REACH Workshop – 21 May 2024

1. Opening the REACH Workshop

The HelpNet REACH Workshop, organised for the members and observers of the HelpNet, took place on 21 May 2024, in Helsinki.

This document summarises the topics discussed[1] during the meeting (Annex I), the follow-up action points[2] (Annex II) and the list of participants (Annex III).

1.1 Opening by the Chair

The Chair, Erwin ANNYS (ECHA, Head of Unit Support and Enforcement) opened the REACH Workshop and welcomed representatives of national helpdesks, observers from candidate and third countries, observers from industry and remote participants.

1.2 Action points from the previous workshop

The Chair presented the list of closed action points[2] from the previous REACH Workshop held in November 2023 (Annex IV).

1.3 Approval of the draft agenda

The Chair introduced the draft agenda. The agenda was adopted without any comments.

Then, the Chair requested the participants to declare any conflicts of interest that they may have on any particular agenda points. No conflict of interest was raised.

In addition, HelpNet members were asked to verbally express their concerns[3] (if any) on the attendance of observers on any agenda points. No objections were raised.

2. Updates from the Commission and ECHA

2.1 Update from the European Commission

Riccardo ZORGNO (Commission, DG GROW) provided updates on the relevant developments with regards to Annex XVII and XIV of REACH, authorisation decisions adopted or on the way to adoption, and an update on Court cases.

First, he briefly outlined the recent restriction of D4, D5 and D6 in leave on personal care products and other consumer/professional products (e.g., dry cleaning, waxes and polishes, washing and cleaning products) that was adopted on 16 May 2024.

[1] Disclaimer: Note that the text of the BPR, CLP and REACH regulations is the only authentic legal reference and that the summaries in this document do not constitute legal advice. For further advice, contact your national helpdesk.
[2] The action points of the previous workshop are available for HelpNet member and observers on the collaboration platform (*Path: /CircaBC/echa/HelpNet/Library/02 Steering Group/Workshops/REACH workshop 28 November 2023*).
[3] According to the Handbook, section 1.2 Chair of the HelpNet Steering Group, the 'Chair considers and takes decisions on any objections from members to the participation of observers or additional experts.

Then, he mentioned the restriction proposal of PFHxA that is expected to be adopted since it reached a positive vote in the REACH Committee meeting in February 2024.

The restrictions under preparation, for which the RAC and SEAC opinions have been received and which were currently at the stage of drafting the legal proposal, were also presented: PFAS in fire-fighting foams, 2,4 DNT, lead in outdoor shooting and fishing, Terphenyl, hydrogenate, PAHs in clay targets, skin sensitisers in textiles, DMAC and NEP, and creosote and creosote related substances.

The Commission was reviewing ECHA's investigation report supporting the preparation of a restriction of CMRs in childcare articles, received on 31 October 2023.

The Commission was also discussing the best way forward for the proposed restriction of calcium cyanamide.

Finally, on restrictions, Riccardo ZORGNO mentioned the ongoing opinion development by RAC and SEAC on the proposed universal restriction of PFAS.

He then presented the amendments of Annex XIV. The following substances had been included to the Candidate List in January 2023: 2-(dimethylamino)-2-[(4-methylphenyl)methyl]-1-[4-(morpholin-4-yl)phenyl]butan-1-one, 2,4,6-tri-tert-butylphenol, Oligomerisation and alkylation reaction products of 2-phenylpropene and phenol, 2-(2H-benzotriazol-2-yl)-4-(1,1,3,3-tetramethylbutyl)phenol, Bumetrizole, and Dibutyl phthalate (update).

ECHA's 11th recommendation of substances for inclusion to the authorisation list (Annex XIV) was received by Commission to be analysed by the relevant services, together with the 10th recommendation.

Riccardo ZORGNO presented the authorisation decisions discussed and adopted by Commission. He highlighted the work in the REACH committee to finalise an approach on the decorative uses of Chromium trioxide: for all decorative uses, a mandatory reduction of the volumes (up to 70, 80 or 90%) of the used quantities of the substances by the end of any review periods going beyond 2028, has been included in the authorisation decisions. This proposal enabled to unblock about 20 decisions for adoption.

