



Forum-45/M/2023 – PUBLIC
Adopted on 16 February 2024

**Minutes of the
45th meeting of the Forum for Exchange of Information on Enforcement
Remote meeting**

7-10 November June 2023

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I. Summary record of the proceedings

Item 1 – Welcome and introduction

1.1 Welcome and opening by the Forum Chair

The Forum Chair welcomed all the participants and opened the meeting. He announced that the Forum members from 26 EU Member States with voting rights and the three EEA countries were attending. The Chair informed that the quorum requirement was met.

1.2 Adoption of the agenda

The Chair indicated the changes in the agenda. The agenda was adopted (Content V, [Annex 1](#)).

1.3 Declarations of conflicts of interest with regard to agenda items

No conflicts of interest were declared at the meeting according to Article 9(2) of the Rules of Procedure.

1.4 State of play with action points from Forum-44

Forum members took note of the status of the action points from Forum-44 as listed in the meeting document. It was highlighted that more information was shared in Interact on the action regarding item *6.1 PFOA in ski waxes*, which was thus considered closed.

1.5 Results of the written procedures and other issues between Forum-44 and Forum-45

The Chair referred to the document with the results of the written procedures between Forum-44 and Forum-45.

The Chair reported on his attendance in the ChemCon Europe 2023 in Vienna (23-27 October 2023) and the Vice-Chair reported on her attendance in the Chemical Watch Regulatory Summit in Brussels (16-17 October 2023); moreover, HET made a presentation about the Forum's deliverables and the potential messages to be further disseminated at the Member States Communicators' Network meeting, held in ECHA on 28 September 2023.

The Chair also recorded a presentation regarding the Forum's work for the 15th Chemical Regulatory Annual Conference in Shanghai, China (16-17 November 2023).

Item 2 - Forum's enforcement activities - Ongoing projects

2.1 REF-10 on integrated control of products

2.1.1 WG progress report

The WG Chair presented the main results, conclusions and recommendations of the REF-10 project. The project report was under consultation with the Forum during the time of the meeting, and it will be sent out for adoption after the revision by the WG. Once adopted, the project report will be published on ECHA's website¹.

2.1.2 Mandate amendment

The Forum adopted the updated mandate ([Annex 2a](#)).

¹ *Post-meeting note*: The report was published on 13 Dec 2023
<https://echa.europa.eu/-/hazardous-chemicals-found-in-many-consumer-products>

2.2 REF-12 on the compliance of imported substances, mixtures and articles

2.2.1 WG progress report

The Forum took note of the work done by the WG and the progress report that contained an example of a risk profile and the document requested by the Forum that aims at assisting the NEAs with the implementation of the Y certificate codes in the REACH context. The Forum agreed to share the latter document with the Helpnet members and ECHA's Regulatory Support team.

The operational phase of the project will start in January 2024 and ECHA will publish some news items to advertise the start of the project. Forum members were encouraged to multiply this message.

2.2.2 Mandate amendment

The Forum adopted the updated mandate ([Annex 2b](#)).

2.3 Projects not for discussion

The Forum addressed and confirmed the mandates of the WGs that were not discussed at the meeting:

2.3.1 REF-11 on SDS: The Forum adopted the updated mandate ([Annex 2c](#)).

2.3.2 Train the enforcement trainers 2023: The Training 2023 event takes place on 22-23 November 2023 in ECHA premises. The Forum adopted the updated mandate ([Annex 2d](#)).

2.3.3 Prioritisation of REF projects. The Forum adopted the updated mandate ([Annex 2e](#)).

2.3.4 Pilot project on enforcement of PFCA and related substances focusing on cosmetics. The Forum adopted the updated mandate ([Annex 2f](#)).

2.3.5 WG for examining the enforcement-related impacts on the Forum of the future REACH and CLP revision. This WG will be kept dormant until it is relevant to start its work. The Forum adopted the updated mandate ([Annex 2g](#)).

2.4 Enforceability of Restrictions

2.4.1 WG progress report

The Forum took note of the work done by the WG and the advice provided. The Forum advice on the restriction proposal regarding PFAS was adopted and published on ECHA's website. The advice on enforceability of possible elements of the foreseen restriction on CMR substances in childcare articles was also adopted and published on ECHA's website.

HET presented the proposal for the revised working procedure for the development of Forum advice on enforceability of restriction proposals prepared by the WG. The WG offered the possibility to provide additional advice based on new requests from RAC and SEAC before RAC adopts its final opinion. The Forum advice will be limited to those aspects not subject to preliminary assessment and this advice will be added to the advice given based on the Annex XV proposal. A Forum member highlighted that the Forum should be able to decide by itself that it will provide additional advice if it finds that a new element of the draft will impact the enforceability of the restriction.

2.4.2 Screening methods

2.4.2.1 Results of the survey on the use of the screening devices – way forward

HET presented the results of the survey on screening methods sent to the Forum members. Seventeen responses were received indicating that further guidelines on the use of screening methods will be useful to facilitate their use by enforcement authorities.

The Forum agreed to introduce the screening methods in the compendium of analytical methods once this aspect was discussed with the WG and to share experience with the use of the screening methods at plenary meetings and, where available, during exchanges of inspectors. Forum recommended NEAs to liaise with other authorities which use these devices for other legislations.

The Forum Chairs were invited to bring these conclusions to the ADCO Chairs meetings.

2.4.2.2 Updates on possible fundings for the Member States on screening devices

The representative from DG ENV gave a presentation on the information from DG TAXUD on the Programme and Grants for the purchase of screening devices.

COM representative was invited to come back with additional clarification whether the handheld devices are covered by the part of the budget for border control points by end of November².

2.4.3 Mandate amendment

The Forum adopted the updated mandate ([Annex 2h](#)).

Item 3 - Forum's enforcement activities - Starting projects

3.1 REF-13 on online sales II – Mandate set-up

The Forum adopted the newly created mandate ([Annex 2i](#)).

3.2 Train the enforcement trainers 2024

3.2.1 Proposed topics for training

The Chair presented the topic proposals collected from the Forum members. The Forum agreed to set the focus of the next training event on the check of the chemical products sold on-line and to prepare inspectors for REF-13. The Forum also agreed that the WG could propose to add other topics to the scope of the training, if found relevant.

3.2.2 Mandate amendment

The Forum adopted the newly created mandate ([Annex 2j](#)).

² *Post-meeting note:* an email was sent to Forum members about this issue on 20 Dec 2023 (subject: COM funding(s) for the purchase of screening devices for NEAs/controls)

Item 4 - Forum's enforcement activities - Projects under finalisation

4.1 Pilot project on classification of mixtures focusing on detergents and cleaning products

The Forum took note of the progress made by the WG. Inputs to DG GROW in the framework of the CLP revision were implemented in the draft legislation proposal (status October 2023) reflecting what the WG discussed in the course of its activities.

The WG Chair presented to the Forum members the draft guide for national inspectors focusing on the 'Areas of interest for enforcement of bridging principle including Weight of Evidence / Expert Judgement'. The draft guide included two practical cases on the enforcement of lawful application of bridging principles for detergents. The guide also reported a flowchart for mixture classification as elaborated by DG GROW and revised by the WG and ECHA experts.

A follow-up written consultation of the draft guide was going to be launched after the plenary. The adoption of the guide was aimed for Q1 2024.

The Forum decided to prolong the WG mandate until end of March 2024. The Forum adopted the updated WG mandate ([Annex 2k](#)).

Item 5 – Updates from the ECHA Secretariat

5.1 Improvement of Forum's work - Discussion of the satisfaction survey

The Chair summarised the actions put in place to address the issues identified by the respondents of the survey concerning the work of the Forum during 2022. The Forum members agreed with the actions proposed and were invited to submit further input in writing. HET clarified that the revamp of the Forum's webpage was expected in early 2024.

The satisfaction survey regarding the Forum's work in 2023 will be launched in Q1 2024 and HET will compare the results with the ones from 2022.

5.2 Documents only for information

5.2.1 Follow-up of ECHA Decisions

The Forum took note on the statistics about the cases sent to the Member States Focal points until 11 October 2023.

5.2.2 State of revision of Interlinks guide

The Forum took note of the document with the proposed revision of the Interlinks guide, which was under consultation with ECHA. It will be further revised by the drafting group and submitted for consultation with the Forum. The Forum members were invited to participate in the drafting group.

Moreover, the Chair informed about ECHA's internal audit of the Interlinks process. The audit report will include recommendations on the cooperation between NEAs and ECHA on the follow-up process to the Dossier Evaluation but there will be no recommendations to the content of the Interlinks guide. The feedback received during the interviews on the Interlinks guide has been informally provided to HET.

Item 6 - Forum's multiannual work programme 2024-2025

The Forum members voted on the latest version of the multiannual work programme and adopted it by consensus. The adopted document would be published on ECHA's website.

Item 7 – Cooperation with other networks (Part I)

7.1 Forum's contribution to the EU Product Compliance Network (EUPCN) and the ADCO Chairs' meetings

The Forum took note of the meeting document with the summary of the various meetings attended by the Forum Chair and Vice-Chair.

The Forum Chair thanked the members from BE and FR that attended two meetings when the Forum Chairs were not available. In order to share the workload, the Forum members were invited to volunteer to attend the EUPCN/ADCO meetings on behalf of the Forum Chairs.

The FR member reported on the EUPCN held on 6 November 2023 in Brussels. In the meeting, it was presented information about the analysis of the data in ICSMS, on customs controls by DG TAXUD, the webcrawlers being developed by DG DIGIT, a discussion on the high number of available guidelines from different regulations and lastly, an item on the ICSMS module on customs with a more user-friendly interface.

Item 9 – Update on relevant developments by the Commission

9.1 CLP review process update

The Commission summarised the progress and key content of the CLP revision. Agreement was expected by end of 2023 and content of the final text was expected in Q1 or Q2 2024.

9.2 REACH revision

The Forum took note of the state of play with REACH revision. The proposal will not be tabled under this Commission's mandate, although work will continue – COM welcomed the WG on the impacts of the CLP and REACH revisions.

The COM representative clarified that it was possible to proceed separately with the Basic Regulation even if the REACH revision would come to a halt. However, no decision on these steps was taken.

9.3 Future of the programme for the exchange of inspectors

COM invited the Forum to identify possible exchange projects and submit them to DG GROW who will consider potential financial support. The project proposals should specify the topic, location, number of persons involved, objectives and expected outcomes.

