

General Information	
Which Member State are you reporting for?	PL
What reporting period are you reporting on?	2010
Primary contact person's name:	Mr. Szymon Domagalski
Please provide an email address for the primary contact person.	szymon.domagalski@chemikalia.gov.pl; biuro@chemikalia.gov.pl (cc)

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

One Competent Authority Responsible for REACH	
What is the name of the organisation where the Competent Authority is situated?	Bureau for Chemical Substances and Preparations
What is the address of the organisation?	Dowborczykow 30/34 90-019 Lodz, Poland
What is the email address of the organisation?	biuro@chemikalia.gov.pl
What is the telephone number of the organisation?	+48 42 2538 400
What is the fax number of the organisation?	+48 42 2538 444
What part of REACH does this part of the Competent Authority deal with?	All Other (please list)
Please list the other parts of REACH that this part of the Competent Authority deals with here.	The Ministry of the Economy is the main authority responsible for fulfilling tasks stemming from art. 76 (1)(d) and articles 131-133 of REACH Regulation. MSCA (Bureau for Chemical Substances and Preparations) cooperates with the Ministry in this area.
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 Enforcement Legal Policy CLP
What other chemical legislation are the staff of the REACH CA involved in?	Import/Export Pesticides Other
If Other, please list the different legislations here	Detergents (competent authority); Good Laboratory Practice (authority); SAICM (responsible authority) and Basel Convention (cooperating authority).
Are there any other institutions that the Competent Authority works with in relation to REACH issues?	Yes
Please list the other institutions that the Competent Authority works with.	Ministry of the Economy, Ministry of the Environment, all enforcement authorities and scientific institutes competent in ecotoxicology and exposure assessment.
Does the Competent Authority outsource any of its work?	Yes
Please provide details on who the Competent Authority outsources parts of its work to.	Experts from scientific institutes competent in ecotoxicology and exposure assessment.
How adequately resourced is the Competent Authority?	7
Space is available below to provide further comments on the resourcing of the Competent Authority.	

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?	8
How could effectiveness of communication between MS be improved?	
How effective is collaboration between MS for REACH?	8
How could effectiveness of collaboration between MS be improved?	
Are there any special projects/cooperation on chemicals that the MS participates in with other MS outside of REACH?	Yes
Please provide further information.	An expert from MSCA (Bureau for Chemical Substances and Preparations) has participated in the SAICM Quick Start Programme project for Armenia in the field of chemicals, in cooperation with Swedish experts.
How effective is MS communication with ECHA?	5
How could effectiveness of communication with ECHA be improved?	Some technical difficulties still exist. For example communication could be improved within IT area, especially regarding MSCA access to REACH-IT system.
How effective is MS collaboration with ECHA?	8
How could effectiveness of collaboration with ECHA be improved?	
How effective is MS communication with the Commission (specifically Article 133 Committee)?	8
How could effectiveness of communication with the Commission be improved?	

How effective is MS collaboration with the Commission (specifically Article 133 Committee)?	8
How could effectiveness of collaboration with the Commission be improved?	
Has use been made of the safeguard clause of REACH (Art. No 129)?	

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.	Bureau for Chemical Substances and Preparations (MSCA)
What is the address of the Helpdesk?	Dowborczykow 30/34 90-019 Lodz Poland
What is the web page address of the Helpdesk?	www.reach.gov.pl
What is the email address of the Helpdesk?	reach@chemikalia.gov.pl
What is the telephone number of the Helpdesk?	+48 42 2538 424; +48 42 2538 427
What is the fax number of the Helpdesk?	+48 42 2538 444; +48 42 2538 419
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	6-10
Ecotoxicologist	0
Chemist	6-10
Risk Assessor	1-5
Economist	0
Social Scientist	0
Exposure Assessor	0
Other (please list)	1-5
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.	Legal Advisor - 1-5 Policy Advisor - 1-5 Please note that 3 persons are directly involved in day-to-day functioning of the Helpdesk, however Helpdesk is supported by the whole staff of the MSCA (Bureau for Chemical Substances and Preparations) in performing its tasks.
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 Fax Letter Other (please list)
Please list the other format(s) of enquiries that can be received by the Helpdesk.	A dedicated IT Tool is provided on the Helpdesk website for asking and answering questions. This tool also supports questions management.
How are the majority of enquiries received?	Other
Do you provide specific advice to SMEs?	Yes
Who are the majority of enquiries from?	Small-medium enterprises
What type of enquiries does the Helpdesk receive?	Pre-registration SIEFs Registration REACH-IT IUCLIDS Downstream user obligations Restriction Obligations regarding articles Safety Data Sheets SVHC Other (please list) CLP
Please list the other types of enquiries that the Helpdesk receives.	Waste, end of waste status, Recovered substances, Late pre-registration, Descriptors system, Only representative. Please note that currently questions practically does not concern the issue of pre-registration. The situation was different in 2008, when the vast majority of questions received regarded this issue.

