

Procedure file

Basic information	
COD - Ordinary legislative procedure (ex-codecision procedure) Regulation	1994/0287(COD) Procedure completed
Dangerous substances and preparations (16th amend. Directive 76/769/EEC)	
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		
	Former committee responsible		
	ENVI Environment, Public Health and Consumer Protection	PPE TRAKATELLIS Antonios	22/02/1995
	Former committee for opinion		
	BUDG Budgets		
Council of the European Union	Council configuration	Meeting	Date
	Competitiveness (Internal Market, Industry, Research and Space)	1993	13/03/1997
	Competitiveness (Internal Market, Industry, Research and Space)	1970	26/11/1996

Key events			
15/12/1994	Legislative proposal published	COM(1994)0570	Summary
16/01/1995	Committee referral announced in Parliament, 1st reading		
26/07/1995	Vote in committee, 1st reading		Summary
26/07/1995	Committee report tabled for plenary, 1st reading	A4-0191/1995	
20/09/1995	Decision by Parliament, 1st reading	T4-0389/1995	Summary
27/10/1995	Modified legislative proposal published	COM(1995)0531	Summary
26/11/1996	Council position published	11807/1/1996	Summary
12/12/1996	Committee referral announced in Parliament, 2nd reading		

16/12/1996	Vote in committee, 2nd reading		
16/01/1997	Decision by Parliament, 2nd reading	T4-0005/1997	Summary
13/03/1997	Act approved by Council, 2nd reading		Summary
10/04/1997	Final act signed		
10/04/1997	End of procedure in Parliament		
06/05/1997	Final act published in Official Journal		

Technical information

Procedure reference	1994/0287(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Regulation
Legal basis	Rules of Procedure EP 66_o-p4; EC before Amsterdam E 100A
Stage reached in procedure	Procedure completed
Committee dossier	ENVI/4/08488

Documentation gateway

Legislative proposal	COM(1994)0570 OJ C 382 31.12.1994, p. 0035	15/12/1994	EC	Summary
Economic and Social Committee: opinion, report	CES0576/1995 OJ C 236 11.09.1995, p. 0012	31/05/1995	ESC	Summary
Committee report tabled for plenary, 1st reading/single reading	A4-0191/1995 OJ C 269 16.10.1995, p. 0010	26/07/1995	EP	
Text adopted by Parliament, 1st reading/single reading	T4-0389/1995 OJ C 269 16.10.1995, p. 0055-0063	20/09/1995	EP	Summary
Modified legislative proposal	COM(1995)0531 OJ C 012 17.01.1996, p. 0012	27/10/1995	EC	Summary
Council position	11807/1/1996 OJ C 041 10.02.1997, p. 0001	26/11/1996	CSL	Summary
Commission communication on Council's position	SEC(1996)2287	06/12/1996	EC	Summary
Text adopted by Parliament, 2nd reading	T4-0005/1997 OJ C 033 03.02.1997, p. 0057-0075	16/01/1997	EP	Summary

Additional information

European Commission	EUR-Lex
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Final act

Directive 1997/16 OJ L 116 06.05.1997, p. 0031 Summary

Dangerous substances and preparations (16th amend. Directive 76/769/EEC)

OBJECTIVE: to regulate the marketing of hexachloroethane so as to prevent its use in non-ferrous metal industries, with a view to protecting the North Sea and the northern Atlantic from the effects of pollution. CONTENT: the proposal for a European Parliament and Council directive aims to: - protect the unity of the single market by harmonizing the conditions of use of hexachloroethane (HCE); - protect the environment; - ensure that the Community fulfils its obligations under the 1974 Paris Convention on the Prevention of Marine Pollution from Land-based Sources (PARCOM), to which the Community is a contracting party. Specifically, the proposal seeks to limit the marketing and use of HCE by banning HCE in the manufacture and processing of aluminium and, apart from a few exceptions, in the processing of other non-ferrous metals.?

