Dangerous substances: marketing and use of pentaBDE in polyurethane foam (24th amend. Directive 76/769/EEC)

2001/0018(COD) - 06/12/2001 - Council position

The Council has been examining the proposal since the beginning of 2001. The Council's common position is generally consistent with the Commission's amended proposal. The Council welcomed the amendment deleting the the derogation for octabromodiphenyl ether (octaBDE) which contains less than 5% pentaBDE. The Council also incorporated part of an amendment which stipulates that octaBDE containing more than 0,1% pentaBDE can no longer be allowed since the use of pentaBDE is restricted. The Council does not consider it appropriate to discuss extending the scope of the Directive to octabromodiphenyl (octaBDE) and decabromodiphenyl ether (decaBDE) before the risk assessment has been completed. The Council also rejected the amendment concerning the procedure for the evaluation and control of risks as the Council considers this amendment to be beyond the scope of the Directive. In conclusion, by incorporating the European Parliament amendments which strengthen the provisions on pentaBDE, the Council believes that it has found a balanced solution which takes account of the risk-assessment procedure on the one hand, and which guarantees a high level of human health and environmental protection on the other.