

PRESS RELEASE

Agreement REACHed

An agreement on REACH – Registration, Evaluation and Authorisation of Chemicals - was sealed on Thursday after a series of negotiations between the Council and the European Parliament ending a three-year saga full of tensions between the industry and green activists.

REACH has been described as the most important EU legislative proposal in 20 years as it proposes that manufacturers and importers of chemicals should produce health and safety tests for chemical substances which are on the EU market. Additionally, enterprises that manufacture or import more than one tonne of a chemical substance per year would be required to register it in a central database over an 11-year period.

Industry and green activists though have been at loggerheads since the Commission presented the REACH proposal in October 2003. On the one hand, health organisations, environmentalists and trade unions backed the legislation but on the other, industries tried to water it down arguing that it spirals red tape, increases production costs and leads to job losses as it jeopardises Europe's competitive edge. And the stalemate further persisted as the European Parliament and the Council of Ministers failed to adopt a common approach. In November 2005, during its first reading, the European Parliament backed the "substitution principle" which requires companies to drop dangerous chemicals and replace them with safer alternatives when these are available – a provision fought hard by industry. However, in the Competitiveness Council that followed, Ministers adopted a softer approach allowing a number of exemptions to the replacement of toxic chemicals with harmless alternatives.

As the draft proposal reaches the European Parliament for a second reading on December 13, negotiators from the Commission, Parliament and the Council have been trying to find an agreement on a cost-effective and workable REACH. On the fifth informal triologue on Monday 27th November, they failed once more to reach an agreement notably on the future Chemical products Agency and the principle of substitution. Italian Socialist MEP and chief negotiator Guido Saccioni was in fact quoted saying "if you ask me how the last round of negotiations on REACH went, I am really flummoxed. I don't know where we are going."

However in a last ditch effort to reach an inter-institutional agreement, on Thursday 30 November, an agreement was sealed based on the key element that chemicals of very high concern would be taken off the market if safer alternatives exist.

The deal, which comes as a major achievement for Parliament and the Finnish Presidency includes the following main points:

1. Persistent, bio-accumulative and toxic chemicals will now have to be taken off the market if suitable alternatives are available;
2. Manufacturers of all (approximately 1,500) chemicals of high concern will be required to submit a substitution plan when they apply for authorisation if they identify alternatives that are safer and available at an economic cost;
3. More than 17,000 chemicals produced in very small quantities will not have to undergo rigorous examination, but hazardous products will be subjected to greater control than ever before, and;
4. MEPs have made the development of non-animal testing methods a priority, but the price to be paid for REACH, in the short term at least, will be an increase in animal testing.

Further details of the compromise text are expected to be announced today by MEP Guido Saccioni.

The agreed legislation will now go to the European Parliament on December 13 for a second reading and vote and then forwarded to the Council of Ministers.

[end]

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STQARRIJA GĦALL-ISTAMPA

Milĥuq ftehim dwar il-leġislazzjoni REACH

Ilbieraħ il-Ħamis 30 ta' Novembru, il-Kunsill u l-Parlament Ewropew lañqu ftehim dwar il-leġislazzjoni REACH – Reġistrazzjoni, Evalwazzjoni u Awtorizzazzjoni tal-Kimiċi – sabiex b'hekk intemmet saga ta' tliet snin li raw diżgwid kontinwu bejn l-industrija u l-ambjentalisti.

REACH kienet deskrittta bħala l-aktar leġislazzjoni importanti li ħarget mill-Unjoni Ewropea f'dawn l-añhar għoxrin sena peress li hija tipproponi li l-manifatturi u l-importaturi tal-kimiċi għandhom iwettqu testijiet dwar is-saħħu u s-sigurta' ta' dawk is-sustanzi kimiċi li jkunu jinsabu fis-suq ta' l-UE. Apparti minn dan, dawk l-entrapriži li jimmanifatturaw jew jimportaw aktar minn tunellata ta' sustanza kimika fis-sena għandhom jirreġistrawha f'*database* ċentralizzata fuq perjodu ta' 11-il sena.

