Basic information

2000/0104(COD) COD - Ordinary legislative procedure (ex-codecision procedure) Directive	Procedure completed
Dangerous substances and preparations: short chain chlorinated paraffins SCCP (20th amend. Directive 76/769/EEC) **Subject** 3.70.13 Dangerous substances, toxic and radioactive wastes (storage, transport)	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
DELE EP Delegation to Conciliation Committee	NISTICÒ Giuseppe (PPE-DE)	29/01/2002

Former committee responsible	Former rapporteur	Appointed
ENVI Environment, Public Health, Consumer Policy	NISTICÒ Giuseppe (PPE-DE)	29/08/2000
ENVI Environment, Public Health, Consumer Policy	NISTICÒ Giuseppe (PPE-DE)	29/08/2000

Former committee for opinion	Former rapporteur for opinion	Appointed
JURI Legal Affairs and Internal Market	The committee decided not to give an opinion.	
ITRE Industry, External Trade, Research, Energy	The committee decided not to give an opinion.	

Council of the European Union

Council configuration	Meetings	Date
Economic and Financial Affairs ECOFIN	2407	2002-02-12
Competitiveness (Internal Market, Industry, Research and Space)	2426	2002-05-21
Competitiveness (Internal Market, Industry, Research and Space)	2351	2001-05-30
Transport, Telecommunications and Energy	2364	2001-06-27

European

Commission DG	Commissioner

Commission	Internal Market, Industry, Entrepreneurship and SMEs	

Key events

Date	Event	Reference	Summary
20/06/2000	Legislative proposal published	COM(2000)0260	Summary
03/07/2000	Committee referral announced in Parliament, 1st reading		
09/01/2001	Vote in committee, 1st reading		Summary
09/01/2001	Committee report tabled for plenary, 1st reading	A5-0003/2001	
01/02/2001	Decision by Parliament, 1st reading	T5-0043/2001	Summary
17/05/2001	Modified legislative proposal published	COM(2001)0268	Summary
27/06/2001	Council position published	09461/1/2001	Summary
05/09/2001	Committee referral announced in Parliament, 2nd reading		
05/11/2001	Vote in committee, 2nd reading		Summary
05/11/2001	Committee recommendation tabled for plenary, 2nd reading	A5-0382/2001	
29/11/2001	Decision by Parliament, 2nd reading	T5-0623/2001	Summary
12/02/2002	Parliament's amendments rejected by Council		
26/02/2002	Formal meeting of Conciliation Committee		
09/04/2002	Report tabled for plenary, 3rd reading	A5-0171/2002	
16/04/2002	Final decision by Conciliation Committee		Summary
22/04/2002	Joint text approved by Conciliation Committee co-chairs	3617/2002	
21/05/2002	Decision by Council, 3rd reading		
30/05/2002	Decision by Parliament, 3rd reading	T5-0258/2002	Summary
25/06/2002	Final act signed		
25/06/2002	End of procedure in Parliament		
06/07/2002	Final act published in Official Journal		

Technical information

Procedure reference	2000/0104(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Directive
Legal basis	EC Treaty (after Amsterdam) EC 095
Stage reached in procedure	Procedure completed
Committee dossier	CODE/5/15837

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee report tabled for plenary, 1st reading/single reading		A5-0003/2001	09/01/2001	
Text adopted by Parliament, 1st reading/single reading		T5-0043/2001 OJ C 267 21.09.2001, p. 0018-0041	01/02/2001	Summary
Committee recommendation tabled for plenary, 2nd reading		A5-0382/2001	05/11/2001	
Text adopted by Parliament, 2nd reading		T5-0623/2001 OJ C 153 27.06.2002, p. 0029-0233 E	29/11/2001	Summary
Report tabled for plenary by Parliament delegation to Conciliation Committee, 3rd reading		A5-0171/2002	09/04/2002	
Text adopted by Parliament, 3rd reading		T5-0258/2002 OJ C 187 07.08.2003, p. 0020-0100 E	30/05/2002	Summary

