

MS REACH Reporting Questionnaire

General Information	
Which Member State are you reporting for?	PT
What reporting period are you reporting on?	2010
Primary contact person's name.	Maria do Carmo Palma
Please provide an email address for the primary contact person.	carmo.figueira@apambiente.pt

Theme 1 - Information on the Competent Authority	
How many Competent Authorities are responsible for REACH?	There is more than one Competent Authority responsible for REACH.

More than one Competent Authority Responsible for REACH

First Competent Authority	
What is the name of the organisation where the Competent Authority is situated?	Agência Portuguesa do Ambiente (Portuguese Environment Agency)
What is the address of the organisation?	Rua da Murgueira, 9/9A - Zambujal - Ap. 7585 2611-865 Amadora Portugal
What is the email address of the organisation?	geral@apambiente.pt
What is the telephone number of the organisation?	+ 351 21 472 82 34
What is the fax number of the organisation?	+ 351 21 472 82 31
What part of REACH does this part of the Competent Authority deal with?	Evaluation Restriction CLP Risk Assessment Other (please list)
Please list the other parts of REACH that this part of the Competent Authority deals with here.	All except Helpdesk tasks.
From what part of Government does this part of the Competent Authority have authority from?	Environment
Are employees in the Competent Authority directly employed by Government (civil servants)?	Yes
What skills do staff in this part of the Competent Authority have?	Chemistry Ecotoxicity Enforcement Legal Policy CLP Other (please list)
Please list the other skills that staff in this part of the Competent Authority have.	Biology and Pharmacy.
What other chemical legislation are the staff of the REACH CA involved in?	Import/Export Other

If Other, please list the different legislation here

Directive 67/548/CEE, Seveso Directive, Regulation (EC) n.º 689/2008. There are other units responsible by other chemical legislation (Biocides, etc.).

Second Competent Authority

What is the name of the organisation where the Competent Authority is situated?	Direcção-Geral da Saúde (General Directorate of Health)
What is the address of the organisation?	Alameda D. Afonso Henriques, 45 1049-005 Lisboa Portugal
What is the email address of the organisation?	geral@dgs.pt
What is the telephone number of the organisation?	+351 21 843 05 00
What is the fax number of the organisation?	+351 21 843 07 42
What part of REACH does this part of the Competent Authority deal with?	All
From what part of Government does this part of the Competent Authority have authority from?	Health
Are employees in the Competent Authority directly employed by Government (civil servants)?	Yes
What skills do staff in this part of the Competent Authority have?	Chemistry Toxicology Legal Policy Exposure CLP
What other chemical legislation are the staff of the REACH CA involved in?	Biocides
Are there any more Competent Authorities responsible for REACH?	Yes

Third Competent Authority

What is the name of the organisation where the Competent Authority is situated?	Direcção-Geral das Actividades Económicas (General Directorate for Economic Activities)
What is the address of the organisation?	Av. Visconde de Valmor, 72 1069-041 Lisboa Portugal
What is the email address of the organisation?	dgae@dgae.min-economia.pt
What is the telephone number of the organisation?	+351 21 791 91 00
What is the fax number of the organisation?	+351 21 796 51 58
What part of REACH does this part of the Competent Authority deal with?	Restriction Helpdesk CLP
From what part of Government does this part of the Competent Authority have authority from?	Other (please list)
Please list the other parts of Government that this part of the Competent Authority has authority from.	Economy Innovation and Development
Are employees in the Competent Authority directly employed by Government (civil servants)?	Yes
What skills do staff in this part of the Competent Authority have?	Chemistry Economy Legal CLP

What other chemical legislation are the staff of the REACH CA involved in?	Other
If Other, please list the different legislation here	Detergents; Dangerous Preparations; Fertilizers; Aerosols.
Are there any more Competent Authorities responsible for REACH?	No

Theme 2 - Information on Cooperation and Communication with other Member States, the European Chemicals Agency (ECHA) and the Commission

