

Estonia

UN CSD18: National Reporting on Chemicals

The Estonian national priority on Chemicals is to improve the environment and health from risks posed by chemicals by 2020 by implementing chemicals legislation, in particular the Regulation on Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH regulation) and the Thematic Strategies. As the chemical safety is a horizontal issue then several ministries have certain tasks and responsibilities in the field of chemical safety. The Ministry of Social Affairs and institutions in its administrative area are the co-coordinating institutions of the implementation of chemical safety legislation in Estonia. The responsibilities lie also with the Ministry of Agriculture and the Ministry of the Environment in this field. In terms of sustainable energy policy, the sustainable energy division of the Ministry of Economic Affairs and Communications is responsible for the implementation of the state energy conservation policy. The Statistical Office is a government agency which operates under the Ministry of Finance. It has a steering function, conducts official statistical surveys, coordinates official statistics on the economic, demographic, social and environmental aspects of Estonia and changes to these and exercises government supervision as prescribed by law.

The Estonian chemical industry is characterized by strong concentration, proceeding from the traditional fields and development potential of the relevant region. Thus the largest part of the chemical industry is concentrated in Estonian county East-Virumaa. In spite of the great changes in the structure of the chemical industry in the 1990s, expressed mostly in the decrease in the production volume (production of medicines) and in vanishing some of the sectors (production of phosphorus fertilizers, benzene and toluene), the chemical industry has retained its stability. The chemical industry in East-Virumaa is largely concentrated on thermal processing of oil shale. As a result, shale oil, coke, shale oil phenols and other chemicals are produced. Some of the enterprises are based on imported raw materials, such as synthetic phenol, methanol, toluene, land gas, etc. The chemical industry has been very much export oriented.

Mechanisms for systematic evaluation, classification and labeling of chemicals

The main legislative instrument for the management of chemicals in Estonia is the Chemicals Act. Its first version was adopted in 1998¹. The Act provides the legal basis for organization of the handling of chemicals, the principal safety requirements and the procedure of notification of chemicals². Classification rules are enforced by Regulation No. 122 of the Ministry of Social Affairs of 3 December 2004. The accounting of dangerous chemicals is regulated by Regulation No. 131 of the Ministry of Social Affairs of 17 December 2004, providing requirements for keeping inventory and reporting of chemicals. Inventory is kept in a way it shall immediately reveal chemicals handled in the installation. A new draft of the Chemicals Act is being prepared by the Ministry of Social Affairs, the main aim of which is to increase the chemicals safety and adopt the principles and legislative acts of EU chemicals policy.

The Public Health Department of the Ministry of Social Affairs is responsible for the chemical safety issues. The Health Protection Inspectorate's³ remit includes: safety and handling of

¹ Chemical Act (adopted in May 1998, last amendment in 2009)
<https://www.riigiteataja.ee/ert/act.jsp?id=13202194>

² Regulations related to the Estonian Chemicals Act
<http://www.ktk.ee/index.php?tid=sHudhxOxT0aZskKJXhuhx8UkiOjUzhklgJd6k8L8>

³ Public Health Department of the Ministry of Social Affairs <http://www.tervisekaitse.ee/?lang=3>

foodstuffs sold to final consumers; drinking water and its handling; beauty, personal and tourism services; consumer goods; materials coming into direct contact with foodstuffs and drinking water; cosmetics; chemicals coming into contact with final consumers; products for children; childcare, education, welfare, healthcare institutions and pharmacies; beaches and bathing water; noise and non-ionizing radiation; epidemiological surveillance, disease prevention and control of communicable diseases.

The organization of the work, infrastructure, and statutory activities of supervisory agencies of the Ministry of Agriculture⁴ changed on 1 July 2007. With the transfer of the area under the Veterinary and Food Board supervision, the organization has a number of new duties and functions, which were earlier performed by the Health Protection Inspectorate, Plant Production Inspectorate and Consumer Protection Board. The Veterinary and Food Board thus started to exercise state supervision over food safety in all areas of processing and over the materials and articles intended to be brought into contact with food, as specified in Article 1 (2) of Regulation (EC) No. 1935/2004 of the European Parliament and of the Council.

