

Lessons learned from a targeted screening exercise on registration dossiers



*ECHA Enforcement Forum open session
9/11/2023*





2.3.2. *A zero tolerance approach to non-compliance*

All chemicals, materials and products produced in the EU or placed on the European market must fully comply with EU information, safety and environmental requirements. In spite of this, currently almost 30% of the alerts on **dangerous products on the market** involve risks due to chemicals, with almost 90% of those products coming from outside the EU⁸¹ and **imported articles** and **online sales** representing a particular challenge. Equally, only one third of the registration dossiers of the chemical substances registered by industry under REACH are fully compliant with the information requirements⁸². Stepping up implementation and enforcement of chemicals legislation is urgently needed to ensure compliance for the production and placing on the market of chemicals as well as for their release and disposal.

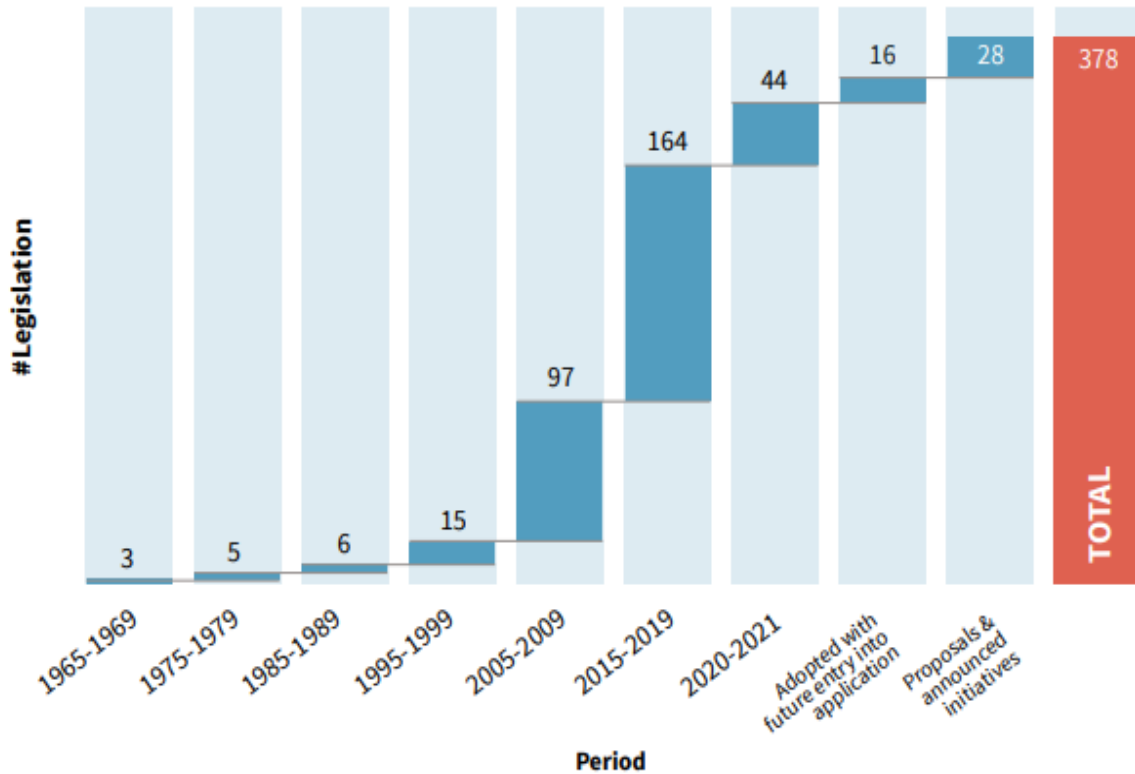


Image source: google



Tasks for the authorities are growing...