9.4 Update on estimated enforcement cost of new restrictions

The COM stated that it considered the estimate 50000 Euro only covering administrative costs of enforcing new restrictions, rather than all costs borne by the NEAs. The COM suggested, *inter alia*, to improve information collected in Annex XV dossiers and that dossier submitters gather such enforcement cost information when preparing the proposal.

After discussion, the Forum agreed that the WG restriction will prepare an update of the guide for dossier submitters to clarify that the estimate covers only a small part of the overall cost of enforcement and request the dossier submitters to provide more information on testing costs, if available.

9.5 State of play of the restriction on microplastics

The DG GROW representative informed about the state of play of the restriction on microplastics and clarified the COM services thinking on how the restriction applies to certain items.

The REACH restriction of microplastics intentionally added to product entered into force on 17 October 2023. Several products containing microplastics, such as glitter and certain glittered articles, Christmas decorations and certain toys, were concerned by the measures at entry into force. Stakeholders were taken by surprise by the rapid application of the new measures. In the past weeks, COM services have replied to an exceptional high volume of questions and requests for clarifications on how to apply the restriction.

The Forum members welcomed the information and highlighted some of the challenges and questions faced thus far. COM services informed they were working on guidance in the form of a Q&A document to help stakeholders and NEAs³.

Item 10 - Enforcement of specific REACH restrictions entries

10.1 Enforcement of entry 75 on tattoo inks

10.1.1 Swedish Medical Products Agency's project on tattoo inks

The Swedish expert presented the agency's activities regarding tattoo inks and the results obtained so far as well as the challenges faced. The Forum members welcomed the results and shared some of their experiences with this restriction.

10.1.2 Update on the initiative of sampling and testing tattoo inks

Following the initiative from the Dutch Forum member at Forum-43, the Forum took note that the results of the analysis are expected to be ready in June 2024, followed by a report in July 2024.

10.1.3 Preliminary discussion on the way forward

As several Member States have already some experiences with the enforcement of the restriction on tattoo inks, the Forum members discussed the best way to collect all the knowledge gathered. The Forum agreed to await the report from the Dutch initiative and take that into account for the preparation of a guide for inspectors on the enforcement of entry 75. In the meantime, some best practice recommendations could be collected as a practical issue for the Forum's manual of conclusion.

10.2 Practical way to handle future ad-hoc request from COM on Forum's input on the enforceability of restrictions

COM and ECHA were very appreciative of the Forum's *ad hoc* advice on the restriction of CMRs in childcare articles. The timeline was challenging but worked well at the end.

HET outlined the key elements of a potential process for such COM requests to the Forum. Timelines needed to be further discussed with COM, but should be longer than 10 weeks that was used for the advice on CMR in childcare articles. Ideally, the Forum should be informed well in advance to allow early planning. There were no planned requests for 2024, thus the earliest next Article 68(2) request could come to the Forum in 2025.

³ *Post-meeting note*: the COM updated on 25/01/2024 its webpage concerning the microplastics restriction https://single-market-economy.ec.europa.eu/commission-regulation-eu-20232055-restriction-microplastics-intentionally-added-products_en

The Forum agreed, in principle, to provide advice on enforceability of new restrictions under REACH Article 68(2) when invited by COM. A process for such requests will be designed by HET, in consultation with WG Restrictions, and consulted with the Forum.

Item 11 - Enforcement in the Member States (part I)

11.1 Supervision and support of the REACH, CLP and PIC enforcement authorities in Hungary

The Forum took note of the organisation of the Hungarian enforcement authorities.

11.2 Finnish Chemical Products register in KemiDigi data system

The Forum took note of the Finnish data base and its product register.

Item 12 - Preparation for the Joint Open session

12.1 Welcome to the BPRS members

The Forum and BPRS Chairs welcomed the BPRS members that joined for the discussion of the items to be addressed at the open session.

12.2 Discussion of the lines-to-take in Break-out groups

The Forum and BPRS members reviewed the new versions of the presentations from the stakeholders and discussed the lines to take.

[Summary of the open session](#)

Item 14 - Debriefing of the Open session

The Forum members appreciated the presentations brought by the stakeholders and it was noted that the open sessions were a good opportunity for them to reflect also how their organisations can contribute to the work of the Forum and the overall improvement of enforcement.

It was requested by Euratex a written reply, as the messages from the Forum regarding their presentation were rather extensive. The Forum agreed to produce a short reply to Euratex.

Item 15 - Enforcement in the Member States (part II)

15.1 Enforcement experiences with PAH

15.1.1 Finnish project

The Finnish expert presented the experiences gathered from their latest project related to the PAH restriction and heavy metals in tires and wheels. The final results were still pending and the Finnish Forum member was invited to share them once ready.

15.2.2 PAH in Rubber infill: Dutch project

The Forum took note of Dutch inspection project on PAHs in granules and mulches for use on sports pitches and playgrounds.

15.2 Enforcement practices in HR

The Forum took note of organisation of enforcement authorities in Croatia as well as the experience with applying enforcement measures.

15.3 Project on the compliance of room scents/air freshener products on Irish Market

The Forum took note of Irish inspection project on specific scented products. The presenter highlighted the rapid growth of the scent industry and recommended the Forum members to observe it with attention.

15.4 Follow-up on French Nanoforms Action

The French Forum member presented the latest results of their project on nanoforms and their understanding of the nanoform characterisation.

Item 16 – Practical issues for enforcement of REACH, CLP, PIC and POPs

HET informed that practical issues 44.1, 44.2 and 44.3 were under consultation by late November.

The Forum discussed the new practical issue *45.1 – Do the enforcement authorities enforce CLP Article 4 point 4 requirements, when a hazardous chemical is made available to a professional user without a packaging (e.g. transported in a tank car and pumped to users' own container)?* Members expressed general support for the draft conclusion presented at the meeting and were invited to submit any remaining comments in writing by 1 December.

Forum members were invited to submit new practical issues by 28 January 2024.

Item 17 – Cooperation with other networks (Part II)

17.1 Updates from SLIC-CHEMEX

The Forum took note of their pilot inspection project on REACH restriction on diisocyanates. The report is expected in Q2 2024. The Chair of the WG CHEMEX was invited to share the results of the project with the Forum.

Item 18 – Debriefing of the meeting with ECHA Directors

The Chair informed the Forum about the discussions that took place during the meeting with ECHA management on 7 November 2023.

Item 19 – Updates from BPR Subgroup

The BPRS Vice-Chair informed the Forum on the upcoming discussions during the BRPS-20 plenary meeting.

The BPRS would establish the BEF-3 WG and start the preparatory phase of the project in January 2024. The BEF-3 project will focus on the enforcement of the Summary of Product Characteristics (SPC) and the SDSs for biocides during on-site and desktops checks. For this, the WG might need some expertise on SDS (in the context of Biocides) and would welcome the support from the Forum, in principle. More information would be available once the scope of the BEF-3 is decided.

BPR Training for Trainers 2023 to be delivered on 1 December remotely and there will be presentations on national BPR enforcement.

The BEF-2 report was under finalisation⁴ and the next steps would be to elaborate a Practical guide and organise an ASO workshop in Q1 2024.

Item 20 – A.O.B.

20.1 Status of appeals available for inspectors

A Forum member raised the issue that often REACH and CLP inspectors need to know in what step an appeal process is in order to understand whether a specific Commission regulation or its decision is still valid or has been definitely annulled.

It is challenging for inspectors to navigate in the Court of Justice website. As inspectors are more familiar with ECHA website, a practical way would be to link the relevant documents to the ECHA dissemination website pages (substance information page or brief profile).

HET confirmed that the ECHA was improving its website, but it would still not be possible to have such links, as the need to investigate in different data basis will still exist. However, Forum could request regular reports from ECHA Legal Unit to the plenary on relevant cases for enforcement.

⁴ *Post-meeting note:* BEF-2 report was published on 21 November 2023
[All news - ECHA \(europa.eu\)](https://echa.europa.eu/all-news)

II. Summary of the 2023 Open session⁵

Item OS1 – Welcome and Introduction to the Open session

The Chair of the Forum and BPRS welcomed the representatives from the Stakeholder organisations and the representatives of the countries benefiting of the European Commission's Instrument for Pre-accession Assistance.

Item OS2 – Updates from the Forum

OS 2.1 Update on the scope of upcoming REF project

The chair of the WG Prioritisation of REF projects presented the scope of the future Forum project REF-13 on the enforcement of chemical products sold on-line.

ECHA's accredited stakeholders were invited to submit proposals for future REF-14 project by 12 April 2024. The template for it can be found in Forum's webpage⁶.

OS 2.2 Projects and related activities finalised during 2023

OS 2.2.1 REF-10 on Integrated controls

The participants took note of the project results and the information that the report will be published in Q4 2023.

OS 2.2.2 Pilot project on classification of mixtures including detergents and cleaning products

The WG Chair presented the activities of the pilot project, and informed the plenary that the WG might publish the 'enforcement guide for enforcement of mixture classification' during the course of 2024. An *ad hoc* workshop might also take place in 2024, involving ASOs in the discussion related to mixture classification and new aspects introduced by the forthcoming CLP revision.

OS 2.2.3 Workshop of the project REF-9 on Authorisation

As a follow-up of the project finalised at the beginning of 2023 on authorisation (REF-9), the WG organised a dedicated workshop where ECHA Accredited Stakeholders Organisations and representatives of industry were invited to discuss the findings of the project. This workshop took place on 12 May 2023⁷ and was found to be a good opportunity to share the recommendations of the project, as well as practices and knowledge between enforcers and industry and to discuss on relevant issues with the relevant actors.

Item OS3 – BPR related topics

OS 3.1 Update on the scope of upcoming BEF project

The Chair of the BPRs presented the scope of the future BEF-3 which will be on the enforcement of the Summary of Product Characteristics (SPC) and possibly the SDSs for biocides during on-site and desktops checks.

⁵ All presentations of the open session 2023 are available on the website: <https://echa.europa.eu/about-us/who-we-are/enforcement-forum/forums-open-sessions-2023>

⁶ <https://echa.europa.eu/about-us/who-we-are/enforcement-forum/forum-enforcement-projects>

⁷ [All Events - ECHA \(europa.eu\)](https://echa.europa.eu/all-events)

OS 3.2 Results of the BPRS project BEF-2 on approved/non-approved active substances in Biocidal products

The participants took note of the project results and the information that the report will be published in Q4 2023.

