml
- Other (scientific) experts at Keml
- Databases (ex [GHS/CLP](#))
- Products register
- Pesticide register [“Spider”](#)
- Internal steering documents....
- Cooperation with other gov. authorities

Examples – legislation to enforce

- Environmental Act
 - GMO and Chemical products
 - Ordinances and Regulations
 - EC-Directives:
 - Substance and Preparations Dir.
 - RoHS, VOC
 - ...
 - EC-Regulations:
 - REACH
 - Restrictions
 - MSDS (GHS)
 - Detergents
 - PPP
 - CLP (GHS)
 - Biocides ...
 - Chemical conventions
 - Stockholm (POPs)
- 

Products register

- Name and location of companies
- Product name
- Classification
- Product groups / function
- Number of products
- Manufactured/Imported volumes
- Substances in mixtures
- Professional and/or consumer available
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Planning of activities

- **Governmental instructions**
- **Keml internal planning**
- Own ideas, statistics from Products register
- Poison centre
- Research
- Other Authorities

Inspections - strategy (1)

- Information from products register
- Type of products/Product groups
 - Number of products (large number, high priority)
 - Large volumes
 - Widely spread
 - Hazardous substances
 - Industrial as well as consumer use
 - E.g. Detergents, Paints, Car-care products....

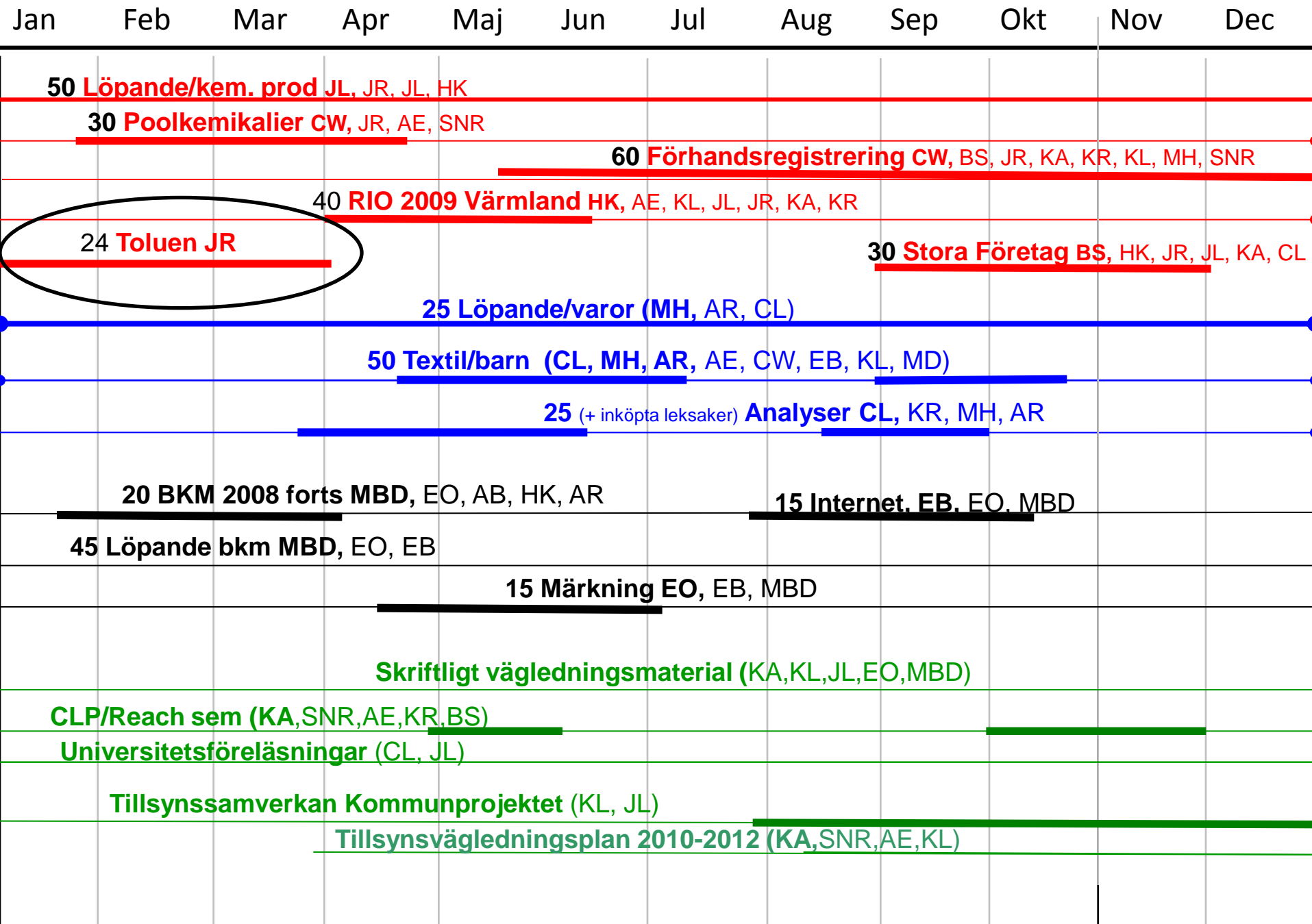
Inspections - strategy (2)

