Dangerous substances and preparations: short chain chlorinated paraffins SCCP (20th amend. Directive 76/769/EEC)

2000/0104(COD) - 20/06/2000 - Legislative proposal

PURPOSE : to present a proposal for a Directive amending for the 20th time Council Directive 76/769 /EEC relating to restrictions on the marketing and use of certain dangerous substances and preparations (Short Chain Chlorinated Paraffins) with a view to protecting the environment and establishing an internal market in SCCP's. CONTENT : in the EU, Short Chain Chlorinated Paraffins (SCCP) are mainly used as an additive in metal working fluids. Other uses are as a flame retardant in rubber formulations and as an additive in paints and other coating systems. Under Council Regulation 793/93/EEC on the evaluation and control of the risks of existing substances, the Commission's Draft Recommendation on the results of the risk evaluation and risk reduction strategies for four substances, including SCCP, was finalised in July 1998. The risk assessment concluded that there is a need for specific protective measures for the aquatic ecosystem. The Commission Recommendation called for the consideration of measures at Community level, restricting the marketing and use of SCCP in particular in metalworking and leather finishing, adding that further work is necessary to establish those uses for which derogations can be justified. On the basis of this Recommendation, and in order to avoid distortions of the internal market caused by the disparity of national legislation on chlorinated paraffins, the Commission proposes to introduce harmonisation measures in the framework of Directive 76/769 on restrictions on the marketing and use of certain dangerous substances and preparations. The 20th amendment of that Directive will ban SCCP in the two areas of application cited by the Recommendation, namely in metalworking and leather finishing. With regard to the other applications of SCCP, namely as plasticiser in paints, coatings and sealants, and as flame retardant in rubber, plastics and textiles, risk reduction measures should be reconsidered within the three years of adoption of this Directive, in light of the review of scientific knowledge and technical progress. It should be noted that 11 of the EU Member States, which have fully endorsed the Commission Recommendation for SCCP, had committed themselves to PARCOM (Convention for the Prevention of Marine Pollution from land-based Sources) Decision 95/1 in 1995 under the Paris Convention (from 1998 OSPAR Convention). This PARCOM Decision lays down the phasing out of the uses of SCCP within the following time frame: use as plasticiser in paints and coatings, use in metal working fluids, use as flame retardants in rubber, plastics and textiles by 31 December 1999; use as plasticisers in sealants by 31 December 2004. Thus, the PARCOM Decision goes further than the Commission Recommendation by including the uses of SCCP as plasticisers and flame retardants. On the other hand, the Commission Recommedation goes further than the PARCOM Decision by including the uses of SCCP in leather finishing. The European Community is not party to the PARCOM Decision. The United Kingdom did not accept the PARCOM Decision. Austria, Greece and Italy are not party to the OSPAR Convention.