



**2015/2184(DEC)**

4.3.2016

# **AMENDMENTS**

## **1 - 14**

**Draft report**  
**Derek Vaughan**  
(PE569.747v01-00)

on discharge in respect of the implementation of the budget of the European  
Chemicals Agency for the financial year 2014  
(2015/2184(DEC))

AM\_Com\_NonLegReport

**Amendment 1**  
**Anders Primdahl Vistisen**

**Proposal for a decision 1**  
**Paragraph 1**

*Proposal for a decision*

1. **Grants** the Executive Director of the European Chemicals Agency discharge in respect of the implementation of the Agency's budget for the financial year 2014;

*Amendment*

1. **Postpones its decision on granting** the Executive Director of the European Chemicals Agency discharge in respect of the implementation of the Agency's budget for the financial year 2014;

Or. en

**Amendment 2**  
**Raffaele Fitto, Ryszard Czarnecki, Beata Gosiewska, Richard Sulík**

**Proposal for a decision 1**  
**Paragraph 1**

*Proposal for a decision*

1. **Grants** the Executive Director of the European Chemicals Agency discharge in respect of the implementation of the Agency's budget for the financial year 2014;

*Amendment*

1. **Postpones its decision on granting** the Executive Director of the European Chemicals Agency discharge in respect of the implementation of the Agency's budget for the financial year 2014;

Or. en

**Amendment 3**  
**Anders Primdahl Vistisen**

**Proposal for a decision 2**  
**Paragraph 2**

*Proposal for a decision*

2. **Approves** the closure of the accounts of the European Chemicals Agency for the financial year 2014;

*Amendment*

2. **Postpones** the closure of the accounts of the European Chemicals Agency for the financial year 2014;

#### Amendment 4

Raffaele Fitto, Ryszard Czarnecki, Beata Gosiewska, Richard Sulík

#### Proposal for a decision 2

##### Paragraph 2

###### *Proposal for a decision*

2. ***Approves*** the closure of the accounts of the European Chemicals Agency for the financial year 2014;

###### *Amendment*

2. ***Postpones*** the closure of the accounts of the European Chemicals Agency for the financial year 2014;

#### Amendment 5

Petri Sarvamaa, Tamás Deutsch

#### Motion for a resolution

##### Paragraph 3

###### *Motion for a resolution*

3. Notes that the expenditure for procedures associated with the new implementation of the Regulation (EU) No 528/2012 of the European Parliament and of the Council (BPR Regulation)<sup>13</sup> was to be covered by application fees for the registration of biocidal products; acknowledges that the fees collected in 2014 covered only 17 % of this expenditure and the remaining part was financed by contributions to the Agency's budget from the Union and the European Free Trade Association (EFTA) countries;

###### *Amendment*

3. Notes that the expenditure for procedures associated with the new implementation of the Regulation (EU) No 528/2012 of the European Parliament and of the Council (BPR Regulation)<sup>13</sup> was to be covered by application fees for the registration of biocidal products; acknowledges that the fees collected in 2014 covered only 17 % of this expenditure and the remaining part was financed by contributions to the Agency's budget from the Union and the European Free Trade Association (EFTA) countries; ***takes note of the Agency's comment about the Commission's incorrect assumption of the Agency's largely self-financing nature regarding the BPR related costs;***

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<sup>13</sup> Regulation (EU) No 528/2012 of the European Parliament and of the Council of

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<sup>13</sup> Regulation (EU) No 528/2012 of the European Parliament and of the Council of

22 May 2012 concerning the making available on the market and use of biocidal products (OJ L 167, 27.6.2012, p. 1).

22 May 2012 concerning the making available on the market and use of biocidal products (OJ L 167, 27.6.2012, p. 1).

Or. en

**Amendment 6**  
**Benedek Jávor**

**Motion for a resolution**  
**Paragraph 16 a (new)**

*Motion for a resolution*

*Amendment*

***16a. Recalls that the European Parliament raised serious concerns with regard to the work of ECHA committees in 2014 in its resolution of 25 November 2015 on draft Commission Implementing Decision XXX granting an authorisation for uses of bis(2-ethylhexyl) phthalate (DEHP) under Regulation (EC) No 1907/2006 of the European Parliament and of the Council <sup>1a</sup>, where it objected by a very large majority to that draft decision, in particular that:***

***- granting an authorisation for a substance of very high concern based on an application that is fraught with so many deficiencies would set a very bad precedent for future authorisation decisions under REACH,***

***- its committee for Socio-Economic Analysis (SEAC) went beyond its mandate by providing a conclusion on the proportionality of an authorisation,***

***- SEAC used simplistic political arguments that are not within its remit and against existing legal provisions to justify the authorisation;***

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<sup>1a</sup>P8\_TA(2015)0409.

