Basic information

2023/0454(COD) COD - Ordinary legislative procedure (ex-codecision procedure) Directive	Procedure completed
Re-attribution of scientific and technical tasks to the European Chemicals Agency Amending Directive 2011/65 2008/0240(COD) **Subject** 3.40.06 Electronics, electrotechnical industries, ICT, robotics 3.70.13 Dangerous substances, toxic and radioactive wastes (storage, transport) 8.40.08 Agencies and bodies of the EU	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
ENVI Environment, Climate and Food Safety	TSIODRAS Dimitris (EPP)	07/08/2024
	Shadow rapporteur CLERGEAU Christophe (S&D) TIMGREN Beatrice (ECR) HOJSÍK Martin (Renew) PAULUS Jutta (Greens/EFA) HAZEKAMP Anja (The Left)	

Former committee responsible	Former rapporteur	Appointed
ENVI Environment, Climate and Food Safety	SPYRAKI Maria (EPP)	15/03/2024

Former committee for opinion	Former rapporteur for opinion	Appointed
BUDG Budgets	VAN OVERTVELDT Johan (ECR)	13/12/2023

Committee for budgetary assessment	Rapporteur for budgetary assessment	Appointed
BUDG Budgets	The committee decided not to give an opinion.	

Council of the European Union	
European Commission	Commission DG: Environment — Commissioner: SINKEVIČIUS Virginijus
European Economic and Social Committee	

Key events

Date	Event	Reference	Summary
07/12/2023	Legislative proposal published	COM(2023)0781	Summary
29/02/2024	Committee referral announced in Parliament, 1st reading		
13/11/2024	Committee referral announced in Parliament, 1st reading		
18/02/2025	Vote in committee, 1st reading		
25/02/2025	Committee report tabled for plenary, 1st reading	A10-0019/2025	Summary
31/03/2025	Debate in Parliament		
01/04/2025	Results of vote in Parliament		
01/04/2025	Decision by Parliament		
01/04/2025	Matter referred back to the committee responsible for interinstitutional negotiations		
03/07/2025	Approval in committee of the text agreed at 1st reading interinstitutional negotiations	GEDA/A/(2025)003065 PE775.520	
20/10/2025	Debate in Parliament		
21/10/2025	Decision by Parliament, 1st reading	T10-0236/2025	Summary
21/10/2025	Results of vote in Parliament		
13/11/2025	Act adopted by Council after Parliament's 1st reading		
26/11/2025	Final act signed		
12/12/2025	Final act published in Official Journal		

Technical information

Procedure reference	2023/0454(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Directive
Amendments and repeals	Amending Directive 2011/65 2008/0240(COD)

Legal basis	Rules of Procedure EP 58 Treaty on the Functioning of the EU TFEU 114
Other legal basis	Rules of Procedure EP 165
Mandatory consultation of other institutions	European Economic and Social Committee
Stage reached in procedure	Procedure completed
Committee dossier	ENVI/10/00310

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE763.254	28/10/2024	
Amendments tabled in committee		PE766.687	11/12/2024	
Amendments tabled in committee		PE766.893	12/12/2024	
Committee report tabled for plenary, 1st reading/single reading		A10-0019/2025	25/02/2025	Summary
Text adopted by Parliament, partial vote at 1st reading /single reading		T10-0046/2025	01/04/2025	Summary
Text agreed during interinstitutional negotiations		PE775.520	25/06/2025	
Text adopted by Parliament, 1st reading/single reading		T10-0236/2025	21/10/2025	Summary

Council of the EU

Document type	Reference	Date	Summary
Coreper letter confirming interinstitutional agreement	GEDA/A/(2025)003065	25/06/2025	
Draft final act	00025/2025/LEX	20/11/2025	

European Commission

Document type	Reference	Date	Summary
Legislative proposal	COM(2023)0781	07/12/2023	Summary
Document attached to the procedure	SWD(2023)0850	07/12/2023	
Commission response to text adopted in plenary	SP(2026)01-28	28/01/2026	

National parliaments

Document type	Parliament /Chamber	Reference	Date	Summary
Contribution	IT_CHAMBER	COM(2023)0781	12/04/2024	
Contribution	CZ_SENATE	COM(2023)0781	22/04/2024	
Contribution	IT_SENATE	COM(2023)0781	08/05/2024	

Other institutions and bodies

Institution/body	Document type	Reference	Date	Summary
EESC	Economic and Social Committee: opinion, report	CES5710/2023	20/03/2024	

Additional information

Source	Document	Date
European Commission	EUR-Lex	

Final act

Directive 2025/2456
OJ OJ L 12.12.2025

Re-attribution of scientific and technical tasks to the European Chemicals Agency

2023/0454(COD) - 07/12/2023 - Legislative proposal

PURPOSE: to amend Directive 2011/65/EU on the restriction of the use of certain hazardous substances in electrical and electronic equipment ('RoHS Directive') with a view to reattributing certain scientific and technical tasks to the European Chemicals Agency.

