

Meeting date: 17 October 2003

Open Gov. Status: Fully Open

Exemptions: None

### Advisory Committee on Toxic Substances

Minutes of the 82<sup>nd</sup> meeting of the Advisory Committee on Toxic Substances held on 17 October in the Shakespeare Room, 2 Southwark Bridge, London SE1 9HS

**Present**

Sandra Caldwell - Chair  
 Ian Carney  
 John Edwards  
 Mike Kingsland  
 Gwynne Lyons  
 Ian Brown  
 Len Levy  
 Liz Corbett  
 Colin Soutar  
 Andy Stirling  
 Alastair Hay  
 Bud Hudspith  
 Kim Sunley

**Apologies**

Roger Alesbury  
 David Tolley  
 Harry Wilson  
 Elspeth Metcalfe  
 Susan Murray

**Officials Present**

John Thompson - Secretary  
 Carole Sullivan  
 Paul Oldershaw  
 John Groves  
 Christine Northage  
 Colette Nimbley  
 Peter Ridgway  
 Nick Summers  
 Peter Tanczos  
 Naseem Walji

**Presenters**

Items 2 & 4 - John Thompson  
 Item 3 - Nick Summers  
 Item 5 - Bill MacDonald

<b>0</b>	<b>Introductions and apologies</b>
0.1	Sandra Caldwell welcomed Kim Sunley (TUC) to her first ACTS meeting. It was noted that the second new TUC member, Susan Murray, who had attended the morning's open meeting, was unable to attend the afternoon session.
0.2	Sandra Caldwell informed the Committee that this was her last ACTS meeting as, from 1 December, she is to become HSE's Director of Field Operations. Jane Willis will replace Sandra in HSE's Policy Group and will take over as Chair of the Committee. Sandra thanked the Committee for the hard work done during her four enjoyable years as Chair. The members expressed their thanks and appreciation to the outgoing Chair.
<b>1</b>	<b>Review of the morning's open meeting</b>
1.1	The Chair thanked the three members who gave the key presentations at the open meeting (on the new OEL framework, European Week for Safety and Health and occupational asthma). She also thanked the four steering group members who had worked with Secretariat to take forward the planning and organisation of the open meeting. The Chair then asked members for their first impressions of the open meeting.
1.2	All members felt that the meeting had been a success, with several members expressing that it had exceeded their expectations. It was agreed that the format of the meeting had been the correct way start the process of opening up the work of the Committee. Members were pleased with the wide range of questions that had been raised during the question