He then presented the ADCR application for authorisation to be discussed in June 2024 and in ad-hoc sessions in July and September 2024. ADCR was a consortium of 7 companies supplying Cr(VI) substances to about 500 downstream users in the aerospace and defence industry. It consisted of 21 Applications for Authorisation, 11 different uses and 7 applicants. Some of the applications were urgent because of the deadline of 21 September 2024 for the review period of some of these uses.

Riccardo ZORGNO then presented the three currently pending court cases.

He provided an update on the development by Commission of the microplastics guidance document: the work had started in March 2024 and progressed according to schedule. Member States were actively consulted. An initial version is expected in 2024. The dedicated member states experts' group was consulted (he noted that the Commission was quite pleased with quality, knowledge, and preparation of the Member States representatives). Stakeholders were not consulted on the initial version but would possibly be involved on future versions. There was no intention to consult the HelpNet specifically, but he noted that a number of Member States representatives in the working group were HelpNet members. The conclusions of the borderline working group were considered in the guidance development.

Riccardo ZORGNO closed the Commission update presentation with some considerations about the restriction proposal on chromates. ECHA was working on the mandate they received from Commission. The scope was discussed and there was an agreement to include in the restriction proposal - Annex XV dossier- all chromium VI substances due to issues of regrettable substitution and enforcement.

For more clarifications, he referred to the Commission Q&A both on Cr(VI) restriction and about consequences of the European Court of Justice judgment ECLI:EU:C:2023:302 from 20 April 2023 annulling Commission Implementing Decision C(2020) 8797 of 18 December 2020 partially granting an authorisation for certain uses of chromium trioxide under REACH.

Action points

1. The European Commission will update HelpNet on the impact of the CTAC Application for Authorisation annulment.
2. ECHA will share the link of the Forum enforcement project of authorisation - REACH-EN-FORCE-9 (REF-9) and presentations of the workshop.

2.2 RAC: point of view of the new RAC Chair

Roberto SCAZZOLA (ECHA) introduced himself as new chair of the RAC. He reported that in 2023, the RAC prepared between 110 and 120 opinions on application for authorisations, restrictions and harmonised classifications and labelling. Additionally, the RAC worked on service agreement with the Commissions' directorate on employment, social affairs and inclusion on occupational exposure limits, and on drinking water materials pre-authorisations.

In terms of workload, applications for authorisations and harmonised classifications and labelling covered about 90% of the work related to opinions. The large scope of the universal PFAS restriction proposal has been absorbing a lot of the capacity of the RAC.

The RAC had also initiated its work on the feasibility area for the Drinking Water Directive.

Roberto SCAZZOLA then explained the major challenge encountered by RAC: the low membership. Each Member State could appoint two candidate experts. As a result, the RAC would have a full capacity of 60 experts, although at the time only 43 were nominated. This low membership impacted its capacity. A constant decrease of membership was noted in the past years, related to difficulties in resources Member States were encountering in their own countries. The proposed changes to the ECHA basic regulation to expand membership were expected to alleviate this issue, especially important in view of the new tasks entrusted to the committee.

He outlined how RAC was preparing for the future tasks. The Drinking Water Directive required specific expertise on migration tests and food contact, which was not necessarily available at the time in the RAC. A dedicated working group was established in the Member States that had already appointed members.

Roberto SCAZZOLA provided some information on the backlog created by the applications for authorisation of chromates uses. RAC was waiting for the restriction proposal to come to the committee to alleviate the workload.

He then explained the challenge encountered by the introduction of new hazard classes in CLP. The expertise was not necessarily present in RAC members. The guidance was under development on these new hazards. The first dossiers were expected on ED properties by 2025.

Finally, he noted the increasing complexity in dossiers received by RAC, for example the universal PFAS restriction. The grouping of a large number of substances increased concerns potentially raised from a legal point of view.