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

ROLE OF THE EUROPEAN PARLIAMENT: the European Parliament decides in accordance with the ordinary legislative procedure and on an equal footing with the Council.

BACKGROUND: the Commission has, in its Communication 'European Green Deal', set an objective that chemical safety assessments should move towards a process of 'one-substance, one-assessment', calling for more transparent and simpler risk assessment processes in order to reduce the burden on all stakeholders, accelerate decision-making, as well as to increase consistency and predictability of scientific decisions and opinions.

To achieve that objective, part of the scientific and technical work on chemicals performed at Union level in support of Union legislation needs to be reattributed to the most suitable Union agencies. This would simplify the current set-up, improve quality and coherence of safety assessments across Union legislation, and ensure more efficient use of existing resources.

The reattribution of certain scientific and technical tasks to the European Chemicals Agency is necessary to align processes and levels of scientific scrutiny and digitalisation with current standards and processes of the European Chemicals Agency.

Directive 2011/65/EU of the European Parliament and of the Council contains two procedures related to the assessment of chemicals: the evaluation of economic operators' applications for granting, renewing or revoking an exemption from the substance restrictions pursuant to Article 5 of that Directive and the review of substances to be added to the list of restricted substances pursuant to Article 6 of that Directive. There is a need to increase transparency by setting detailed procedural steps for the process to review substances for a potential inclusion in the list of restricted substances.

To ensure that the restriction process referred to Article 6 in Directive 2011/65/EU is consistent with the restriction processes under other legislation related to chemicals, in particular with the substance restriction process laid down in Articles 69 to 73 of Regulation (EC) No 1907/2006, it is necessary to amend Directive 2011/65/EU to formally task the European Chemicals Agency with a role in the restriction process.

CONTENT: this proposed regulation aims at **amending Articles 5 and 6 of Directive 2011/65/EU** on the restriction of the use of certain hazardous substances in electrical and electronic equipment. The amendments allocate a role and specific tasks to ECHA and its scientific committees in the processes for substance restrictions and assessing exemption requests corresponding to the restrictions.

Re-attribution of scientific and technical tasks to the European Chemicals Agency

2023/0454(COD) - 01/04/2025 - Text adopted by Parliament, partial vote at 1st reading/single reading

The European Parliament adopted by 482 votes to 110, with 81 abstentions, **amendments** on the proposal for a directive of the European Parliament and of the Council amending Directive 2011/65/EU of the European Parliament and of the Council as regards the re-attribution of scientific and technical tasks to the European Chemicals Agency.

The issue was referred back to the committee responsible for interinstitutional negotiations.

The main amendments adopted in plenary concern the following issues:

Reattribution of tasks to the European Chemicals Agency

According to the proposal, some of the scientific and technical work on chemicals carried out at EU level in support of EU legislation should be reattributed to the EU agencies best suited to carry out this task. This measure would simplify the current structure,

This approach is also expected to **promote cost-effectiveness and competitiveness** by simplifying regulatory procedures and reducing administrative burdens, ensuring that businesses can adapt efficiently to evolving regulatory frameworks.

Application for the granting, renewal, or revocation of an exemption

Such an application must be submitted to the European Chemicals Agency established by Regulation (EC) No 1907/2006, in accordance with Annex V. Members specify that if the applicant fails to complete the application with the missing elements indicated by the Agency in accordance with Annex V within the specified time limit, the Agency will reject the application.

An application for the renewal of an exemption will be submitted no later than 18 months before the exemption expires. The Commission will adopt the decision on the application within **six months** of receiving the Agency's opinions.

Review

The list of restricted substances referred to in Directive 2011/65/EU will be reviewed periodically to ensure a high level of protection of human health, the environment, and consumer safety. Members proposes setting a review period of **at least 36 months,** taking into account market developments and technical and scientific progress, and the fact that restriction dossiers can be submitted by Member States at any time and horizontal restriction measures can be initiated and adopted concerning sustainability criteria for hazardous substances and chemicals.

Proposals for the review and amendment of the list of restricted substances, or a group of similar substances, in Annex II will include information such as:

- the identity of the substance;

- a precise and clear wording for the entry of the proposed restriction in Annex II;

- references and scientific evidence for the restriction;

- information on possible alternatives, their availability and suitability;

- justification for considering a Union-wide restriction as the most appropriate measure.

- a socio-economic assessment.

Agency's resources

The Commission will monitor the situation regarding the resources of the European Chemicals Agency and the tasks, workload and remit of the scientific committees of the European Chemicals Agency and present, where necessary, a **legislative proposal** to reflect any needs of the European Chemicals Agency stemming from tasks introduced by this Regulation and to improve the governance of its scientific committees.

Transitional period

To amend the procedural provisions of Directive 2011/65/EU, Members propose a transitional period of **18 months** (rather than 12 months) to ensure that the European Chemicals Agency benefits from an appropriate allocation of resources and tasks.

