



Enforcement Summit 2018

A unique opportunity to join our panels of over twenty experts including EU and Member State officials, regulatory managers from industry and professional advisers, as they share special perspectives and understanding of both European and global regulatory enforcement challenges in a relaxed, informal environment. Panel discussion sessions throughout the Summit will provide an insight into industry's enforcement questions from the perspectives of the important stakeholders.

In addition, there is a opportunity to participate a Post-Summit workshop scheduled for 26 September 2018.

Day 1 REACH and CLP Enforcement

Day one commences with a series of high level overviews from the ECHA Enforcement FORUM, ECHA, together with an industry perspective on enforcement. The focus then moves on to Key Enforcement issues in 2018 starting with REACH registration and authorisation obligations and in the afternoon there is a session devoted to internet sales, SVHCs in articles, restrictions and CLP.

Day 2 REACH and CLP Enforcement and Global Enforcement of Chemical Regulations

The morning of day two focuses on the harmonisation of EU enforcement issues, followed by enforcement in practice. Delegates are offered a choice of sessions in the afternoon; Session 5A looks at enforcement in practice in the EU and Session 5B focuses on enforcement in the rest of the world. The European session has contributions from Sweden, Cyprus, Portugal and Belgium. It also includes presentations on how to prepare for Brexit and RoHS enforcement in the UK. The alternative session provides overviews of enforcement in Turkey, South Korea and Taiwan, as well as North America with inputs on Canada, the revised US TSCA and Proposition 65 in California.

Using a mixed format of presentations, in-depth Q&A sessions and panel discussions, the programme tackles the most important enforcement issues around the world.

Why attend?

Expert speakers on hand

Listen to senior representatives from regulators across the EU and further afield, including Sweden, Cyprus, Ireland, Portugal, Germany, UK, Italy, Norway, Austria, North America, South Korea, Taiwan and Turkey.

Latest, joined-up thinking

Get to know the latest thinking on harmonised enforcement of REACH and CLP from both sides of the discussion - industry and enforcers.

Detailed update on enforcement in the rest of the world

Bring yourself up-to-date with the complex and changeable enforcement landscape around the world.

Time efficiency

Gain a comprehensive update of the complex and changeable landscape of the current issues in enforcement of chemical regulation in just two days.

Focus

Meet the experts and bring yourself up-to-date with the latest thinking across a wide range of jurisdictions

Q&A panel sessions

Have your specific questions answered by making use of the multiple Q&A sessions. Remember, you can send in any questions you might have in writing in advance of the Summit.

Day one – 24 September 2018

08:30 Coffee and registration

Chair: Erwin Annys, Director Reach/Chemicals Policy, Cefic, Belgium

Session 1: REACH & CLP enforcement - high level overviews

09.00 Update from ECHA's Forum for Exchange of Information on Enforcement

- Ongoing REF and pilot projects
- Findings from finalised projects
- Forthcoming projects
- Forum Work Programme 2019-2023
- Work on the Quality of SDSs
- Ongoing work/issues (tbd)

Sinead McMickan, Health and Safety Inspector, Health and Safety Authority, Ireland & Vice Chair of ECHA Enforcement FORUM, Finland

09.25 Enforcement of EU Chemicals Regulations in the next 5 years: a Forum Secretariat's perspective

- The Forum Multi Annual Work Programme 2019-2023
- Recommendations on enforcement from the second REACH review
- Implications for enforcement of the last wave of registration dossiers

Johan Nouwen, Head of Unit Support, Forum and HelpNet Secretariat, ECHA, Finland

09.50 Enforcement of dossier evaluation decisions and SONCs

- The EU General Court ruling in Case T-283/15 (Esso Raffinage v ECHA)
- Consequences for dossier evaluation decision making and enforcement
- Role of ECHA and member states in enforcement of evaluation decisions
- Impact on companies receiving evaluation decisions and SONCs

Jean-Philippe Montfort, Partner, Mayer Brown LLP, Belgium

10.15 Is Europe's market surveillance system working?

Working towards a level playing field with better market surveillance, Cases from the textiles sector

- How can Europe check 21 billion imported products?
- Easy targets vs catching free riders?

