

Helsinki, 10 June 2021

Agreed at RAC-57

Procedure for agreement seeking

Introduction of a differentiated approach to agreement of CLH hazard classes and adoption of opinions at the Committee

I. Introduction

The current working procedure for agreement of CLH agenda items by A-listing, i.e. following adequate scrutiny by RAC during written commenting on the draft opinion, but without plenary debate was first introduced by the Committee at RAC-29 in June 2014. Following successful implementation, the debating time in plenary has decreased substantially, while maintaining the ability of RAC to adequately scrutinize the dossiers and develop timely, fit-for-purpose opinions.

As the workload from the four current regulatory processes (CLP, Restrictions, Authorisation and Occupational Exposure Limits), dealt with by RAC continues to grow, the Committee agreed at RAC-56 in March 2021 to take further measures to make this sustainable for the future. The Committee agreed to set up the CLH Working Group of RAC.

The RAC working procedure for agreement seeking in the CLH process thus needs to be updated to describe the role of the RAC CLH Working Group.

II. Agreement by A-listing

A-listing agreement means that following adequate scrutiny by the Rapporteur, commenting members and/or the RAC CLH Working Group, selected hazard classes would be proposed for agreement through the A-list without further debate in the Committee. The increase in efficiency would be directly related to the number of hazard classes listed across the substances for discussion at a given meeting, i.e. the list would need to be substantial enough to gain time in the Committee.

The procedure is as follows:

- 1) After the Consultation on the dossier has closed on the ECHA website, the Rapporteur while completing the RCOM identifies with the Secretariat for each substance the potential hazard classes which could go to **agreement by A-listing**.
- 2) The Committee will be made aware of the hazard classes/categories proposed for A-listing through the 1st draft opinion and covering message accompanying the launch of the RAC consultation.

- 3) In order to ensure adequate preparation and maintain the high quality of the opinions, active participation of RAC members in the commenting rounds is necessary. Should the Chairman consider that additional scrutiny of the proposed A-listed endpoints is necessary, he may request members to specifically comment on this matter.
- 4) Depending on the outcome of the RAC consultation(s), i.e. the members' comments and the Rapporteur's response, the A-list would be updated and prepared for preliminary agreement by A-listing in the CLH Working Group. All issues that clearly need debate in the Working Group would remain on the agenda for discussion.
- 5) The Working Group may recommend further hazard classes for agreement by A-listing in the following plenary meeting. The Secretariat will update the A-list based on the working group recommendations, and table it for agreement in the Committee. All issues that clearly need debate in plenary would remain on the agenda for discussion.

Introduction of this approach would enable the Committee to:

- 1) Save significant time at plenary meetings, provided the A-list could be of substantial length.
- 2) Maintain the required transparency of the opinion development: stakeholder observers would have the opportunity to take note of the proposed A-list before the relevant discussion in the Working Group and plenary session in RAC.
- 3) Improve the quality of the discussion of complex dossiers by optimising the available debating time for critical issues.

III. Action requested

The Committee is invited to agree upon the proposed update to the Committee procedure for implementation from RAC-58 in September 2021 onwards.