

# 2018 Report of National Helpdesk Activities: Overview

June 2019

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## List of Acronyms

BPR	Biocidal Products Regulation (528/2012/EU)
CLP	Regulation on classification, labelling and packaging of substances and mixtures (1272/2008/EC)
IUCLID	International Uniform Chemical Information Database
NHD	National helpdesk
OR	Only representative
Q&A	Question and answer
REACH	REACH Regulation (1907/2006/EC)
SME	Small and medium-sized enterprise
SDS	Safety data sheet
SRD	Scientific research and development
SVHC	Substance of very high concern

## Foreword by the Chair of the HelpNet

Dear readers,

As the new Chair of the HelpNet, I am happy to introduce this annual report of national helpdesk activities. I am impressed by the amount of work, as well as the diversity of topics that the national helpdesks are able to cover. Having this network of national helpdesks that are able to support companies in their own languages and with an understanding of their specific situations is one of the strengths of the BPR, CLP and REACH.

A significant milestone in EU-wide chemicals management was achieved last year when the transitional period for registering existing ('phase-in') substances ended on 31 May. Many SMEs and inexperienced registrants were affected by the last registration deadline, and the support provided by the national helpdesks was crucial in making this final deadline a success. Next, the REACH helpdesks will concentrate their skills on the post-phase-in era, where issues such as supply chain communication, substances in articles and substitution of the most hazardous substances are expected to be of increasing interest to their customers.

Last year, at the national CLP helpdesks, we saw a clear shift in the focus of companies to their duties related to Article 45 and Annex VIII to the CLP Regulation, namely the obligation to notify hazardous mixtures to poison centres. The first applicability date is on 1 January 2020, for importers and downstream users who place hazardous mixtures for consumer use on the market. There will be a new IT tool, and again many inexperienced companies that need to comply with EU-wide obligations. Therefore, the national helpdesks will again be instrumental in providing support.

Reflecting the split of remits between the Member States, ECHA and the European Commission in the area of biocides, the national BPR helpdesks remain more occupied than their REACH and CLP counterparts. It is natural that the "hottest" topic from the national BPR helpdesks is the national procedures. This illustrates that the division of tasks between the national helpdesks and the ECHA Helpdesk works, and that the network is efficient for everyone involved.

Finally, I would also like to highlight an issue that is not included in the report, because it has remained the same over the years. The national helpdesks constantly report that ECHA's website, including Q&As, and ECHA's Guidance documents are the most prominent sources that they use for supporting their customers. It is valuable for ECHA to know that the time and effort put into developing high-quality, accessible support material and translating it into 23 languages is well worth doing.

Johan Nouwen  
Chair of the HelpNet



## 1 Background

Each year, the national BPR, CLP and REACH helpdesks report on their activities, workload and particular needs. This report covers the activities carried out from 1 January to 31 December 2018.

The HelpNet Secretariat collected the information between January and February 2019 using a web-based survey. The survey was conducted among the national helpdesks (NHDs) of 28 EU Member States, Iceland, Liechtenstein and Norway (HelpNet members), Montenegro, Serbia and Turkey (as observers from EU candidate countries), as well as the Swiss BPR and CLP helpdesks (as third-country observers). In total, 54 national helpdesks (NHDs) from 34 countries replied to the survey.

