Basic information

2004/0036(COD) COD - Ordinary legislative procedure (ex-codecision procedure) Directive	Procedure completed
Environment and health : polycyclic aromatic hydrocarbons in extender oils and tyres (27th amend. Directive 76/769/EEC) **Subject** 3.40.01 Chemical industry, fertilizers, plastics 3.70.13 Dangerous substances, toxic and radioactive wastes (storage, transport) 4.20.05 Health legislation and policy	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
ENVI Environment, Public Health and Food Safety	ADAMOU Adamos (GUE/NGL)	01/09/2004

Former committee responsible	Former rapporteur	Appointed
ENVI Environment, Public Health, Consumer Policy		

Committee for opinion	Rapporteur for opinion	Appointed
TRAN Transport and Tourism	The committee decided not to give an opinion.	

Former committee for opinion	Former rapporteur for opinion	Appointed
RETT Regional Policy, Transport and Tourism		

Council of the European Union

Council configuration	Meetings	Date
Environment	2684	2005-10-17

European Commission

Commission DG	Commissioner
Internal Market, Industry, Entrepreneurship and SMEs	

Key events

Date	Event	Reference	Summary
13/02/2004	Legislative proposal published	COM(2004)0098	Summary
25/02/2004	Committee referral announced in Parliament, 1st reading		
16/09/2004	Committee referral announced in Parliament, 1st reading		
20/04/2005	Vote in committee, 1st reading		Summary
26/04/2005	Committee report tabled for plenary, 1st reading	A6-0104/2005	
08/06/2005	Debate in Parliament		
09/06/2005	Decision by Parliament, 1st reading	T6-0232/2005	Summary
09/06/2005	Results of vote in Parliament		
17/10/2005	Act adopted by Council after Parliament's 1st reading		
16/11/2005	Final act signed		
16/11/2005	End of procedure in Parliament		
09/12/2005	Final act published in Official Journal		

Technical information

Procedure reference	2004/0036(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	ENVI/6/21177 ENVI/5/20738

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee report tabled for plenary, 1st reading/single reading		A6-0104/2005	26/04/2005	
Text adopted by Parliament, 1st reading/single reading		T6-0232/2005 OJ C 124 25.05.2006, p. 0420-0521 E	09/06/2005	Summary

Council of the EU

Document type	Reference	Date	Summary

Draft final act	03641/1/2005	16/11/2005	

European Commission

Document type	Reference	Date	Summary
Legislative proposal	COM(2004)0098	13/02/2004	Summary
Commission response to text adopted in plenary	SP(2005)2882	13/07/2005	

Other institutions and bodies

Institution/body	Document type	Reference	Date	Summary
EESC	Economic and Social Committee: opinion, report	CES1429/2004 OJ C 120 20.05.2005, p. 0030-0033	21/09/2004	

Additional information

Source	Document	Date
European Commission	EUR-Lex	

Final act

Directive 2005/0069
OJ L 323 09.12.2005, p. 0051-0054 Summary

Environment and health : polycyclic aromatic hydrocarbons in extender oils and tyres (27th amend. Directive 76/769/EEC)

2004/0036(COD) - 16/11/2005 - Final act

PURPOSE: To amend provisions relating to the marketing and use of dangerous substances, in this case polycyclic aromatic hydrocarbons in extender oils and tyres (PHAs).

LEGISLATIVE ACT: Directive 2005/69/EC of the European Parliament and of the Council amending for the 27th time Council Directive 76/769 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 (polycyclic aromatic hydrocarbons in extender oils and tyres).

CONTENT: The purpose of this amendment is to reduce the emission of Benzo(a)pyrene (BaP) and polycyclic aromatic hydrocarbons (PHAs), both of which have been proven to be carcinogenic, mutagenic and toxic to reproduction. Indeed, the Scientific Committee on toxicity has confirmed the scientific findings, which identify the adverse health effects of PAHs.