How effective is communication between MS for REACH?	6
How could effectiveness of communication between MS be improved?	Through establishing a dedicated interest group on CIRCA to transmit each other information.
How effective is collaboration between MS for REACH?	6
How could effectiveness of collaboration between MS be improved?	The possibility of joint submission of dossiers by MS would promote the collaboration.
Are there any special projects/cooperation on chemicals that the MS participates in with other MS outside of REACH?	Yes
Please provide further information.	1- Biocides per-review programme; 2- Project Product Scheme Certification - Approval Scheme for products for use in contact with water intended for human consumption; 3- Biomonitoring POPs in breast milk.
How effective is MS communication with ECHA?	8
How could effectiveness of communication with ECHA be improved?	
How effective is MS collaboration with ECHA?	7
How could effectiveness of collaboration with ECHA be improved?	
How effective is MS communication with the Commission (specifically Article 133 Committee)?	7
How could effectiveness of communication with the Commission be improved?	The documents for the meeting should be available with a larger period of time in advance. In addition there should be always a prior commenting period, to allow MS participation in the decision making process.
How effective is MS collaboration with the Commission (specifically Article 133 Committee)?	7
How could effectiveness of collaboration with the Commission be improved?	
Has use been made of the safeguard clause of REACH (Art. 129)?	No

Theme 3 - Operation of the National Helpdesk and Provision of Communication to the Public of Information on Risks of Substances

Please provide the name of the organisation responsible for operating the National Helpdesk for REACH.	Direcção Geral das Actividades Económicas (General Directorate for Economic Activities)
What is the address of the Helpdesk?	Av. Visconde de Valmor, 72 1069-041 Lisboa Portugal

What is the web page address of the Helpdesk?	www.reachhelpdesk.pt
What is the email address of the Helpdesk?	reach@dgae.pt
What is the telephone number of the Helpdesk?	+351 21 791 91 00
What is the fax number of the Helpdesk?	+351 21 796 51 58
Are there any more organisations responsible for operating the National Helpdesk for REACH?	No

Please indicate the number of each type of staff that are involved in the Helpdesk.	
Toxicologist	
Ecotoxicologist	
Chemist	1-5
Risk Assessor	
Economist	
Social Scientist	
Exposure Assessor	
Other (please list)	
If you have specified that there are a number of other staff that are involved in the Helpdesk, please list the type of staff here.	
Is the same Helpdesk used to provide help to Industry on CLP?	Yes
Does the Helpdesk receive any non-governmental support?	No
How many enquiries does the Helpdesk receive per year?	101-1000
In what format can enquiries be received by the Helpdesk?	Email Phone Other (please list)
Please list the other format(s) of enquiries that can be received by the Helpdesk.	Via Internet, by using the Helpdesk website.
How are the majority of enquiries received?	Email
Do you provide specific advice to SME's?	No
Who are the majority of enquiries from?	No information
What type of enquiries does the Helpdesk receive?	Pre-registration SIEFs Registration REACH-IT IUCLID5 Authorisation Downstream user obligations Restriction Obligations regarding articles Safety Data Sheets Enforcement SVHC Other (please list) CLP

Please list the other types of enquiries that the Helpdesk Scope, Legal Questions. receives.

For each type of enquiry received, please provide the proportion in percentage of the total enquiries.

Pre-registration (%)	24
Registration (%)	15
Authorisation (%)	1
Restriction (%)	1
Enforcement (%)	9
CLP (%)	2
SIEFs (%)	4
REACH-IT (%)	1
IUCLID5 (%)	1
Downstream user obligations (%)	9
Obligations regarding articles (%)	6
Safety Data Sheets (%)	7
SVHC (%)	2
Other (%)	20

What proportion of enquiries received are deemed to be 1) straight forward, 2) complex, OR No information

Straight forward (%).	70
Complex (%).	30
No information (%).	0

How long, on average, does it take to respond to the following types of questions?

