24.5.2018

***I

DRAFT REPORT

on the proposal for a regulation of the European Parliament and of the Council on persistent organic pollutants (recast)

Committee on the Environment, Public Health and Food Safety

Rapporteur: Julie Girling

(Recast – Rule 104 of the Rules of Procedure)
Symbols for procedures

* Consultation procedure
*** Consent procedure
***I Ordinary legislative procedure (first reading)
***II Ordinary legislative procedure (second reading)
***III Ordinary legislative procedure (third reading)

(The type of procedure depends on the legal basis proposed by the draft act.)

Amendments to a draft act

Amendments by Parliament set out in two columns

Deletions are indicated in *bold italics* in the left-hand column. Replacements are indicated in *bold italics* in both columns. New text is indicated in *bold italics* in the right-hand column.

The first and second lines of the header of each amendment identify the relevant part of the draft act under consideration. If an amendment pertains to an existing act that the draft act is seeking to amend, the amendment heading includes a third line identifying the existing act and a fourth line identifying the provision in that act that Parliament wishes to amend.

Amendments by Parliament in the form of a consolidated text

New text is highlighted in *bold italics*. Deletions are indicated using either the `▌` symbol or strikeout. Replacements are indicated by highlighting the new text in *bold italics* and by deleting or striking out the text that has been replaced.

By way of exception, purely technical changes made by the drafting departments in preparing the final text are not highlighted.
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DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION

on the proposal for a regulation of the European Parliament and of the Council on persistent organic pollutants (recast)

(Ordinary legislative procedure – recast)

The European Parliament,

– having regard to the Commission proposal to Parliament and the Council (COM(2018)0144),
– having regard to Article 294(2) and Article 192(1) of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C8-0124/2018),
– having regard to Article 294(3) of the Treaty on the Functioning of the European Union,
– having regard to the opinion of the European Economic and Social Committee of ... ¹,
– having regard to the opinion of the Committee of the Regions of ... ²,
– having regard to the Interinstitutional Agreement of 28 November 2001 on a more structured use of the recasting technique for legal acts³,
– having regard to the letter of xxx sent by the Committee on Legal Affairs to the Committee on the Environment, Public Health and Food Safety in accordance with Rule 104(3) of its Rules of Procedure,
– having regard to Rules 104 and 59 of its Rules of Procedure,
– having regard to the report of the Committee on the Environment, Public Health and Food Safety (A8-0000/2018),

A. whereas, according to the Consultative Working Party of the legal services of the European Parliament, the Council and the Commission, the Commission proposal does not include any substantive amendments other than those identified as such in the proposal and whereas, as regards the codification of the unchanged provisions of the earlier acts together with those amendments, the proposal contains a straightforward codification of the existing texts, without any change in their substance;

1. Adopts its position at first reading hereinafter set out, taking into account the recommendations of the Consultative Working Party of the legal services of the European Parliament, the Council and the Commission;

2. Calls on the Commission to refer the matter to Parliament again if it replaces,

¹ OJ C ... / Not yet published in the Official Journal.
² OJ C ... / Not yet published in the Official Journal.
substantially amends or intends to substantially amend its proposal;

3. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

Amendment 1

Proposal for a regulation
Recital 15

Text proposed by the Commission

(15) There is a need to ensure the effective coordination and management of technical and administrative aspects of this Regulation at Union level. The European Chemicals Agency ("the Agency"), established by Regulation (EC) No 1907/2006, has the competence and experience in implementing Union legislation on chemicals and international agreements on chemicals. The Member States and the Agency should, therefore, carry out tasks with regard to the administrative, technical and scientific aspects of the implementation of this Regulation and the exchange of information. The role of the Agency should include the preparation and examination of technical dossiers, including stakeholder consultations, and the drawing up of opinions that may be used by the Commission in considering whether to come forward with a proposal for listing a substance as a POP in the Convention or the Protocol. In addition, the Commission, the Member States and the Agency should cooperate in order to implement the Union's international obligations under the Convention effectively.