OS 3.3 Enforcement issues: BPR labels and P-statements, Article 95 list and suppliers' name change

The representative of International Association for Soaps, Detergents and Maintenance Products (A.I.S.E.) highlighted the organisation's concern regarding the observable trend that evaluating MSCA include all P-statements in the summary of products characteristic (SPC), whilst according to CLP, 6 P-statements have to be selected for inclusion on the label.

A second issue brought was the possible discrepancy between BPR Article 95 list and the authorisation of a biocidal product, when the active supplier has changed name (which often happens), and the amendment of the authorisation by the MSCA (administrative change) takes time. That could generate a potential enforcement issue by the discrepancy between the Article 95 list and the authorisation of the biocidal product. A.I.S.E. proposed for ECHA asking that Article 95 list reflect the name change. However, it is not possible since ECHA's list reflects the current situation and does not report changes occurred in the past.

On the first issue, the BPRS Vice-Chair noted that the provisions of CLP Article 28 apply to all CLP labels, including those on biocidal products. When controlling the labelling of a biocide, inspectors control compliance with the applicable CLP provisions, not only comparing the P-statements from the SPC to the information on the label.

When faced with control of a biocidal product label, it is the duty of the authorisation holder to provide an explanation to the NEA why the specific P-statements were chosen and how the rules of CLP Article 28 have been applied. This way, the authorisation holders have to be able to explain how they are compliant. In case of doubt, the NEAs can always contact the authorising CA, if necessary, to obtain specific advice on a case of a CLP label of an authorised biocidal product. There is no dedicated section on labelling on the SPC but the applicants for authorisation could include the considerations on prioritisation of P-statements in the existing section on classification.

On the second issue, the BPRS acknowledged the effort triggered by the update of the supplier name and the corresponding change in Art 95 list in order to keep the Art 95 list up-to-date, which is of high importance to enforcement. In cases where the inspection takes place after change of the name of the supplier and before the process for updating the Art 95 list have been finalised, authorisation holders should provide an explanation to the inspector including some proof of, for example, taking the steps to update the Art 95 list. The A.I.S.E. proposal was seen as a good pragmatic solution. The BPRS Vice-chair stressed that the results of the BEF-2 project identified that 4% of products controlled for Art 95 duties were found to be non-compliant. Considering that supplier name changes happen often, this indicates that there was no widespread compliance issue and the NEA consider any plausible explanation of the authorisation holders.

Item OS4 – REACH topics proposed by ASOs

OS 4.1 REACH-restriction for substances in tattoo inks and permanent make-up

The representative of SME United shared the challenges their members faced since the introduction of the REACH restriction in Annex XVII related to the supply of REACH-compliant ink. One of the main difficulties was the inconsistency of analytical methods used by authorities in different Member States. The organisation suggested the Forum to develop

guidance and harmonized standards for EU manufactures and import of ink from non-EU countries.

Another issue faced was related to the labelling, in particular due to the small size of the bottles and the use of statements which were not mentioned in REACH. For those reasons, the organisation shared that industry required some guidelines and for harmonised enforcement to be done, and additionally, that labels, as used in cosmetics, could be accepted by authorities.

The Forum Chair informed that the Forum was already working on harmonizing the enforcement of Entry 75 since 2021. The Forum decided to first gather national enforcement experience to identify what was causing difficulties, where clarification was needed and allow the enforcement laboratories to identify relevant methods.

Standardised testing methods were very welcome by the inspectors and development of such analytical standards was the role of European Committee for Standardization (CEN). The Forum collected and assessed available methods from laboratories and industry for inclusion in the public Compendium of recommended analytical methods for enforcement of Annex XVII (available in ECHA website⁸). The compendium will be next revised in early 2024 and will contain some recommendations for Entry 75. The Compendium is a living document and next revisions were expected to contain more methods, as they were identified by laboratories and industry.

Several countries already carried out enforcement of Entry 75 and there was a joint initiative lead by The Netherlands with 16 other Member States, to run test analysis for this restriction. The Forum looks forward to the results of this multi-national project in mid-2024.

The Forum agreed at Forum-45 to prepare a guide for inspectors incorporating the experiences from the joint initiative on tattoo inks and other best practices gathered from national experiences. This work would start in mid-2024. Once prepared, such document will be available to NEAs and will result in visible harmonisation of enforcement practice. Among other elements, it will address labelling requirements in Entry 75.

On the labelling issue, the Forum Chair noted that according to CLP (Art 35.2), as tattoo inks fall under CLP labelling provisions, they cannot be labelled in any way suggesting they are cosmetics. The statement "REACH compliant" was prohibited. Namely, the Directive (EU) 2019/2161 of the European Parliament and of the Council of 27 November 2019, as regards the better enforcement and modernisation of Union consumer protection rule, in particular concerning unfair commercial practices, mentions that this wording is forbidden as it focuses on a mandatory requirement and would abusively distinguish products from other similar products.

Regarding the proposal to prepare a guidance for industry, the Forum considered it not to be the Forum's role to prepare such document, but rather the relevant stakeholder organisations.

OS 4.2 Better Market Surveillance – overview on latest legislative steps and conclusions of the project REACH4Textiles

Two representatives from Euratex presented the results of their latest project REACH4textiles funded by the European Commission, where 12 countries participated to better understand the status of market surveillance for textiles. They shared the project's conclusions and recommendations to Member States. Moreover, they shared the results of

⁸ [Enforceability of Restrictions - ECHA \(europa.eu\)](https://echa.europa.eu/en/information-on-chemicals/legislation-restriction-restriction-annex-xvii)

tests performed, sampled using a “risk base” approach. In conclusion, Euratex suggested more harmonisation on the approach and sanctions, improvement of surveillance, the need of more training for knowledge building, introduction of a database used by all Member States and the creation of a new ADCO for Chemicals and textiles.

The Forum welcomed the project and looked forward to analyse the reports in more detail.

Regarding the proposal on more harmonisation, the Forum Vice-Chair highlighted that a more representative sample of tested products would be required in order to have viable data and to allow more meaningful conclusions. NEAs may not prioritise textile testing due to low non-compliance rates identified in different Member State actions undertaken in these restriction(s).

The Forum noted that textiles were actively checked by the NEAs as part of controls of REACH restrictions and were in the scope of the latest project REF-10, where only two cases of non-compliance were found and the overall level of non-compliance of clothing was relatively low. Nonetheless, the Forum will continue to target textile products when controlling REACH restrictions. Harmonisation of testing will be further helped by the Forum’s Compendium of analytical methods.

On the training aspect, Forum was not planning workshops or training for inspectors specifically focused on control of textiles, because it works on harmonising control of duties irrespective of category of products. Forum will prepare a guide for inspectors following the experiences of REF-10. It will focus on integrated enforcement of REACH Restrictions and other duties and may include elements specific for products and materials like textiles based on experience from the project.

The NEAs commonly use Safety Gate and ICSMS to report non-compliant products, including textiles. Both databases were used to inform NEAs in other countries. The Forum would recommend developing and expand the existing tools (*e.g.* to allow to categorise products as textiles) rather than develop a completely new tool. The Forum also supported the use of ICSMS for the reporting of compliant and non-compliant products. Any other suggestion should be directed to the European Commission.

Lastly, the proposal to create a new sector legislation on textiles and chemicals, which would then have its own ADCO was best targeted at the European Commission. However, the suggestion implied a sectoral ADCO to deal with different chemicals legislations (including REACH and POPs) for textiles. The Forum understands this was not supported by Market Surveillance Regulation and would not support such break-out as REACH and POPs were within the remit of the Forum.

OS 4.3 Lessons learned from a targeted screening exercise on registration dossiers

The Cefic representative shared the lessons learned from a targeted screening exercise initiated by ECHA to check whether the duties to update the dossier (REACH Article 22) was being fulfilled. The exercise was done in the context of improving targeted sections of registration dossiers. Some common issues were identified, such as outdated contact information, inactive dossiers, not informing about bankruptcy, etc. Cefic suggested a number of recommendations for NEAs to advise the companies.

The Forum welcomed and supported Cefic’s initiative to contact the registrants to update the dossiers, as compliance with Article 22 is highly important. The Cefic initiative shows how efficient and effective the industry associations can be in promoting compliance among the companies. Cefic “self-policing” action resulted in reducing the number of non-compliant dossiers that need enforcement by nearly 75%.

ECHA had no plans for similar campaigns in the future, but if there were, this industry initiative could be replicated. Moreover, Forum would highly encourage Cefic and other associations to run this type of “self-policing” campaigns by themselves, focusing on specific parts of the dossier. The 53 cases in breach were transferred to NEAs in early October 2023 and will be followed-up based on national enforcement priorities in the Member States.

The given suggestions were very reasonable and NEAs already advised companies in such direction.

OS 4.4 REACH dossier consistency for improved hazard and risk assessment

A Concawe representative shared the information that, despite the fact that a vast majority of registrants update their dossiers regularly, some dossiers have not been updated in recent years. Amongst these older dossiers, were those belonging to legal entities that no longer exist yet continue to appear as active registrants. This may lead to large discrepancies between lead registrant dossiers (for Concawe petroleum substances updated annually) and co-registrant dossiers which were not updated. This leads to inconsistent information within the joint submission regarding supported uses and substance identity.

The Forum welcomed Concawe continued initiative to keep the dossiers up-to-date. The Forum Vice-Chair reminded that it was possible for ECHA to revoke the registration dossiers of companies that no longer exist (but not the ones that were just not active in the SIEF). If it was established that a legal entity, which holds a registration under REACH, does not exist or no longer exists, then ECHA can revoke the registration. A company that does not exist does not meet the legal requirements for having a registration. To effect such revocation, ECHA and NEAs have established a multi-step “interlinks process” where the non-existence of the company is verified by the NEA. The process was tested in a small-scale pilot project. In practice, ECHA (not NEAs) need to receive reliable information such as notice of dissolution, bankruptcy or liquidation from a court or information from co-registrants that a company no longer exists.

In the new ECHA “Dissemination platform” (planned to go live in Jan 2024), the information will no longer be aggregated. This means that it will be possible to check information dossier by dossier. This will allow anybody to see that certain uses are only present in a registration dossier that is revoked. That will bring some transparency and partially solve Concawe's issue. However, “dormant” dossiers will not be removed but rather change status.

Forum advised Concawe to send information or request the lead registrants to send the information to ECHA about co-registrants that no longer exist. The information should be sent via ECHA contact form and include any reliable evidence to confirm the allegation. If the evidence is reliable, ECHA will start the process with the NEA to verify the existence of the company and potentially revoke if it no longer exists.

