

Export and import of hazardous chemicals.

Recast

2011/0105(COD) - 04/07/2012 - Final act

PURPOSE: recast of provisions currently in force regarding the import and export of dangerous chemicals.

LEGISLATIVE ACT: Regulation (EU) n° 649/2012 of the European Parliament and of the Council concerning the export and import of dangerous chemicals.

CONTENT: following an agreement reached with the European Parliament, the Council adopted a Regulation concerning the export and import of dangerous chemicals. This Regulation replaces Regulation (EC) n° 689/2008 and aims to:

- implement the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade (the "Convention");
- 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;
- contribute to the environmentally sound use of hazardous chemicals.

The objectives set out in the first subparagraph shall be achieved by facilitating the **exchange of information** concerning the characteristics of hazardous chemicals, by providing for a **decision-making process** within the Union on their import and export and by disseminating decisions to Parties and other countries as appropriate.

The **scope** of the Regulation is not limited to chemicals that are banned or severely restricted under the Convention, but also covers those chemicals at EU level. In addition, the Regulation ensures that all chemicals are appropriately packed and labelled when exported.

Participation in the Convention shall be a joint responsibility of the Commission and the Member States, in particular as regards technical assistance, the exchange of information and matters relating to dispute settlement, participation in subsidiary bodies and voting. The Commission will assume, among others, the task of the transmission of Union export notifications to Parties and other countries.

The Member States and the Agency will carry out tasks with regard to the administrative, technical and scientific aspects of the implementation of the Convention through this Regulation, as well as the exchange of information. In addition, the Commission, the Member States and the Agency will cooperate in order to implement the Union's international obligations under the Convention effectively.

ENTRY INTO FORCE: 13/08/2012.

APPLICATION: to apply from 01/03/2014.

DELEGATED ACTS: the Commission can adopt delegated acts to take account of technological changes. The power to adopt delegated acts shall be conferred on the Commission for a period of **five years** from 1 March 2014 (tacitly extended for periods of an identical duration, unless the European Parliament or the

Council opposes such extension). The European Parliament or the Council can object to delegated acts within a period of two months of notification of that act (this notification can be extended by two months). If the European Parliament or the Council objects, the delegated act will not come into force.