Amendment

(15) There is a need to ensure the effective coordination and management of technical and administrative aspects of this Regulation at Union level. The European Chemicals Agency ("the Agency"), established by Regulation (EC) No 1907/2006, has the competence and experience in implementing Union legislation on chemicals and international agreements on chemicals. The Member States and the Agency should, therefore, carry out tasks with regard to the administrative, technical and scientific aspects of the implementation of this Regulation and the exchange of information. It is necessary that the role of the Agency cover the preparation and examination of technical dossiers, including stakeholder consultations, and the drawing up of opinions that are to be used by the Commission in considering whether to come forward with a proposal for listing a substance as a POP in the Convention or the Protocol. In addition, the Commission, the Member States and the Agency should cooperate in order to implement the Union's international obligations under the Convention effectively.

Or. en

Justification

It is important to ensure ECHA is fully empowered to carry out detailed assessments of whether listing under the Stockholm Convention is the most appropriate risk management
measure for a given substance in order to adequately support the Commission and the Council on potential nominations.

Amendment 2

Proposal for a regulation
Article 2 – paragraph 1 – point j

Text proposed by the Commission

(j) 'closed system site-limited intermediate' means a substance that is manufactured for and consumed in or used for chemical processing in order to be transformed into one or more other substances and where the manufacture of the intermediate and its transformation into one or more other substances take place on the same site under strictly controlled conditions in that it is rigorously contained by technical means during its whole lifecycle.

Amendment

(j) 'closed system site-limited intermediate' means a substance that is manufactured for and consumed in or used for chemical processing in order to be transformed into another substance, hereinafter ‘synthesis’, and where the manufacture of the intermediate and its transformation into (an)other substance(s) take place in a synthesis on the same site, including a site that is operated by one or more legal entities, under strictly controlled conditions in that it is rigorously contained by technical means during its whole lifecycle.

Or. en

Justification

Consistency with REACH Art 3.15 that defines “intermediates” as “a substance that is manufactured for and consumed in or used for chemical processing in order to be transformed into another substances (hereinafter referred to as “synthesis”).

Amendment 3

Proposal for a regulation
Article 7 – paragraph 6

Text proposed by the Commission

6. The Commission may, where appropriate, and taking into consideration technical developments and relevant international guidelines and decisions and any authorisations granted by a Member State, or by the competent authority designated by that Member State in

Amendment

6. The Commission may, where appropriate, and taking into consideration technical developments and relevant international guidelines and decisions and any authorisations granted by a Member State, or by the competent authority designated by that Member State in
In accordance with paragraph 4 and Annex V, adopt, by means of implementing acts, additional measures relating to the implementation of this Article. In particular, the Commission may specify the information to be submitted by Member States in accordance with paragraph 4(b)(iii). Such measures shall be decided in accordance with the advisory procedure laid down in Article 20(2). Such measures shall be adopted in accordance with the advisory procedure referred to in Article 20(2).

Or. en

Justification

The aim of this amendment is to clearly and precisely define the object of the implementing powers conferred on the Commission, as required by the relevant case law of the Court of Justice.

Amendment 4

Proposal for a regulation
Article 8 – paragraph 1 – point c

Text proposed by the Commission

(c) upon request, provide technical and scientific support and input to the Commission for substances that may comply with the criteria for listing in the Convention or the Protocol;

Amendment

(c) upon request, provide a dossier of technical, scientific and socio-economic assessments to the Commission for substances where evidence exists that these substances may comply with the criteria for listing in the Convention or the Protocol;

Or. en

Justification

Socio-economic assessments should be included in any POP proposal in line with the Commission’s better regulation agenda and the REACH regulation.

Amendment 5

Proposal for a regulation
Article 8 – paragraph 1 a (new)
1 a  The Agency shall start providing the assistance and technical and scientific guidance referred to in point (a) of Article 8 (1) by ... [the date one year after the entry into force of this Regulation].

Justification

A specific deadline for the proposed guidance should be agreed in order to ensure that all Member States are compliant within as short a time as possible.