2.3 HelpNet videoconferences at a glance and reflection on the future

Amandine JOMIER (ECHA) gave a brief overview of the topics that had been discussed among national helpdesks during monthly videoconferences since the HelpNet started to organise them in October 2021. Eighteen videoconferences attended by 20 to over 60 participants had been organised so far. Over 50 questions had been discussed with the NHDs during those events, the most frequent topics related to restrictions, registration, and supply chain communication.

Participants were then invited to provide their feedback and brainstorm on possible improvements to the format or content of the videoconferences. The presentation ended with a few questions for the participants to reflect on in smaller groups:

- Which questions do you choose to bring to the videoconferences and why?
- Are the tools, format and frequency used suiting your needs?
- What works well? What could be done better?
- How can we better facilitate or encourage knowledge sharing within our network?

Colleagues from ECHA facilitated the discussions gathering feedback from the participants which were then reported back to the plenary.

Summary of the discussions

The questions that NHDs usually chose to bring to the videoconferences were either urgent questions or complex ones. For urgent questions, the discussion at the videoconferences enabled them to receive a reply to their question much faster, and to quickly cover different aspects of the reply, although it was noted that replies sometimes triggered new questions and further discussions. As regards complex questions, NHDs appreciated the possibility to discuss them in detail and make sure that the reply they would give to the customer was harmonised and in line with what ECHA and other NHDs would reply. This was specifically emphasised for replies that would have important consequences, or that would be given to other authorities or official bodies.

Some correspondents suggested developing guidance on which questions should be brought to the videoconferences. While ECHA took note of the request, ECHA also encouraged NHDs to always bring their questions to the videoconferences if they have any doubts.

Besides the fact that, via the videoconferences, participants received quicker and harmonised answers, they also appreciated receiving more elaborated and wider input at those meetings from all the members, compared to e.g., via the HelpEx tool. Nevertheless, many correspondents outlined the value of having both channels available, as videoconferences and HelpEx complemented each other quite well. While it was highlighted that oral exchanges brought value to the consultation, NHDs also appreciated the possibility to have written records in HelpEx.

It was suggested to consider reporting in more details the discussions that took place in the videoconferences since the discussions regularly had gone beyond the actual question. Several options were mentioned. A summary of all questions and conclusions, in the form of a table, a knowledge base, or a library could be shared and kept up to date, as questions and conclusions of future videoconferences would then be added there. The newsletter could also be used to provide an overview of the outcomes of the videoconferences. When slides would be shared with the participants, a summary of the discussions could also be added, this would be useful in particular for correspondents that could not participate at a videoconference.

All participants found the frequency of the videoconferences suitable and appropriate, i.e., once a month. They remarked that sometimes they overlapped with other meetings, which had been an issue for countries with limited resources. Offering several date options would help on this matter. Some participants also insisted on keeping this communication channel open for discussions even when no questions were submitted. They could be used for example to discuss unsolved or timed-out HelpEx questions.

Candidate countries noted that they found very useful to attend the videoconferences to learn from those discussions.

As regards the tools used, WebEx was considered fine by all participants. While Teams would be preferred by some correspondents, others would not be able to use it as it was not supported in their organisation. It was outlined that HelpEx was not user friendly and that in particular its search functionalities were very poor. Correspondents asked whether there was a plan to move to an alternative tool, e.g., Interact portal, another tool that some of the NHDs were already familiar with. The Chair explained that ECHA was working on the development of an industry portal and an authority portal and, in that context, the HelpEx tool would be replaced once everything would be moved to that authority portal.

Action points

3. ECHA/the HelpNet Secretariat will reflect on how to create a guidance defining which questions could be brought to the videoconferences.
4. ECHA/the HelpNet Secretariat will provide a summary of questions discussed in videoconferences with the purpose of knowledge sharing.
5. ECHA/the HelpNet Secretariat will reflect on the format for reminders to be sent for videoconferences dates.

