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*Committee on the Environment, Public Health and Food Safety*

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**2017/2167(DEC)**

25.1.2018

# OPINION

of the Committee on the Environment, Public Health and Food Safety

for the Committee on Budgetary Control

on discharge in respect of the implementation of the budget of the European  
Chemicals Agency for the financial year 2016  
(2017/2167(DEC))

Rapporteur: Adina-Ioana Vlean

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## SUGGESTIONS

The Committee on the Environment, Public Health and Food Safety calls on the Committee on Budgetary Control, as the committee responsible, to incorporate the following suggestions into its motion for a resolution:

1. Recalls that European Chemicals Agency ('the Agency') is a consolidated entity, in accordance with Article 185 of Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council<sup>1</sup> ('Financial Regulation'), and it is the driving force among regulatory authorities in implementing the Union's chemicals legislation for the benefit of human health and the environment as well as for innovation and competitiveness; notes that the Agency helps companies to comply with the legislation, advances the safe use of chemicals and provides information on chemicals and addresses chemicals of concern;
2. Notes that in accordance with Regulation (EC) No 1907/2006 of the European Parliament and of the Council<sup>2</sup> ('REACH Regulation'), the Agency is financed through fees paid by industry and by a Union balancing subsidy, as referred to in Article 208 of the Financial Regulation; acknowledges the fact that in 2016, the Agency collected fee income totalling EUR 33 377 004 (in comparison to EUR 23 785 474 in 2015), while the Union subsidy amounted to EUR 58 919 188 (in comparison to no subsidy in 2015) and that additionally, the received European Free Trade Association (EFTA) contribution totalled EUR 1 626 575;
3. Notes that approximately 10 700 registration dossiers (mainly updates) and 200 product and process orientated research and development notifications were received in 2016 and that the total number of submissions increased by 29% compared to 2015;
4. Takes note that in 2016 the Agency continued implementing its integrated regulatory strategy, bringing all REACH and classification, labelling and packaging (CLP) processes together in order to reach the aim of relevant regulations, further advancing in the integration of REACH and CLP processes;
5. Calls on the Commission to launch a policy debate with relevant stakeholders in order to review Union legislation related to risk assessment for food, chemicals and related products and the effectiveness of such legislation;
6. Welcomes the publication of the second five year report on the operation of REACH, providing input into the second review of the REACH Regulation;
7. With regard to biocidal products notes that, as referred to in Article 208 of the Financial Regulation, in 2016 the Agency collected fee income totalling EUR 7 612 146 (in

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<sup>1</sup> Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council of 25 October 2012 on the financial rules applicable to the general budget of the Union and repealing Council Regulation (EC, Euratom) No 1605/2002 (OJ L 298, 26.10.2012, p. 1).

<sup>2</sup> Regulation (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 (OJ L 396, 30.12.2006, p. 1).

comparison to EUR 5 423 667 in 2015), while the Union subsidy amounted to EUR 850 000 (in comparison to EUR 5 789 000 in 2015), and that additionally, the received EFTA contributions, including Switzerland, reached EUR 142 379;

8. Notes that the management of the budget was more challenging in 2016 than in previous years, due to the difficulty to foresee the magnitude of fee-based financing, particularly for the biocides applications;
9. Notes with concern that the Union regulatory agencies responsible for the risk assessment of regulated products, in particular the Agency and the European Food Safety Authority (EFSA), do not have sufficient resources to effectively fulfil these responsibilities; the Agency and EFSA should therefore be granted sufficient resources in order to carry out their specific responsibilities;
10. Notes that in 2016 the recruitment target of the Agency was achieved with 98% of posts filled at the end of the year for REACH/CLP processes, prior informed consent (PIC) procedure and biocidal products; highlights that since the Agency's workload has not decreased during 2016, sufficient human and financial resources should be allocated;
11. Acknowledges that with regard to Regulation (EU) No 649/2012 of the European Parliament and of the Council<sup>1</sup> ('PIC Regulation') and as referred to in Article 208 of the Financial Regulation, in 2016, the Union subsidy to the Agency for certain hazardous chemicals and pesticides in international trade amounted to EUR 1 151 000;
12. Notes that the participation of UN sub-organisations, such as the International Agency for Research on Cancer, as observers in the work of the Agency, was approved in 2016;
13. Welcomes the redesign of the Agency's dissemination portal and the launch of a microsite for informing consumers about chemicals, which were carried out under the Agency's transparency policy;
14. Notes that in 2016 the Agency's staff followed a mandatory training on prevention of conflicts of interest and a training by the European Anti-Fraud Office on fraud prevention;
15. Welcomes that the Court of Auditors has announced that the transactions underlying the annual accounts of the Agency for the financial year 2016 were legal and regular in all material respects, while noting the Court of Auditors' comments that 'Carry-overs of committed appropriations remained high for Title III (REACH operational expenditure) at 10,1 million euro, i.e. 39 % (2015: 7,3 million euro, i.e. 32 %) and are even higher for Title IV (Biocides operational expenditure) at 1,3 million euro, i.e. 68 % (2015: 1,5 million euro, i.e. 74 %). Such high level of carry-overs is in contradiction with the budgetary principle of annuality.'; recommends that the Agency should take on board the following Court of Auditors' advice: 'The Agency may consider increasing the use of differentiated budget appropriations to better reflect the multi annual nature of operations and unavoidable delays between the signature of contracts, deliveries and

