



VROM-Inspectie
Ministerie van Volkshuisvesting,
Ruimtelijke Ordening en Milieubeheer

REACH-EN-FORCE-1

Results of the
prolongation of the
first coordinated
Forum enforcement
project

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19 oktober 2011



Introduction

- Topic: (pre) registration and provisions of Safety Data Sheets
- Almost 800 companies were inspected in the period May 2010 – April 2011
- Inspectors in 19 Member States (MSs) of the Economic European Area participated
- The project was guided in the same way by a Working Group which developed a project manual and web based questionnaire as the project in 2009
- In each MS a national coordinator was appointed, who was responsible for the training of the inspectors and the coordination and supervision of the project



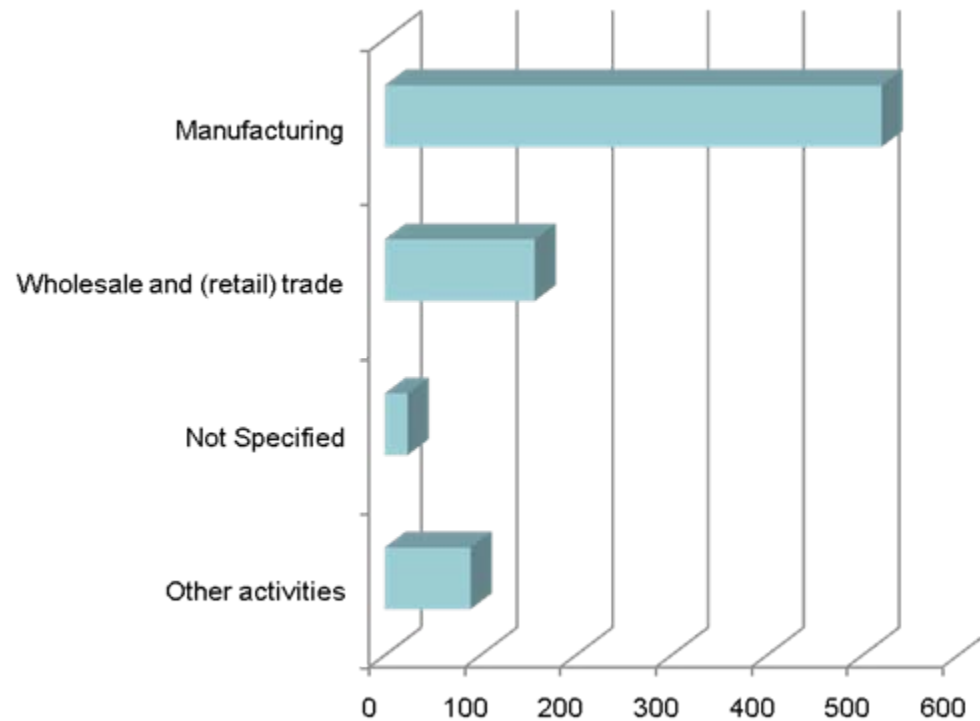
Participation and number of inspections

- The number of inspections per MS varies from 1 till 289 (total number of inspections 791)
- 764 inspections covered the full scope of the project; 45 inspections were focussed just on checking SDSs