Evolution of EU prohibitions and restrictions legislation



Source: compilation by DG TAXUD



Growing imports including e-commerce



Source : Putting more Union in the European customs, 2022

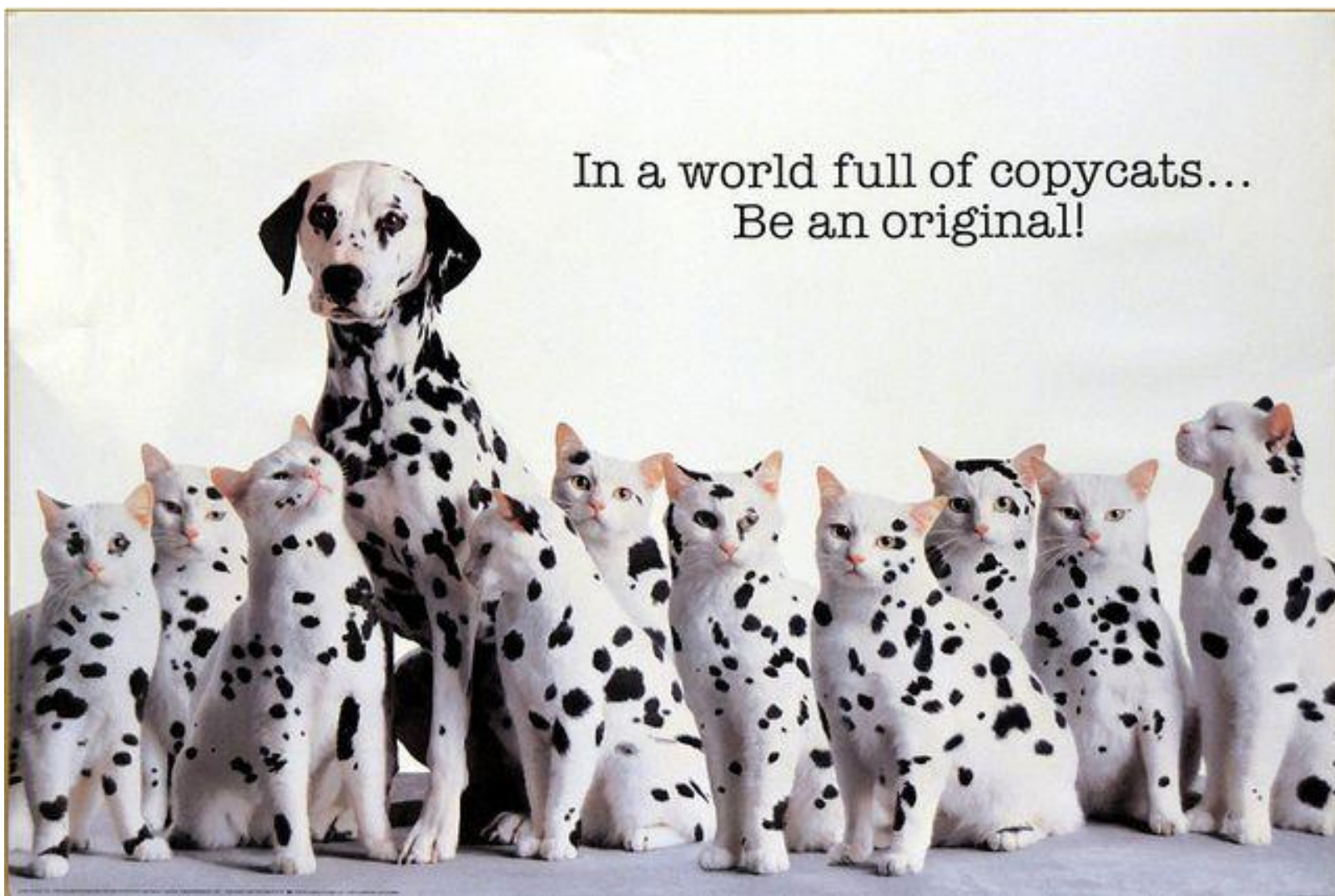


Image source: google

How can enforcement authorities and customs identify “copycats”?

Industry can help in different ways...

Analytical methods

e.g. project planned to map analytical methods for PFAS



Sector expertise

e.g. sector specific projects aiming to give guidance to enforcement authorities about “high risk profiles” and analytical methods



Giving guidance to companies to stay up to speed with legislation

e.g. practical advice for companies to keep their dossiers up to date/follow Art 22 in REACH



What is in Article 22 under REACH:



obliges registrants to keep their registration dossiers up to date with new info



Commission Implementing Regulation clarified the deadline for these updates



ECHA screening exercise: scope

- Two campaigns during 2021-2023 to check whether companies are following their duties under Article 22:

