

OS 2.2. REF-7 project results

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Project description

Scope of the project:

Check the compliance with registration obligations after the last registration deadline, in cooperation with customs authorities where necessary, and verify the implementation of strictly controlled conditions (SCCs) applicable to the substances registered as intermediates.

Project description

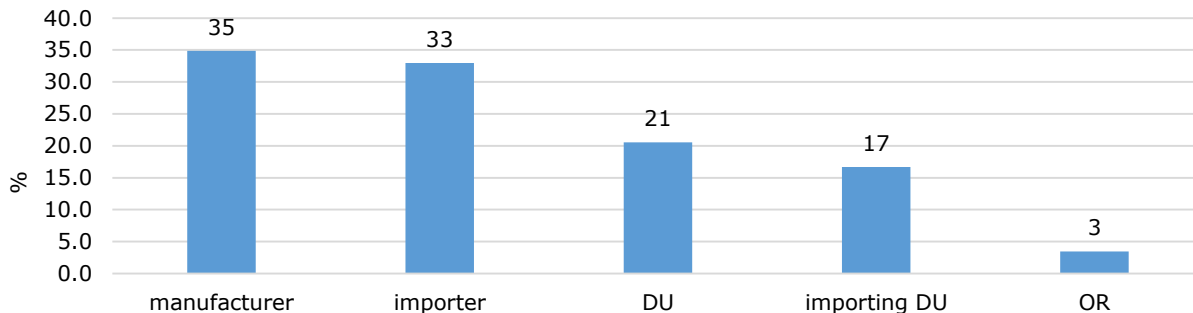
The target groups were:

- all legal persons with obligations to register one or more chemicals:
 - Manufacturers
 - Importers
 - ORs
- all sectors of industry
- all company sizes (including SMEs)
- any substance on its own or in mixtures or in an article with intended release or any type of isolated intermediate (on-site or transported)

Project results

- The inspections were carried out in 2019
- 28 countries of the EEA participated in the REF-7 project (HR, MT did not participate)
- **One inspection** was counted as **one inspected substance in one company**. Several inspections could thus take place in the same company
- A total of **1420** inspections of substances were reported concerning 952 different substances
- There were **813** companies inspected
- The final REF-7 project report will be published by the end of 2020

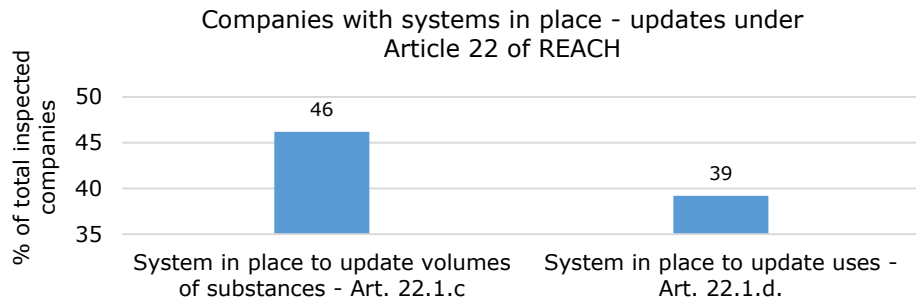
- There were pure **895** on-site inspections, **334** pure desktop inspections and **191** were both on-site and desktop inspections
- 61,5 % of inspected companies (500 of 813) were SMEs
- While in general the inspected companies assume different roles, for the inspected substance in particular they were



- Based on reported NACE codes most of the inspected companies classified their economic activities under the following sectors:
 - Manufacturing – 63,7%
 - Wholesale and retail trade – 28,5%
- In 45,6 % of the inspected companies more than one substance was checked

With regard to the legal obligation to update a registration dossier (Art. 22 REACH):

- 376 of the 813 companies had a system in place to ensure timely updating of their substance **volumes** (Art. 22.1.c)
- 319 of the 813 companies had a system in place to ensure timely updating of their substance **uses** (Art. 22.1.d)



Amongst 166 companies that had to submit updates related to the Art. 22 of REACH:

- 125 companies submitted updates
- 30 companies did not
- 11 companies only partly

- Of **1420** checked substances, for **227** substances there was no duty to register, giving **1193** substances which needed registration
- Of 1420 checked substances:
 - 824 substances **were** indeed **registered** (58 %):
 - 599 purely with submission of a full registration
 - 212¹ purely with intermediate registration
 - 13 were registered with both full and intermediate registrations
 - 596 inspected substances (42%) **were not registered** by the inspected companies:
 - 227 did not need to be register as they benefited from a valid criterion for exemption from registrations
 - 292 substances were registered by a relevant OR
 - **77** inspected substances were not registered:
 - 75 were missing full registration
 - 2 were missing registration as a transported isolated intermediate
- **1008** (71%) of the checked substances were classified as hazardous according to the CLP Regulation. **56** (5,8%) of those were SVHC.