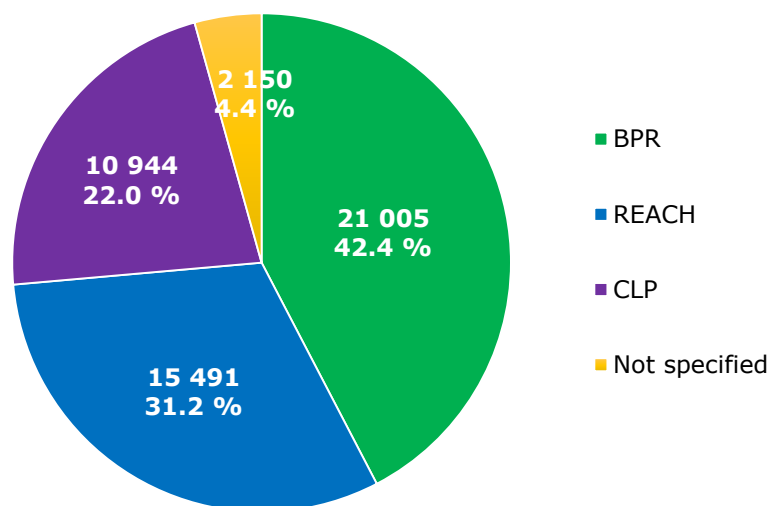
The views expressed in this report are an interpretation of the data provided by the HelpNet Secretariat and does not necessarily represent the views of the national helpdesks that provided the information.

## 2 National helpdesks in numbers

### 2.1 Trends in enquiry numbers<sup>1</sup>

In 2018, national helpdesks (NHDs) received around 50 000 enquiries from their customers, of which 42.4 % were related to the BPR, 31.2 % to REACH and 22.0 % to CLP. The remaining 4.4 % were reported without being allocated to a specific regulation (see Figure 1).

**Enquiries received by NHDs in 2018, split by regulation**



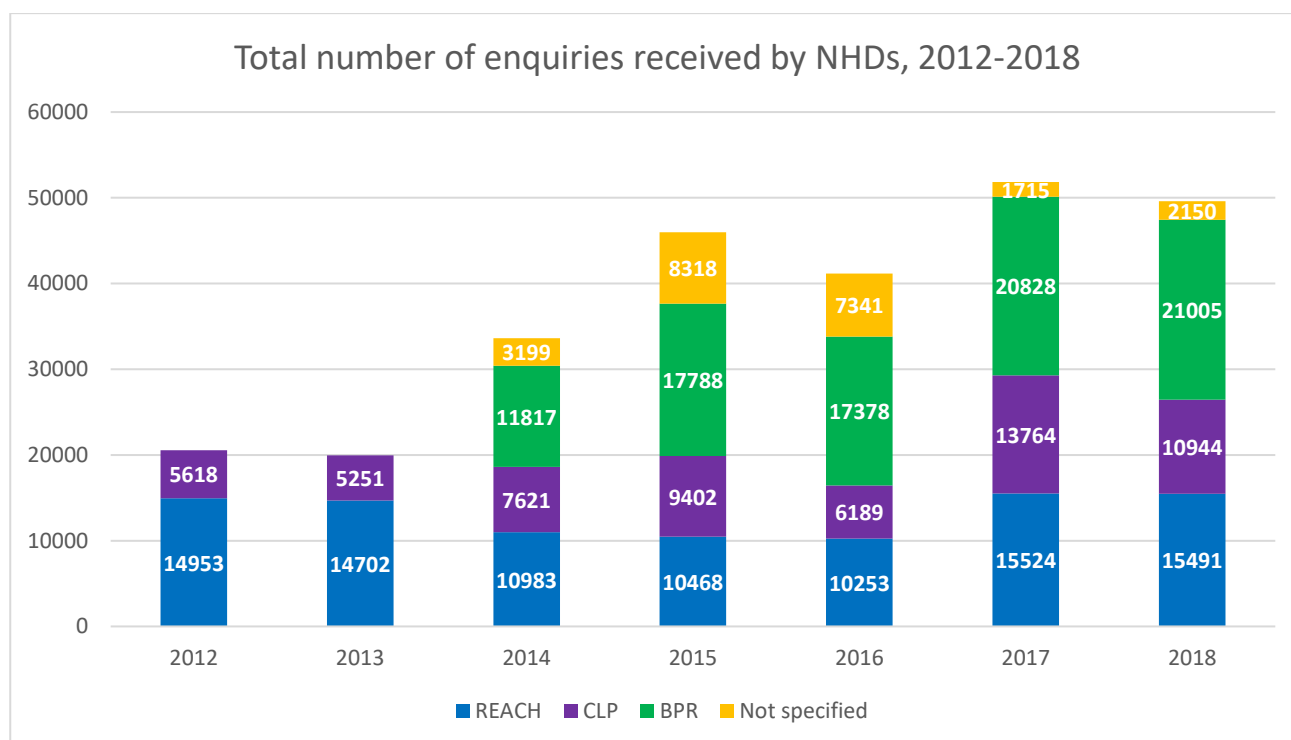
**Figure 1: Enquiries received by NHDs in 2018, split by regulation.**

