Fertilizers containing cadmium: marketing in Austria, Finland and Sweden (amend. Direct. 76 /116/EC)

1998/0026(COD) - 11/02/1998 - Legislative proposal

OBJECTIVE : to authorize Austria, Sweden and Finland to continue to restrict the marketing of fertilizers containing cadmium until 31/12/2001. SUBSTANCE : Directive 76/116/EEC, the mother directive on fertilizers, authorizes the marketing of fertilizers termed 'EC-fertilizers' in accordance with its provisions. Specifically, Member States may not prohibit the marketing of fertilizers because of their cadmium content, since a cadmium limit is not specified in the directive and annexes thereto. Austria, Finland and Sweden, which ban this type of fertilizer on their territories, on acceding to the EU negotiated concessions enabling them to continue to ban fertilizers containing cadmium until 01/01/1999. The Commission takes the view that there is insufficient data available to ban fertilizers containing cadmium throughout the Community. Pending further analyses, it proposes that a derogation be provided for the three new Member States to allow them to continue to benefit from an exemption to Directive 76/113/EEC until 31/12/2001 by which date the Commission will have reviewed the situation with regard to cadmium and the risks of this substance for the environment and public health throughout the Community.