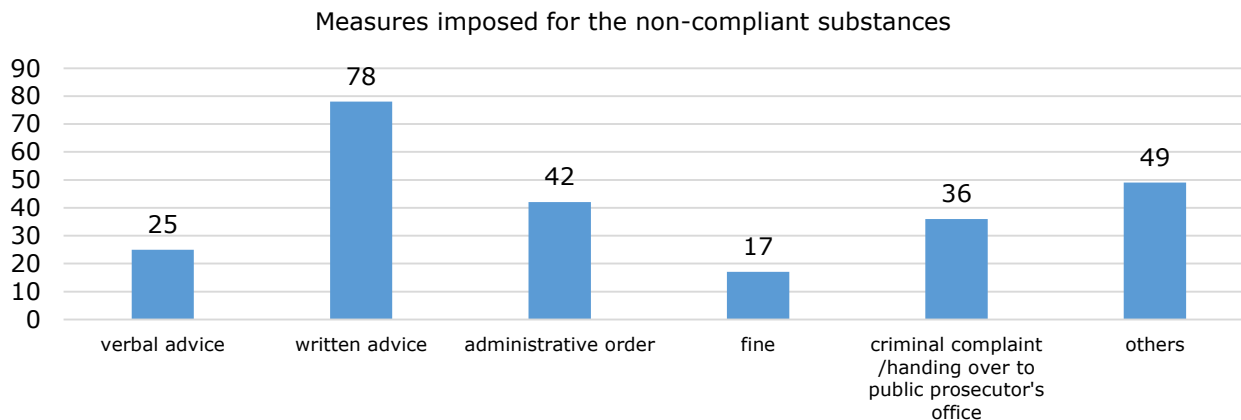
¹. One substance was additionally checked as intermediate although its registration as an intermediate was inappropriate. This inspection is counted as one of the missing full registrations.

- For the 1193 inspections related to substances not exempted from REACH registration,
 - 180 of them involved at least one non-compliance with REACH provisions in the scope of REF-7, pointing at a **15%** non-compliance rate
 - 77 of them involved missing the compulsory registration, pointing at a non-compliance rate with the duty to register of **6,5%**
- The observed non-compliances are distributed as follows:

REACH Articles	Number of violations reported for 180 non-compliant substances	% [N=252]
Article 5	53	21,0
Article 6	75	29,8
Article 7	0	0,0
Article 8	18	7,1
Article 12	14	5,6
Article 17	9	3,6
Article 18	39	15,5
Article 22	44	17,5
Sum	252	100%

At the time of the reporting:

- measures were imposed for all 180 non-compliant substances (multiple measures can be applied):



- for all 1420 inspections follow up activities related to REF-7 or other were
 - completed for 1222 cases
 - on-going for 198 cases

- Information was shared with another EEA country in 33 cases
- Inspectors cooperated with other national authorities in 657 cases
 - customs - 591 inspections
 - other authorities - 115 inspections
- For 798 inspected companies it was reported that 388 of them (49%) were affiliated to an industrial sectoral organisation. No indication of better compliance performance could be found for those companies.

- Manufacturers and importers of the inspected substance were checked most frequently during the campaign
- The most frequently reported non-compliance was with Article 6 of REACH
- **15 %** non-compliance rate (180 of 1193 reported inspections) with obligations checked in the scope of REF-7
- **6,5%** non-compliance rate (77 of 1193) for missing compulsory registrations
- Measures were imposed for all observed non-compliant inspected substances (180). Most frequently written advices and administrative orders were given. For the 77 missing registrations, most frequently criminal prosecution (31), administrative orders (19) and fines (10) were called upon.
- NEAs cooperated with other national authorities in about half of all inspections, most frequently with customs

Thank you!