In 2018, the overall number of enquiries slightly decreased (by 4 %) compared to 2017<sup>2</sup>. However, it still remains the second highest number of questions received annually. The number of REACH questions remained at the same level as in 2017, reflecting the workload related to

<sup>1</sup> Disclaimer: trends presented in this report are indicative as they rely on data provided by the reporting national helpdesks, which may use different methods to keep track of enquiries received from customers and replied to during the reporting period.

<sup>2</sup> For full information on 2017 statistics see '2017 Report on National Helpdesk Activities: Overview' at [https://echa.europa.eu/documents/10162/21877836/nhd\\_activities\\_2017\\_en.pdf](https://echa.europa.eu/documents/10162/21877836/nhd_activities_2017_en.pdf).

the REACH 2018 registration deadline. While a decrease was observed in the number of CLP questions since 2017, the number remained high in comparison to previous years. For the BPR, there was a slight increase in the number of enquiries which remains the highest among each of the regulations. Figure 2 displays the number of enquiries over the seven-year period since 2012.



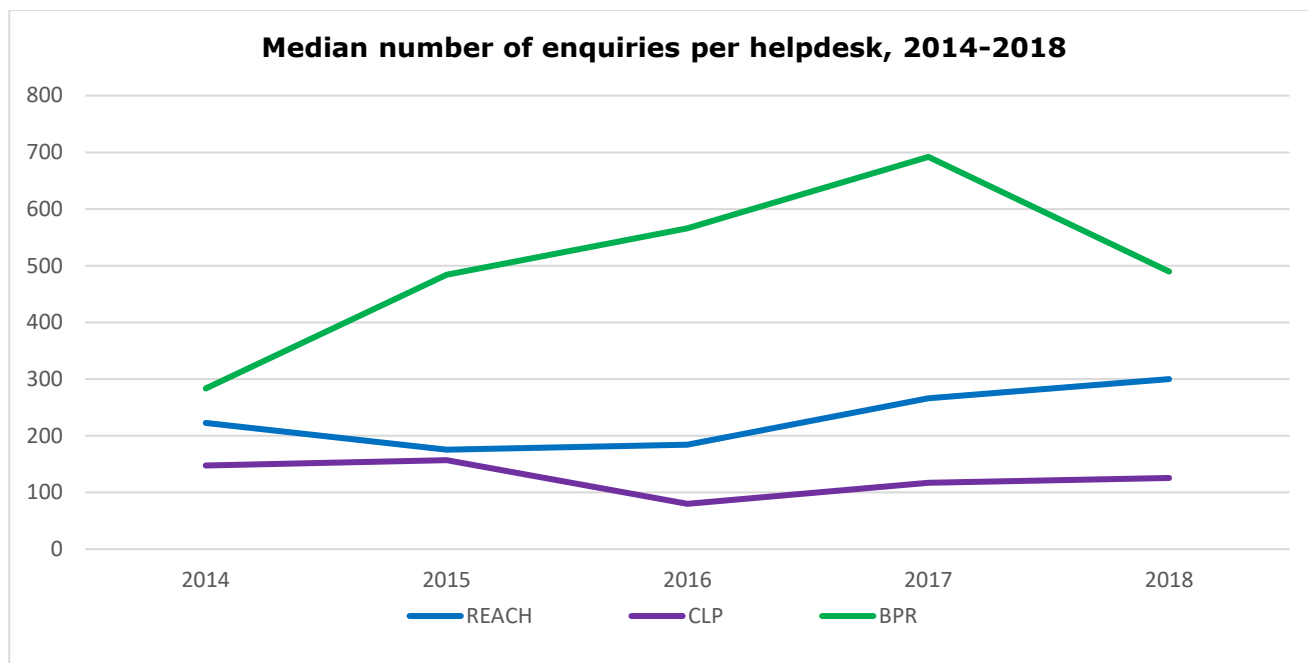
**Figure 2: Total number of enquiries received by NHDs in 2012-2018.**