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

Pre-registration (%)	0
Registration (%)	5
Restriction (%)	1
CLP (%)	2
SIEFs (%)	5
REACH-IT (%)	4
IUCLIDS (%)	5
Downstream user obligations (%)	12
Obligations regarding articles (%)	11

Safety Data Sheets (%)	15
SVHC (%)	5
Other (%)	35 (Waste, end of the waste status - 10%, Recovered substances - 5%; Late pre-registration - 18%, Descriptors system - 1%, Only representative - 1%)

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	1 day
Complex questions	2 weeks
Are any types of enquiry outsourced?	Yes
What types of enquiry are outsourced?	Other (please list)
Please list the other types of enquiries that are outsourced.	The questions that require, prior to providing answer, involvement of other Member States, ECHA and/or European Commission, are being outsourced.
Does the Helpdesk seek feedback on its performance?	Yes
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?	2
How frequently do you use RHEP?	Daily
Has the MS carried out any specific public awareness raising activities?	Yes
What type of activities have been carried out?	Newspaper Leaflets Other (please list) Speaking events
Please list the other types of activities that have been carried out.	1. Several raising awareness events have been performed, mainly in the format of conferences and trainings. Events have been organized by the MSCA (Bureau for Chemical Substances and Preparations) as well as other institutions, for example Ministry of the Economy, in cooperation with MSCA. Some events have been addressed solely to SMEs. 2. An e-mail information campaign regarding participation in SIEFs have been performed. 3. A stakeholder day ("Drzwi Otwarte") for SMEs has been organized in the MSCA (Bureau for Chemical Substances and Preparations) premises. 4. MSCA (Bureau for Chemical Substances and Preparations) supported and promoted the initiation of post graduate studies on REACH in Poland.

How effective was each type of activity?

Newspaper	4
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)?	5,001+
Please describe the scope of the number of REACH webpage visits.	MSCA (Bureau for Chemical Substances and Preparations) has information on both the number of website hits and visits (prolonged stay on the website for more than 30 minutes). The number of hits and visits varies in time. The peak in the number of visits is depending on the REACH connected deadlines, for example Pre-Registration deadline in 2008 triggered enormous amount of visits.

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?	Euros 0-10,000

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 8 the Committees associated with REACH are?	
How could the effectiveness of the Committees be improved?	

Theme 6 - Information on Substance Evaluation Activities

2010 Reporting

Please name the organisations/institutions that are involved in the evaluation process.	MSCA (Bureau for Chemicals Substances and Preparation) will be involved in the evaluation process in the future.
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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?	5

Space is available below to provide further comments on how reasonable the time spent following up your MS dossiers was. Number 5 was provided in the question above solely due to the fact that providing answer is mandatory.

How many of each type of dossier are rapporteured?

CLP	0
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. Number 5 was provided in the question above solely due to the fact that providing answer is mandatory.

How many of each type of dossier are co-raporteured?

CLP	0
Restriction	0
Identification of SVHC	0
Is the time spent following up co-raporteured dossiers reasonable?	5

Space is available below to provide further comments on how reasonable the time spent following up your co-raporteured dossiers was. Number 5 was provided in the question above solely due to the fact that providing answer is mandatory.

How many dossiers prepared by other MS has the MS contributed to or commented upon?

