

WORLD TRADE ORGANIZATION

G/TBT/N/EEC/60
23 March 2004

(04-1308)

Committee on Technical Barriers to Trade

Original: English

NOTIFICATION

The following notification is being circulated in accordance with Article 10.6.

1.	Member to Agreement notifying: EUROPEAN COMMUNITIES If applicable, name of local government involved (Articles 3.2 and 7.2):
2.	Agency responsible: European Commission Name and address (including telephone and fax numbers, e-mail and web-site addresses, if available) of agency or authority designated to handle comments regarding the notification shall be indicated if different from above: European Commission, EC-TBT Enquiry Point, Fax: 0032 2 299 80 43, E-mail: ec-tbt@cec.eu.int
3.	Notified under Article 2.9.2 [X], 2.10.1 [], 5.6.2 [], 5.7.1 [], other:
4.	Products covered (HS or CCCN where applicable, otherwise national tariff heading. ICS numbers may be provided in addition, where applicable): Thirteen chemical substances listed in Annex I or II of the Stockholm Convention or in Annex I or II of the 1998 Protocol to the 1979 Convention on Long-Range Transboundary Air Pollution on persistent organic pollutants (POPs).
5.	Title, number of pages and language(s) of the notified document: Commission proposal for a Regulation of the European Parliament and of the Council on persistent organic pollutants and amending Directives 79/117/EEC and 96/59/EC. N° of pages: 36 Languages: English, Danish, German, Greek, Spanish, French, Italian, Dutch, Portuguese, Finnish, Swedish European Parliament legislative resolution on the proposal for a Regulation of the European Parliament and of the Council on persistent organic pollutants and amending Directives 79/117/EEC and 96/59/EC, A5-0017/2004 Available at: http://www3.europarl.eu.int/omk/omnsapir.so/pv2?PRG=DOCPV&APP=PV2&LANGUE=EN&SDOCTA=7&TXTLST=1&POS=1&Type_Doc=RESOL&TPV=PROV&DATE=260204&PrgPrev=TYPEF@A5 PRG@QUERY APP@PV2 FILE@BIBLIO04 NUMERO@17 YEAR@04 PLAGE@1&TYPEF=A5&NUMB=1&DATEF=040226

6. Description of content:

The proposed Regulation would implement the main control provisions of the Stockholm Convention and the UNECE Protocol that are not already covered by the Community legislation. These control measures include prohibition of the production, use and placing on the market of the listed substances. The proposed Regulation would not make use of the possibility for exemptions offered by the international agreements of continuing the production and use of DDT and HCB for limited uses. HCH/lindane, which is still allowed for several major uses under the Protocol, is proposed to be subject to additional restrictions. Moreover, the general exemptions for the listed substances are limited to those allowed in the Convention. In addition, stockpiles of more than 100 kg are proposed to be subject to a notification obligation. After a decision on listing of a substance is made under either of the two international legally binding instruments on POPs, the Regulation would be amended, as appropriate, by using a regulatory committee procedure.

The European Parliament has already introduced some amendments (see its legislative resolution under Point 8). The main changes include addition of a general provision, in line with the Stockholm Convention, on control measures concerning new and existing chemicals exhibiting POP characteristics, tightening of the provisions on HCH/lindane, allowing limited use of DDT as a site-limited, closed-system intermediate in the production of dicofol and modification of the provisions on treatment of waste containing POP substances.

7. Objective and rationale, including the nature of urgent problems where applicable:
Protection of human health and the environment from persistent organic pollutants**8. Relevant documents:** Commission proposal for a Regulation of the European Parliament and of the Council on persistent organic pollutants and amending Directives 79/117/EEC and 96/59/EC, COM(2003) 333 final

Available at: http://europa.eu.int/comm/environment/pops/index_en.htm

European Parliament legislative resolution on the proposal for a Regulation of the European Parliament and of the Council on persistent organic pollutants and amending Directives 79/117/EEC and 96/59/EC, A5-0017/2004

Available at:

http://www3.europarl.eu.int/omk/omnsapir.so/pv2?PRG=DOCPV&APP=PV2&LANGUE=EN&SDOCTA=7&TXTLST=1&POS=1&Type_Doc=RESOL&TPV=PROV&DATE=260204&PrgPrev=TYPEF@A5|PRG@QUERY|APP@PV2|FILE@BIBLIO04|NUMERO@17|YEAR@04|PLAGE@1&TYPEF=A5&NUMB=1&DATEF=040226

9. Proposed date of adoption: End of April

Proposed date of entry into force: On the 20th day after publication in the *Official Journal of the European Union*

10. Final date for comments: 40 days from the notification date

- 11. Texts available from: National enquiry point [] or address, telephone and fax numbers, e-mail and web-site addresses, if available of the other body:**

European Commission,
EC-TBT Enquiry Point,
Fax: 0032 2 299 57 25,
E-mail: ec-tbt@cec.eu.int