- ✓ The number of BPR-related enquiries was slightly higher than in 2017 and remained the highest among each of the regulations.
- ✓ The CLP-related enquiries decreased in 2018 compared to the previous year but still remained at a high level.
- ✓ For REACH, the number of enquiries reported by the NHDs remained approximately at the same high level as in 2017.

The **median number<sup>3</sup> of enquiries received per NHD** and regulation was slightly higher in 2018 compared to 2017 for CLP and REACH (see Figure 3). There was a significant drop in the median number of BPR questions in 2018 compared to the previous year. As the total number of BPR questions received by the NHDs remained the same, this implies that the variation in the

<sup>3</sup> The number of enquiries reported by NHDs have been arranged from lowest to highest. The 'median' is the 'middle' value in the list.

number of questions between the BPR NHDs increased in 2018.



**Figure 3: Median number of enquiries per helpdesk, 2014-2018.**

## REACH

Based on the input provided by 33 NHDs, the total number of REACH questions received in 2018 was 15 491 questions (31 % of all enquiries). This figure is approximately at the same level as in 2017 (15 524 questions). An increase is seen in other statistics, such as the median number of questions (from 266 in 2017 to 300 in 2018) and the maximum number of questions received by a single NHD (2 284 questions; 9 % increase). In addition, seven NHDs received more than 1 000 questions in 2018 compared to five in 2017. Many NHDs did not notice a significant change in their own numbers or only noticed a slight increase.

Some NHDs have shared their views on the variations in the number of REACH questions they received compared to previous years. The NHDs that witnessed an increase in the number of REACH questions in 2018 have been observing this trend since 2013. They noted an increased interest owing to the reliability of the NHD service and a growing awareness of the REACH obligations among SMEs. It is also worth pointing out that some NHDs noticed a significant decrease in questions following 1 June 2018, while others commented that the registration deadline only had a small effect on the distribution of questions throughout the year. Moreover, 55 % of the NHDs reported that they received REACH questions on the UK withdrawal from the EU.

## CLP

The total number of CLP questions received in 2018, based on the data reported by 33 NHDs, was 10 944 questions (22 % of all enquiries). While this figure represents a 20 % decrease since 2017 (13 764 questions), the number of CLP enquiries remained high compared to previous years, mainly due to the new duties related to the implementation of Article 45 of CLP and the Annex VIII provisions. It needs to be noted that 76 % of the NHDs reported that they are dealing with regulatory (and, in some cases, technical) questions on Article 45/Annex VIII. On the other hand, only a few CLP questions were reported on the UK's withdrawal from the EU, and only by 21 % of the NHDs.

The median number of questions received remained at the same levels as in 2017 (from 117 in 2017 to 126 in 2018), while the maximum number of questions received by a single NHD was

