

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

2006/0206(COD) - 22/10/2008 - Final act

PURPOSE: to ban the exports of metallic mercury and ensure the safe storage of metallic mercury to reduce the risk of exposure to mercury for humans and the environment.

LEGISLATIVE ACT: Regulation (EC) No 1102/2008 of the European Parliament and of the Council on the banning of exports of metallic mercury and certain mercury compounds and mixtures and the safe storage of metallic mercury.

CONTENT: following the agreement reached at 2nd reading with the European Parliament, the Regulation states that the **export** of metallic mercury, cinnabar ore, mercury chloride, mercury oxide and mixtures of metallic mercury with other substances, including alloys of mercury, with a mercury concentration of at least 95 % weight by weight from the Community shall be **prohibited from 15 March 2011**. The mixing of metallic mercury with other substances for the sole purpose of export of metallic mercury shall be prohibited from the same date.

The prohibition shall not apply to exports of mercury compounds for research and development, medical or analysis purposes.

From 15 March 2011, the following shall be considered as **waste** and be disposed of in accordance with Directive 2006/12/EC of the European Parliament and of the Council:

- a) metallic mercury that is no longer used in the chlor-alkali industry;
- b) metallic mercury gained from the cleaning of natural gas;
- c) metallic mercury gained from non-ferrous mining and smelting operations; and
- d) metallic mercury extracted from cinnabar ore in the Community as from 15 March 2011.

The Commission shall organise an exchange of information between the Member States and the relevant stakeholders by 1 January 2010. This exchange of information shall, in particular, examine the need for:

- a) extending the export ban to other mercury compounds, mixtures with a lower mercury content and products containing mercury, in particular thermometers, barometers and sphygmomanometers;
- b) an import ban of metallic mercury, mercury compounds and products containing mercury;
- c) extending the storage obligation to metallic mercury from other sources;
- d) time limits concerning temporary storage of metallic mercury.

This exchange of information shall also consider the research on safe disposal options.

The Commission shall as soon as possible, but not later than 15 March 2013, submit to the European Parliament and the Council a report, if appropriate accompanied by a proposal for a revision of this Regulation, which shall reflect and evaluate the outcome of the information exchange.

ENTRY INTO FORCE: 04/12/2008.