	and answer session, together with the positive attitude shown by the audience. The discussion then turned to the future strategy for holding ACTS open meetings. It was agreed that, before developing thoughts too far, Secretariat should analyse the feedback questionnaires that had been completed by the public attendees. These findings would then be used to inform discussions at the March 2004 meeting.
1.3	<p>The Committee agreed that:</p> <ul style="list-style-type: none"> <li>• Having analysed the feedback questionnaires, Secretariat will prepare an “options” paper for discussion in March 2004. This will set out the options for the Committee’s future strategy for open meetings, e.g.: <ul style="list-style-type: none"> <li>• one open meeting per year, i.e. public attendees observing normal business;</li> <li>• all future meetings as “open”;</li> <li>• holding annual “themed” open meetings, with syndicate groups tasked to look at, and answer, particular questions/issues; or</li> <li>• a combination of these and other ideas.</li> </ul> </li> <li>• Committee members will e-mail Secretariat with their reflections on how the open meeting went, together with ideas on how open meetings could be held in the future. These ideas will then be included in the “options” paper for consideration in March.</li> <li>• In advance of the March meeting, Secretariat will ballot members, by e-mail, to identify the most popular format for future open meetings.</li> </ul>
<b>2</b>	<b>Review of ACTS’ sub-groups – update from member’s Review Group</b>
2.1	<p>John Thompson introduced this item. He reminded members that at the July meeting it was agreed that HSE could proceed with the constitution of WATCH even though there were still one or two outstanding issues for the Review Group to take forward. The aim is to constitute WATCH as soon as possible, hopefully by March 2004. Members were also reminded that, unlike ACTS, WATCH would remain subject to the <i>Code of Practice for Scientific Advisory Committees</i> (CoPSAC). The member’s Review Group met on 22 September to consider the outstanding matters which were summarised as:</p> <ol style="list-style-type: none"> <li>1) How many members should there be, and whom should they represent?</li> <li>2) The EU limit setting process and the role of WATCH (and WEELS).</li> </ol>
2.2	<p>The first of these matters – how many members – was then discussed. John Thompson explained that WATCH would be constituted as a sub-committee of ACTS. The social partners (CBI and TUC) would each nominate three members; there would also be four independent members and one lay member. The lay member would be tasked with bringing particular additional skills to the table, e.g. communication skills. Additional members would be able to be co-opted on to WATCH as and when necessary. There would be a formal appointment process for which an independent assessor would be used. It is envisaged that WATCH will meet three times a year.</p>
2.3	<p>A discussion then took place with regards to how the appointment process is likely to operate in practice. It was acknowledged that many members of the old-WATCH are likely to be re-nominated for the new-WATCH. It was accepted that the scope of WATCH was being broadened; yet it would be a smaller committee (though with the option of co-opting additional members with specialist knowledge as necessary). It was agreed that for both ACTS and WATCH to remain relevant to the issues of the day, they would need to evolve accordingly. It was therefore agreed that WATCH should be reviewed in two years time.</p>
2.4	<p>John Thompson then introduced the second key issue that the Review Group had been considering – the EU exposure limit setting process. He explained that a degree of uncertainty had been expressed by members regarding the process, particularly how WATCH and WEELS fit into it. With the future emphasis in limit setting being in the EU, some members had expressed concerns as to how stakeholders will feed into the process. To meet these concerns, John Thompson explained the need to re-define the role of WEELS as a tripartite forum for developing UK negotiating positions. WEELS would also act as a conduit for transmitting this to stakeholders. The new WEELS website will also be used to disseminate information to stakeholders. It was noted that WEELS is not a CoPSAC committee; anything scientific would be referred to WATCH, although it is</p>

	envisaged that referrals to WATCH would be as necessary rather than automatic. The Review Group will develop these ideas further and report back on WEELS in 6 months.
2.5	In terms of work in Europe, members encouraged HSE to persuade other member states to send secondees to DG V in order to help with the work on the process (rather than the science) of limit setting, e.g. to get the EU machinery working. It was agreed HSE would use its EU contacts to see if anything could be done encourage other member states. <b>[ACTION: HSE]</b>
2.6	In order to appreciate the linkages between WATCH, WEELS and SCOEL, members requested a diagram or “RoadMap” to illustrate how these committees (and their roles) link into Europe. The Chair agreed that HSE would produce a RoadMap. This would be a pragmatic UK interpretation of how an OEL for a chemical is produced, illustrating how the UK influences the process. It was also agreed that, in order to ensure members are kept better informed of the role and work of ACTS’ sub-committees, all sub-committees will in future submit an annual report to ACTS. <b>[ACTION: HSE]</b>
<b>3</b>	<b>Progressing the work plan: feedback from liaison with other committees</b>
3.1	Nick Summers introduced this item. A document was tabled which illustrated the progress that is being made with the ongoing ACTS initiative to link-up, and work with, other advisory committees. The document also included feedback forms resulting from members’ recent visits to committees covering the paper and board (PABIAC), printing (PIAC) and shipbuilding (SSHSCC) industries. The process of obtaining feedback from visited committees was explained to members, together with how Secretariat propose to monitor development of initiatives that result from members visits to other committees. It was explained that during November and December further visits will be made to committees responsible for agriculture (AIAC), motor vehicle repair, bakeries (HSBLC) and the local authority enforced sector (HELA).
3.2	Committee members who had recently visited other committees – rubber (RUBIAC) and shipbuilding (SSHSCC) were asked to provide members with a verbal update on how their presentations had been received, together with any potential outcomes. Both members were of the opinion that their visits to other advisory committees had been time well spent. In terms of ship building two issues had emerged: <ul style="list-style-type: none"> <li>• The need for ACTS’ assistance in getting information on the removal of chemicals included in the standard information provided in safety data sheets; and</li> <li>• The need to be able to provide documented information on what chemicals (coatings etc.) have been applied to, or used in, ships over their lifetime. Something akin to safety files for buildings, i.e. as with the CDM requirements in the construction industry, was suggested.</li> </ul> It was agreed that Secretariat would liase with the appropriate HSE contacts to see what could be taken forward.
3.3	A Committee member asked why they were not visiting the Oil Industry Advisory Committee and the Local Authority Forum. Nick Summers said that Secretariat would look into this and, if appropriate, arrange visits to one or both of these committees.
3.4	The Committee suggested that the electronic-COSHH Essentials mouse mats should be included in the communication packs sent to advisory committees ahead of the visit by the ACTS member. This was agreed.
3.5	A Committee member asked whether it would be possible to interest the Textile Industry Advisory Committee (TEXIAC) in a possible visit by an ACTS member. Another member agreed to contact the Chair of TEXIAC to emphasise how worthwhile other committees had found these presentations. The member then agreed to report back to Secretariat.
3.6	With regards to the outstanding advisory committees that ACTS would like to visit, it was agreed that Secretariat would email members a list of future meeting dates. Members agreed they would then check their diaries and if available volunteer.
<b>4</b>	<b>The EU chemicals strategy</b>
4.1	John Thompson introduced this item. A paper was tabled which provided an overview of

