

Dangerous substances and preparations: restrictions on the marketing and use of dichloromethane

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The Committee on the Environment, Public Health and Food Safety adopted a report drafted by Carl SCHLYTER (Greens/ALE, SE) and amended the proposal for a decision of the European Parliament and of the Council amending Council Directive 76/769/EEC as regards restrictions on the marketing and use of certain dangerous substances and preparations (Dichloromethane). The committee wants a total ban on dichloromethane-based paint strippers, including for licensed professionals.

The main amendments – made in 1st reading of codecision procedure – are as follows :

Recitals: these have been considerably expanded in order to clarify the purposes and provisions of the legislation. Members note that dichloromethane (DCM) is being used in very high concentration in paint stripping products. It is very volatile and has a narcotic effect leading to depression of the central nervous system and to cardio-toxicological effects at high exposure, with a direct risk of death as a result of misuse. Alternatives to DCM with a much better human health and environmental hazard and risk profile are available.

Prohibition of DCM for professional use : the committee also notes in the recitals that professional use of DCM-based paint strippers regularly exceeds occupational exposure limits (OELs), despite good ventilation, and even when used outdoors. Compliance with the OELs is practically non-existent, as users lack adequate measuring equipment and do not make use of adequate personal protection measures. Enforcement of the OELs is inherently inadequate due to the large number, small size and mobile nature of the enterprises involved. Accordingly, DCM should be completely banned also for licensed professionals. The committee deleted the derogation which authorised the supply of paint strippers containing dichloromethane to licensed professionals. It also deleted the clauses on training for professionals, stating that training will not rectify problems of non-compliance.

Limit values for industrial use: Members point out that in November 2007, the Scientific Committee on Occupational Exposure Limits recommended limit values for an eight hour Time Weighted Average and for a 15 minute Short Term Exposure Level. It is appropriate to establish these levels as maximum limits that are to be achieved by effective exhaust ventilation for industrial use, without prejudice to any lower levels set pursuant to national legislation. Accordingly, paint strippers containing dichloromethane in concentrations equal to or greater than 0.1% by mass may be used in industrial installations only if the following conditions are met : a) operation of effective exhaust ventilation proven to ensure full compliance with national occupational exposure limits that shall not exceed 100 ppm (353 mg/m³) for an eight hour Time Weighted Average or 200 ppm (706 mg/m³) for a 15 minute Short Term Exposure Level, or proven use of respiratory protective equipment with an independent air supply; (b) all strip tanks covered when not in use; (ba) separate ventilated area for the drying of stripped articles ; (c) appropriate protective gloves and masks for operators. Members stressed that, in order to reduce exposure to DCM in industrial use as much as possible, the drying of stripped articles should take place in separate ventilated areas.

Labelling: a new recital notes that, as professionals may have access to DCM-based paint stripper despite the ban through the distribution chain intended for industrial users, a warning phrase should be included on the product. The committee strengthened the wording on packaging and labelling provisions. Paint

strippers containing more than 0.1% by mass of dichloromethane shall be legibly and indelibly marked as follows: "Dangerous! Reserved for industrial uses only". The Commission had proposed "Reserved for industrial and professional uses".