In case co-registrants still exist but simply failed to update, other actions are needed. Update is legally required if it falls under the requirements of Article 22 (e.g. Substance Identification and information on uses). Cefic action to trigger the update of CLH in registration dossiers has been highly effective in triggering updates. Forum invited Concawe to consider similar action on member registrants, which are known to exist but failed to update the dossier where it is required. Also, if there is information on non-compliant free-riders, Concawe or the respective lead registrants are invited to contact the relevant NEA of the country of that company.

OS 4.5 Registration of in situ generated ozone under REACH: Update

EurO₃zon shared information concerning the suspected non-compliance with REACH and updated the number of ozone REACH co-registrants.

The Forum welcomed the update and reported that NEAs have limited experience in checking the *in-situ* generated devices under REACH. Two countries have reported specific experience.

In one of the countries where the *in-situ* generation was checked, the majority of uses fall under BPR (antibacterial and antiviral disinfection). Uses that have been identified to fall under REACH (*e.g.* deodorization) were under 1 ton per individual users as the devices were not working all the time. In another country, the consumer uses of *in-situ* ozone generation have also been investigated, but the annual tonnage generated by consumer devices was well below 1 ton per year. The country also issued a recommendation to ban *in-situ* generated ozone in applications in which there was direct exposure of consumers through inhalation.

Hence, at present, there was still not enough experience with investigating *in-situ* generation of ozone which would generate sufficient quantities of ozone to trigger registration duties. Moreover, there was no sufficient evidence of widespread REACH compliance problem, but Forum recognised that only a fraction of countries have investigated.

The Forum proposed to continue gathering experience from national investigation, if possible, targeting larger installation such as pulp bleaching, waste-water treatment, drinking water oxidation or ozonolysis. Forum would be able to report in 2024.

III. MAIN CONCLUSIONS & ACTION POINTS - Forum-45

Agenda point	Conclusions / decisions / minority opinions	Action requested after the meeting
Item 1- Welcome and introduction		
1.2 Adoption of the Agenda	Agenda was adopted.	
1.3 Declarations of conflict of interest with regard to agenda items and quorum		
1.4 State of play with action points from Forum-44		
1.5 Results of the written procedures and other issues between Forum-44 and Forum-45		
Item 2 – Forum’s enforcement activities - Ongoing projects		
2.1 REF-10 on Integrated control of products 2.1.1 WG progress status		
2.1.2 Mandate amendment	The Forum revised the mandate.	
2.2 REF-12 2.2.1 WG Progress report	Forum agreed to share Annex 2 of the progress report with the HelpNet.	HET will share the Annex 2 with the HelpNet Secretariat for distribution with the Helpdesk correspondents. HET will share the Annex 2 with TAXUD inviting the COM colleagues to share it further with the PREG network.
2.2.2 Mandate amendment	The Forum revised the mandate.	
2.3.1 REF-11 on SDS	The Forum revised the mandate.	
2.3.2 Train the trainers 2023	The Forum revised the mandate.	
2.3.3 Prioritisation of REF projects	The Forum revised the mandate.	
2.3.4 Pilot project on enforcement of PFCA and related substances focusing on cosmetics	The Forum revised the mandate.	
2.3.5 WG for examining the enforcement-related impacts on the Forum of the future	The Forum revised the mandate.	

Agenda point	Conclusions / decisions / minority opinions	Action requested after the meeting
<i>REACH and CLP revision</i>		
<p>2.4 Enforceability of Restrictions</p> <p>2.4.1 WG Progress report</p>		<p>Forum members are invited to send written comments to the draft new procedure by 21 November.</p> <p>HET to send out for adoption the working procedure revised by the WG and publish it on ECHA's website after the adoption.</p> <p>HET and WG Restrictions to consider how to inform RAC and SEAC about the new process.</p>
<p>2.4.2 Screening methods</p> <p>2.4.2.1 Results of the survey on the use of the screening devices – way forward</p>	<p>The Forum agreed with the proposed way forward for further sharing of information on the experience of use of screening methods:</p> <ul style="list-style-type: none"> - Introduction of screening methods to the compendium of analytical methods. - Sharing experience with the use of the screening methods at plenary meetings and, where available, exchanges of inspectors, - NEAs can liaise with other authorities which use these devices for other legislations 	<p>WG Restrictions is invited to consider how to incorporate the screening methods in the compendium of analytical methods.</p> <p>Forum Chairs are invited to bring these conclusions to the ADCO Chairs meeting.</p>
<p>2.4.2.2 Updates on possible fundings for the Member States on screening devices</p>		<p>COM representative is invited to come back with additional clarification whether the handheld advices are covered by the part of the budget for border control points by end of November.</p>
<p>2.4.3 Mandate amendment</p>	<p>The Forum revised the mandate.</p>	
<p>Item 3 – Forum's enforcement activities - Starting projects</p>		
<p>3.1 REF-13 – mandate set up</p>	<p>The Forum established the new WG REF-13.</p>	<p>Forum members are invited to nominate further members to the WG by 5 December.</p> <p>Forum Members and Alternates of WG REF-13 are invited to volunteer for the role of WG Vice-Chair by 5 December</p>
<p>3.2 Train the enforcement trainers 2024</p> <p>3.2.1 Proposed topics for training</p>	<p>The Forum agreed to focus the training for trainers 2024 on online sales</p>	<p>HET and Chairs to consider how inspectors can be better trained on the learnings and best practices identified in the Forum projects and make a proposal at Forum-46.</p>

Agenda point	Conclusions / decisions / minority opinions	Action requested after the meeting
3.2.2 Mandate set-up	The Forum adopted the new mandate.	Forum members are invited to nominate further members to the WG by 5 December. Forum members are invited to suggest possible training material suitable for the adopted topic by 9 February 2024 .
Item 4 – Forum’s enforcement activities - Projects under finalisation		
4.1 Pilot project on classification of mixtures focusing on detergents and cleaning products: 4.1.1 WG final progress report	Forum agreed to prolong mandate of the WG to finalise the guide and aiming to organise an ASO Workshop in Q1 2024.	WG CLP pilot will consult the COM before the adoption of the guide.
4.1.2 Mandate closure	The Forum revised the mandate.	
Item 5 - Updates from the ECHA Secretariat		
5.1 Improvement of Forum’s work - Discussion of the satisfaction survey		Forum members are welcome to submit written feedback to the document by 31 Jan 2024; HET to send the satisfaction survey concerning the activities of 2023 in Q1 2024 and compare the results with the ones from 2022. If relevant, schedule a discussion item in one of the future plenary meetings
5.2 Documents only for information 5.2.1 Follow-up of ECHA decisions		
5.2.2 State of revision of Interlinks guide		Forum members are invited to volunteer for the drafting group working on further revision of the interlinks guide by 24 November.
Item 6 – Forum's multiannual work programme 2024-2025		
	Forum adopted the Forum work Programme 2024-2025	HET will arrange the publication of the Work Programme on the ECHA website.
Item 7 – Cooperation with other networks (Part I)		
7.1 Forum’s contribution to the EU Product Compliance Network (EUPCN) and the ADCO Chairs’ meetings		Forum members are invited to inform HET and Chairs if they are interested to attend the EUPCN/ADCO meeting on behalf of the Forum Chairs.
Item 9 – Update on relevant developments by the Commission		
Update on relevant developments by the Commission		Com representative is invited to inform the HET and Forum on the progress of the CLP update process

Agenda point	Conclusions / decisions / minority opinions	Action requested after the meeting
9.1 CLP review process update		as soon as there are relevant developments.
9.2 REACH review		
9.3 Future of the programme for the exchange of inspectors		<p>Forum members interested to host or benefit from inspector exchange in 2024 are invited to jointly prepare a request with a specific proposal for such an exchange and submit it to the COM Forum contact points before the end of 2023.</p> <p>HET will share the contact details of the COM Forum contact points by 16 November.</p>
9.4 Update on estimated enforcement cost of new restrictions (tbc)		WG Restrictions will prepare a caveat indicating that the estimate of 55000 EUR does not reflect the full cost of enforcing a new restriction but only a small part of the overall costs. Such caveat will be added to the guide for dossier submitters with recommendations to add it to future Annex XV dossiers.
9.5 State of play of the restriction on microplastics		
Item 10 – Discussion on the enforcement of specific REACH restrictions entries		
10.1 Enforcement of entry 75 on tattoo inks 10.1.1 Swedish Medical Products Agency's project on tattoo inks		DK Forum member is invited to submit a practical issue addressing the Danish experiences in enforcement of Entry 75.
10.1.2 Update on the initiative of sampling and testing tattoo inks		
10.1.3 Preliminary discussion on the way forward	Forum agreed to start preparation of the guide on enforcement of entry 75 in June 2024 after collecting the preliminary results of the joint Member State initiative lead by the Netherlands.	
10.2 Practical way to handle future ad-hoc request from COM on Forum's input on the enforceability of restrictions	Forum agreed, in principle, to provide advice on enforceability of new restrictions foreseen under Art 68(2) when invited by the European Commission.	Forum members are invited to provide written feedback on the presentation and their experience in the process by 8 January

Agenda point	Conclusions / decisions / minority opinions	Action requested after the meeting
		HET will draft a document describing the process for Forum-46
Item 11 - Enforcement in the Member States (part I)		
11.1 Supervision and support of the REACH, CLP and PIC enforcement authorities in Hungary		
11.2 Finnish Chemical Products register in KemiDigi data system		
Item 12 - Preparation for the Joint Open session		
12.1 Break out groups discussion		
12.2 Wrap-up		
Item 14 - Debriefing of the Open session		
		<p>HET and Chairs will summarise the main points of the Forum response in a presentation that can be shared with the participants of the open session. Forum will pilot this approach at the open session at Forum-48</p> <p>HET will prepare a summary of response for Euratex, consult with the Chairs, and send it out by 17 November.</p>
Item 15 - Enforcement in the Member States (part II)		
15.1 Enforcement experiences with PAH 15.1.1 Finnish project		FI Forum member will share the analytical results of the project when they are available.
15.1.2 PAH in Rubber infill: Dutch project		
15.2 Enforcement practices in HR		
15.3 Project on the compliance of room scents/air freshener products on Irish Market		
15.4 Follow-up on French Nanoforms Action		

Agenda point	Conclusions / decisions / minority opinions	Action requested after the meeting
Item 16 - Practical issues for enforcement of REACH/CLP/PIC/POPS		
		Forum members are invited to submit new practical issues by 28 January 2024
F-45.1		<p>HET will upload the practical issue for consultation by 13 November</p> <p>Forum members are invited to comment on the practical issue by 1 December.</p> <p>CZ alternate is invited to bring in a practical issue on supply of unpackaged mixtures to consumers for Forum-46</p>
Item 17 – Cooperation with other networks (part II)		
17.1 Updates from SLIC-CHEMEX		CHEMEX chair is invited to inform the Forum of the results of the pilot project on diisocyanates in one of the plenary meetings in 2024.
Item 18 – Debriefing of the meeting between Forum Chairs and ECHA Directors		
Item 19 – Updates from BPR Subgroup		
Item 20 – AOB		
20.1		HET to request LAU to regularly update the Forum on relevant cases that impact enforcement.