Council of the EU

Document type	Reference	Date	Summary
Council position	09461/1/2001 OJ C 301 26.10.2001, p. 0039	27/06/2001	Summary

European Commission

Document type	Reference	Date	Summary
Legislative proposal	COM(2000)0260 OJ C 337 28.11.2000, p. 0138 E	20/06/2000	Summary
Modified legislative proposal	COM(2001)0268 OJ C 213 31.07.2001, p. 0296 E	17/05/2001	Summary
Commission communication on Council's position	SEC(2001)0104	05/07/2001	Summary
Commission opinion on Parliament's position at 2nd reading	COM(2002)0042	24/01/2002	Summary

Other institutions and bodies

Institution/body	Document type	Reference	Date	Summary
EESC	Economic and Social Committee: opinion, report	CES1430/2000 OJ C 116 20.04.2001, p. 0027	29/11/2000	
CSL/EP	Joint text approved by Conciliation Committee co-chairs	3617/2002	22/04/2002	

Additional information		
Source	**Document**	**Date**
European Commission	EUR-Lex	

Final act	
Directive 2002/0045 OJ L 177 06.07.2002, p. 0021	Summary

Dangerous substances and preparations: short chain chlorinated paraffins SCCP (20th amend. Directive 76/769/EEC)

2000/0104(COD) - 01/02/2001 - Text adopted by Parliament, 1st reading/single reading

The European Parliament approved the report by Mr Giuseppe NISTICO (EPP/ED, I) together with a number of amendments which seek to strengthen the draft legislation by extending the ban on the use of SCCPs to other areas such as their use as plasticisers in paints or coatings. (Please refer to the previous document).

Dangerous substances and preparations: short chain chlorinated paraffins SCCP (20th amend. Directive 76/769/EEC)

2000/0104(COD) - 27/06/2001 - Council position

To a large extent the common position corresponds to the Commission's amended proposal. However, the Commission accepted only one amendment and the principle of part of one of the four amendments proposed by the Parliament. The amendments accepted without amendment or with only minor changes relate to: - making it clearer in the Directive that all other uses of short chain chlorinated paraffins (SCCPs) will be re-examined in the future and that the European Parliament will be kept informed of the results of that re-examination; - including SCCPs as substances or as constituents of preparations, stipulating that the targets are substances or constituents of other substances or preparations. Moreover, the Council introduced a provision whereby the ban on marketing SCCPs applies only to concentrations higher than 1% for both of the applications mentioned. With regard to the amendments not accepted by the Council, the most important relates to broadening the scope of the proposed ban to include the use of SCCPs as plasticiser in paints, coatings and sealants, and as flame retardant in rubber, plastics and textiles.

Dangerous substances and preparations: short chain chlorinated paraffins SCCP (20th amend. Directive 76/769/EEC)

2000/0104(COD) - 05/07/2001 - Commission communication on Council's position

The Common position follows the general lines of the Commission's amended proposal. Certain changes motivated on technical grounds and a clarification were introduced. Of the four amendments adopted by the Parliament one has been accepted and part of another amendment accepted in principle by the Commission. The Commission recognises that other known uses of SCCP should be included in a future review of the provisions and that the European Parliament should be informed about the outcome of the review and has therefore accepted to introduce the necessary clarifications in its amended proposal. The Commission has also accepted that the proposed Directive should cover SCCP in the form of a substance or as a constituent of a preparation. The Commission has not accepted amendments that would extend the scope of the proposed ban. The basis of the Commission's proposal is that particular risks have been identified in a comprehensive risk assessment carried out in the framework of Regulation 793 /93/EEC on the evaluation and control of existing substances. To ban other uses or other related substances would not be justified by the current knowledge about risks. The Common Position of the Council includes, in addition to the amendments accepted by the Commission, certain changes motivated on technical grounds. These changes, which would not alter the Commission's proposal, would further clarify the scope of the proposed Directive. A clarification of the scope of the future review was also included. The Commission supports the Common Position because it follows the lines of its amended Proposal. The Commission made a declaration at the adoption of the Council common position concerning point 2 of the Annex to the Directive: "The Commission stated that it would examine all the remaining known uses and counted on the Member States' support in this work."

