

Impact of PACT

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1. INTRODUCTION - 1

In the context of the SVHC roadmap development :

- **Industry requested**
 - ⇒ To get an early warning while a substance is targeted.
 - ⇒ And to be involved in RMOA development
- **Authorities answered => early communication via the PACT**

“The Public Activities Coordination Tool (PACT) lists the substances for which

- *a risk management option analysis (RMOA) or*
- *an informal hazard assessment for PBT/vPvB (persistent, bioaccumulative and toxic/ very persistent and very bioaccumulative) properties or endocrine disruptor properties*
- *is either under development or has been completed since the implementation of the SVHC Roadmap commenced in February 2013.”*



1. INTRODUCTION - 2

• Timeline

- September 2014 – Release of the first version of PACT (screening – RMOA)
- April 2015 – Release of the second version of PACT (hazard assessment)
- June 2015 - Many updates occurred and will occur every month.
- Currently PACT = 288 substances.

• Preliminary outcome



Early warning welcomed by industry

- for company to provide further information
- for association to prepare public consultation input



Misunderstanding – misuse by “non REACH expert”



Additional workload not always easy to manage

=> Which impact has this new list (and other existing lists) on companies ???



2. Issues faced by companies - 1

COMMUNICATION & MANAGEMENT

1 - COMMUNICATION

- *Perception*



Company – even if unofficial list, taken seriously by company



DU/Customer – negative perception per se while checking any kind of lists available => **start to panic**

- *Language* => not all familiar with REACH vocabulary and meaning

- *Understanding* => *Why listed? Possible consequences? Next steps?*



Company – request explanation :

Internal (business unit) AND external (customers)



DU/Customer – raise a lot of concerns/questions to be answered.

Clarifying upstream intentions.

Blacklisting effect expected due to misunderstanding



2. Issues faced by companies - 2

COMMUNICATION & MANAGEMENT

1 - COMMUNICATION

- Perception
- Language
- Understanding => Why listed?

PACT

- *Not well perceived by customers*
 - *List provides an early awareness about Authorities interest.*
 - *To check whether additional information is required*
 - ⇒ *To get a better understanding on the substance*
 - ⇒ *To define which specific Risk Management Route would be relevant.*
 - ⇒ **At this point of time, the dossier has not yet been fully assessed !**



2. Issues faced by companies - 3

COMMUNICATION & MANAGEMENT

2 - MANAGEMENT

- *Type of workload – unofficial vs official list = additional workload*
 - **UNOFFICIAL** list such as PACT => requiring to assess every time impact on company portfolio to be able:
 - To inform company business unit (can be quite complex)
 - To answer customer questions
 - To demonstrate that lack of information doesn't mean systematically poor quality of registration dossier. Issues may be technically/ scientifically more complex .
 - **OFFICIAL** list such as Candidate List, AXIV, AXVII, Registry of intent, CoRAP, etc...
 - => requiring legal compliance, advocacy activities, stakeholder consultation



2. Issues faced by companies - 4

COMMUNICATION & WORKLOAD

2 - MANAGEMENT

- *Allocation of enough Resources – to monitor, answer and act!*



Company

=> Communication campaign preparation/implementation



Authority

=> Time allocated to answer each individual request

=> # companies/time asking for more details.

- *Action needed*
 - **Monitoring**
 - **Increase clarity**
 - **Communication campaign**
 - **Gather information for further input**



3. Action – MONITORING listed substances

- vs PORTFOLIO of the company

- **Permanence needed** => time/resource consuming => increase workload
- **Identify Follow up actions :**
 - Obligations (legal requirement)
 - Company internal staff information (business unit)
 - Company customers information (considering customer concerns)

- vs DIFFERENT DOWNSTREAM USER GROUPS and members of the association

- **Need to list substances** of interest for each group => monitoring & action
- **Identify to which sector** the substance of interest has been listed.
- **Organise internal communication** => to identify the way forward.
- **Collect information** => for potential input to further public consultation
 - *on uses, concentration in products, type of exposure, cases of injuries, training scheme, statistics, etc...*
- **Summarize and get agreement before potential submission.**



3. Action – COMMUNICATION

COMMUNICATION CAMPAIGN for company

- Prepared very early => time/resource consuming => increase workload
- Challenge to be ready on time
- Launched right after the substance is listed on the PACT list.
- Meaning preparing communication material (substance, concerns, meaning to be listed on PACT list, consequences, next steps foreseen, etc..).

INCREASE CLARITY ON THE WEBSITE for authority

- Increase transparency, provide understandable, complete information *on the webpage hosting the list of substances.*
 - Aim of the list, status of the substance => what is expected?
 - Consequences to be listed => direct / indirect actions
 - Next steps
- Place of this list within the whole REACH process.
- MSCA Contact details available to ensure providing answers to customers



4. Observation

ALL about clear communication – organisation – manageable actions

COMMUNICATION

- Increasing demand of information linked to the increasing activities from Member States/ECHA/COM.
- More and more substances of importance for instance for DU sectors are targeted.

=> REACH is only starting to affect the market.

MANAGEMENT

- Difficulty to manage proliferation of lists on ECHA website.
- Each update of the list requiring every time an impact assessment.
- Predictability of the workload directly linked to the frequency of the update.
- Management of priorities, resources and timing allocated to provide relevant input to authorities and to customers remain **challenging**.



5. Recommendations

How to tackle list of chemicals publicly available?

COMMUNICATE !!!!

1. Compare the list to your portfolio => **monitor**
2. Check whether the list is legally binding yes or no => Take actions accordingly
3. Establish asap a **good collaboration** with MSCA responsible for your substance and with your customers, suppliers.
4. Within the supply chain
 1. Prepare your **communication campaign** => takes time!
 1. To be ready for your supply chain
 2. To be ready to exchange information with authorities
 3. **Increase transparency**
 4. Provide understandable messages – **translate your case** for your customers – and have a **process** in place to manage it.
 5. **Provide resources** - **Nominate a contact person** to answer customers questions
 6. **Start gathering information** re-identified issue.



5. Recommendations

How to tackle list of chemicals publicly available?

COMMUNICATE !!!!

1. Establish asap a **good collaboration** with MSCA responsible for your substance and with your customers, suppliers.
2. With Authorities
 1. **Nominate a contact person** as focus point to share info with authorities.
 2. **Try to sort out what is the concern**
 3. **Provide additional clarification**
 4. **Share useful / relevant information**

=> Consider to update your registration dossier !!!



6. Conclusion

- Providing additional lists of chemicals can be useful
 - To follow what is happening with targeted substances
 - To get early warning and additional time to be prepared
 - To provide additional clarification to authorities for a better understanding on the sector involved.
- However,
 - Multiplication increases workload (monitoring/management/..).
 - It remains confusing for non REACH expert, raising a lot of questions and starting to panic.
 - Concerns to be answered very quickly via a good exchange of information
 - Still not clear on the webpage where the list appears, how the different REACH processes interact all together
 - What is the intention to add a substance in a particular list?
 - What is the status?
 - Etc...



**THANK YOU
FOR YOUR ATTENTION !**