

Enforcement

General background

Layout

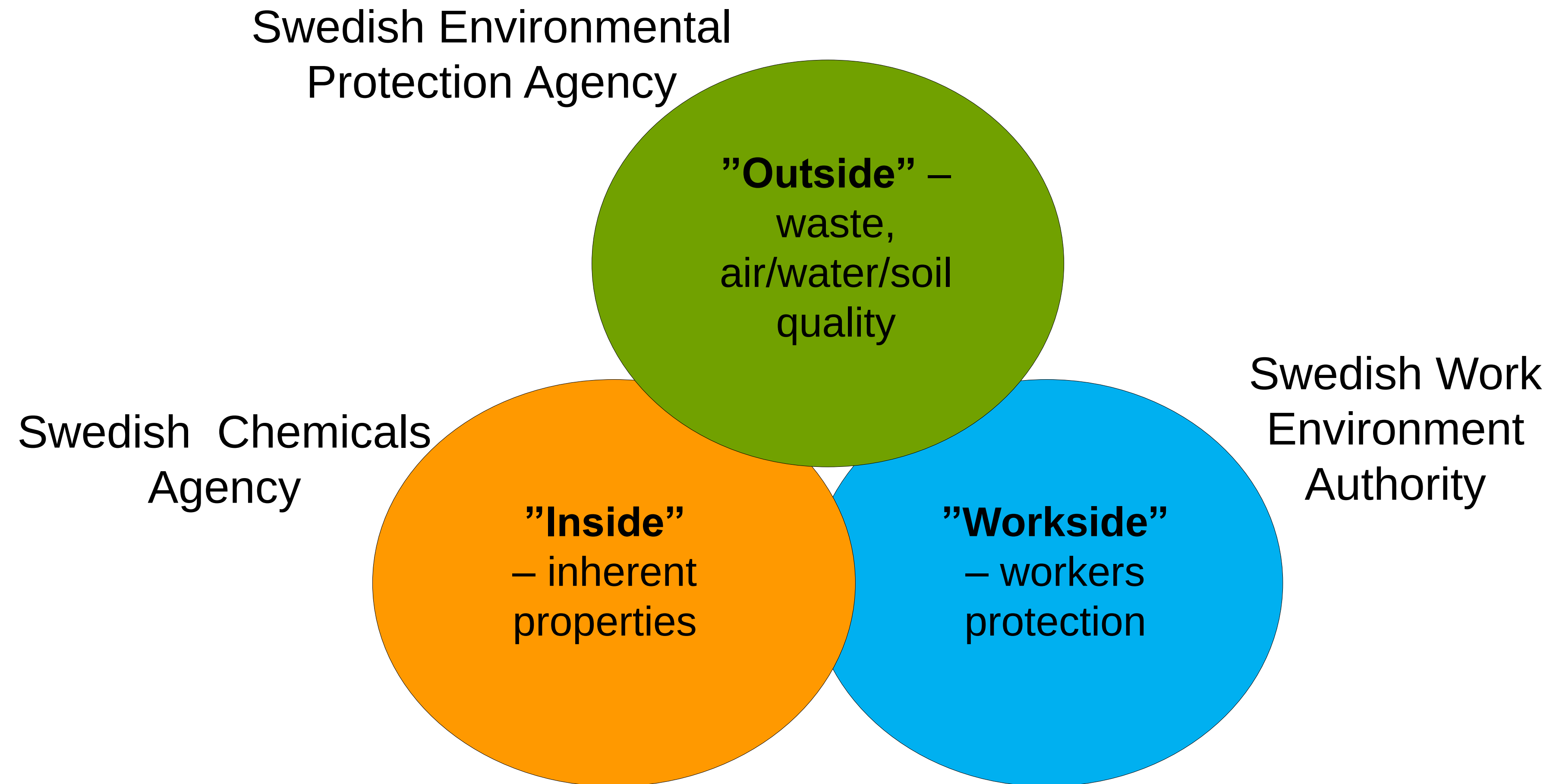
- Introduction
- Organization and Responsibilities
- Methodology and strategies for enforcement
- Examples of national enforcement projects
- Enforcement cooperation (international)
- Guidance, education and public awareness

