

**Question for written answer P-012964/2013
to the Commission
Rule 117
Kent Johansson (ALDE)**

Subject: ECJ judgment (Case C-358/11) on the harmonising effect of the Reach Regulation

The ECJ has ruled in a preliminary ruling that while the use of hazardous chemicals is restricted in the REACH Regulation, Member States may not prohibit or restrict other uses of substances.

1. What is the Commission's position on the ruling in question and does the Commission consider that a future interpretation of the REACH Regulation will prohibit action by Member States seeking to go further in terms of restricting hazardous chemicals?
2. One of the aims of the REACH Regulation is to ensure a high level of protection for human health and the environment and to achieve sustainable development. Can the Commission explain how an obstacle to individual Member States deciding on ambitious, national bans on these substances contributes to a higher level of protection for human health and the environment?
3. Does the Commission not consider it counterproductive to obstruct Member States' opportunities to go ahead with national bans and show that there are alternatives to hazardous chemicals, when combating these dangerous substances constitutes the very essence of the objectives pursued by the REACH Regulation?