

Procedure file

Basic information	
COD - Ordinary legislative procedure (ex-codecision procedure) Directive	1999/0269(COD) Procedure completed
Dangerous substances and preparations: azocolourants in textiles and leather (19th amend. Directive 76/769/EEC)	
Subject 3.40.10 Textile and clothing industry, leathers 4.15.15 Health and safety at work, occupational medicine 4.60.04.02 Consumer security	

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	ENVI Environment, Public Health, Consumer Policy	GUE/NGL BAKOPOULOS Emmanouil	26/01/2000
	Former committee responsible		
	ENVI Environment, Public Health, Consumer Policy	GUE/NGL BAKOPOULOS Emmanouil	26/01/2000
	Former committee for opinion		
	ITRE Industry, External Trade, Research, Energy	PPE-DE FERRER Concepció	24/02/2000
	EMPL Employment and Social Affairs	The committee decided not to give an opinion.	
Council of the European Union	Council configuration	Meeting	Date
	Agriculture and Fisheries	2410	18/02/2002
	Competitiveness (Internal Market, Industry, Research and Space)	2389	26/11/2001
European Commission	Commission DG Internal Market, Industry, Entrepreneurship and SMEs	Commissioner	

Key events			
09/12/1999	Legislative proposal published	COM(1999)0620	Summary
17/01/2000	Committee referral announced in Parliament, 1st reading		
21/06/2000	Vote in committee, 1st reading		Summary
20/06/2000	Committee report tabled for plenary, 1st reading	A5-0168/2000	
06/09/2000	Debate in Parliament		
07/09/2000	Decision by Parliament, 1st reading	T5-0372/2000	Summary

28/11/2000	Modified legislative proposal published	COM(2000)0785	Summary
17/02/2002	Council position published	15079/1/2001	Summary
28/02/2002	Committee referral announced in Parliament, 2nd reading		
23/05/2002	Vote in committee, 2nd reading		Summary
22/05/2002	Committee recommendation tabled for plenary, 2nd reading	A5-0194/2002	
11/06/2002	Decision by Parliament, 2nd reading	T5-0280/2002	Summary
19/07/2002	Final act signed		
19/07/2002	End of procedure in Parliament		
11/09/2002	Final act published in Official Journal		

Technical information

Procedure reference	1999/0269(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Directive
Legal basis	EC Treaty (after Amsterdam) EC 095
Stage reached in procedure	Procedure completed
Committee dossier	ENVI/5/13612

Documentation gateway

Legislative proposal	COM(1999)0620 OJ C 089 28.03.2000, p. 0067	10/12/1999	EC	Summary
Economic and Social Committee: opinion, report	CES0597/2000 OJ C 204 18.07.2000, p. 0090	25/05/2000	ESC	
Committee report tabled for plenary, 1st reading/single reading	A5-0168/2000 OJ C 121 24.04.2001, p. 0008	21/06/2000	EP	
Text adopted by Parliament, 1st reading/single reading	T5-0372/2000 OJ C 135 07.05.2001, p. 0197-0256	07/09/2000	EP	Summary
Modified legislative proposal	COM(2000)0785 OJ C 096 27.03.2001, p. 0269 E	29/11/2000	EC	Summary
Council position	15079/1/2001 OJ C 119 22.05.2002, p. 0007 E	18/02/2002	CSL	Summary
Commission communication on Council's position	SEC(2002)0226	26/02/2002	EC	Summary
Committee recommendation tabled for plenary, 2nd reading	A5-0194/2002	23/05/2002	EP	
Text adopted by Parliament, 2nd reading	T5-0280/2002 OJ C 261 30.10.2003, p. 0026-0073 E	11/06/2002	EP	Summary

Additional information

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Final act

[Directive 2002/61](#)[OJ L 243 11.09.2002, p. 0015](#) Summary

Dangerous substances and preparations: azocolourants in textiles and leather (19th amend. Directive 76/769/EEC)

OBJECTIVE : to amend for the nineteenth time the Council Directive 76/769/EEC relating to restrictions on the marketing and use of certain dangerous substances and preparations (azocolourants). **CONTENTS** : In order to protect human health and also to preserve the single market, this proposal prohibits the use of dangerous azocolourants, and the placing on the market of some textiles and leather articles coloured with such substances. The test methods to be used refer to the official German analytic measure, currently used worldwide. The costs to industry will be minor since most companies have already adapted to national bans and developed substitutes.?

Dangerous substances and preparations: azocolourants in textiles and leather (19th amend. Directive 76/769/EEC)

The committee adopted the report (codecision procedure, first reading) by Emmanouil BAKOPOULOS (EUL/NGL, GR) supporting the Commission proposal for a directive on restrictions on the marketing and use of soluble azocolourants (azodyes) in textiles and leather, subject to a few amendments. The committee wanted to ensure that handmade oriental carpets could be temporarily exempted (up until January 2006) from the provisions on testing fabrics, as individual tests would destroy them. It proposed that, in the meantime, carpet importers should develop a voluntary quality mark for labelling carpets produced without azocolourants. The report also amended the annex to the proposal listing the carcinogenic amines (the dangerous substances contained in azodyes) banned by the directive, so as to add two more amines which had been newly classified as carcinogenic in the German 'MAK' list, which is used as a benchmark list by the Commission. The committee also amended the annex so that it set out a specific, binding list of products covered by the ban on azocolourants, rather than just giving examples, arguing that a specific list would ensure legal certainty for producers and consumers. Among the articles which it proposed should be covered by the ban, on the grounds that they come into prolonged contact with the skin or oral cavity, were sleeping bags, toys in general (not just textile or leather toys) and purses worn round the neck. ?