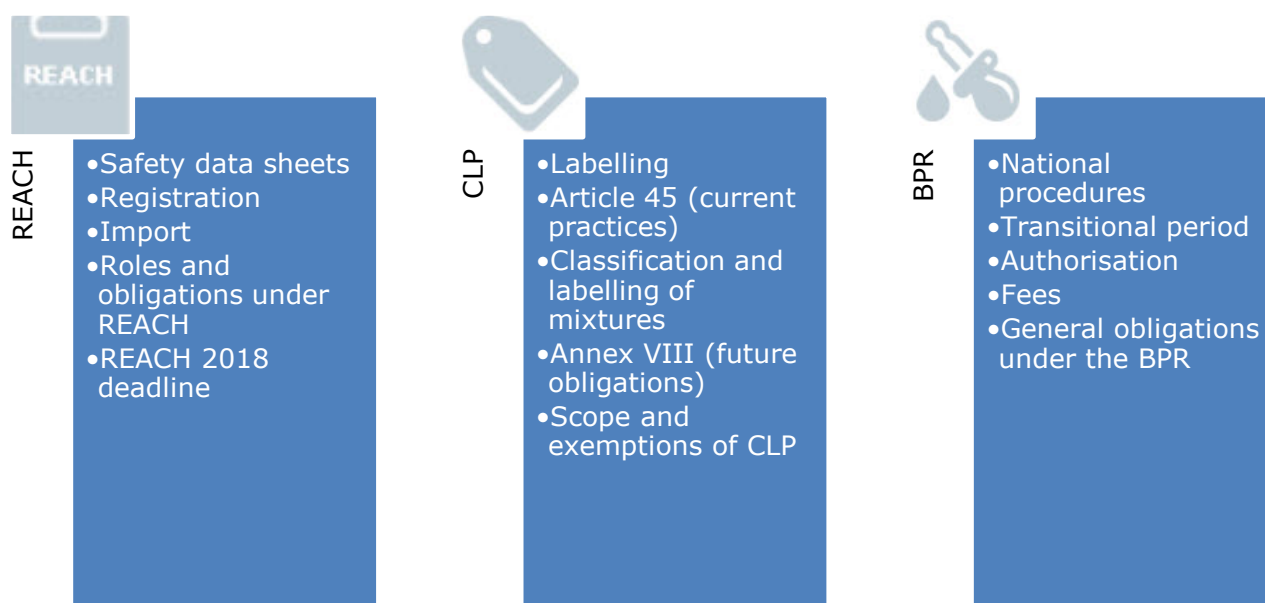
only slightly lower (3 360 questions). Moreover, three NHDs received more than 1 000 questions in 2018, compared to two in 2017. In many countries, the number of CLP enquiries remained at approximately the same level as in the previous year.

## BPR

Based on the figures reported by 33 NHDs, the total number of BPR questions received in 2018, was 21 005 questions, showing a slight increase compared to 2017 (20 828 questions) and representing the highest percentage (42 %) of all received enquiries. This increased number of BPR enquiries in 2018 – based on the self-reflection of the NHDs – can be attributed partly to the UK's withdrawal from the EU (64 % of NHDs reported having received them, up to 300 questions per NHD), the approaching date of approval of active chlorines, and the derogation for food and feed as well as other BPR-scope issues. The maximum number of questions received by a single NHD also increased by 23 % (to 2 244) compared to 2017. However, a decrease was observed in both the median number of questions received (from 692 in 2017 to 490 in 2018) and in the number of NHDs that received more than 1 000 questions (eight in 2018 compared to nine in 2017).

## 2.2 Hot topics

NHDs reported on the 'hot topics' raised by their customers on REACH, CLP and the BPR in 2018<sup>4</sup>. The five topics per regulation triggering most questions from companies are shown in Figure 4.



**Figure 4: Overview of the hot topics under REACH, CLP and the BPR in 2018.**

The top 10 most frequently asked topics in 2018 and 2017 are presented below for REACH, CLP and the BPR.

<sup>4</sup> Respondents were asked to rank their 'Top 5' topics for the relevant regulations by choosing the five most relevant topics from a list and ranking them from 1 to 5 (1 = most frequently asked, 5 = least frequently asked). If topics other than those listed in the survey were among their 'Top 5', respondents were asked to specify them in the open fields marked 'Other'. Topics were given an overall rank by taking into account the 1-to-5 ranking by each respondent and the frequency of each response option.



