

ENFORCEMENT OF CHEMICALS LEGISLATION

e-Learning course

Learn about enforcement issues related to the implementation of legislation for chemicals and how a properly designed legislative framework can be more effective through enforcement and compliance and how this can contribute to the overall goal to protect human health and the environment.



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Background and overview

This course is based on the Swedish Chemical Agency - KemI publication on “Enforcement of legislation on chemicals placed on the market” one of a series of guidance documents developed to complement the UNEP Guidance on the Development of Legal and Institutional Infrastructures and Measures for Recovering Costs of National Administration (LIRA Guidance) by giving more detailed guidance in different areas.

The aim of the present course is to guide participants through the design and implementation of an efficient system for the enforcement of legislation on chemicals placed on the market, covering substances as such or when used in mixtures or in articles.

Target group

This course is targeted at national chemicals officials but is intended to be of interest to a broad range of sectors and stakeholders involved in chemicals management at the national level (e.g. agriculture, environment, health, labour, trade and industry, transport).

It will be of particular relevance to officials with responsibilities for enforcement and inspections under chemicals control legislation.

General learning objectives

After taking the course, participants will be able to:

- Describe the importance of compliance and enforcement of national chemicals laws
- Explain the importance of inspections to ensure compliance with national chemicals laws
- Describe the steps in the inspection process
- Identify the tools available to enforcement authorities



Course structure

Module 1 – Why is enforcement necessary?

Learning objectives

- Identify the conditions to achieve legal compliance
- Understand the relationship between legal compliance and enforcement and how enforcement reinforces compliance
- Describe the roles of different stakeholders in compliance and enforcement

Content

1. Introduction to the role of legislation and the purpose of compliance and enforcement
2. Introduction to the legislative process towards compliance and enforcement
3. Clear rationale and (local) evidence supporting the legislative actions
4. Stakeholder considerations in the legislative process; boosting trust, compliance and aiding enforcement
5. Clear and easy to understand legislation, clear responsibilities and consequences;
6. Inspections and sanctions as drivers towards compliance

Module 2 – Roles and responsibilities

Learning objectives

- Understand the role of key stakeholders, including industry and government
- Understand how these roles complement work together to implement a legal framework on chemicals management

Content

1. The role of industry in compliance and reporting
2. The role of governments in enforcement and inspection

Module 3 – Market surveillance supported by control at the border

Learning objectives

- Understand the importance of market surveillance and the supporting role of border controls
- Understand the responsibilities of companies and individuals placing chemicals and chemical products on the market
- Describe the tools to monitor production and imports
- Identify the linkages and mutual support of market surveillance and border control to existing chemicals monitoring systems, conventions' reporting, labelling schemes and other global initiatives

Content

1. Responsibilities for ensuring that products on the market are sold in compliance with the legislation
2. Description and examples of market surveillance and inspections and border control
3. Competencies required for market inspection
4. Systems for documenting records of inspections
5. Role of customs officials in border controls
6. Linkages to reporting for conventions (e.g. information contained in export notifications) and information found on labels and SDS, or harmonized customs codes



Module 4 – What should be inspected?

Learning objectives

- Identify the materials and documents to be inspected and how they can support the controls set out in legislation
- Understand the different forms of restriction and marketing requirements subject to enforcement: chemical bans, use restrictions, labelling and information on use

Content

1. Classification, labelling and safety data sheets (GHS)
2. Restrictions and bans
3. Reporting requirements

Module 5 – Who should be inspected?

Learning objectives

- Identifying the target groups for inspection
- Identifying and inspecting actors along the supply chain (understanding the supply chain and how chemical substances and mixtures are marketed locally)
- Determining where action is to be taken

Content

1. Introduction to the supply chain; the roles of producers and formulators; importers and wholesalers; distributors and retailers; markets, public services

Module 6 – Who should inspect?

Learning objectives

- Identify who has the authority and mandate to inspect
- Understand the components of inspection: physical examination of stock, auditing of purchase and sales records, analytical analysis of chemical content
- Identify approaches to sustainable financing for inspections - see online course on sustainable financing
- Understand needs for confidentiality
- Describe an inspection routine

Content

1. Competences needed for inspection
2. Analysis and the use of laboratories
3. Confidentiality

Module 7 – Measures when observing violations

Learning objectives

- Decide which approaches and tools to use to identify cases of non-compliance
- Decide what to do when non-compliance is detected

Content

1. Measures taken when a case of non-compliance is detected
2. Tools available for enforcement

Module 8 – Inspections • Practical guidance

Learning objectives

- Understand the context and areas in which enforcement could be applied successfully
- Describe the multisectoral cooperation needed to build a sound enforcement system
- Understand how key players in the chemicals management cycle are inspected

Content

Part I: planning and on-site checklist

1. Strategic planning and cooperation
2. General guidance on the inspection

Part II: inspection of key stakeholders

3. Inspections of producers and importers
4. Inspections at retailers



Methodology, resources and certification

The course, about 45 minutes to complete, is self-paced and adapted to the schedule of full-time working professionals. Participants are provided with the opportunity to learn through various experiences: absorb (read); interact (activity); and reflect (relate to one's own reality). This includes videos, interactive lessons, reading materials and quizzes.

Despite being self-standing, the 8 modules of the course must be completed in order.

Each module concludes with a quiz which will assess the knowledge learners will acquire. If learners pass the quiz with a 100% mark, a certificate of completion will be issued to them.

Participants will be requested to provide feedback on the course by filling in a feedback form after completing all the modules, accessible anytime.



Technical requirements

The course can be completed on any computer (Windows and Mac) or mobile device. Any internet browser is compatible as long as it has been updated to its latest version.





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