- Enforcement of products

Administrative conditions

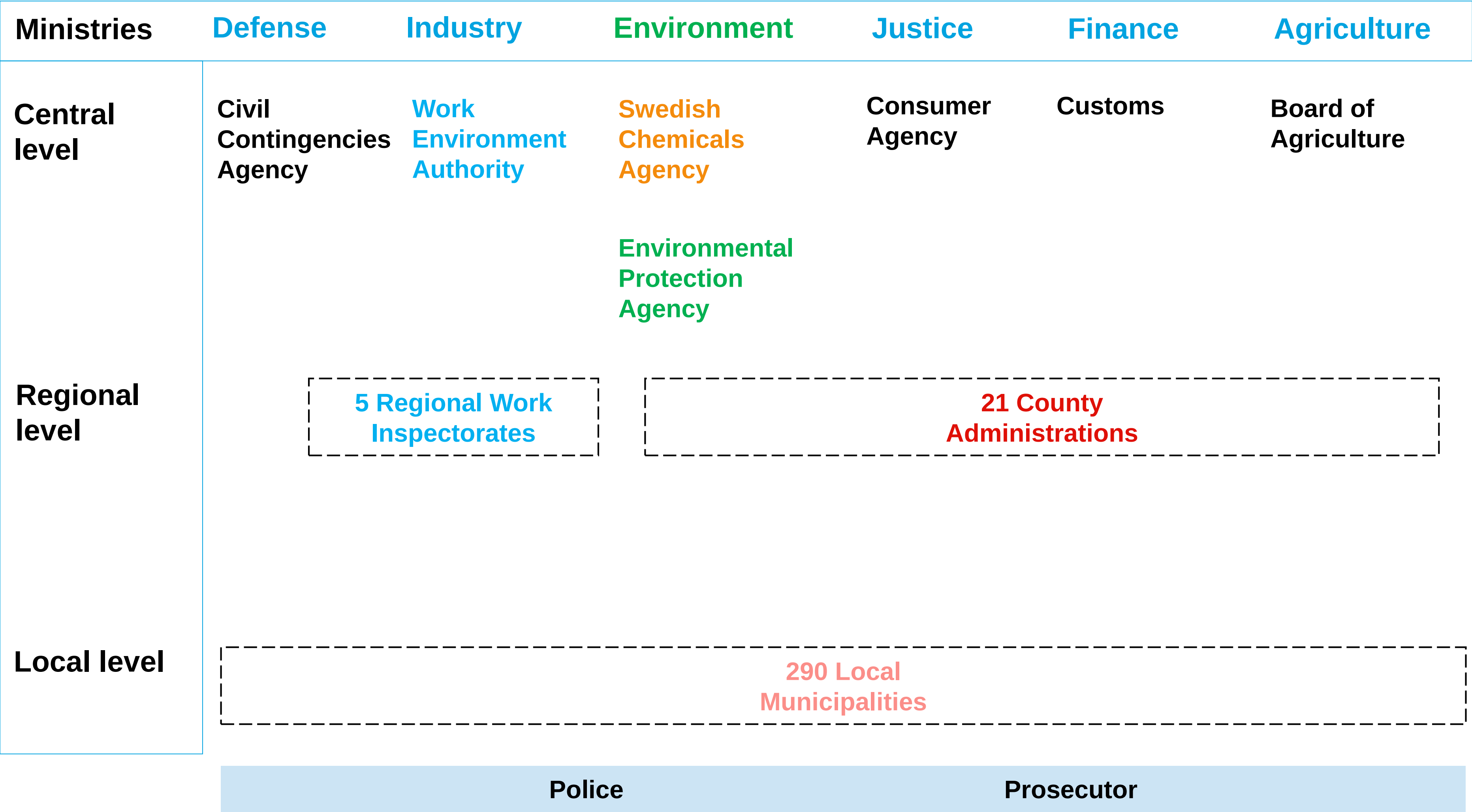
- Budget proposal – late september
 - Parliament agreement – late october
 - Regulating directives from government – december
 - Internal planning process
 - Quality / Environmental directives
-
- The principle of public access to official records
 - Secrecy act

