Classification, packaging and labelling of dangerous preparations

2012/0007(COD) - 26/01/2012 - Legislative proposal

PURPOSE: to recast Directive 1999/45/EC of the European Parliament and of the Council on the classification, packaging and labelling of dangerous preparations.

PROPOSED ACT: Directive of the European Parliament and of the Council.

BACKGROUND: the codification of Directive 1999/45/EC of the European Parliament and of the Council of 31 May 1999 concerning the approximation of the laws, regulations and administrative provisions of the Member States relating to the classification, packaging and labelling of dangerous preparations has been initiated by the Commission. The new Directive was to have superseded the various acts incorporated in it.

In the meantime the Lisbon Treaty entered into force.

Article 290 of the Treaty on the Functioning of the European Union (TFEU) allows the legislator to delegate to the Commission the power to adopt non-legislative acts of general application to supplement or amend certain non-essential elements of a legislative act.

IMPACT ASSESSMENT: no impact assessment was carried out.

LEGAL BASIS: Article 114 of the TFEU.

CONTENT: Directive 1999/45/EC contains a provision with regard to which such a delegation of power would be opportune. It is therefore appropriate to transform the codification of Directive 1999/45/EC into a recast in order to incorporate the necessary amendments.

The power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of determining exemptions to certain provisions on environmental labelling, deciding on measures in the framework of the special provisions on the labelling of certain preparations and adapting the Annexes to technical progress.

BUDGETARY IMPLICATION: this proposal has no impact on the EU’s budget.