Amendment 6

Proposal for a regulation
Article 13 – paragraph 5

Text proposed by the Commission  Amendment

5. The Commission may adopt implementing acts further specifying the minimum information to be provided in accordance with paragraph 1, including the definition of indicators, maps and Member State overviews referred to in paragraph 1(f). Those implementing acts shall be adopted in accordance with the advisory procedure referred to in Article 20(2).

5. The Commission may adopt implementing acts setting out the format of the information to be provided in accordance with paragraph 1, including the definition of indicators, maps and Member State overviews referred to in paragraph 1(f). Those implementing acts shall be adopted in accordance with the advisory procedure referred to in Article 20(2).

Justification

The aim of this amendment is to make clear that the content of the information is determined in the basic act and that implementing powers are conferred on the Commission to ensure that the report referred to in Article 13(1) is drawn up by Member States in a uniform manner.

Amendment 7

Proposal for a regulation
Annex I – part A – row 24 a (new)
### Amendment

<table>
<thead>
<tr>
<th>Substance</th>
<th>CAS No</th>
<th>EC No</th>
<th>Specific exemption on intermediate use or other specification</th>
</tr>
</thead>
</table>
| Bis(pentabromophenyl)ether (decabromodiphenyl ether; decaBDE) | 1163-19-5 | 214-604-9 | 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, mixtures, articles or as constituents of the flame-retarded parts of articles.  
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, produced before [the 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 paragraph 2(b)(ii) 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
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 [the 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 subparagraph 2(b).

(d) electrical and electronic equipment within the scope of Directive 2011/65/EU.

4. For the purpose of this entry ‘aircraft’ means one of the following:

(a) a civil aircraft produced in accordance with a type certificate issued under Regulation (EU) No 216/2008 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.

Justification

This amendment is necessary in order to align the present recast to the most recent decisions of the Stockholm Convention’s Conference of the Parties.
Amendment 8

Proposal for a regulation
Annex I – part A – row 24 b (new)

Text proposed by the Commission

<table>
<thead>
<tr>
<th>Substance</th>
<th>CAS No</th>
<th>EC No</th>
<th>Specific exemption on intermediate use or other specification</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alkanes C10-C13, chloro (short-chain chlorinated paraffins) (SCCPs)</td>
<td>85535-84-8</td>
<td>287-476-5</td>
<td>1. By way of derogation, the manufacturing, placing on the market and use of substances or preparations containing SCCPs in concentrations lower than 1 % by weight or articles containing SCCPs in concentrations lower than 0,15 % by weight shall be allowed.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>2. Use shall be allowed in respect of:</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>(a) conveyor belts in the mining industry and dam sealants containing SCCPs already in use before or on 4 December 2015; and</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>(b) articles containing SCCPs other than those referred to in (a) already in use before or on 10 July 2012.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>3. Article 4(2) third and fourth subparagraphs shall apply to the articles referred to in point 2 above.</td>
</tr>
</tbody>
</table>

Or. en

Justification

This amendment is necessary in order to align the present recast to the most recent decisions of the Stockholm Convention's Conference of the Parties.
Amendment 9
Proposal for a regulation
Annex I – part B

Text proposed by the Commission

<table>
<thead>
<tr>
<th>Substance</th>
<th>CAS No</th>
<th>EC No</th>
<th>Specific exemption on intermediate use or other specification</th>
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</thead>
<tbody>
<tr>
<td>4</td>
<td>4</td>
<td>4</td>
<td>4</td>
</tr>
<tr>
<td>5</td>
<td>5 85535-84-8</td>
<td>5 287-476-5</td>
<td>5 1. By way of derogation, the production, placing on the market and use of substances or mixtures containing SCCPs in concentrations lower than 1 % by weight or articles containing SCCPs in concentrations lower than 0,15 % by weight shall be allowed.</td>
</tr>
</tbody>
</table>

2. Use shall be allowed in respect of:

(a) conveyor belts in the mining industry and dam sealants containing SCCPs already in use before or on 4 December 2015; and

(b) articles containing SCCPs other than those referred to in (a) already in use before or on 10 July 2012.

