

MS REACH Reporting Questionnaire

General Information	
Which Member State are you reporting for?	NL
What reporting period are you reporting on?	2010
Primary contact person's name.	Jan-Karel Kwisthout
Please provide an email address for the primary contact person.	Jankarel.Kwisthout@minvrom.nl

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?	Ministry of Housing, Spatial Planning and the Environment
What is the address of the organisation?	PO Box 30945 NL-2500 GX DEN HAAG The Netherlands
What is the email address of the organisation?	Jankarel.Kwisthout@minvrom.nl
What is the telephone number of the organisation?	+31 70 3394726
What is the fax number of the organisation?	+31 70 3391286
What part of REACH does this part of the Competent Authority deal with?	Evaluation Restriction Helpdesk Risk Assessment
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 Economy Enforcement Legal Policy
What other chemical legislation are the staff of the REACH CA involved in?	Import/Export

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.	RIVM, TNO as experts Ministry of Economic Affairs, Ministry of Health, Welfare and Sport, Ministry of Social Affairs and Employment, Ministry of Agriculture, Nature and Food Quality, Ministry of Transport, Public Works and Water Management as most relevant co-departments
Does the Competent Authority outsource any of its work?	Yes
Please provide details on who the Competent Authority outsources parts of its work to.	RIVM PO Box 1 NL- 3720 BA Bilthoven The Netherlands
How adequately resourced is the Competent Authority?	6
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

How effective is communication between MS for REACH?	8
How could effectiveness of communication between MS be improved?	The questionnaire is now active and can be accessed using the following link: Communication options are adequate. However, documents from the Commission often arrive late which does not facilitate interaction between MS before meetings.
How effective is collaboration between MS for REACH?	7
How could effectiveness of collaboration between MS be improved?	See previous answer.
Are there any special projects/cooperation on chemicals that the MS participates in with other MS outside of REACH?	Yes
Please provide further information.	Related issues the MSCA REACH participates in are (a.o.) Water Framework Directive, Seveso Directive, Montreal Protocol, CLP, Rotterdam Convention.
How effective is MS communication with ECHA?	9
How could effectiveness of communication with ECHA be improved?	No suggestions
How effective is MS collaboration with ECHA?	9

How could effectiveness of collaboration with ECHA be improved?	No suggestions
How effective is MS communication with the Commission (specifically Article 133 Committee)?	7
How could effectiveness of communication with the Commission be improved?	Timely sending of documents would help effectiveness. Improved planning of meetings would allow the CA to better prepare for meetings. (More) informal meetings/workshops could also prove to be effective.
How effective is MS collaboration with the Commission (specifically Article 133 Committee)?	8
How could effectiveness of collaboration with the Commission be improved?	With the given constraints (see above), collaboration is effective.
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

Please provide the name of the organisation responsible for operating the National Helpdesk for REACH.	Ministry of Housing, Spatial Planning and the Environment, delegated to a governmental Agency (RIVM=additional organisation 1) and a second governmental Agency (AgentschapNL=additional organisation 2) as subcontractor. Contactperson: René Korenromp
What is the address of the Helpdesk?	n.a.
What is the web page address of the Helpdesk?	www.reach-helpdesk.nl
What is the email address of the Helpdesk?	Questions may be asked through a webform: http://www.senternovem.nl/reach/helpdesk/reachhelpdesk.asp .
What is the telephone number of the Helpdesk?	+31 88 602 5905 (closed for a pilot period from 1-4-2010/1-7-2010)
What is the fax number of the Helpdesk?	n.a.
Are there any more organisations responsible for operating the National Helpdesk for REACH?	Yes

Additional Organisation 1

Please provide the name of the organisation responsible for operating the National Helpdesk for REACH.	National Institute for Public Health and the Environment (RIVM), PO Box 1, 3720 BA Bilthoven, The Netherlands, contact: Margaret Wouters
What is the address of the Helpdesk?	see above
What is the web page address of the Helpdesk?	see above
What is the email address of the Helpdesk?	see above

What is the telephone number of the Helpdesk?	see above
What is the fax number of the Helpdesk?	n.a.
Are there any more organisations responsible for operating the National Helpdesk for REACH?	Yes

