Resolution on endocrine disruptors: state of play following the judgment of the General Court of the European Union of 16 December 2015

2016/2747(RSP) - 08/06/2016 - Text adopted by Parliament, single reading

The European Parliament adopted by 593 votes to 57, with 19 abstentions, a resolution on endocrine disruptors: state of play following the judgment of the General Court of the European Union of 16 December 2015.

The text adopted in plenary was tabled by the EPP, S&D, ALDE, GUE/NGL, Greens/EFA and the EFDD groups.

Members recalled that according to Regulation (EU) No 528/2012 of the European Parliament and of the Council concerning the making available on the market and use of biocidal products, the Commission, no later than 13 December 2013, shall adopt delegated acts specifying scientific criteria for the determination of endocrine-disrupting properties of active substances and biocidal products.

In a report published by the UNEP/WHO, endocrine disrupters (EDCs) are considered as a global threat.

Parliament condemned the Commission for its **failure to comply with its obligation** to adopt delegated acts pursuant to Regulation (EU) No 528/2012 aiming to define the necessary scientific criteria to reduce the exposure to endocrine-disruptors, which are now more than two and a half years overdue. It is also condemned for **failing to comply with its institutional obligations** as laid down in the Treaties themselves, notably in Article 266 TFEU.

Members recalled that the **General Court of the European Union** declared in its judgment of 16 December 2015 that the Commission breached EU law by failing to act to adopt delegated acts to specify scientific criteria for the determination of endocrine-disrupting properties. Pursuant to Article 266 TFEU, the institution whose failure to act has been declared to be contrary to the Treaties shall be required to take the necessary measures to comply with the judgment of the Court of Justice of the European Union.

Members noted that proposed scientific criteria were ready in 2013, but remained unpublished as the Commission decided to launch an impact assessment instead. The Court went on to state that no provision of Regulation (EU) No 528/2012 required an impact assessment of scientific hazard-based criteria, and even if the Commission considered that such an impact assessment was necessary, this would not exonerate it from respecting the deadline laid down in the regulation.

Parliament called on the Commission to comply immediately with its obligations under Article 266 TFEU and to **adopt immediately hazard-based scientific criteria** for the determination of endocrine-disrupting properties. Members also took note of the Commission’s political pledge to propose the criteria before the summer of 2016.