3. Article 4(2) third and fourth subparagraphs shall apply to the articles referred to in point 2 above.

Amendment

deleted

Or. en

Justification

This amendment is necessary in order to align the present recast to the most recent decisions of the Stockholm Convention’s Conference of the Parties.
LIST OF SUBSTANCES SUBJECT TO RELEASE REDUCTION PROVISIONS

Substance (CAS No)

Polychlorinated dibenzo-p-dioxins and dibenzofurans (PCDD/PCDF)

Hexachlorobenzene (HCB) (CAS No: 118-74-1)

Polychlorinated biphenyls (PCB)

Polycyclic aromatic hydrocarbons (PAHs)\(^{37}\)

For the purpose of emission inventories, the following four compound indicators shall be used:
benzo(a)pyrene, benzo(b) fluoranthene, benzo(k)fluoranthene and indeno(1,2,3-cd)pyrene.

Pentachlorobenzene (CAS No 608-93-5)

\(^{37}\) Polychlorinated naphthalenes

\(^{(1)}\) Polychlorinated naphthalenes means chemical compounds based on the naphthalene ring system, where one or more hydrogen atoms have been replaced by chlorine atoms.

Hexachlorobutadiene (CAS No 87-68-3)

Or. en
Justification

This amendment is necessary in order to align the present recast to the most recent decisions of the Stockholm Convention's Conference of the Parties.

Amendment 11

Proposal for a regulation
Annex IV – table 1 – column “Concentration limit referred to in Article 7(4)(a)” – row “Polychlorinated” – footnote 7

Text proposed by the Commission

7. The limit is calculated as PCDD and PCDF according to the following toxic equivalency factors (TEFs):

<table>
<thead>
<tr>
<th>PCDD</th>
<th>TEF</th>
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<tbody>
<tr>
<td>OCDD</td>
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</tr>
<tr>
<td>2,3,7,8-TeCDF</td>
<td>0.1</td>
</tr>
<tr>
<td>1,2,3,7,8-PeCDF</td>
<td>0.03</td>
</tr>
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<td>2,3,4,7,8-PeCDF</td>
<td>0.3</td>
</tr>
<tr>
<td>1,2,3,4,7,8-HxCDF</td>
<td>0.1</td>
</tr>
<tr>
<td>1,2,3,6,7,8-HxCDF</td>
<td>0.1</td>
</tr>
<tr>
<td>1,2,3,7,8,9-HxCDF</td>
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</tr>
<tr>
<td>2,3,4,6,7,8-HxCDF</td>
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<td>1,2,3,4,7,8,9-HpCDF</td>
<td>0.01</td>
</tr>
<tr>
<td>OCDF</td>
<td>0.0003</td>
</tr>
</tbody>
</table>

Amendment

7. The limit is calculated as PCDD and PCDF according to the following toxic equivalency factors (TEFs):
**PCDD**

<table>
<thead>
<tr>
<th>Substance</th>
<th>TEF</th>
</tr>
</thead>
<tbody>
<tr>
<td>2,3,7,8-TeCDD</td>
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</tr>
<tr>
<td>1,2,3,7,8-PeCDD</td>
<td>1</td>
</tr>
<tr>
<td>1,2,3,4,7,8-HxCDD</td>
<td>0.1</td>
</tr>
<tr>
<td>1,2,3,6,7,8-HxCDD</td>
<td>0.1</td>
</tr>
<tr>
<td>1,2,3,7,8,9-HxCDD</td>
<td>0.1</td>
</tr>
<tr>
<td>1,2,3,4,6,7,8-HpCDD</td>
<td>0.01</td>
</tr>
<tr>
<td>OCDD</td>
<td>0.0003</td>
</tr>
</tbody>
</table>

