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Committee on the Environment, Public Health and Food Safety

5.7.2006

PE 376.358v02-00

COMPROMISE AMENDMENTS 1-5

Draft report

(PE 372.192v01-00)

Carl Schlyter

Restrictions on the marketing and use of perfluorooctane sulfonates (amendment of Council Directive 76/769/EEC)

Proposal for a directive (COM(2005)0618 – C6-0418/2005 – 2005/0244(COD) – amending act)

Text proposed by the Commission

Amendments by Parliament

Compromise amendment by Carl Schlyter, Avril Doyle, Gyula Hegyi, Holger Kraemer, Jonas Sjöstedt

Amendment 1

(Compromise amendment replacing Amendment 11, 31 cp, 32 and 33)

ANNEX

Annex I, Point XX, right column, point 3, indent 1(Directive 76/769/EEC)

- photoresists or anti reflective coatings for photolithography processes,

(a) photoresists or anti reflective coatings for photolithography processes *until ...* *, provided that they are used in controlled closed systems in accordance with Commission Directive 2001/59/EC ¹ and where the concentration of PFOS released into the environment and the workplace is less than 1µg per kg of the PFOS used in the system.

** Eight years after entry into force of this Directive.*

¹ Commission Directive 2001/59/EC of 6 August 2001 adapting to technical progress for the 28th time Council Directive 67/548/EEC on the

approximation of the laws, regulations and administrative provisions relating to the classification, packaging and labelling of dangerous substances (OJ L 225, 21.8.2001, p.1).

Or. en

Justification

Covers amendments 11, 31 cp, 32 and 33.

Compromise amendment by Carl Schlyter, Avril Doyle, Gyula Hegyi, Holger Kraemer, Jonas Sjöstedt

Amendment 2

(Compromise amendment replacing Amendment 26)

RECITAL 5

(5) The products containing PFOS should also be restricted in order to protect the environment. *The present directive* should only restrict new products and should not apply to products already in use or on the second hand market.

(5) The products containing PFOS should also be restricted in order to protect the environment. ***Except in the case of fire fighting foams, this Directive*** should only restrict new products and should not apply to products already in use or on the second hand market. ***However, measures should be taken by the Member States to prevent further emissions from such products.***

Or. en

Justification

Covers amendment 26. Linked to amendment 15 and COMP 3.

Compromise amendment by Carl Schlyter, Avril Doyle, Gyula Hegyi, Holger Kraemer, Jonas Sjöstedt

Amendment 3

ANNEX

Annex I, Point XX, right column, point 3 a (new) (Directive 76/769/EEC)

(3a) Fire fighting foams that have been placed on the market before ...* shall no

*longer be used after ... **.*

**Date of entry into force of this Directive.*

*** Eighteen months after entry into force of this Directive*

Or. en

Justification

Linked to amendment 15 and COMP 2.

Compromise amendment by Carl Schlyter, Avril Doyle, Gyula Hegyi, Holger Kraemer, Jonas Sjöstedt

Amendment 4

(Compromise amendment replacing Amendment 16 and 42)

ANNEX

Annex I, Point XX, right column, point 3, indent 6 (Directive 76/769/EEC)

- controlled closed systems where the concentration of PFOS released into the environment is less than 1 µg per kg, **and where that release corresponds to less than 0.1% by mass** of the PFOS used in the system.

(f) controlled closed systems **in accordance with Commission Directive 2001/59/EC¹, and** where the concentration of PFOS released into the environment **and the workplace** is less than 1 µg per kg of the PFOS used in the system processes **until** ... *.

¹ *Commission Directive 2001/59/EC of 6 August 2001 adapting to technical progress for the 28th time Council Directive 67/548/EEC on the approximation of the laws, regulations and administrative provisions relating to the classification, packaging and labelling of dangerous substances (OJ L 225, 21.8.2001, p.1).*

**Six years after entry into force of this Directive.*

Or. en

Justification

Covers amendments 16 and 42.

Compromise amendment by Carl Schlyter, Avril Doyle, Gyula Hegyi, Holger Krahmer, Jonas Sjöstedt

Amendment 5

(Compromise amendment replacing Amendment 17, 31 cp, 43, 44, 45)

ANNEX

Annex I, Point XX, right column, point 3 b (new) (Directive 76/769/EEC)

(3b) The derogations under paragraph 3(a), (b), (d) and (f) may be extended for a limited period of time on a case-by-case basis if manufacturers can prove that they have undertaken every effort to develop safer alternatives or alternative processes, and that safer alternatives or alternative processes are still not available.

Or. en

Justification

Covers amendments 17, 31 cp, 43, 44, 45.