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

2001/0018(COD) - 10/07/2002 - Commission opinion on Parliament's position at 2nd reading

The Commission cannot accept the four amendments proposed by the European Parliament on its second reading. With regard to the proposed ban on octaBDE, the Commission points out that the risk assessments are still on-going. The risk assessments must be finalised, as must the evaluations on the availability of safe substitutes, before adequate measures can be proposed. The availability of safe substitutes is especially important in this case as lack of effective substitutes could lead to an increase in the number of casualties in fires. The necessary information is expected before the end of this year. On the basis of the results, the Commission will present new proposals. These should not delay the entry into force of the present Directive on pentabromodiphenylether on which all three institutions agree. Parliament also proposed adding a ban on decaBDE taking effect from 01/01/06 at the latest, if the risk assessment does not conclude that decaBDE causes no reason for concern. This amendment would allow a total ban or no ban at all. The Commission favours a more nuanced approach which would mean that measures could take effect much earlier than 2006. The completion of the risk assessments and analyses of safe substitutes would allow the uses of concern to be identified and appropriate measures to be taken quickly. The Commission will therefore not amend its proposal.