CLP	4-6
Restriction	0
Identification of SVHC	1-3

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	7-9
Toxicologist	7-9

Ecotoxicologist	0
Economist	0
Enforcement	1-3
Legal	1-3
Policy	1-3
Exposure	0
CLP	1-3
Other (please list)	0
If you have specified that there is other expertise available for preparing CLH dossiers, please provide details here.	
Is the MS able to access external specialists?	Yes
What types of external specialists does the MS have access to?	Experts from scientific institutes competent in ecotoxicology and exposure assessment.
Is the MS satisfied with the levels of access to expertise?	4
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 State Sanitary Inspection is the leading inspection as regards the execution of the REACH Regulation provisions. The State Sanitary Inspection supervises the compliance with provisions of the REACH Regulation by manufacturers, importers, persons placing chemicals on the market and downstream users of chemical substances, preparations and articles.
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Is there more than one enforcing authority for REACH within the Member State?	Yes
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Please provide details on the other enforcing authorities for REACH within the Member State.	1) The State Sanitary Inspection of the Ministry of Interior and Administration performs an ongoing supervision on the compliance with the REACH Regulation provisions in Downstream Users subordinated to the Minister of Interior and Administration. Moreover, supervision of the compliance with REACH Regulation provisions is carried out by: 2) Inspectorate for Environmental Protection - as regards threats to the environment. 3) National Labour Inspectorate - as regards supervision and control over the compliance with REACH provisions by employers - within its competence: a) supervision of the compliance with obligations specified in Article 35 and Article 37 (5) and (6) of the Regulation EC No 1907/2006 by employers, in accordance with separate regulations concerning labour protection, b) supervision of the compliance with conditions of using substances specified by the European Chemicals Agency pursuant to Article 9 (4) of the Regulation No 1907/2006. 4) Trade Inspection - as regards the compliance with: a) obligation to conduct a required registration of a substance and obligation to deliver a required safety data sheet to a substance or preparation recipient, b) provisions referred to in Article 31 of the Act of 11 January 2001 on chemical substances and preparations (Dz. U. of 2009 No 152 Item 1222, consolidated text) or provisions referred to Article 67 of the Regulation No 1907/2006 - within its competence, c) Article 25, 26 and 28, concerning the labelling method and construction of dangerous substance and dangerous preparation's packaging for wholesale or retail trade - in regards toof wholesale and retail trade, 5) State Fire Service - as regards proper labelling of storage areas of the following substances and preparations: a) with explosive properties; b) with oxidizing properties; c) extremely flammable; d) highly flammable; e) flammable. 6) customs authorities - as regards compliance with the following regulations: a) concerning the import of a substance, preparation or article listed in Annex XVII to Regulation No 1907/2006, by informing the competent national sanitary inspector about the import of substances, preparations or articles raising doubts to the customs authority, as regards the importers' compliance with conditions specified in this Annex. b) concerning the import of a substance, preparation or article in defiance of provisions of Title VII of Regulation No 1907/2006 (in the case of the import of a substance which is listed in Annex XIV, the customs authority is obliged to verify, whether an entity willing to place the substance on the market has a licence referred to in Title VII).
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Enforcement Strategy

Has an overall strategy (or strategies) been devised and implemented for the enforcement of REACH?	Yes
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If Yes, is the strategy (or strategies) in line with the strategy devised by the Forum?	Yes
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Please outline the enforcement strategy within the Member State in a maximum of 2000 characters.	Control measures are executed by all enforcement authorities in accordance with the annually prepared plans/schemes. Detailed information can be found in section „2010 Reporting. Inspection and investigation strategy and methodology“. Each year, the members of the national Forum of Inspections select an industry for routine control, as part of the implementation of supervision of REACH Regulation provisions. For example the enforcement authorities cooperation considered ECHA's Forum "REACH-ENFORCE1" Project and coordinated Project on control of placing construction chemicals on the market. The compliance of national strategies with the strategy developed by the ECHA is ensured by the presence of the Polish representative in the ECHA's Forum in the work of Polish Forum of Inspections.
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Co-ordination, co-operation and exchange of information