**Table 1: Hot topics concerning the REACH Regulation in 2018 and 2017.**

2018	2017
<b>1) Safety data sheets</b>	1) Registration
<b>2) Registration</b>	2) Safety data sheets
<b>3) Import</b>	3) Roles and obligations under REACH
<b>4) Roles and obligations under REACH</b>	4) Import
<b>5) REACH 2018 deadline</b>	5) Complying with restrictions
<b>6) Authorisation obligations</b>	6) Substances in articles
<b>7) Substances in articles</b>	7) Obligations related to substances in the Candidate List
<b>8) Obligations related to substances in the Candidate List</b>	8) Data sharing and joint submission
<b>9) Scope of REACH</b>	9) Authorisation obligations
<b>10) Complying with restrictions</b>	10) Only representative's obligations and duties

For REACH, the topics of the first four positions remained the same, although their rankings changed. 'Safety data sheets' and 'Registration', being ranked in the first and second places, respectively, were by far the most frequent topics.

Noticeable changes have been observed with the topic 'Complying with restrictions' which dropped from fifth to tenth, and with 'Data sharing and joint submission' and 'Only representative's obligations and duties' which no longer feature in the top 10 list.

It is no surprise that the new topics appearing in the top 10 list are 'REACH 2018 deadline' and 'Scope of REACH', clearly indicating the increased awareness of companies with respect to their obligations under REACH.

In addition, 'Authorisation' has moved from ninth to sixth, reflecting the recent and upcoming developments in the authorisation process (granted authorisations, review reports, Article 66 downstream user notifications, and 2019 submission windows), as well as questions on authorisation exemptions (scientific research and development (SRD), intermediates) and on the scope of certain SVHC entries.

It can be argued that some overlaps between different topics exist. For example, the generic REACH/registration topics identified in the second, fifth and ninth positions must have also covered more specific topics not appearing on the top 10 list (i.e. 'Substance identity and substance sameness', 'Data sharing and joint submission', 'Monomers and polymers', 'Only representative's obligations and duties').

Other topics not featuring in the top 10 list include 'New restrictions' (possibly covered under 'Complying with restrictions'), 'Communicating safe use in the supply chain' (possibly split under the more specific categories 'Safety data sheets' and 'Substances in articles'/'Obligations related to substances in the Candidate List') and 'Overlapping legislation' (possibly identified by the more generic topic 'Scope of REACH'). Other REACH questions received by NHDs in 2018 include questions on the UK's withdrawal from the EU, on waste/recovered substances, and technical questions related to IT tools.

**Table 2: Hot topics concerning the CLP Regulation in 2018 and 2017.**

2018	2017
<b>1) Labelling</b>	1) Labelling
<b>2) Article 45 (current practices)</b>	2) Classification and labelling of mixtures
<b>3) Classification and labelling of mixtures</b>	3) Article 45 (current practices)

<b>4) Annex VIII (future obligations)</b>	4) Language requirements for labels
<b>5) Scope and exemptions of CLP</b>	5) Scope and exemptions of CLP
<b>6) Classification methods</b>	6) Harmonised classification
<b>7) Language requirements for labels</b>	7) Packaging requirements
<b>8) Harmonised classification</b>	8) Classification methods
<b>9) Packaging requirements</b>	9) Transitional period
<b>10) Use of alternative chemical name</b>	10) Annex VIII (future obligations)

For CLP, two constant hot topics continue to be 'Labelling' and 'Classification and labelling of mixtures' as novel practical issues are raised by companies on a continuous basis. As expected, 'Article 45 (current practices)' moved up to the second place, being ranked first or second by half of the NHDs, while the new Annex VIII to the CLP Regulation, on information related to emergency measures ('Annex VIII (future obligations)') climbed from tenth up to the fourth position of the list of hot topics in 2018. Both these changes reflect ECHA's and the NHDs' awareness-raising actions towards duty holders with a view to preparing them for the first notification deadline in January 2020.

Other frequent topics which remained in the top 10 list while in a slightly different order than in 2017 include: 'Scope and exemptions of CLP', 'Classification methods', 'Language requirements for labels', 'Harmonised classification' and 'Packaging requirements'. The topic 'Use of an alternative chemical name' made it to 10<sup>th</sup> position in 2018, ranking 11<sup>th</sup> in 2017.

Moreover, following the end of the transitional period for mixture classification in 2017, 'Transitional period' no longer features on the top 10 list. Some CLP questions received by NHDs in 2018 were related to C&L notifications, while only a few were reported on the UK's withdrawal from the EU.