The mission of the Plant Production Inspectorate⁵ is to improve the quality of the marketable plant production and to help to preserve a clean environment by efficient official supervision. On 21 May 2008 the Plant Protection Act⁶ and Associated Acts Amendment Act were adopted.

Mechanisms for systematic evaluation, classification and labeling of chemicals

The Globally Harmonized System (GHS) of Classification and Labelling of Chemicals provides a harmonized basis for globally uniform physical, environmental and health and safety information on hazardous chemical substances and mixtures as well as a harmonized scheme for a safety data sheet. The European Commission and the EU Member States endorsed the UN recommendation to implement the GHS in domestic law. EU legislation on classification, labelling and packaging aims to ensure a high level of protection of human health and the environment and the functioning of the internal market. The EU legislation on classification, labelling and packaging consists of three acts: The Dangerous Substances Directive (Directive 67/548/EEC, "DSD"), the Dangerous Preparations Directive (Directive 1999/45/EC, "DPD") and the new Regulation on classification, labelling and packaging of substances and mixtures, Regulation (EC) No. 1272/2008 ("CLP Regulation" or "CLP"), which entered into force on 20 January 2009, also in Estonia. As with the old legislation, the new CLP Regulation is intended to be primarily a self-classification system for enterprises, which ask for correct classification and labelling as pre-marketing requisite. The new GHS system ensures that the same hazards will be described and labelled in the same way all around the world. By using internationally agreed classification criteria and labelling elements, it is expected to facilitate trade and to contribute towards global efforts to protect humans and the environment from hazardous effects of chemicals.

Estonia has transposed the existing requirements of the European chemicals and chemicals-related legislation into national legislation. However, besides ensuring an adequate and efficient legislation on chemicals and control, the main and even greater challenge is to develop the capability and the capacity of the enterprises to take their responsibility according to the legislation. Especially now when a new chemicals policy has been launched in the EU (REACH – Registration, Evaluation, Authorization and Restriction of Chemicals), which would furthermore place greater responsibility to industry and reverse the burden of proof from public

⁴ Ministry of Agriculture <http://www.agri.ee/?lang=en>

⁵ Plant Production Inspectorate <http://www.plant.agri.ee/>

⁶ Riigi Teataja I, 2004, 32, 226

authorities to industry for ensuring the safety of chemicals on the market. A European Chemical Agency will act as the central point in the REACH system: it will run the databases necessary to operate the system, co-ordinate the in-depth evaluation of suspicious chemicals and run a public database where consumers and professionals can find hazard information.

The Chemicals Notification Centre⁷ was founded on 1 July 1999. The main duty of the Centre is to fulfill the obligations stated in the directly applicable EU legislative acts, in the Chemicals Act and Biocides Act. The structural units of the Chemicals Notification Centre are Chemicals Registration; Evaluation Centre; and Poison Information Centre. The main purpose of the Poisoning Information Centre is reducing illnesses, health damage and death rate due to cases of poisoning. Since the end of 2007 the REACH helpdesk has been working under the Chemicals Notification Centre.

The aim of the helpdesk is to explain the requirements of the REACH regulations to enterprises. Nowadays, the main duty of the Chemicals Notification Centre is to collect information on chemicals that are imported to Estonia or are produced in Estonia by high or lower volume production, or contain a new substance, and to assess the risks arising from notified chemicals. For example, the following databases have been compiled: Notified existing substances; Safety data sheets; Biocidal products database; Detergent database, etc. The Radiation Protection Centre⁸ (established on 1 January 1996) was merged with the Environmental Board as a Radiation Safety Department from 1 February 2009 in the course of reorganization. The responsibilities of the Radiation Protection Centre include: issuing licenses, registering radioactive sources, recording doses absorbed by workers exposed to radiation, radiation monitoring, and consultations during radiation emergencies, radiological measurement.