Or. en

**Amendment 7**  
**Benedek Jávor**

**Motion for a resolution**  
**Paragraph 16 b (new)**

*Motion for a resolution*

*Amendment*

***16b. Notes furthermore with concern that SEAC assessed whether the application could be granted under conditions that the applicant did not even apply for, and furthermore accepted unsubstantiated arguments to justify the acceptance of serious health risks;***

Or. en

**Amendment 8**  
**Benedek Jávor**

**Motion for a resolution**  
**Paragraph 16 c (new)**

*Motion for a resolution*

*Amendment*

***16c. Welcomes the initiative of ECHA to meet with staff of all political groups in the European Parliament on 26 February 2016 to respond to the concerns raised in its resolution of 25 November 2015 on draft Commission Implementing Decision XXX granting an authorisation for uses of bis(2-ethylhexyl) phthalate (DEHP) under Regulation (EC) No 1907/2006 of the European Parliament and of the Council, and that ECHA high-level staff acknowledged at that meeting that ECHA and its committees should not take views on policy matters and that the statement on recycling in their opinion was inconsistent with SEAC's technical-scientific role;***

Or. en

**Amendment 9**  
**Benedek Jávor**

**Motion for a resolution**  
**Paragraph 16 d (new)**

*Motion for a resolution*

*Amendment*

*16d. Notes however with great concern that ECHA continues to stand by the conclusions of the committees in favour of authorisation of DEHP despite the serious deficiencies across all aspects of the application and the assessment of the application under conditions that the applicant had not applied for; continues to consider that such an approach violates inter alia the principle laid down in Article 1(3) of REACH that it is up to manufacturers to prove the safety of chemicals, a principle which is especially relevant in the case of the authorisation of substances of very high concern, where the burden of proof is clearly on the applicant;*

Or. en

**Amendment 10**  
**Benedek Jávor**

**Motion for a resolution**  
**Paragraph 16 e (new)**

*Motion for a resolution*

*Amendment*

*16e. Stresses in the context of 'proportionality', i.e. whether or not the socio-economic benefits of an authorisation outweigh the risk to human health or the environment, that this task falls solely on the Commission as the risk manager pursuant to Article 60(4) of REACH, and not on SEAC, whose task pursuant to Article 64(4b) of REACH is to*

*merely assess the socio-economic factors;*

Or. en

**Amendment 11**

**Benedek Jávor**

**Motion for a resolution**

**Paragraph 16 f (new)**

*Motion for a resolution*

*Amendment*

***16f. Notes with great concern that the issues raised by the European Parliament are not an isolated case, as documented by the report "A roadmap to revitalise REACH" by the European Environment Bureau<sup>1a</sup>;***

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<sup>1a</sup> <http://www.eeb.org/index.cfm/library/a-roadmap-to-revitalise-reach/>

Or. en

**Amendment 12**

**Benedek Jávor**

**Motion for a resolution**

**Paragraph 16 g (new)**

*Motion for a resolution*

*Amendment*

***16g. Calls on the Executive Director of ECHA to ensure that***

***a) the committees take the initiative to revise their procedures to align them with the letter and the spirit of REACH to ensure inter alia that such deficient applications do not receive a positive opinion, that the committees do not assess applications under conditions that were not applied for by the applicants, and that they stay within their mandate, in particular by SEAC no longer concluding***

*on the proportionality of an authorisation,*  
*b) the committees do not accept*  
*unsubstantiated arguments to justify*  
*authorisation,*  
*c) to prepare a draft opinion of the*  
*Management Board concerning the*  
*revision of the procedures of the*  
*committees,*  
*d) SEAC revises its opinion on DEHP*  
*accordingly;*

Or. en

**Amendment 13**  
**Benedek Jávor**

**Motion for a resolution**  
**Paragraph 16 h (new)**

*Motion for a resolution*

*Amendment*

*16h. Calls also on the Executive Director of ECHA to respond in a comprehensive manner to the recommendations by the European Environment Bureau in its report, and to take corrective action where necessary;*

Or. en

**Amendment 14**  
**Tamás Deutsch**

**Motion for a resolution**  
**Paragraph 16 i (new)**

*Motion for a resolution*

*Amendment*

*16i. States that the annual reports of the EU institutions and agencies could play an important role in compliance regarding transparency, accountability and integrity; calls for the EU institutions and agencies to include a standard*

*chapter on these components in their  
annual reports;*

Or. en