

Dangerous substances, metallic mercury: banning of exports, safe storage

2006/0206(COD) - 29/01/2008 - Commission communication on Council's position

The changes introduced by the Council in its common position are acceptable to the Commission given that they are limited to tightening the safety conditions for the storage of mercury and to an increase in reporting requirements. They do not extend the scope of the Proposal. Therefore the Commission can accept the common position in its entirety.

To recall, the Commission accepted in full, in part or in principle 8 of the 40 amendments adopted by the European Parliament in its first reading. Two of these amendments have now been incorporated, either verbatim or in spirit, in the common position.

The amendments accepted by the Commission were on:

- penalties,
- an expansion of the information exchange, and
- bringing minor changes in wording to the recitals.

The Commission did not, however, accept amendments which:

- changed the legal base of the Proposal,
- expanded its scope,
- changed the date for entry into effect of the export ban,
- limited the storage of metallic mercury to temporary storage only,
- granted preferential treatment for the Almadén site, and
- supported measures for developing countries and NGOs.

The Council has agreed to incorporate, with a slightly different wording, the Parliamentary amendments introducing a provision on penalties.

To conclude, the Commission considers that the common position does not alter the approach or aims of the Proposal and can thus support it as it stands.