1) Checking if uses are up to date of SVHCs subject to authorisation

148

2) Checking substances that have a harmonised classification under CLP

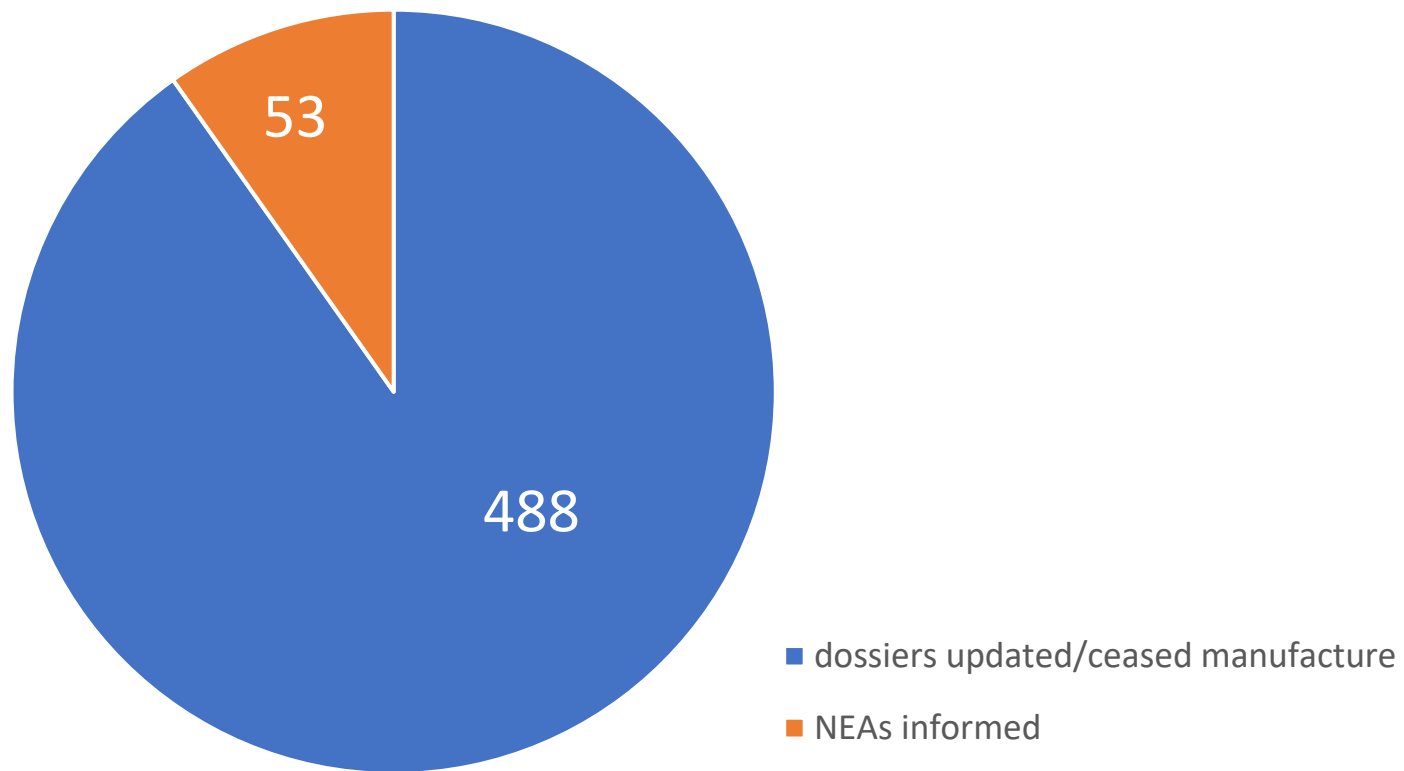
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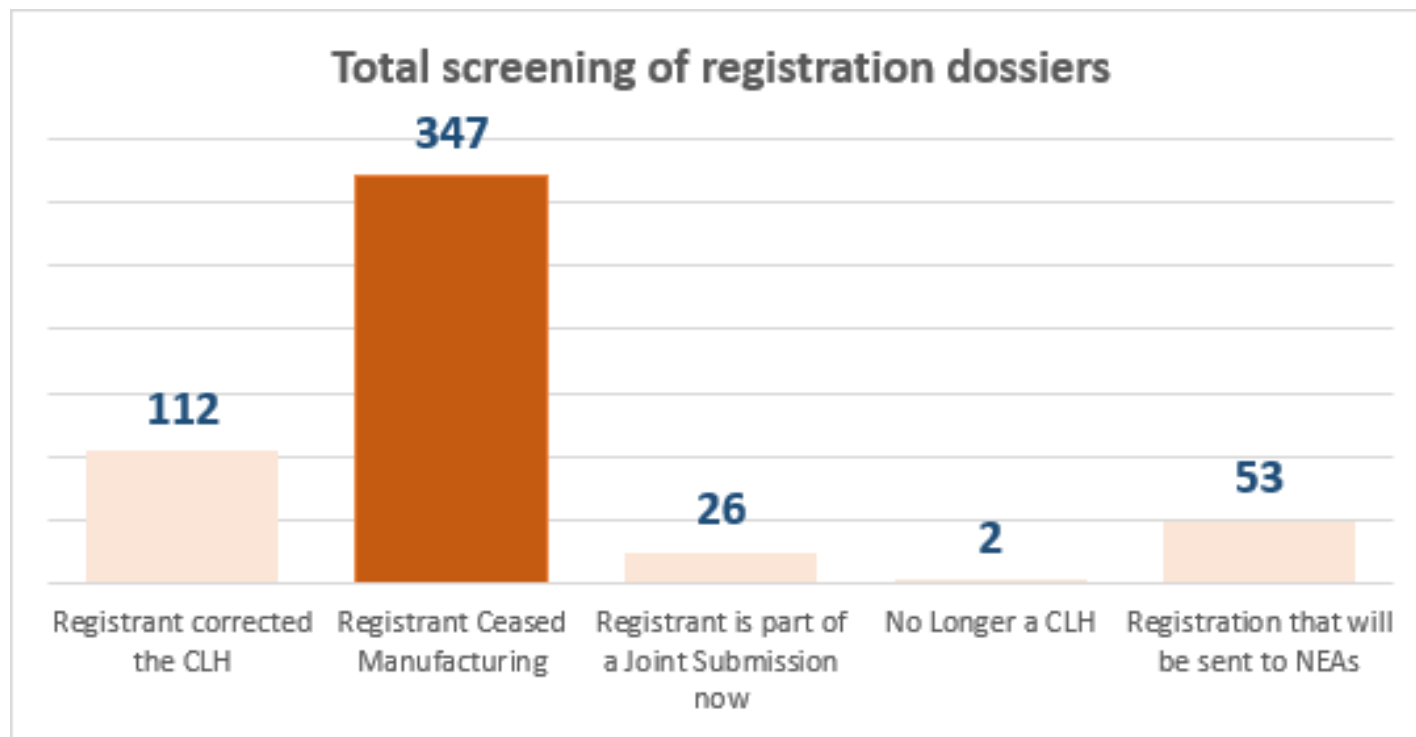
689 screened registrations



