

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

2004/0111(COD) - 26/10/2005 - Final act

PURPOSE : to restrict the placing on the market of toluene and TCB and to amend Annex I of Directive 76/769/EEC.

LEGISLATIVE ACT : Directive 2005/59/EC of the European Parliament and of the Council amending for the 28th time Council Directive 76/769/EEC on the approximation of the laws, regulations and administrative provisions of the Member States relating to restrictions on the marketing and use of certain dangerous substances and preparations (toluene and trichlorobenzene).

CONTENT : the risks presented to man and the environment by toluene and trichlorobenzene (TCB) have been assessed under Council Regulation 793/93/EEC of 23 March 1993 on the evaluation and control of the risks of existing substances. The risk evaluation identified a need to limit those risks, and the Scientific Committee on Toxicity, Ecotoxicity and the Environment (CSTEE) confirmed that conclusion. In order to protect human health and the environment, it therefore appears necessary that the placing on the market and the use of toluene and TCB should be restricted. This is the aim of this Directive. It aims to introduce harmonising measures with regard to toluene and trichlorobenzene, which have as their object the proper functioning of the internal market.

In addition, the Directive amends Annex I of Directive 76/769/EEC on the approximation of the laws, regulations and administrative provisions of the Member States relating to restrictions on the marketing and use of certain dangerous substances and preparations.

Annex I is amended as follows :

- Toluene may not be placed on the market or used as a substance or constituent of preparations in a concentration equal to or higher than 0,1 % by mass in adhesives and spray paints intended for sale to the general public;
- Trichlorobenzene may not be placed on the market or used as a substance or constituent of preparations in a concentration equal to or higher than 0,1 % by mass for all uses except as an intermediate of synthesis, or as a process solvent in closed chemical applications for chlorination reactions, or in the manufacture of 1,3,5 - trinitro - 2,4,6 - triaminobenzene (TATB).

ENTRY INTO FORCE : 15 December 2005.

TRANSPOSITION IN THE MEMBER STATES : 15 December 2006.

APPLICATION : 15 June 2007.