- Specific regulations
 - Pesticides, VOC-content (limit values), permits, restrictions – substances (eg toluen), package
- Geographic area
 - coordinate inspections with guidance of local authorities
- Urgent objectives
 - evaluation of tips and hints from occupational authorities and others

Analysis

- to check if the products are in compliance with restrictions in REACH legislation ex toluene in glue intended for private consumer, HCB in fireworks...
- to check that the active ingredient (and the amount) in Pesticides are in compliance with the Authorisation
- to control the content of substances in articles

Tidsaxel – planering



Inspections methods

On site

- Product investigation
- Tactile warning
- Child resistant fastening
- Permits
- Classification
- Products register
- SDS and labelling
- Distribution system
- Product substitution

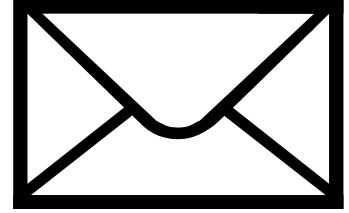
By mail

- Classification
- Products register
- SDS and labelling
- Product substitution

[Checklist](#)

[Protocol](#)

Written Request



A way for Kemi to ask the companies to come in with e.g. product information (Label/SDS) within a certain time

- Information about why we request the information
- Short information about Kemi with reference to website
- The letter is not a legal document