	the amended REACH proposals. The paper also included a copy of a letter that had been sent to the President of the EC by the leaders of the UK, French and German governments. This letter sets out concerns about the REACH proposals, e.g. in terms of a lack of prioritisation, animal testing etc. John Thompson explained that the amended proposals would be published, in full, on the internet on 29 October, website: <a href="http://europa.eu.int/comm/enterprise/chemicals/">http://europa.eu.int/comm/enterprise/chemicals/</a>
4.2	A discussion then took place on some of the issues that were highlighted in the tabled paper, such as changes to the Duty of Care. The outcome of these discussions was that some members felt that it would helpful to have a formal debate at the next meeting.
4.3	It was resolved and agreed that members would look through the tabled <i>Overview of the changes</i> (to REACH) document and identify any "issues of concern for the EU workplace". A list of concerns will then be brought forward to the next (March 2004) meeting for the Committee to discuss. It was agreed that it was not appropriate for HSE to provide an analysis of the concerns raised in advance of the ACTS discussion. HSE will inform members of how, and by when, they need to raise issues for discussion.
<b>5</b>	<b>Introduction to the cancer and skin disease strategies</b>
5.1	Bill Macdonald provided a verbal update on progress with the development of HSE's new cancer and skin disease strategies. In terms of skin, whilst much work has been done it has, in general, been characterised as being fragmented, uncoordinated and focused on PPE. There is now a need to focus on substitution and control at source, something, by way of example, that the Rubber Industry Advisory Committee (RUBIAC) have been doing in the development of best practice guidance which is not PPE based. Ideas for the future include development of a skin disease website, use of biological monitoring and the production of a list of top-10 key substances (i.e. based on the asthma model). Problems in the LA-enforced sector and SMEs particularly need tackling.
5.2	In addressing cancer, Bill Macdonald explained that it was planned to first target substances with known substantial exposures (e.g. PAHs and Chrome VI) and by targeting key industries. A conference, involving key intermediaries, charities (etc.) is planned for June 2004. The aim of this will be to identify strategies and priorities. ACTS will be asked to provide assistance and support for the conference.
5.3	In terms of skin disease, the Committee suggested that, in order to make the project as robust as possible, a way should be found to validate ill-health data, e.g. that provided by EPIDERM. Bill Macdonald will consider how to take this forward.
5.4	On cancer, members acknowledged that whilst REACH would help, e.g. by identifying currently unknown carcinogens and via EU authorisation, it could not be expected to do so for a very long time.
5.5	It was agreed that Bill Macdonald would produce a paper on the skin disease and cancer strategies for discussion at the next meeting. In the meantime, if members have any questions they were asked to raise directly them with Bill Macdonald. <b>[ACTION: HSE]</b>
<b>6</b>	<b>Minutes of the 10 July 2003 meeting</b>
6.1	The minutes were agreed.
<b>7</b>	<b>Matters arising and secretary's report from 81<sup>st</sup> meeting</b>
7.1	There were no matters arising.