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<sup>1</sup> Regulation (EU) No 649/2012 of the European Parliament and of the Council of 4 July 2012 concerning the export and import of hazardous chemicals (OJ L 201, 27.7.2012, p. 60).

payments.';

16. Recommends, based on the facts available, that discharge be granted to the Executive Director of the European Chemicals Agency with respect to the implementation of the Agency's budget for the financial year 2016.

## INFORMATION ON ADOPTION IN COMMITTEE ASKED FOR OPINION

<b>Date adopted</b>	24.1.2018
<b>Result of final vote</b>	+: 43 -: 1 0: 2
<b>Members present for the final vote</b>	Marco Affronte, Pilar Ayuso, Ivo Belet, Simona Bonafè, Biljana Borzan, Paul Brannen, Nessa Childers, Birgit Collin-Langen, Seb Dance, Stefan Eck, José Inácio Faria, Francesc Gambús, Elisabetta Gardini, Gerben-Jan Gerbrandy, Arne Gericke, Julie Girling, Françoise Grossetête, Andrzej Grzyb, Anneli Jäätteenmäki, Karin Kadenbach, Urszula Krupa, Giovanni La Via, Peter Liese, Susanne Melior, Gilles Pargneaux, Piernicola Pedicini, Bolesław G. Piecha, John Procter, Julia Reid, Frédérique Ries, Daciana Octavia Sârbu, Claudiu Ciprian Tălcău, Ivica Tolić, Adina-Ioana Vălean, Jadwiga Wiśniewska, Damiano Zoffoli
<b>Substitutes present for the final vote</b>	Elena Gentile, Martin Häusling, Norbert Lins, Nuno Melo, Ulrike Müller, Christel Schaldemose, Bart Staes, Keith Taylor, Carlos Zorrinho
<b>Substitutes under Rule 200(2) present for the final vote</b>	Jiří Maštálka

## FINAL VOTE BY ROLL CALL IN COMMITTEE ASKED FOR OPINION

43	+
ALDE	Gerben-Jan Gerbrandy, Anneli Jäätteenmäki, Ulrike Müller, Frédérique Ries
ECR	Arne Gericke, Urszula Krupa, Bolesław G. Piecha, John Procter, Jadwiga Wi niewska
GUE/NGL	Stefan Eck, Ji í Maštálka
PPE	Pilar Ayuso, Ivo Belet, Birgit Collin-Langen, José Inácio Faria, Francesc Gambús, Elisabetta Gardini, Françoise Grossetête, Andrzej Grzyb, Giovanni La Via, Peter Liese, Norbert Lins, Nuno Melo, Ivica Toli , Adina-Ioana V lean
S&D	Simona Bonafè, Biljana Borzan, Paul Brannen, Nessa Childers, Seb Dance, Elena Gentile, Karin Kadenbach, Susanne Melior, Gilles Pargneaux, Christel Schaldemose, Daciana Octavia Sârbu, Claudiu Ciprian T n sescu, Damiano Zoffoli, Carlos Zorrinho
VERTS/ALE	Marco Affronte, Martin Häusling, Bart Staes, Keith Taylor

1	-
EFDD	Julia Reid

2	0
ECR	Julie Girling
EFDD	Piernicola Pedicini

Key to symbols:

+ : in favour

- : against

0 : abstention