Relevant information material (fact sheets, brochures etc) is also included



**Inspection
by visit**

**Inspection
by mail**



Action taken

**Environmental
sanction fee**

**Report to
prosecutor**

Case closed

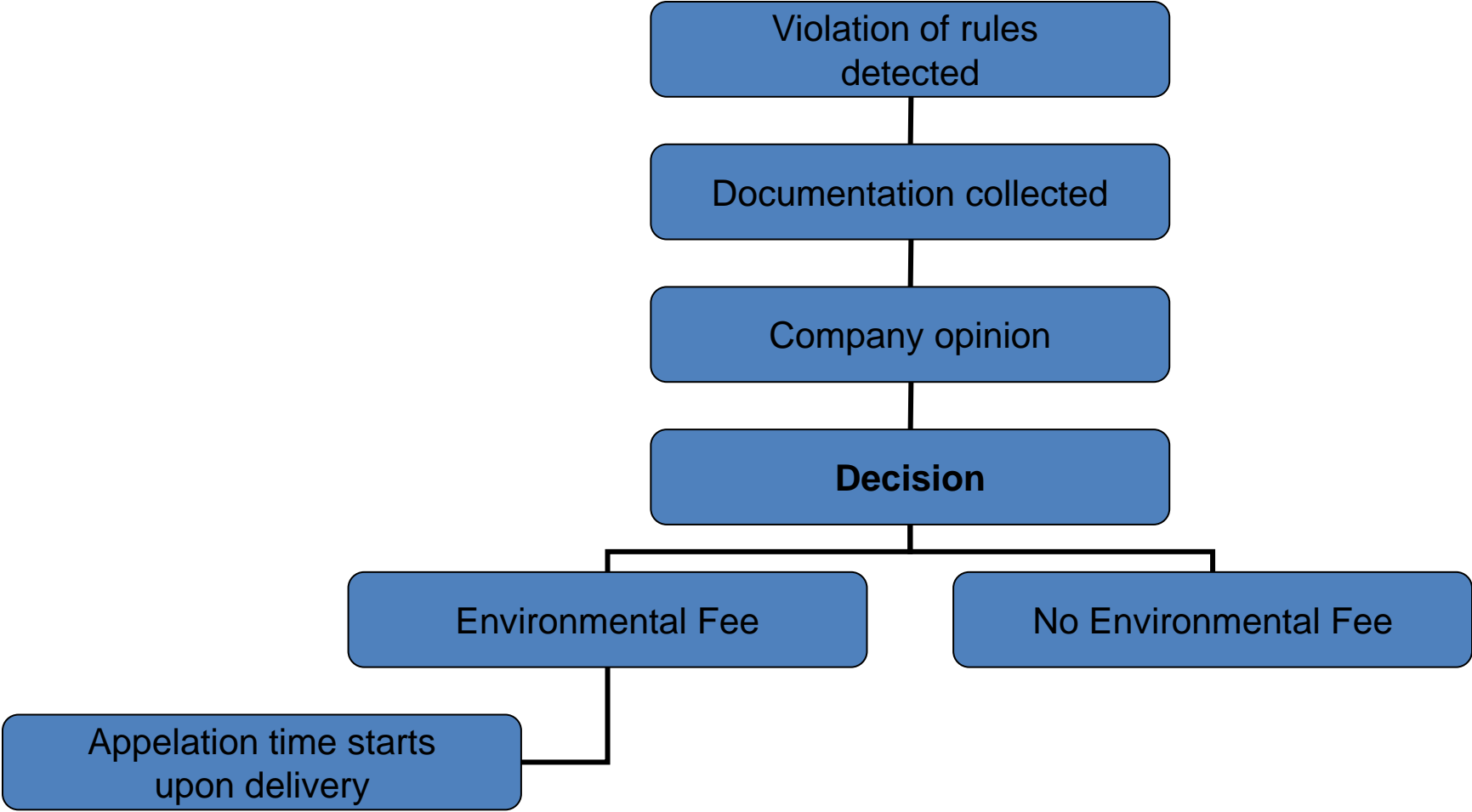
**Case closed w
minor remarks**

Injunction

**Injunction
and
prohibition**

**Injunction
with fine**

Scheme for handling Environmental Sanction Fees



Example of sanctions

Environmental Sanction Fee

- Missing of tactile warning (20 000 skr)
- Not reporting annual amount to Product register (5 000 skr)
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Reported to prosecutor

- Missing of child resistant fastening
- Violation of restrictions
- Selling pesticides not Authorized
- Labelling not in Swedish, or at all
- Not providing SDS to customers
-

“buzz” on conditions in your countries

- “Notice in advance before Inspection” – yes/no?, advantage/disadvantage?
- Number of Inspectors at the inspection – does it matter?
- Gender issues – does it matter if male or female Inspectors? If yes, Why?
- Inspectors having fixed objects to enforce – yes/no? advantages/disadvantages?

***Enforcement Project –
“Toluene” as an example***

Toluene

Physical / Chemical Properties:

- Flammable liquids: Flam. Liquid 2

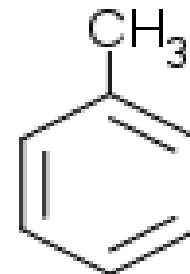
Health Hazards:

- Skin corrosion / irritation: Skin Irrit. 2 :
- Aspiration hazard: Asp. Tox. 1
- Reproductive toxicity: Repr. 2
- Specific target organ toxicity – single: STOT single Exp. 3
- Specific target organ toxicity – repeated: STOT Rep. Exp. 2

Signal Word **Danger**



Toluene



REACH Annex XVII

48. Toluene

CAS No 108-88-3

Shall not be placed on the market or used as a substance or constituent of mixtures in a concentration equal to or higher than 0.1 % by mass in adhesives and spray paints intended for sale to the general public.

