Re-attribution of scientific and technical tasks to the European Chemicals Agency

2023/0454(COD) - 21/10/2025 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 477 votes to 93, with 76 abstentions, a legislative resolution on the proposal for a directive of the European Parliament and of the Council amending Directive 2011/65/EU of the European Parliament and of the Council as regards the re-attribution of scientific and technical tasks to the European Chemicals Agency.

The proposed regulation aims to amend Articles 5 and 6 of Directive 2011/65/EU on the restriction of the use of certain hazardous substances in electrical and electronic equipment (EEE).

Parliament adopted its position at first reading by amending the proposal as follows.

Agency Resources

The amendment to Directive 2011/65/EU aims to expand the tasks, workload, and remit of the scientific committees of the European Chemicals Agency. To ensure that the scientific committees can provide adequate expertise and support, as well as thorough scientific assessments, the amended text emphasizes the need to ensure the adequacy and stability of their resources and governance.

Application for the granting, renewal or revocation of an exemption

Such an application must be submitted to the European Food Safety Agency in accordance with Annex V.

The Agency will acknowledge receipt of an application within 15 days of its receipt and if necessary and within **45 days** of receipt of the application, request the applicant to complete the application and set an appropriate time limit of maximum **60 days** for completion of the application. If the volume and the complexity of the application is such that the Agency cannot comply with the 45 day time limit, the Agency will inform the applicant of any extension of the time limit and of the reasons therefor, as soon as possible.

The Agency may extend the 60-day time limit if the volume and the complexity of the application is such that that time limit cannot be complied with.

An application for renewal of an exemption shall be made no later than **18 months** before the exemption expires. The Commission will adopt the decision on the application within **9 months** of receipt of the opinions from the Agency.

Substances subject to restrictions

The list of restricted substances referred to in Directive 2011/65/EU must be reviewed periodically to ensure a high level of protection of human health, the environment and consumer safety. It is expected that these reviews will take place **at least every four years**, taking into account market developments and technical and scientific progress.

According to a new Annex Va, the proposals to review and amend the list of restricted substances, or a group of similar substances, in Annex II shall contain at least the following information:

(1) the identity of the substance or substances;

(2) a precise and clear wording of the entry of the proposed restriction in Annex II;

(3) references and scientific evidence for such restriction;

(4) information on the use of the substance or the group of similar substances in the EEE;

(5) information on detrimental effects and exposure in particular during waste EEE management operations;

(6) information on possible substitutes and other alternatives, their availability and reliability;

(7) a justification for considering a Union-wide restriction to be the most appropriate measure;

(8) a socio-economic assessment.

Review

The Commission will monitor the situation regarding the tasks, workload and remit of the scientific committees and, if necessary, submit a legislative proposal to amend this Directive accordingly.