Requirements for placing plant protection products on the market, including data on the active substance as well as the preparation, are presented in Regulation No. 59 of the Minister of Agriculture of 1 June 2005 "Requirements Concerning the Submission of an Active Substance for Inclusion in Annex I of the Council of European Communities Directive 91/414/EEC and the Placing of a Plant Protection Product on the Market". The data are evaluated following the requirements set in the regulation. The applicant will be informed about any insufficiency of the data.

Specific references shall be made about chemicals the use of which is prohibited or restricted (REACH Regulation applies). The person responsible for the placing on the market of a hazardous chemical shall submit to the Chemicals Notification Centre a safety data sheet concerning a preparation dangerous to health prepared on paper or in a format which can be reproduced in writing within at least 30 days after the initial placing on the market of the chemical. EINECS substances, which are produced or imported in the amount of at least 10 tonnes per year, are reported to the Chemicals Notification Centre by April 09⁹.

The exact role of the various authorities in the implementing of the various parts of REACH is in the clarification process. Therefore continues the awareness and knowledge raising, know-how exchange, capacity building and strengthening of dialogue and co-operation of state authorities, industry, trade and consumers in a field of chemical risks management through the

⁷ Chemicals Notification Centre www.ktk.ee

⁸ Radiation Protection Centre <http://www.envir.ee/kiirus/eng/index.php?leht=1>

⁹ EINECS substances in Estonia

<http://www.ktk.ee/index.php?tid=sJfTXJ8iTThfYITkj7oHX9akRHi8UUlk9saYTixjK&keri20020704132643732893=1&pagesize20020704132643732893=all>

workshops, specific meetings and trainings are among the priority issues. All the chemical components of a biocide must be listed on the relevant national “inventory” of chemical substances before it can be supplied. In Estonia the Biocides Act of 2009¹⁰ provides the requirements for the handling of biocidal products and supervision over compliance with the requirements for the handling of biocidal products¹¹. Some reports have already been completed, for example Expert opinion as part of state audit to ensure national food safety practices¹².

Progress within the larger framework of Strategic Approach to International Chemicals Management (SAICM)

The Strategic Approach to International Chemicals Management (SAICM) is a policy framework to promote chemical safety around the world. SAICM has as its overall objective the achievement of the sound management of chemicals throughout their life cycle so that, by 2020, chemicals are produced and used in ways that minimize significant adverse impacts on human health and the environment. The Chemical Safety Committee under the Ministry of Social Affairs was established for the coordination of the chemicals safety area in Estonia¹³. The Committee is inter-ministerial. If necessary, NGOs are invited to take part in the work of the Committee. The last meeting of the Committee was held in 2008.

For the implementation of SAICM in Estonia several strategies have been adopted¹⁴ : The Population Health Strategy 2009-2020 (adopted in July 2008)¹⁵ establishes strategic objectives for maintaining and continued improvement of public health. As with all strategic plans in Estonian legislation, it includes a detailed action plan and must be in accordance with the general state budget. The Strategy defines five thematic areas, one of which concentrates on improving the safety of living, working and learning environments. Chemical safety is taken into account in this area. All measures of the National Cancer Strategy 2007-2015 (adopted in May 2007)¹⁶ contribute to the achievement of the general objective of the Population Health Strategy by prolonging life expectancy through the reduction of mortality and morbidity due to cancer. Aspects of chemical safety have been taken into account in planning actions under the strategy.

The Estonian Environmental Strategy until 2030 specifies long-term development directions for maintaining the good condition of the entire living environment. The reduction of health risks caused by chemicals in the living, working and learning environment have been taken into

¹⁰ Biocides Act, 2009 <https://www.riigiteataja.ee/ert/act.jsp?id=13186015>

¹¹ This Act does not apply to chemicals used as biocidal products if they are used as: plant protection products within the meaning of the Plant Protection Act; medicinal products, including immunologic preparations, within the meaning of the Medicinal Products Act; medical devices or cosmetic products within the meaning of the Public Health Act; food additives or artificial flavourings, in materials and articles intended to come into contact with food, or as chemicals prescribed for compliance with the hygiene requirements for milk, egg and fishery products within the meaning of the Food Act; medical feedingstuffs, additives in feedingstuffs, products used in animal nutrition or feed materials within the meaning of the Feedingstuffs Act.