Dangerous substances and preparations: azocolourants in textiles and leather (19th amend. Directive 76/769/EEC)

In approving the report drafted by Mr Emmanouil BAKOPOULOS (EUL/NGL, Gr), the European Parliament adopted the proposal on the azocolourants. However, this text was subject to a few amendments. The European Parliament would like the Commission to monitor very carefully the development of further tests methods, and will adjust the annexes to this Directive as soon as even more reliable test methods are available. Furthermore, Parliament want to ensure that handmade oriental carpets are temporarily exempted, until 1 January 2006, from the provisions on testing fabrics. It is stated that in the meantime, it would be desirable if carpet importers were to develop a voluntary quality mark for labelling those carpets for which the suppliers can already provide guarantees that they have been produced without using azocolourants. Furthermore, sleeping bags and purses worn round the neck are articles which have the potential of coming into direct and prolonged contact with human skin or oral cavity and therefore should be banned. Lastly, in relation to the amines, the presence of these, listed in section A of the proposal, is to be tested, pending the conclusion of the work of Technical Committee 289 on Leather, either according to the Italian method UNI A90.00.00.028.0 of 1998 or according to the German official method of analysis referred to in Annex I of Directive 76/769/EEC.?

Dangerous substances and preparations: azocolourants in textiles and leather (19th amend. Directive 76/769/EEC)

The aim of this amended proposal is to clarify the original proposal, without modifying its general structure and objectives. Of the five amendments adopted by the Parliament one has been accepted and parts of another amendment in principle. The Commission recognises that the technical progress in testing methods should be taken into account and has therefore accepted to introduce, when available, an even more reliable testing method. Furthermore, the Commission can accept in principle parts on Parliament's amendment which relates in particular to hand-made oriental carpets. The Commission shares the view that the risk posed by these carpets is likely to be low and has accepted to exempt such carpets from the example list of product categories covered by the provisions. However, the Commission cannot accept that the exemption be only temporary as the low level of risk is not foreseen to change with time. On the other hand, the Commission has not accepted amendments which would extend the scope of the proposed ban. The basis of the Commission's proposal is that risks to health have been identified from azo-dyes in textiles and leather that come into close and prolonged contact with the skin. Such risks have been confirmed by the Scientific Committee in Toxicity, Ecotoxicity and the Environment. Therefore, the Commission cannot accept the Parliament's amendments which relate to banning azo-dyes in articles other than those made of textiles and leather to include other amines. Finally, for reasons of clarity and transparency, especially for suppliers in the Third World, the Commission has proposed the most widely used and accepted testing method to show compliance. The inclusion of other testing has not been accepted.?

Dangerous substances and preparations: azocolourants in textiles and leather (19th amend. Directive 76/769/EEC)

The Common Position of the Council includes, in addition to the amendments accepted by the Commission, certain changes that would clarify and strengthen the proposed Directive. The Common Position of the Council provides for the introduction and review of testing methods by Committee procedure. It also accepts two other amendments tabled by the Parliament, by removing carpets from the non-exhaustive list of product categories covered by the provisions of this Directive. In the light of recent scientific and technical information an additional carcinogenic amine is included in the list of banned amines. The Common Position provides for a time-limited exemption for recycled fibres previously dyed with azo dyes. Lastly, the Council considers that the risk assessment procedures should be completed before extending the scope of the Directive to other articles and substances.?

Dangerous substances and preparations: azocolourants in textiles and leather (19th amend. Directive 76/769/EEC)

The Commission supports the common position because it follows the lines of its amended proposal.?

Dangerous substances and preparations: azocolourants in textiles and leather (19th amend. Directive 76/769/EEC)

The committee adopted the report by Emmanouil BAKOPOULOS (EUL/NGL, GR) approving the Council's common position without amendment under the codecision procedure (2nd reading).?

Dangerous substances and preparations: azocolourants in textiles and leather (19th amend. Directive 76/769/EEC)

Following the recommendation of its rapporteur, Emmanouil BAKOPOULOS (GUE/NGL, Greece), the European Parliament using its procedure without debate, approved the common position.?

Dangerous substances and preparations: azocolourants in textiles and leather (19th amend. Directive 76/769/EEC)

PURPOSE : to amend for the nineteenth Council Directive 76/769/EEC concerning the use of azocolourants with a view to protecting the public health and preserve the single market. **COMMUNITY MEASURE** : Directive 2002/61/EC of the European Parliament and of the Council amending for the nineteenth time Council Directive 76/769/EEC relating to restrictions on the marketing and use of certain dangerous substances and preparations (azocolourants). **CONTENT** : in order to protect human health and also to preserve the single market, this Directive prohibits the use of dangerous azocolourants, and the placing on the market of some textiles and leather articles coloured with such substances. The Scientific Committee on Toxicity, Ecotoxicity and the Environment (CSTEE), after being consulted by the Commission, confirmed that cancer risks posed by textile and leather goods coloured by certain azodyes, give cause for concern. For textile articles made of recycled fibres, a maximum concentration of 70 ppm for the amines listed in point 43 in the appendix to Directive 76/769/EEC is applied. This shall be the case for a transitional period until 1 January 2005 if the amines are released by the residues deriving from the previous dyeing of the same fibres. This will allow for the recycling of textiles, which has overall benefits for the environment. Harmonised testing methods are also necessary for the application of this Directive. In the light of new scientific knowledge, testing methods should be reviewed. In addition, measures relating to certain azocolourants have been reviewed, in particular with regard to the need to include other materials not covered by this Directive, as well as other aromatic amines. Special attention should be paid to possible risks to children. **ENTRY INTO FORCE** : 11/09/2002. **IMPLEMENTATION** : 11/09/2003.?