Swedish approach for Chemicals Control

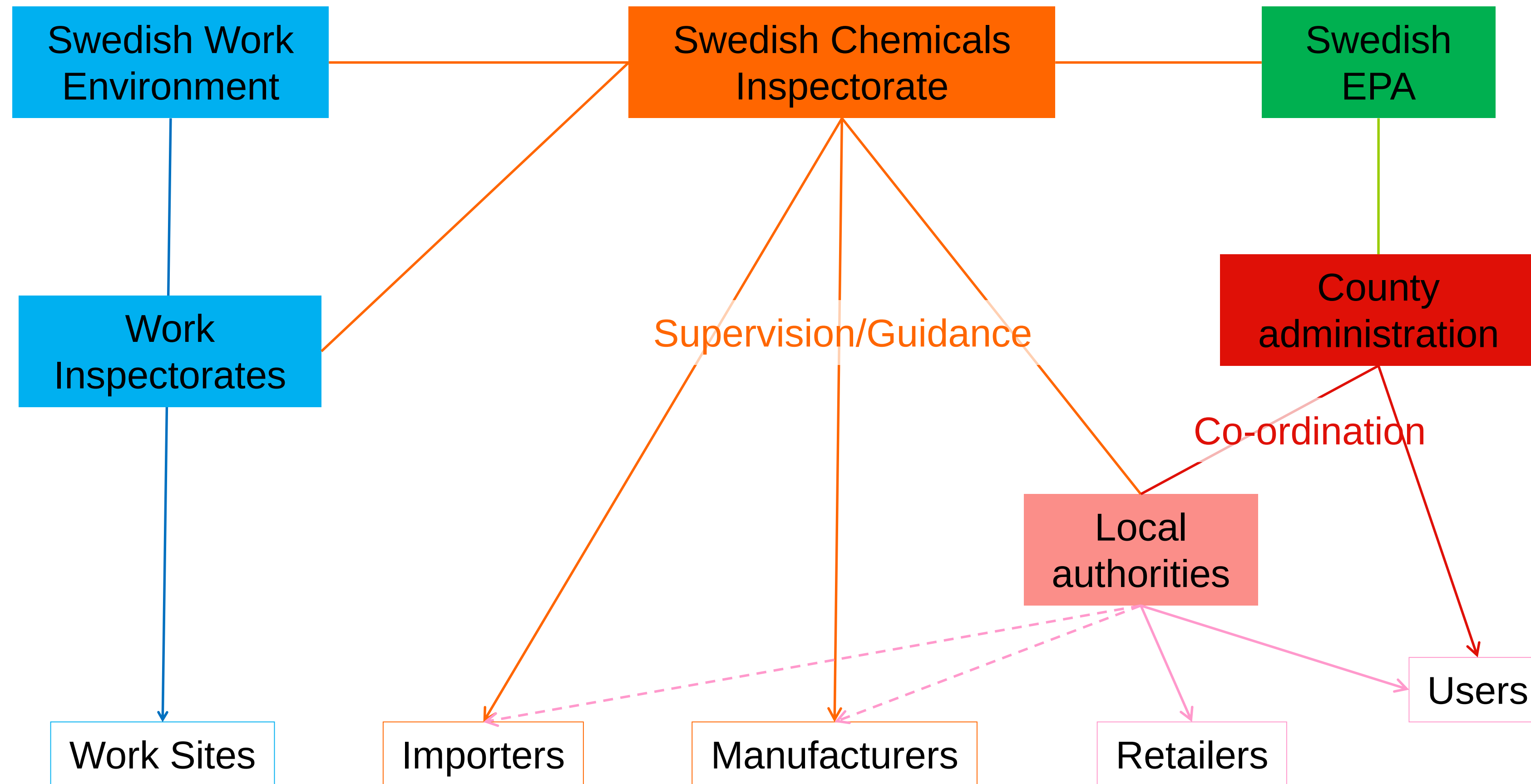


Chemicals control Sweden

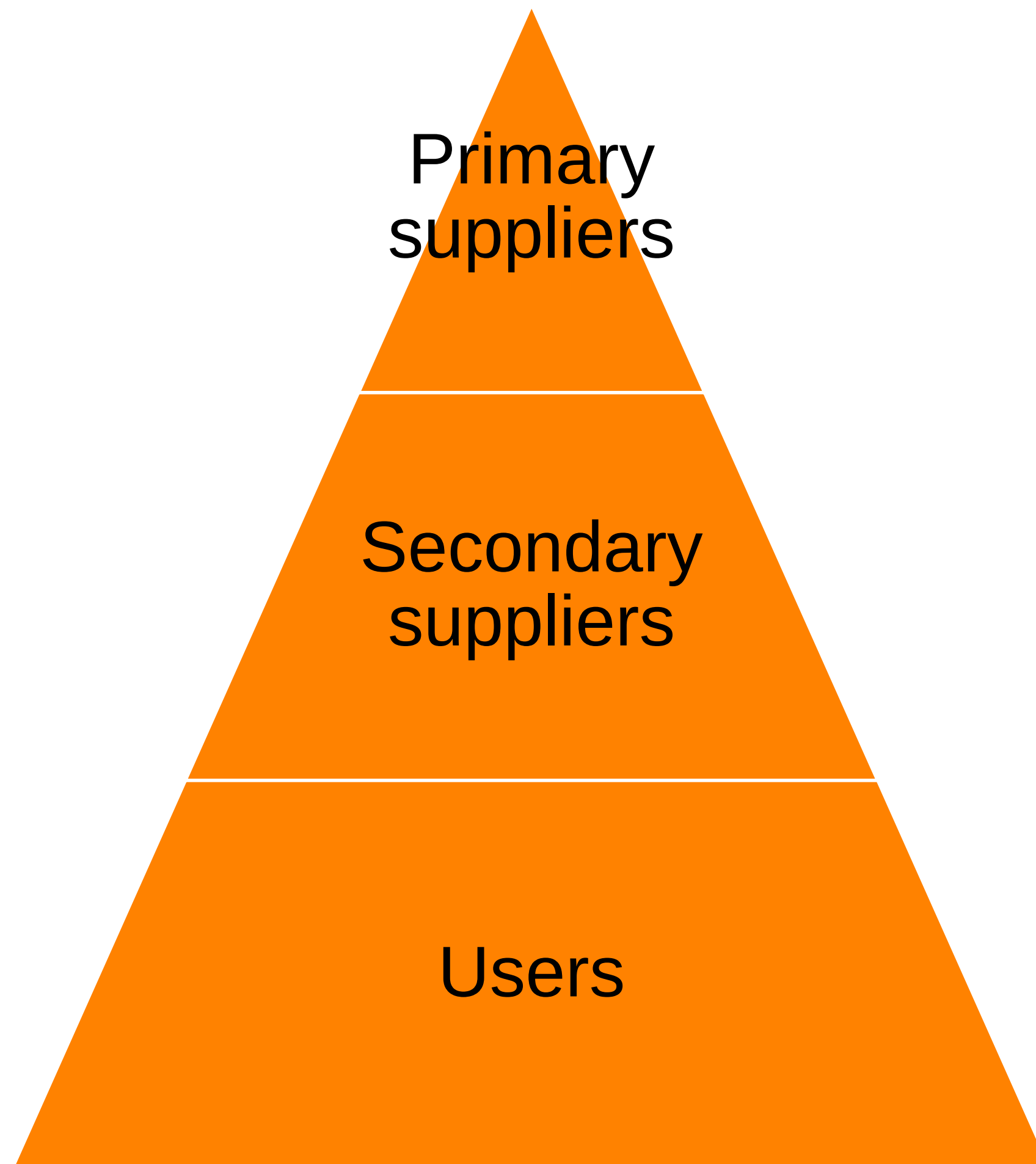
Institutional Organization



Inspection levels and cooperation

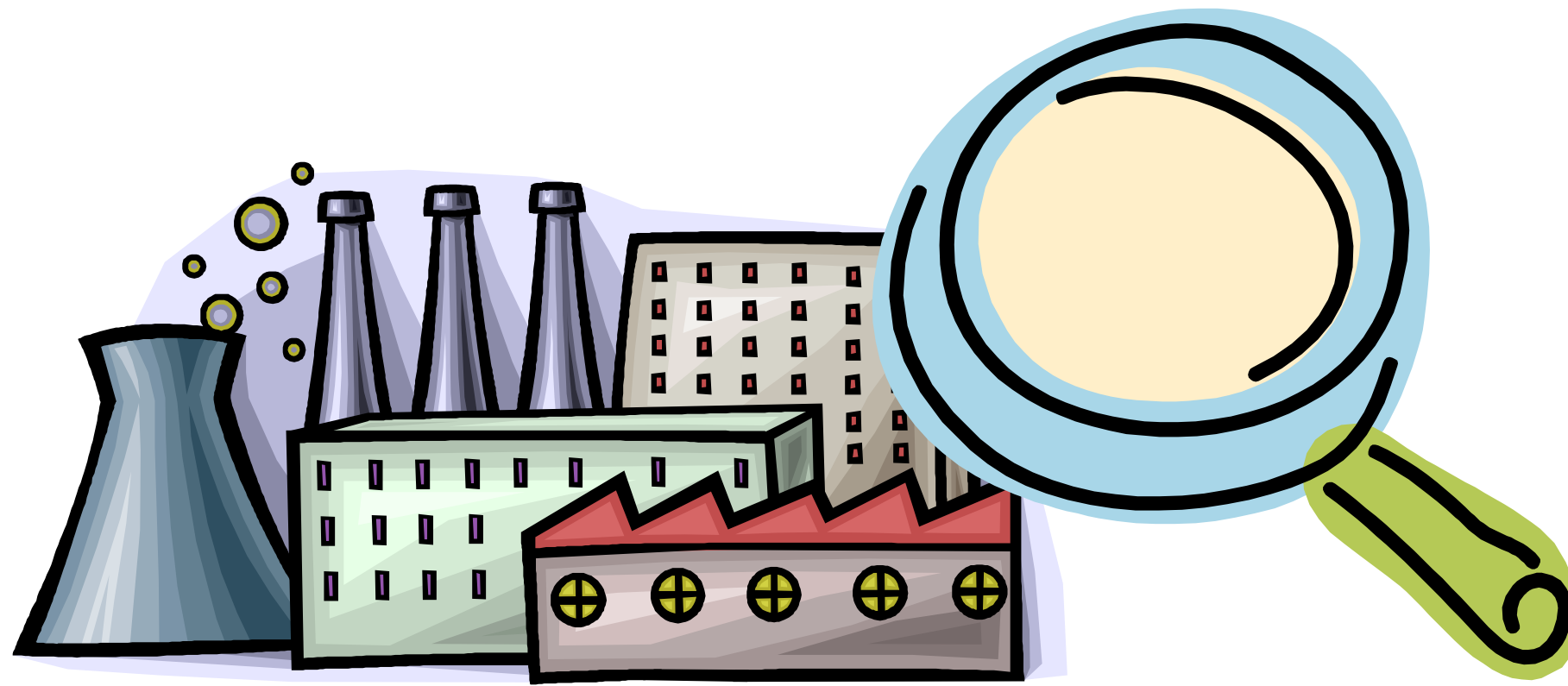


Control of producer/importer or user?



- Relatively few producer/importer compared to retailers/users
- Producers and importers have better knowledge of a chemicals properties
- Product information should be written by P/I and be given to retailers/users

Inspections



- KemI/Enforcement dep
 - Monitor companies' compliance with legislation and regulations (manufacturers/importers)
 - Inspections all over Sweden

The companies have the responsibility

Degree of control



Pesticides

- Approval
- Registration
- Labelling/SDS
- Enforcement



Chemical products

- Registration
- Labelling/SDS
- Enforcement



Articles

- Reach Article 33
- Product directives
- Enforcement

Environmentally hazardous activities

- Category A activities
 - Refineries, paper & pulp, petrochemical operations, automotive manufacturers, waste incineration, chemical industry, combined heat and power plants etc.
- Category B activities
 - Sewage treatment plants, textile industry, manufacturing industry, small waste management plants, sawmills, agriculture, food industry etc.
- Category C activities
 - Petrol stations, small sewage treatment plants, agricultural small holdings, waste sorting facilities, manufacturing industry etc.