Dangerous substances and preparations: short chain chlorinated paraffins SCCP (20th amend. Directive 76/769/EEC)

2000/0104(COD) - 24/01/2002 - Commission opinion on Parliament's position at 2nd reading

The Commission rejects both of the Parliamentary amendments tabled following the second reading at plenary session. The Commission is of the opinion that there is no scientific justification, under the risk assessment procedures, for the banning of SCCP as a plasticiser in paints, coating, flame retardants in rubber, plastics or textiles. On the matter of other related substances, the Commission concludes that chlorinated paraffins are currently subject to risk assessment and could, if appropriate, be subject to risk reduction measures once risk assessments have been finalised. Taking these points into account, the Commission has decided to deliver a negative opinion on the two amendments and is accordingly not modifying its proposal.

Dangerous substances and preparations: short chain chlorinated paraffins SCCP (20th amend. Directive 76/769/EEC)

2000/0104(COD) - 30/05/2002 - Text adopted by Parliament, 3rd reading

The European Parliament, using its procedure without debate, approved the joint text of the Conciliation Committee on substances and dangerous preparations.

Dangerous substances and preparations: short chain chlorinated paraffins SCCP (20th amend. Directive 76/769/EEC)

2000/0104(COD) - 17/05/2001 - Modified legislative proposal

The aim of the amended proposal is to clarify the original proposal, without modifying its general structure and objectives. Of the four amendments adopted by Parliament, one has been accepted and part of another amendment accepted in principle. The Commission recognises that other known uses of Short Chain Chlorinated Paraffins (SCCP) should be included in a future review of the provisions and that the European Parliament should be informed about the outcome of the review and has therefore accepted to introduce the necessary clarifications. The Commission can also accept that the proposed Directive should cover SCCP in the form of a substance or as a constituent of a preparation. The Commission has not accepted amendments that would extend the scope of the proposed ban. The basis of the Commission's proposal is that particular risks have been identified in a comprehensive risk assessment carried out in the framework of Regulation 793/1993/EEC on the evaluation and control of existing substances. Therefore, the Commission cannot accept Parliament's amendments which relate to a ban on the use of SCCP as plasticiser in paints and coatings and as flame-retardant in rubber, plastics or textiles. This would not be justified on the current knowledge about risks. However, if such risks are identified, the Directive could be adapted to technical progress. Nor has the Commission accepted to commit itself to make proposals to restrict the use of other related substances.

Dangerous substances and preparations: short chain chlorinated paraffins SCCP (20th amend. Directive 76/769/EEC)

2000/0104(COD) - 25/06/2002 - Final act

PURPOSE : To restrict the marketing and use of short-chained chlorinated paraffins (SCCP). COMMUNITY MEASURE : Directive 45/2002/EC of the European Parliament and of the Council amending for the twentieth time Council Directive 76/769/EEC relating to restrictions on the marketing and use of certain dangerous substances and preparations (short-chained chlorinated paraffins). CONTENT : This Directive states that limitations already adopted or planned by certain Member States on the use of SCCPs following PARCOM (convention for the Prevention of Marine Pollution from Land-Based sources) Decision 95/01 directly affect the completion and functioning of the internal market. It is necessary to approximate the laws of the Member States in this field and amend annex I to Council Directive 76/769/EEC, taking into account Community risk-assessments and relevant scientific evidence in support of PARCOM Decision 95/1. The Directive provides that SCCPs may not be placed on the market for use as substances or as constituents of other substances or preparations in concentrations higher than 1%: -in metalworking; -for fat liquoring of leather. The Directive goes onto provide that, before 01/01/03, all remaining uses of SCCPs will be reviewed by the Commission, in cooperation with the Member States and the OSPAR Commission, in the light of any relevant new scientific data on risks posed by SCCPs to health and the environment. The European Parliament will in formed of the outcome of this review. DATE FOR TRANSPOSITION : 06/07/03. DATE OF APPLICATION : 06/01/04. ENTRY INTO FORCE : 06/07/02.