¹² Report National food safety practices www.riigikontroll.ee/upload/failid/eksperdiarvamus_5.07.2008.pdf

¹³ eRT: Akt Kemikaaliohutuse Komisjoni moodustamine <https://www.riigiteataja.ee/ert/act.jsp?id=888981> (in Estonian)

¹⁴ Strategic Approach to International Chemical Management: preparations for the second session of the International Conference on Chemicals Management, Temporary questionnaire for Governments for reporting on implementation of the Strategic Approach, Estonia, June 2008
<http://www.saicm.org/documents/iccm/ICCM2/Submissions%20on%20reporting%20questionnaire/ICCM2%20Estonia%20reporting%20questionnaire.pdf>

¹⁵ Population Health Strategy 2009-2020 <http://www.riigiteataja.ee/ert/act.jsp?id=13001453> (in Estonian)

¹⁶ National Cancer Strategy 2007-2015
http://www2.tai.ee/teated/arenduskeskus/Vahistrateegia/National_Cancer_strategy_2007_2015eng.pdf

account. The responsibility of the Ministry of the Environment is the development and implementation of the Estonian Environment Strategy 2030¹⁷ and the respective action plans.

The National Radiation Safety Development Plan 2008-2017 sets out the measures designed to guarantee radiation safety and ensure that the state is able to cope with emergency situations involving radiation¹⁸. The aim of the Estonian Rural Development Strategy 2007-2013¹⁹ is to improve the quality of life in Estonia, including rural areas and regions. The development strategy takes account of the specific character of Estonian rural life. The Transport Development Plan 2006-2013²⁰ tackles crucial issues such as development of infrastructure to ensure safe traffic and improvement of light traffic infrastructure in urban areas and rural roads. An efficient transport system means safe traffic organization and safe environment of light traffic, which supports the reduction of health risks caused by chemicals in the living, working and learning environment.

In the planning actions of the Estonian National Strategy on Sustainable Development "Sustainable Estonia 21"²¹ aspects of chemical safety have been taken into account. As mentioned above, the REACH helpdesk also works together with SAICM. In October 2008 the Poison Information Centre started to give quick and adequate advice to medical doctors and general public in cases of acute poisoning.

Policy measures to phase out chemicals that pose unreasonable and unmanageable risk to human health and environment

A monitoring system observes and measures Estonian nature; monitors the situation in the sphere of food safety and quality and detects food that is dangerous for human health. Monitoring programmes are drawn up to match the Estonian and European legal requirements. Environmental monitoring is administered and performed by the Ministry of the Environment together with the agencies under its jurisdiction.

The responsibility for the development and coordination of the programme on the monitoring of pollutants in food lies with the Veterinary and Food Board. Statistical data about the state of the environment are published regularly in the monthly bulletin "Estonian Statistics" of the Statistical Office of Estonia and in annual reports of the same agency. Data about the environment are published in the annual reports "Environment in figures 2008"²², "Environment", "Environmental Monitoring"²³, etc. of the Ministry of the Environment²⁴. The Estonian National Environmental Monitoring Programme was initiated in 1994. The monitoring system has changed in the last 5 years. Presently there are around 1800 monitoring stations in the monitoring set of 68 sub-programmes of 11 monitoring themes, with the parameters reaching 250.

