

Environment and public health: restrictions on the use of toluene and TCB (amend. Directive 76/769/EEC)

2004/0111(COD) - 28/04/2004 - Legislative proposal

PURPOSE : to introduce harmonised provisions on the marketing and the use of toluene and trichlorobenzene. **PROPOSED ACT** : Directive of the European Parliament and of the Council.

CONTENT : Toluene is used as a raw material in the production of benzene and a host of other chemicals (e.g. benzoic acid, nitrotoluenes, tolyl diisocyanates, as well as dyes, pharmaceuticals, food additives, plastics, etc.). Due to its solvent power toluene can be present in consumer products, including household aerosols, paints, varnishes, adhesives, and glues. Trichlorobenzene (TCB) is predominantly used as an intermediate in the manufacture of herbicides and as a process solvent in closed systems. Besides, TCB has other minor uses as a solvent, a dye carrier and as a corrosion inhibitor. The risks to the health and environment by toluene and TCB have been assessed under Council Regulation 793/93/EEC on the evaluation and control of the risks of existing substances. The risk assessments identified a need for reducing the risks to health from toluene and TCB. The Scientific Committee on Toxicity, Ecotoxicity and the Environment (CSTEE) confirmed the conclusions of the assessment of these substances and the need to reduce risks to health. Moreover, the Commission adopted Recommendations in the framework of Regulation 793/93/EEC on risk reduction strategies for toluene and TCB providing for restrictions on the marketing and use to control the risks identified. On the basis of the risk assessments and recommended risk reduction strategies, the Commission is now proposing to restrict the marketing and use of toluene, TCB, and of preparations containing them. When Member States adopt national provisions restricting the marketing and use of dangerous substances and preparations there will be obstacles to trade because of differences in legislation between Member States. The draft proposal aims to improve the conditions for the functioning of the Internal Market to the benefit of the protection of people's health and safety. The only course of action available is to make a proposal for an amendment to Directive 76/769/EEC providing for harmonised rules on the use of toluene and TCB. The proposed Directive would establish uniform rules for the circulation of toluene and TCB. It also guarantees a high level of protection of people's health and safety. The proposed amendment to Directive 76/769/EEC is the only way to meet these goals. Targets would be insufficient. The proposed Directive would extend Annex I to Directive 76/769/EEC by adding the substances toluene and TCB. Marketing and use of these substances would thus be restricted.