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Committee on the Environment, Public Health and Food Safety

2008/0152(COD)

16.2.2009

COMPROMISE AMENDMENTS 1 - 6

Draft report
Salvatore Tatarella
(PE418.406v01-00)

a Community Ecolabel scheme

Proposal for a regulation
(COM(2008)0401 – C6-0279/2008 – 2008/0152(COD))

Amendment 1

Salvatore Tatarella, on behalf of the UEN Group
Anders Wijkman, on behalf of the PPE-DE Group
Gyula Hegyi, on behalf of the PSE Group
Johannes Lebech, on behalf of the ALDE Group
Satu Hassi, on behalf of the Verts/ALE Group
Roberto Musacchio, on behalf of the GUE/NGL Group

Compromise amendment replacing Amendments 30 Hassi/31 Hegyi/ 45 Bowis/ 46 Lebech, Wijkmann/ 46 Bowis 48 Seeber/ 49 Hassi/ 66 Seeber/67 Bowis/68 And 69 Hegyi

Proposal for a regulation

Article 2 – paragraph 2

Text proposed by the Commission

Concerning food products as defined in Article 2 of Regulation (EC) No 178/2002 of the European Parliament and of the Council¹, it shall only apply to processed food and to the products of fishing and aquaculture.

Amendment

This regulation shall apply to food and drink as defined in Article 2 of Regulation (EC) 178/2002 if a study conducted by the Commission, by 31 December 2011 at the latest, taking into account the opinion expressed on the subject by the EUEB, demonstrates that it is possible for food or only for some specific categories of food to establish reliable criteria covering the environmental performance during the whole life cycle of the products with particular attention to the faisibility and the impact of Ecolabel criteria on food falling within the scope of Regulation EC No 834/2007 as well as on products of fishing and aquaculture.

In such cases criteria shall be developed according to the procedure contained in Annex 1A2a.

¹ OJ L 31, 1.2.2002, p. 1

Or. en

Justification

There is a need for further studies on the feasibility of environmental criteria for food.

Amendment 2

Salvatore Tatarella, on behalf of the UEN Group
Anders Wijkman, on behalf of the PPE-DE Group
Gyula Hegyi, on behalf of the PSE Group
Johannes Lebech, on behalf of the ALDE Group
Satu Hassi, on behalf of the Verts/ALE Group
Roberto Musacchio, on behalf of the GUE/NGL Group

Compromise amendment replacing Amendments 50 Hassi/51 Hegy/52 Prodi

Proposal for a regulation

Article 2 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. In conformity with the precautionary principle the Ecolabel may not be awarded to products containing substances or preparations classified as very toxic, toxic, dangerous to the environment, carcinogenic, mutagenic or toxic for reproduction (CMR), in accordance with Directive 67/548/EEC or Directive 1999/45/EC, nor to substances referred to in Article 57 of Regulation 1907/2006/EC (REACH).

For specific categories of goods, for which there are no equivalent alternatives without such substances or preparations, and which otherwise have a significantly higher overall environmental performance compared with other goods of the same category, the Commission may adopt measures to grant derogations from the preceding subparagraph.

Those measures, designed to amend non-essential elements of this Regulation, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 16(2).

Or. en

Justification

The prohibition of substances of very high concern unless for specific categories for which derogations are granted.

Amendment 3

Salvatore Tatarella, on behalf of the UEN Group
Anders Wijkman, on behalf of the PPE-DE Group
Gyula Hegyi, on behalf of the PSE Group
Johannes Lebech, on behalf of the ALDE Group
Satu Hassi, on behalf of the Verts/ALE Group
Roberto Musacchio, on behalf of the GUE/NGL Group

Compromise amendment replacing Amendments Hegy 72/ Wjikmann-Lebech73/ Hassi74

Proposal for a regulation

Article 8 – paragraph 1

Text proposed by the Commission

Amendment

1. The Commission shall, ***following consultation of the EUEB***, adopt measures to establish specific Ecolabel criteria for each product group.

-1. Draft Ecolabel criteria shall be developed in accordance with the procedure laid down in Annex I and taking into account the working plan.

1. The Commission shall adopt measures to establish specific Ecolabel criteria for each product group ***according to the following procedure:***

Not later than 3 months after the "final report and the draft criteria" as referred to in Article 7 have been submitted to the Commission, the Commission shall consult the EUEB on a draft proposal.

The Commission shall provide explanations and documentation on the reasoning behind any changes in its draft proposal compared to the criteria submitted in the final report pursuant to Article 7.

