

Czech Republic
National Reporting for CSD-18/19
Thematic profile: Chemicals

1. Assessment of chemical risks, including:

a) Mechanisms for systematic evaluation, classification, and labelling of chemicals, including initiatives towards a harmonized system of classification and labelling of chemicals

Since early 1990s the Czech Republic (CZ) had intentionally worked towards its membership in the European Union and therefore strived to harmonize its legislation with that of the EU. Therefore, the former legislation always mirrored that of the EU. The CZ became the member of the European Union on 1 May 2004.

In general, the requirements of the evaluation, classification and labelling of chemicals have always been conducted in accordance with the existing EU legislation at that time. However, the implementation can be divided into two stages:

Before 1 June 2008

The following EU legislation was used as models to maximize the protection of environment and health with regard to the evaluation, classification and labelling of chemicals:

- The Council of the European Union Directive 67/548/EEC of 27 June 1967 on the approximation of laws, regulations and administrative provisions relating to the classification, packaging and labelling of dangerous substances
- European Union Directive 1999/45/EC of the European Parliament and of the Council of 31 May 1999 concerning the approximation of the laws, regulations and administrative provisions of the Member States relating to the classification, packaging and labelling of dangerous preparations

Both these documents define provisions for competent authorities, scope and content of information to be provided in relation to chemicals and enforcement mechanisms. The requirements have been implemented in the Czech Chemicals Act (No. 356/2003 Coll. on chemicals and chemicals preparations as amended) that entered into force on 1 April 2004.

After 1 June 2008

The new chemical policy of the European Union gradually enters into force in the legislative document with uniform application throughout the whole EU – 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. Application of this regulation required appointment of competent authorities (by end of 2007) to perform tasks specified in the regulation, specification of enforcement provisions and penalties applicable for infringement. The competent authorities will participate in evaluation of chemicals see REACH (Article 45).

In addition, provisions for classification and labelling of chemicals are defined by the Regulation (EC) No. 1272/2008 of the European Parliament and of the Council of 16 December 2008 on classification, labelling and packaging of substances and mixtures, amending and repealing the Directives 67/548/EEC and 1999/45/EC, and amending the Regulation (EC) No. 1907/2006. The regulation is to transfer into the EU legal system requirements of the Globally Harmonized System for classification, labelling and packaging of substances and preparations. This new Regulation entered into force on 20 January 2009, however, majority of its provisions will only come into force on 1 December 2010. Until then the existing EU and CZ legislation remains applicable.

b) Initiatives for assessment of toxic chemicals, hazard and risk assessment, and participation in various international and regional initiatives

Assessment of toxic chemicals

Prior to 1 June 2008

The risk assessment was conducted for 25 new chemicals notified in the CZ in accordance with the Directive 67/548/EEC (Act No. 356/2003 Coll.) by the Ministry of Health (health effects) and the Ministry of Environment (environmental effects).

The CZ also participated in cooperated approach to risk assessment of chemicals produced in high volumes (HPV) in accordance with the Council Regulation (EEC) No. 793/93 of 23 March 1993 on the evaluation and control of the risks of existing substance.

In addition, the CZ also actively participated in the risk assessment programme in the OECD framework and, in collaboration with Slovakia 2 chemicals were assessed.

After 1 June 2008

The evaluation of chemicals is laid down by the Rolling Action Plans as requested in REACH (Article 45). Manufacturers or importers of chemicals should evaluate the hazard of registered chemicals and provide results in the chemical safety report as part of registration dossiers. These dossiers are evaluated and adopted by the competent authorities. The Czech Republic's Competent Authority (Ministry of the Environment and members of the relevant REACH committees) will participate in evaluation of chemicals under REACH.

Participation in international and regional initiatives

CZ ratified all 3 chemicals and waste related conventions – Stockholm, Rotterdam and Basel Conventions and actively works to implement them (member of the Chemical Review Committee of the Rotterdam Convention (2008-2012), the Persistent Organic Pollutants Review Committee (2004-2010), hosts both Regional and National Centre for Capacity Building and Transfer of Technologies of the Stockholm Convention providing a number of activities including regional monitoring of POPs, national inventories, training – the Summer School on Ecotoxicology and Environmental Chemistry, bilateral projects namely in the Central and Eastern European region, however also providing help to countries in Africa. CZ supports enhanced co-operation and coordination among the conventions at national, regional and international level.

