

Enforcement cooperation

Levels of cooperation

National - between national Authorities

Regional - between Authorities in the Nordic countries

European - between European Member States (MS)

Global - between Swedish Chemicals Agency and, Countries (e.g. Serbia, Vietnam, South Africa) or Regions/Organisations (e.g. African Institute (AI), FAO)

Regional - Nordic Countries

Sweden, Denmark, Norway, Iceland, Finland

- Meeting once a year
- Work Shops on legislation (CLP/GHS)
- Coordinated enforcement projects
e.g. CLP 2012/2013

CLP – A regional Cooperation Project



Background & Purpose

- Follow up activity after CLP training workshops on a Nordic level (Stockholm 2010 & Helsinki 2011)
- New format for compiling SDS (453/2010)
- Transition period for classifying substances according to DSD passed (CLP mandatory)
- To find out if companies have managed to adjust their product information according to CLP and the new format for SDSs.
- Increased co operation and knowledge of new legislation among Enforcement Authorities in the Nordic countries.

Scope

- Chemical products classified and labelled according to CLP
- Companies placing substances on the market (and mixtures when using CLP on a voluntary basis)
- Companies represented in several Nordic countries prioritized
- 45 inspections – 23 in Sweden
- 76 chemical products controlled (in Sweden)
- Operational phase: 1/12 2012–15/2 2013

Results

- SDS according to the new format for all (76) chemical products controlled and in compliance with 453/2010
- All (35) substances controlled classified and labelled according to CLP
- Substances with harmonised classification correctly classified in SDS according to CLP Annex VI
- Classification of mixtures, 5 out of 41 with incorrect classification. This was due to slightly changed criteria in CLP for classification of mixtures in two Hazard Classes, compared to the criteria in DPD.

“Serious eye damage” (mixtures)

DPD

- Irritating
XI with R 41 “Risk of serious damage to eyes”;

if conc. \geq 10%



CLP

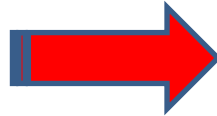
- Eye Dam cat 1 with H318
“Causes serious eye damage”;

if conc. \geq 3%

“Reproductive Toxicity” (mixtures)

DPD

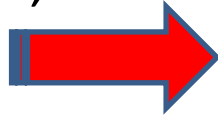
- T with R 60 and/or R 61;
if conc. $\geq 0,5$ %



CLP

- Repro. Cat 1A/1B with H360:
if conc. $\geq 0,3$ %

- T with R 62 and/or R 63;
if conc. ≥ 5 %



- Repro. Cat 2 with H361;
if conc. ≥ 3 %

Results cont.

- The results from this project shows that companies in Sweden and the other Nordic countries over all have managed very well to adjust to CLP and the new format for SDS.

BUT !!!!

- An unexpected and important problem has been identified in the form that companies do have problems in classifying mixtures correctly according to CLP for 2 specific Hazard Classes, due to changed criteria for mixtures.



If incorrect classified then there is a big risk that users don't get necessary and important information about hazards and how to protect themselves in labels and SDS.

- **Use this result and ACT!!**
Awareness activities for companies are in progress!

ECHA

European Chemicals Agency



- Consistent decisions at EU-level
- Support the MS with technical/scientific advise
- Develop IT-based tools, guidance, databases
- Support national Helpdesks
- Partly supported by fees from the industry

Enforcement – EU level



FORUM for enforcement (Article 77.4) :

- Identify enforcement strategies as well as best practice in enforcement
- Develop working methods and tools for use to inspectors
- Propose, coordinate and evaluate harmonised enforcement projects

<http://echa.europa.eu/web/guest/about-us/who-we-are/enforcement-forum>

FORUM



Secretariat based at ECHA (4 persons)

- Link between national enforcement authorities and ECHA
- Arrange the FORUM meetings (2-3/year)
- Coordinate working groups related to enforcement

REACH-EN-FORCE projects

REACH-EN-FORCE 1

Project on pre-registration and registration of phase in substances and SDS

REACH-EN-FORCE 2

Enforcement of the obligations of Downstream Users
Formulators of mixtures

REACH-EN-FORCE 3

Enforcement of compliance with registration obligations by manufacturers, importers and only representatives in close cooperation with customs

Participating countries R-E-F 1

Country	Questionnaires completed	Country	Questionnaires completed
Austria	20	Latvia	14
Belgium	59	Malta	3
Bulgaria	137	The Netherlands	34
Cyprus	29	Norway	15
Denmark	13	Poland	268
Estonia	75	Portugal	2
Finland	14	Romania	19
France	14	Slovakia	59
Germany	257	Slovenia	5
Greece	28	Spain	220
Hungary	123	Sweden	40
Iceland	11	United Kingdom	99
Ireland	31	Total	1589

RAPEX

- ✓ EU rapid information system of hazardous consumer products
- ✓ Memberstates report products found
- ✓ Nearly 2000 notifications in 2010
- ✓ Chemical risk was the most common reported risk (2010)
- ✓ Toys was the most reported category (2010)

Informal EU Enforcement Networks

RoHS Enforcement Network

- ✓ Started in 2006, meets 1-2 times annually
- ✓ 10-15 country participates
- ✓ 4 joint projects

CLEEN (Chemicals legislation european enforcement network)

- ✓ Started in 1990, meets once every year
- ✓ 7-15 countries participates
- ✓ 18 joint projects

Thank You!