- Policy making
- How can we move towards better market surveillance?

Mauro Scalia, Director, Sustainable Business, Euratex, Belgium

10:40 Q&A

10.55 Refreshments

Key Enforcement Issues in 2018

Session 2: REACH registration and authorisation obligations

11.20 The interpretation of "intermediate use" - an example of streamlining interpretation on intermediates to prevent the need for enforcement

- REACH obligations depend on interpretation of intermediate status and use
- Eurometaux's program to clarify "intermediate status"
- Sectoral guidance
- Published examples and guidance
- Also provides enforcement authorities with best knowledge

Hugo Waeterschoot, REACH Advisor Eurometaux, Belgium

Chair: Hugo Waeterschoot, Reach Advisor, Eurometaux, Belgium

11.55 The Italian story of As2O3: substitution triggered by REACH authorization

- As2O3 uses and regulatory risk management route
- Intermediate use interpretation
- Joint efforts to find alternatives
- Enforcement authorities' activities
- Replacement of As2O3: facts and impacts

Maria Letizia Polci, Scientific Officer, Ministry of Health, Italy

12.20 Austrian enforcement project on REACH authorisation and downstream users

- DU obligations
 - after the sunset date
 - a supplier has applied for authorisation
 - a supplier holds an authorisation
- Identifying the downstream users affected by a substance on REACH Annex XIV

Eugen Anwander, Senior Scientific Officer, Institute for Environment and Food Safety, Vorarlberg State Service, Austria & Chair of ECHA BPR Enforcement FORUM, Finland

12.45 Q&A

13.00 Lunch

Chair: Aidan Turnbull, Director, BOMcheck, UK

Key Enforcement Issues in 2018

Session 3: Internet Sales, SVHCs in articles, restrictions and CLP

14.00 New developments of enforcement on internet sales of chemicals

- Enforcement of advertising and offering in the internet
- Controls of chemicals and biocides

Sybille Wursthorn, Unit Chemical and Product Safety, Ministry of the Environment, Climate Protection and the Energy Sector Baden-Württemberg, Germany

14.25 How Amazon is using data and technology to enable online sales of safe and compliant chemicals

- Starting from a garage in Seattle selling books, Amazon now offers consumers a large selection of products
- Growing selection requires ongoing updates to our safety and compliance processes
- Addressing new challenges by inventing new ways to enable safe selection
- Using data & technology to improve the customer experience & protect our customers

Gijs Manneveld, Senior Manager Technical Compliance, Amazon EU Sarl, Luxemburg

14.40 Implementation and enforcement of the new Annex VIII to CLP

- Regulation (EU) 2017/542 - harmonisation of information requirements relating to emergency health response
- Scope
- Application deadlines
- Information requirements
- Tools
- Enforcement – appointed bodies and access to data

An Jamers, Policy Officer, European Commission, Belgium

15.05 Enforcement of CLP at national level in Norway

- Organisation of enforcement of CLP in Norway and the risk based approach to enforcement
- Current enforcement activities on CLP - including results from completed activities (including market surveillance projects in 2017 and 2018)
- Performance of REF-6 in Norway
- Procedures for follow up of CLP non-compliances

Jorun Holme, Senior Adviser, Section for Chemicals and Product Control, Norwegian Environment Agency, Norway

15.30 Enforcement of substances in articles – restrictions and information duty

- Experiences of Sweden's enforcement with chemicals in articles
- Some results from the last projects
- What articles, materials and substances we find and focus on
- Short description of Forum's pilot project on Substances in articles (SIA) – notification (article 7.2) and information duty (article 33)

Karin Rumar, Senior Technical Officer, Swedish Chemicals Agency, Sweden

15.55 Q&A

16.10 Refreshments

16.35 REACH ensures 'no data, no market', and that chemicals of concern are identified?

- No data, no market and REACH restrictions should mean that unregistered or restricted chemicals are not present in consumer articles – but how sure are we of this? Do we really know where to look – are some problem chemicals in articles being missed?
- Does the current combination of industry responsibility, and limited enforcement, properly protect all parts of society?
- What opportunities are there for grouping (e.g. see <http://www.chemtrust.org/toxicsoup>) to improve the quality of both registration dossiers and classification & labelling, to ensure that REACH enforces 'no data, no market', not 'no data no problem'?