2.4 Dossier evaluation update – Cessations of manufacture and tonnage band downgrades

Joonas ALARANTA (ECHA) gave an update on the current policy on tonnage band downgrades and cessations of manufacture in the context of dossier evaluation procedures. He first provided some background information on the ruling of the Board of Appeal on tonnage band downgrades, specifying that while tonnage band downgrades made after receipt of a draft compliance check decision may constitute substantial new information which must be taken into account, they may in some cases amount to an abuse of procedure if not based on objective industrial or commercial considerations.

Joonas ALARANTA presented the new policy set up by ECHA following the Board of Appeal decision. He explained when and how the notification of a tonnage band downgrade was taken into account by ECHA, and what were the consequences for the registrants. He then outlined the current practices and highlighted some issues recently encountered as part of the evaluation and invalidation processes of a few cases, i.e., when registrants notified cessation of manufacture or import after receiving draft compliance check decision but subsequently submitted new registrations at a lower tonnage band. This raised questions for the decision-making process, and questions of enforcement that would be further looked at.

Discussion

One correspondent asked about the criteria and information requested from registrants to prove that they were indeed importing or manufacturing at the lower tonnage band. Joonas ALARANTA explained that since setting up the new policy, clear instructions had been given in the notification letter of the draft decision. Registrants were reminded that they would have to provide information on the actual import/manufacture volume of the preceding calendar year together with clear documentary evidence to establish and document their statements (e.g., by providing extracts from their annual reports). In practise, registrants usually provided

screenshots or extracts of their Customer Relationship Management (CRM) systems showing all volumes of the substance.

The correspondent then asked what happened in case a registrant ceased manufacture after adoption of the final evaluation decision but before the deadline to submit the requested information was reached. Joonas ALARANTA referred to the Board of Appeal decision in case A-009-2020 stating that the registrant was bound by the requests of the decision and must provide the information requested in the decision. He noted that this may raise questions on proportionality in some cases, which were to be assessed by the enforcement authorities. He further noted that the Board of Appeal decision was currently challenged before the Court.

Another correspondent asked about the number of cases of tonnage band downgrade notified to ECHA after the receipt of the draft evaluation decision. Joonas ALARANTA indicated that ECHA had received a few dozen of those annually. He further specified that in most of those cases, the registrants were able to provide the requested evidence to justify the tonnage band downgrade.

The correspondent further asked about the cease of manufacture after receipt of a draft evaluation decision that would trigger the invalidation of a registration, and whether a link to the previous evaluation decision was made if the registrant restart manufacture and re-register the substance. Joonas ALARANTA clarified that the registrant would be affected by the decision anyway since the co-registrants had to comply with the decision and the new registrant would have to contribute to the costs. The NHDs highlighted that they received many questions related to the topics of cease of manufacture and downgrade of tonnage band and that it was very useful that ECHA kept up to date the Q&As providing information on those issues.

Finally, the correspondent asked about what enforcement authorities would do about the cases in which registrants notified cessation of manufacture or import after receiving draft compliance check decision but subsequently submitted new registrations at a lower tonnage band, and what would be the expected enforcement actions. Joonas ALARANTA noted that ECHA would contact the relevant National Enforcement Authorities as regards the current cases and that this would be discussed at the upcoming Forum of Enforcement meeting taking place in June. In particular, the Forum would be asked whether there could be inspections organised. Follow-up enforcement actions would then depend on national legislations.

2.5 Review of the Integrated Regulatory Strategy in relation to ECHA's future priorities and strategic focus

Mark BLAINEY (ECHA) presented the ongoing review of ECHA's integrated regulatory strategy in relation to the new priorities and strategies.

He provided an overview of the work that had been conducted on Assessments of Regulatory Needs, the questions received from industry and stakeholders and the process to collect feedback from stakeholders on published reports: the comments were documented, and stakeholders were encouraged to follow their substances in PACT to be alerted early of the next step and possibility to submit comments if relevant. Errors in Assessment of Regulatory Need reports could be notified directly via a button on the dedicated page on the website.

Webinars were organised in 2021 and in 2023 to explain the approach, and specific Q&As were developed.