Dangerous substances and preparations: short chain chlorinated paraffins SCCP (20th amend. Directive 76/769/EEC)

2000/0104(COD) - 30/05/2001

The Council reached political agreement by qualified majority, the Belgian, the Danish and the Netherlands delegation voting against, on the text of the directive. The common position will be forwarded to Parliament.

Dangerous substances and preparations: short chain chlorinated paraffins SCCP (20th amend. Directive 76/769/EEC)

2000/0104(COD) - 20/06/2000 - Legislative proposal

PURPOSE : to present a proposal for a Directive amending for the 20th time Council Directive 76/769/EEC relating to restrictions on the marketing and use of certain dangerous substances and preparations (Short Chain Chlorinated Paraffins) with a view to protecting the environment and establishing an internal market in SCCP's. CONTENT : in the EU, Short Chain Chlorinated Paraffins (SCCP) are mainly used as an additive in metal working fluids. Other uses are as a flame retardant in rubber formulations and as an additive in paints and other coating systems. Under Council Regulation 793/93 /EEC on the evaluation and control of the risks of existing substances, the Commission's Draft Recommendation on the results of the risk evaluation and risk reduction strategies for four substances, including SCCP, was finalised in July 1998. The risk assessment concluded that there is a need for specific protective measures for the aquatic ecosystem. The Commission Recommendation called for the consideration of measures at Community level, restricting the marketing and use of SCCP in particular in metalworking and leather finishing, adding that further work is necessary to establish those uses for which derogations can be justified. On the basis of this Recommendation, and in order to avoid distortions of the internal market caused by the disparity of national legislation on chlorinated paraffins, the Commission proposes to introduce harmonisation measures in the framework of Directive 76/769 on restrictions on the marketing and use of certain dangerous substances and preparations. The 20th amendment of that Directive will ban SCCP in the two areas of application cited by the Recommendation, namely in metalworking and leather finishing. With regard to the other applications of SCCP, namely as plasticiser in paints, coatings and sealants, and as flame retardant in rubber, plastics and textiles, risk reduction measures should be reconsidered within the three years of adoption of this Directive, in light of the review of scientific knowledge and technical progress. It should be noted that 11 of the EU Member States, which have fully endorsed the Commission Recommendation for SCCP, had committed themselves to PARCOM (Convention for the Prevention of Marine Pollution from land-based Sources) Decision 95/1 in 1995 under the Paris Convention (from 1998 OSPAR Convention). This PARCOM Decision lays down the phasing out of the uses of SCCP within the following time frame: use as plasticiser in paints and coatings, use in metal working fluids, use as flame retardants in rubber, plastics and textiles by 31 December 1999; use as plasticisers in sealants by 31 December 2004. Thus, the PARCOM Decision goes further than the Commission Recommendation by including the uses of SCCP as plasticisers and flame retardants. On the other hand, the Commission Recommedation goes further than the PARCOM Decision by including the uses of SCCP in leather finishing. The European Community is not party to the PARCOM Decision. The United Kingdom did not accept the PARCOM Decision. Austria, Greece and Italy are not party to the OSPAR Convention.

Dangerous substances and preparations: short chain chlorinated paraffins SCCP (20th amend. Directive 76/769/EEC)

2000/0104(COD) - 29/11/2001 - Text adopted by Parliament, 2nd reading

The European Parliament approved the report by Giuseppe NISTICO (EPP-ED, I). Procedure without debate. (Please refer to the previous text).