

Improving Safe Use of Chemicals

What we have learned through inspections

Sinead McMickan
Health & Safety Authority
Ireland



Topics

- Organisation of chemical related enforcement in Ireland
- National strategy/work programmes
- IE chemical usage profile
- Inspection findings
- What we have learned

The Health & Safety Authority

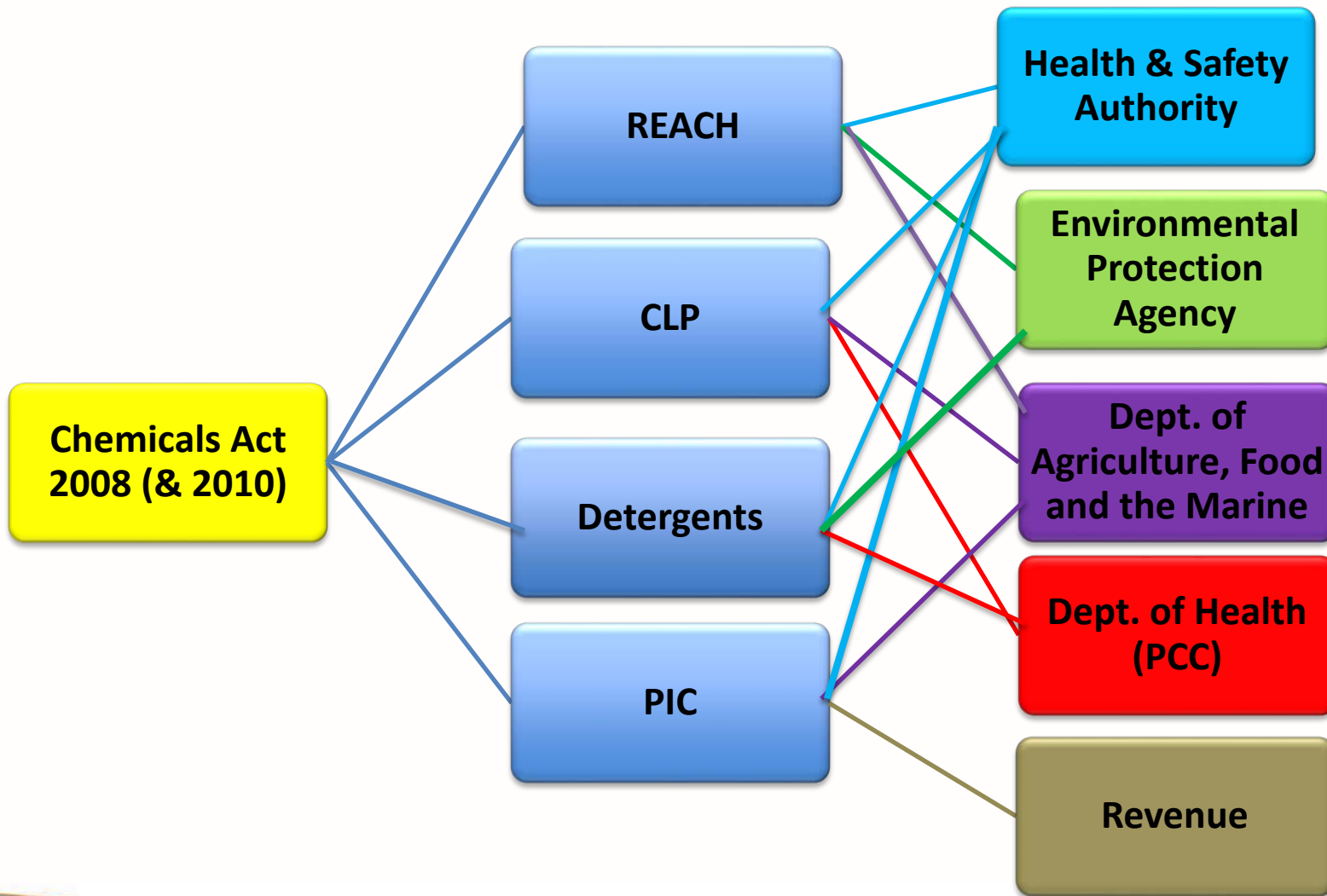


Chemical Act 2008 (2010)