¹⁷ Estonian Environment Strategy 2030 (in English)

<http://www.envir.ee/orb.aw/class=file/action=preview/id=1101230/inglisekeelne.pdf>

¹⁸ National Radiation Safety Development Plan 2008-2017 <http://www.envir.ee/356061> (in Estonian)

¹⁹ Estonian Rural Development Strategy 2007-2013

<http://www.agri.ee/public/juurkataloog/MAAELU/MAS/ERDPS2007-2013.pdf>

²⁰ Transport Development Plan 2006-2013 http://www.mkm.ee/failid/4TAK_ENG.doc

²¹ Estonian National Strategy on Sustainable Development

http://www.envir.ee/orb.aw/class=file/action=preview/id=166311/SE21_eng_web.pdf

²² Environment in figures 2008 (Estonia) <http://www.stat.ee/31370>

²³ Eesti keskkonnaseire 2007

http://eelis.ic.envir.ee:88/seireveeb/aruanded/9400_Eesti%20keskkonnaseire%202007.pdf? (in Estonian)

²⁴ More information about information systems and reporting on environment

<http://www.keskkonnainfo.ee/index.php?lan=EN&sid=464&tid=435>

The main objective of monitoring priority hazardous substances in Estonian surface water bodies is to observe long-term changes in hazardous substances and to assess the contamination of water. The results will serve as the basis for planning further measures for achieving a good condition of surface water bodies. Another main objective, directly related to the monitoring of priority hazardous substances, hazardous substances, and other chemical compounds in surface water bodies, is the development of environmentally safe technologies²⁵.

Air pollution is produced by industry, transport, electric power stations and agriculture. The housekeeping can also pollute the air. Air pollution tends to be worse in urban than in rural areas due to motor traffic. The Technical Committee of Ambient Air Quality was founded in 04.07.2005 to take over the Standards of Ambient Air²⁶. The Register of Air Pollution Sources includes data about stationary and spatial sources of pollution. No ozone layer depleting substances are manufactured in Estonia. Their total consumption was 56.3 ODP tons (Ozone Depletion Potential) in 2007; the respective figure was 73.9 tons or 36.5 ODP tons in 1996.

Water management is an important sphere of activity. In October 2000 the European Parliament and the European Council jointly adopted the Water Framework Directive (WFD) (2000/60/EC) establishing a framework for Community action in the field of water policy. According to the Water Act: River basins and sub-river basins to be covered by a water management plan shall be designated and their water management plans shall be approved by the Government of the Republic²⁷.

Nowadays is going preparing the WFD programmes of measures and integrating measures from parent directives such as e.g. Urban Wastewater Treatment Directive, the Bathing Water Directive, the Drinking Water Directive, the Plant Protection Products and Nitrates Directive, and the IPPC Directive. Drinking water quality is one of Estonia's priorities. The requirements of Council Directive 98/83/EU are established in Estonian law in the Public Health Act, the Water Act, and regulations passed implementing these. In Estonia the responsibility for implementing Council Directive 98/83/EU is divided between the Ministry of the Environment and the Ministry of Social Affairs, specifically the latter's subsidiary agency, the Health Protection Inspectorate.

Estonia has received a great deal of support in these areas from the European Union (EU) Cohesion Fund (CF) and the water conservation programme of the Environmental Investment Centre (EIC), and has also been assisted in controlling agricultural pollution by financing obtained through the Estonian Agricultural Registers and Information Board (EARIB) from the European Agricultural Guidance and Guarantee Fund (EAGGF). Currently around 78% of people in Estonia obtain their water from the public water supply; the aim is to increase this figure to 90% – contributing to enhanced water quality by developing cost-effective measures to achieve good ecological status in view of developing the first river basin management plan under the WFD.

Clean sea water is also very important because any pollution of sea water can be dangerous for seashore and beaches and also for sea flora, fauna and birds. Oil spills and other such incidents at sea, and blatant disregard of environmental requirements have forced both the public and supervisory bodies turn their attention to improved regulation. The Ministry of the Environment has supported and assisted the Border Guard in acquiring a new spill response

²⁵ Project 'Baltic actions for reduction of Pollution of the Baltic Sea from Priority Hazardous substances' background study 2009 http://baltacthaz.bef.ee/files/c15/Background%20paper_final.pdf

²⁶ Information on air monitoring and standards in Estonia www.envir.ee/529657 (in Estonian)

²⁷ Sub-River basin water management plans (total of 9 subriver basins) <http://www.envir.ee/vesikonnad/>

vessel, and the pollution identification and elimination equipment of the Rescue Services has been updated.