Remark: Forum 10 decision about adaptation of the results



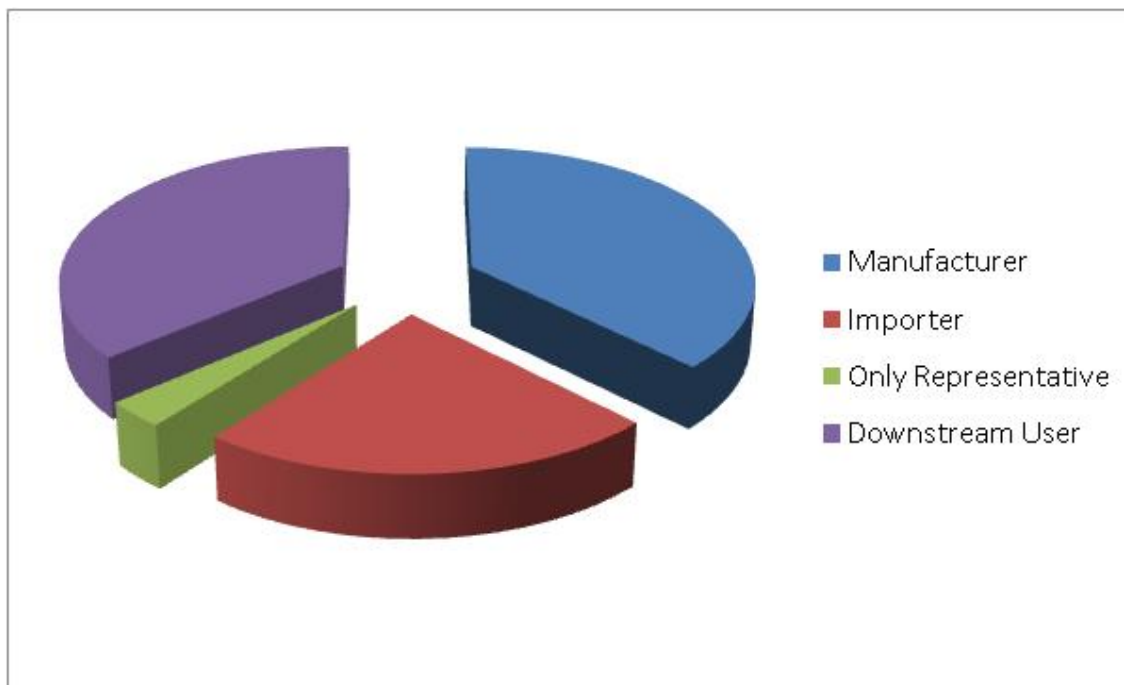
Type of companies inspected





Role of the company under REACH

In 774 of the completed questionnaires the role of the inspected company was reported





Registration obligations

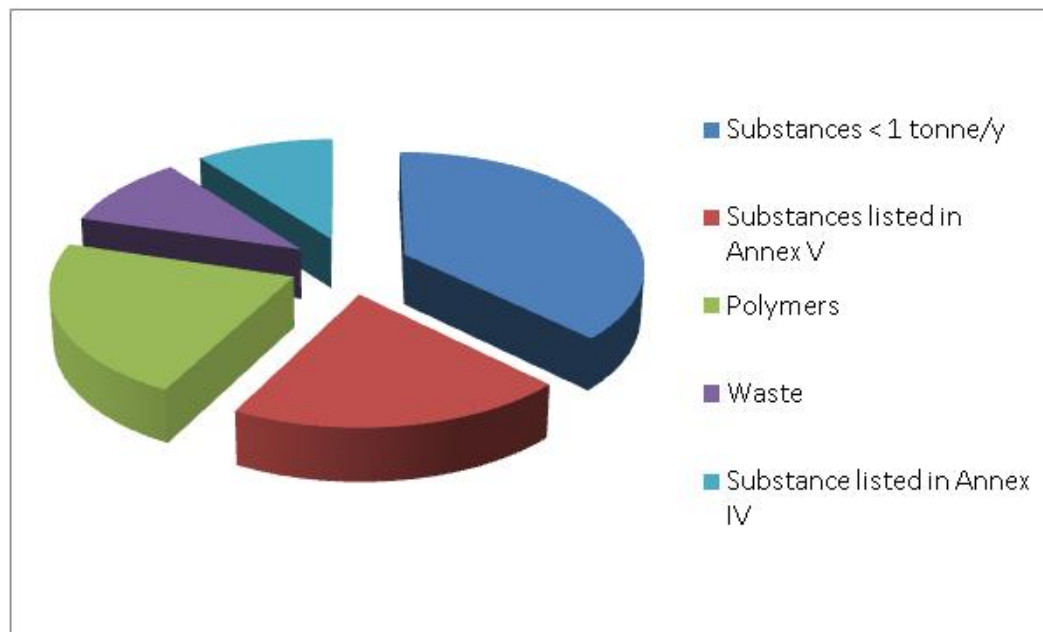
- 472 companies produce or import phase-in-substances as such and 203 companies produce or import substances in preparations (> 1 tonne/year)
- The inspected companies in total pre-registered about 35,015 substances
- There is a wide range in number of pre-registrations of the inspected companies:
 - 372 companies pre-registered 1-10 substances,
 - 179 11-100 substances,
 - 46 101-1000 and 4 >1000 substances



Registration obligations

In 238 cases exemptions from the obligation to register were reported (in 322 cases there were no exemptions)