**PCDF**

<table>
<thead>
<tr>
<th>Substance</th>
<th>TEF</th>
</tr>
</thead>
<tbody>
<tr>
<td>2,3,7,8-TeCDF</td>
<td>0.1</td>
</tr>
<tr>
<td>1,2,3,7,8-PeCDF</td>
<td>0.03</td>
</tr>
<tr>
<td>2,3,4,7,8-PeCDF</td>
<td>0.3</td>
</tr>
<tr>
<td>1,2,3,4,7,8-HxCDF</td>
<td>0.1</td>
</tr>
</tbody>
</table>

**PCDD**

<table>
<thead>
<tr>
<th>Substance</th>
<th>TEF</th>
</tr>
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<tbody>
<tr>
<td>1,2,3,6,7,8-HxCDF</td>
<td>0.1</td>
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<tr>
<td>1,2,3,7,8,9-HxCDF</td>
<td>0.1</td>
</tr>
<tr>
<td>2,3,4,6,7,8-HxCDF</td>
<td>0.1</td>
</tr>
<tr>
<td>1,2,3,4,6,7,8-HpCDF</td>
<td>0.01</td>
</tr>
<tr>
<td>1,2,3,4,7,8,9-HpCDF</td>
<td>0.01</td>
</tr>
<tr>
<td>OCDF</td>
<td>0.0003</td>
</tr>
</tbody>
</table>

**Justification**

This amendment is necessary in order to address technical deficiencies concerning titles of the schedule provided for in footnote No 7 of Annex IV.

**Amendment 12**

**Proposal for a regulation**

**Annex V a (new)**
ANNEX V a

ECHA DOSSIERS FOR SUBSTANCES CONSIDERED FOR NOMINATION UNDER THE STOCKHOLM CONVENTION

I. INTRODUCTION AND GENERAL PROVISIONS

This Annex lays down the general principles for preparing the European Chemicals Agency (‘ECHA’) dossiers to support the Commission in the nomination of substances as Persistent Organic Pollutants (‘POPs’), in accordance with Better Regulation principles, this Regulation and pursuant to the criteria set out in Annex D to the Stockholm Convention.

II. CONTENT OF DOSSIERS

Substance identity

The dossier shall include the identity of the substance(s) concerned and whether the ECHA proposes to identify such a substance as a potential POP according to the criteria set out in Annex D to the Stockholm Convention.

Information on properties

The dossier shall include the following information on properties, in line with Annex D to the Stockholm Convention:

(a) Persistence

(i) evidence that the half-life of the substance in water is greater than two months, or that its half-life in soil is greater than six months; or

(ii) evidence that the substance is otherwise sufficiently persistent to justify its consideration within the scope of the Convention;

(b) Bio-accumulation

(i) evidence that the bio-concentration
factor of bio-accumulation factor in aquatic species for the substance is greater than 5,000 or, in the absence of such data, that the log Kow is greater than 5;

(ii) evidence that a substance presents other reasons for concern, such high bio-accumulation in other species, high toxicity or ecotoxicity; or

(iii) monitoring data in biota indicating that the bio-accumulation potential of the substance is sufficient to justify its consideration within the scope of the Convention;

(c) Potential for long-range transport

(i) measured levels of the substance in locations distant from the sources of its release that are of potential concern;

(ii) monitoring data showing that long-range environmental transport of the substance, with the potential for transfer to a receiving environment, may have occurred via air, water or migratory species; or

(iii) environmental fate properties and/or model results that demonstrate that the substance has a potential for long-range environmental transport through air, water or migratory species, with the potential for transfer to a receiving environment in locations distant from the sources of its release. For a substance that migrates significantly through air, its half-life in air should be greater than two days;

(d) Adverse effects

(i) evidence of adverse effects to human health or to the environment that justifies consideration of the substance within the scope of this Convention; or

(ii) toxicity or ecotoxicity data that indicate the potential for damage to human health or the environment.

