
(Codecision procedure: first reading)

The European Parliament,

— having regard to the Commission proposal to the European Parliament and the Council (COM(2004)0320) (1),
— having regard to Article 251(2) and Article 95 of the EC Treaty, pursuant to which the Commission submitted the proposal to Parliament (C6-0030/2004),
— having regard to Rule 51 of its Rules of Procedure,
— having regard to the report of the Committee on the Environment, Public Health and Food Safety (A6-0005/2005),

1. Approves the Commission proposal as amended;
2. Calls on the Commission to refer the matter to Parliament again if it intends to amend its proposal substantially or replace it with another text;
3. Instructs its President to forward its position to the Council and Commission.

(1) Not yet published in OJ.

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 95 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Economic and Social Committee (1),

After consulting the Committee of the Regions,

Acting in accordance with the procedure laid down in Article 251 of the Treaty (2),

Whereas:

(1) The risks posed to health and the environment by toluene and trichlorobenzene (TCB) have been assessed under Council Regulation (EEC) No 793/93 of 23 March 1993 on the evaluation and control of the risks of existing substances (3). The risk assessment identified a need to reduce those risks, and the Scientific Committee on Toxicity, Ecotoxicity and the Environment (CSTEE) confirmed that conclusion.

(1) OJ C...
Commission Recommendation 2004/394/EC of 29 April 2004 on the results of the risk evaluation and the risk reduction strategies for the substances: Acetonitrile; Acrylamide; Acrylonitrile; Acrylic acid; Butadiene; Hydrogen fluoride; Hydrogen peroxide; Methacrylic acid; Methyl methacrylate; Toluene; Trichlorobenzene (1), adopted within the framework of Regulation (EEC) No 793/93, proposed a risk reduction strategy for toluene and TCB, recommending restrictions to limit the risks from certain uses of these chemicals.

(3) In order to protect health and the environment, it therefore appears necessary that the placing on the market and the use of toluene and TCB should be restricted.


(5) The objective of this Directive is to introduce harmonised provisions with regard to toluene and TCB, thus preserving the internal market whilst ensuring a high level of protection of human health and the environment, as required by Article 95 of the Treaty.


H ave A dopted T his D irective:

Article 1

Annex I to Directive 76/769/EEC is amended as set out in the Annex to this Directive.

Article 2

1. Member States shall adopt and publish, by … (4), the laws, regulations and administrative provisions necessary to comply with this Directive. They shall forthwith communicate to the Commission the text of those measures and a correlation table between them and this Directive.

They shall apply those measures from … (5).

When Member States adopt those measures, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. The method of making such reference shall be laid down by Member States.

2. Member States shall communicate to the Commission the text of the main provisions of national law which they adopt in the field covered by this Directive.

(6) 12 months after the date of entry into force of this Directive.
(7) 18 months after the date of entry into force of this Directive.
Article 3

This Directive shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union.

Article 4

This Directive is addressed to the Member States.

Done at ..., on ...

For the European Parliament
The President

For the Council
The President

ANNEX

The following points [XX] to [XX] are added to Annex I of Directive 76/769/EEC:

<table>
<thead>
<tr>
<th>[XX]</th>
<th>Toluene CAS No 108-88-3</th>
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<tbody>
<tr>
<td></td>
<td>May not be placed on the market or used as a substance or constituent of preparations in a concentration equal to or higher than 0,1 % by mass in adhesives and spray paints intended for sale to the general public.</td>
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</tbody>
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<table>
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<tr>
<th>[XX]</th>
<th>Trichlorobenzene CAS No 120-82-1</th>
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<tr>
<td></td>
<td>May not be placed on the market or used as a substance or constituent of preparations in a concentration equal to or higher than 0,1 % by mass for all uses except</td>
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<tr>
<td></td>
<td>as an intermediate of synthesis, or</td>
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<td>as a process solvent in closed chemical applications for chlorination reactions, or</td>
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<td></td>
<td>in the manufacture of 1,3,5 - trinitro - 2,4,6 - triaminobenzene (TATB).</td>
</tr>
</tbody>
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P6_TA(2005)0126

Commission’s annual policy strategy for 2006


The European Parliament,


— having regard to the Interinstitutional Agreement of 6 May 1999 between the European Parliament, the Council and the Commission on budgetary discipline and improvement of the budgetary procedure (¹),

— having regard to Article 272 of the EC Treaty and Article 177 of the Euratom Treaty,

— having regard to Rule 112(1) of its Rules of Procedure,

— having regard to the report of the Committee on Budgets and the opinions of the other committees asked for an opinion (A6-0071/2005),