Enforcement and tools

- Legislation
- Legal experts at KemI
- Other (scientific) experts at KemI
- Databases (ex [GHS/CLP](#))
- Products register
- Pesticide register [“Spider”](#)
- Internal steering documents....

Examples – legislation to enforce

- Environmental Act
 - GMO and Chemical products
 - Ordinances and Regulations
- EC-Directives:
 - RoHS, Toys
 - VOC
 - ...
- EC-Regulations:
 - REACH
 - Restrictions
 - MSDS (GHS)
 - Detergents
 - PPP
 - CLP (GHS)
 - Biocides ...
- Chemical conventions
 - Stockholm (POPs), Rotterdam (PIC)

Products Register

- Name and location of companies
- Product name
- Classification
- Product groups / function
- Number of products
- Manufactured/Imported volumes
- Substances in mixtures
- Professional and/or consumer available
-

Inspections - strategy (1)

- Information from products register
- Type of products/Product groups
 - Number of products (large number, high priority)
 - Large volumes
 - Widely spread
 - Hazardous substances
 - Industrial as well as consumer use
 - E.g. Detergents, Paints, Car-care products....

Inspections - strategy (2)

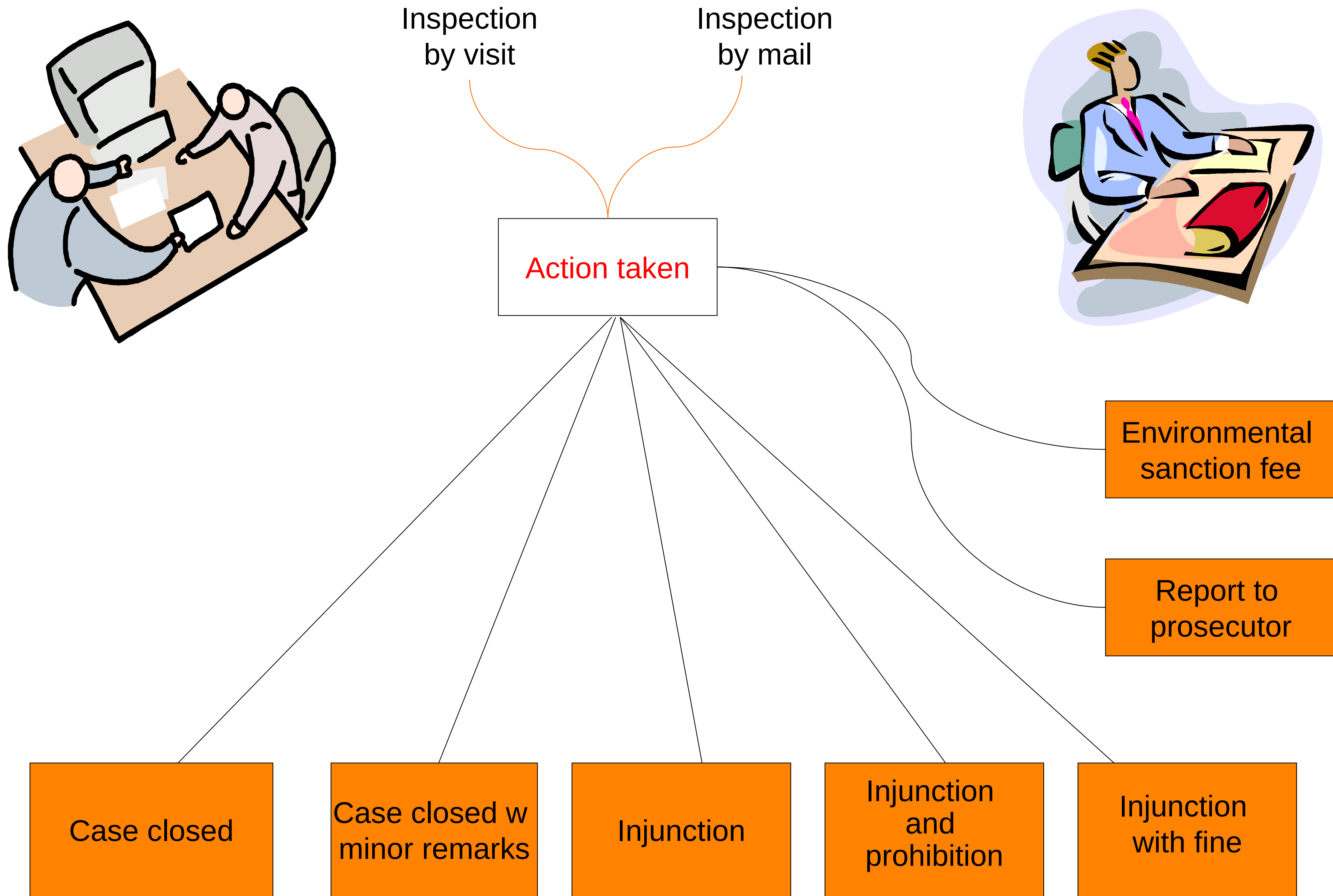
- Specific regulations
 - Pesticides, VOC-content (limit values), permits, restrictions – substances (eg toluen), package
- Geographic area
 - coordinate inspections with guidance of local authorities
- Urgent objectives
 - evaluation of tips and hints from occupational authorities and others