Dangerous substances and preparations (16th amend. Directive 76/769/EEC)

In conclusion, the ESC recognised that the proposed directive harmonised restrictions on the use of HCE in non-ferrous metal manufacture in order to: a) prevent the creation of barriers to trade with EU states that were not party to PARCOM; b) ensure a high level of environmental protection; c) enable the Commission to fulfil its legal obligations arising from the PARCOM Convention. The ESC therefore endorsed the proposal for a sixteenth amendment.

Dangerous substances and preparations (16th amend. Directive 76/769/EEC)

The Committee adopted the report on the proposal for an EP and Council Directive providing for a ban, by 1998 with exceptions, on the use of HCE in non ferrous metals industries. Rapporteur TRAKATELLIS was in favour of the proposal and saw amendments on the moment of entry into force adopted.

Dangerous substances and preparations (16th amend. Directive 76/769/EEC)

In adopting the report by Mr TRAKATELLIS (PPE, EL), the European Parliament approved the proposal for a directive with the following amendments: - The Member States should comply with the directive by 30 June 1997 at the latest and apply the provisions from 1 January 1998; - By way of derogation, the Member States could authorise the use of HCE in their territory, not only for grain refining in the production of the magnesium alloys AZ 81, AZ 91 and AZ 92, but also in non-integrated foundries casting aluminium consuming no more than 1.5 kg of HCE per day; - In light of technical advances in the area of substitutes, the Commission, in agreement with the Member States, would review these derogations by 31 December 1996. ?

Dangerous substances and preparations (16th amend. Directive 76/769/EEC)

The amended proposal incorporated the amendments adopted by the European Parliament, which stipulated that: - the entry into force of the directive should correspond to the entry into force of the PARCOM decision (30 June 1997 and implementation of the measures from 1 January 1998); - any derogation to the ban proposed, subject to review, should also be granted to foundries casting aluminium and using small quantities of hexachloroethane. ?

Dangerous substances and preparations (16th amend. Directive 76/769/EEC)

The Council adopted its common position with the Danish delegation abstaining. The provisions of the Directive should be implemented by Member States from 1 January 1998. ?

Dangerous substances and preparations (16th amend. Directive 76/769/EEC)

The Commission supported the common position which closely follows the initial proposal and takes account of the amendments presented by the European Parliament and accepted by the Commission.?

Dangerous substances and preparations (16th amend. Directive 76/769/EEC)

Parliament approved the recommendation for second reading, in the form of a letter, on the approximation of the laws, regulations and administrative provisions of the Member States relating to restrictions on the marketing and use of certain dangerous substances and preparations (sixteenth amendment of Directive 76/769/EEC). ?

Dangerous substances and preparations (16th amend. Directive 76/769/EEC)

The Council adopted, with the abstention of the Danish delegation, the Directive amending for the fifteenth time the Council Directive

harmonizing Directive 76/769/EEC relating to restrictions on the marketing and use of certain dangerous substances and preparations (originally worded "... amending for the sixteenth time...").?

Dangerous substances and preparations (16th amend. Directive 76/769/EEC)

OBJECTIVE: to protect the unity of the single market by harmonizing the conditions of use of hexachloroethane (HCE) and ensuring that the Community fulfil its obligations under the 1974 Paris Convention on the Prevention of Marine Pollution from Land-based Sources (PARCOM), to which all the Member States (except Austria, Finland, Greece, Italy and Luxembourg) are contracting parties. COMMUNITY MEASURE: European Parliament and Council Directive 97/16/EC amending for the fifteenth time Council Directive 76/769/EEC on restrictions on the marketing and use of certain dangerous substances and preparations. SUBSTANCE: the Directive aims to ban the use of hexachloroethane (HCE) in the manufacture and processing of non-ferrous metals. By way of derogation, Member States may allow the use of hexachloroethane on their territories: - for grain refining in the production of the magnesium alloys AZ 81, AZ 91 and AZ 92, - in non-integrated foundries casting aluminium consuming no more than 1.5 kilogrammes per day of HCE. ENTRY INTO FORCE: 26/05/1997 DEADLINE FOR TRANSPOSITION: 31/12/1997. The Directive is applicable from 1 January 1998. ?