Justification for action at the
In line with Annex D to the Stockholm Convention, the dossier shall provide a statement of the reasons for concern including, where possible, a comparison of toxicity or ecotoxicity data with detected or predicted levels of a substance resulting or anticipated from its long-range environmental transport, and a statement indicating the need for global control. The dossier shall furthermore provide justification that:

- characteristics, properties and uses of the substance(s) justify the adoption of risk control measures;

- risk management options at Union level would not effectively reduce the risks associated with the substance(s) under scrutiny;

- the substance(s) has adverse effects on human health and the environment to the extent that action is required at the international level;

- the nomination of the substance(s) under the Stockholm Convention is the most appropriate measure.

Information on socio-economic impacts

The dossier shall provide relevant information relating to the socio-economic impacts associated with possible measures under the Stockholm Convention to enable a decision by the Commission before it puts forward a nomination for listing. To that end, the net benefits to human health and the environment of the proposed risk management option shall be compared to its net costs for manufacturers, importers, downstream users, distributors, consumers and society as a whole.

Such information shall include consideration of the following indicative list of items:

1. Efficacy and efficiency of possible control measures in meeting risk
reduction goals:
a) technical feasibility; and
b) costs, including environmental and health costs;

2. Alternatives (products and processes):
a) technical feasibility;
b) costs, including environmental and health costs;
c) efficacy;
d) risk;
e) Availability; and
f) Accessibility;

3. Positive and/or negative impacts on society of implementing possible control measures:
a) health, including public, environmental and occupational health;
b) agriculture, including aquaculture and forestry;
c) biota (biodiversity);
d) economic aspects;
e) movement towards sustainable development; and
f) social costs;

4. Waste and disposal implications (in particular, obsolete stocks of pesticides and clean-up of contaminated sites):
a) technical feasibility; and
b) cost;

5. Access to information and public education;

6. Status of control and monitoring capacity; and

7. Any existing risk management measures at Union level or adopted by industry.

Or. en
Justification

Aligns the recast with Annex D of the Stockholm Convention and, in order to ensure that decisions to nominate substances are based on a harmonized set of criteria, it will be necessary to list the minimum information to be included by ECHA when compiling dossiers for new nominations, in line with practices under other EU legislation. The consideration of socio-economic impacts is included to ensure that the proposed measures are proportionate and align with the principles of Better Regulation.
EXPLANATORY STATEMENT

The POPs recast is the latest update of the report first adopted in 2004 and updates the annexes in line with the decisions made at 2015 and 2017 Stockholm Convention COP meetings. The update also lays out a new role for the European Chemicals Agency (ECHA) supporting the work of the Commission in the preparation of dossiers on substances.

The amendments below are aimed at aligning the text with that of the REACH regulation in order to ensure clarity and consistency for all actors, including citizens and industries whose activities are affected by this recast. The new Annex V a is taken from the REACH regulation. The use of impact assessments to assess POP proposals where appropriate is also in keeping with the Better Regulation Guidelines.

The EU, through its pioneering REACH regulation, is a world leader when it comes to chemicals regulation and, as such, its decisions regarding the safety of chemicals have far-reaching consequences. The Rapporteur takes this responsibility seriously and believes it is appropriate to consider not only the technical and scientific aspects of new proposals but also the socio-economic effects of POPs listings. It is imperative that all steps are taken to ensure decisions made are based on scientific evidence.

The amendments also seek to clarify and, in some places, strengthen the new role of ECHA first mentioned in the Commission’s draft proposal so as to guarantee that their expertise is fully exploited when making future decisions regarding POP proposals. In order to support the new role proposed for ECHA it is necessary to ensure that their findings are incorporated into all decision making processes and that their activities are adequately funded.

Further clarity is sought from the Commission with regards to the use of implementing acts and the format of the information to be provided in accordance with paragraph 1 to ensure that the report referred to in Article 13(1) is drawn up by Member States in a uniform manner so as to streamline the processing of such information.

CONSULTATIVE WORKING PARTY
OF THE LEGAL SERVICES

Brussels, 23 May 2018

OPINION

FOR THE ATTENTION OF THE EUROPEAN PARLIAMENT
THE COUNCIL
THE COMMISSION