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.	The achievements under the aforementioned national Forum were validated in an "Agreement on the establishment of the National Cooperation Forum by the Chief Sanitary Inspector, Chief Sanitary Inspector of the Ministry of Interior and Administration, Chief Labour Inspector, President of the Office of Competition and Consumer Protection, Chief Inspector for Environmental Protection, Head of the Polish Customs Service, Inspector for Chemical Substances and Preparations" on 23 March 2010. Mechanisms specified in the aforementioned Agreement, introduced to provide good cooperation and information exchange as regards the execution of REACH provisions, provide effective cooperation between authorities supervising REACH provisions, as well as between authorities and the MSCA for REACH in Poland - Inspector for Chemical Substances and Preparations (Bureau for Chemical Substances and Preparations). The first informal meeting to initiate cooperation between supervisory authorities took place on 11 January 2008. Moreover, agreements between particular inspectorates were signed and arrangements made in order to exchange information concerning the irregularities found as regards the compliance with REACH provisions and undertaking control measures. Furthermore, information concerning the irregularities found in manufacturers from outside Poland by members of the Forum at ECHA was exchanged.
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).	Members of the national Forum meet in order to make necessary arrangements and decisions at regular basis. Ad hoc meetings are organized when necessary. Meetings of supervisory authorities' representatives took place 3-4 times a year, starting from 2008. Previous activities within the cooperation facilitated information exchange between particular institutions obliged to implement REACH regulations. They constitute the basis for discussion as regards supervision of chemicals and they allow common coordination as part of planned controls. Information from Forum sessions at ECHA and CARACAL meetings is transferred at the aforementioned meetings. In the previous years members of the national Forum selected industries where controls were carried out by particular authorities responsible for the supervision of REACH regulations (Co-ordinated project). In 2008 these were entrepreneurs operating in the area of construction chemicals, and in 2009 entrepreneurs dealing with automotive chemistry. Due to diversification of supervisory and control competences of particular authorities, controls concerned each actor of the chemical substances, mixtures and articles supply chain. National Labour Inspectorate initiated cooperation with the British and Finnish labour inspection as part of, among others, REACH. In 2009 a study visit of Polish representatives to British HSE was organized for the sake of mutual information exchange concerning the methods of supervising the implementation of REACH regulations by entrepreneurs. Several conferences for more than 600 participants from the public administration, supervisory authorities, industry, science were organized by the MSCA (Bureau for Chemical Substances and Preparations)