Mark BLAINEY went on to give an overview of the Integrated Regulatory Strategy review workshop held in March following a survey end-2023. There were quite a few comments and suggestions from stakeholders, which were taken into consideration. The purpose of this workshop was to find a common understanding on the optimal approaches to select and prioritise groups of substances for regulatory action, and to identify possibilities to further improve coordination and cooperation between ECHA, the Commission and Member States for a more strategic approach for regulatory risk management. The outcome of the workshop would be presented in the July CARACAL meeting.

Mark BLAINEY explained the future priorities, to continue focusing on groups of substances where possible, and that shortlisted cases for further action should be identified based also on clarity on the level of maturity.

He identified the challenges encountered. Missing data on exposure and outdated uses information were bottlenecks. The most important challenge remained resources and expertise in authorities.

Mark BLAINEY concluded his presentation by presenting the next steps on the new way for dealing with selection and prioritisation of substances: the IRS report published in June, the presentation to CARACAL, and the further development expected in the second half of 2024 looking back at the previous years of implementation.

3. Topics proposed by HelpNet members and observers

3.1 Formaldehyde restriction: guide development

Anniek VAN HAELST (ECHA) started her presentation by explaining the background of REACH restriction entry on formaldehyde, which was adopted in July 2023. The restriction conditions introduced maximum emission limits in a range of consumer products. These limit values would apply from August 2026.

She introduced the mandate received by ECHA from the Commission to develop guidelines on the reference test conditions and the use of other than reference conditions for the tests. ECHA was asked by Commission to develop these guidelines with Commission, industry representatives, Member States Competent Authorities' representatives and laboratories and experts. She also clarified that this mandate from Commission did not cover other questions that ECHA and NHDs had already received from industry on the scope of the restriction and explained that ECHA would address these questions in Q&As.

Anniek VAN HAELST presented a timeline for the development of the guidelines and involvement of experts/stakeholders. An initial draft would be shared the stakeholders/experts by the end of May. A next version would be shared in October 2024 with the aim of having a final document published in early 2025.

Discussion

One NHD commented that this guideline would be very helpful.

Participants also marked an interest in the development of the Q&A document as they already received many questions on the scope of the restriction.

Action point

6. ECHA and NHDs will collect questions related to the scope of restriction entry 77 from NHDs, HelpEx and customers to be addressed in Q&A development by ECHA and the European Commission.

3.2 Restrictions and TARIC codes

Anja HACKMANN (German helpdesk) presented questions that the German NHD regularly received on TARIC codes and restrictions under REACH, and the strategy of the German NHD in responding to these questions.

She introduced the obligation since February 2023 for importers of substances to declare (under their responsibility) their product's compliance with restrictions under REACH by reporting a TARIC document code type "Y". There were three such codes: one for compliance with REACH restrictions, one for exemption from REACH restrictions and the last one for products other than those subject to the REACH provisions.

She also explained the current understanding by the German NHD that these "Y" codes only applied to substances. However, often, mixtures or articles were imported. It was their understanding that there was an intention to apply these codes for mixtures and articles after evaluating the results of the integration of TARIC for substances.

Anja HACKMANN asked when mixtures and articles would be in scope of the Tariff notification and explained that the German NHD would like to gather experiences from other NHDs and understand what advice and responses they provided on this topic.

The chair opened the floor to invite participants to share and exchange about the following questions that were listed by the German NHD:

- Do other NHDs receive questions concerning TARIC Codes?
- What types of products are concerned?
- What is other NHDs advice in case of mixtures and articles?

Discussion

Three NHDs indicated receiving questions on a regular basis on this topic. Two of them explained that they were replying in a similar way as the German NHD, but also including mixtures and articles, as they were not aware that the three initial codes only applied to substances. One of these NHDs suggested publishing a Q&A on this question to clarify.

The Chair indicated that the Commission had confirmed in an enforcement FORUM meeting that substances, substances in mixtures or in articles are in scope of the current application of these codes. Goods would remain blocked in customs when no code was reported. This was the reason why the ECHA Guidance referred to substances, substances in mixtures and substances in articles.