Straight forward questions	4 hours
Complex questions	1 week
Are any types of enquiry outsourced?	No
Does the Helpdesk seek feedback on its performance?	No
Does the Helpdesk review its performance and consider ways to improve its effectiveness?	Yes

What level of cooperation is there between Helpdesks?

What level of cooperation is there between Helpdesks under REHCORN?	4
What level of cooperation is there between Helpdesks outside REHCORN?	3
How frequently do you use RHEP?	Weekly
Has the MS carried out any specific public awareness raising activities?	Yes
What type of activities have been carried out?	Leaflets Other (please list) Speaking events

Please list the other types of activities that have been carried out. Information on the Helpdesk website.

How effective was each type of activity?

Speaking events	4
Leaflets	4
Other	4
Do you have a REACH webpage/website?	Yes
Do you have a single webpage for REACH or multiple pages?	Multiple webpages
How frequently is the REACH webpage visited (per month)?	501-5,000
Please describe the scope of the number of REACH webpage visits.	Obligations to comply with the regulation; CLP; "Does REACH apply to me?"; Information on Competent Authorities; Guidance Documents; News from ECHA.

Theme 4 - Information on the Promotion of the Development, Evaluation and Use of Alternative Test Methods

Does the MS contribute to EU and/or OECD work on the development and validation of alternative test methods by participating in relevant committees?	Yes
What has been the overall public funding on research and development of alternative testing in your MS each year?	No information

Theme 5 - Information on Participation in REACH Committees (FORUM, MS, RAC, SEAC, CARACAL, PEG, RCN, REHCORN)

On a scale of 1-10, how effective do you think the work of the Committees associated with REACH are?	7
How could the effectiveness of the Committees be improved?	The effectiveness could be improved with the possibility of handling some issues by video conference/ specific internet platforms and also by written procedure. The number of meetings should be evaluated and the agenda items adjusted in order to avoid repetitions.

Theme 6 - Information on Substance Evaluation Activities

2010 Reporting

Please name the organisations/institutions that are involved in the evaluation process.

Please indicate the number of each type of staff that are involved in substance evaluation.

Toxicologist
Ecotoxicologist

Chemist
Risk Assessor
Socio-Economic Analyst
Exposure Assessor
Other (please list)
If you have specified that there are a number of other staff that are involved in substance evaluation, please list the type of staff here.
Please list the names of the substances covered in the dossiers that the MS has commented upon.
Please list the names of the substances covered in the dossiers where a draft decision has been made.
Please list the names of the substances covered in the dossiers that the MS has rapporteured.
Please list the names of the substances covered in the dossiers that the MS has completed.
How long, on average, does evaluation of a dossier take?
How many transitional dossiers has the MS completed?
How many substances has the MS added to the Community Rolling Action Plan?
How many of ECHA's draft decisions on dossier evaluation has the MS commented on?

Theme 7 - Annex XV Dossiers

How many of each type of dossier has the MS prepared?	
CLP	0
Restriction	0
Identification of SVHC	0
Is the time spent following up your MS dossiers reasonable?	1
Space is available below to provide further comments on how reasonable the time spent following up your MS dossiers was.	Considering that the MS hasn't prepared any dossier, this answer should not be considered.

How many of each type of dossier are rapporteured?	
CLP	7-9
Restriction	0
Identification of SVHC	0
Is the time spent following up rapporteured dossiers reasonable?	5
Space is available below to provide further comments on how reasonable the time spent following up your rapporteured dossiers was.	The number of dossiers include all dossiers assigned.

How many of each type of dossier are co-rapporteured?	
CLP	4-6
Restriction	0
Identification of SVHC	0
Is the time spent following up co-rapporteured dossiers reasonable?	5
Space is available below to provide further comments on how reasonable the time spent following up your co-rapporteured dossiers was. The number of dossiers include all dossiers assigned.	