In order to meets its objectives of reducing BaP and PHAs the Directive amends Council Directive 76/769 and in particular Annex I thereof. The provisions of this Directive cover passenger car tyres, light and heavy truck tyres, agricultural tyres and motorcycle tyres. The Directive foresees a transitory period to allow tyre producers to develop and test new types of tyres which can be produced without high aromatic extender oils. A further feature of the Directive is the adoption of harmonised test methods on PAHs in extender oils and tyres. However, the adoption of such test methods should not delay the entry into force of the Directive. Testing methods should preferably be developed at European or international level through either CEN or ISO. The Directive does not affect Community legislation laying down minimum requirements for the protection of workers. Lastly, the Directive does not intend to restrict the placing on the market of tyres produced before 1 January 2010 and which can thus be sold off from stocks subsequent to this date. All tyres re-treaded after 1 January 2010 should be re-treaded with new tread containing new PAH-low extender oils.

DATE OF APPLICATION: Member States must ensure that all the laws, regulations and administrative provisions needed to comply with this Directive are published by 29 December 2006. The measures will apply from 1 January 2010.

ENTRY INTO FORCE: 29 December 2005.

Environment and health : polycyclic aromatic hydrocarbons in extender oils and tyres (27th amend. Directive 76/769/EEC)

2004/0036(COD) - 09/06/2005 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted a resolution drafted by Adamos ADAMOU (EUL/NGL), endorsing the compromise package agreed between its representatives and the Council in order to conclude this dossier at the first reading stage. (Please see the document of 20/04/2005.) On the question of application of the legislation, Parliament has inserted in the text a clause stating that the Directive should be applied to economic operators from 1 January 2010. All tyres retreaded after 1 January 2010 should be retreaded with new tread containing new PAH-low extender oils. The tyres and treads for retreading manufactured after 1 January 2010 may not be placed on the market if they contain extender oils exceeding the limits indicated.

Environment and health : polycyclic aromatic hydrocarbons in extender oils and tyres (27th amend. Directive 76/769/EEC)

2004/0036(COD) - 13/02/2004 - Legislative proposal

PURPOSE : to restrict the placing on the market and use of extender oils and tyres containing PAHs above certain thresholds and to amend Directive 76/769/EC. PROPOSED ACT : Directive of the European Parliament and of the Council. CONTENT : This proposal aims to improve the conditions for the functioning of the Internal Market, while ensuring a high level the protection of health and the environment. Certain polycyclic aromatic hydrocarbons (PAH) are classified as carcinogenic, mutagenic and reprotoxic (c/m/r) substances. Benzo(a)pyrene (BaP) can be a qualitative and quantitative marker for the presence of PAHs. BaP is classified as c/m/r category 2 in the framework of Directive 67/548/EEC, and it can pose unacceptable risks to human health or the environment. Furthermore, PAHs are regarded as Persistent Organic Pollutants under the UN ECE Protocol on Persistent Organic Pollutants (the 1998 Protocol to the 1979 Convention on Long Range Transboundary Air Pollution on Persistent Organic Pollutants) and are subject to obligation to reduce total annual emissions. PAHs can be constituents in oils. Some of these oils are used as extender oils in the production of tyres. The extender oil is incorporated into the rubber matrix and remains there locked in the rubber of the final tyre. Consequently, the extender oil can also be present in the tyre debris. Technical processes allow the content of certain PAHs in extender oils to be reduced to low limits. Tyre producers have been willing to work towards a high level of protection of health and the environment by phasing out high aromatic extender oils. This proposal will introduce harmonised provisions on the placing on the market and use of certain PAHs in extender oils and tyres. The objective to reduce the emission of tyre debris that contains carcinogens into the environment to an acceptable level, and to control the possible risks to health and the environment can only be ensured by restricting the marketing and use of PAH-rich extender oils and tyres produced with these oils. The Directive will be applied to economic operators from 1 January 2009, except with regard to racing tyres, to which the Directive will apply from 1 January 2012. There are particular provisions concerning air craft tyres.