CZ is also Party to the UN ECE LRTAP Convention and all its protocols, and Member of the OECD (since 1995) – all groups on chemicals, nanotechnology and manufactured nanomaterials, pesticides, including Joint Chemicals meetings.

CZ also adopted SAICM in 2006 and within its framework provides assistance to implement chemicals management in developing countries and countries in economies in transition – see below 2b. Furthermore, the CZ strongly supports UNEP endeavours to prevent illegal traffic in hazardous chemicals and had in the long run been active in the field. CZ organized a High-level roundtable on illegal traffic in chemicals (26.11.2004) in the framework of the 16th Meeting of Parties to the Montreal Protocol on Substances that Deplete the Ozone Layer and a 3-day Symposium on the illegal international traffic in hazardous chemicals in November 2006 (6-8.11.2006) in Průhonice. The work on combating the illegal traffic in hazardous chemicals was also topic of two side-events at 24th session of the UNEP Governing Council in 2007 (side event laid down a background for the preparation of the decision 24/4 dealing with the illegal international traffic) and at the 25th session of the UNEP Governing Council in February 2009.

In addition, the Ministry of the Environment of the Czech Republic has repeatedly contributed financially to support "Green Customs Initiative", an internationally recognized initiative combating illegal traffic in toxic and hazardous wastes, ozone depleting substances, fauna, flora and living modified organisms with 17 000,- USD in 2005 and 25 000,- EUR in 2008.

These activities generally help namely to developing countries and countries with economies in transition in raising awareness of the issue and stimulate development of the national measures for implementation and enforcement.

There is a broad range of international activities supporting sound chemicals management, many of them within the framework of UN. CZ welcomes and strongly supports the endeavours to better coordinate these activities to achieve synergies that would allow for more effective and efficient use of limited financial and human resources. The first attempts to do so should be further promoted.

c) Strategies for exposure assessment and environmental monitoring and improvement in procedures for using toxicological and epidemiological data to predict and estimate the effects of chemicals on human health and the environment
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Strategies for collection of data and interpretation of results are inherent part of the national legislation. They consist of the internationally recognized methodology or standards (OECD, WHO, international standards and others) including the use of good laboratory practices.

In addition, the CZ strives to make use of its existing data sets (health and environmental related) in a relatively long time line (some since 1970s) and link existing negative health effects including their geographical distribution, level of irreversibility or reproducibility with the environment pollution or local and/or regional contamination. The newly developed software tool - the Global Environmental Assessment and Information System (GENESIS) - allows for the simultaneous viewing (using GIS technology) and analysis of various data levels. It uses standardized methods of environmental modelling and its analyses/results are reliable and applicable in all environmental matrices. The system can evaluate the level of contamination of soil, water, air and food, loss of the biodiversity, ecosystem stability and climate change in addition to the general evaluation of the level of environmental and/or health risk of a particular activity/existing contamination

The aim of the tool is not only to analyze the data, but also to serve in decision making related to the crisis management, in the implementation of the sound chemicals management, establishment of national priorities and preparation of focused legislation at the national level. Moreover, thanks to the automated data processing and flexibility to process data from various sources and databases via Internet interface the system could also be applied in the regional and international assessments or in effectiveness evaluation of the existing international legal agreements dealing with environment and or health.

d) Information exchange and cooperation, data-quality assurance, application of assessment criteria, and linkages to risk management activities

Results of regular screening, monitoring and assessments related to chemicals are circulated in yearbooks (Yearbook on the State of the Environment or Yearbook on Health) in both printed and electronic forms and also published on websites of the ministries and other relevant subordinate institutions (i.e. the Ministry of the Environment (www.mzp.cz), the Czech Hydrometeorological Institute (www.chmi.cz), the Institute of Public Health (www.szu.cz).

Reporting to the European Commission and fulfilling reporting obligations to all ratified chemicals and waste related Conventions (see websites of relevant conventions or reports published by the European Commission). Publication of inventories related to persistent organic pollutants on the website of the National POPs Centre (www.recetox.muni.cz) or use of the specific information systems - i.e. - integrated pollution register (www.irz.cz), global pollution registers (www.prtr.net) and others.

