

Current state of activities on REACH system

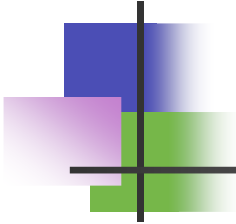


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MINISTRY OF ECONOMY AND LABOUR

Activities on REACH system in the EU:

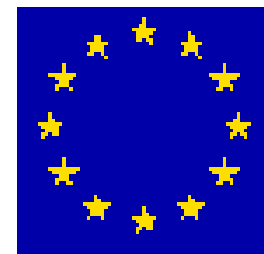


Activities on REACH system at the European Parliament:

- Committee on the Environment, Public Health and Food Safety (ENVI),
- Committee on Industry, Research and Energy (ITRE),
- Committee on the Internal Market and Consumer Protection (IMCO).

Activities on REACH system at the EU Council:

- Competitiveness Council,
- Environment Council,
- Ad-hoc Working Group on Chemicals



Laying down legislation at the EU

Co-decision procedure:

Passing a legal act proposal to the EU Council and the European Parliament by the European Commission: 1st reading:

European Parliament



EU Council → **Common opinion** → **Regulation**

... no common position: 2nd reading:

European Parliament → (remarks of the EU Council from 1st reading accepted)



EU Council → **Common opinion** → **Regulation**

... no common position: CONSILIATION (common text): 3rd reading:

EU Council → **Common text accepted** → **Regulation**

European Parliament →

... common text rejected: Act rejected.

2nd half of 2003

Italian presidency:

■ **November 2003:**

- European Commission passed to the EU Council *proposal of the regulation of the European Parliament and of the Council concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH), establishing a European Chemicals Agency and amending Directive 1999/45/EC and Regulation (EC) {on Persistent Organic Pollutants}*,
- EU Competitiveness Council has set up the *Ad-hoc Working Group on Chemicals* – its main task is to work out the EU Council common position concerning the *REACH Regulation proposal*.

■ **Competitiveness Council:**

- Political debate concerning main goals of the REACH project.

■ **Environment Council:**

- Political debate concerning main goals of the REACH project.

■ **Ad-hoc Working Group on Chemicals:**

- 1 meeting,
- EU members and 10 candidate countries which joined the EU on (including Poland) have presented their initial statements.



1st half of 2004

Irish presidency:

- **Competitiveness Council:**
 - UK-HU proposal: „one substance – one registration”,
 - Mechanism of prioritisation in the process of registration,
 - Role of the European Chemicals Agency.

- **Environment Council:**
 - Authorisation and restrictions,
 - Substitution principle (alternative substances),
 - Quality assurance.

- **Ad-hoc Working Group on Chemicals:**
 - 8 meetings,
 - High-level reading of the draft proposal – finished,
 - 41 working documents.



2nd half of 2004

Dutch presidency:

■ **Competitiveness Council:**

- Summary and recommendations from the REACH system Impact Assessments (the Hague – October 2004),
- Sharing the costs and common use of data (**OSOR**: *One Substance – One Registration*),
- Additional data required for substances marketed in tonnage > 10 tons per year.

■ **Environment Council:**

- Summary and recommendations from the REACH system Impact Assessments (the Hague – October 2004),
- Priority list in processes of registration,
- Substances in articles.

■ **Ad-hoc Working Group on Chemicals:**

- 8 meetings,
- detailed reading of the draft proposal:
 - titles I-III,
 - annexes IV-IX,
- 161 working documents,
- workshops on REACH impact assessments.

1st half of 2005

Luxemburg presidency:

- **Competitiveness Council:**
 - Summary and recommendations from the REACH system Impact Assessments (Luxemburg – May 2005),
 - Role of the European Chemicals Agency.

- **Environment Council:**
 - Authorisation procedure.

- **Ad-hoc Working Group on Chemicals:**
 - 9 meetings,
 - continuation of detailed reading of the draft proposal:
 - titles IV-VIII,
 - annexes I, Ia, Ib, XI,
 - 196 working documents,
 - workshops on REACH impact assessment.



2nd half of 2005

British presidency:

- **Environment Council:**

- Planned debate concerning REACH system solutions:
 - Substances in articles,
 - Mechanism of registration,
 - Role of the European Chemicals Agency.

- **Competitiveness Council:**

- A political debate will be planned in November 2005; during this debate Presidency will try to conclude the political agreement.

- **Ad-hoc Working Group on Chemicals:**

- 1 meeting (ca. 8 meetings more are planned),
- continuation of detailed reading of the draft proposal:
 - titles IX-XIV,
 - detailed reading is planned to be terminate!,
- 21 working documents.





Meetings of the Ad-hoc Working Group on Chemicals:

- Participants of the meetings are representatives of:
 - governments of the 25 EU Member States,
 - Bulgaria and Romania (according to the Accession Treaty signed in April 2005, countries acceding to the EU in 2007 – status of active observer),
 - European Commission.
- The activities are managed by the representatives of the country holding the EU presidency – currently Great Britain.