Additional Organisation 2	
Please provide the name of the organisation responsible for operating the National Helpdesk for REACH.	AgentschapNL, Postbus 93144, 2509 AC, Den Haag, The Netherlands, contact: Annet Sluer
What is the address of the Helpdesk?	see above
What is the web page address of the Helpdesk?	see above
What is the email address of the Helpdesk?	see above
What is the telephone number of the Helpdesk?	see above
What is the fax number of the Helpdesk?	n.a.
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	1-5
Economist	
Social Scientist	
Exposure Assessor	
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.	The Helpdesk has two levels of staff: the first contact is through a generalist (environment) or with a background as chemist or risk assessor. All answers are checked by a second team with basically all indicated expertises available. However, the NL Helpdesk does not answer in detail questions related to company specific technical issues ("consultancy"), which means that in-depth knowledge would not necessarily be needed. Difficult questions/interpretations are double checked with the CA.
Is the same Helpdesk used to provide help to Industry on CLP?	No
Does the Helpdesk receive any non-governmental support?	No

How many enquiries does the Helpdesk receive per year?	>1000
In what format can enquiries be received by the Helpdesk?	Email Phone
How are the majority of enquiries received?	Email
Do you provide specific advice to SME's?	No
Who are the majority of enquiries from?	Large enterprises
What type of enquiries does the Helpdesk receive?	Pre-registration SIEFs Registration REACH-IT Evaluation IUCLID5 Authorisation Downstream user obligations Restriction Obligations regarding articles Testing Safety Data Sheets Enforcement SVHC CSR preparation Other (please list)
Please list the other types of enquiries that the Helpdesk receives.	Polymer/monomer Import OR

For each type of enquiry received, please provide the proportion in percentage of the total	
Pre-registration (%)	7
Registration (%)	18
Evaluation (%)	1
Authorisation (%)	1
Restriction (%)	1
Testing (%)	1
Enforcement (%)	4
CSR preparation (%)	1
SIEFs (%)	6
REACH-IT (%)	1
IUCLID5 (%)	1
Downstream user obligations (%)	1

Obligations regarding articles (%)	14
Safety Data Sheets (%)	7
SVHC (%)	1
Other (%)	35

What proportion of enquiries received are deemed to be 1) straight forward, 2) complex,	
Straight forward (%)	40
Complex (%)	60
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 day
Are any types of enquiry outsourced?	No
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?	1
What level of cooperation is there between Helpdesks outside REHCORN?	2
How frequently do you use RHEP?	Monthly
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.	Newsletter, newsflashes, articles in magazines of the Chambers of Commerce, articles in branch specific publications (through the branches). A study was carried out to monitor the effectiveness.

How effective was each type of activity?	
Speaking events	5

Leaflets	5
Other	5
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.	No information available

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 100,001-1,000,000

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 the Committees associated with REACH are?	6
--	---

How could the effectiveness of the Committees be improved?

Most of the Committee meetings are well organised, others are less organised. For those which are well organised, the agenda and documents are distributed before the meetings and procedural issues are carefully considered. Therefore it can be concluded that in these cases it is ensured that there is a sufficient system and a harmonised approach. In other cases, meetings were poorly organised, documents were distributed too late, and agenda management was poor. We would like to suggest that particularly the organisation of the CARACAL and Helpnet Steering Group meetings will be improved. Although we observe that most Member States are represented in all Committees and that most members of the Committees are doing a lot of work and attend most meetings, we are concerned about the active participation of all members during the meeting. In most meetings only a limited number of members is actively participating in the discussions, during most meetings and in the (written) commenting rounds. Several possible explanations could explain a less active participation of some members such as: less familiarity with REACH or the specific subject of the Committees, language barriers, high workload, too little support from the MS CA, etc. Ways should be sought to engage all participants in the discussions and the work to be carried out, and particularly increased transparency and timely distribution of documents could be of assistance to accomplish this. Experience shows that smaller or informal meetings, e.g. break-out groups in workshops, stimulate all participants to contribute to the discussions. The workload for the committees, e.g. MSC, will soon become substantial. Close cooperation between ECHA and MS is needed to keep the committees fully functional. Also, improved communication between the MSCA's and the corresponding MSC members is needed to improve the efficiency of processing of draft evaluation decisions by ECHA.

2010 Reporting

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

- Bureau REACH (RIVM), Bilthoven, The Netherlands
- National Institute for Public Health and the Environment (RIVM), Bilthoven, The Netherlands, subcontractors
- Ministries of VROM, VWS, SZW.

