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A8-0336/30

Amendment 30

Julie Girling

on behalf of the PPE Group

Report

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Persistent organic pollutants

(COM(2018)0144 – C8-0124/2018 – 2018/0070(COD))

A8-0336/2018

Proposal for a regulation

Annex I – part A – row 24 a (new)

Text proposed by the Commission

	<i>Amendment</i>		
<i>Substance</i>	<i>CAS No</i>	<i>EC No</i>	<i>Specific exemption on intermediate use or other specification</i>
<i>Bis(pentabromophenyl) ether (decabromodiphenyl ether; decaBDE)</i>	<i>1163-19-5</i>	<i>214-604-9</i>	<p><i>1. For the purposes of this entry, point (b) of Article 4(1) shall apply to concentrations of decaBDE equal to or below 10 mg/kg (0,001 % by weight) when it occurs in substances.</i></p> <p><i>1a. For the purposes of the entries on tetra-, penta-, hexa-, hepta- and deca BDE, point (b) of Article 4(1) shall apply to concentrations in their entirety up to 1000 ppm by weight when they are present in mixtures or articles.</i></p> <p><i>This concentration limit shall be subject to an impact assessment and review by the Commission by ... [5 years after the date of entry into force of this Regulation].</i></p> <p><i>The impact assessment shall be based on the recommendations of ECHA</i></p>

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and the Committee for Waste.

2. By way of derogation, the manufacturing, placing on the market and use of decaBDE shall be allowed:

(a) in the production of an aircraft, for which type approval has been applied for before date of entry into force and has been received before December 2022, before 2 March 2027;

(b) in the production of spare parts for either of the following:

(i) an aircraft, for which type approval has been applied for before date of entry into force and has been received before December 2022, produced before 2 March 2027 until the end of the service life of those aircraft;

(ii) motor vehicles within the scope of Directive 2007/46/EC^{1a} of the European Parliament and of the Council, produced before ... [date of entry into force of this Regulation], either until 2036 or the end of the service life of those motor vehicles, whichever date comes earlier.

3. The specific exemptions for spare parts for use in motor vehicles referred to in point (b)(ii) of paragraph 2 shall apply for the production and use of commercial decaBDE falling into one or more of the following categories:

(i) powertrain and under-hood applications such as battery mass wires, battery

interconnection wires, mobile air-conditioning (MAC) pipes, powertrains, exhaust manifold bushings, under-hood insulation, wiring and harness under hood (engine wiring, etc.), speed sensors, hoses, fan modules and knock sensors;

(ii) fuel system applications such as fuel hoses, fuel tanks and fuel tanks under body;

(iii) pyrotechnical devices and applications affected by pyrotechnical devices such as air bag ignition cables, seat covers/fabrics (only if airbag relevant) and airbags (front and side);

(iv) suspension and interior applications such as trim components, acoustic material and seat belts;

(v) reinforced plastics (instrument panels and interior trim);

(vi) under the hood or dash (terminal/fuse blocks, higher-amperage wires and cable jacketing (spark plug wires));

(vii) electric and electronic equipment (battery cases and battery trays, engine control electrical connectors, components of radio disks, navigation satellite systems, global positioning systems and computer systems);

(viii) fabric such as rear decks, upholstery, headliners, automobile seats, head rests, sun visors, trim panels, carpets.

3. The manufacturing of

decaBDE and its use in the production and placing on the market of the following articles shall be allowed:

(a) articles placed on the market before ... [date of entry into force of this Regulation];

(b) aircraft produced in accordance with subparagraph 2(a);

(c) spare parts of aircraft produced in accordance with point (b) of paragraph 2;

(d) electrical and electronic equipment within the scope of Directive 2011/65/EU^{1b} of the European Parliament and of the Council.

4. For the purposes of this entry, 'aircraft' means one of the following:

(a) a civil aircraft produced in accordance with a type certificate issued under Regulation (EU) 2018/1139^{1c} of the European Parliament and of the Council or with a design approval issued under the national regulations of a Contracting State to the International Civil Aviation Organisation (ICAO), or for which a certificate of airworthiness has been issued by an ICAO Contracting State under Annex 8 to the Convention on International Civil Aviation;

(b) a military aircraft.

^{1a} Directive 2007/46/EC of the European Parliament and of the Council of 5 September

2007 establishing a framework for the approval of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles (Framework Directive) (OJ L 263, 9.10.2007, p. 1).

^{1b} Directive 2011/65/EU of the European Parliament and of the Council of 8 June 2011 on the restriction of the use of certain hazardous substances in electrical and electronic equipment (OJ L 174, 1.7.2011, p. 88).

^{1c} Regulation (EU) 2018/1139 of the European Parliament and of the Council of 4 July 2018 on common rules in the field of civil aviation and establishing a European Union Aviation Safety Agency, and amending Regulations (EC) No 2111/2005, (EC) No 1008/2008, (EU) No 996/2010, (EU) No 376/2014 and Directives 2014/30/EU and 2014/53/EU of the European Parliament and of the Council, and repealing Regulations (EC) No 552/2004 and (EC) No 216/2008 of the European Parliament and of the Council and Council Regulation (EEC) No 3922/91 (OJ L 212, 22.8.2018, p. 1).

Or. en