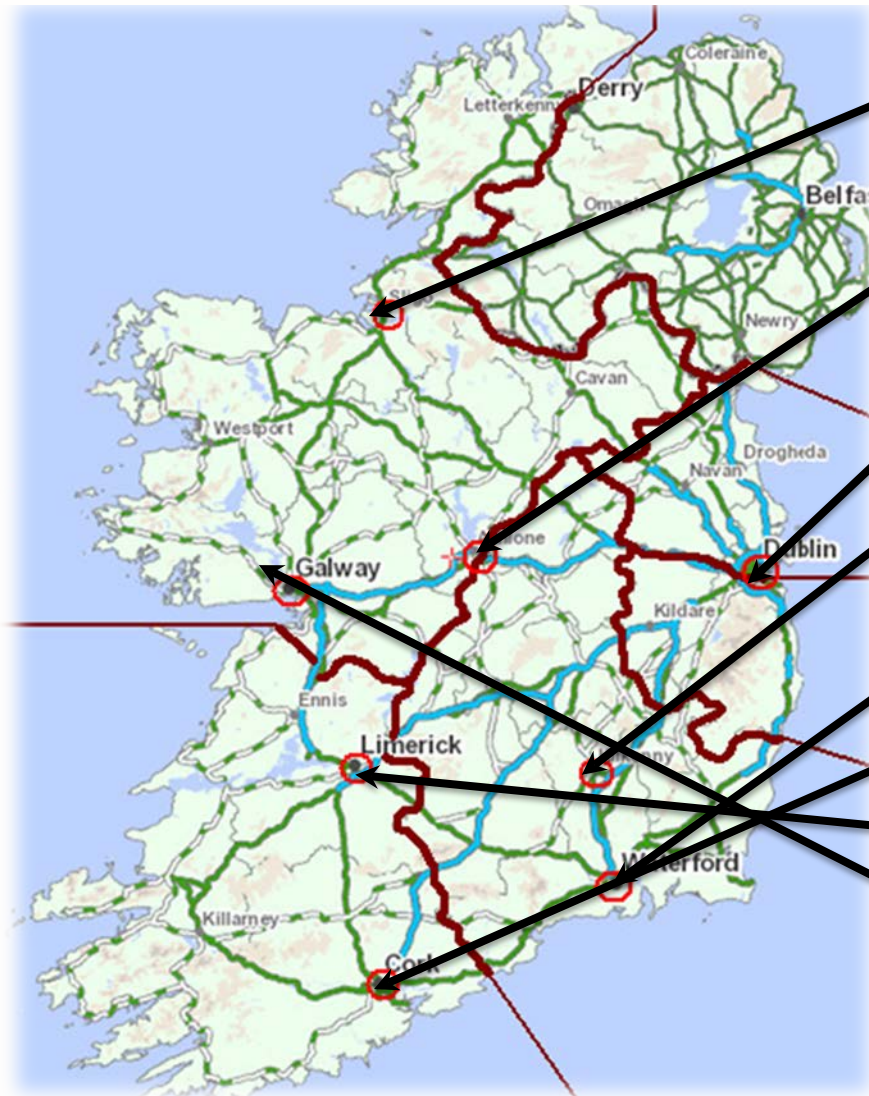
IE Implementing Legislation



Organisation of Authorities under the Chemicals Act



Health and Safety Authority



- Sligo -
- Athlone (4)
- Dublin (13)
- Kilkenny (1)
- Waterford (2)
- Cork (9)
- Limerick (2)
- Galway (2)

33 staff working in chemicals area – policy (12) & inspectorate (21)

