

Opinion of the Member State Committee on the Draft Annual Community Rolling Action Plan Update covering the years 2024-2026

According to Articles 44 and 45 of Regulation (EC) 1907/2006¹

Adopted on 13 February 2024



MSC
MEMBER STATE COMMITTEE

¹Regulation (EC) No 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH), establishing a European Chemicals Agency, amending Directive 1999/45/EC and repealing Council Regulation (EEC) No 793/93 and Commission Regulation (EC) No 1488/94 as well as Council Directive 76/769/EEC and Commission Directives 91/155/EEC, 93/67/EEC, 93/105/EC and 2000/21/EC

OPINION

MSC is of the opinion that the substances included in the draft annual CoRAP update for the years 2024-2026 listed in the Annex should be prioritised for further evaluation. There are grounds for considering that these substances may constitute a potential risk to human health and/or the environment. To clarify the concern and inform on any required risk management, generation of new information may be required.

BASIS FOR THE OPINION

According to Article 44 of Regulation (EC) No 1907/2006 (REACH) the Agency compiles a draft Community Rolling Action Plan (CoRAP) for a period of three years based on agreed selection criteria². The Member State Committee (MSC) provides an opinion on it, and ECHA adopts the CoRAP update on the basis of this opinion.

The MSC used the draft CoRAP update 2024-2026 and associated justification documents developed by MSCAs as the basis for its opinion on the inclusion of the substances listed. MSC notes that the draft CoRAP update 2024-2026 contained altogether 29 entries with 28 of them for evaluation in 2024-2026. Of these 28, 18 substances are divided for evaluation in 2025 and 2026, 10 being planned for evaluation in 2024. The list contains 11 substances newly allocated to Member States, including 8 new substances for evaluation in 2024. One substance is proposed to be withdrawn as substance evaluation has been considered currently of low priority and a compliance check would be needed first.

From the 24 substances for evaluation in 2023-2025, the respective MS postponed the evaluation year for 11 substances, which were already included in CoRAP 2023-2025, mainly to await new information requested under dossier evaluation.

The MSC assessed for each substance the following questions:

- Does the concern fulfil the agreed selection criteria?
- Does the concern given in the draft CoRAP update match with the justification stated in the justification document?

² The selection criteria to prioritise substances for Substance Evaluation can be found on the ECHA website on: https://echa.europa.eu/documents/10162/13628/background_doc_criteria_ed_32_2011_en.pdf/67441c3c-75be-4ecd-992e-b90ab2041805

- Which of the selection criteria are fulfilled?
- If Article 45(5) is used as legal basis to propose the substance, does the justification document describe a risk-based concern?
- Are there any inconsistencies in the justification document which may prevent inclusion of the substance in the CoRAP update?

The MSC verified that the agreed selection criteria are met for the new entries. For the remaining entries the MSC has provided an opinion in the past and considers this as still valid. In its assessment MSC did not identify any reason for not including all the substances in the CoRAP update. The draft CoRAP update table (Annex) includes the MSC conclusion for every new substance on whether or not the substance should be selected for substance evaluation.

PROCESS FOR ADOPTION OF THE OPINION

MSC nominated the rapporteur and the co-rapporteur at MSC-83 to draft its opinion. On 30 November 2023 ECHA secretariat requested MSC to provide an opinion on the draft CoRAP update. The MSC discussed and adopted the opinion at MSC-85 on 13 February 2024.

ANNEX

Table of substances representing the draft CoRAP update 2024-2026 including criteria used for the proposal (grounds for concern/selection criteria met), legal basis and conclusion of MSC on application of selection criteria.