**Table 3: Hot topics concerning the Biocidal Products Regulation in 2018 and 2017.**

2018	2017
<b>1) National procedures</b>	1) Transitional period
<b>2) Transitional period</b>	2) National procedures
<b>3) Authorisation</b>	3) Fees
<b>4) Fees</b>	4) Authorisation
<b>5) General obligations under BPR</b>	5) General obligations under BPR
<b>6) Mutual recognition</b>	6) Mutual recognition
<b>7) Active substances</b>	7) Active substances
<b>8) Article 95</b>	8) Submissions and IT tools
<b>9) In situ generation</b>	9) Treated articles
<b>10) Classification and labelling</b>	10) Article 95

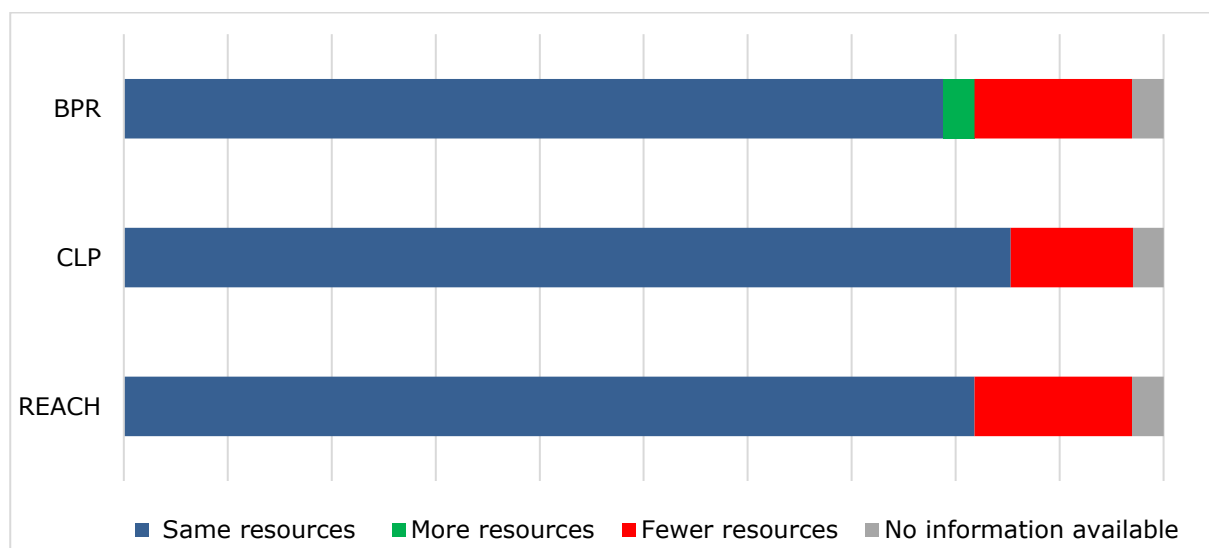
In general, the picture of BPR hot topics at the national helpdesks remained much the same in 2018 compared to 2017. 'National procedures' at the first place and 'Transitional period' at the second were by far the two most frequent topics. The third to seventh position covered topics with similar rankings as in 2017 such as: 'Authorisation', 'Fees', 'General obligations under BPR', 'Mutual recognition', and 'Active substances', while 'Article 95' moved up to the eighth position.

In 2018, 'In situ generation' and 'Classification and labelling' reappeared in the last two positions after being replaced in 2017 by 'Submissions and IT tools' (update of IT tools in 2017) and 'Treated articles' (deadline in early 2017). In addition, the NHDs reported a large number of enquiries on scope/borderline issues and on the UK's withdrawal from the EU.

