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

1998/0026(COD) - 22/12/1998 - Final act

PURPOSE: Directive to enable Austria, Finland and Sweden to continue to restrict the use and marketing on their territories of fertilisers containing cadmium until 31.12.2001. COMMUNITY MEASURE: European Parliament and Council Directive 98/97/EC amending Directive 76/116/EEC on the approximation of the laws of the Member States relating to fertilisers, as regards the marketing in Austria, Finland and in Sweden of fertilisers containing cadmium. CONTENT: Directive 76/116/EEC, which is the mother Directive with respect to fertilisers, authorises the placing on the market of of fertilisers that conform with its provisions and identified as 'EEC fertilisers'. By virtue of that Directive, the Member States cannot prohibit the marketing of fertilisers containing cadmium because no limit is provided for this substance in the annex of the Directive. Austria, Finland and Sweden prohibit this type of fertiliser on their territory and demanded, upon their accession to the EU, to be able to continue to prohibit fertilisers containing cadmium until 01.01.1999. The objective of the new Directive is to permit these countries to continue to derogate from Directive 76/116 until 31.12.2001 while the Commission continues to re-examine with the Member States the need to take measures at Community level with respect to the cadmium content of fertilisers. ENTRY INTO FORCE: 22.12.1998. DATE OF TRANSPOSITION INTO LAW IN THE THREE MEMBER STATES CONCERNED: 31.12.1998.