How many dossiers prepared by other MS has the MS contributed to or commented upon?	
CLP	0
Restriction	0
Identification of SVHC	4-6

How many dossiers prepared by ECHA has the MS contributed to or commented upon?	
Restriction	0
Identification of SVHC	0

What expertise is available for preparing dossiers?	
Chemist	1-3
Toxicologist	1-3
Ecotoxicologist	1-3
Economist	0
Enforcement	0
Legal	1-3
Policy	1-3
Exposure	1-3
CLP	1-3
Other (please list)	
If you have specified that there is other expertise is available for preparing CLH dossiers, please provide details here.	

Is the MS able to access external specialists?	No
Has there been any industry involvement in the preparation of MS dossiers?	No

Theme 8 - Information on Enforcement Activities

General Information

Please enter the MAIN enforcing authority for REACH within the Member State.	The 3 enforcing authorities have different types of inspections targets, according to their competences. That's why it's not possible to identify the main enforcing authority.
Is there more than one enforcing authority for REACH within the Member State?	Yes
Please provide details on the other enforcing authorities for REACH within the Member State.	The enforcing authorities for REACH in Portugal are: General Inspectorate for the Environment and Spatial Planning (IGAOT) focusing on the producers and formulators. Authority for the Economical and Feed Safety (ASAE) focusing on the distributors, wholesalers and retailers. Directorate-General for Customs and Consumer's Special taxation (DGAIEC) focusing on the importers.

Enforcement Strategy

Has an overall strategy (or strategies) been devised and implemented for the enforcement of REACH?	No
If No, are there any plans for making an enforcement strategy (or strategies)?	Yes
Comments	In 2009 IGAOT developed a communication strategy with 3 different industrial sectors which enabled us to fulfil the Table of 11 and identify their compliance behaviour towards the REACH Regulation. In 2010 IGAOT is developing a specific inspection report for the REACH inspection as well as REACH guidance for the inspectors. A project is also being developed in order to establish risk criteria to build a risk assessment for future planning of the REACH inspections. In line with the Forum REACH project for downstream users IGAOT intends to do some site visits focusing on those targets in 2010-2011.

Co-ordination, co-operation and exchange of information

<p>Please outline of the mechanisms put in place to ensure good cooperation, coordination and exchange of information on REACH enforcement between enforcing authorities and the Competent Authority.</p>	<p>IGAOT promotes the exchange of information with the other enforcing authorities and with the Competent Authority (APA, the Portuguese Environment Agency) by sending them the internal reports about our participation in the Forum REACH meetings. Under the protocol of bilateral cooperation with the Netherlands IGAOT promoted REACH training for inspectors in 2008 and 2009 and both ASAE and APA were invited. In 2008 a meeting was held with ASAE to discuss issues related with REACH enforcement.</p>
<p>Describe how these mechanisms have operated in practice during the reporting period (e.g. regular meetings, joint training, joint inspections, co-ordinated projects and so on).</p>	<p>As written above there was a joint meeting in 2008 and joint trainings in 2008 and 2009 (IGAOT and ASAE).</p>

2010 Reporting

<p>Describe the inspection and investigation strategy and methodology.</p>	
<p>Describe the level and extent of monitoring activities.</p>	<p>The level of IGAOT's monitoring activities is very low as the human resources are extremely scarce. IGAOT was given no added resources to give response to the added competence of being one of the REACH enforcing authorities.</p>
<p>Describe sanctions available to enforcing authorities.</p>	<p>The Portuguese penalty law for the Regulation (CE) n.º 1907/2006 (REACH) is the Decree-Law number 293/2009 of the 13 of October. The infringements listed in the Decree-Law number 293/2009 are classified as environmental administrative offences, according to the Portuguese Law 50/2006 of 29 August (this law was recently modified by the Law 89/2009 of the 31 of August), including the following types: light offences, serious offences and very serious offences. All the infringements listed in the Decree-Law number 293/2009 are classified as serious or very serious environmental administrative offences. The applicable fine depends on the type of offence (light, serious or very serious) and takes into account the relevance of the rules and violated interests. Where the gravity of the infringement so justifies, the competent authority, simultaneously with the fine, may decide to impose accessory penalties as are deemed appropriate in accordance with the terms of Law 50/2006 of 29 August. The competent authority may also, where necessary, order the provisional seizure of assets and documents under the terms of Article 42 of Law 50/2006 of 29 August.</p>
<p>Describe the referrals from ECHA.</p>	<p>In IGAOT several guidance documents from ECHA are used.</p>
<p>Describe the referrals from other Member States.</p>	<p>In IGAOT we used training material from the Netherlands as well as guidance documents from the Chemical Compliance Team of the UK Environmental Agency (mainly about restrictions).</p>

Describe any other measures/relevant information.