Michael Warhurst, Executive Director, CHEM Trust, UK

17.00 Q&A

17.05 Panel:

- What are the priorities for enforcement in reducing hazardous chemicals in products - one of the biggest risks to health and safety in the EU and EEA?
- How should substances of very high concern in imported goods be dealt with and those that are sold over the internet?
- Do risk management measures, such as harmonised labelling, restrictions, evaluations, or other legislation (like sector and occupational health laws) offer better protection compared to REACH authorisation?

Moderator: Nick Hazlewood, CW News Editor, UK

17.45 Close of day one

Day two - 25 September 2018

Chair: Uta Jensen-Korte, Formerly, Director General, FECC, Germany

Key Enforcement Issues in 2018

Session 4: Harmonisation of enforcement

09.00 Working towards the improvement of the quality, consistency and digitalisation of e-SDSs

- Distributors' role in REACH
- Communication in the Supply Chain and challenges for distributors
- Fecc activities towards the improvement
- Key messages

Irantzu Garmendia Aguirre, Technical and Regulatory Affairs Manager (HSE), European Association of Chemical Distributors (Fecc), Belgium

09.25 Cooperation with customs, experience and upcoming pilot project

- Forum working group for the cooperation with customs
- Efforts at Forum level for further promoting the cooperation with customs
- Latest update
- Special focus on promoting the cooperation with customs in Cyprus

Tasoula Kyprianidou-Leontidou, Labour Inspection Officer, Department of Labour Inspection, Ministry of Labour, Welfare and Social Insurance, Cyprus

09.50 Enforcement of imports of chemicals into Germany

- Cooperation with customs authorities
- Working methods and procedures

Sybille Wursthorn, Unit Chemical and Product Safety, Ministry of the Environment, Climate Protection and the Energy Sector Baden-Württemberg, Germany

10.15 Towards harmonisation of the enforcement of REACH at the EU borders

- Setting the scene & principles
- State of play of initiatives and statements
- Customs issues
 - Examples REACH and customs codes
 - Customs & wastes
 - Survey in the metal/alloys industry
- Other enforcement issues
- Conclusions

Nadia Vinck, Director EHS & Scientific Issues, Euroalliage aisbl, Belgium

10.40 Q&A

10.55 Refreshments

11.20 The results of combined REACH-OSH inspections and the follow up in the Netherlands

- Inspection of SDS quality at Down Stream User (DSU)
- Introduction of digital SDS checking tool
- DSU contact with supplier for correct information
- Supplier adapts SDS with information that is 'correct' according to REACH regulation
- RMMs not practical, sector organization guidance for painters on correct use of correct equipment to prevent exposure
- Link to information for performing good risk analysis/ RMMs for DSU when working with dangerous/CMR substances

Diana Martens, Project Leader - Coordinating Inspector Dangerous Substances, Ministry of Social Affairs and Employment, Inspectorate SZW, the Netherlands

11.45 Panel discussion:

- What are the impacts of divergent enforcement activities across the EU;
- How can harmonisation be improved; and
- What can companies do to manage divergent enforcement practices across the EU and even within countries?

