



Environmental and Health NGOs' voting list on the proposed amendments for the Plenary vote (14/03/06) on the Community strategy concerning mercury (Matsakis Report)

Brussels, 10 March 2006

Please also consider the justifications provided in the EEB/Ban Hg WG and EEN/HCWH letters dated also 10 March 2006.

No of Amend.	Recitals Articles Annexes	Brief Description of amendment	Voting suggestion	Comments
6 Schlyter	Paragraph 4	<i>the significant amounts of mercury surpluses arising from the decommissioning of mercury cells in chlor-alkali plants,.... asks the Commission to propose an EU mercury export ban by the end of 2006, so that it can be in place as soon as practicably possible and at the latest by 2008;</i>	+	EU is the world's largest mercury exporter and most of this mercury goes to the developing world where it is often haphazardly used and released, contaminating workers, their families, local communities and global food supplies; (if am.6 falls)
13 Sacconi Westlund	Paragraph 4	<i>....EU mercury export ban..... at the latest by 2009;</i>	+	
7 Schlyter	Paragraph 6	<i>to other mercury-containing products</i>	+	
8 Schlyter	Paragraph 7	<i>EC proposals by the end of 2006 for legally binding measures to ensure storage of surplus mercury</i>	+	
9 Schlyter	Paragraph 10	<i>Underlines, furthermore, the importance of applying the polluter-pays principle, in particular as far as storage of surplus mercury is concerned; stresses that the industry sectors responsible for the generation of surplus mercury should finance its safe storage (deletion);</i>	+	The responsible bodies should have to pay for the storage of a dangerous substance which shall no longer be used.
1 Ayuso Bowis	Paragraph 15	<i>phase out the use of mercury-cell chlor-alkali plants.... by 2020, as voluntarily committed by the industry;</i>	-	The mercury-cell process is NOT considered as Best Available Technique under the IPPC Directive – IPPC BREF published in 2000.
10 Schlyter	Paragraph 17	<i>Asks the Commission to come forward by the end of 2007 with a proposal to restrict the use of mercury in dental amalgam ... and to investigate whether additional measures are needed to ensure that amalgam does not enter the waste stream;</i>	+	Alternatives to amalgams already exist and are widely in use. Dental amalgam waste cause water and sludge contamination when discharged from dental clinics, and air pollution from crematoria. From a public health perspective it makes sense to

				apply a precautionary approach considering that alternatives exist. Amalgam fillings are de facto more expensive than most, possibly all, other fillings when including environmental costs.
2 Callanan Bowis	Paragraph 18c	...exemptions to apply to the rare cases of maintenance of <i>traditional barometers</i> , museum collections and industrial heritage. <i>Furthermore, a small number of professional companies in the EU produce traditional measuring instrumentation using small quantities of mercury and this use should continue to be permitted in carefully controlled and licensed environments;</i>	– –	These devices can pose a risk to human health and the environment during usage because they are easily broken, and after usage because they end up in the waste stream. They ultimately release mercury into the environment. Alternatives already exist.
11 Schlyter	Paragraph 31	but <i>not mercury-containing articles that have become waste</i> , to be stored in Almaden	+	
12 Schlyter	Paragraph 41	<i>Reminds the Commission of its own statement that the Medical Devices Expert Group "comprises 'stakeholders' to assist the Commission on questions arising from the implementation and practical application" of Council Directive 90/385/EEC of 20 June 1990 on the approximation of the laws of the Member States relating to active implantable medical devices¹; therefore considers it extremely important (deletion) to ensure full participation of all stakeholders, such as health care professionals, toxicologists, experts in clinical environmental medicine, patient groups and public health groups in the Medical Devices Expert Group, and to ensure a balanced representation of the different views;</i>	+	Responsible committees under the EC, such as the Medical Devices Expert Group, which deal with respective product directives which involve environmental impacts, should be accessible to all stakeholders and with balanced participation, also involving the appropriate researchers and scientists.
3 Schlyter	Recital C	whereas to prevent any releases or losses to the environment, mercury should be correctly stored and isolated (deletion) on secure sites that are continuously monitored and where intervention can take place quickly if necessary,	+	We are concerned about the phrasing “presenting no potential risk”. Monitoring and inspections are required, because there are “potential” risks.
4 Schlyter	Recital H	(deletion of next 15 years)	+	Amendment for coherence.
5 Schlyter	Recital Lwhereas exposure to mercury vapour from dental amalgam needs to be looked at above all from a health perspective;	+	

For more information please contact: Elena Lymberidi, Zero Mercury Campaign Coordinator, EEB, elena.lymberidi@eeb.org , T: +32 496 532818
Lisette van Vliet, Toxics Policy Advisor, EEN/HCWH, lisette@env-health.org, T: +32 2 233 3877

¹ OJ L 189, 20.7.1990, p. 17.