It was agreed that ECHA would clarify the status of these codes within ECHA and with DG TAXUD.

Action point

7. ECHA will check the status of the TARIC codes internally and with DG TAXUD and how customs can distinguish substances versus mixtures or articles imported.

3.3 Diisocyanates - presentation of the guidelines of the German enforcement authorities

Raimund WEIß (Germany) gave an overview of the German enforcement authorities' approach to the training on safe use of diisocyanates requirements in the restriction of diisocyanates under REACH Annex XVII.

He explained that the diisocyanates restriction (entry 74) required suppliers of the substances to provide training material and indicate on the label the mandatory training. Users of diisocyanates had to have followed a training prior to the use of the diisocyanates. The training needed to comply with the provisions set by the Member State in which the industrial or professional user(s) operated. Member States could also decide to implement their own national requirements, as long as the minimum requirements set out in the restriction were fulfilled.

Raimund WEIß presented the 'Guidance on the safe use of diisocyanates according to entry 74 of Annex XVII of the REACH Regulation'. It was prepared by the German enforcement authorities together with experts from the Federal Institute for Occupational Safety and Health (BAuA). It covered the scope of the training requirements, the training material and training itself, the proof of successful graduation and the qualification requirements of the trainer.

The guidance clarified that preparing of the training material was the responsibility of the supplier. However, suppliers were not obliged to check whether the training was carried out – this was the responsibility of the employer. The training itself could be done online or in presence. A proof of learning was necessary although the method to ensure that the training was successful remained at the discretion of the trainer.

Raimund WEIß presented the most frequent questions received about his topic by the German NHD. Amongst them were questions on the qualifications of the trainer.

The chair opened the floor to invite participants to share and exchange about the following questions:

- Are there also activities in this area in other Member States?
- Are there any considerations regarding the qualification of the trainer?

Discussion

One NHD emphasised that they were very grateful for the presentation and asked how the guideline was developed. In their country, the inspectors for occupational health were not the same chemical inspectors. Inspectors were investigating if they would be able to check the knowledge of trainers or workers using diisocyanates instead of verifying the certificate of completion of a training. Raimund WEIß explained that in Germany currently there is no intention to test the trainers.

One NHD explained that in their countries, inspections were conducted on this restriction for the first time recently. This was decided because of the questions they received. A majority of users were relying on online courses. This NHD hoped to have some findings from this enforcement activity. One difficulty was to demonstrate that training really took place.

Raimund WEIß stated that enforcement activities were not yet in place in Germany and noted that a certificate would probably be sufficient.

Two NHDs explained that, in their countries, the trainer had to be able to prove its expertise as expert in occupational safety and health and to have an additional vocational training. Raimund WEIß explained that the requirements were not as strict in Germany because not all companies could be big enough to have such a specific profile employee in their resources. The training material was in general available and appropriate for the training, because it was provided by the supplier.

The Chair mentioned that there were ongoing discussions in the enforcement FORUM on this topic and an ongoing practical issue. He mentioned specifically a presentation given by the Norwegian enforcement authorities.

One NHD enquired about the quality of the content of the training and whether there was any certification in Germany for the content of the training. The presenter responded that there was none.

Another NHD highlighted differences in quality of the trainings.

Finally, one NHD that also had developed a guideline, explained that a lot of discussions had taken place, and the results of inspector visits were available.

Action point

8. ECHA will request Norwegian and Austrian enforcement authorities representative to share presentation given to FORUM on existing trainings on diisocyanates uses with HelpNet members.

3.4 Recovered substances – supporting duty holders [CLOSED SESSION]

Closing of the REACH Workshop

The Chair listed the action points (Annex II) resulting from the REACH Workshop and thanked all participants for their active participation and contribution to the discussions. He invited participants to reply to the satisfaction survey that would be sent after the meeting.

The next REACH Workshop was planned for 12 November 2024.