Please note that since the process of dossier evaluation has only just started and substance evaluation has not yet been started most of the questions below can at this stage not be answered satisfactorily or are not applicable. This included information on the staffing regarding evaluation activities. This information will be provided in later reporting.

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.

Not yet applicable, see above

Please list the names of the substances covered in the dossiers that the MS has commented upon.

Not yet applicable, see above

Please list the names of the substances covered in the dossiers where a draft decision has been made.

Not yet applicable, see above

Please list the names of the substances covered in the dossiers that the MS has rapporteured.

Not yet applicable, see above

Please list the names of the substances covered in the dossiers that the MS has completed.

Not yet applicable, see above

How long, on average, does evaluation of a dossier take?

No information

How many transitional dossiers has the MS completed?

4-6

How many substances has the MS added to the Community Rolling Action Plan?

0

How many of ECHA's draft decisions on dossier evaluation has the MS commented on?

4-6

Theme 7 - Annex XV Dossiers

How many of each type of dossier has the MS prepared?

CLP	7-9
Restriction	0
Identification of SVHC	1-3
Is the time spent following up your MS dossiers reasonable?	7
Space is available below to provide further comments on how reasonable the time spent following up your MS dossiers was.	Most of the time is spent on preparing the risk management options (RMO) document, strategic discussions and cooperation (e.g. the 'Annex I project') and preparation of the actual Annex XV document.

How many of each type of dossier are rapporteured?

CLP	1-3
Restriction	0
Identification of SVHC	7-9
Is the time spent following up rapporteured dossiers reasonable?	7
Space is available below to provide further comments on how reasonable the time spent following up your rapporteured dossiers was.	

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

CLP	0
Restriction	0
Identification of SVHC	0
Is the time spent following up co-rapporteured dossiers reasonable?	6
Space is available below to provide further comments on how reasonable the time spent following up your co-rapporteured dossiers was.	n.a.

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

CLP	>9
Restriction	1-3
Identification of SVHC	>9

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

Restriction	0
Identification of SVHC	1-3

What expertise is available for preparing dossiers?

Chemist	1-3
Toxicologist	>9
Ecotoxicologist	>9
Economist	0
Enforcement	4-6
Legal	1-3
Policy	4-6
Exposure	>9
CLP	7-9

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? Yes

What types of external specialists does the MS have access to?	Occupational exposure and toxicological issues related to occupational settings. Health hazards due to physico-chemical properties of substances.
Is the MS satisfied with the levels of access to expertise?	3
Has there been any industry involvement in the preparation of MS dossiers?	Yes
How much involvement has industry had?	3

Theme 8 - Information on Enforcement Activities

General Information	
Please enter the MAIN enforcing authority for REACH within the Member State.	Inspectorate for Housing, Spatial Planning and the Environment (VROM-Inspectorate, VI)
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.	Labor-Inspectorate (AI) Food and Consumer Product Safety Authority (VWA) There is also cooperation with the Customs and with the State Supervision of Mines (SSM)

Enforcement Strategy	
Has an overall strategy (or strategies) been devised and implemented for the enforcement of REACH?	Yes
If Yes, is the strategy (or strategies) in line with the strategy devised by the Forum?	Yes

Please outline the enforcement strategy within the Member State in a maximum of 2000 characters.

The Enforcement Strategy is based on a risk analysis and prioritisation. The impact and probability of non-compliance with the regulations have been prioritised. The target groups identified as priorities were then selected. An enforcement strategy using a mix of instruments was finally developed on the basis of this. Strategy The enforcement strategy consists of a mix of general interventions that apply to all target groups and interventions geared towards the specific features of the target groups based on a staged assessment and T11 pointers. In broad terms this strategy consists of the following elements: - analysis of the target group - informative communication to the sector and the companies in it - announcement and implementation of actions - (positive) communication of results, emphasising the level playing field - using supply chain information for subsequent actions. There is also a mix of enforcement tools to be used, ranging from information and compliance assistance to enforcement and sanctions. Enforcement will focus on the supply chain where possible. Three elements played a key role in determining the activities and the sequence in which they are to be tackled: • the year in which the various REACH articles enter into force; • the priority these articles have been given; • the scope to gather information on unknown or non-organised businesses earlier or later in the supply chain in specific target groups (supply chain tactics).

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.

