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38th Meeting of Competent Authorities for REACH and CLP (CARACAL)

Open session

3 – 4 March 2021

Online

Concerns: Update on the implementation of poison centre notification (Annex VIII)

Agenda Point: Information point 6

Action Requested: Competent Authorities and observers are invited to take note of the document. Written comments should be sent by 31 March 2021 to:

GROW-CARACAL@ec.europa.eu

ENV-CARACAL@ec.europa.eu

CARACAL@echa.europa.eu

poisoncentres@echa.europa.eu

UPDATE ON THE IMPLEMENTATION OF POISON CENTRE NOTIFICATION (ANNEX VIII TO CLP)

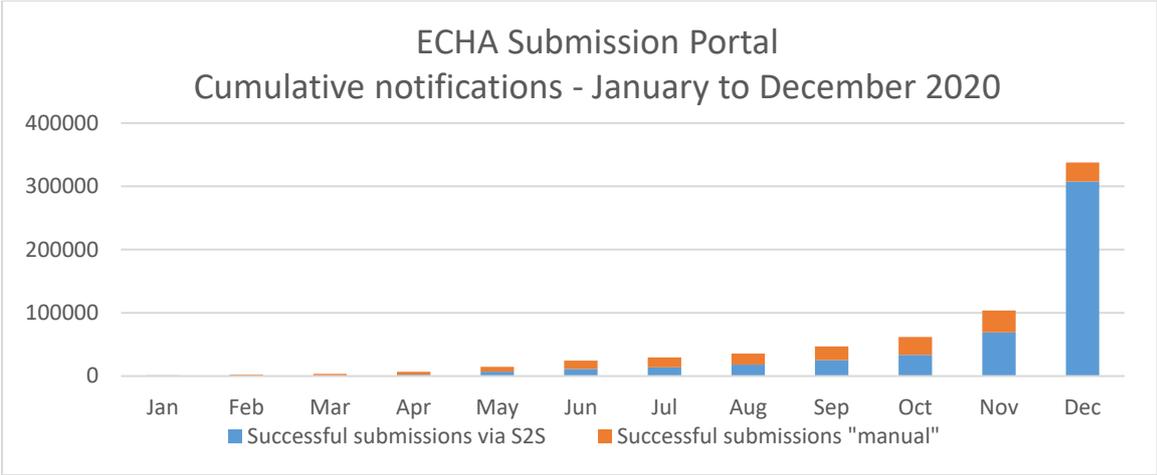
The aim of this document is to provide CARACAL with an update on the implementation of Annex VIII to CLP, particularly with the state of play after the first compliance date which took place on 1 January 2021 for mixtures intended for consumer and professional uses.

1. ECHA Submission portal

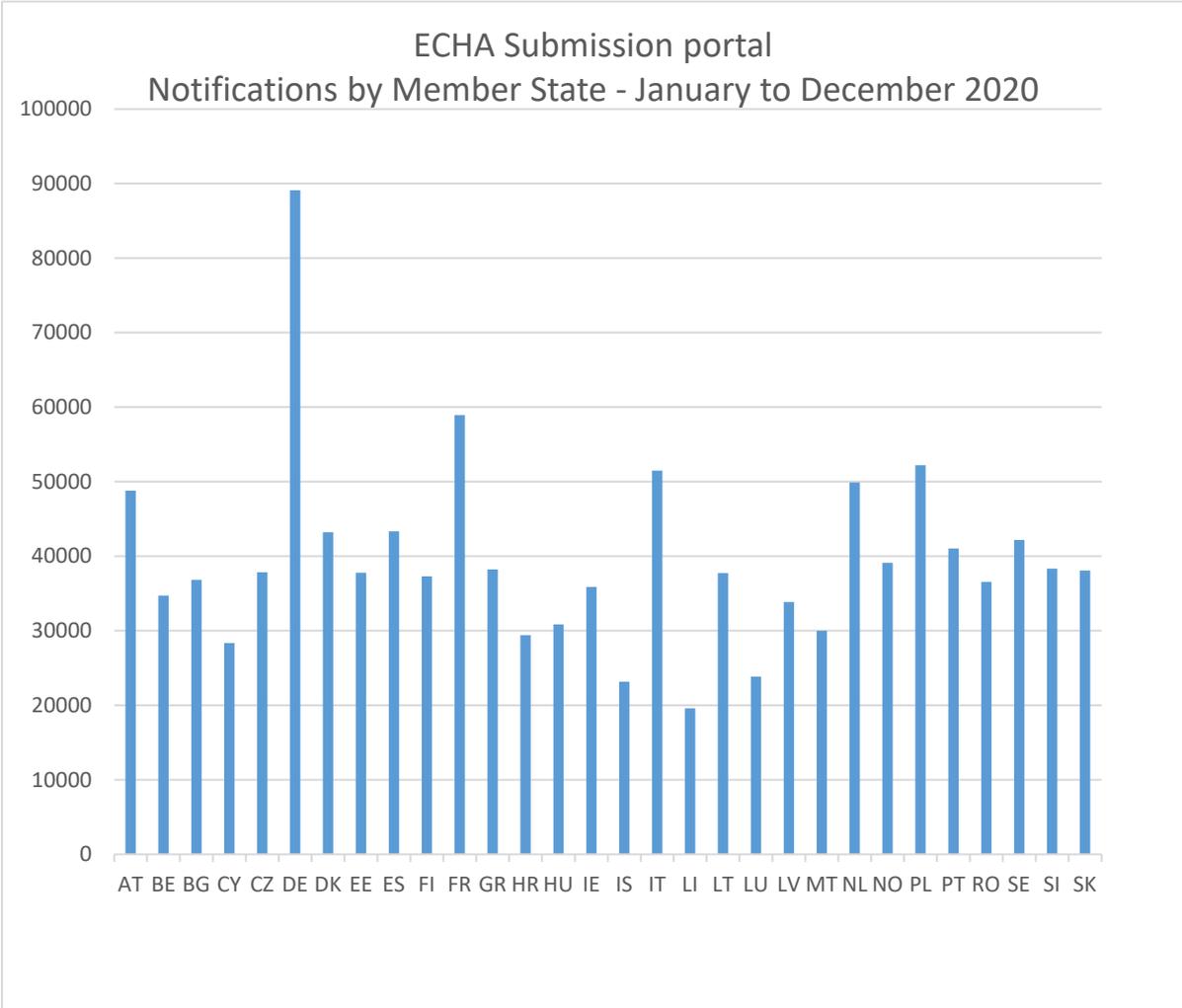
The ECHA Submission portal for poison centre notifications was successfully released in April 2019. ECHA has continued developing it since then with a number of releases. This continuous development has brought a number of improvements and, most importantly, adapted the system to the two amendments of Annex VIII which were adopted in January and in November 2020, as well as to the changes required following the UK withdrawal from the EU and the Ireland and Northern Ireland Protocol.