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Describe the inspection and investigation strategy and methodology.	Control measures were executed by 16 Voivodeship, 318 Poviats and 10 border sanitary and epidemiological stations. The Inspection carries out the annual plan according to the Chief Sanitary Inspector's guidelines. On the basis of the aforementioned guidelines, Voivodeship and Poviats plans are created, according to which Voivodeship and Poviats sanitary and epidemiological stations perform their ongoing sanitary supervision. The annual plans may contain detailed scope of control, e.g. in 2007, as part of new REACH chemical legislation, persons dealing with supervision of chemical substances and preparations were trained. In 2008 entities were controlled in order to recognize manufacturers and importers of articles with an intended use of a chemical substance in the meaning of REACH Regulation (Article 7) and controls of placing construction chemicals on the market were conducted. In 2009 ECHA's Forum "REACH-EN-FORCE1" project was implemented. Each year an area for routine control as regards the implementation of supervision of REACH Regulation provisions is selected. Controls executed by the Trade Inspection are based upon control schemes, indicating issues the verification of which is obligatory and allowing the collection of uniform data from state-wide controls. Controls as regards subjects related to REACH Regulation, Annex XVII, in particular concerning the verification by means of laboratory tests of contents of certain chemical substances regarding which there are certain restrictions or a ban on use in articles. The following areas were principally covered by the Inspectorate for Environmental Protection in 2009: 1) establishments operating in the field of mixing two or more substances in order to produce paints and varnishes - manufacturers of preparations, 2) service establishments, which can be described as providing services as regards coating of bodywork of motor vehicles - professional users, 3) industrial users - production and service establishments, e.g.: a. producing coated vehicle body elements, b. boat building, producing boats by use of resins, paints and varnishes, c. producing furniture, the finishing of which require the use of paints and varnishes, d. sporadically, other further paint and varnish users. Each year, the members of the national Forum of Inspections select an industry for routine control, as part of the implementation of supervision of REACH Regulation provisions. Controls executed by the National Labour Inspectorate are based upon control lists, indicating issues the verification of which is obligatory and allowing the collection of uniform data from state-wide controls. If necessary, controls of subjects related to REACH Regulation are extended, upon a decision by controlling Labour Inspector, by labour safety issues, particularly labour safety and hygiene concerning chemicals. Trade Inspection, as part of supervision of REACH Regulation provisions, carries out controls of chemicals on the basis of an arranged control plan. An arranged control scope is compliant with the strategy developed by the national Forum. Controls in this scope are executed on the basis of a control plan developed by the Office of Competition and Consumer Protection. Voivodeship Inspectorates of Trade Inspection randomly select entities to be controlled. The compliance of national strategies with the strategy developed by the ECHA is ensured by the presence of the Polish representative in the ECHA's Forum in the work of Polish Forum of Inspections.
Describe the level and extent of monitoring activities.	Numerous measures resulting from market observation, reports on poisoning, accidents e.g. use of chlorine, improper labelling of chemicals in Internet trade, and toluene in glues were undertaken in the reporting period. The Trade Inspection performs supervision of meeting REACH Regulation provisions in the scope provided for by regulations. Thematic inspections concerning chemicals are implemented by 16 Voivodeship Inspectorates of Trade Inspection countrywide. The National Labour Inspection performs supervision of meeting REACH Regulation provisions in the scope provided for by regulations. Thematic inspections concerning chemicals are implemented by 16 Voivodeship Inspectorates of Labour Inspection countrywide.
Describe sanctions available to enforcing authorities.	Penalties are specified in Articles 34f - 39 of the Act of 11 January 2001 on chemical substances and preparations (Dz.U. of 2009 No 152 Item 1222, consolidated text) and Act of 14 March 1985 on The State Sanitary Inspection (Dz.U. of 2006 No 122 Item 851, consolidated text). A person, who: 1) in defiance of restrictions, bans or conditions specified in regulations issued on the basis of Article 31 (1) manufactures, places on the market or uses a dangerous substance, dangerous preparation or an article containing such a substance or preparation, 2) in defiance of provisions of Article 67 of Regulation No 1907/2006 produces, places on the market or uses a substance on its own, in a preparation or in an article, regarding which a restriction has been introduced in Annex XVII or who does it in breach of conditions specified in this Annex or regulation issued on the basis of Article 31 (2), is subject to a fine, restriction of freedom or imprisonment up to 2 years. Manufacturer, importer or downstream user, who in defiance of provisions of Article 56 (1)-(6) of the Regulation No 1907/2006 or in defiance of permission conditions places a substance on the market for use or uses substance on its own, in a preparation or in an article, mentioned in Annex XIV to this Regulation, is subject to a fine, restriction of freedom or imprisonment up to one year. A registrant who performs or commissions to perform tests on vertebrate animals, in defiance of the provision of Article 26 (3) of the Regulation No 1907/2006 is subject to a fine, restriction of freedom or imprisonment up to one year. Manufacturer, importer or producer of articles, who in defiance of provision of Article 9 (6) of the Regulation No 1907/2006 fails to comply with conditions imposed by the Agency pursuant to Article 9 (4) of this Regulation, is subject to a fine. A downstream user who in defiance of the provision of Article 37 (5) of the Regulation No 1907/2006 fails to identify, apply and, where suitable, recommend appropriate measures to adequately control risk, is subject to a fine. A person, who places a dangerous substance or a dangerous preparation on the market without the labelling required by provisions of Article 25 and 26 or with labelling that fails to meet those requirements, is subject to a fine. A person, who in defiance of provisions of Article 65 of the Regulation No 1907/2006 does not place the required authorization number on the label before placing the substance or a preparation containing the substance on the market, is subject to identical penalty. A person, who, in defiance of Article 28, fails to provide required packaging of dangerous substances or preparations, is subject to a fine. A registrant, who in defiance of Article 22 (1), (2) and (4) of the Regulation No 1907/2006 fails to fulfil the obligation to update registration with relevant new information and fails to submit it to the Agency or fails to update registration, is subject to a fine. Owner of the study, who in defiance of provisions of Article 30 (1), (3) and (4) of the Regulation No 1907/2006 refuses to provide the SIEF participant with the proof of the cost of that study or the study itself, is subject to a fine of up to 50 000 PLN. Supplier of a substance or a preparation, who in defiance of Article 31 (1) and (3)-(8) of Regulation No 1907/2006, fails to prepare or provide a relevant safety data sheet prepared in accordance with Annex II of this Regulation, is subject to a fine. The same penalty applies to an offender who in defiance of Article 31 (9) of the Regulation No 1907/2006, prepares, delivers or hands over an invalid safety data sheet. Supplier of a substance, who in defiance of Article 32 of the Regulation No 1907/2006 fails to provide relevant information, is subject to a fine. The same penalty applies to an offender who fails to update required information specified in Paragraph 1. Supplier of an article containing a substance meeting the criteria given in Article 57 and identified in accordance with Article 59 (1) of this Regulation in a concentration above 0.1 weight by weight (w/w), who in defiance of Article 33 (1) of this Regulation fails to provide relevant information to a recipient of the article, is subject to a fine. 2. The same penalty applies to an offender who in defiance of Article 33 (2) of Regulation No 1907/2006, fails to provide required information to a consumer, at his request. An actor in a supply chain of a substance or a preparation, who in defiance of Article 34 of Regulation No 1907/2006 fails to communicate required information to an actor or distributor constituting the previous actor down a supply chain, is subject to a fine. The same penalty applies to a distributor, who in defiance of Article 34 of the Regulation No 1907/2006, fails to provide information received in accordance with Paragraph 1 to a previous actor down a supply chain.