6 Units covering ADR, Occ. Hygiene, COMAH, Mark. Surv., Risk Mngmt. & all CA/NEA duties

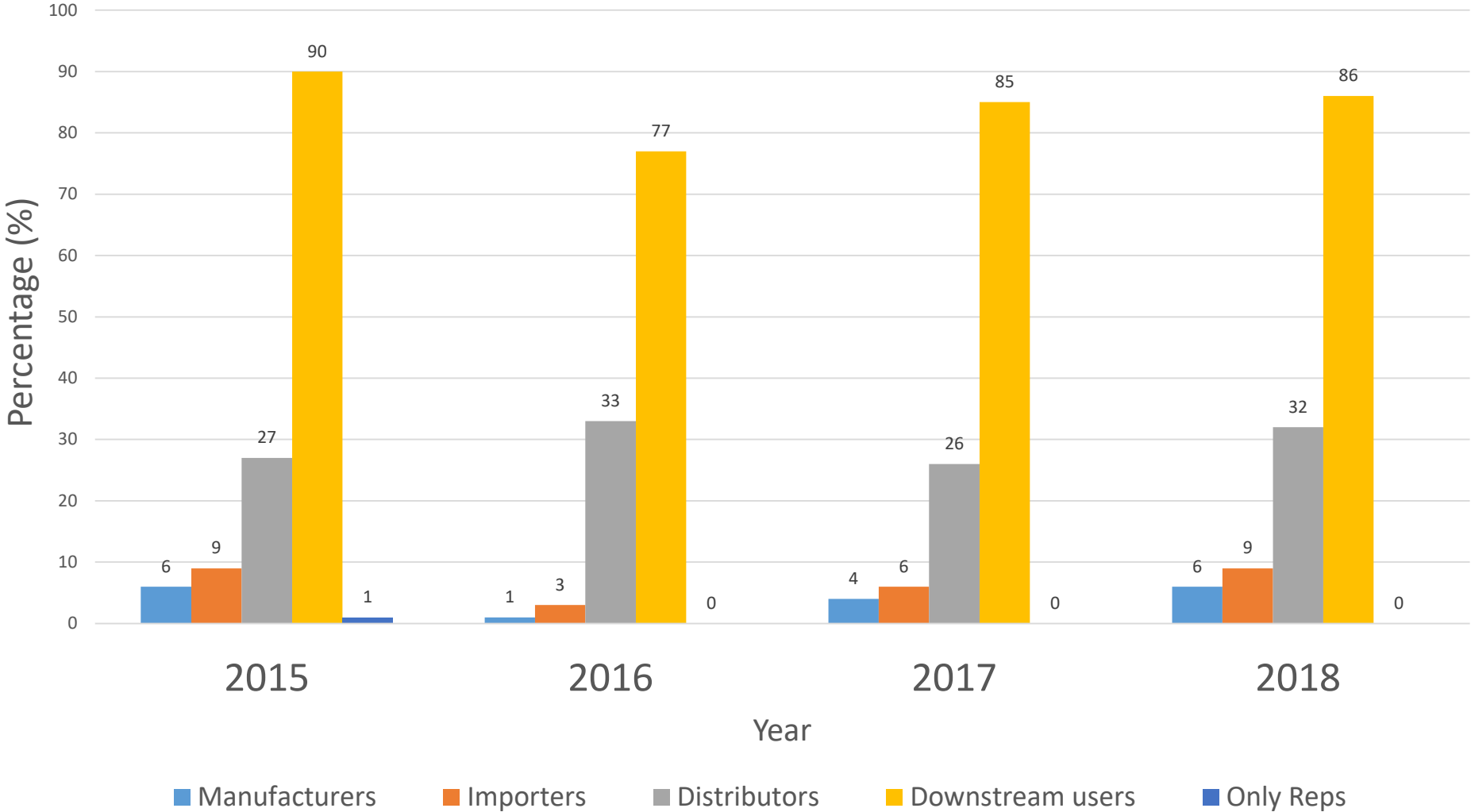
National Enforcement Strategy

- **Proactive** inspections
- **Reactive** work - referrals, complaints, accidents/incidents
- Focus: **high risk chemicals** :CMRs Cat. 1 & 2, respiratory/skin sensitisers
- **Detailed** inspections: Information in the Supply Chain requirements/Registration
- **Target** top of chains
- **Market Surveillance activities** - consumer aspects & identified risks