Iżda sa minn meta din il-liġi ġiet proposta mill-Kummissjoni Ewropea f'Ottubru 2003, l-industrija u l-ambjentalisti kienu f'diżgwid kontinwu dwarha. Fuq naħa waħda kellek favurha l-organizzazzjonijiet tas-saħħa, ambjentalisti u għaqdiet tal-ħaddiema filwaqt li fuq in-naħa l-oħra kellek lill-industrija li kontinwament ippruvat tmewwet lil din il-liġi peress li skond hi ser iżżid il-burokrazija u l-ispejjeż tal-produzzjoni u konsegwentament ser twassal għat-telfien ta' l-impjegji u tpoġġi f'periklu l-kompetittività ta' l-Ewropa f'dan il-qasam. Dan in-nuqqas ta' qbil kompli żvolga wara li l-Parlament Ewropew u l-Kunsill tal-Ministri adottaw linji differenti. F'Novembru 2005, waqt l-ewwel qari ta' din il-leġislazzjoni, il-Parlament Ewropew qabel mal-"prinċipju tas-sostituzzjoni" li jfisser li l-kumpaniji ma jistgħux jużaw aktar kimiċi perikolużi u li għandhom jibdluhom b'oħrajn aktar sikuri sakemm dawn l-alternattivi jkunu jeżistu – deċiżjoni li l-industrija kienet opponiet bis-sħiħ. Il-Kunsill tal-Ministri li ltaqa' f'it wara iżda kien anqas iebes fil-linja li adotta u ppermetta numru ta' eċċezzjonijiet fejn għandu x'jaqsam sostituzzjoni tal-kimiċi perikolużi.

Hekk kif il-liġi proposta qed toqrob għat-tieni qari tagħha fil-Parlament Ewropew nhar it-13 ta' Diċembru, negozjaturi mill-Kummissjoni, mill-Parlament u mill-Kunsill ħadmu bis-sħiħ sabiex jintlaħaq qbil effettiv hekk li r-REACH tkun leġislazzjoni aċċettabbli għall-partijiet kollha nvoluti. Fil-ħames laqgħa informali ta' djalgu bejn it-tliet istituzzjonijiet li nżammet nhar it-Tnejn 27 ta' Novembru, reġa' kien hemm nuqqas ta' qbil partikolarment

dwar il-futura Aġenzija għall-Prodotti tal-Kimika u fuq il-prinċipju tas-sostituzzjoni. Il-Membru Parlamentari Soċjalista Ewropew Guido Sacconi, li kien ukoll negozjatur ewlieni fuq din il-materja, kien fil-fatt ikkwotat jgħid “jekk tistaqsuni dwar kif mar l-aħħar rawnd ta’ negozjati dwar ir-REACH, ngħidilkom li ninsab verament konfuż. Ma nafx fejn sejrin.”

Madanakollu, fl-aħħar attentat sabiex jintlaħaq qbil interistituzzjonali, nhar il-Ħamis 30 ta’ Novembru, kemm il-Kunsill kif ukoll il-Parlament irnexxielhom jilħqu ftehim li permezz tiegħu dawk il-kimiċi l-aktar perikolużi għandhom jitneħħew mis-suq jekk jeżistu alternattivi oħra.

Il-qbil, li jfisser kisba kbira mill-Parlament Ewropew u mill-Presidenza Finlandiża huwa mfassal fuq dawn il-punti prinċipali:

1. Kimiċi tossiċi, persistenti u bio-akkumulattivi ser jitneħħew mis-suq jekk alternattivi għalihom jkunu jeżistu;
2. Il-manifatturi ta’ dawk il-kimiċi perikolużi (xi 1,500) ser ikollhom jissottomettu pjan ta’ sostituzzjoni meta dawn japplikaw għall-awtorizzazzjoni jekk jidentifikaw alternattivi aktar sikuri;
3. Aktar minn 17,000 kemikal li jkun prodott fi kwantitajiet żgħir mhux ser ikun suġġett għal eżaminazzjoni riġida iżda dawk il-prodotti ta’ natura perikoluża ser ikunu suġġetti għal kontroll akbar minn qatt qabel;
4. Jista’ jkun li r-REACH ser twassal għal żieda fit-testijiet fuq l-annimali minkejja li l-MEPs kienu għamluha prijorita` li dan m’għandux ikun.

Aktar dettalji dwar dan il-kompromess mistennija jiġu mħabbra mill-MEP Guido Saccioni illum.

Din il-leġislazzjoni imissha issa li tmur għand il-Parlament Ewropew għat-tieni qari u l-vot sabiex wara tiġi mressqa quddiem il-Kunsill tal-Ministri.

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