

# Restrictions on the marketing of certain measuring devices containing mercury

2006/0018(COD) - 21/02/2006 - Legislative proposal

**PURPOSE:** to amend Directive 76/769/EC on restrictions relating to measuring devices containing mercury.

**PROPOSED ACT:** Directive of the European Parliament and of the Council.

**CONTENT:** the objective of the proposal is to provide a high level of protection of the environment and human health, whilst preserving the internal market. It intends to do so by harmonising provisions relating to the use of mercury in measuring devices. Measuring equipment is the largest mercury-using product group in the EU not yet covered by Community legislation and here refers mostly to household goods such as, fever and room thermometers, barometers, blood pressure gauges and manometers – in other words non-electrical measuring devices.

Mercury and its compounds are highly toxic to humans, eco-systems and wildlife. Of the 3 600 tons used globally per year, the EU will demand 300 tons. The most significant use is dental amalgam – which is covered in different EU legislative acts. However, the main mercury product group not yet covered by Community legislation is non-electrical measuring and control equipment. An estimated 33 tons of mercury is estimated to be used for measuring and control devices per year in the EU and on an annual basis some 25-30 tons of mercury enters the cycle via thermometers alone. Although professional use of mercury in measuring devices is carefully controlled it has proved to be extremely difficult to keep used measuring devices for consumers use out of the waste stream. Some Member States complain that the mercury derived from measuring products is responsible for the foremost source of mercury in surface water.

In terms of cost, the economic impact of the proposed restriction is expected to be small. The number of EU producers is negligible illustrated by the fact that no sectoral organisation exists on a European or Member State level. Similarly, the social impact is expected to be limited to potential job losses with the producers – but again the overall impact on EU employment would be limited and would need to be weighed up against the number of benefits foreseen. The most significant predicted benefit being a reduction of mercury in the municipal waste stream leading to a reduction of emissions from landfill and incineration.

Lastly, the proposed Directive is considered a short-term measure and is limited to restricting the placing on the market of new measuring devices. It does not apply to devices that are already in use or which are sold second hand. A further study will be conducted by the Commission into figures showing that the amount of mercury in existing household equipment is greater than the amount represented by sales of new equipment. In the medium to longer term, any remaining use is likely to be subject to authorisation under the proposed REACH Regulation.