MAIN CONCLUSIONS & ACTION POINTS – 2023 Open Session
(Adopted at the 2023 Open session)

Agenda point	Conclusions / decisions / minority opinions	Action requested after the meeting
Item OS 1- Welcome and introduction		
Item OS 2 – Updates from the Forum		
<i>OS 2.1 Update on the scope of upcoming REF project</i>		ECHA Accredited Stakeholder Organisations are invited to submit proposals for REF-14 project by 12 April 2024.
OS 2.2 Projects and related activities finalised during 2023 OS 2.2.1 REF-10 on Integrated controls		
OS 2.2.2 Pilot project on classification of mixtures including detergents and cleaning products		
OS 2.2.3 Workshop of the project REF-9 on Authorisation		
Item OS 3 – BPR related topics		
<i>OS 3.1 Update on the scope of upcoming BEF project (BEF-3)</i>		
OS 3.2 Results of the BPRS project BEF-2 on approved/non-approved active substances in Biocidal products		
OS 3.3 Enforcement issues: BPR labels and P-statements, Article 95 list and suppliers' name change		
Item OS 4 – REACH topics proposed by ASOs		
<i>OS 4.1 REACH-restriction for substances in tattoo inks and permanent make-up</i>		SME united is invited to submit their experiences related to implementation of entry 75 on tattoo inks that may be considered

Agenda point	Conclusions / decisions / minority opinions	Action requested after the meeting
		by the Forum in further harmonisation of enforcement.
<p><i>OS 4.2 Better Market Surveillance – overview on latest legislative steps and conclusions of the project REACH4Textiles</i></p>		<p>EURATEX representatives are invited to submit the list of analytical methods identified in the REACH4Textiles project to the Forum for consideration for inclusion in the Forum compendium of analytical methods.</p> <p>Forum will discuss if the lines to take can be made available to the participants of the open session.</p>
<p><i>OS 4.3 Lessons learned from a targeted screening exercise on registration dossiers</i></p>		
<p><i>OS 4.4 REACH dossier consistency for improved hazard and risk assessment</i></p>		
<p><i>OS 4.5 Registration of in situ generated ozone under REACH: Update</i></p>		

IV. List of Attendees

Forum members

	Country	Name
1	AT	FUCHS Michael
2	BE	VAN DEN HOLE Chris
3	BG	GAYGUROVA Margarita
4	CY	ORPHANOU Maria
5	CZ	MARKO Martin
6	DE	VOM HOFE Katja
7	DK	SCHARFF Ida
8	EE	HONGA Aljona
9	EL	FOUFA Eleni
10	ES	TEBAR LUJAN Jorge
11	FI	MÄKI Markus
12	FR	ABDELHAFIZ Sam
13	HR	VULJANIC Kristina
14	HU	MAROSVÖLGYI Nikoletta
15	IE	McMICKAN Sinead
16	IS	BRAGASON Ísak
17	IT	SCIMONELLI Luigia
18	LI	RELLA-QUADERER Maria Rosaria
19	LT	ŠPURIENĖ Otilija
20	LU	ENGELS Kim
21	LV	KAMERADE Kristine
22	MT	MIFSUD Shirley
23	NL	VAN DEN MEER Mirjam
24	NO	HAGEN Gro
25	PL	MOCZULAK Aleksandra
26	PT	CENTENICO Ana
27	RO	MIJA Maria
28	SE	HEDLUND Henrik
29	SI	HAJRLAHOVIC MEHIC Semira
30	SK	POČAROVSKÁ Miriam

Invited experts/Advisors

	Country	Name
1	AT	ANWANDER Eugen
	BE	TANGHE Philip
2	CZ	STANĚK Alois
3	DE	TSCHECH Guenter
4	DE	FRENZEL Stefan
5	DK	NIELSEN SCHULEIT Linda
6	DK	MIKKELSEN Sonja
7	EE	LEEMET Kristi
8	ES	ZAMORA NAVAS Laurs
9	FI	TALASNIEMI Petteri

	Country	Name
10	FI	MATILAINEN Anu (presenter)
11	FI	KOPONEN Markus (presenter)
12	FR	ASSAYAG-SOURY Doris
13	FR	SIMBELIE Karine
14	HR	SKUGOR Dunko
15	IE	WALSH Caroline
16	IE	MCKEE ROISIN Cooper
17	LT	ŠIUIPIENĖ Julita
18	NL	HELLEMA Peter
19	NO	SULEIMAN Abdulqadir
20	PL	STULCZEWSKI Dawid
21	PT	SANTOS Andrea
22	SE	RUMAR Karin
23	SE	TAVOOSI Elmira (presenter)
24	SE	LINDBERG Jasmine
25	SE	CARLBERG Linda

European Commission representatives

	DG	Name
1	ENV	FABRE Julien
2	GROW	TOSETTI Patrizia
3	GROW	BLASS-RICO Ana Maria
4	GROW	STAHLHACKE Miriam
5	SANTE	NEGULICI Ligia

SLIC CHEMEX

	Name
1	WAEGEMAEKERS Monique
2	ARKINS Darren

	ECHA	Unit
1	ANNYS Erwin	Support and Enforcement Unit
2	BARANSKI Maciej	Support and Enforcement Unit
3	CALVO TOLEDO Juan Pablo	Support and Enforcement Unit
4	MATEUS Tania	Support and Enforcement Unit
5	NIKULA Terhi	Support and Enforcement Unit
6	TECCE Nicola	Support and Enforcement Unit
7	TŁOCZEK Magdalena	Support and Enforcement Unit

Additional participants in the Open Session

Accredited Stakeholders Organisation representatives

	Organisation	Name
1	A.I.S.E.	ROBINSON Jan
2	A.I.S.E.	CAZELLE Elodie
3	BeeLife	ADOLPHE Cindy
4	Cefic	ARROYO Jesus
5	Cefic	DRMAC Dunja
6	Cefic	VAN BERLO Boris
7	Cefic	WU Yuhua
8	CEPE	FIELDING Trevor
9	Concawe	BANNER Carol
10	Concawe	HARQUEL Julien
11	Concawe	CHIVOIU Alexandra
12	EDANA	LUMINITA Barbu
13	Euratex	SCALIA Mauro
14	Euratex	STEUPERAERT Stijn
15	Euroheat & Power	HANZA Bennis
16	European Chemistry for Textile and Leather AISBL (EUCTL)	BAYER Andreas
17	European Plastics Converters	LÜBKE Alessa
18	European Safety Federation	VANHOUTTE Henk
19	EurO3zone	SANDRA Racano
20	EurO3zone	RYCKEBOER Jaak
21	EWIMA	NICKL Claudia
22	Humane Society International	INGRAM Jay
23	PETA Science Consortium International	RENAHAN Tess
24	RECHARGE	KAUR Rajinder
25	SME United	HILDEBRANDT Cornelia
26	SME United	SUSNIK Marko
27	Syngenta on behalf CropLife Europe	TODD Phil

Instrument for Pre-Accession Assistance (IPA) representatives

	Country	Name
1	Albany	TATAJ Lindita
2	Albany	LAZAJ Minush
3	Albany	LLAKA Evi
4	Kosovo	MAXHERA Nazmi
5	Montenegro	SCEKIC Marijana
6	Montenegro	VUKOVIĆ Slavena
7	Serbia	BOSILJČIĆ Dragana

BPRS members, alternates and invited experts

	Country	Name
1	BE	DE VOS Helmut
2	CH	BUERGY Heribert
3	CZ	BEDNAŘÍKOVÁ Růžena
4	CZ	KOPEČNÁ Dagmar
5	DK	JENSEN Nicolai
6	EL	MARTIKA Anastasia
7	FI	OLLIKKA Jussi
8	FR	VERDIER Elodie
9	IS	INGVARSDÓTTIR Hafþis Inga
10	LT	HAKAITĖ Palmira
11	NL	DE BOER Jabik
12	SE	KARLSSON Jenny

V. List of Annexes

ANNEX 1. Final agenda Forum-45

ANNEX 2. Revision of the mandates of the Forum WGs

ANNEX 2 a - REF-10 on Integrated chemical control of products"

ANNEX 2 b – "REF-12 on imports"

ANNEX 2 c – "REF-11 on SDS"

ANNEX 2 d – "Train the trainers 2023"

ANNEX 2 e – "Prioritisation of REF projects"

ANNEX 2 f - "Pilot project on PFCA"

ANNEX 2 g – "Impact on enforcement of REACH/CLP review"

ANNEX 2 h – "Enforceability of restrictions"

ANNEX 2 i – "REF-13"

ANNEX 2 j – "Train the trainers 2024"

ANNEX 2 k - "Pilot project on classification of mixtures"

ANNEX 3. Glossary of acronyms and abbreviations

Annex 1 – Final agenda Forum-45

Agenda
Forty fifth meeting of the
Forum for Exchange of Information on Enforcement
(Forum-45)

7-10 November 2023
Remote meeting
Eastern European time (EET)

DAY 1 Tuesday 7 November 2023

Item 1 – Welcome and Introduction

10:30-10:50

- 1.1 Welcome and opening by the Forum Chair
- 1.2 Adoption of the agenda - *Chair*
- 1.3 Declarations of conflict of interest with regard to agenda items and quorum
- *Chair*
- 1.4 State of play with action points from Forum-44 – *ECHA HET*
- 1.5 Results of the written procedures and other issues between Forum-44 and
Forum-45 - *ECHA HET*

ECHA/Forum-45/2023/dA
ECHA/Forum-45/2023/1.4
ECHA/Forum-45/2023/1.5

For adoption
For information

**Item 2 – Forum’s enforcement activities - Ongoing
projects**

10:50-13:45

- 2.1 *REF-10 on integrated control of products*
 - 2.1.1 Project results – *WG Chair*
 - 2.1.2 Mandate amendment - *ECHA HET*

