

EUROPEAN PARLIAMENT

Working Documents

1979 - 1980

7 December 1979

DOCUMENT 1-570/79

Report

drawn up on behalf of the Committee on the Environment, Public Health and Consumer Protection

on the proposal from the Commission of the European Communities to the Council (Doc. 194/79) for a decision concerning chlorofluorocarbons in the environment

Rapporteur: Mr William F. NEWTON DUNN

By letter of 31 May 1979 the President of the Council of the European Communities requested the European Parliament to deliver an opinion on the proposal from the Commission of the European Communities to the Council for a decision concerning chlorofluorocarbons in the environment.

The President of the European Parliament referred this proposal to the Committee on the Environment, Public Health and Consumer Protection.

On 25 September 1979 the Committee on the Environment, Public Health and Consumer Protection appointed Mr Newton Dunn rapporteur.

It considered the proposal at its meeting of 3 October 1979.

On 30 November 1979 the committee adopted the motion for a resolution unanimously.

Present: Mr Collins, chairman; Mrs Weber, vice-chairman; Mr Newton Dunn, rapporteur; Mr Adam (deputizing for Mrs Fullet), Mrs Maij-Weggen, Mr Muntingh, Mr O'Connell, Mrs Roudy, Mrs Spaak.

C O N T E N T S

	<u>Page</u>
A MOTION FOR A RESOLUTION	5
B EXPLANATORY STATEMENT	7
I The Commission's proposal	7
II Background to the Commission's proposal	7
III Explanation of the chlorofluorocarbon problem	7

The Committee on the Environment, Public Health and Consumer Protection hereby submits to the European Parliament the following motion for a resolution together with explanatory statement:

MOTION FOR A RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a decision concerning chlorofluorocarbons in the environment

The European Parliament,

- having regard to the proposal from the Commission of the European Communities to the Council¹,
 - having been consulted by the Council (Doc. 194/79),
 - having regard to the report of the Committee on the Environment, Public Health and Consumer Protection (Doc. 1-570/79),
1. Urges that the use of chlorofluorocarbons (CFCs) in aerosols be reduced by 50% by 31.12.1981 and by 100% by 31.12.1983, except in use for essential medical purposes;
 2. Considers that, in the light of the findings of scientific research in a number of countries, particularly the United States of America, CFCs, which constitute a threat to the environment and health, should be replaced as soon as possible by harmless substances and mechanical devices;
 3. Requests the Commission to incorporate the following amendments, pursuant to Article 149, second paragraph, of the EEC Treaty:

¹ OJ No. C 136, 31.5.1979, p.7

Council decision concerning
chlorofluorocarbons in the environment

Preamble, recitals and Article 1 unchanged

Article 2

Member States shall take all necessary steps to achieve by 31 December 1981 a reduction of 30% in the use of chlorofluorocarbons in aerosols in relation to 1976 levels of use.

Article 2

Member States shall take all necessary steps to achieve by 31 December 1981 a réduction of 50% in the use of chlorofluorocarbons in relation to present levels of use and a reduction of 100% by 31 December 1983, except in use for essential medical purposes.

Article 3 unchanged

Article 4

Member States shall provide the Commission with the necessary data relating to the use of chlorofluorocarbons in aerosols not later than 30 June 1982 in order to permit the Commission to verify whether the reduction referred to in Article 2 has been achieved in relation to each Member State.

Article 4

Member States shall provide the Commission with ~~the~~ necessary data relating to the use of chlorofluorocarbons in aerosols not later than 30 June 1982 and 30 June 1984 in order to permit the Commission to verify whether the reductions referred to in Article 2 have been achieved in ~~relation~~ to each Member State.