As already communicated in previous updates to CARACAL, ECHA will continue developing the submission portal during the first half of 2021 to include a number of features (group submission, removal of product from market, correction of mistakes). The project will switch to maintenance mode after that.

The ECHA Submission portal has successfully served the first compliance date which took place on 1 January 2021. This date marked the obligation to notify mixtures intended for consumer or professional use. Industry made good use of the portal with almost 350 000 notifications submitted by 1 January 2021. The vast majority of the notifications were submitted during the last month of 2020 (see figure below). The number has been increasing after that reaching about 550 000 notifications as of 31 January. This number will gradually continue to increase as new mixtures are placed on the market and existing mixtures transition to the new harmonised system.



The notifications received through the portal have been addressed to all the Member States (see figure below). While the majority are accepting these notifications, a number of Member States are still not ready to accept them and, therefore, companies need to notify their mixtures using the national systems in place.



ECHA is actively communicating the situation of each Member State: before accessing the ECHA Submission portal, a message reminds industry users about the Member States that currently accept notifications. The information is also displayed in the following table available on ECHA's website:

https://poisoncentres.echa.europa.eu/documents/22284544/27487986/msd_en.pdf

ECHA kindly reminds the authorities of all Member States to inform about any change in the national plans and preparedness to implement Annex VIII provisions. In particular, the foreseen time for acceptance of notifications via the Submission portal and national obligations before the relevant compliance dates (please send updated information to poisoncentres@echa.europa.eu).

2. Poison Centres Notification database

ECHA released the first version of the Poison Centres Notification (PCN) database in November 2019, as originally planned. Following a consultation with appointed bodies and poison centres during 2020, ECHA released a new version of the PCN database in December 2020 with an interface tailor-made for the needs of poison centres, including enhanced search functionalities. An additional release with further improvements will be available in February 2021.

3. Service Level Agreement

As already communicated in previous CARACAL meetings, ECHA has prepared a general framework for the cooperation with the appointed bodies on the services ECHA is expected to provide them with regard to the poison centres notifications. These services include in particular the ECHA Submission portal and associated validation rules, the PCN database and the eDelivery service. This framework has been set out in a 'Service Level Agreement' (SLA) with the appointed bodies.

ECHA has communicated directly to appointed bodies, in particular reminding of the need to sign the SLA for all appointed bodies wishing to access notifications received through the ECHA Submission portal, either by using the PCN database or the eDelivery service. At the time of preparing this document, the SLA has been signed by appointed bodies from 25 countries: Austria, Belgium, Croatia, Cyprus, Estonia, Denmark, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Norway, Poland, Portugal, Slovenia, Spain and Sweden.

4. Guidance and support on the implementation of Annex VIII

The Guidance on Annex VIII to CLP required a further update (version 4.0) to implement the changes and new provisions of the 2nd amendment of Annex VIII. This update was performed together with an update of the Guidance on Labelling and Packaging, limited to the amended Article 25 provisions.

The final updated text (version 4.0) is undergoing the last steps of the procedure at the moment of preparing this document, and it will be published shortly after on the guidance web page at <https://echa.europa.eu/guidance-documents/guidance-on-clp>

Helpdesk support for industry and authorities continues and the number of replies has been steadily increasing with a peak around the first compliance date in January 2021. During the year 2020, ECHA replied to more than 2 000 questions received through the contact form, in addition to all the straightforward replies posted through the dedicated LinkedIn group. During 2021, ECHA will gradually decrease the helpdesk support, redirecting companies to the national helpdesk instead. ECHA will continue investing in training the national helpdesk services for this purpose.

ECHA continues providing regular news updates and promotional material through the website and social media channels. Additionally, ECHA has planned two specific webinars to further support companies during 2021, as well as a specific session during the next ECHA Safer Chemicals Conference.