Re-attribution of scientific and technical tasks to the European Chemicals Agency

2023/0454(COD) - 25/02/2025 - Committee report tabled for plenary, 1st reading/single reading

The Committee on the Environment, Climate and Food Safety adopted the report by Dimitris TSIODRAS (EPP, EL) on the proposal for a directive of the European Parliament and of the Council amending Directive 2011/65/EU of the European Parliament and of the Council as regards the re-attribution of scientific and technical tasks to the European Chemicals Agency.

The committee responsible recommended that the European Parliament's position adopted at first reading under the ordinary legislative procedure should amend the proposal as follows:

Application for the granting, renewal, or revocation of an exemption

Such an application must be submitted to the European Chemicals Agency established by Regulation (EC) No 1907/2006, in accordance with Annex V. Members specify that if the applicant fails to complete the application with the missing elements indicated by the Agency in accordance with Annex V within the specified time limit, the Agency will reject the application.

An application for the renewal of an exemption will be submitted no later than 18 months before the exemption expires. The Commission will adopt the decision on the application within six months of receiving the Agency's opinions.

Review

The list of restricted substances referred to in Directive 2011/65/EU will be reviewed periodically to ensure a high level of protection of human health, the environment, and consumer safety. Members proposes setting a review period of **at least 36 months**.

Proposals for the review and amendment of the list of restricted substances, or a group of similar substances, in Annex II will include information such as:

- the identity of the substance;

- a precise and clear wording for the entry of the proposed restriction in Annex II;

- references and scientific evidence for the restriction;

- information on possible alternatives, their availability and suitability;

- justification for considering a Union-wide restriction as the most appropriate measure.

- a socio-economic assessment.

Agency's resources

The Commission will monitor the situation regarding the resources of the European Chemicals Agency and the tasks, workload and remit of the scientific committees of the European Chemicals Agency and present, where necessary, a **legislative proposal** to reflect any needs of the European Chemicals Agency stemming from tasks introduced by this Regulation and to improve the governance of its scientific committees.

Transitional Period

To amend the procedural provisions of Directive 2011/65/EU, Members propose a transitional period of **18 months** (rather than 12 months) to ensure that the European Chemicals Agency benefits from an appropriate allocation of resources and tasks.

Re-attribution of scientific and technical tasks to the European Chemicals Agency

2023/0454(COD) - 21/10/2025 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 477 votes to 93, with 76 abstentions, a legislative resolution on the proposal for a directive of the European Parliament and of the Council amending Directive 2011/65/EU of the European Parliament and of the Council as regards the re-attribution of scientific and technical tasks to the European Chemicals Agency.

The proposed regulation aims to amend Articles 5 and 6 of Directive 2011/65/EU on the restriction of the use of certain hazardous substances in electrical and electronic equipment (EEE).

Parliament adopted its position at first reading by amending the proposal as follows.

Agency Resources

The amendment to Directive 2011/65/EU aims to expand the tasks, workload, and remit of the scientific committees of the European Chemicals Agency. To ensure that the scientific committees can provide adequate expertise and support, as well as thorough scientific assessments, the amended text emphasizes the need to ensure the adequacy and stability of their resources and governance.

Application for the granting, renewal or revocation of an exemption

Such an application must be submitted to the European Food Safety Agency in accordance with Annex V.

The Agency will acknowledge receipt of an application within 15 days of its receipt and if necessary and within **45 days** of receipt of the application, request the applicant to complete the application and set an appropriate time limit of maximum **60 days** for completion of the application. If the volume and the complexity of the application is such that the Agency cannot comply with the 45 day time limit, the Agency will inform the applicant of any extension of the time limit and of the reasons therefor, as soon as possible.

The Agency may extend the 60-day time limit if the volume and the complexity of the application is such that that time limit cannot be complied with.

An application for renewal of an exemption shall be made no later than **18 months** before the exemption expires. The Commission will adopt the decision on the application within **9 months** of receipt of the opinions from the Agency.

Substances subject to restrictions

The list of restricted substances referred to in Directive 2011/65/EU must be reviewed periodically to ensure a high level of protection of human health, the environment and consumer safety. It is expected that these reviews will take place **at least every four years**, taking into account market developments and technical and scientific progress.

According to a new Annex Va, the proposals to review and amend the list of restricted substances, or a group of similar substances, in Annex II shall contain at least the following information:

(1) the identity of the substance or substances;

(2) a precise and clear wording of the entry of the proposed restriction in Annex II;

(3) references and scientific evidence for such restriction;

(4) information on the use of the substance or the group of similar substances in the EEE;

(5) information on detrimental effects and exposure in particular during waste EEE management operations;

(6) information on possible substitutes and other alternatives, their availability and reliability;

(7) a justification for considering a Union-wide restriction to be the most appropriate measure;

(8) a socio-economic assessment.

Review

The Commission will monitor the situation regarding the tasks, workload and remit of the scientific committees and, if necessary, submit a legislative proposal to amend this Directive accordingly.