ECHA/Forum-45/2023/2.1.1
ECHA/Forum-45/2023/Draft_mandates

- 2.2 *REF-12 on the compliance of imported substances, mixtures and
articles*
 - 2.2.1 *WG progress report – WG Chair*
 - 2.2.2 Mandate amendment - *ECHA HET*

ECHA/Forum-45/2023/2.2.1
ECHA/Forum-45/2023/Draft_mandates

2.3 Mandate amendment of WGs not addressed at the meeting (no progress report):

- 2.3.1 REF-11 on SDS
- 2.3.2 Train the trainers 2023
- 2.3.3 Prioritisation of REF projects
- 2.3.4 Pilot project on enforcement of PFCA and related substances focusing on cosmetics
- 2.3.5 WG for examining the enforcement-related impacts on the Forum of the future REACH and CLP revision

ECHA/Forum-45/2023/Draft_mandates

Break 20'

2.4 Enforceability of Restrictions

- 2.4.1 WG progress report – *WG Chair*
- 2.4.2 Screening methods
 - 2.4.2.1 Results of the survey on the use of the screening devices – way forward – *HET*
 - 2.4.2.2 Updates on possible fundings for the Member States on screening devices - *COM*
- 2.4.3 Mandate amendment - *ECHA HET*

*ECHA/Forum-45/2023/2.4.1
ECHA/Forum-45/2023/Draft_mandates*

***For discussion
For adoption***

Break 40'

Item 3 – Forum’s enforcement activities – Starting projects

14:25-15:00

3.1 REF-13 on online sales II – mandate set-up

3.2 Train the enforcement trainers 2024

- 3.2.1 Proposed topics for training – *Forum Chair*
- 3.2.2 Mandate set-up - *ECHA HET*

ECHA/Forum-45/2023/Draft_mandates

For adoption

Item 4 – Forum’s enforcement activities - Projects under finalisation

15:00-15:30

4.1 Pilot project on classification of mixtures including detergents and cleaning products

4.1.1 WG final progress report – *WG Chair*

4.1.2 Mandate closure - *ECHA HET*

ECHA/Forum-45/2023/4.1.1_room_doc
ECHA/Forum-45/2023/Draft_mandates

For information
For adoption

Item 5 – Updates from the ECHA Secretariat

15:30-16:00

5.1 Improvement of Forum’s work - Discussion of the satisfaction survey

For discussion

5.2 Documents only for information

5.2.1 Follow-up of ECHA decisions

5.2.2 State of revision of Interlinks guide

ECHA/Forum-45/2023/5.1
ECHA/Forum-45/2023/5.2.1
ECHA/Forum-45/2023/5.2.2

For information

Break 20'

Item 6 - Forum's multiannual work programme 2024-2025

16:20-16:35

ECHA/Forum-45/2023/6

For information

Item 7 – Cooperation with other networks (Part I)

16:35-17:00

7.1 Forum’s contribution to the EU Product Compliance Network (EUPCN) and the ADCO Chairs’ meetings – *Forum Chair*

ECHA/Forum-45/2023/7.1_room_doc

For information

End of day 1

17:00

DAY 2 Wednesday 8 November 2023

Item 8 - Adoption of conclusions from day 1 10:30-10:45

For adoption

Item 9 – Update on relevant developments by the Commission 10:45-11:45

9.1 CLP review process update

9.2 REACH review

9.3 Future of the programme for the exchange of inspectors

9.4 Update on estimated enforcement cost of new restrictions (tbc)

For information

Break 20'

Item 10 – Enforcement of specific REACH restrictions entries 12:05-13:40

10.1 Enforcement of entry 75 on tattoo inks

10.1.1 Swedish Medical Products Agency's project on tattoo inks – *SE invited expert*

10.1.2 Update on the initiative of sampling and testing tattoo inks – *NL Forum member*

10.1.3 Preliminary discussion on the way forward

10.2 Practical way to handle future *ad-hoc* request from COM on Forum's input on the enforceability of restrictions – *HET*

**For information
For discussion**

Break 40'

Item 11 – Enforcement in the Member States (part I) 14:20-15:15

11.1 Supervision and support of the REACH, CLP and PIC enforcement authorities in Hungary – *HU Forum member*

11.2 Finnish Chemical Products register in KemiDigi data system – *FI invited expert*

For information

Break 15'

Closed session Forum and BPRS

Item 12 – Preparation for the Joint Open session 15:30-17:15

12.1 Welcome to the BPRS members – *Forum/BPRS Chairs*

12.2 Discussion of the lines-to-take in Break-out groups

12.2.1 Introduction

12.2.2 Discussion in groups

ECHA/Forum-45/2023/12_OS3

ECHA/Forum-45/2023/12_OS4

For discussion

Break 10'

12.2.3 Wrap-up session (30')

For information

End of day 2 17:15

DAY 3 Thursday 9 November 2023

Forum and BPRS Open Session (OS) (10:30- 17:30)
(time in Eastern European Time)

Item OS 1 – Welcome and Introduction to the OPEN SESSION 10:30-10:45

- OS 1.1 Welcome to the participants – *Forum and BPRS Chairs*
- OS 1.2 Practicalities of a remote meeting – *ECHA HET*

For information

Item OS 2 – Updates from the Forum 10:45-12:00

- OS 2.1 Update on the scope of upcoming REF project – *Chair of WG Prioritisation*
- OS 2.2 Projects and related activities finalised during 2023
 - OS 2.2.1 REF-10 on Integrated controls – *WG Chair*
 - OS 2.2.2 Pilot project on classification of mixtures including detergents and cleaning products – *WG Chair*
 - OS 2.2.3 Workshop of the project REF-9 on Authorisation – *WG Chair*

For information

Break 20'

Item OS 3 – BPR related topics 12:20-13:30

- OS 3.1 Update on the scope of upcoming BEF project (BEF-3) – *BPRS Chair*
- OS 3.2 Results of the BPRS project BEF-2 on approved/non-approved active substances in Biocidal products - *WG Chair*
- OS 3.3 Enforcement issues: BPR labels and P-statements, Article 95 list and suppliers' name change – *Elodie Cazelle (A.I.S.E.)*

Break 45'

Item OS 4 – REACH topics proposed by ASOs 14:15-17:20

- OS 4.1 REACH-restriction for substances in tattoo inks and permanent make-up - *Cornelia Hildebrandt, Michael Dirks (SMEunited)*
- OS 4.2 Better Market Surveillance – overview on latest legislative steps and conclusions of the project REACH4Textiles – *Mauro Scalia, Stijn Steuperaert (Euratex)*

Break 20'

OS 4.3 Lessons learned from a targeted screening exercise on registration dossiers – *Dunja Drmač (Cefic)*

OS 4.4 REACH dossier consistency for improved hazard and risk assessment - *Carol Banner (Concawe)*

OS 4.5 Registration of *in situ* generated ozone under REACH: Update - *Jaak Ryckeboer (EurO3zon)*

For information / discussion

Item OS 5 – Adoption of conclusions from the open session

17:20-17:30

For adoption

End of the open session

17:30

DAY 4 Friday 10 November 2023

Item 13 - Adoption of conclusions from day 2 10:30-10:45

For adoption

Item 14 – Debriefing of the Open session 10:45-11:00

For discussion

Item 15 – Enforcement in the Member States (part II) 11:00-13:35

15.1 Enforcement experiences with PAH

15.1.1 Finnish project – *FI invited expert*

15.2.2 PAH in Rubber infill: Dutch project – *NL Forum member*

15.2 Enforcement practices in HR - - *HR Forum member*

Break 20'

15.3 Project on the compliance of room scents/air freshener products on Irish Market – *IE Forum Alternate member*

15.4 Follow-up on French Nanoforms Action – *FR Forum member*

For information

Break 40'

Item 16 – Practical issues for enforcement of REACH/CLP/PIC/POPs 14:15-15:00

Items raised by Forum/ECHA/COM (list of practical issues is prepared independently from the agenda)

ECHA/Forum-45/2023/16_room_doc

For discussion

Item 17 – Cooperation with other networks (Part II) 15:00-15:30

17.1 Updates from SLIC-CHEMEX – *CHEMEX WG Chair*

For information

Item 18 – Debriefing of the meeting between Forum/BPRS Chairs and ECHA Directors	<i>15:30-15:45</i>
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For information

Break 15'

Item 19 – Updates from BPR Subgroup	<i>16:00-16:15</i>
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Update on the coordination of the BPR enforcement – *BPRS Chair*

For information

Item 20 – AOB	<i>16:15-16:30</i>
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For information

Item 21– Adoption of conclusions from day 4	<i>16:30-16:45</i>
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For adoption

End of meeting	<i>16:45</i>
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Annex 2a "REF-10"

Forum Working Group
Work Package A.1
"Coordinated enforcement project REACH-EN-FORCE-10"
(mandate adopted at Forum-45)

Composition

Chair: Karin RUMAR (SE)

Forum Members and Alternates

- Kaca PILETIC (HR)
- Eugen ANWANDER (AT)

Invited Experts

- Eric BARSEGHIAN (NL)
- Mieke CONICKX (BE)
- Anneli PÄRNÄNEN (FI)
- Emilie ROGERS (NO)
- Michel LEYNEN (BE)
- Frank VILSMEIER (DE)

ECHA

- Juan Pablo CALVO TOLEDO
- Ignacio GONZALEZ RODRIGUEZ
- Telmo VIEIRA PRAZERES

Objective:

- Conceive, manage and evaluate the tenth major Forum enforcement project REF-10 'Integrated chemical control of products'.
- Present the relevant project recommendations to ECHA ASOs to promote compliance
- develop practical enforcement guidance for enforcement authorities based on the lessons learnt from the project

Mandate:

1. Develop the project manual (guidance document, checklist, planning, recommendations) for the execution of the project;
2. The WG will consider whether it needs to cooperate with other public enforcement networks and authorities such as customs, RoHs, Market Surveillance, environment and if so, liaise with them to facilitate this cooperation and coordinate the project accordingly
3. The WG will consider whether it needs to collect input from ASOs and if so, liaise with the ASOs to obtain it
4. Prepare and deliver the extended training for project national coordinators and inspectors (conditional on the availability of sufficient number of experts to prepare it)
5. Management of the Operational phase
6. Management the Reporting phase: Follow-up operational phase, collect the results and draft project evaluation
7. Prepare and conduct a remote workshop for ECHA ASOs to discuss the project results and recommendations for the industry
8. Elaborate a guideline and training to tackle the question related to the verification of the notification to the SCIP database and liaise if necessary with IMPEL to assist on this task
9. Elaborate tips and hints for inspectors based on the relevant outcomes from the project

