

6 June 2017

NGO round table discussion 6 June 2017

Meeting note

Time Tuesday 6 June 2017 19:00 – 22:00 Helsinki Time (EEST, GMT+3)
Place Meeting room 2128, European Chemicals Agency

Participants

NGO representatives: WATES Jeremy (European Environmental Bureau – EEB – Meeting co-chair); ANDERSSON Anne Sofie (International Chemical Secretariat – ChemSec); ROMANO Dolores (European Environmental Bureau – EEB); BUONSANTE Vito (ClientEarth); WARHURST Michael (ChemTrust); CARLINI Giulia (CIEL); MUSU Tony (ETUC); SCHEUER Stefan (NGO observer at the Management Board).

ECHA: DANCET Geert (Executive Director - Meeting co-chair), MALM Jukka (Deputy Executive Director), YLÄ-MONONEN Leena (Director of Evaluation); MUSSET Christel (Director of Registration), DE BRUIJN Jack (Director of Risk Management), BOWMER Tim (Chair of the Committee for Risk Assessment), OBERG Tomas (Chair of the Committee for Socio-economic Analysis); VAINIO Matti (Head of Risk Management Implementation Unit), DE COEN Wim (Head of the Executive Office), BUCHLER Frank (Executive Office), BALDUYCK Bo (Executive Office); JACQUET Cyril (Legal Affairs Unit).

Agenda

- 1) Introduction
- 2) Quality and compliance of registration dossiers
- 3) Adequate control of risks
- 4) Reversal of the burden of proof
- 5) How to deal with uncertainty in scientific opinions – applying the precautionary principle.
- 6) Alternatives and socio-economic assessment under authorisation.
- 7) Common grounds, next steps

6 June 2017

Meeting summary

ECHA organized this NGO round table discussion after an exchange of letters with the NGO representatives between November 2016 and March 2017 in order to allow for an exchange of views on the functioning of REACH in view of the upcoming review of the Regulation.

After an introduction by the co-chairs, both ECHA and the NGO representatives made short presentations covering the agenda points above. In depth discussions then took place, leading to a constructive dialogue between the Agency and the NGO representatives. Both sides recognised that they have common goals and also with regard to implementation it was concluded that there is common ground in many areas.

The NGOs stressed the need to enforce the “no data, no market” principle and the need to know how many dossiers contain insufficient information. Also the publication of CSRs was requested, besides the application of a “naming and shaming” policy.

ECHA replied that it is already doing more to stop bad quality dossiers via its new policy of (manual) completeness checks, but that there is no easy way to measure the compliance rate of dossiers as the lack of data is often argued with waivers and the strength of these justifications can only be verified via the compliance check process.

With regard to the CSRs it was stated that the most important data is now included in IUCLID 6 and can be obtained as long as dossier updates are made. ECHA and Stakeholders should work on identifying ways to encourage companies in updating their dossiers.

ECHA declared that the lack of support for a “naming and shaming” approach was not carved in stone, but is currently not applied due to a risk to pin-point only Lead registrants and a lack of support from the Member States in order not to undermine enforcement efforts. While it acknowledges that a considerable amount of dossiers are of rather low quality, currently ECHA is not resourced to check compliance of all dossiers, therefore it has generated other approaches under its integrated regulatory strategy (e.g. focus on higher tier dossiers, sector approaches, grouping of substances, etc.).

After an initial exchange on the difference between caution, precaution and the precautionary principle, both parties agreed that this principle is essential and ECHA confirmed that it is already applied in practice in its opinions towards the decision makers by addressing uncertainties. It was acknowledged that there is room for further improvement (e.g. increased efforts to be as explicit of the implications of uncertainty as possible).

Finally, there was full agreement on the fundamental importance of the authorisation title. Discussions took place on methodology and further improving the use descriptions recognising that there is a need for a follow-up discussion as there seem to be misunderstandings. With regard to substitution, there was agreement that the information from the providers of alternatives should be encouraged and that they should be more engaged in the application process. ECHA will examine with NGOs how this could take place, e.g. through the organisation of sessions on substitution possibilities well before the latest application dates.