Enforcement project: Toluene

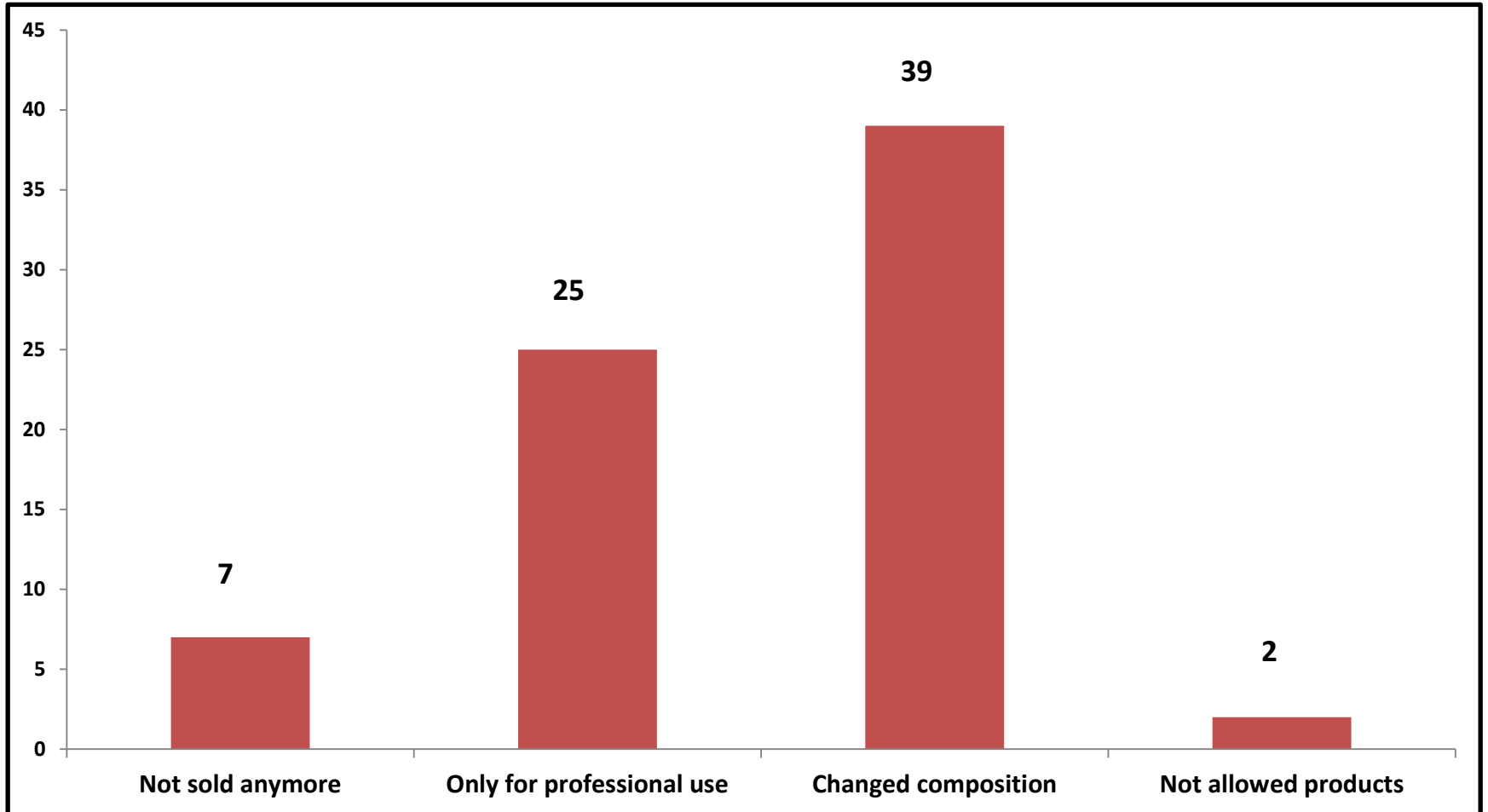
Main project 2008

- Adhesives and spray paints for consumer use
- Data from the Products Register
- 73 products represented by 24 companies
- 7 bicycletyre repair adhesives bought by Keml
- The products were analysed with HS-GCMS

Products register

- **Companies**
- Product groups
- **Product name**
- Manufactured/Imported volumes
- Number of products
- **Substances in products**
- **Professional and/or consumer**
- Location of the company

Results *(Toluene 2008)*



Results *(Toluene 2008)*

Bicycle repair adhesives

Product	Toluene w/w %
1	4,0
2	17
3	0,3
4	1,1
5	0,02
6	7,9
7	0,3



Results *(Toluene 2009)*

Follow up project

- **6** bicyclerepair adhesives analysed
- **2** products with toluene concentrations above 0.1 %
- Stopped by the companies on a voluntary basis
- RAPEX notification

Any questions ?