An organisation as in the figure below is set up to carry out enforcement of REACH (Control Point for REACH Enforcement Alliance, abbreviated RHR), in accordance with the starting points mentioned above. In the development of this organisation attention will be paid to the following points:

- The adequacy and clarity of supervision.
- The mutual coordination among the enforcement agencies involved.
- The reining in of enforcement costs.
- The prevention of divergent interpretations of REACH by the various supervisory bodies.
- The coordination in Forum (part of the European Agency for chemical substances) of agreements between member states on the way in which enforcement and penalties for violation of REACH are given form and content.
- The possibilities for simplifying the supervision of compliance with REACH.

These points of attention were listed by the Dutch House of Representatives in the discussion of the implementing act REACH 30600 on 8 February 2007. In the figure the following abbreviations are used: VWA: Food and Consumer Product Safety Authority AI : Labor Inspectorate VI: VROM Inspectorate REACH Enforcement Steering Group (StHR) The decision making on implementing REACH enforcement will take place within this steering group periodically. The Enforcement steering group consists of representatives from AI, VWA and VI who are either management level or have an adequate mandate. SHR will be staffed by the three inspection services. The actual implementation of enforcement takes place by the existing inspection services in accordance with the agreements made within the StHR. In the long term the aim is to combine enforcement for both REACH and GHS and use the SHR for both topics.

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).

From the end of 2007 in the reporting period regular meetings of the REACH Enforcement Steering Group and the Partnership for REACH Enforcement Alliance were executed. In late 2007 and early 2008, all the enforcers of the three involved inspection services followed a course on REACH enforcement. In 2009 and 2010 this course was repeated for new inspectors in this working field. Joint preparation, co-ordination inspections and projects: The following supporting activities have been implemented for the implementation of REACH enforcement:

- Enforcement programme details.
- Drafting of a joint sanctions strategy.
- Amendment of the Decree on the supervisory powers for Regulations of the Ministry of Housing, Spatial Planning and the Environment, which governs the supervisory powers of the three inspection services.
- Drafting of inspection method and checklist for inspectors.
- Setting up basic business database and making business selections.
- Drafting work procedures for questions and information from the European Chemicals Agency (ECHA).

Periodic consultations on developments in the enforcement of REACH have been held with the policy directorates for risk policy of the Ministry of Housing, Spatial Planning and the Environment and Bureau REACH (RIVM). The selection of businesses has been coordinated with the activities in the Chemicals domain of the government and with the biocides project of the joint inspectorates. The REACH Enforcement Partnership also consulted periodically the coordinating Chemical Industry organisation VNO-NCW and other relevant industry organisations. An e-mail mailbox has been developed and made available for questions about enforcement through the inspection services. A communication plan was drafted for REACH enforcement information and was implemented in cooperation with the communication staff of the three inspectorates.

<p>Describe the inspection and investigation strategy and methodology.</p>	<p>Based on the proposed priorities the implementation of the Enforcement Strategy was in 2008-2009: primarily targeted at the</p> <ul style="list-style-type: none"> • Provision of the correct information in the supply chain for substances, preparations and articles; • Registration of substances and substances that are not pre-registered on time (1 December 2008) • Restrictive measures and authorisation for registered substances only. The target groups being investigated for compliance of the prioritised behaviour patterns resulting from the REACH regulations are: • Importers (substances, preparations and articles) • Manufacturers (basic substances) • Manufacturers (preparations and articles) • Distributors (substances, preparations and articles) • Professional users <p>Basic approach Broadly speaking, the following steps were set for each target group:</p> <ul style="list-style-type: none"> • Analysis • Informative communication to the sector and the companies in it • Implementing actions • Communicating results • Using supply chain information for subsequent actions <p>Programme Four elements were key to establishing the activities and the sequence in which they are tackled:</p> <ul style="list-style-type: none"> • The year in which the various REACH articles enter into force; • The priority these articles have been given; • The scope for gathering information on unknown or non-organised businesses earlier or later in the supply chain in specific target groups (supply chain tactics). • Monitoring compliance (to be able to update the strategy and execute the right control/make the right choices).
<p>Describe the level and extent of monitoring activities.</p>	<p>In 2008 and 2009 a part of the inspections (done by the Labor Inspectorate) were executed as monitoring activities (see inspections 2008 and 2009)</p>
<p>Describe sanctions available to enforcing authorities.</p>	<p>See the separate document Penalization REACH (http://www.senternovem.nl/reach/english/index.asp)</p>
<p>Describe the referrals from ECHA.</p>	<p>None</p>

Describe the referrals from other Member States.

