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Report

drawn up on behalf of the Committee on Public Health and the Environment

on the proposal from the Commission of the European Communities to the Council (Doc. 404/74) for a resolution concerning a revised list of second-category pollutants to be studied as part of the Programme of Action on the Environment

Rapporteur: Mr H.E. JAHN

PE 39.386/fin.

By letter of 4 December 1974 the President of the Council of the European Communities requested the European Parliament, pursuant to Article 235 of the EEC Treaty, to deliver an opinion on the proposal from the Commission of the European Communities to the Council for a resolution concerning a revised list of second-category pollutants to be studied as part of the Programme of Action on the Environment.

The president of the European Parliament referred this proposal to the Committee on Public Health and the Environment.

On 8 January 1975 the Committee on Public Health and the Environment appointed Mr JAHN rapporteur.

It considered this proposal at its meetings of 8 January and 24 February 1975.

At its meeting of 24 February 1975 the committee unanimously adopted the report and the explanatory statement.

Present: Mr Della Briotta, chairman; Mr Jahn, vice-chairman and rapporteur; Lord Bessborough, Mr Brégégère, Mr Didier, Mr Herbert, Mr Lagorce, Mr Liogier (deputizing for Mr Gibbons), Mr Martens, Mr Willi Müller, Mr Noè, Mrs Orth, Mr Premoli, Mr Springorum, Mr Walkhoff and Mr Yeats (deputizing for Mr Lenihan).

CONTENTS

	Page
A. MOTION FOR A RESOLUTION	5
B. EXPLANATORY STATEMENT ..	6
I. General Considerations	6
II. Investigation of the proposed list of substances	8

A

The Committee on Public Health and the Environment 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 resolution concerning a revised list of second-category pollutants to be studied as part of the Programme of Action on the Environment

The European Parliament,

- having regard to the proposal from the Commission of the European Communities to the Council ¹,
 - having been consulted by the Council in accordance with Article 235 of the EEC Treaty (Doc. 404/74);
 - ÷ having regard to the report of the Committee on Public Health and the Environment. (Doc. 514/74);
1. Approves the Commission's proposal, while relying on the technical competence of the experts consulted as regards the list of pollutants to be investigated;
 2. Requests the Commission to ensure that the investigations into the first and second categories of pollutants are rapidly carried out so that it can in the foreseeable future submit, in accordance with the provisions of the environmental programme, definite proposals in this sector;
 3. Points out that the list of second-category pollutants should not be regarded as closed, and therefore calls on the Commission to update it at regular intervals on the basis of the latest scientific findings;
 4. Instructs its President to forward this resolution and the report of its committee to the Council and Commission of the European Communities.

¹ OJ No. C 157, 14.12.1974, p. 4

EXPLANATORY STATEMENT

I. GENERAL CONSIDERATIONS

1. Consideration of this proposal for a resolution must be based on the Programme of Environmental Action of the European Communities of 22 November 1973. This states in Part 2 (I), on the second category of pollutants, that:¹

'By 31 July 1974, the Commission will propose a definitive list of pollutants, hazards associated with which will need to be evaluated at a later stage'.

This definitive list was not drawn up on time.

2. At the end of October 1974 your rapporteur therefore tabled Written Question No 448/74 to the Commission² referring to this delay and asking the Commission

(a) why it had not yet submitted its proposal for this list and
(b) when the European Parliament and its Committee on Public Health and the Environment would be given the opportunity to consider this proposal.

In its reply the Commission referred merely to the proposal of 18 November 1974, which we now have before us, for a Council decision on second-category pollutants, the hazards of which are to be investigated in the second stage of the environmental programme.

No answer, however, was given to the question of why the deadline laid down in the environmental programme (31 July 1974) had not been met.

Your committee regrets this delay and hopes that the Commission will in future honour its commitments on schedule.

3. In its explanatory memorandum to its proposal the Commission recalls that priority was given to the investigation of pollutants included in the first category.³ They were chosen on the grounds both of their toxicity and of the current state of knowledge of their significance in the health and ecological fields.

¹OJ No C 112, 20.12.1973, p.13

²OJ No C 7, 10.1.1975, p.3.

³Examples of the first category include organic halogen, hydrocarbons with known or probable carcinogenous effects, sulphur compounds, nitrogen oxides, carbon monoxide, asbestos, vanadium, phenols and hydrocarbons.

The list of second-category pollutants contained in the environmental programme (e.g. fluorine, nickel, cadmium, chlorine and hydrochloric acid, hydrogen sulphide, phosphates, organic solvents, bleaching agents) was given only as a guide.

4. With a view to drawing up a definitive list of these substances the Commission conducted a study and the findings were discussed by a group of experts. In doing so they considered the following factors:

- quantities present and persistence in the environment;
- effect on the population as a whole or on particular population groups;
- toxic effects on human beings and possibly on fauna and flora;
- health and ecological consequences of prolonged exposure to small doses.

The group of experts also considered a number of other pollutants in addition to those mentioned in the second category list of substances.

5. The following conclusions may be drawn from the experts' study:

- The available data on acute or chronic toxicity relate mainly to a limited number of well-known pollutants.
- When a substance has only recently been introduced or is not widely used, or when it is of low toxicity, little or no information is available.
- Various categories of substances such as dyes, organic solvents and organic dusts include several hundred chemical compounds.
A great deal of scientific information exists in this field but not much of it is accessible.
- Long-term effects are known for only a few substances and have been clearly determined only where the substances are highly noxious.
- On the other hand, substances originally regarded as harmless may subsequently be found to be toxic or noxious.

6. The Commission concludes by pointing out in its explanatory memorandum that it will conduct studies of each of these pollutants in accordance with the same objectives and operating procedures as for first-category pollutants. The list would have to be revised as new products were marketed or specific noxious or toxic effects discovered.

II. INVESTIGATION OF THE PROPOSED LIST OF SUBSTANCES

7. A comparison of the definitive list of second-category pollutants now proposed for study with the original list contained in the environmental programme reveals that:

- the following pollutants have been added to the list:

Air: barium, vinyl chloride, pesticides, phthalates, substances having an unpleasant odour or taste, thallium;

Water: asbestos, beryllium, cadmium, anionic detergents, molybdenum, nickel, phthalates, selenium, silicon and its organic compounds, tellurium, titanium, uranium¹.

- the following pollutants which were included in the original list have been omitted:

Air: ammonia, beryllium, chlorine, hydrochloric acid, nitrosamines, organic dusts;

Water: iron.

8. Your committee points out in this connection that the list of second-category pollutants should not be regarded as closed but should be added to continually in the light of the latest scientific findings. The Commission is therefore called on to revise the list when appropriate.

9. After considering the Commission's document your committee has decided to approve the proposal for a Council resolution, even though it is overdue, and, in doing so, to rely on the technical competence of the experts consulted.

10. Finally your committee urges the Commission to carry out the investigations into the lists of first and second category pollutants with all reasonable speed so that it can submit definite proposals, as laid down in the environmental programme, in the foreseeable future.

¹The collective term 'nitrogen derivatives' has been replaced by the words 'ammonia, nitrates, nitrites'. The term 'bleaching agents' has been replaced by the term 'optical lighteners'.