

REACH Article 117(2) report

61st Meeting of the Management Board 25 March 2021

Key messages

The Management Board (MB) is invited to take note of the ECHA draft five-year report on the operation of REACH and CLP and, if appropriate, provide written comments to the text. MB members are in particular invited to consider whether:

- Something is missing in the report
- The key messages appear clear and well-grounded

The MB Subgroup Strategy, Planning and Implementation (SG SPI) reviewed a previous draft of the report in its meeting of 2 March 2021 and provided high level comments. These have been reflected in the updated draft, which is hereby submitted for MB written consultation (with the deadline of 31 March 2021).

The MB's input will be highly valuable for the Secretariat to improve the quality and relevance of its report, prior to finalising it and submitting to the Commission by 1 June 2021.

Background

The report responds to a legal requirement for ECHA under Article 117(2) of REACH. Together with the other reports mandated by Article 117 of REACH (from Member States, from ECHA specifically on the promotion of non-animal testing methods and from the Commission on the operation of the regulation), it aims at contributing towards reviewing at policy level how the legislation is functioning. In addition to REACH, the report covers the operation of CLP, as these processes are closely intertwined. It is due by 1 June 2021.

Rationale

The report is meant to provide a helpful contribution for the Commission towards the policy review of the legislation, by focusing on operations and the impact of operations, underpinned by the REACH and CLP intervention logic and learnings from the implementation of regulatory activities in ECHA's remit. The report aims to correlate the observed actions taken by duty holders and authorities to their outputs and outcomes.

The focus of the report is on how facts in ECHA's possession reflect the operation of REACH and CLP and how they correlate with the observed impacts of the legislation, in particular in areas where ECHA has a role in regulatory implementation. There have been significant developments since the previous report in 2016; this report aims to describe the situation of REACH and CLP implementation as of 31 December 2020.

Further to feedback from Commission services and the MB SG SPI, Chapter 3 of the report has been recently restructured and expanded. It is now organised along the lines of ECHA's activity structure, as reflected in the Programming Document, which is closely aligned with the REACH processes (registration, screening and prioritisation, evaluation, risk management, supply chain communication).

Attachment:

- Annex: Draft 117(2) Report as of 11 March 2021

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