A person, who in defiance of Article 36 of the Regulation No 1907/2006 fails to assemble or make available information that is required from him under this Regulation, is subject to a fine. A downstream user: 1) who in defiance of Article 37 (4) and (7) of the Regulation No 1907/2006, fails to prepare or update a required chemical safety report within time limit specified in Article 39 (1) of this Regulation, 2) who in defiance of Article 38 of the Regulation No 1907/2006, within time limit specified in Article 39 (2) of this Regulation fails to communicate to the Agency or to update required information, is subject to a fine in an amount of no less than 2 000 PLN. The same penalty applies to a distributor, who in defiance of Article 37 (2) of the Regulation No 1907/2006 fails to pass on required information to the next actor or distributor up the supply chain. A registrant or a downstream user, who in defiance of the Agency's decision made pursuant to Article 40 (3) of the Regulation No 1907/2006, fails to communicate relevant information to the Agency within a specified time limit, is subject to a fine.

A registrant: 1) who in defiance of the Agency's decision made pursuant to Article 41 (3) of the Regulation No 1907/2006, fails to submit information needed to bring registration into compliance with provisions of this Regulation within a specified time limit, 2) who in defiance of the Agency's decision made pursuant to Article 46 (1) of the Regulation No 1907/2006 fails to produce required further information within a specified time limit, is subject to a fine. A downstream user, who in defiance of Article 66 (1) of the Regulation No 1907/2006 and within time limit specified therein, fails to notify the Agency about the use of a substance, referred to in Article 56 (2) of this Regulation, is subject to a fine.

A manufacturer, producer of articles, importer or a group of manufacturers or producers of articles or importers, who in defiance of Article 113 of the Regulation No 1907/2006 is placing substance on the market, referred to in Article 112 of this Regulation, without notifying to the Agency the required information, is subject to a fine. The same penalty applies to an offender who in defiance of Article 113 (3) of the Regulation No 1907/2006 fails to update the communicated information. A person, who in defiance of the obligation fails to provide employees and their representatives access to information in accordance with Articles 31 and 32 of the Regulation No 1907/2006 in regards to substances or preparations they use or can be exposed to in their work, is subject to a fine.