As an example of intersectoral cooperation, in food safety, the Ministry of Agriculture is responsible for the safety of production and the Ministry of Social Affairs for nutrition. This is a largely positive example of collaboration, and these Ministries cooperate well on obesity and energy-dense food. Consumer education has been used to encourage demand-led changes in food markets, and incentives have been created for producing healthy products. The current situation in Estonia is highly suitable for developing organic farming, since a shortage of funds has forced many farmers to give up artificial fertilizers and chemical plant protection products²⁸.

In summary, many working groups have been established in Estonia to improve and enhance cooperation within different sectors (such as agriculture, health, transport, food safety, environment, industry, finance and economy, transport, energy, and urban and rural planning). However, the responsibility and representation of the various sectors needs to be streamlined better. Human resources for chemical safety are not sufficient either. Many working groups, committees, etc. could serve different purposes, enabling the overload of work of many of the civil servants to be reduced.

Estonia is a small country and therefore does not have enough human resources to equally cover all these working groups²⁹. Official institutions work together with NGOs, but public interest in chemical risks and/or health issues is low. A good case of cooperation with NGOs is the Baltic Environment Forum (BEF) working on topics concerning chemicals to educate and inform consumers in Estonia. BEF has organized many educational seminars for environmental and consumer NGOs in 2006-2008 to raise their awareness about chemicals, chemicals risks and REACH. Although NGOs are involved in awareness-raising and training exercises, their participation is not systematic. As an example of other Estonian NGOs the Tartu Consumer Advice and Information Centre could be mentioned, who provides information for raising information consumer awareness on the website and has organized several informative seminars³⁰.

International cooperation, especially between the Baltic countries and with the Scandinavian countries, is important. For example, the Health Protection Inspectorate is part of an international project on biocide products. The Radiation Protection Centre is a member of a twinning project with Germany for preparing for environmental and chemical emergencies, and the Chemicals Notification Centre is cooperating with institutions in Italy to get training on environmental impact assessment³¹. The Estonian Environmental Research Centre of the Ministry of the Environment has participated as a leader of a working group in the creation of the SAFEFOODNET³² chemical food safety network, which is designed for the EU member states. National environmental impact assessment companies perform services for other

²⁸ Agriculture and rural life 2007/2008, report of the Ministry of Agriculture
http://www.agri.ee/public/ftp/polmin_aastaraamat_ENG2008.pdf

²⁹ Environment and health performance review, Estonia 2009
<http://ee.euro.who.int/EH%20Performance%20review%20Estonia%20E92585.pdf>

³⁰ Tartu Consumer Advice and Information Centre, www.tartutarbija.ee

³¹ Twinning Light project in cooperation with Italy: Rising awareness on exposure based risk assessment of chemicals. The aim of the project was to improve the control of risks posed by chemicals to health and the environment according to REACH regulation (Regulation 1907/2006)

³² <http://www.safefoodnet.net>

countries, such as assessing the impact of constructing road infrastructure in Afghanistan and Azerbaijan. NGOs also have quite advanced international cooperation³³.

³³ Project Development of Knowledge on REACH (Donor: Leonardo da Vinci Fund; Partners: The Institute of Environmental Engineering (APINI), The Centre for Innovation and Development (CIR), Baltijos aplinkos forumas (BEF-Lithuania), Baltic Environmental Forum Estonia (BEF-Estonia), Baltijas Vides Forums (BEF-Latvia)
Control of hazardous substances in the Baltic Sea region (COHIBA) (Baltic Sea Region Programme 2007 - 2013)
www.cohiba-project.net

Baltic Actions for Reduction of Pollution of the Baltic Sea from Priority Hazardous Substances (BaltActHaz - Project nr. LIFE07 ENV/EE/000122) www.baltacthaz.bef.ee

Proposals for measures and actions for the reduction of pollution from hazardous substances for the Baltic Sea Action Plan, http://files.bef.ee/HELCOM_Haz_FinReport.pdf