



PMC Management Committee

Minutes, Conference call, 18 May 2017 (9:30-11:00 CET)

Chairman: Guy Ethier (Umicore, Belgium)

Co-Chairman: Heinz-Günter Schenzel (C. Hafner, Germany)

Actions	Who?	When?	Status
To circulate to the Management Committee the email sent with the recommendation of the WG on the IPA proposal to postpone the registration of Pt and compounds	FC	ASAP	DONE
Insert a slide in the Assembly presentation with the reserves at 31 st December 2016	AR	18/05/2017	DONE
To check the LtU contract to ensure that other parties having legitimate access can join the joint submission (FC, ASAP)	FC	ASAP	
Prepare 3-5 options which could be used in all the data sharing outside the EU, these options will be reviewed by PMC legal counsel and presented to the Management Committee for approval before publication on PMC website. The aim is to streamline and facilitate the communication in the context of data sharing	FC	31/07/2017	
Include on the agenda of the next Management Committee meeting the discussion on the Annex III exempted substances and related fee	FC	31/07/2017	
Send to Re sub-Assembly a fee statement for 2012-2017	AR/CM	Summer 2017	

1. Welcome and Introduction

Guy Ethier welcomed the participants. We received the apologies from Francisco Boo (see quorum in Annex1).

France Capon reminded the anti-trust guidelines. The agenda of the conference call has been approved as the minutes of the previous meeting (15 March 2017) after the review of the actions which have been all conducted on time.



Guy Ethier highlighted the fact that it is important to remind that the decision to not postpone the registration of Pt was a collective decision taken by the Management Committee and not a decision from the Secretariat. The decision was taken due to the remaining uncertainties and the need to avoid jeopardizing the registration of Pt and compounds. Nissanka Rajapakse disagreed with this statement and reminded that the Management Committee suggested at the last meeting that the IPA proposal was sensible. This is the WG after review and discussion of the pros and cons analysis provided by the Secretariat which made the decision. Guy Ethier and Heinz-Günter Schenzel reminded that decisions are not taken at WG but that a recommendation from the WG was sent to the Management Committee for final approval. It was therefore a collective decision from the consortium. Nissanka Rajapakse confirmed that it was a collective decision that he agreed on as a member of the Management Committee but disapproved as Johnson Matthey representative. He reported that IPA members decided during the members meeting on 17th May 2017 to go ahead with the testing on mutagenicity within a broader scope than the PMC one. This must be ran within 6-9 months. The Management Committee confirmed that when the data will be available, the Pt dossiers could be updated, as agreed and discussed at the WG in March 2017. Rudolf Eller questioned the acceptance by ECHA of data performed outside the EU. France Capon reminded that the legal counsel was consulted in March 2017 on this issue and he confirmed that if the data were generated by another entity for another regulatory purpose than REACH, there should be no issue.

ACTION: to circulate to the Management Committee the email sent with the recommendation of the WG on the IPA proposal to postpone the registration of Pt and compounds. (FC, ASAP) – Cf. Annex 3

Post-meeting information: the decision to not postpone the registration of Pt was confirmed by the Management Committee on a written basis (6 positive replies and 2 did not replied) on 24th March 2017.

2. Preparation of Assembly meeting

France Capon introduced the topic highlighting the fact that the agenda has been reshuffled allowing on the first day to discuss the administrative issues and especially the reorganisation of EPMF/PMC. The second day will start by a summary of the discussion on the reorganisation and will continue with an update on the projects.

1. Recommendation to the PMC/EPMF to approve 2016 accounts

The 2016 audited accounts have been reviewed by the Management Committee in March 2017 and by the financial controller and the treasurer of EPMF. All recommends to the PMC Assembly to recommend to the EPMF Assembly to approved 2016 audited accounts.

2. Status of 2017 accounts

The status of 2017 accounts until April 2017 has been presented including the following highlights:

- PM CN-: The overspent is due to additional analytical testing needed for the OECD 422 of Potassium dicyanargentate.
- Palladium: the overspent is due to unexpected request from ECHA during the manual completeness check, to perform additional phys-chem which required additional budget.



- Refinables: the outcome of the meeting between ECHA and the industry on SID was not conclusive and therefore, we are still waiting for the next discussions before updating the refinables files.
- Ag EQS: due to high level activities in the Ag Evaluation, some activities in the Ag EQS has been postponed and will be conducted after the submission of the silver dossier (July 2017)

The Management Committee requested also to include a slide to present the available reserves end of 2016. The amount of some reserves can trigger some questions but the need to keep so high reserves for some projects was discussed and justified at WG level and validated by the Management Committee.

ACTION: insert a slide in the Assembly presentation with the reserves at 31st December 2016 (AR, 18/05/2017)

3. EPMF/PMC restructuration

France Capon presented the slides related to the reorganisation of EPMF/PMC. Overall, the Management Committee supported the new structure proposal as the need to present to the Assembly all the options related to cost sharing and voting rights for sake of transparency, including the analysis based on important criteria like predictability, fairness and transparency. Daniela Cholakova asked about the cost sharing mechanism in other associations. Very often, the cost sharing is based on volume which is not really an option in the case of precious metals and taking into account the diversity of metals covered within EPMF.

Each option has pros and cons discussed by the Management Committee but some of these options better fit with the following needs defined by the Management Committee:

- Easy and simple administration for the fee calculation
- Largest predictability to manage staff/resources
- A fair and transparent system

The Management Committee supported also the examples chosen to illustrate the benefits of the mutualisation of the resources and requested to develop other examples related to REACH like Evaluation.