In 2010 there have been a few contacts with enforcement authorities of other MS. These communications regarded exchange of information on pre-registrations, registrations, OR status of specific companies and REACH compliance of safety datasheet information.

Describe any other measures/relevant information.

No additional 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? 14

State the number of manufacturer dutyholders subject to inspections and investigations. 00

Were these mainly: No information

State the number of importer dutyholders subject to inspections and investigations. 00

Were these mainly: No information

State the number of distributors subject to inspections and investigations. 00

Were these mainly: No information

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. 0

State the number of inspections that addressed information in the supply chain.	14
State the number these cases which were non-compliant.	8
State the number of inspections that addressed downstream use.	0
State the number these cases which were non-compliant.	0
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.	0
State the number these cases which were non-compliant.	0
State the number of inspections that addressed other REACH duties.	0
State the number these cases which were non-compliant.	0

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.	6
State the number of inspections and investigations resulting in verbal or written advice.	6
State the number of inspections and investigations resulting in formal enforcement short of legal proceedings.	2
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.	00
Were these mainly:	Not applicable
State the number of importers subject to formal enforcement.	00
Were these mainly:	Not applicable
State the number of distributors subject to formal enforcement.	00
Were these mainly:	Not applicable
State the number of downstream users subject to formal enforcement.	00
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.	00
Provide an estimate of the above dutyholders who are likely to constitute registrants as defined by REACH.	1500
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?	141
State the number of manufacturer dutyholders subject to inspections and investigations.	00
Were these mainly:	No information
State the number of importer dutyholders subject to inspections and investigations.	00
Were these mainly:	No information
State the number of distributors subject to inspections and investigations.	00
Were these mainly:	No information
State the number of downstream users subject to inspections and investigations.	00

Were these mainly: No information

Inspections	
State the number of inspections that addressed registration.	141
State the number these cases which were non-compliant.	0
State the number of inspections that addressed information in the supply chain.	141
State the number these cases which were non-compliant.	39
State the number of inspections that addressed downstream use.	141
State the number these cases which were non-compliant.	0
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.	0
State the number these cases which were non-compliant.	0
State the number of inspections that addressed other REACH duties.	0
State the number these cases which were non-compliant.	0

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.	2269
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.	2371
State the number of inspections and investigations resulting in verbal or written advice.	20

State the number of inspections and investigations resulting in formal enforcement short of legal proceedings.	18
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.	00
Were these mainly:	No information
State the number of importers subject to formal enforcement.	00
Were these mainly:	No information
State the number of distributors subject to formal enforcement.	00
Were these mainly:	No information
State the number of downstream users subject to formal enforcement.	00
Were these mainly:	No information

2009

Dutyholders

Provide an estimate of the total number of dutyholders who are likely to have duties imposed on them by REACH.	00
Provide an estimate of the above dutyholders who are likely to constitute registrants as defined by REACH.	00
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?	153
State the number of manufacturer dutyholders subject to inspections and investigations.	00
Were these mainly:	No information
State the number of importer dutyholders subject to inspections and investigations.	00

Were these mainly:	No information
State the number of distributors subject to inspections and investigations.	00
Were these mainly:	No information
State the number of downstream users subject to inspections and investigations.	00
Were these mainly:	No information

Inspections	
State the number of inspections that addressed registration.	153
State the number these cases which were non-compliant.	2
State the number of inspections that addressed information in the supply chain.	153
State the number these cases which were non-compliant.	55
State the number of inspections that addressed downstream use.	153
State the number these cases which were non-compliant.	0
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.	116
State the number these cases which were non-compliant.	43
State the number of inspections that addressed other REACH duties.	0
State the number these cases which were non-compliant.	0

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.	2215

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.	169
State the number of inspections and investigations resulting in verbal or written advice.	45
State the number of inspections and investigations resulting in formal enforcement short of legal proceedings.	49
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.	00
Were these mainly:	No information
State the number of importers subject to formal enforcement.	00
Were these mainly:	No information
State the number of distributors subject to formal enforcement.	00
Were these mainly:	No information
State the number of downstream users subject to formal enforcement.	00
Were these mainly:	No information

Theme 9 - Information on the Effectiveness of REACH on the Protection of Human Health	
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?