2007

Dutyholders

Provide an estimate of the total number of dutyholders who are likely to have duties imposed on them by REACH.

Provide an estimate of the above dutyholders who are likely to constitute registrants as defined by REACH.

What was the total number of inspections and investigations carried out by enforcing authorities in which REACH was discussed and/or enforced for this year? 0

State the number of manufacturer dutyholders subject to inspections and investigations. 0

Were these mainly: Not applicable

State the number of importer dutyholders subject to inspections and investigations. 0

Were these mainly: Not applicable

State the number of distributors subject to inspections and investigations. 0

Were these mainly: Not applicable

State the number of downstream users subject to inspections and investigations. 0

Were these mainly: Not applicable

Inspections

State the number of inspections that addressed registration. 0

State the number these cases which were non-compliant.

State the number of inspections that addressed information in the supply chain. 0

State the number these cases which were non-compliant.

State the number of inspections that addressed downstream use. 0

State the number these cases which were non-compliant.

State the number of inspections that addressed authorisation. 0

State the number these cases which were non-compliant.

State the number of inspections that addressed restriction. 0

State the number these cases which were non-compliant.

State the number of inspections that addressed other REACH duties.	0
State the number these cases which were non-compliant.	

Investigations	
State the number of investigations prompted by complaints and concerns raised.	0
State the number of investigations prompted by incidents or dangerous occurrences.	0
State the number of investigations prompted by monitoring.	0
State the number of investigations prompted by results of inspection/follow up activities.	0
State the number of inspections and investigations resulting in no areas of non-compliance.	0
State the number of inspections and investigations resulting in verbal or written advice.	0
State the number of inspections and investigations resulting in formal enforcement short of legal proceedings.	0
State the number of inspections and investigations resulting in initiation of legal proceedings.	0
State the number of convictions following legal proceedings.	

Enforcement	
State the number of manufacturers subject to formal enforcement.	0
Were these mainly:	Not applicable
State the number of importers subject to formal enforcement.	0
Were these mainly:	Not applicable
State the number of distributors subject to formal enforcement.	0
Were these mainly:	Not applicable
State the number of downstream users subject to formal enforcement.	0
Were these mainly:	Not applicable

2008

Dutyholders
Provide an estimate of the total number of dutyholders who are likely to have duties imposed on them by REACH.
Provide an estimate of the above dutyholders who are likely to constitute registrants as defined by REACH.

What was the total number of inspections and investigations carried out by enforcing authorities in which REACH was discussed and/or enforced for this year?	0
State the number of manufacturer dutyholders subject to inspections and investigations.	0
Were these mainly:	Not applicable
State the number of importer dutyholders subject to inspections and investigations.	0
Were these mainly:	Not applicable
State the number of distributors subject to inspections and investigations.	0
Were these mainly:	Not applicable
State the number of downstream users subject to inspections and investigations.	0
Were these mainly:	Not applicable

Inspections	
State the number of inspections that addressed registration.	0
State the number these cases which were non-compliant.	
State the number of inspections that addressed information in the supply chain.	0
State the number these cases which were non-compliant.	
State the number of inspections that addressed downstream use.	0
State the number these cases which were non-compliant.	
State the number of inspections that addressed authorisation.	0
State the number these cases which were non-compliant.	
State the number of inspections that addressed restriction.	0
State the number these cases which were non-compliant.	
State the number of inspections that addressed other REACH duties.	0
State the number these cases which were non-compliant.	

