

Persistent organic pollutants

2003/0119(COD) - 16/07/2008 - Document attached to the procedure

The Commission submits a proposal for a Council regulation amending Annexes IV and V to Regulation (EC) No 850/2004 of the European Parliament and of the Council as regards the treatment of waste containing persistent organic pollutants in thermal and metallurgical production processes.

It notes that Article 7(2) of Regulation 2004/850/EC on persistent organic pollutants provides that waste consisting of, containing or contaminated with persistent organic pollutants is treated in accordance with Annex V of this Regulation in such a way that the persistent organic pollutant content is destroyed or irreversibly transformed. Under Articles 7(6) and 14(3) the Commission may adapt Annex IV and V to the scientific and technical progress. The Commission will be assisted by the prescribed committee established by Directive 75/442/EEC, repealed by Directive 2006/12/EC.

The Commission submitted a draft Regulation amending Annex IV and V for vote in the Committee established under Art 18 of Directive 2006/12/EC on 7 May 2008. There was no qualified majority for the draft Regulation.

Thus according to the procedure set out in Article 5 of Decision 468/1999/EC a proposal for a Council Regulation is submitted to Council. If Council has not acted within three month from the date of referral of the proposal, the proposed measures shall be adopted by the Commission.

The toxic equivalent factors used in Annexes IV and V to Regulation (EC) No 850/2004 to calculate concentration limits for PCDDs and PCDFs were updated by the World Health Organisation in 2005 on the basis of latest scientific information. This will be reflected in Annexes IV and V to Regulation (EC) No 850/2004.