12.15 Lunch

Chair: Hugo Waeterschoot, Reach Advisor,
Eurometaux, Belgium

Chair: Ruxandra Cana, Partner, Steptoe and Johnson
LLP, Belgium

Alternative session

**Session 5A: Enforcement in Practice
in Europe**

- 13.15 Non-compliance – what could happen? Swedish experiences with reporting to prosecutors (penalties) and environmental sanctions fees**
- How do environmental fees work
 - Obligation to report to prosecutors
 - What are the “results” of reporting
- Karin Rumar, Senior Technical Officer, Swedish Chemicals Agency, Sweden*
- 13.40 Enforcement of Chemicals Regulation in Cyprus**
- Challenges for a small member state with limited industrial production but considerable import
 - Contributions at national level and campaigns at EU level
 - Special focus on the efforts to further promote the campaigns for controlling non compliant products placed on the market
- Tasoula Kyprianidou-Leontidou, Labour Inspection Officer, Department of Labour Inspection, Ministry of Labour, Welfare and Social Insurance, Cyprus*
- 14.05 Portugal enforcement activities with a focus on experiences with REF-5 inspections**
- Enforcement Structure in Portugal
 - REF-5:
 - Focus/Scope of the Project
 - Portuguese Experience - planning, operationalization, in situ inspections...
 - Portuguese Experience - Main Results and Conclusions
- Sofia Barata, Inspector and Multidisciplinary Team Leader/ Environmental Inspectorate, General Inspectorate for the Agriculture, Sea, Environment and Spatial Planning (IGAMAOT), Portugal*
- 14.30 Q&A**
- 14.45 Refreshments**
- 15.10 RoHS enforcement in the UK**
- Overview of the Office for Product Safety and Standards
 - Approach to regulation
 - Enforcing RoHS in the UK

Alternative session

**Session 5B: Enforcement elsewhere
in the world**

- 13.15 K-REACH updates**
- PEC registrations
 - K-REACH amendment
 - What to expect
- Nick Choi, Team Leader, Chemtopia Co., South Korea*
- 13.40 Chemical Management Enforcement in Taiwan**
- TCSCA and chemical registration
 - GHS and SDS
 - Hazardous Chemicals, Priority Management Chemicals and Control Chemicals
- Ken Liu, Principle Consultant, ERM, Taiwan*
- 14.05 Obligations of KKDIK and compliance with Turkish chemicals regulations**
- Turkish chemicals roadmap
 - Transition periods according to KKDIK
 - Roles and responsibilities of actors in the supply chain
 - Links and gaps between EU REACH and KKDIK regulations
 - Controls of chemicals in articles by the authority
- Tuğçe Gizem Gürleroğlu, Chief Consultant, REACH Global Services (RGS), Turkey*
- 14.30 Q&A**
- 14.45 Refreshments**
- 15.10 Update on Canada’s Chemical Management Plan and Enforcement Activities**
- Chemicals enforcement context
 - Federal evolution of chemicals management
 - Acts and regulations
 - Enforcement authorities
 - Available tools and sanctions
 - Enforcement planning and the use of intelligence
 - Case studies, examples
- Edith Préfontaine, Senior Analyst, Environmental Enforcement Directorate, Enforcement Branch, Environment and Climate Change Canada, Canada*

Alternative session

**Session 5A: Enforcement in Practice
in Europe**

- Regulatory challenges
- Priority objectives

Huw Jones, Head of Enforcement, Office for Product Safety and Standards, UK

15.35 What happens to your REACH registration as the UK becomes a third country outside the EU/EEA?

- Key negotiation points
- (Limited) options for the UK
- Post-Brexit status of UK companies
- Supply chain implications

Riku Rinta-Jupi, Partner and Head of Global Compliance, REACHLaw Ltd, Finland

16.00 Essenscia's practical tips for and experiences with inspection in Belgium

- Organisation of REACH and CLP enforcement in Belgium
- Cooperation between different enforcement authorities
- Preparing companies through VLARIP: sharing experiences & tips
- Priorities for enforcement

Tine Cattoor, Senior Advisor Product Policy – VLARIP projectleader, essenscia, Belgium

16.25 Q&A

16.40 Close of conference

Alternative session

**Session 5B: Enforcement elsewhere
in the world**

15.35 USA, update on enforcement under the revised TSCA

Reza Zarghamee, Special Counsel, Pillsbury Winthrop Shaw Pittman LLP, USA

16.00 California Proposition 65 enforcement and compliance

- New requirements including the new "safe harbour" warning label
- Enforcement and litigation activity
- Declaration of substances in component parts of mechanical or electrical products
- Using screening assessment to reduce the compliance burden
- Linkages with RoHS, REACH and POPs