Investigations	
State the number of investigations prompted by complaints and concerns raised.	0
State the number of investigations prompted by incidents or dangerous occurrences.	0

State the number of investigations prompted by monitoring.	0
State the number of investigations prompted by results of inspection/follow up activities.	0
State the number of inspections and investigations resulting in no areas of non-compliance.	0
State the number of inspections and investigations resulting in verbal or written advice.	0
State the number of inspections and investigations resulting in formal enforcement short of legal proceedings.	0
State the number of inspections and investigations resulting in initiation of legal proceedings.	0
State the number of convictions following legal proceedings.	0

Enforcement

State the number of manufacturers subject to formal enforcement.	0
Were these mainly:	Not applicable
State the number of importers subject to formal enforcement.	0
Were these mainly:	Not applicable
State the number of distributors subject to formal enforcement.	0
Were these mainly:	Not applicable
State the number of downstream users subject to formal enforcement.	0
Were these mainly:	Not applicable

2009

Dutyholders

Provide an estimate of the total number of dutyholders who are likely to have duties imposed on them by REACH.	
Provide an estimate of the above dutyholders who are likely to constitute registrants as defined by REACH.	
What was the total number of inspections and investigations carried out by enforcing authorities in which REACH was discussed and/or enforced for this year?	2
State the number of manufacturer dutyholders subject to inspections and investigations.	1
Were these mainly:	Large
State the number of importer dutyholders subject to inspections and investigations.	2

Were these mainly:	Large
State the number of distributors subject to inspections and investigations.	0
Were these mainly:	Not applicable
State the number of downstream users subject to inspections and investigations.	2
Were these mainly:	Large

Inspections	
State the number of inspections that addressed registration.	2
State the number these cases which were non-compliant.	
State the number of inspections that addressed information in the supply chain.	2
State the number these cases which were non-compliant.	1
State the number of inspections that addressed downstream use.	2
State the number these cases which were non-compliant.	
State the number of inspections that addressed authorisation.	0
State the number these cases which were non-compliant.	
State the number of inspections that addressed restriction.	0
State the number these cases which were non-compliant.	
State the number of inspections that addressed other REACH duties.	0
State the number these cases which were non-compliant.	

Investigations	
State the number of investigations prompted by complaints and concerns raised.	0
State the number of investigations prompted by incidents or dangerous occurrences.	0
State the number of investigations prompted by monitoring.	0
State the number of investigations prompted by results of inspection/follow up activities.	0
State the number of inspections and investigations resulting in no areas of non-compliance.	0
State the number of inspections and investigations resulting in verbal or written advice.	2

State the number of inspections and investigations resulting in formal enforcement short of legal proceedings.	0
State the number of inspections and investigations resulting in initiation of legal proceedings.	0
State the number of convictions following legal proceedings.	0

Enforcement	
State the number of manufacturers subject to formal enforcement.	0
Were these mainly:	Not applicable
State the number of importers subject to formal enforcement.	0
Were these mainly:	Not applicable
State the number of distributors subject to formal enforcement.	0
Were these mainly:	Not applicable
State the number of downstream users subject to formal enforcement.	0
Were these mainly:	Not applicable

Theme 9 - Information on the Effectiveness of REACH on the Protection of Human Health and the Environment, and the Promotion of Alternative Methods, and Innovation and Competition	
Do you think that the effects of REACH would be better evaluated at a Member State (MS) or EU level?	EU
What parameters are available at MS level that could be used to assess the effectiveness of REACH in a baseline study?	We consider that some effects of REACH are better evaluated in EU level and some other at MS level. It is under evaluation a study in order to determine what parameters can be used at national level to assess the effectiveness of REACH.

Theme 10 - Other Issues/Recommendations/Ideas	
Please provide any further information on the implementation of REACH that the MS considers relevant.	
Do you wish to upload documents in support of this submission	No

Meta Informations	
Creation date	01-06-2010
Last update date	
User name	ReachPT
Case Number	356476131201915210
Invitation Ref.	
Status	N