Timeline

- Project manual: Q4 2021
- Prepare and deliver the extended training for project national coordinators and inspectors: Q4 2021
- Operational phase: 2022
- Reporting phase (National Coordinators): Q1 2023
- Evaluation phase: Q3 2023
- Draft report: Q4 2023
- Adoption of the report: Q4 2023
- Workshop with ECHA ASOs: Q2 2024
- Tips and hints for inspectors: Q2 2024

Annex 2b "REF-12"

Forum Working Group
Work Package A.1
"Coordinated enforcement project REACH-EN-FORCE-12"
(mandate adopted at Forum-45)

Composition

Chair: Henrik HEDLUND (SE)
Vice-Chair: Maria ORPHANOU (CY)

Forum Members and Alternates

- Luigia SCIMONELLI (IT)
- Chris VAN DEN HOLE (BE)
- Markus MAKI (FI)
- Eugen ANWANDER (AT)

Invited Experts

- Marcus HAGBERG (SE)
- Jörgen ROSBERG (SE)
- Johannes LEOPOLDT (DE)
- Erik BARSEGHIAN (NL)
- Alfred EBNET (DE) (customs)
- Sabrina MERTEL (DE) (customs)
- Joris ROBYN (BE) (customs)
- Doris ASSAYAG-SOURY (FR) (customs)

COM

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ECHA

- Tania MATEUS

Objective:

- Conceive and manage the twelfth major Forum project REF-12 on the enforcement on the compliance of imported substances, mixtures and articles.

Mandate:

1. Develop the project manual (guidance document, checklist, planning, recommendations) for the execution of the project;
2. Liaise with the WG 'Training for trainers 2023'
3. Define the specific duties to be covered in the project;
4. Prepare and deliver the training for project national coordinators
5. Management of the Operational phase
6. Management the Reporting phase: Follow-up operational phase, collect the results and draft project evaluation
7. Elaborate tips and hints for inspectors based on the relevant outcomes from the project
8. Prepare and organise remote WebEx workshop for ECHA ASOs to present the results and recommendations from this project

Timeline:

- Project manual: Q4 2023
- Prepare and deliver the training for project national coordinators: Q4 2023
- Operational phase: 2024
- Reporting phase (National Coordinators): Q1 2025
- Evaluation phase: Q3 2025
- Draft report: Q3 2025
- Adoption of the report: Q4 2025
- Tips and hints for inspectors: Q2 2026
- Workshop with ECHA ASOs: Q2 2026

Annex 2c "REF-11"

Forum Working Group
Work Package A.1
"Coordinated enforcement project REACH-EN-FORCE-11"
(mandate adopted at Forum-45)

Composition

Chair: Abdulqadir SULEIMAN (NO)

Forum Members and Alternates

- Ana CENTENICO (PT)

Invited Experts

- Shara SMITH (IE)
- Linnea KANNING (SE)
- Sonja HAGEN MIKKELSEN (DK)
- Barbara Schmid (DE)
- Milena ORSO GIACONE (IT)
- Carlo MUSCARELLA (IT)
- Antonietta COVONE (IT)
- Marius SULGA (LT)
- Anu MATILAINEN (FI)
- Tamás KOVÁCS (HU)
- Erik BARSEGHIAN (NL)

ECHA

- Juan Pablo CALVO TOLEDO
- Fesil MUSHTAQ
- Outi TUNNELA
- Amandine JOMIER

Objective:

- Conceive and manage the eleventh major Forum enforcement project REF-11 on SDS and checking the conformity with the requirements of the new Annex II of REACH.

Mandate:

1. Develop the project manual (guidance document, checklist, planning, recommendations) for the execution of the project;
2. Liaise with the WG 'Training for trainers 2022'
3. Define the specific duties to be covered in the project;
4. The WG will consider whether it needs to collect input from ASOs and if so, liaise with the ASOs to obtain it
5. Prepare and deliver the training for project national coordinators
6. Management of the Operational phase
7. Management the Reporting phase: Follow-up operational phase, collect the results and draft project evaluation
8. Elaborate tips and hints for inspectors based on the relevant outcomes from the project
9. Prepare and organise a short WebEx workshop for ECHA ASOs to present the results and recommendations from this project

Timeline:

- Project manual: Q4 2022
- Prepare and deliver the training for project national coordinators: Q4 2022
- Operational phase: 2023
- Reporting phase (National Coordinators): Q1 2024
- Evaluation phase: Q3 2024
- Draft report: Q4 2024
- Adoption of the report: Q4 2024
- Tips and hints for inspectors: Q2 2025
- Workshop with ECHA ASOs: Q2 2025.

Annex 2d "Train the enforcement trainers 2023"

Forum Working Group
Work Package C.2.
"Training for enforcement trainers 2023"
(mandate adopted at Forum-45)

Composition

Chair: Chris van den Hole (BE)

Vice-Chair: Gro Hagen (NO)

Forum Members/Alternates:

- Otilija Spuriene (LT)

Invited Experts:

- Angelina Angelova (BG)
- Uwe Licht-Klagge (DE)
- Ricardo Marmelo (PT)
- Johannes Leopoldt (DE)
- Regina Wagner (DE)

ECHA:

- Magdalena TŁOCZEK
- Christina LOUKOU
- Istvan MAK
- Thierry NICOT

COM:

- DG TAXUD: Alessandro EL KHOURY, Renato LAZZARONI, Francesco SIANO, Herve SCHEPERS, Wilhelmus VAN HEESWIJK, Ino VEI

Objective:

- Prepare and deliver the training for trainers on the enforcement of imports in the fourth quarter of 2023.

Mandate:

1. Specify as early as possible the envisaged level of the content of the training
2. Prepare materials necessary for the training such as presentations or documents
3. Liaise with the WG REF-12
4. Actively conduct the training event with support from other Forum members, ECHA and COM and other experts in specific topics as necessary
5. Collect, summarise and evaluate the recommendations and reactions of participants

Timeline:

- Final report - Q1 2024

Annex 2e “Prioritisation of REFs”

Forum Working Group Work Package A.1
“Prioritisation of REF Projects”
(Mandate adopted at Forum-45 and BPRS-20)

Chair: Maria ORPHANOU (CY) - rotating Chair

Vice-Chair: Jenny KARLSSON (SE) – for BPR topics

Forum Members/Alternates

- Semira HAJRLAHOVIĆ MEHIĆ (SI)
- Oldrich JAROLIM (CZ)
- Abdulqadir SULEIMAN (NO)

Invited Experts

- Tamas KOVACS (HU)
- Laura WILMS (DE)
- Andrea SANTOS (PT)

Ad-hoc invited experts from BPRS (cooperating in the elaboration of the Registry of legal obligations subject to previous enforcement projects and BEF-3 topics):

- Helmut DE VOS (BE)
- Anna GRONWALD-MACEDO (DE)

ECHA: Kaisu RONTY; Nicola TECCE

Objective: Propose annually the subject for the next harmonised enforcement project coordinated by the Forum and BPRS (i.e. REF and BEF Projects)

Mandate: According to the working procedure for the prioritisation and selection of REF and BEF projects, the WG shall:

1. Review annually a list of proposals for REF and BEF, when needed, projects submitted by Forum members, ECHA Secretariat, the Commission and the Stakeholder Organisations accredited by ECHA (ASOs);
2. Prioritise the subjects by applying Forum's methodology for the prioritisation, selection and management of REF and BEF projects
3. Draft a recommendation proposing the subject for the next REF and BEF project
4. Elaborate and update an inventory of project recommendations and a registry of legal obligations subject to previous enforcement projects in the following regulatory areas: REACH, CLP, PIC, POP, BPR.
5. Propose to the Forum topics for pilot and small-scale projects as an output of the prioritisation exercise where appropriate.
6. In addition, the WG will revise, when needed, the methodology for the prioritisation, selection and management of REF and BEF projects and implementing its working procedures to be adopted by the Forum.

The WG will operate from Forum-45 (November 2023) until the end of 2024 (end of the Forum MAWP 2024 – 2025). The mandate of the WG can be renewed to operate after this period.

Timelines:

- The basic timeframes are regulated by the Forum Methodology on Prioritisation and

Selection of Project Proposals and the working procedure for the prioritisation and selection of harmonised enforcement projects coordinated by the Forum

- Shortlist of subjects for REF-14 by Forum-47
- Shortlist of subjects for BEF-4 by BPRS-28

Annex 2f “Pilot on enforcement of PFCAs”

Forum Working Group ‘Pilot project on enforcement of PFCAs and related substances focusing on cosmetics’

(mandate adopted at Forum-45)

Composition

Chair: Henrik HEDLUND (SE)

Forum Members and Alternates

- Eugen ANWANDER (AT)
- Michael FUCHS (AT)
- Petteri TALASNIEMI (FI)

Invited Experts

- Mana ASHJA (SE)

ECHA

- Magdalena TŁOCZEK
- Ignacio GONZALES RODRIGUEZ

Objective:

- Conceive and manage the small-scale pilot project on enforcement of restrictions of PFCAs (including PFOAs) and related substances focusing on cosmetics.

Mandate:

1. Develop the project manual (guidance document, checklist, planning, recommendations) for the execution of the project
2. Prepare and deliver the training for project national coordinators
3. Management of the Operational phase
4. Management the Reporting phase: Follow-up operational phase, collect the results and draft project evaluation
5. Draft practical enforcement guidance for inspectors (tips and hints for inspectors)
6. Prepare and organise remote WebEx workshop for ECHA ASOs to present the results and recommendations from this project

Timeline:

- Project manual: 31 October 2023
- Prepare and deliver the training for project national coordinators: 31 October 2023
- Operational phase: 1 November 2023 – 30 April 2024
- Reporting phase (National Coordinators): 31 May 2024
- Project report: 31 October 2024
- Workshop with ECHA ASOs: Q1 2025
- Adoption of the practical enforcement guidance for inspectors (tips and hints for inspectors): Q1 2025

Annex 2g “Impact of REACH/CLP revision on the Forum”

Forum Working Group

Work Package A.1

“Examining the enforcement-related impacts of the future REACH and CLP revision on the Forum”

(mandate adopted at Forum-45)

Composition

Chair: Katja VOM HOFE (DE)

Vice-Chair: Chris VAN DEN HOLE (BE)

Forum Members and Alternates

- Henrik HEDLUND (SE)
- Luigia SCIMONELLI (IT)
- Ida SCHARFF (DK)
- Mirjam VAN DER MEER (NL)

Invited Experts

- DK (?)
- Gunter TSCHECH (DE)

COM

- Julien FABRE

ECHA

- Maciej BARANSKI

Objective:

- Assess the impact of future REACH/ CLP revision and the Basic Regulation on the Forum and enforcement and propose a roadmap for the Forum to adjust its priorities and practices to align with potential changes in its mandate.