Not later than 3 months after consultation of the EUEB, the Commission shall submit a proposal for Ecolabel criteria to the regulatory committee established under Article 16(2) and subsequently adopt measures to establish Ecolabel criteria for a specific product group.

In its final proposal, the Commission shall take into account the comments of the EUEB and shall clearly highlight, document and provide explanations for the reasoning behind any changes in its final proposal compared to the draft proposal following the consultation of the EUEB.

Those measures, designed to amend non-essential elements of this Regulation, by supplementing it, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 16(2).

Those measures, designed to amend non-essential elements of this Regulation, by supplementing it, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 16(2).

Or. en

Justification

Commission should explain changes in its draft proposal as compared to the EUEB opinion. And the Commission should have a deadline for the final decision.

Amendment 4

Salvatore Tatarella, on behalf of the UEN Group
Anders Wijkman, on behalf of the PPE-DE Group
Gyula Hegyi, on behalf of the PSE Group
Johannes Lebech, on behalf of the ALDE Group
Satu Hassi, on behalf of the Verts/ALE Group
Roberto Musacchio, on behalf of the GUE/NGL Group

Compromise amendment replacing Amendments 92 Lebech/ 93 Wjikmann/ 94 Hassi

Proposal for a regulation

Annex 1 – Part A – point 1 – indent 9 a (new)

Text proposed by the Commission

Amendment

- Analysis of the availability of products within a product group without substances or preparations classified as very toxic, toxic, dangerous to the environment, carcinogenic, mutagenic or toxic for reproduction (CMR), in accordance with Directive 67/548/EEC or Directive 1999/45/EC, or substances referred to in Article 57 of Regulation 1907/2006/EC (REACH).

Or. en

Justification

Criteria should take into account the substitution principle.

Amendment 5

Salvatore Tatarella, on behalf of the UEN Group
Anders Wijkman, on behalf of the PPE-DE Group
Gyula Hegyi, on behalf of the PSE Group
Johannes Lebech, on behalf of the ALDE Group
Satu Hassi, on behalf of the Verts/ALE Group
Roberto Musacchio, on behalf of the GUE/NGL Group

Compromise amendment replacing Amendments 55 Hegy / 56 Hassi/ 96 Hegy / 97 Weisgerberulmer/ 98 Lebech / 99 Wjikmann

Proposal for a regulation

Annex I – Part A – point 2 – indent 1

Text proposed by the Commission

- they shall be based on the environmental performance throughout the life-cycle of ***the product of*** the best performing products on the market ***and correspond, as far as possible, to 10% of the best performing products available on the market;***

Amendment

- they shall be based on the environmental performance throughout the life-cycle of the best performing products on the ***internal market at the moment of their adoption.***

- they shall correspond to a certain percentage of the best performing products available on the internal market at the moment of their adoption. The exact percentage shall be defined with flexibility on a case-by-case basis depending on the product category, normally between 10 to 20 %, and in any case with the aim of rewarding and promoting the most environmentally-friendly products on the market and ensuring that consumers are provided with a sufficient choice of Ecolabel products.

Or. en

Justification

It is important that Ecolabel remains a driver for further innovation.

Amendment 6

Salvatore Tatarella, on behalf of the UEN Group
Anders Wijkman, on behalf of the PPE-DE Group
Gyula Hegyi, on behalf of the PSE Group
Johannes Lebech, on behalf of the ALDE Group
Satu Hassi, on behalf of the Verts/ALE Group
Roberto Musacchio, on behalf of the GUE/NGL Group

Compromise amendment replacing Amendments 30 Hassi/31 Hegy/ 45 Bowis/ 46 Lebech,Wjikmann/ 46 Bowis 48 Seeber/ 49 Hassi/ 66 Seeber/67 Bowis/68 and 69 Hegy

Proposal for a regulation

Annex I – Part A – point 2 a (new)

Text proposed by the Commission

Amendment

2a. Specific rules for Ecolabel for food and drink products as defined in article 2 of Regulation (EC) No 178/2002 as well as for food falling within the scope of Regulation (EC) No834/2007.

The technical report should demonstrate the following:

- that there is a real added environmental value of developing Ecolabel criteria for the chosen product.

- that the Ecolabel has considered the whole life cycle of the product

- that the use of the Ecolabel on the chosen product will not cause confusion in the minds of consumers when compared with other food labels.

Where criteria are developed for food and drink products falling within the scope of Regulation (EC) No 834/2007, the form of the label, and the information it presents, may be modified, in order to avoid any confusion in the minds of consumers.

Or. en

Justification

There is a need for further studies on the feasibility of environmental criteria for food.