Articles 5 and 6 unchanged

¹For full text see OJ No. C 136, 31.5.1979, p.7

EXPLANATORY STATEMENT

I The Commission's Proposal

1. The Commission is proposing to the Council
 - (a) a ban on any expansion of production capacity in respect of chloro-fluorocarbons (CFCs) in the Community, and
 - (b) a compulsory reduction of 30 per cent in the use of CFCs in aerosols by 31 December 1981.
2. The Commission has chosen as the legal form for this proposal a Council decision which, pursuant to the fourth paragraph of Article 189 of the EEC Treaty, is binding in its entirety upon all Member States.

II Background to the Commission's proposal

3. In submitting this proposal, the Commission is complying with a request made by the Council on 18/19 December 1978, for concrete proposals to restrict the production and use of CFCs. The Council's request was itself based on recommendations adopted at the International Conference on Chlorofluorocarbons held in Munich from 6-8 December 1978.
4. The Commission's proposal also meets a demand made in the resolution adopted by the European Parliament on 16 December 1977¹ which was based on a detailed report drawn up by the Committee on the Environment, Public Health and Consumer Protection.²

III Explanation of the CFC problem

5. CFCs are non-toxic gases which are used as propellants in aerosols, in refrigerating and air conditioning equipment, and as a blowing agent in the manufacture of polyurethane foams.

CFCs 11 and 12 - it is important to specifically identify them - have a long life in the air which we breathe, because they do not spontaneously decompose in sunlight, except in small amounts in the upper atmosphere. (This is because CFCs 11 and 12 do not carry hydrogen atoms in their molecular structures). Other CFCs, which carry hydrogen atoms, decompose automatically in sunlight and are therefore not a problem.

1 OJ No. C 6, 9.1.1978, pp 140 ff

2 Doc. 417/77

In the Council resolution of 30 May 1978, the aerosol gases were specifically identified as CFC 11 and 12. Notwithstanding the above considerations, the Committee on the Environment was of the opinion, not shared by its rapporteur, that the Council decision should apply to all chlorofluorocarbons without exception, as proposed by the Commission, and not only CFC 11 and 12.

6. The idea of possible damage to the ozone layer which surrounds the earth was first suggested in 1970 at a time when supersonic aircraft flights were increasing. However, their effects are now thought to be only slight.

In 1974, as a result of experiments in their laboratory, two American scientists suggested that theoretically chlorofluorocarbons may be causing a depletion of the ozone layer in the stratosphere. The ozone layer acts as a filter for most of the ultraviolet radiation that reaches the earth. This radiation is associated with certain forms of skin cancers. Therefore, genuine damage to the ozone layer above us would be very serious. It should be added that damage to the ozone layer would be worldwide, and not just confined to those countries which use CFCs in aerosols.

7. In the opinion of the rapporteur, the actual effect of CFCs 11 and 12 on the ozone layer in the atmosphere has not yet been measured or even detected. This opinion was, however, not shared by the majority of the members of the committee.

The ozone layer above the earth varies widely in thickness at different times and places. It is usually thinnest at the end of winter at the North and South Poles, and it is thickest at the end of summer at the Equator. The layer's thickness is also affected by groundfires, nitrogen fertilisers, sunspots, lightning, cosmic rays, and the so-called 'greenhouse effect'. This latter means that there is increasing atmospheric carbon dioxide due to burning of fossil fuels and to deforestation. This extra carbon dioxide cools the atmosphere and so produces an increase in stratospheric ozone. With all these factors which affect the ozone layer, it is not surprising that the calculations about the effect of CFCs are uncertain.

8. Nevertheless, despite the absence of any proof, the rapporteur was also of the opinion that because of the possible long-term changes which are predicted in theory by scientists, the use of CFCs 11 and 12 must be restricted now before any ozone depletion can be proved. A majority within the Committee on the Environment was of the opinion that the Commission proposals did not go far enough in this respect and that a total ban on CFC-aerosols was called for.

