Fourth meeting of the NGO-ECHA discussion platform – Substitution and Authorisation
Meeting note

10 April 2014

Platform for NGO-ECHA discussions
Meeting note

Time: Thursday 10/04/2014, 09:00 – 10:00 Helsinki Time (EEST, GMT+3)

Place: Meeting room K325, ECHA Conference Centre

Participants:

NGO Representatives: CIOCI Grazia (Health Care Without Harm Europe - HCWH)*; MUSU Tony (European Trade Union Confederation - ETUC); REID Kirsty (Eurogroup for Animals) SANTOS Tatiana (European Environmental Bureau - EEB); TAYLOR Katy (European Coalition to End Animal Experiments - ECEAE)

ECHA: YLÄ-MONONEN Leena (Director for Evaluation – Meeting chair); DE BRUIJN Jack (Director for Risk Management); VAINIO Matti (Head of Unit, Risk Management Implementation); BANERJEE Mira (Communications Unit); ELWAN Adam (Communications Unit); MERCOURI Virginia (Communications Unit)*; YASENOV Nedyu (Communications Unit)*.

** Attended through web conference*

1. Opening

The chair, Leena YLÄ-MONONEN (LYM) introduced the topics of the meeting: Substitution and authorisation. Jack DE BRUIJN (JDB) briefly mentioned a follow-up of a previous discussion with NGOs regarding the improvement of the public consultation process and asked the NGOs to confirm that they agreed with the points proposed in the memorandum of the meeting. The NGOs agreed to give their written comments on the document within the following two weeks. Due to the short meeting time it was proposed to move the rest of the agenda item on authorisation to the next meeting.

2. How ECHA and CSOs can cooperate in promoting substitution

Kevin STAIRS (KS) presented a proposal for an electronic SVHC substitution and innovation portal which could be established in cooperation with NGOs, industry, the Commission and ECHA. He explained that initially the content could be limited, but would begin growing significantly over the years. The SVHC substitution and innovation portal could contain the following types of content:

1) case studies on substitution;
2) experiences and lessons learned; and
3) information on the benefits of phasing out SVHCs, and avoiding the "designer compounds" problem whereby an SVHC is replaced with another similar compound (purposeful minor change with same properties, and/or selecting a similar compound). He

proposed that the portal could also include related links such as Subsport, and a discussion forum.

He concluded by highlighting that the overall goal would be to have in place within 3-5 years, a central location for the above mentioned content and a network of global expertise to match SVHC challenges with substitution solutions.

Discussion

The participants discussed and commented the proposal and the following points were made:

- Creating such a portal would be relatively easy but populating it with content may prove to be challenging. Participants agreed that a "walk before you run" approach would need to be applied where the content is slowly collated and compiled from existing information and the portal would be developed within a longer term to its full potential.

- ECHA would not be able to approve or ensure the accuracy of all the content posted in such a portal due to resource limitations - the credibility of information in the portal would therefore have to be maintained by industry, through their real life examples and case studies. ECHA's role would then not be to control what is discussed but rather to moderate that no inappropriate content is posted there, similarly to the C&L platform and the search for chemicals currently available on the ECHA website.

- Participants agreed that a lot of information is already available through the public consultation process which could be useful to convert to a more structured format. There are currently 34 public consultations which could be seen as individual case studies for the portal. The challenge would then be to restructure and extract the information in a way that brings added value for companies looking to substitute.

- A further useful source of case studies for the portal could be those applicants that do not review their applications for authorisation. As they no longer require the authorisation, they might be willing to share their new alternative with others through the portal. NGO participants also proposed to use the Greenpeace Detox Campaign as a possible source of successful substitution cases.

- ECHA shared plans for a matching service for companies to discuss best practice about their substances and also for consultants to provide their services to interested companies. The service could also attract companies seeking for an authorisation or substitute and might serve to pair those with a need, to those with potential solutions. Participants agreed that such a service could potentially be useful also for the portal.

The following discussion focussed on the importance of green chemistry organisations and ECHAs messages to companies as being crucial in the promotion of substitution.

NGO participants raised the following points:

- ECHA's message to companies dealing with hazardous chemicals should focus more on supporting and providing guidance on how to substitute rather than prominently recommending authorisation.

- More green chemistry organisations should be involved as ECHA's accredited stakeholders. ECHA noted that the first green chemistry organisation, the Green Chemistry Network, had recently been accepted as an accredited stakeholder.

- ECHA is already engaging in several activities to raise awareness within companies about the benefits of substitution by for example producing an issue of the ECHA Newsletter dedicated entirely for substitution and through presentations given at both external and internal events. ECHA explained that it welcomed further suggestions from the NGOs on how to best promote substitution. In recent months, ECHA's main goal has been to get the application for authorisation process up and running in order to deliver on its political and legal goals and many of its risk management resources have been allocated to this work.

The meeting Chair concluded the agenda point by refraining from making concrete promises regarding the proposal for an electronic SVHC substitution and innovation portal but promised that ECHA would examine the proposal further and initiate discussions with the Commission regarding ECHA's long-term planning for substitution. Participants also agreed that the portal should be discussed further at future meetings of the NGO-ECHA discussion platform.

NGO participants agreed to prepare a short outline for the proposal and share it with the meeting participants to facilitate future planning and discussion.

3. AOB and Agenda setting

Katy Taylor (KT) raised the following questions under any other business regarding animal testing:

1. She referred to a presentation to a CARACAL sub-group that proposed a list of alternatives that companies could use to animal tests through a web page on the ECHA website. She noted that although new OECD test methods had been published on the ECHA website, more could still be done. She asked if such plans were under development and what their status was. ECHA responded that at least in the short-term, ECHA had not committed to do more work on such pages but that the question would be followed-up and reported back in the next NGO-ECHA meeting.

2. Her second question related to issues that her organisation had faced regarding the testing proposals process. She expressed on-going concern about the publication rate of testing proposals and although there is an effort to publish them in a timely manner, she was worried that there would no longer be sufficient time for third party comments. ECHA explained that the increase in the rate of publication was due to a larger number of testing proposals than expected and based on previous experience, ECHA has tried to plan the time table so that it takes into consideration the third party comments to the best possible extent

while ensuring that due to the legal deadline of June 2016, there is still enough time reserved for the next steps in the process following third party consultations.

Participants agreed that for the next meetings, a dedicated 10-minute slot would be allocated for animal testing issues where both ECHA and NGOs could brief each other on recent developments.

Meeting participants agreed that the next meeting could be in conjunction with the Member State Committee meeting in September. In addition to substitution and animal testing, NGO participants proposed to discuss transparency during the next meeting. A detailed agenda and timing would be agreed later by email.

10 April 2014

Annex I – Meeting Agenda

Date & Time:
Thursday 10 April
09:00 - 10:00 Helsinki Time
Location: Meeting Room K325

09:00 – 09:05 **Opening of the meeting**

09:05 – 09:35 **Substitution**

- Presentation: How ECHA and CSOs can cooperate in promoting substitution – suggestions from CSOs
  Kevin Stairs, Greenpeace
- Discussion

09:35 – 09:50 **Authorisation**

- Presentation: CSO priority topics for discussion
  Tatiana Santos, EEB
- Discussion

09:50 – 10:00 **AOB & Agenda setting**