Most important exemptions:





Registration obligations: non-compliances

- In 23 cases no (pre-)registration had been submitted
- In 9 cases the content of the pre-registration was not correct
- **Non-compliance with registration obligations 32 cases (~ 4%)**



SDS obligations (1)

Availability of SDSs

- 623 inspected companies (out of 757 responses) had the required SDSs
- In the case of 67 companies (9%) the required SDSs were not or partially available
- During these inspections 1,969 products were checked; in these cases 379 SDSs were not available



SDS obligations (2)

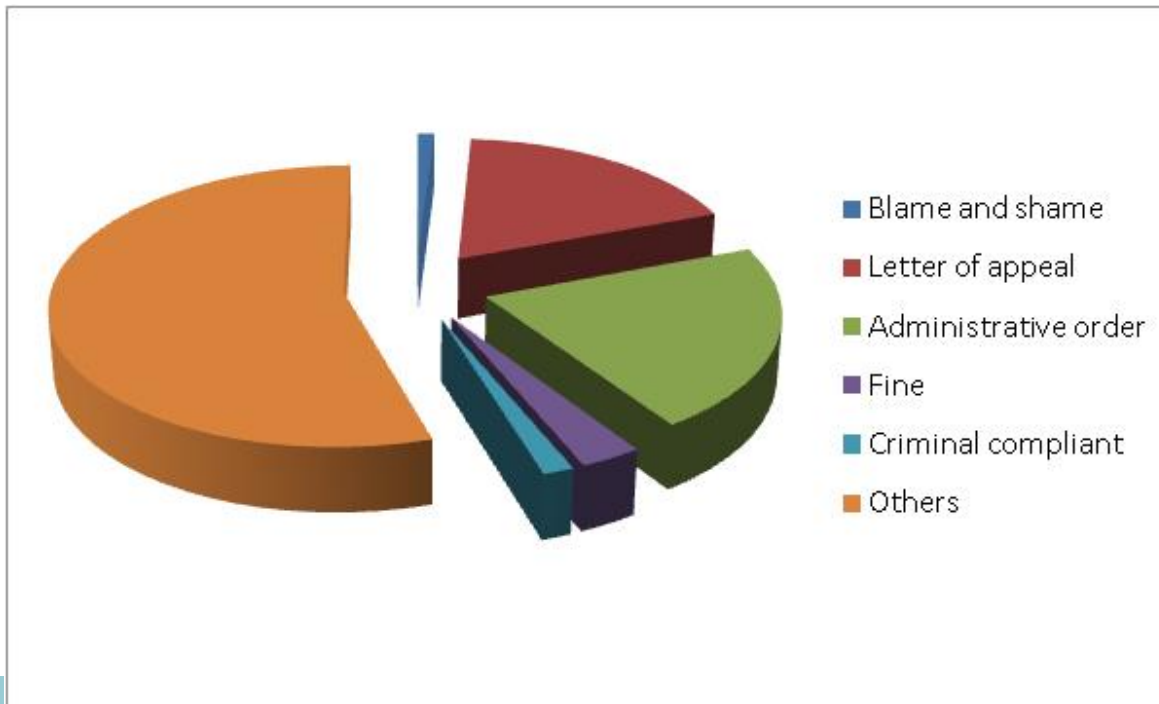
Requirements of Articles 31(5) and 31(6)

- 493 companies (747 responses) fulfilled the requirements of the Articles 31(5) (official language) and 31(6) (dated and 16 headings)
- For 119 companies (16%) the prescribed requirements were not correct
- **366 (~ 21%) of the 1,711 checked SDSs were not correct**