A person, who, being unauthorized, pays a reduced fee or due payment on the basis of Article 3-10 of the Regulation No 340/2008 or enjoys an exemptions from the fee obligation on the basis of Article 74 (2) of the Regulation No 1907/2006, is subject to a fine. The State Sanitary Inspection bodies are entitled to issue administrative decisions during inspections, as well as to order to suspend production or placement on the market of a substance, preparation or article, to impose payments under penalty notices. Moreover, they can issue recommendations. Sanctions also include imprisonment penalties, settled by way of criminal proceedings. Furthermore, Trade Inspection may order by way of decision an immediate removal of irregularities found in the case when, as a result of the inspection, it is found that, in defiance of a ban or a restriction specified, among others, in regulations or in provisions of Annex XVII to the Regulation No 1907/2006, certain substances, preparations or articles have been placed on the market.

Describe the referrals from ECHA.	No referrals from ECHA.
Describe the referrals from other Member States.	In 2008 the Chief Sanitary Inspectorate received a question from Germany concerning Internet trade.
Describe any other measures/relevant information.	During the inspection cycle, as part of popularizing knowledge about REACH, the Inspection for Environmental Protection disseminated a publication entitled "REACH

2007

Dutyholders

Provide an estimate of the total number of dutyholders who are likely to have duties imposed on them by REACH.	39000
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?	15654
State the number of manufacturer dutyholders subject to inspections and investigations.	297
Were these mainly:	Small-Medium
State the number of importer dutyholders subject to inspections and investigations.	53
Were these mainly:	Small
State the number of distributors subject to inspections and investigations.	3370
Were these mainly:	Small-Medium
State the number of downstream users subject to inspections and investigations.	10731
Were these mainly:	Small

Inspections

State the number of inspections that addressed registration.	0
State the number these cases which were non-compliant.	0
State the number of inspections that addressed information in the supply chain.	7176
State the number these cases which were non-compliant.	1254
State the number of inspections that addressed downstream use.	10213
State the number these cases which were non-compliant.	2251
State the number of inspections that addressed authorisation.	0
State the number these cases which were non-compliant.	0
State the number of inspections that addressed restriction.	1559
State the number these cases which were non-compliant.	86
State the number of inspections that addressed other REACH duties.	1850
State the number these cases which were non-compliant.	209

Investigations

State the number of investigations prompted by complaints and concerns raised.	1051
State the number of investigations prompted by incidents or dangerous occurrences.	12
State the number of investigations prompted by monitoring.	81
State the number of investigations prompted by results of inspection/follow up activities.	2136
State the number of inspections and investigations resulting in no areas of non-compliance.	8779
State the number of inspections and investigations resulting in verbal or written advice.	1876
State the number of inspections and investigations resulting in formal enforcement short of legal proceedings.	2146
State the number of inspections and investigations resulting in initiation of legal proceedings.	7

State the number of convictions following legal proceedings.	0
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Enforcement	
State the number of manufacturers subject to formal enforcement.	51
Were these mainly:	Small-Medium
State the number of importers subject to formal enforcement.	92
Were these mainly:	Small-Medium
State the number of distributors subject to formal enforcement.	343
Were these mainly:	Small
State the number of downstream users subject to formal enforcement.	1764
Were these mainly:	Small

2008

Dutyholders	
Provide an estimate of the total number of dutyholders who are likely to have duties imposed on them by REACH.	39000
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?	16895
State the number of manufacturer dutyholders subject to inspections and investigations.	514
Were these mainly:	Small-Medium
State the number of importer dutyholders subject to inspections and investigations.	100
Were these mainly:	Small-Medium
State the number of distributors subject to inspections and investigations.	3635
Were these mainly:	Small-Medium
State the number of downstream users subject to inspections and investigations.	11992
Were these mainly:	Small

Inspections	
State the number of inspections that addressed registration.	171
State the number these cases which were non-compliant.	0
State the number of inspections that addressed information in the supply chain.	8525
State the number these cases which were non-compliant.	1713
State the number of inspections that addressed downstream use.	11707
State the number these cases which were non-compliant.	2530
State the number of inspections that addressed authorisation.	0
State the number these cases which were non-compliant.	0
State the number of inspections that addressed restriction.	1347
State the number these cases which were non-compliant.	81
State the number of inspections that addressed other REACH duties.	1794
State the number these cases which were non-compliant.	227

