

Dangerous chemicals: export and import, implementation of the Rotterdam Convention on the Prior Informed Consent Procedure

2006/0246(COD) - 17/06/2008 - Final act

PURPOSE: to implement the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade.

LEGISLATIVE ACT: Regulation (EC) No 689/2008 of the European Parliament and of the Council concerning the export and import of dangerous chemicals.

CONTENT : the objectives of this Regulation are the following:

- (a) to implement the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade, ("the Convention");
- (b) to promote shared responsibility and cooperative efforts in the international movement of hazardous chemicals in order to protect human health and the environment from potential harm;
- (c) to contribute to the environmentally sound use of hazardous chemicals.

These objectives will be achieved by facilitating the exchange of information concerning the characteristics of such chemicals, by providing for a decision-making process within the Community on their import and export and by disseminating decisions to Parties and other countries as appropriate.

In addition, the Regulation will ensure that the provisions of Council Directive 67/548/EEC and of Directive 1999/45/EC regarding the classification, packaging and labelling of chemicals dangerous to man or to the environment when they are placed on the market in the Community also apply to all such chemicals when they are exported from the Member States to other Parties or other countries, unless those provisions would conflict with any specific requirements of those Parties or other countries.

The Regulation provides for three different procedures that exporters and national authorities have to apply, depending on the status of the respective chemical:

- i) the export notification procedure has to be applied for hazardous chemicals that are banned or severely restricted in the EU but do not qualify for notification to the Convention;
- ii) the requirement for explicit consent of the importing country prior to any export applies to hazardous chemicals that qualify for notification but are not yet subject to the Convention and
- ii) the full Convention prior informed consent procedure has to be applied for hazardous chemicals subject to the Convention. So far, 39 chemicals are covered but the number is expected to increase.

The regulation was adopted at first-reading under the co-decision procedure.

ENTRY INTO FORCE: 01/08/2008.