Guidance materials related to methods, assessments and criteria at both EU and national level are either part of the legislative act itself or are published on the relevant Ministry website or published in the specialized issue of scientific papers as i.e. national Chemical Papers, Journal of the Ministry of the Environment etc., In addition, information on the new documentation/guidance is always provided in the press release.

2. Sound management of toxic chemicals

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

CZ has adopted SAICM in 2006 and fully supports it as a politically binding framework. CZ strives to implement SAICM objectives in all 5 focal areas towards achieving ambitious goals of reducing negative impact of chemicals and adopting sound chemicals management in priority fields by 2020. The SAICM implementation is also inherent in the implementation of the new European Union's Chemicals policy - REACH and also pertaining to the National Environmental Policy 2010 reflecting goals of the 6th Environment Action Plan, enhancing recycling, use of the IPPC, EIA and SEA procedures as well as adopting "polluter pays principle". In line with gradual entry into force of REACH and other interrelated EU legislation, the legislation at the national level has been amended or is being reviewed to reflect the latest development (wastes, water, chemicals, public health, risks and major accident prevention etc.)

Participation of all groups in SAICM is provided via advisory body to the Ministry of the Environment - Chemicals Safety Council (participation of various ministries, industry, NGOs, and academia).

Overall support to SAICM process - CZ fully subscribes to MDGs and chemicals management has always been supported through the Czech development cooperation. The main objectives

of the Czech Republic's development cooperation include sustainable development with special emphasis on its environmental aspects and post-conflict renewal. A fundamental component of the Czech development cooperation is channelled through the programmes of cooperation with [priority countries](#), with a view to encouraging the application of the principles of partnership, efficiency and transparency. The programmes lead to better predictability of development cooperation and facilitate planning to all parties involved. For CZ it is therefore of particular importance that the developing countries identify chemicals management as an issue that needs to be supported through these programmes and include chemicals management in their national development plans.

For the period 2004-2009 the Ministry of the Environment has allocated almost 90 million CZK to international bilateral aid projects related to chemicals in Africa, Central and Eastern Europe and Asia.

Except for the support through Czech ODA, the Ministry of Environment endeavours to focus its support to in-kind services and offer expertise of its specialists and know-how. Bearing in mind the crucial importance of the Quick Start Programme for the initial enabling capacity building and implementation activities in developing countries and countries with economy in transition, the CZ contributed to the Quick Start Programme 30 000 EUR in 2008, 20 000 EUR in 2009.

Moreover, CZ has also provided support of 20 000 USD to the organization of the meeting of Open-ended Legal and technical working group and 10 000 EUR for the organization of the 2nd session of the International Conference on Chemicals Management to help enhanced exchange of information and approaches as well as pursue the progress in SAICM development and increase its implementation worldwide.

CZ sees as a challenge further improvement of cooperation of all stakeholders involved, including private sector. Further steps to improve links with health and development sector needs to be taken.

b) Initiatives and innovations for risk reduction, particularly taking in to account the life cycle of the chemicals

Research and innovation projects at both national and international level used to be under the auspices of each Ministry. At the national level, the innovation related to environmental research including risk assessment, transfer to safer alternatives and research for more environmentally friendly processes and applications has been conducted through grants. Since 2007 the EU-wide support (funding) for projects through EU Structural Funds in the field of the environment and industry applies to risk reduction, production processes and minimization of risks and remediation contaminated sites and it is possible to submit projects via Environment Operation Programme and Industry Operation Programme.

c) Precautionary measures derived from broad-based life cycle analysis

Among others, the pollution prevention is in place – i.e. PRTR register covering air, water, soil and wastes is in place and since 2004 in full operation. Information is publicly available in an electronic form and companies/polluters are obliged to report yearly. Process, procedure and outcome is widely accepted by both industry and public – Integrated Pollution Register (national legislation).

