

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

2008/0033(COD) - 14/01/2009 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 674 votes to 17 with 8 abstentions, a legislative resolution amending 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 report had been tabled for consideration in plenary by Carl **SCHLYTER** (Greens/ALE, SE) on behalf of the Committee on the Environment, Public Health and Food Safety.

The amendments were the result of a compromise between Parliament and Council. They ensure that a derogation for licensed professionals will be limited and that the protection of workers during the industrial use of paint-strippers containing the chemical will be strengthened.

The main amendments - adopted under 1st reading of the codecision procedure - were as follows:

**Prohibition on use:** paint strippers containing Dichloromethane in a concentration equal to or greater than 0.1% by mass will not be: (a) placed on the market for the first time for supply to the general public or to professionals 18 months after the entry into force of the Decision; (b) placed on the market for supply to the general public or to professionals 30 months after the entry into force of the Decision; (c) used by professionals 36 months after the entry into force of the Decision.

**Derogation:** by way of derogation Member States may allow on their territories and for certain activities the use by **specifically trained professionals** of paint strippers containing Dichloromethane and may allow the placing on the market of such paint strippers for supply to those professionals. A professional benefiting from this derogation shall operate only in Member States which have made use of that derogation

Member States making use of this derogation must define appropriate provisions for the protection of the health and safety of those professionals using paint strippers containing Dichloromethane and inform the Commission thereof. Those provisions must include a requirement that a professional shall hold a certificate that is accepted by the Member State in which he operates, or provide other documentary evidence to that effect, or be otherwise approved by that Member State, so as to demonstrate that he is properly trained and competent to safely use paint strippers containing Dichloromethane. The Commission will prepare a list of the Member States that have made use of this derogation and make it publicly available over the Internet.

**Industrial installations:** paint strippers containing Dichloromethane in concentrations equal to or greater than 0.1% by mass may be used in industrial installations only if as a minimum certain prescribed conditions are met. These conditions include effective ventilation in all processing areas; specified measures to minimise evaporation from strip tanks; specified measures for the safe handling of Dichloromethane in strip tanks; the availability of specific personal protective equipment; and adequate information, instruction and training in the use of such equipment is provided to operators.

**Training:** the compromise text lays down the minimum training requirements, which include awareness, evaluation and management of risks to health, including information on existing substitutes or processes, which under their conditions of use are less hazardous to workers' health and safety.

Employers and self-employed workers shall by preference replace Dichloromethane with a chemical agent or process which, under its conditions of use, presents no risk, or a lower risk, to workers' health and safety. The professional shall apply all relevant safety measures in practice including the use of personal protective equipment.