Parameters in general. Depending on the role of a company, REACH means a different impact and different obligations. During the NL awareness campaign, an increase in knowledge could be observed. However, as could be expected, especially DU companies had a relatively low knowledge of their obligations. Since the awareness campaign has stopped, DU companies should receive their information through B2B channels. The proposed parameter provides information on how effective the information is passed on through the supply chain: Parameter 1. The REACH Regulation and its objectives are known by companies (producers, importers, distributors, downstream users) Parameters on effects to ensure high level of protection of human health and the environment Qualitative information The assumption is that companies choose chemicals based on information on price, technical specs, HSE aspects, etc. With REACH in place, HSE data will improve/increase and so will be the information provided to companies (awareness). This information will be part of the decision making process whether to use a certain substance or choose an alternative. Proposed parameters: Parameter 2. Awareness on the use of (dangerous) substances in companies. Parameter 3. Substitution of substances of very high concern from the market since the start of REACH, which can have two reasons: commercial or environmental and human health related Quantitative information The figures that can be provided via these parameters will show the effects of increased knowledge on the Health and Safety aspects

of substances. On the one hand reflected in the number of accidents and on the other hand reflected in the number of additional precautionary measures.

Parameter 4. Data National Poisoning Information Centres

Parameter 5. Number of occupation exposure limit values by companies for workers

Parameters on effects of promotion of alternative testing methods for assessment of hazards of substances

Indicators that ECHA could provide

Parameter 6. The number/percentage of dossiers in total contain alternative testing

Parameter 7. The number/percentage of dossiers failed for compliance because of poor argumentation for alternative testing

Parameter 8. The number/percentage of test proposals were not granted because of argumentation for alternative testing

Parameters on the free circulation of substances on the internal market while enhancing competitiveness and innovation

The overall assessment was that REACH would enhance competitiveness and innovation. One of the results would be that a number of phase-in substances will not be registered in favour of new substances (cf the BCG matrix: cash cows could become dogs and question marks could become stars)

Parameter 9. Indicator for innovation activities: number of non-phase in substances of Dutch companies (in 2007, 2008, ...) compared to number of new substances in (2005, 2006) and/or PPORD applications.

Parameter 10. Indicator for innovation and economic activities: policy information on innovation of companies, policy on the economic performances of chemical companies (internal market) and on the experience of administrative burdens.

Theme 10 - Other Issues/Recommendations/Ideas

Please provide any further information on the implementation of REACH that the MS considers relevant.

1) We are concerned that the frequency of placing substances from the candidate list to the authorisation list (currently only once each 2 years) is too low for speeding up safe use of SVHC substances during the coming 10 years and does not gain public confidence in REACH. 2) We are pleased with the initiatives of the Forum to perform concerted enforcement projects, but we would like to see more emphasis on harmonisation in monitoring and enforcement actions 3) For a successful application of REACH to nano-materials further consideration is needed in order to find out whether the general provisions regarding registration will cover the nano-materials within a reasonable time frame. Directly related to this issue we would like to draw the attention again to the importance of solving the current discussions on the identity issue of nano-materials. 4) The European Commission could further improve the collaboration and decision-making process between Member States by creating more opportunities to meet/consult each other, allowing participants sufficient time for studying the meeting documents and for internal consultation before meetings, and improving the meeting management. 5) Based on our experience in enforcement of Article 8 (OR), we suggest that guidance should be developed on practical conditions regarding legal entities (the procedure to control, change or wipe out companies, claimed to be legal entities for the role of only representatives). 6) The Commission is requested to further improve or develop interfaces between REACH and other regulations dealing with chemicals such as ROHS, waste, surface water, occupational protection, etc., to avoid overlap and contradictions. As the current discussions on the waste guidance and specifically the ROHS regulation show, taking pro-actively the possibilities of REACH restrictions or authorisations in the deliberations on ROHS, could improve the proposals for a directive already in an early stage of the negotiations.

Do you wish to upload documents in support of this submission	Yes
---	-----

Please provide a brief description of the documents that you are uploading. Note: You may upload more than one document.	Further information regarding Theme 8.
--	--

Meta Informations	
-------------------	--

Creation date	31-05-2010
---------------	------------

Last update date	
------------------	--

User name	ReachNL
-----------	---------

Case Number	172310830011415110
-------------	--------------------

Invitation Ref.	
-----------------	--

Status	N
--------	---