




# Fiche de procédure

Basic information		
SYN - Cooperation procedure (historic)	1993/0529(SYN)	Procedure completed
Export and import of dangerous chemicals (amend. Regulation (EEC) No 2455/92)		
Subject 3.70.13 Dangerous substances, toxic and radioactive wastes (storage, transport)		

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	 ENVI Environment, Public Health and Consumer Protection	PPE <a href="#">FLORENZ Karl-Heinz</a>	27/07/1994
Council of the European Union	Council configuration	Meeting	Date
	<a href="#">Environment</a>	<a href="#">1817</a>	15/12/1994
	<a href="#">Environment</a>	<a href="#">1765</a>	08/06/1994

Key events			
25/03/1993	Legislative proposal published	COM(1993)0120	Summary
23/04/1993	Committee referral announced in Parliament		
16/02/1994	Vote in committee		Summary
16/02/1994	Committee report tabled for plenary, 1st reading/single reading	A3-0095/1994	
07/03/1994	Debate in Parliament		Summary
09/03/1994	Decision by Parliament	T3-0139/1994	Summary
08/06/1994	Council position published	<a href="#">06796/1/1994</a>	Summary
22/07/1994	Committee referral announced in Parliament, 2nd reading		
12/10/1994	Vote in committee, 2nd reading		Summary
12/10/1994	Committee recommendation tabled for plenary, 2nd reading	<a href="#">A4-0018/1994</a>	
16/11/1994	Debate in Parliament		
17/11/1994	Decision by Parliament, 2nd reading	T4-0117/1994	Summary

15/12/1994	Act adopted by Council after consultation of Parliament		
15/12/1994	End of procedure in Parliament		
22/12/1994	Final act published in Official Journal		

### Technical information

Procedure reference	1993/0529(SYN)
Procedure type	SYN - Cooperation procedure (historic)
Procedure subtype	Legislation
Legal basis	EC before Amsterdam E 130S-p1
Stage reached in procedure	Procedure completed
Committee dossier	ENVI/3/05625

### Documentation gateway

Legislative proposal		COM(1993)0120 <a href="#">OJ C 112 22.04.1993, p. 0012</a>	25/03/1993	EC	Summary
Economic and Social Committee: opinion, report		<a href="#">CES0708/1993</a> <a href="#">OJ C 249 13.09.1993, p. 0005</a>	30/06/1993	ESC	Summary
Committee report tabled for plenary, 1st reading/single reading		A3-0095/1994 <a href="#">OJ C 091 28.03.1994, p. 0006</a>	16/02/1994	EP	
Text adopted by Parliament, 1st reading/single reading		T3-0139/1994 <a href="#">OJ C 091 28.03.1994, p. 0042-0094</a>	09/03/1994	EP	Summary
Council position		<a href="#">06796/1/1994</a> <a href="#">OJ C 213 03.08.1994, p. 0001</a>	08/06/1994	CSL	Summary
Commission communication on Council's position		SEC(1994)1159	17/07/1994	EC	
Committee recommendation tabled for plenary, 2nd reading		<a href="#">A4-0018/1994</a> <a href="#">OJ C 341 05.12.1994, p. 0005</a>	12/10/1994	EP	
Text adopted by Parliament, 2nd reading		T4-0117/1994 <a href="#">OJ C 341 05.12.1994, p. 0104-0117</a>	17/11/1994	EP	Summary

### Additional information

European Commission	<a href="#">EUR-Lex</a>
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### Final act

<a href="#">Regulation 1994/3135</a> <a href="#">OJ L 332 22.12.1994, p. 0001</a>	Summary
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## Export and import of dangerous chemicals (amend. Regulation (EEC) No 2455/92)

The Commission proposed the amendment of Annex 1 to Regulation (EEC) No 2455/92, which enumerated the chemicals that were prohibited or strictly regulated and subject to notification in the Community, adding 15 substances or groups of substances the use of which would henceforth be prohibited or restricted by Community legislation. These substances were as follows: asbestos fibres (amosite, anthophyllite, actinolite and tremolite), pentachlorophenol and its salts and esters, ugilec 121, ugilec 141, DBBT, ethylene oxide, dinoseb and its acetate and salts, binapacryl, capadafol, dicofol containing less than 78% p.p.1 dicofol or more than 1g/kg of DDT and DDT-related compounds. ?

## Export and import of dangerous chemicals (amend. Regulation (EEC) No 2455/92)

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## Export and import of dangerous chemicals (amend. Regulation (EEC) No 2455/92)

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There will be a hearing on the export and import of dangerous chemical products in November 1994, a Commission representative told the Committee. On the agenda was the report of Mr. FLORENZ (D, EPP) on the export and import of dangerous chemical products. Given this situation, the rapporteur announced to withdraw his amendments. But a majority in the Committee decided to adopt a certain number of his amendments, however partially taken over by Mr. Paul LANNOYE (B, GREEN). Another four of his amendments were carried. Mr. LANNOYE feels that the Community has a duty to do what it can to ensure that the inhabitants of the developing countries enjoy the same degree of health protection as do those of the European Community. And, in amendment No. 18, he calls on the Commission to draw up proposals as quickly as possible for implementing a genuine Community policy for the import and export of dangerous chemicals, after consulting experts and NGO's familiar with the problems rising from the use of toxic products among the people of the developing countries.