Annex I – Agenda of the REACH Workshop

Chair: Erwin ANNYS

REACH Workshop

1. Opening the REACH Workshop

09:30 1.1 Opening by the Chair (ECHA, Erwin ANNYS)

09:35 1.2 Action points from the previous workshop

09:40 1.3 Approval of the draft agenda
Declaration of conflict of interest with any of the agenda items

2. Updates from the Commission and ECHA

09:45 2.1 Update from the European Commission (DG GROW, Riccardo ZORGNO)

10:15 2.2 RAC: point of view of the new RAC Chair (ECHA, Roberto SCAZZOLA)

Coffee break (10:40-11:00)

11:00 2.3 HelpNet videoconferences at a glance and reflection on the future (ECHA, Amandine JOMIER) **Ideas jam** (discussion in smaller groups)

11:45 2.4 Dossier evaluation update – Cessations of manufacture and tonnage band downgrades (ECHA, Joonas ALARANTA)

12:05 2.5 Review of the Integrated Regulatory Strategy in relation to ECHA's future priorities and strategic focus (ECHA, Mark BLAINEY)

Lunch break (12:30-13:30)

3. Topics proposed by HelpNet members and observers

13:30 3.1 Formaldehyde restriction: guide development (ECHA, Anniek VAN HAELST)

13:50 3.2 Restrictions and TARIC codes (Germany, Anja HACKMANN)

14:10 3.3 Diisocyanates - presentation of the guidelines of the German enforcement authorities (Germany, Raimund WEIß)

Coffee break (14:30-15:00)

15:00 3.4 **[Closed session]** Recovered substances – supporting duty holders (ECHA, Cyril JACQUET) **Ideas jam** (discussion in smaller groups)

15:45 **Conclusions of the day**

16:00 **End of the REACH Workshop**

Annex II - Action points

No.	Action	Agenda item	Responsible	Status
1.	Update HelpNet on the impact of the CTAC Application for Authorisation annulment.	2.1	European Commission	Ongoing
2.	Share the link of the Forum enforcement project of authorisation - REACH-EN-FORCE-9 (REF-9) and presentations of the workshop.	2.1	ECHA	Ongoing
3.	Reflect on how to create a guidance defining which questions could be brought to the videoconferences.	2.3	ECHA	Ongoing
4.	Provide a summary of questions discussed in videoconferences with the purpose of knowledge sharing.	2.3	ECHA	Ongoing
5.	Reflect on the format for reminders to be sent for videoconferences dates.	2.3	ECHA	Ongoing
6.	Collect questions related to the scope of restriction entry 77 from NHDs, HelpEx and customers to be addressed in Q&A development by ECHA and Commission.	3.1	ECHA / NHDs	Ongoing
7.	Check the status of the TARIC codes internally and with DG TAXUD and how customs can distinguish substances versus mixtures or articles imported.	3.2	ECHA	Ongoing
8.	Request the Norwegian and Austrian enforcement authorities representative to share presentation given to FORUM on existing trainings on diisocyanates uses with HelpNet members.	3.3	ECHA	Ongoing

Annex III - List of participants

Country	Name
Austria	Barbara WETZER
Bulgaria	Zvezdelina PETROVA (remote)
Cyprus	Maria ORPHANOU (remote)
	Maria PALEOMILITOU (remote)
Croatia	Tajana KOVAČEVIĆ
Czech Republic	Aneta KULHAWIKOVA
Denmark	Maria THESTRUP JENSEN (remote)
	Toke THOMSEN (remote)
Estonia	Anna REIMAND
Finland	Sari TUHKUNEN
	Mervi ASSMANN
France	Nathalie HAYAUD
Germany	Anja HACKMANN Raimund WEIß
Greece	Eleni FOUFA
Hungary	Tamas KOVAC
Ireland	Majella COSGRAVE
	Annija LACE
Italy	Francesca CARFI
	Sabrina MORO IACOPINI (remote)
Latvia	Elīna LAZDEKALNE
Lithuania	Beata VOLUJEVIC
Luxembourg	Laurène CHOCHOIS
Malta	Nathanael ELLUL
Netherlands	Floris GROOTHUIS
Norway	Cecile BLOM
Poland	Piotr PACHOLSKI
Portugal	João ALEXANDRE
Romania	Nicoleta CAROLE
Slovakia	Anna SLIMÁKOVÁ
Slovenia	Simona FAJFAR
	Anja MENARD SRPCIC (remote)
Spain	Laura ZAMORA NAVAS
Sweden	Jenny Sophie VIRDARSON
	Helena DORFH

