

Basic information	
<b>2004/0111(COD)</b> COD - Ordinary legislative procedure (ex-codecision procedure) Directive	Procedure completed
Environment and public health: restrictions on the use of toluene and TCB (amend. Directive 76/769/EEC)  <b>Subject</b>  3.70.13 Dangerous substances, toxic and radioactive wastes (storage, transport) 4.60.04.02 Consumer security	

Key players				
European Parliament	<b>Committee responsible</b>		<b>Rapporteur</b>	<b>Appointed</b>
	<b>ENVI</b> Environment, Public Health and Food Safety		FLORENZ Karl-Heinz (PPE-DE)	01/09/2004
	<b>Committee for opinion</b>		<b>Rapporteur for opinion</b>	<b>Appointed</b>
	<b>EMPL</b> Employment and Social Affairs		The committee decided not to give an opinion.	11/10/2004
	<b>IMCO</b> Internal Market and Consumer Protection		The committee decided not to give an opinion.	
Council of the European Union	<b>Council configuration</b>	<b>Meetings</b>	<b>Date</b>	
	Agriculture and Fisheries	2677	2005-09-19	
European Commission	<b>Commission DG</b>		<b>Commissioner</b>	
	Internal Market, Industry, Entrepreneurship and SMEs			

Key events			
Date	Event	Reference	Summary
28/04/2004	Legislative proposal published	COM(2004)0320 	Summary
15/09/2004	Committee referral announced in Parliament, 1st reading		
20/01/2005	Vote in committee, 1st reading		Summary

24/01/2005	Committee report tabled for plenary, 1st reading	<a href="#">A6-0005/2005</a>	
13/04/2005	Decision by Parliament, 1st reading	<a href="#">T6-0125/2005</a>	<a href="#">Summary</a>
13/04/2005	Results of vote in Parliament		
19/09/2005	Act adopted by Council after Parliament's 1st reading		
26/10/2005	Final act signed		
26/10/2005	End of procedure in Parliament		
25/11/2005	Final act published in Official Journal		

Technical information	
<b>Procedure reference</b>	2004/0111(COD)
<b>Procedure type</b>	COD - Ordinary legislative procedure (ex-codecision procedure)
<b>Procedure subtype</b>	Legislation
<b>Legislative instrument</b>	Directive
<b>Legal basis</b>	EC Treaty (after Amsterdam) EC 095
<b>Stage reached in procedure</b>	Procedure completed
<b>Committee dossier</b>	ENVI/6/22076

Documentation gateway				
<b>European Parliament</b>				
<b>Document type</b>	<b>Committee</b>	<b>Reference</b>	<b>Date</b>	<b>Summary</b>
Committee report tabled for plenary, 1st reading/single reading		<a href="#">A6-0005/2005</a>	24/01/2005	
Text adopted by Parliament, 1st reading/single reading		<a href="#">T6-0125/2005</a> OJ C 033 09.02.2006, p. 0325-0480 E	13/04/2005	<a href="#">Summary</a>
<b>Council of the EU</b>				
<b>Document type</b>		<b>Reference</b>	<b>Date</b>	<b>Summary</b>
Draft final act		<a href="#">03626/5/2005</a>	26/10/2005	
<b>European Commission</b>				
<b>Document type</b>		<b>Reference</b>	<b>Date</b>	<b>Summary</b>
Legislative proposal		<a href="#">COM(2004)0320</a> 	28/04/2004	<a href="#">Summary</a>
Commission response to text adopted in plenary		<a href="#">SP(2005)2124</a>	19/05/2005	
<b>Other institutions and bodies</b>				

Institution/body	Document type	Reference	Date	Summary
EESC	Economic and Social Committee: opinion, report	CES1424/2004 OJ C 120 20.05.2004, p. 0006-0009	27/10/2004	

Additional information		
Source	Document	Date
European Commission	EUR-Lex	

Final act	
<a href="#">Directive 2005/0059</a> <a href="#">OJ L 309 25.11.2005, p. 0013-0014</a>	<a href="#">Summary</a>

## Environment and public health: restrictions on the use of toluene and TCB (amend. Directive 76/769/EEC)

2004/0111(COD) - 13/04/2005 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted a resolution drafted by Karl-Heinz FLORENZ (EPP-ED, DE) making one amendment to the proposal. (Please see the summary of 20/01/2005).

