

Basic information	
2006/0288(COD) COD - Ordinary legislative procedure (ex-codecision procedure) Directive	Procedure completed
Placing of biocidal products on the market: implementing powers conferred on the Commission Amending Directive 98/8/EC 1993/0465(COD) Subject 3.10.09.02 Plant health legislation 3.70.06 Soil pollution, deterioration	

Key players				
European Parliament	Committee responsible		Rapporteur	Appointed
	ENVI	Environment, Public Health and Food Safety	WESTLUND Åsa (PSE)	03/04/2007
Council of the European Union	Council configuration		Meetings	Date
	Environment		2856	2008-03-03
European Commission	Commission DG		Commissioner	
	Environment		DIMAS Stavros	

Key events			
Date	Event	Reference	Summary
22/12/2006	Legislative proposal published	COM(2006)0923 	Summary
17/01/2007	Committee referral announced in Parliament, 1st reading		
12/09/2007	Vote in committee, 1st reading		Summary
25/09/2007	Committee report tabled for plenary, 1st reading	A6-0344/2007	
14/11/2007	Decision by Parliament, 1st reading	T6-0521/2007	Summary
14/11/2007	Results of vote in Parliament		
03/03/2008	Act adopted by Council after Parliament's 1st reading		
11/03/2008	Final act signed		
11/03/2008	End of procedure in Parliament		
20/03/2008	Final act published in Official Journal		

Technical information	
Procedure reference	2006/0288(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Directive
Amendments and repeals	Amending Directive 98/8/EC 1993/0465(COD)
Legal basis	EC Treaty (after Amsterdam) EC 095
Stage reached in procedure	Procedure completed
Committee dossier	ENVI/6/44442

Documentation gateway				
European Parliament				
Document type	Committee	Reference	Date	Summary
Committee draft report		PE388.626	19/07/2007	
Amendments tabled in committee		PE393.864	29/08/2007	
Committee report tabled for plenary, 1st reading/single reading		A6-0344/2007	25/09/2007	
Text adopted by Parliament, 1st reading/single reading		T6-0521/2007	14/11/2007	Summary
Council of the EU				
Document type	Reference	Date	Summary	
Draft final act	03682/2007/LEX	11/03/2008		
European Commission				
Document type	Reference	Date	Summary	
Legislative proposal	COM(2006)0923 	22/12/2006	Summary	
Commission response to text adopted in plenary	SP(2007)6527	18/12/2007		

Additional information		
Source	Document	Date
National parliaments	IPEX	
European Commission	EUR-Lex	

Placing of biocidal products on the market: implementing powers conferred on the Commission

2006/0288(COD) - 14/11/2007 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted a resolution drafted by the report drafted by Åsa **WESTLUND** (PES, SE), and made some amendments to the proposal for a directive amending Directive 98/8/EC concerning the placing of biocidal products on the market, as regards the implementing powers conferred to the Commission.

Parliament stated that the regulatory procedure with scrutiny will apply to common conditions for the application of Article 17(5), in particular the maximum quantities of active substances or biocidal products that may be released during experiments and the minimum data to be submitted in order to permit an assessment.

The regulatory procedure with scrutiny will also apply to amendments necessary to adapt Annex IIA, IIB, IIIA, IIIB, IVA or IVB or the descriptions of product types in Annex V to technical progress or to specify data requirements for each of these product types.

The comitology committee is named the Standing Committee on Biocidal Products.

Placing of biocidal products on the market: implementing powers conferred on the Commission

2006/0288(COD) - 22/12/2006 - Legislative proposal

PURPOSE: to amend Directive 98/8/EC concerning the placing of biocidal products on the market by introducing a reference to the new regulatory procedure with scrutiny (comitology).

PROPOSED ACT: Directive of the European Parliament and of the Council.

CONTENT: Council Decision 1999/468/EC laying down the procedures for the exercise of implementing powers conferred on the Commission has been amended by Council Decision 2006/512/EC ([CNS/2002/0298](#)).

The amended Decision introduces a new *regulatory procedure with scrutiny* to be used for measures of general scope which seek to amend non-essential elements of a basic instrument, adopted under co-decision, including by deleting some of those elements or by supplementing the instrument by the addition of new non-essential elements.

This procedure allows the legislator to oppose the adoption of "quasi-legislative" measures implementing a codecision-based instrument when it considers that the draft exceeds the implementing powers provided for in the basic instrument, or that the draft is incompatible with the aim or the content of that instrument or fails to respect the principles of subsidiarity or proportionality.

In a joint statement, the three institutions agreed on a list of 26 basic instruments already in force to be adjusted without delay in accordance with the new regulatory procedure with scrutiny (see [ACI/2006/2152](#)). Each case has been assessed on its own merits, notably in view of the nature of the implementing powers conferred on the Commission and the specificity of each sector.

Lastly, in accordance with the abovementioned statement, the Commission is proposing to repeal any provisions of these instruments that provide for a time-limit on the delegation of implementing powers to the Commission.

Placing of biocidal products on the market: implementing powers conferred on the Commission

2006/0288(COD) - 11/03/2008 - Final act

PURPOSE: to amend Directive 98/8/EC concerning the placing of biocidal products on the market by introducing a reference to the new regulatory procedure with scrutiny (comitology).

LEGISLATIVE ACT: Directive 2008/31/EC of the European Parliament and of the Council amending Directive 98/8/EC concerning the placing of biocidal products on the market, as regards the implementing powers conferred on the Commission.

CONTENT: Council Decision 1999/468/EC laying down the procedures for the exercise of implementing powers conferred on the Commission (comitology) has been amended by Council Decision 2006/512/EC ([CNS/2002/0298](#)).

The amended Decision introduces a new regulatory procedure with scrutiny to be used for measures of general scope which seek to amend non-essential elements of a basic instrument, adopted under co-decision. This may include deleting some of those elements or supplementing the instrument, by the addition of new non-essential elements.

This procedure allows the legislator to oppose the adoption of "quasi-legislative" measures implementing a codecision-based instrument in cases where:

- the draft may exceed the implementing powers provided for in the basic instrument;
- the draft is incompatible with the aim or the content of that instrument; or
- the draft fails to respect the principles of subsidiarity or proportionality.

In a joint statement, the three institutions agreed on a list of **26 basic instruments** already in force to be adjusted without delay in accordance with the new regulatory procedure with scrutiny (see [ACI/2006/2152](#)). Each case has been assessed on the nature of the implementing powers conferred on the Commission and the specificity of each sector.

The purpose of this Directive, therefore, is to amend Directive 98/8/EC concerning the placing of biocidal products on the market by introducing a reference to the new regulatory procedure with scrutiny.

ENTRY INTO FORCE: 21 March 2008.