

Procedure file

Basic information	
<p>COD - Ordinary legislative procedure (ex-codecision procedure) 2007/0212(COD) Decision</p>	Procedure completed
<p>Chemicals: classification, labelling and packaging of substances and mixtures. Downstream legislation - Directive</p> <p>Amending Directive 1999/13/EC 1996/0276(SYN) Amending Directive 2000/53/EC 1997/0194(COD) Amending Directive 2002/96/EC 2000/0158(COD) Amending Directive 2004/42/EC 2002/0301(COD)</p> <p>Subject</p> <p>3.40.01 Chemical industry, fertilizers, plastics 3.70.13 Dangerous substances, toxic and radioactive wastes (storage, transport) 4.20 Public health 4.60.02 Consumer information, advertising, labelling</p>	

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	ENVI Environment, Public Health and Food Safety		06/12/2007
		PPE-DE SARTORI Amalia	
	Committee for opinion	Rapporteur for opinion	Appointed
	ITRE Industry, Research and Energy	The committee decided not to give an opinion.	
	IMCO Internal Market and Consumer Protection		21/11/2007
		PPE-DE SCHWAB Andreas	
Council of the European Union	Council configuration	Meeting	Date
	Agriculture and Fisheries	2909	28/11/2008
European Commission	Commission DG	Commissioner	
	Environment	DIMAS Stavros	

Key events			
16/10/2007	Legislative proposal published	COM(2007)0611	Summary
23/10/2007	Committee referral announced in Parliament, 1st reading		
02/04/2008	Vote in committee, 1st reading		Summary
09/04/2008	Committee report tabled for plenary, 1st reading	A6-0142/2008	
03/09/2008	Results of vote in Parliament		
03/09/2008	Debate in Parliament		
03/09/2008	Decision by Parliament, 1st reading	T6-0393/2008	Summary
28/11/2008	Act adopted by Council after Parliament's 1st reading		

16/12/2008	Final act signed		
16/12/2008	End of procedure in Parliament		
23/12/2008	Final act published in Official Journal		

Technical information

Procedure reference	2007/0212(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Decision
	Amending Directive 1999/13/EC 1996/0276(SYN) Amending Directive 2000/53/EC 1997/0194(COD) Amending Directive 2002/96/EC 2000/0158(COD) Amending Directive 2004/42/EC 2002/0301(COD)
Legal basis	EC Treaty (after Amsterdam) EC 175-p1; EC Treaty (after Amsterdam) EC 095
Stage reached in procedure	Procedure completed
Committee dossier	ENVI/6/54999

Documentation gateway

Legislative proposal		COM(2007)0611	16/10/2007	EC	Summary
Document attached to the procedure		SEC(2007)1334	16/10/2007	EC	
Document attached to the procedure		SEC(2007)1335	16/10/2007	EC	
Committee draft report		PE400.404	15/01/2008	EP	
Committee opinion	IMCO	PE398.650	27/03/2008	EP	
Committee report tabled for plenary, 1st reading/single reading		A6-0142/2008	09/04/2008	EP	
Text adopted by Parliament, 1st reading/single reading		T6-0393/2008	03/09/2008	EP	Summary
Commission response to text adopted in plenary		SP(2008)6073	17/10/2008	EC	
Draft final act		03672/2008/LEX	16/12/2008	CSL	

Additional information

National parliaments	IPEX
European Commission	EUR-Lex

Final act

[Directive 2008/112](#)
[OJ L 345 23.12.2008, p. 0068](#) Summary

legislation - Directive

PURPOSE: to amend six existing Directives (Council Directives 76/768/EEC, 88/378/EEC, 1999/13/EC and Directives 2000/53/EC, 2002/96/EC and 2004/42/EC) to adapt them to the criteria for the classification and labelling of substances and mixtures laid down in the proposal for a Regulation on classification, labelling and packaging of substances and mixtures.

PROPOSED ACT: Decision of the European Parliament and of the Council.

CONTENT: this proposal accompanies the Commission proposal for a Regulation of the European Parliament and of the Council on classification, labelling and packaging of substances and mixtures (see [COD/2007/0121](#)). The latter proposal builds on existing chemicals legislation and establishes a new system on classification, labelling and packaging of hazardous substances and mixtures by implementing in the EU the international criteria agreed by the United Nations Economic and Social Council (UN ECOSOC) for the classification and labelling of hazardous substances and mixtures, called the Globally Harmonised System of Classification and Labelling of Chemicals (GHS).

Classification of substances and preparations under the currently applicable Directives 67/548/EEC and 1999/45/EC triggers other obligations in EU legislation, hereinafter referred to as 'downstream legislation'.

The Commission services have assessed the potential effects of the implementation of the GHS criteria on downstream legislation. Their analysis concludes that effects are either minimal or can be minimised by appropriate changes to particular downstream acts. This proposed Decision aims to make such changes to a number of downstream acts, through amendments which take account of the effects of the proposal on classification, labelling and packaging of substances and mixtures.

The Commission launched a public stakeholder consultation on the proposal for a Regulation on classification, labelling and packaging of substances and mixtures on the internet: 97% of the responses support the implementation of the GHS in the EU. Overall the draft proposals of the Commission services were well appreciated by Member State authorities and industry. A majority of respondents (59%) supported neither extending nor lowering the level of protection in comparison with the current EU system, except where necessary to ensure consistency with transport legislation or with the GHS.