## Export and import of dangerous chemicals (amend. Regulation (EEC) No 2455/92)

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## Export and import of dangerous chemicals (amend. Regulation (EEC) No 2455/92)

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In 1992 the Community imported more than 65 million tonnes of chemical products and exported nearly 62 million tonnes. Each year chemical products are responsible for accidents in third-world countries which result in the deaths of 20,000 to 30,000 persons and cause bodily injuries to hundreds of thousands of others. In adopting the report by Mr Florenz (PPE, D), Parliament approved the proposal for an amendment of the regulation on the approximation of the Member States' administrative measures for limiting the marketing and use of certain dangerous substances and preparations. However, it took the view that the proposed additions and modifications were insufficient and called for the inclusion of products whose marketing was prohibited or restricted for reasons to do with public health and/or the protection of the environment. By 178 votes to 95, with 3 abstentions, Parliament therefore called for the following substances to be included on the list: carcinogenic, mutagenic and teratogenic substances, and those which contained creosote, coal-tar distillates, naphthalene and anthracene oils, chloroform, trichlorethane, tetrachlorethane, etc. ?

## Export and import of dangerous chemicals (amend. Regulation (EEC) No 2455/92)

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The common position, which was approved unanimously, does not incorporate any of the 15 amendments proposed by the European Parliament. A number of the proposed amendments related to the basic regulations and did not come within the scope of article 11. Others, relating to the inclusion of specific chemical products in Annex I, were rejected because the products in question do not meet the criteria laid down in the regulation. There is only one amendment to Annex I: the limitation on the use of no. 34 (maleic hydrazide and its salts), which previously corresponded to "sr" and which now becomes "b".?

## Export and import of dangerous chemicals (amend. Regulation (EEC) No 2455/92)

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The Committee on the Environment, Public Health and Consumer Protection adopted the draft recommendation for second reading of Mr. Karl-Heinz FLORENZ (D, EPP) on the Common Position of the Council on the proposal for a Council regulation amending for the first time Annex Council regulation (EEC) No. 2455/92 concerning the export and import of certain dangerous chemicals. EP was consulted by Council in March 1993 and delivered its first reading on 9 March 1994. Then, the Commission did not accept any of the amendments suggested by the EP. The Council adopted its common position on 8 June 1994. The proposal is mainly concerned with the addition of 15 further chemicals and chemical groups thus use of which has been banned or severely restricted by Community legislation. Furthermore, the use restrictions of six chemicals have been changed. Rapporteur FLORENZ has retabled most of the amendments adopted in first reading. The Council could not accept any of the amendments either. The Committee once again urged the Commission to mention a date for a conference on this subject. ?

## Export and import of dangerous chemicals (amend. Regulation (EEC) No 2455/92)

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The European Parliament amended the Council common position with nine amendments, the basic purpose of which was to: - point out that it is up to third countries to decide which chemical products can be imported and reiterate that, as far as the risks inherent in exporting highly toxic substances are concerned, exports are governed by Article 4 of Regulation (EEC) No 2455/92, - bring exports of carcinogenic, mutagenic and teratogenic substances under the said Article 4 of Regulation (EEC) No 2455/92, - supplement the Annex to the regulation by adding 22 new dangerous substances, - include in the Annex to the regulation all substances governed by Directive 76/769/EEC, in order to guarantee the populations of third countries the same level of protection as in the Community, - suggest that industry take charge of organising and funding training seminars in developing countries, in order to explain the risks inherent in imported chemical products, - reiterate the Community's duty to take action to guarantee populations in developing countries the same level of health protection as in the Community, - supplement Article 4 of the regulation by adding the obligation to renew notifications every three years in the event of repeat exports of a chemical product subject to notification. The Commission did not accept any of Parliament's proposed amendments.?

## Export and import of dangerous chemicals (amend. Regulation (EEC) No 2455/92)

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This Council regulation amends Annex I to Regulation (EEC) No 2455/92 listing the chemical products banned or strictly regulated in the Community and subject to notification, by adding 15 substances or groups of substances which are now banned or restricted under Community legislation. The substances in question are: asbestos fibres (amosite, anthrophyllite, actinolite, tremolite), pentachlorophenol and its salts and esters, ugilec 121, ugilec 141, DBBT, ethylene oxide, dinoseb and its acetates and salts, binapacryl, captafol, dicofol containing < 78% p.p'-dicofol or > 1g/kg DDT and DDT compounds. In addition, 6 products already strictly regulated have now been banned. DATE OF ENTRY INTO FORCE: 22 January 1995.?