Aidan Turnbull, Director, BOMcheck.net, UK

16:25 Q&A

16.40 Close of conference

Prices

Full rate	-	EUR 1195
Chemical Watch subscribers	-	EUR 1095
Early Bird rate (if booked before 31 July)	-	EUR 995
Early Bird CW subscribers (if booked before 31 July)	-	EUR 895
Workshop "Preparing for Inspection" (26 September)	-	EUR 695
Workshop "Preparing for Inspection" CW subscribers	-	EUR 650

Payment options:

- Invoice payable by bank transfer, credit card or cheque made payable to CW Research Ltd
- Online using our secure order form
- Payment must be made before the event starts.

Three ways to register

- w** www.chemicalwatch.com/enforcementsummit2018
- e** sales@chemicalwatch.com
- t** **+44 (0)1743818293**

Location

Le Châtelain Brussels Hotel

Rue du Châtelain 17, 1000 Brussels, Belgium

Tel: +32.2.643.93.72

Email: events@le-chatelain.com

Fax: +32.2.643.93.84

We have arranged a special bedroom rate for Summit participants at Le Châtelain Brussels Hotel. Participants will be sent full details and a link for booking hotel accommodation directly with the hotel.

Event times

Day one

24 September, 08:30 - 17:45

Day two

25 September, 09:00 - 16:40

Optional Post-Conference Workshop: Preparing for Inspection - 26 September 2018

Workshop leaders:

Alex Paul, Principle: Chemical Regulatory Services, Yordas Group, UK

Sophie Guinard, Regulatory Scientist, Yordas Group, UK

08:30-17:00 Preparing for Inspection

After nearly 10 years the REACH regulation is firmly established as the cornerstone of safe management and use of chemicals within the EU. The various protocols of the regulation are all now active and are impacting on virtually all industry sectors and business activities from manufacture to retail.

With regulation comes enforcement and inspection, and lots of questions:

- Who are the regulators?
- Is each Member State the same?
- How is enforcement co-ordinated?
- What is the focus of inspections? and
- What are the penalties for non-compliance?

Using a mixture of presentations, discussions and exercises, this workshop will answer all of these questions, and will provide attendees the information needed to ensure that they can manage inspection with confidence and determine what action is needed to embed REACH compliance into the company management and ethos.

SESSION 1 – Introduction to enforcement

The European Chemicals Agency is charged with managing REACH across the EU but each Member State (MS) has legislated for enforcement and penalties. It is important to understand who is responsible for what and how enforcement is co-ordinated across all MS

- Roles & responsibilities of regulators
 - ECHA
 - MSCA (Member State Competent Authority)
 - Customs
 - MS variations
- Co-ordination between regulators
 - The Forum
 - MSCA reporting
 - Joint enforcement projects
 - Inspection targets and strategies
 - Penalties & prosecutions

SESSION 2 – Inspections

Inspections may be initiated for a range of reasons and understanding the reasons helps provide focus for the preparation

- Triggers for inspection
- Focus of inspections
- Regional and industrial sector variations
- Non-regulatory inspections

SESSION 3 – Key areas of interest to inspectors

Inspectors may look at any aspect of the regulation they choose but the focus is likely to be driven by company activity, its track record and aspects most likely to impact on safe chemical use.

Working in groups, attendees are invited to think about how the role of the company and its activities will drive the focus of a possible inspection, and how the company should prepare.

Drawing on our experience helping companies with actual inspections, case studies will also be presented and discussed.

SESSION 4 – Successful inspection

Good preparation is the key to a successful inspection and this starts with a commitment to compliance and an ability to demonstrate that commitment.

Attendees will gain the understanding and tools they need in order to:

- Implement a robust compliance policy
- Put together checklists to prepare for an inspection
- Gather documentation to support the inspection on the day