The main objective of this Decision is to address the effects of the introduction of new classification criteria for substances and mixtures for six Directives which refer to classification of substances or mixtures, so as to prevent undesired changes in scope and obligations. The six existing Directives in the fields of cosmetic products, safety of toys, emissions of volatile organic compounds, end-of-life vehicles and waste electric and electronic equipment already contain substantive legal provisions. Where necessary, it adapts the provisions of those Directives to the new terminology resulting from the new criteria and the new hazard statements introduced by the proposal on classification, labelling and packaging. The term 'mixture' is introduced to replace the term 'preparation', in line with the proposal on classification, labelling and packaging of substances and mixtures.

Where the Directives refer in general to the test methods laid down in Directive 67/548/EEC, this proposal updates this reference in line with the recently adopted Regulation 1907/2006 (REACH) which foresees a Commission Regulation containing these methods.

For Directive 1999/13/EC, this proposal contains a change which is consequential to the replacement of the former risk phrase R40 by two new risk phrases called R40 and R68, operated by Directive 2001/59/EC. This replacement had until now not been reflected in the wording of Directive 1999/13/EEC. It is appropriate to make this change now to ensure a correct transition to the corresponding hazard phrases foreseen in the proposal on classification, labelling and packaging of substances and mixtures.

This proposal is presented in parallel with the proposed Regulation aiming to amend an existing Regulation to the provisions of the proposal for a Regulation on classification, labelling and packaging of substances and mixtures (see [COD/2007/0213](#)).

Chemicals: classification, labelling and packaging of substances and mixtures. Downstream legislation - Directive

The Committee on the Environment, Public Health and Food Safety adopted a report drafted by Amalia SARTORI and approved the Commission proposal for a decision of the European Parliament and of the Council amending Council Directives 76/768/EEC, 88/378/EEC, 1999/13/EC and Directives 2000/53/EC, 2002/96/EC and 2004/42/EC in order to adapt them to Regulation (EC) ? on Classification, Labelling and Packaging of Substances and Mixtures, and amending Directive 67/548/EEC and Regulation (EC) No 1907/2006.

Chemicals: classification, labelling and packaging of substances and mixtures. Downstream legislation - Directive

The European Parliament adopted, by 612 votes to 11 with 11 abstentions, a legislative resolution amending the proposal for a decision of the European Parliament and of the Council amending Council Directives 76/768/EEC, 88/378/EEC, 1999/13/EC and Directives 2000/53/EC, 2002/96/EC and 2004/42/EC in order to adapt them to Regulation (EC) ? on Classification, Labelling and Packaging of Substances and Mixtures, and amending Directive 67/548/EEC and Regulation (EC) No 1907/2006. The report had been tabled for consideration in plenary by Amalia SARTORI (EPP-ED, IT) on behalf of the Committee on the Environment, Public Health and Food Safety. The amendments were the result of a compromise between Parliament and Council, and reflect the amendments made to Regulation (EC) ? on Classification, Labelling and Packaging of Substances and Mixtures, and amending Directive 67/548/EEC and Regulation (EC) No 1907/2006 (see [COD/2007/0121](#)).

Chemicals: classification, labelling and packaging of substances and mixtures. Downstream legislation - Directive

PURPOSE: to amend six existing Directives (Council Directives 76/768/EEC, 88/378/EEC, 1999/13/EC and Directives 2000/53/EC,

2002/96/EC and 2004/42/EC) to adapt them to the criteria for the classification and labelling of substances and mixtures laid down in the proposal for a Regulation on classification, labelling and packaging of substances and mixtures.

LEGISLATIVE ACT: Directive 2008/112/EC of the European Parliament and of the Council amending Council Directives 76/768/EEC, 88/378/EEC, 1999/13/EC and Directives 2000/53/EC, 2002/96/EC and 2004/42/EC of the European Parliament and of the Council in order to adapt them to Regulation (EC) No 1272/2008 on classification, labelling and packaging of substances and mixtures.

CONTENT: this Directive is closely linked to [Regulation](#) (EC) No 1272/2008 on classification, labelling and packaging of substances and mixtures. The latter builds on existing chemicals legislation and establishes a new system on classification, labelling and packaging of hazardous substances and mixtures by implementing in the EU the international criteria agreed by the United Nations Economic and Social Council (UN ECOSOC) for the classification and labelling of hazardous substances and mixtures, called the Globally Harmonised System of Classification and Labelling of Chemicals (GHS).

The main objective of this Directive is to address the effects of the introduction of new classification criteria for substances and mixtures for six Directives which refer to classification of substances or mixtures, so as to prevent undesired changes in scope and obligations. The six Directives in the fields of cosmetic products, safety of toys, emissions of volatile organic compounds, end-of-life vehicles and waste electric and electronic equipment already contain substantive legal provisions. Where necessary, it adapts the provisions of those Directives to the new terminology resulting from the new criteria and the new hazard statements introduced by the proposal on classification, labelling and packaging. The term 'mixture' is introduced to replace the term 'preparation', in line with the proposal on classification, labelling and packaging of substances and mixtures.

The references to test methods are also updated in accordance with REACH.

ENTRY INTO FORCE: 12/01/2009.

TRANSPOSITION: 01/04/ 2010.

APPLICATION: 01/06/2010.