ECHA screening exercise on CLH: outcome



ECHA screening exercise on CLH: zooming in on the outcome



7 dossiers

No contacted
(confidential information)

12 dossiers

Contacted, but no response

27 dossiers

Contacted, response: they will work on the dossiers but will not meet the deadline

2 dossiers

Contacted, response: Issues with REACH-IT due to previous change of LE

4 dossiers

Contacted, response: Company had bankrupted



Analysis based on internal assumption

Common issues identified

Not informing about
bankruptcy

Outdated
contact info

Missing
portfolio data

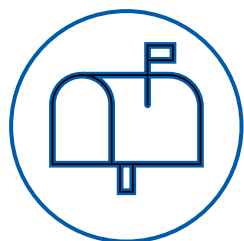
Inactive dossiers

Transferring of
assets

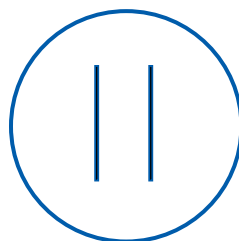


What can NEAs advise to companies:

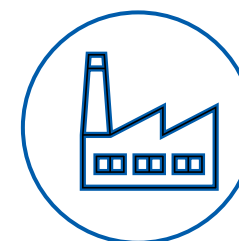
Based on Cefic lessons learned from the campaign



Have up-to-date contact details; process in place not to miss emails from REACH-IT



De-activate registration
No when ceasing manufacture (“on/off” button)



Changes of companies’ business need to be updated in REACH-IT



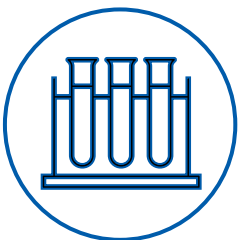
Check your “inbox”; REACH-IT tool connects companies and ECHA



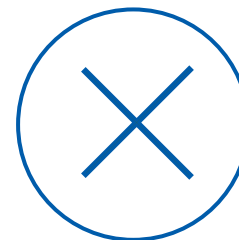
No chemicals “lost” in assets transactions, update in REACH-IT



Be clear on reasons for dossier update in IUCLID
→ avoid selecting “others”



Regularly review your chemical portfolio, update with new CLH, prioritise updating dossiers



Ask ECHA to revoke registration No in case of bankruptcy





“Zero tolerance approach to non-compliance”



REACH Dossier Improvement Action Plan

- Cefic takes the quality and accuracy of the information provided in REACH dossiers very seriously
- Cefic to continue communicating the learnings from this exercise to its Members and wider chemical industry



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About Cefic

Cefic, the European Chemical Industry Council, founded in 1972, is the voice of large, medium and small chemical companies across Europe, which provide 1.1 million jobs and account for 15% of world chemicals production. Cefic members form one of the most active networks of the business community, complemented by partnerships with industry associations representing various sectors in the value chain. A full list of our members is available on the Cefic website.

Cefic is an active member of the International Council of Chemical Associations (ICCA), which represents

chemical manufacturers and producers all over the world and seeks to strengthen existing cooperation with global organisations such as UNEP and the OECD to improve chemicals management worldwide