Profile of chemical actors in Ireland

Supply Chain Roles from Inspector data 2015-2018

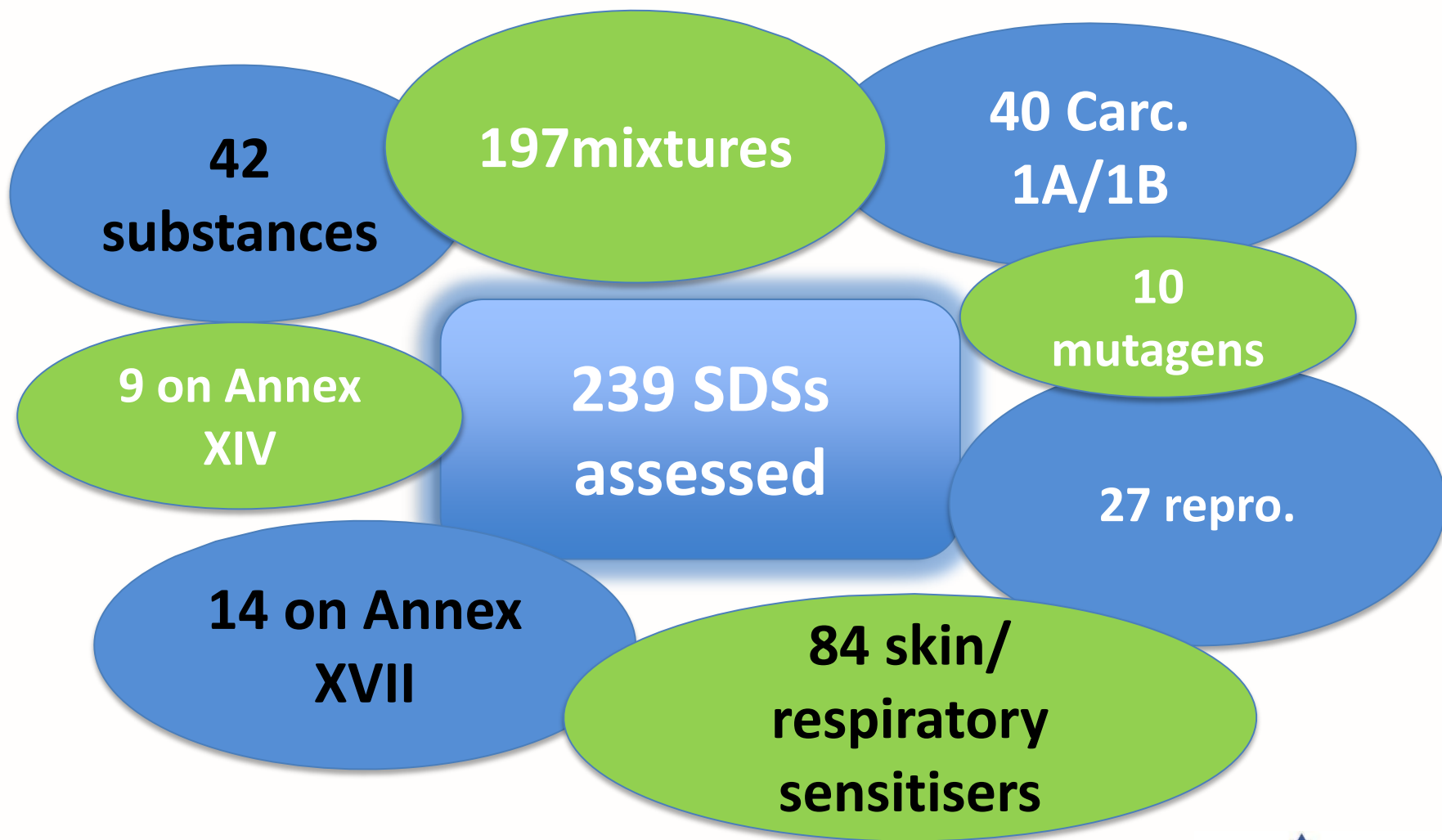


Profile of chemical use

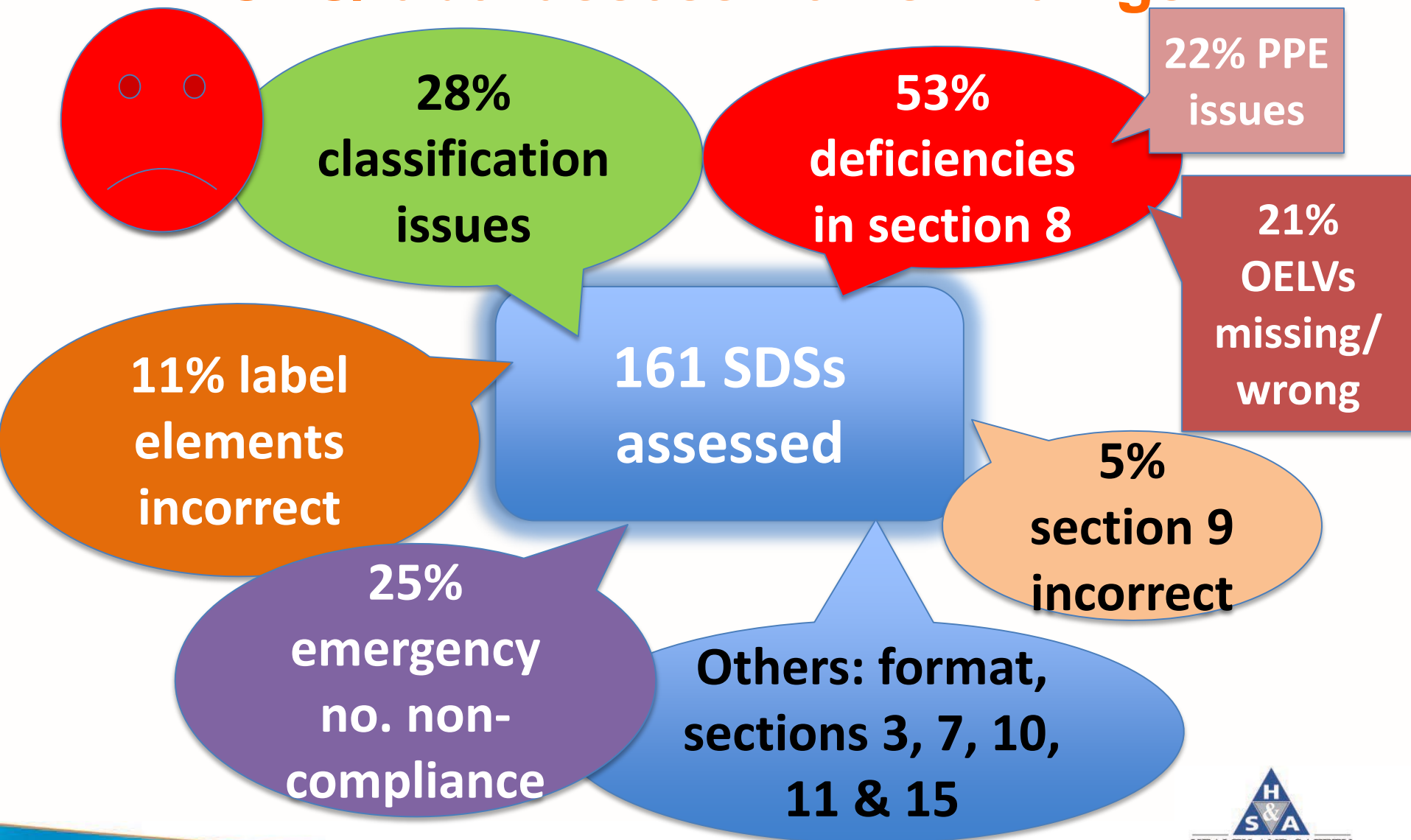
2018 inspection figures:

