

Restrictions on the marketing of certain measuring devices containing mercury

2006/0018(COD) - 19/04/2007 - Council position

The common position reflects partially the Opinion of the European Parliament at first reading. It differs mainly from the Opinion as it contains a two-year transition period for barometers, which in the Opinion may instead be unlimited in time.

The Council does not believe that a permanent derogation for mercury barometers is justified taking into account inter alia that they contain a significant amount of mercury and that safer alternatives exist. Also, the Council believes that banning also sphygmomanometers for healthcare use may be premature, because of the current lack of information on reliable safer mercury-free alternatives. The common position states therefore that the Commission should carry out a review of the available alternatives.

New elements are contained in the common position as compared with the Commission proposal:

- the need not to restrict import of antique and/or cultural goods containing mercury;
- the two-year transition period for barometers;
- the need to review the availability of reliable safer alternative to sphygmomanometers;
- encouraging Member States to draw up their own correlation tables between this Directive and the corresponding measures.

The Annex introduces two exemptions from the ban: a permanent one for antique (i.e. more than fifty years old) measuring devices and another one for barometers, until two years after entry into force of the Directive.

Sweden and Denmark voted against the common position as they consider that adequate alternatives for mercury containing sphygmomanometers in the healthcare sector are available and their marketing should be banned.