Analysis

- to check if the products are in compliance with restrictions in REACH legislation ex toluene in glue intended for private consumer, HCB in fireworks...
- to check that the active ingredient (and the amount) in Pesticides are in compliance with the Authorisation
- to control the content of substances in articles

Inspections methods

- On site
 - Product investigation
 - Tactile warning
 - Child resistant fastening
 - Permits
 - Classification
 - Products register
 - SDS and labelling
 - Distribution system
 - Product substitution
- By mail
 - Classification
 - Products register
 - SDS and labelling
 - Product substitution



Levels of cooperation

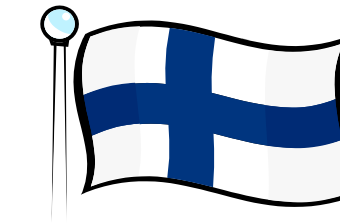
- Regional
 - Between the Nordic countries
- European
 - ECHA
 - RoHs
 - Rapex
- Global
 - GHS

Regional - Nordic countries

- Sweden, Denmark, Norway, Iceland, Finland
 - Meeting once a year
 - Work Shops on legislation
 - Coordinated enforcement projects
e.g. CLP 2012/2013

ECHA

European CHemicals Agency



- Consistent decisions at EU-level
- Support the MS with technical/scientific advice
- Develop IT-based tools, guidance, databases
- Support national Helpdesks
- Partly supported by fees from the industry

Enforcement – EU level



- FORUM for enforcement (Article 77.4) :
 - Identify enforcement strategies as well as best practice in enforcement
 - Develop working methods and tools for use to inspectors
 - Propose, coordinate and evaluate harmonized enforcement projects

<http://echa.europa.eu/web/guest/about-us/who-we-are/enforcement-forum>

FORUM



- Secretariat based at ECHA (4 persons)
 - Link between national enforcement authorities and ECHA
 - Arrange the FORUM meetings
 - Coordinate working groups related to enforcement

REACH-EN-FORCE projects

- REACH-EN-FORCE 1
 - Project on pre-registration and registration of phase in substances and SDS
- REACH-EN-FORCE 2
 - Enforcement of the obligations of Downstream Users Formulators of mixtures

Guidance for other authorities

- Written guidance material (e.g. [report publications](#), Fact Sheets,....)
- [Newsletter](#) (e-mail - every month)
- Invitation as observers at Kemi Inspections
- Co-operation projects (central and local level)
- Annual conference (Regional Authorities)
- Seminars (e.g. REACH & CLP)

Education

- External
 - University Course
 - Seminars at Universities
- Internal
 - “Guidance for Inspectors”
 - Mentorship
 - Internal education (legal, REACH,CLP)

Guidance for companies

- ALL legislation available on [webpage](#)
- Fact sheets
- Brochures
- Newsletter
- [PRIO – A tool for Risk Reduction of Chemicals](#)
- Sector dialogues



Helpdesks



- Inspectors are involved in Helpdesk-work
 - CLP
 - Reach
 - Other chemical questions