Rudolf Eller asked some clarifications about the meaning of "Risk register". France Capon explained that this is a list of regulations/directives potentially impacting precious metals industry and especially EPMF core business and which are scrutinized to allow a proper prioritisation of the work.

Daniela Cholakova suggested that we clarified that the REACH projects cover also CLP (e.g.: silver classification in the case of the biocides).

Lastly, Guy Ethier insisted on the fact that the Management Committee needs to be behind the idea that 2018 opens a new world into REACH where different levels of interests and activities will arise, insisting on the fact that the Precious Metals industry will be faced to new challenges. The new structure is a collective proposal to better support and position the industry to face 2018 and beyond.

Rudolf Eller asked some clarifications about the approval process. France Capon explained that the idea is to have the approval of the Assembly on the concepts and principles, as additional ideas and suggestions. The approval of the new cost sharing structure, as the termination of the PMC agreement end of 2018 will be required at the December 2017 Assembly meeting. The new structure will only be in place and running in June 2018.



4. 2018 WP and budget

France Capon presented a summary of the 2018 WP as discussed and developed with the WG in preparation of the Management Committee and Assembly meetings. The Management Committee supported this first proposal for 2018 WP and budget.

Rudolf Eller asked some clarifications on the number of dossiers to be improved. The figures are not yet available but in theory, all dossiers must be improved with a different degree of importance or urgency. The “Opportunities For Improvements” tracker is there to help identifying this and will be available on the members pages of the PMC website end of this year.

Daniela Cholakova asked if the workplan includes sufficient resources for the discussion on silver classification under the biocides and it was confirmed that this was already included in 2017 workplan and will be carried over in 2018.

5. Communication tools:

5.1. New website including member's pages

The members pages will be available for the Assembly meetings and passwords circulated to the members at that time. These pages will include all the meetings documents (preparatory doc, presentations and minutes) as the latest version of the registration dossiers submitted to ECHA and the co-registrants template.

5.2. Knowledge Management Tool

A conference call has been organized on 18th May afternoon with the Steering group supporting the development of the Knowledge Management Tool. The status of the project and a draft wireframe will be presented at the Assembly meeting.

3. Data sharing

1. K-REACH

Additional requests were received from our counterparts in Korea. The Management Committee agreed to go ahead with the negotiation but ensuring that the technical support requested is reduced to the minimum. Regarding the cost-sharing, the Management Committee suggested that we developed a series of options to be proposed and made available on PMC website after review by PMC legal counsel. In between, it was agreed to propose to the partners in Korea two options with or without sub-licensing rights triggering a different cost:

- 30% of the study costs + 25% admin without sub-licensing rights
- 50% of the study costs + 25% of admin costs with sub-licensing rights

Nissanka Rajapakse asked if the data access is restricted to a partner. This was not foreseen like this in the principles which entitle another data owner of having legitimate access to be part of the joint-submission in Korea without being obliged to buy the data to the Korean consultant/consortium/LR.

ACTIONS:

- **To check the LtU contract to ensure that other parties having legitimate access can join the joint submission (FC, ASAP)**



- **Prepare 3-5 options which could be used in all the data sharing outside the EU, these options will be reviewed by PMC legal counsel and presented to the Management Committee for approval before publication on PMC website. The aim is to streamline and facilitate the communication in the context of data sharing (FC, before next Mngt Cttee).**
2. Review of the LoA costs – complaints from potential registrants on 1-10t costs
- For the LoA costs for the 1-10t band, PMC legal counsel recommendation is as follows: in case of difficult discussions with some SIEF members which could lead to a BoA case, PMC should ensure that the Management Committee will be ready to negotiate a lower fee but under certain conditions (like no reimbursement after 2018). The Management committee took note of this recommendation
 - For the Annex III exempted substances and the request of Clariant to have a specific fee adapted to this requirement under REACH, the Management Committee agreed to use the same weighting factor than for the intermediates under SCC since the requirements are very similar and to propose this to Clariant. Regarding the impact on the PMC members and the potential integration of the criteria in the cost sharing formula of PMC/EPMF, this has to be discussed at the next Management Committee due to a lack of time.

ACTION: include on the agenda of the next Management Committee meeting the discussion on the Annex III exempted substances and related fee (FC, before next Mngt Cttee).

4. A.O.B. and closure of the meeting

1. Re fee statements 2012-2017

For sake of transparency and for good management, the Secretariat suggested to provide in case of payment holiday decided by the Management Committee a fee statement to the companies impacted that they can see their contribution coming from the reserves. The Management Committee supported this as a good management practice. It was agreed to send to the Re Sub-Assembly members a fee statement for 2012-2017.

ACTION: Send to Re Sub-Assembly a fee statement for 2012-2017 (AR/CM, summer 2017).

2. Next meeting of the MC

The date will be defined after the Assembly meetings.

List of annexes

1. List of participants
2. Slides presented at the meeting
3. Email sent with the recommendation of the WG on the IPA proposal



Annex 1: Participants

France Capon, EPMF (Belgium)

Daniela Cholakova, Aurubis (Germany), replacing Jorn Muehlenfeld, Aurubis (Germany)

Rudolf Eller, Heraeus (Germany)

Guy Ethier, Umicore (Belgium)

Nissanka Rajapakse, Johnson Matthey (UK)

Audrey Rondepierre, EPMF (Belgium)

Heinz-Günter Schenzel, C. Hafner (Germany)

Holger Zitt, BASF (Germany)

Apologies

Francisco Boo, Metalor (Switzerland)