European Commission

DG	Name, surname
DG GROW	Riccardo ZORGNO (remote)

Candidate countries observers

Country	Name, surname
Bosnia and Herzegovina	Dijana DUJAKOVIĆ
	Milana TELIĆ
	Vesna LOVRIĆ
Montenegro	Ilija GOJOVIC
	Suzana OTASEVIC
	Tatjana MUJIČIĆ
Serbia	Bojana DORDEVIC
	Jelena GRUJIC
	Snezana JOKSIMOVIC
Türkiye	Bektaş KILIC
	Okan KUMCU
	Önder GÜRPINAR
	Ahu CEKIM (remote)

Industry observers

Organisation	Name, surname
Cefic	Amaya JANOSI
EDANA	Luminița BARBU
ORO	Kevin HOBAN

ECHA staff

Unit[4]	Name, surname
A1	David CLIFFE
A2	Amandine JOMIER
	Elena BIGI
	Erwin ANNYS
	Evelyne FRAUMAN
	Laura CHAMAK
	Laure PAIN
	Maciej BARANSKI
	Malgorzata SZKLAREK
	Pedro ROSELLÓ VILLAROIG
	Roxana BROASCA
	Tania MATEUS
	Viorica NAGHY
A4	Anniek VAN HAELST
B3	Mark BLAINEY
B4	Telmo Jorge VIEIRA PRAZERES
C1	Joonas ALARANTA
D0	Roberto SCAZZOLA
D3	Augusto DI BASTIANO
E2	Cyril JACQUET
	Fausto COMANDE
	Siobhan ROSE
R3	Ari VALKEINEN
	Konstantinos ANAGNOSTAKIS
	Teuvo HONKAKUNNAS

[4] ECHA – organisation: https://echa.europa.eu/about-us/who-we-are/organisation

Annex IV – Action points November 2023

No.	Action	Agenda item	Who	Status
1.	Investigate how frequently the BWG Catalogue is being consulted[5] from the HelpNet page.	1.2	ECHA	Closed
2.	Share the excel file from Cefic with national-relevance information for SDS with HelpNet REACH correspondents.	1.4	ECHA	Closed
3.	Reflect on the possible ways to keep the SDS national related information up to date and share it with national helpdesks for discussion. [ECHA suggests adding a new question to the topics survey for the in-person workshops and HSG meeting to collect up-to-date information on emergency telephone numbers required for SDS section 1.4, and annually update this information on the ECHA website. Additionally, the HelpNet secretariat can edit with ad-hoc updates when NHDs communicate information throughout the year. An upcoming Q&A related to that topic may also increase visibility to the published information].	1.4	ECHA	Closed
4.	Share presentation[6] given by the European Commission (DG GROW) in the Forum-45 meeting about restriction entry 78 (synthetic polymer microparticles).	2.1	ECHA	Closed
5.	Discuss harmonisation of responses/lines to take to 'new' questions, e.g. on entry into force of new restriction. This topic could be discussed with NHDs in an upcoming videoconference.	2.1	ECHA	Closed
6.	Share the link to the IMPEL guide[7].	2.2	ECHA	Closed

[5] Post meeting note:
The Catalogue of borderline cases between articles and substances/mixtures has been downloaded over 5000 times since the publication date in March 2023.
[6] Presentation given at Forum 45 (7-10 November 2023) was uploaded in S-CIRCABC.
[7] Guidance Making the Circular Economy Work - Guidance for regulators on enabling innovations for the circular economy (prevention and recycling of waste: https://www.impel.eu/en/tools/guidance-making-the-circular-economy-work