Investigations	
State the number of investigations prompted by complaints and concerns raised.	782
State the number of investigations prompted by incidents or dangerous occurrences.	22
State the number of investigations prompted by monitoring.	561
State the number of investigations prompted by results of inspection/follow up activities.	2008
State the number of inspections and investigations resulting in no areas of non-compliance.	9439
State the number of inspections and investigations resulting in verbal or written advice.	1930
State the number of inspections and investigations resulting in formal enforcement short of legal proceedings.	2297
State the number of inspections and investigations resulting in initiation of legal proceedings.	3
State the number of convictions following legal proceedings.	0

Enforcement	
State the number of manufacturers subject to formal enforcement.	76

Were these mainly:	Small-Medium
State the number of Importers subject to formal enforcement.	15
Were these mainly:	Small-Medium
State the number of distributors subject to formal enforcement.	381
Were these mainly:	Small
State the number of downstream users subject to formal enforcement.	1874
Were these mainly:	Small

2009

Dutyholders

Provide an estimate of the total number of dutyholders who are likely to have duties imposed on them by REACH.	48000
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?	21502
State the number of manufacturer dutyholders subject to inspections and investigations.	527
Were these mainly:	Small-Medium
State the number of importer dutyholders subject to inspections and investigations.	126
Were these mainly:	Small-Medium
State the number of distributors subject to inspections and investigations.	3842
Were these mainly:	Small-Medium
State the number of downstream users subject to inspections and investigations.	15905
Were these mainly:	Small

Inspections

State the number of inspections that addressed registration.	443
State the number these cases which were non-compliant.	5
State the number of inspections that addressed information in the supply chain.	9356
State the number these cases which were non-compliant.	1731
State the number of inspections that addressed downstream use.	12860
State the number these cases which were non-compliant.	2596
State the number of inspections that addressed authorisation.	0
State the number these cases which were non-compliant.	0
State the number of inspections that addressed restriction.	1981
State the number these cases which were non-compliant.	81
State the number of inspections that addressed other REACH duties.	2000
State the number these cases which were non-compliant.	214

Investigations

State the number of investigations prompted by complaints and concerns raised.	981
State the number of investigations prompted by incidents or dangerous occurrences.	49
State the number of investigations prompted by monitoring.	1093
State the number of investigations prompted by results of inspection/follow up activities.	1829
State the number of inspections and investigations resulting in no areas of non-compliance.	10610
State the number of inspections and investigations resulting in verbal or written advice.	2532
State the number of inspections and investigations resulting in formal enforcement short of legal proceedings.	2256
State the number of inspections and investigations resulting in initiation of legal proceedings.	25
State the number of convictions following legal proceedings.	0

Enforcement

State the number of manufacturers subject to formal enforcement.	77
Were these mainly:	Small-Medium
State the number of Importers subject to formal enforcement.	24
Were these mainly:	Small-Medium

State the number of distributors subject to formal enforcement.	391
Were these mainly:	Small
State the number of downstream users subject to formal enforcement.	1821
Were these mainly:	Small

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?	The question is not well understandable.

Theme 10 - Other Issues/Recommendations/Ideas

Please provide any further information on the implementation of REACH that the MS considers relevant.	1. Insufficient harmonization of sanction among the Member States may be, in our opinion, the problem regarding REACH implementation in the future. 2. We believe that further work is needed on developing Annex IV, considering for example ethyl alcohol. 3. More work should be devoted to the end of waste status of substance (Art. 6 of Directive 2008/98/EC) 4. It would be beneficial to have CARACAL meeting in countries holding the rotating Presidency of the EU. 5. Performing tasks by Competent Authority is undermined if there is no full access for MSCA to REACH-IT system and therefore to updated data concerning registration and pre-registration. It would also be beneficial for implementing REACH to provide MSCAs with data concerning registration and pre-registration of substances from the whole EU.
Do you wish to upload documents in support of this submission	No

Meta Informations

Creation date	01-06-2010
Last update date	
User name	ReachPL
Case Number	898352937501615210
Invitation Ref.	
Status	N