## Environment and public health: restrictions on the use of toluene and TCB (amend. Directive 76/769/EEC)

2004/0111(COD) - 26/10/2005 - Final act

PURPOSE : to restrict the placing on the market of toluene and TCB and to amend Annex I of Directive 76/769/EEC.

LEGISLATIVE ACT : Directive 2005/59/EC of the European Parliament and of the Council amending for the 28th time Council Directive 76/769/EEC 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 (toluene and trichlorobenzene).

CONTENT : the risks presented to man and the environment by toluene and trichlorobenzene (TCB) have been assessed under Council Regulation 793/93/EEC of 23 March 1993 on the evaluation and control of the risks of existing substances. The risk evaluation identified a need to limit those risks, and the Scientific Committee on Toxicity, Ecotoxicity and the Environment (CSTEE) confirmed that conclusion. In order to protect human health and the environment, it therefore appears necessary that the placing on the market and the use of toluene and TCB should be restricted. This is the aim of this Directive. It aims to introduce harmonising measures with regard to toluene and trichlorobenzene, which have as their object the proper functioning of the internal market.

In addition, the Directive amends Annex I of Directive 76/769/EEC 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.

Annex I is amended as follows :

- Toluene may not be placed on the market or used as a substance or constituent of preparations in a concentration equal to or higher than 0,1 % by mass in adhesives and spray paints intended for sale to the general public;

- Trichlorobenzene may not be placed on the market or used as a substance or constituent of preparations in a concentration equal to or higher than 0,1 % by mass for all uses except as an intermediate of synthesis, or as a process solvent in closed chemical applications for chlorination reactions, or in the manufacture of 1,3,5 - trinitro - 2,4,6 - triaminobenzene (TATB).

ENTRY INTO FORCE : 15 December 2005.

TRANSPOSITION IN THE MEMBER STATES : 15 December 2006.

APPLICATION : 15 June 2007.

## **Environment and public health: restrictions on the use of toluene and TCB (amend. Directive 76/769/EEC)**

2004/0111(COD) - 28/04/2004 - Legislative proposal

**PURPOSE** : to introduce harmonised provisions on the marketing and the use of toluene and trichlorobenzene. **PROPOSED ACT** : Directive of the European Parliament and of the Council. **CONTENT** : Toluene is used as a raw material in the production of benzene and a host of other chemicals (e. g. benzoic acid, nitrotoluenes, tolyl diisocyanates, as well as dyes, pharmaceuticals, food additives, plastics, etc.). Due to its solvent power toluene can be present in consumer products, including household aerosols, paints, varnishes, adhesives, and glues. Trichlorobenzene (TCB) is predominantly used as an intermediate in the manufacture of herbicides and as a process solvent in closed systems. Besides, TCB has other minor uses as a solvent, a dye carrier and as a corrosion inhibitor. The risks to the health and environment by toluene and TCB have been assessed under Council Regulation 793/93/EEC on the evaluation and control of the risks of existing substances. The risk assessments identified a need for reducing the risks to health from toluene and TCB. The Scientific Committee on Toxicity, Ecotoxicity and the Environment (CSTEE) confirmed the conclusions of the assessment of these substances and the need to reduce risks to health. Moreover, the Commission adopted Recommendations in the framework of Regulation 793/93/EEC on risk reduction strategies for toluene and TCB providing for restrictions on the marketing and use to control the risks identified. On the basis of the risk assessments and recommended risk reduction strategies, the Commission is now proposing to restrict the marketing and use of toluene, TCB, and of preparations containing them. When Member States adopt national provisions restricting the marketing and use of dangerous substances and preparations there will be obstacles to trade because of differences in legislation between Member States. The draft proposal aims to improve the conditions for the functioning of the Internal Market to the benefit of the protection of people's health and safety. The only course of action available is to make a proposal for an amendment to Directive 76/769/EEC providing for harmonised rules on the use of toluene and TCB. The proposed Directive would establish uniform rules for the circulation of toluene and TCB. It also guarantees a high level of protection of people's health and safety. The proposed amendment to Directive 76/769/EEC is the only way to meet these goals. Targets would be insufficient. The proposed Directive would extend Annex I to Directive 76/769/EEC by adding the substances toluene and TCB. Marketing and use of these substances would thus be restricted.