Dangerous substances: carcinogens, mutagens or toxic to reproduction, c/m/r (23rd amend. Directive 76/769/EEC)

2001/0110(COD) - 14/05/2001 - Legislative proposal

PURPOSE : to amend for the 23rd time Council Directive 76/769/EEC relating to restrictions on the marketing and use of certain dangerous substances and preparations (substances classifed as carcinogens, mutagens or substances toxic to reproduction - c/m/r). CONTENT : within the framework for action in the field of public health, the European Parliament and the Council have adopted an action plan to combat cancer (Decision 646/96/EC). Due to the fact that use of chemicals by consumers cannot be controlled, safety can only be ensured by prohibiting use by consumers of c/m/r substances and preparations. Following the adoption of the Directive 94/60/EC the Commission is invited to propose measures governing substances newly classified as c/m/r categories 1 or 2. The aim of the proposal is to preserve the Internal Market and at the same time ensure a high level of protection of health of the consumers. When Member States adopt national provisions restricting the marketing and use of c/m/r substances and preparations there will be obstacles to trade because of different development of national legislation. It is therefore necessary to improve the conditions for the functioning of the Internal Market to the benefit of the protection of the health and safety of consumers. The only course of action available is a proposal for an amendment to Directive 76/69/EEC, the 23rd amendment, providing for harmonised rules on the use of substances and preparations classified as category 1 or 2 c/m/r's. The proposed 23rd amendment establishes uniform rules for the circulation of substances and preparations classified as c/m/r. It also guarantees a high level of protection of health and safety of consumers. The proposed 23rd amendment is the only way to meet these goals. The proposed ban will ensure that the carcinogenic and mutagenic substances and substances toxic to reproduction and preparations are not placed on the market for consumer use either now or in the future. The benefit of the proposal is to protect the health of the consumers.