## 2.3 Helpdesk resources

The overall effort of an NHD has to be compared against the variations in their resources. The majority of NHDs reported that available resources had not changed compared to the previous year. In 2018, only one BPR helpdesk reported additional resources compared to 2017. In contrast, five REACH, four CLP and five BPR helpdesks faced resource cuts. Typical reasons for

this were either staff leaving the unit/organisation or resource allocation to other tasks. Such reductions can have a negative impact on the capacity of the NHDs to provide support to companies, especially in view of the continuously high number of questions they receive.



**Figure 5: Change in the level of resources available to provide helpdesk advice in 2018 compared to the resources of 2017.**

## 3 National helpdesk activities

### 3.1 Ways to support companies

The NHDs continue to support companies by various means, such as providing up-to-date information on their websites, developing new support material, communicating information through newsletters and social media, organising topical seminars, workshops and training sessions, and cooperating with industry and trade associations.

Around one in four NHDs had come up with new means to support companies in 2018. The use of social media to share information, dedicated helpdesk web pages (with “service paths” for companies with different roles), an updated navigator tool, open days for the public, as well as chat support were among those mentioned by NHDs. Specific awareness-raising and information campaigns were also mentioned as a time-limited, efficient means to reach out to a specific audience. Based on the replies of the NHDs, it nevertheless seems that the companies still appreciate if they have a chance to have an individualised support, preferably through a face-to-face meeting.

### 3.2 Planned events in 2019

In 2018, most NHDs organised conferences, seminars, workshops and trainings to support companies with their obligations under REACH, CLP and the BPR. The NHDs were also requested to report on events they plan to organise in 2019. Two-thirds of the NHDs informed that they are also planning such events in 2019.

Various events of general interest are planned by the NHDs in 2019, including conferences on updates of the EU chemicals legislation, workshops and trainings on general obligations for inexperienced companies, awareness-raising events for SMEs and seminars on the UK’s withdrawal from the EU.

REACH seminars and workshops foreseen in 2019 include topics such as safety data sheets (SDSs), improving/updating registration information, downstream user obligations, authorisation, restrictions, substitution of substances of very high concern (SVHCs) and

waste/recovery.

Among the CLP events planned in 2019, as expected, most will be focusing on Article 45 and Annex VIII requirements, as well as on the classification of mixtures.

For the BPR, the topics of seminars and workshops that were highlighted by the NHDs were data requirements in BPR applications, borderline biocidal products, biocides efficacy, treated articles and disinfectants.

### **3.3 Cooperation with Enterprise Europe Network (EEN)**

In many countries, the NHDs have established good cooperation with the Enterprise Europe Network (EEN) through annual meetings, seminars, joint workshops, trainings and awareness-raising activities. This allows the EEN representatives to transfer any new information on EU chemicals legislation to the affected companies. In return, the EEN colleagues can bring issues from SME companies forward to the NHDs. One NHD reported that they have started cooperation with EEN in 2018, while another NHD is planning to do so in 2019.

## **4 Conclusions**

2018 marked the end of an era in EU chemicals safe management, as the existing chemicals on the EU market above one tonne per year were registered under REACH. At the same time, the companies dealing with biocidal products continued their efforts to comply with the obligations of the BPR, and importers and downstream users of hazardous mixtures prepared themselves for the first poison centres notification applicability date.

All this would not have been possible without the high-level, dedicated support services of the national helpdesks. As this report shows, there was a continued, intense demand for helpdesk support throughout the year. It is also interesting to observe how the evolution of the legislation is reflected in the topics for which support is sought after. At the same time, due to the dynamic nature of the chemical and downstream user industries, there will always be newcomers to the EU chemicals management regime that will need support on the basics of all three regulations. In a similar manner, it continues to be worth organising national events where the national helpdesks, and ECHA when invited, can meet companies to get direct feedback and provide hands-on support to them.

The HelpNet is and will continue to be an instrumental network for national helpdesks to keep up with the changing requirements from their customers. It is a body where the national helpdesks will bring their most complex questions to be discussed, harmonise their replies, share best practice and benefit from the versatile expertise of their peers. Over the past 12 years, the HelpNet has evolved into an agile network that provides the most efficient approach to offer companies good quality support for complying with REACH, CLP and the BPR.