

Environment and health: electrical and electronic equipments WEEE, restriction of hazardous substances RoHS

2000/0159(COD) - 04/12/2001 - Council position

To recall, the Commission accepted 15 of the 23 amendments proposed by the European Parliament in its first reading, either totally or partially. After the European Parliament first reading, the Council adopted this common position. 10 of the 23 amendments proposed by the European Parliament have been incorporated in the common position either in full or in part of principle. Overall the Common position is in line with the original proposal of the Commission, since the general structure as well as the main provisions of the proposal have been approved by the Council. The Council's common position has added a series of amendments to the proposal either to clarify, strengthen or render its requirements more practicable. On the other hand, the Council did not accept the following amendments which refer to: - the need to ensure the availability of spare parts; - the adaptation of Article 4 to the addition of substances; - the requirement to inform the European Parliament as regards decisions taken pursuant to Article 5; - the introduction of the issue of risk analysis in Article 4; - the addition of brominated flame retardants. Moreover, the main changes adopted by the Council in addition to those resulting from Parliament amendments concern: - in Article 3, the definition now includes distant communication selling; - Article 4 includes the term "at the latest" after "1 January 2007"; - Article 5 (1)(c) requires a revision every four years of the annex in order to delete as appropriate materials and components from this annex; - Article 6 first paragraph on the review now reads "within 2 years after the entry into force " instead of "by 31 December 2003 at the latest". A second paragraph has been added in Article 6 requiring the Commission to present proposals for inclusion in the scope of this Directive of equipment which falls under categories 8 and 9 of the WEEE Directive. A third paragraph requires the Commission to study the need to adapt the list of prohibited substances on the basis of scientific evidence and taking precautionary principle into account. With regard to the annex, the Council has clarified the list regarding mercury in straight fluorescent lamps. Concerning lead, it has deleted the mention of light bulbs and clarified the entries for lead in solder. Moreover, the Council requires the Commission under the Committee procedure to evaluate the applications of a series of hazardous substances as a matter of priority in order to establish whether these items are to be amended accordingly.