Mandate:

- Examine the proposals for the REACH Revision and Basic Regulation as well as the revised CLP Regulation and identify potential impacts on the Forum mandate and workload.
- Examine whether the existing Forum priorities and practices are fit for purpose of its potential new mandate and identify any needs for change
- Prepare a roadmap for updating the priorities and practices of the Forum to fit the potential new mandate.
- Collect the views of the NEAs about the enforcement-impacts of the REACH/CLP Revision and Basic Regulation

Timeline:

- Forum-47 (June 2024)

Annex 2h “Enforceability of restrictions”

Forum Working Group
Work Package B12
“Enforceability of restrictions”
(mandate adopted at Forum-45)

Composition

Chair: Peter HELLEMA (NL)

Vice-Chair: Eugen ANWANDER (AT)

Forum Members/Alternates

- Michael FUCHS (AT)
- Philip TANGHE (BE)
- Katja VOM HOFE (DE)

Invited Experts (advisory process)

- Leonello ATTIAS (IT)
- Tone Line FOSSNES (NO)
- Uwe LICHT-KLAGGE (DE)
- Gernot WURM (AT)
- Andreas ELLMANN (DE)
- Charlotte RAHM (SE)
- Caroline NILSSON (SE)
- Raffaella CRESTI (IT)
- Regina WAGNER (DE)
- Edwin HEUVELING (NL)

Invited Experts ad-hoc (advisory process) [only under specific circumstances]:

- Sammy DRISSI-AMRAOUI (FR)

Invited experts (analytical methods) (TBC)

- Nadja GOETZ (DE)
- Carolina FERRANTI (IT)
- Julia GONZÁLEZ GUTIÉRREZ (ES)
- Durk SCHAKEL (NL)
- Timokleia TOGKALIDOU (EL)
- Andromachi KATSONOURI (CY)

COM

- BERTATO Valentina (ENV)
- PIRSELOVA Katarina (ENV)

ECHA

- Juan Pablo CALVO TOLEDO

Mandate:

Advisory process (only task of the WG)

1. According to the working procedure for developing the Forum advice on enforceability of the Annex XV proposals for restrictions adopted by the Forum, the WG shall:

- a) Prepare a draft Forum advice on the enforceability of Annex XV proposals for restrictions that are in conformity with the REACH requirements, taking into account the comments of the Forum members. This draft Forum advice will be submitted to the Forum for adoption.
- b) Provide support when possible on enforcement related issues to RAC and SEAC during the process of the elaboration of the RAC and SEAC opinions.
- c) Develop the Forum advice on enforceability of the anticipated restriction for CMRs in Childcare articles based on the description in ECHA Investigation Report.

Analytical methods

[the task can be discussed on an ad-hoc basis depending on the needs]

2. Review in 2023 the information on analytical methods provided by the stakeholders and by the Member States by Q1 2023 and revise if needed the methodology and the compendium of analytical methods recommended for the enforcement of REACH Annex XVII restrictions by F-45 (Q4 2023).

Other

3. The WG shall report to the Forum plenary the results of its findings and its actions between the plenaries.

Timeline:

- Examination of proposals for restriction and support to RAC and SEAC according to plans
- 31 December 2025, reporting at each plenary meeting

Forum Working Group
Work Package A.1
“Coordinated enforcement project REACH-EN-FORCE-13”
(mandate created at Forum-45)

Composition

Chair:

- Karin Rumar (SE)

Vice-Chair:

- Chris Van den Hole (BE)

Forum Members and Alternates

- Petteri Talasniemi (FI)
- Maria Paleomilitou (CY)
- Eugen Anwander (AT)
- Caroline Walsh (IE)
- Luigia Scimonelli (IT)
- Sam Abdelhafiz (FR)

Invited Experts

- Kristina Karlsson (SE)
- Karine Simbelie (FR)
- Andreas Ellman (DE)
- Loella Bakka (NO)
- Alois Stanek (CZ)
- Celsino Govoni (IT)
- Ingrida Stulgienė (LT)
- Agnė Sukovienė (LT)

COM (Observers)

- Julien Fabre (DG ENV)
- Miriam Stahlhacke (DG GROW)
- Veronike Jezso (DG GROW)
- [Svetlana Skrynikova](#) (DG GROW)

ECHA

- Tania MATEUS

Objective:

- Conceive and manage the thirteenth major Forum project REF-13 on the enforcement of chemical products sold on-line.

Mandate:

1. Develop the project manual (guidance document, checklist, planning, recommendations) for the execution of the project;
2. Liaise with the WG ‘Training for trainers 2024’
3. Define the specific duties to be covered in the project;
4. Prepare and deliver the training for project national coordinators
5. Management of the Operational phase
6. Management the Reporting phase: Follow-up operational phase, collect the results and draft project evaluation
7. Elaborate tips and hints for inspectors based on the relevant outcomes from the project
8. Prepare and organise remote WebEx workshop for ECHA ASOs to present the results and recommendations from this project

Timeline:

- Project manual: Q4 2024
- Prepare and deliver the training for project national coordinators: Q4 2024
- Operational phase: 2025
- Reporting phase (National Coordinators): Q1 2026
- Evaluation phase: Q3 2026
- Draft report: Q3 2026
- Adoption of the report: Q4 2026
- Tips and hints for inspectors: Q2 2027
- Workshop with ECHA ASOs: Q2 2027

Annex 2j “Train the enforcement trainers 2024”

Forum Working Group
Work Package C.2.
“Training for enforcement trainers 2024”
(mandate created at Forum-45)

Composition

Chair:

- Sam Abdelhafiz (FR)

Vice-Chair:

- Mirjam van der Meer (NL)

Forum Members/Alternates:

- Kristine Kamerade (LV)

Invited Experts:

- Daniel Ahlstrom (SE)
- Johannes Leopoldt (DE)
- Uwe Licht-Klagge (DE)
- Carlo Muscarella (IT)
- Alois Staněk (CZ)
- Regina Wagner (DE)

ECHA:

- Magdalena Tłoczek

COM:

-

Objective:

- Prepare and deliver the training for trainers on the enforcement of chemical products sold on-line in the fourth quarter of 2024.

Mandate:

1. Specify as early as possible the envisaged level of the content of the training
2. Prepare materials necessary for the training such as presentations or documents
3. Liaise with the WG REF-13
4. Actively conduct the training event with support from other Forum members, ECHA and COM and other experts in specific topics as necessary
5. Collect, summarise and evaluate the recommendations and reactions of participants

Timeline:

- Final report - Q1 2025

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Annex 2k “Pilot on Classification of mixtures”

Forum Working Group

“Pilot project on classification of mixtures including detergents and cleaning products”

(mandate adopted at Forum-45)

Chair: Eugen ANWANDER (AT)

Vice-Chair: Jorge TEBAR LUJAN (ES)

Forum Members and Alternates

Invited Experts

- Kristina KARLSSON (SE)
- Sibylle WURSTHORN (DE)
- Gaetano Abate (DE)
- Erik BARSEGHIAN (NL)
- Maria ALESSANDRELLI (IT)
- Sonia D'ILIO (IT)

ECHA

- Nicola TECCE; Kirsi MYOHANEN

Objective: Conceive and manage the pilot project on classification of mixtures including detergents and cleaning products

Mandate:

1. Develop the criteria for national example cases on mixture classification that go beyond standard summation or additivity approaches for the execution of the pilot project
2. Consider whether the WG needs to collect input from ASOs or COM, and if so, liaise with the ASOs or COM to obtain it
3. Management of the analysis of the cases on mixture classification as submitted to the WG
4. If needed, follow-up the assessment phase of the pilot project with supplementary analysis of national cases on mixture classification as submitted to the WG
5. Elaborate a project report including a guidance for national inspectors focusing on the challenges/biases in the interpretation of CLP and mixture classification
6. Prepare and conduct a remote workshop for ECHA ASOs to discuss the project results and recommendations for the industry

Timeline:

- Preparatory phase: January 2022-June 2022
- Analysis of submitted cases: July 2022-December 2022
- Drafting of project report/guidance: February 2024;
- Follow-up: March 2024.

Annex 3- Glossary of acronyms and abbreviations

ADCO: Administrative Cooperation Groups
ASO: ECHA's Accredited Stakeholder Organisations
BEF: BPR-En-Force, Major Harmonised Enforcement Project of the BPR Subgroup of the Forum
BPR: Biocidal Product Regulation
BPRS: Biocidal Product Regulation Subgroup of the Forum
CARACAL: MSCA Committee for REACH and CLP
CLP or CLP Regulation: Regulation (EC) No 1272/2008 on Classification, Labelling and Packaging of Substances and Mixtures
C&L: Classification and Labelling
CMR: Carcinogenic, mutagenic and reprotoxic
COM: European Commission
CSS: European Commission's Chemicals Strategy for Sustainability
DG: Directorate General at Commission
DG ENV: European Commission Directorate-General for Environment
DG GROW: European Commission Directorate-General for Internal Market, Industry, Entrepreneurship and SMEs
DG TAXUD: European Commission Directorate-General for Taxation and Customs Union
ECHA: European Chemicals Agency
EU: European Union
EUPCN: EU Product Compliance Network under the Market Surveillance Regulation
HET: ECHA's Harmonised Enforcement Team, supporting the Forum
ICSMS: Information and Communication System for Market Surveillance
MSCA: Member State Competent Authority
NEAs: National Enforcement Authorities
OR: Only representative
POPs: Persistent Organic Pollutants
RAC: Risk Assessment Committee of ECHA
REACH and REACH Regulation: Regulation (EC) No 1907/2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals
REF: REACH-EN-FORCE, Major Harmonised Enforcement Project of the Forum
SEAC: Committee for Socio-economic Analysis of ECHA
SLIC: Senior labour inspectors committee
TARIC: integrated Tariff of the European Union, is a multilingual database integrating all measures relating to EU customs tariff, commercial and agricultural legislation
WG: Working Group of the Forum