- 6% registration duties
- Further 4% notification duties
- 17% companies supplied/used CMR products - checked for compliance with restriction entries 28-30 Annex XVII
- 11% companies using substance subject to authorisation
- 38% supplied/used skin/respiratory sensitisers
- 21% supplied detergents
- 18% companies did not have SDSs accessible for employees

Detailed SDS/label assessments



SDS/label assessments findings



Market surveillance

Past market surveillance campaigns:

- 2016 Campaign on liquid laundry detergent capsules (LLDCs)



- 2017/2018 hazardous chemicals and products sold to the general public



- E-liquids



Enforcement actions taken

Contravention Notices served in relation to:

- No child resistant fastenings (CRF)
- Non-compliant classification/labelling
- No authorisation number on a label
- Supply of restricted substance to general public (entries 28/30 Annex XVII REACH)
- Failure to register
- Failure to notify to the inventory

Additionally:

- Verbal advice
- Written advice
- Voluntary withdrawal from the market

Capturing the findings

- **Question Sets** for all REACH/CLP inspections covering REACH & CLP obligations
- **Product assessments** completed on SDS/label/packaging
- **On site & desktop assessments** captured on internal IT system
- Monthly/Quarterly **updates** for CEO/Board/Ministry
- End of year **reporting** on all findings under Chemicals Act
- All results feed in to REACH Art. 117 & CLP Art. 46 reporting obligations

Purpose: to shape future work programmes

Chemical Usage Surveys

- 2007, 2012 & 2018 surveys

2018:

- greater focus & improvement in chemical management in Irish workplaces
- Authority valuable source of information for Irish businesses
- significant usage of Authority's website & chemicals helpdesk
- knowledge on REACH & CLP better than previous surveys
- still gaps in knowledge in relation to roles and requirements of imported products under REACH/CLP & awareness of PIC

What we have learned – companies & compliance

- Majority IE actors DUs – end users (~70%)
- High % micro and SMEs
- Non-compliances related to information in the supply chain
- Awareness of roles/requirements needs improving
- Impact on risk assessment
- Need for ensuring safe use
- Locating the responsible actor in chain
- Lack of SME organisational representation

What have we learned - internally

Addressing challenges:

- Inspector upskilling/training
- Internal support: policy-enforcement
- Multi-disciplinary teams
- Detailed inspections
- Communication across teams
- Cooperation with other agencies
- Targeting actors/products
- Recording of results
- New Unit devoted to Market Surveillance of Chemicals
- ECHAs Forum for the exchange of information on enforcement benefits

Parting thoughts

For effective compliance:

- Planned & targeted inspection focus
- Access to relevant persons
- Access to relevant documentation
- Open communication
- Good cooperation

Thank You