9. The most recent theoretical studies suggest that CFCs 11 and 12 have already reduced stratospheric ozone by up to 1.3 per cent. The latest forecasts are that depletion would peak at 2 per cent in ten years' time if all worldwide releases of CFCs ceased immediately now. Instead, if all worldwide releases only ceased in 1983, the ozone depletion peak would be 2.5 per cent about ten years later.

It is estimated that continued releases of CFCs 11 and 12 at 1975 rates would lead in 50 years to ozone depletion of up to 8 per cent. Eventually, in 100 years, a steady state would be reached with ozone depletion of 16 per cent compared with current levels. An 8 per cent ozone depletion would increase ultraviolet radiation by the same amount as if a person moved house 380 km nearer the Equator.

10. The EEC accounts for about 30 per cent of the world consumption of CFCs 11 and 12. In 1977, around 70 per cent of the EEC's own consumption was through aerosols - for cosmetics, car paints, insecticides, household care products, and so on. In the EEC, another 19 per cent was used in manufacturing polyurethane foams, and 9 per cent was for refrigeration and air conditioning.

For aerosols, the EEC used an estimated 168,000 tonnes in 1974, then 177,000 tonnes in 1976, which fell back to 163,000 tonnes in 1977. The first year for which these figures were reliably collected together was 1976.

11. The Community CFC industry has already set up a system for monitoring the use of CFCs 11 and 12 as aerosol propellants on a Community basis. This was the source of the Commission's 1976 and 1977 figures.

There are no more than two CFC manufacturers in any Member State. Therefore, the rapporteur believed that to provide exact figures for each Member State would violate the principle of confidentiality and be contrary to the proper functioning of the free market. These misgivings were not shared by the Committee on the Environment.

12. The rapporteur considered that there was no point in controlling the levels of use of CFCs within the Community if manufacturers were free to offset this by increasing exports or imports of CFCs from other countries. Here, too, the Committee on the Environment declined to accept the opinion of its rapporteur.

13. In 1976, CFC manufacturers were warned to look for alternative compounds as aerosol propellants. No clear cut alternatives to CFCs 11 and 12 for all aerosols have been found. Hydrocarbon gases (such as dimethylether which is the **only** propellant used in Holland) are inflammable. Some mixtures of CFCs and hydrocarbons are not inflammable but, like finger-operated pumps, they have inferior performance. Polyurethane foam, formed without CFCs, is less flexible and has poorer insulating properties. It is likely that the withdrawal of CFCs 11 and 12 will result in cost increases for all products.

Aerosols containing CFCs 11 and 12 are not essential items for humanity, except perhaps for medical purposes (which are exempted from the CFC aerosol ban in the USA).

For these reasons the Committee on the Environment, unlike its rapporteur, considered that there was a case for a 50% reduction in the use of CFC-aerosols by 31.12.1981 and a 100% reduction by 31.12.1983, except for essential medical purposes.

14. There are considerable areas where CFCs 11 and 12 are not controlled at all. In the United States of America, CFCs in aerosols are banned, but there is no control at all over their much larger use of CFCs in refrigerators and air conditioners, which exceeds the EEC's total use including aerosols. Japan has taken no measures of any kind to control CFCs 11 and 12.

The use of CFCs 11 and 12 for manufacturing foam and for refrigeration and for air conditioning is growing steadily throughout the world. There have been no attempts anywhere to limit their use because of technical difficulties. When refrigerators and air conditioners are serviced their CFC is normally released into the air. No satisfactory substitute has yet been found for these machines containing CFCs, but there is undoubtedly room for reducing emissions by making design changes.

The American ban on CFCs in aerosols is less impressive than it sounds. Aerosols only accounted for around 30 per cent of US usage (compared to the EEC's 70 per cent). But, even now, the USA uses more CFC 11 and 12 than any other economic bloc including the European Community.

15. Because damage to the ozone layer around the earth is worldwide, regardless of where the CFCs are released into the air, we would like to see widespread concerted international action to answer the CFC problem, most particularly in the advanced industrial countries.