Infringements

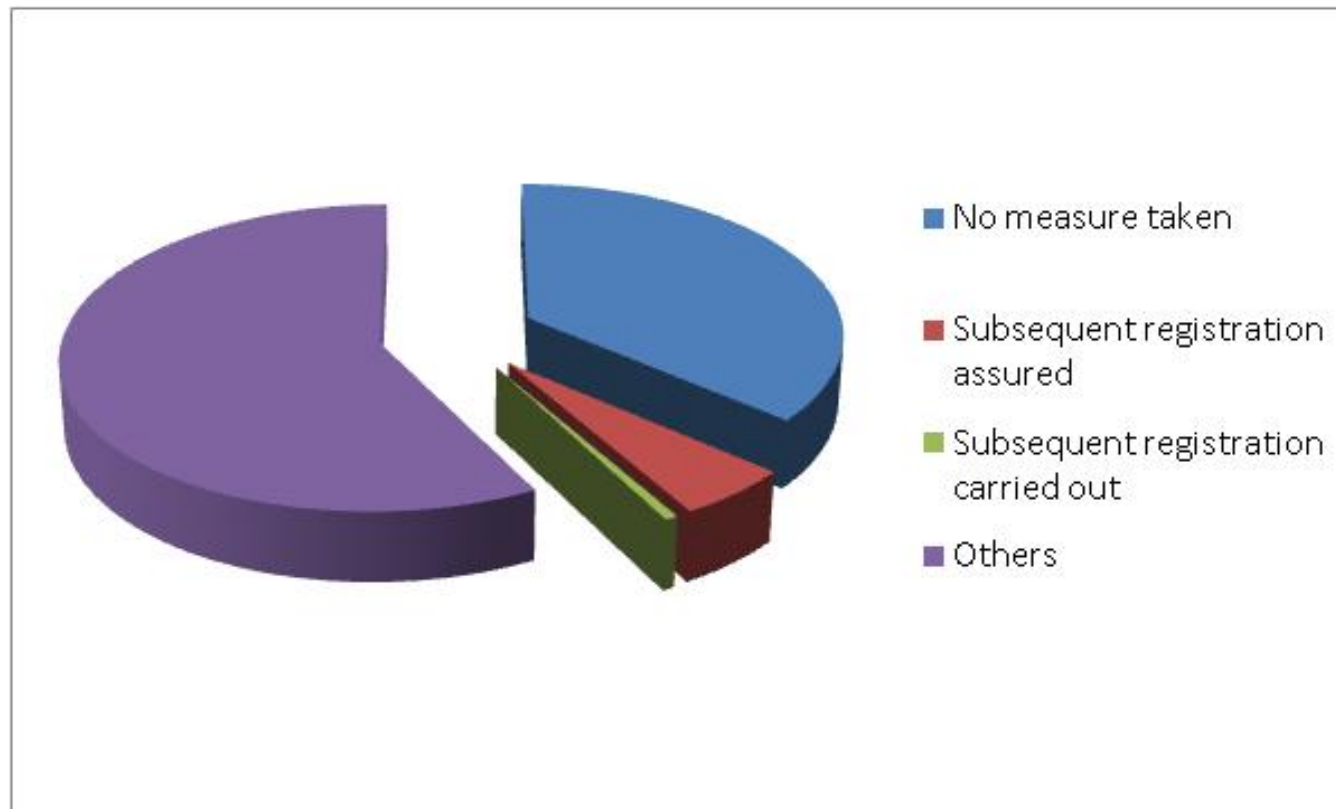
- Non-compliance with the REACH obligations was observed within 20% of the inspected companies
- Infringements: measures taken:





Infringements: follow up

(during time scale of the project)





Conclusions

- The prolongation phase of the project is considered to be a success story.
- Ensured coordinated enforcement activities in the MS between the finalisation of first phase of REF-1 and the operational phase of REF-2
- Ensured follow-up actions from first REF-1 phase and to deal with 800 inspections
- Further activities related to REF-1 have been carried out in MSs



Conclusions

- As a whole REF-1 is the first project coordinated by Forum with the aim to harmonize the enforcement approach in the EU and EEA countries.
- Very essential requirements of the REACH Regulation have been covered (pre-reg and SDS).
- Wide participation in the EU-EEA (most countries participated) and a large number of inspections carried out (> 2600).
- The project as a successful kick-off of one of the main activities of the Forum,
- Promotes the establishment of an equal playing level field.
- The project as a basis for future projects.
- Allows to draw up important lessons and conclusions. Some of them already implemented in REF-2.



Conclusions

Important messages to industry:

- Forum is working, cooperation between MS shows to be efficient, harmonised approach followed in MS, many resources deployed in the MS to ensure equal level playing field.
- To draw attention: substances can be unlawfully manufactured or imported (supported by the +/- 3 % not (pre)-registered)!
- SDS to improve because basic requirements non-compliant in 20 % cases. These will certainly be key area(s) for inspectors in the following years