Polish activity in the Ad-hoc WG on Chemicals:

- According to the decision of Preparatory Group of the Committee for European Integration (ZP KIE), leading institution in the activities on REACH package in Poland is **Ministry of Economy and Labour**.
- Cooperating institutions:
 - Ministry of Health / Bureau for Chemical Substances and Preparations,
 - Ministry of the Treasury,
 - The Office of the Committee for European Integration (UKIE).
- Representatives of the **Ministry of Economy and Labour** as well as the **Bureau of Chemical Substances and Preparations** (this latter on behalf of Minister of Health) participate in the meetings of the *Ad-hoc WG on Chemicals*.



Activities supporting working out Polish official statement:

- Ministry of Economy and Labour ordered following analyses:
 - REACH impact assessment on Polish chemical industry (2003),
 - extended REACH impact assessment on Polish chemical industry and relevant industries (2004).Both analyses performed by the Industrial Chemistry Research Institute, Warsaw, POLAND

- ***REACH Seminar*** has been held on 10 March 2005 at the premises of the Ministry of Economy and Labour.

- Polish official statement presented on forum of the EU Council is worked out on the meetings organized by the Ministry of Economy and Labour:
 - 10 meetings in 2004,
 - 3 meetings in 2005.



Activities supporting working out Polish official statement:

In the meetings organized by the Ministry of Economy and Labour participate, among others, the representatives of the following institutions and bodies:

- Bureau for Chemical Substances and Preparations,
- Ministry of the Treasury,
- Ministry of Health,
- Ministry of Environment,
- The Office of the Committee for European Integration (UKIE),
- The Office for Registration of Medical Products, Medical Articles and Biocidal Products,
- Industrial Chemistry Research Institute,
- Institute of Industrial Organic Chemistry,
- Polish Chamber of Chemical Industry,
- Association of Producers for Cosmetics and Household Chemicals, industry,
- **Non-Governmental Organizations (NGOs):**
 - **WWF** Polska – **W**orld **W**ildlife **F**und, Polish Division
 - Waste Prevention Association 3R.



Polish official statement:

- Government of Poland with satisfaction accepts all activities aiming at increase of level of safety protection of human health and environment. Sustainable development should be the major goal of each regulatory activities in Europe. None of the implemented systems should deteriorate competitive conditions of European companies.
- Results of previous activities concerning proposal of the REACH regulation indicate need of:
 - further and complex assessment of this system workability with particular attention of its impact on **SMEs** (**S**mall and **M**edium Sized **E**nterprises) and main buyers of the chemical substances,
 - simplification of the procedures and introduction of mechanisms more friendly for industry,
 - Reduction of costs (particularly of substances' registration),
 - Reduction of bureaucracy,
 - modification of the system in order to make it more economically effective and not posing another trade barriers for companies,
 - working out the solutions within the framework of REACH increasing benefits during its implementation,
 - decreasing burden for chemical industry downstream users (among others, technical and personal barriers).



Polish statement:

REGISTRATION

- A system is needed that would allow simplification and minimization the costs of registration procedure (proposed in the regulation proposal of the European Commission) and would allow avoiding duplication of tests on animals.
- Sharing of costs for testing (repayment) (compensation system) should be clearly defined as legal obligation.
- A priority system is needed that would allow to work out a list of substances or groups of substances which should be first registered.
It's also necessary to define other criteria than tonnage band, allowing creation of such priority list.
- We support proposal presented by Malta and Slovenia delegations concerning registration of low-volume substances.
- We accept and support with interest the activities concerning „**one substance – one registration**” and „**prioritisation**” proposals.



Polish statement:

ROLE OF THE EUROPEAN CHEMICALS AGENCY

- We support activities aiming at working out the principles of strong and stable Agency operation which will be authorized to take decisions or activities assuring harmonised implementation of the new system of chemical substances management and control in all EU Member States.
- Activities of the Agency should assure equivalent conditions of companies' operation (including competitiveness) within the whole EU.
- A particular attention should be given to the transfer of evaluation provisions and obligations from the Member States Competent Authorities to the level of central Agency.



Polish statement:

AUTHORISATION AND RESTRICTIONS

- We support activities, among others, aiming at simplification of authorisation and restrictions procedures, as well as facilitating full coming into force of the system, simultaneously maintaining high level of risk control according to the provisions included in the REACH proposal.
- Procedure of authorisation described in the REACH draft proposal is very complicated, therefore the Agency may have difficulties (if operating accordingly to the provisions) to consider applications submitted by producers, importers and downstream users or their groups (consortia) from 25 EU Member States.
- Time-consumption of authorisation procedure may result in decreased competitiveness of the European industry compared with the industry of other world regions.



Polish statement:

SUBSTANCES IN ARTICLES

- Current provisions may be very difficult for implementation and there exist serious doubts if full control will be even possible.
- However, concerning registration of substances in articles, application of supervision system on REACH regulations use is needed.
- If the REACH draft proposal would not cover registration of substances in articles, it would favour unequivocally chemical industry operating outside the EU. This non-EU industry would not have to bear costs of information generating on chemical substances included in articles. It would create additional encouragement to relocating investments from the EU to the countries where such system would not be in force.



Thank You very much

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