By implementing the REACH Regulation, the dissemination of information on hazardous properties of chemicals is also duty of EU member states. A special contact point for this purpose has been established in the Czech Republic. In addition, obligation to provide information on hazardous properties of chemicals or preparations lies on partners/suppliers in downstream user chain - safety data sheets are important tool for fulfilling of this obligation.

d) Policy measures to phase out chemicals that pose unreasonable and unmanageable risk to human health and human environment, such as, for example, ozone-depleting substances

Risk reduction measures like restrictions on use of chemicals or phasing out of chemicals are applied in accordance with EU legislation (prior to 2008 – the Council Directive 76/769/EEC of 27 July 1976 on the approximation of the laws, regulations and administrative provisions of the member states relating to restrictions on the marketing and use of certain dangerous substances and preparations, as amended – applied in the national legislation by the Decree of the Ministry of the Environment 221/2004 Coll. on banning or restricting the use of dangerous

chemicals and chemical preparations and or products containing those substances or preparations. Since REACH entry into force authorization and/or restrictions of chemicals will follow its provisions - member states may submit proposals to include chemicals on the list where manufacturing, import or use will be restricted or will be possible only if authorized by the European Commission. The CZ intends to prepare dossiers for several chemicals.

CZ is also Party to the Vienna Convention for the Protection of the Ozone Layer and the Montreal Protocol on Ozone Depleting Substances and all its amendments. Its provisions are implemented in line with the EU legislation - Regulation (EC) No. [2037/2000](#) of the European Parliament and of the Council of 29 June 2000 on substances that deplete the ozone layer.

e) Policies and frameworks for prevention of accidents, preparedness and response

CZ has ratified the Convention on the Transboundary Effects of Industrial Accidents in 2002 and actively participates in its implementation. In addition, there is also the EU Council Directive 96/82/EC on the control of major-accident hazards and related national legislation in place - the Act no. 59/2006 Coll. on the prevention of risks that defines scope, requirements relating to safety management systems, competent authorities, crisis management (including emergency planning and land-use planning), enforcement provisions via inspections and dissemination of information related to safety including public consultations.

f) Policies aimed at reducing the risks posed by lead, mercury and cadmium and other harmful heavy metals, including through a review of relevant studies, such as, for example, the United Nations Environment Programme global assessment of mercury and its compounds

CZ has ratified the UNECE LRTAP Convention including its Protocol on Heavy Metals and actively participates in the work of the relevant Task Force including the implementation of the requirements of the Protocol.

Moreover, CZ has always actively participated in the work of the Intergovernmental Forum on Chemicals Safety (since 1994, until 2006 when SAICM was adopted), namely in 2005 when the Forum V focussed on mercury, cadmium and lead; Furthermore, CZ regards as driving force the work carried over UNEP, to which we endeavoured to contribute by providing the required data for inventories, comment on background papers and supporting the needs for addressing hazards and risks posed by mercury at a global level.

In addition, almost 30 legal acts related to mercury and other chemicals of concern are in place in the EU and CZ is bound to implement them. This legislation covers various stages of the life-cycle of chemicals and fulfils 3 objectives – to control emissions (Water Framework Directive, Integrated Pollution Prevention and Control, Waste incineration and use of Best Available Techniques), to limits the mercury content in products (i.e. cosmetics, packaging, batteries, toys, textile and electric and electronic equipment) and/or restricts marketing of products containing mercury (mercury export ban and marketing of mercury containing measuring devices – thermometers and manometers) and prescribes safe waste disposal (i.e. electric and electronic equipment, end-of-life vehicles, batteries and others; defines methods of collection, recycling and disposal and defines provisions for the hazardous wastes management).

g) Initiatives to reduce overdependence on the use of agricultural chemicals

CZ is Party to the Rotterdam Convention that covers both industrial chemicals and plant protection chemicals including pesticides and actively implements its obligations. CZ is also a member of the OECD working group on pesticides. In addition, the existing EU legislation requires phase-out of hazardous substances used for plant protection – the EU Council Directive 91/414 on the placing on the market of plant protection products and the EU Regulation 396/2005 on pesticide residues in food and feeds. At present, the revision of the pesticide directive is ongoing in line with the Thematic Strategy on the Use of Pesticides adopted by the European Commission in June 2006. The goal is, in addition to manufacture and end-of life of pesticides, to cover the use of pesticides through establishing a set of minimum rules and requirements.