Health and environment: use of nonylphenol, nonylphenol ethoxylate and cement (26th amend. Directive 76/769/EEC)

2002/0206(COD) - 18/06/2003 - Final act

PURPOSE : to introduce harmonise provisions with regard to NP, NPE and cement. COMMUNITY MEASURE : Directive 2003/53/EC of the European Parliament and of the Council amending for the 26th time Council Directive 76/769/EEC relating to restrictions on the marketing and use of certain dangerous substances and preparations (nonylphenol, nonylphenol ethoxylate and cement). CONTENT : in order to protect the environment, the placing on the market and the use of NP and NPE is restricted for specific uses which result in discharges, emissions or losses to the environment. These are set out in the Annex. The provisions state that NP and NPE must not be placed on the market or used as a substance or constituent of preparations in concentrations equal or higher than 0.1% by mass for certain purposes. These purposes include industrial cleaning (with certain exceptions) and domestic cleaning. However, the restriction concerning co-formulants in pesticides and biocides is without prejudice to the validity of existing national authorisations of pesticides or biocidal products containing NPE as a co-formulant, which have been granted before the entry into force of the Directive, until they expire. Furthermore, in order to protect human health, the Directive restricts the placing on the market and the use of cement. In particular, the placing on the market and the use of cement or cement preparations containing more than 2 ppm chromium VI is restricted in the case of activities where there is a possibility of contact with the skin. In controlled closed and totally automated processes this is not the case, and they are therefore exempted. Reducing agents must be used at the earliest possible stage, i.e. at the point of cement production. The Commission is asked to do the following: - consider an amendment to Annex I to Directive 98/24/EC so as to establish a binding occupational exposure limit value for dust. - consider an amendment to Council Directive 86/278/EEC of 12 June 1986 on the protection of the environment, and in particular of the soil, when sewage sludge is used in agriculture, with a view to establishing a concentration limit value for NP and NPE in sewage sludge that is to be spread on land. Other uses of chromium VI are being examined in the framework of a risk assessment, and the Commission is invited to propose as soon as possible the appropriate legislation to address any risks identified. The adoption of a harmonised testing method is desirable for the application of this Directive as regards the content of chromium VI in cement. Therefore, the Commission must establish such a method. DATE OF TRANSPOSITION : 17/07/04. DATE APPLICABLE : 17/01/05. ENTRY INTO FORCE : 17/07/03.