



Brussels/Strasbourg, 19 May 2008

Dear Member of the European Parliament,

***Environmental and Health NGOs' recommendation on  
EU export ban and safe storage of mercury  
Debate and 2<sup>nd</sup> Plenary Vote, 20- 21 May 2008– Papadimoulis Report***

As coalition of environmental and health NGOs working together on reducing mercury emissions, supply and demand, we welcomed the Commission's proposal for a regulation on the banning of exports and the safe storage of mercury (COM(2006) 636 final). We also welcomed the European Parliament's first reading and the Environment Committee's second reading voting results, which strengthened several key aspects of the regulation for the protection of human health and the environment. The Council Common Position did not really follow the Parliament's requests and missed closing some important loopholes to ensure that no metallic mercury leaves the EU.

A compromise package of amendments has now been agreed between Parliament representatives and Council. Although we would have liked to see a more robust regulation, we consider this agreement as a step in the right direction, given the circumstances and time constraints.

***We, therefore urge you now to fully SUPPORT the compromise amendments 42 - 63, for a swift adoption of the export ban regulation AND to REJECT amendments 37 - 41 and the deletion of the word 'barometers' from the compromise package (in case this is requested). In case compromise amendments are not adopted (with qualified majority), we would urge you to support amendments 1-36 (adopted at Env. Committee 2<sup>nd</sup> reading vote).***

**If you divide from this track, the agreement between the two institutions will not be met and there is a risk that the adoption of the regulation will be further delayed, putting the EU at a potentially weaker position in the discussions at UNEP, in October 2008, towards a global legally binding instrument.**

Amendments 37-41 and the deletion of the word 'barometers' from the agreed text, should be REJECTED, also for the following reasons:

- 1. Amendments 37-41: Prior to any other alternative to storage, consideration is to be given to Almadén for the safe storage of metallic mercury.*

Although we recognise the socioeconomic pressures under which Almadén has been after the closure of the mercury mine, the compromise amendment 45 acknowledges these problems and proposes that "*support of projects and other initiatives from the available funding mechanism should continue in order to allow such areas affected to find viable solutions for local environment, employment and economic activities*".

The Commission is currently co-financing MAYASA to implement the LIFE preparatory project MERSADE, with the aim of evaluating facilities available in the current storage area, designing a prototype for storing metallic mercury and a monitoring plan for 50 years, and studying a line for transforming liquid metal mercury into a more stable form. The project began in late 2006<sup>1</sup>.

Good progress in this project would allow Almadén to be considered as one of the potential storage areas. Therefore we do not see the need for particular consideration through the regulation.

<sup>1</sup> <http://www.mayasa.es/ing/mersade.asp>

2. Potentially proposed amendment to exclude the word 'barometers' from the compromise text:

**Allowing for the export of new mercury barometers is irresponsible**, given that such products will be restricted from the EU market from October 2009 (directive 2007/51/EC)<sup>2</sup>. **The EU must avoid double standards. By exporting these products the EU circumvents its own legislation and adds to a health and environmental problem.**

- Mercury barometers contain large amounts of one of the most toxic substance known to humankind, and which can spill into the environment, causing contamination and severe health risks. Not including these products in the ban constitutes a loophole in the legislation.
- Mercury-containing products make a major contribution to mercury spills, release at disposal, and hence both direct health risks and environmental contamination.
- The repair and maintenance of and information about existing barometers can still carry on; and these will gain even more value given their scarcity. Although very few manufacturers exist in Europe, the manufacture, repair and restoration of mercury barometers is NOT their only business. These companies usually also manufacture different types of aneroid (mercury-free) barometers, different clocks, barographs, marine instruments, thermometers, hygrometers, etc.<sup>ii</sup> Therefore their business is NOT likely to collapse when the exports of new mercury-barometers is banned.
- Mercury-containing products which are sold from the EU but are no longer acceptable in our market undermine the EU's own efforts, in which it leads the international community, to phase mercury out of global use.

Although NGOs would want a broader and more robust regulation, in view of the forthcoming UNEP global debate on mercury in October 2008, it is preferable that this regulation is adopted swiftly. The EU has been taking a leading role in discussions at the international level and it now has the possibility to show its lead in practice. This is a straightforward opportunity to reduce health risks to millions of people in the EU and worldwide that we cannot afford to miss.

Thank you in advance for your support,

Yours sincerely,



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<sup>i</sup> Environmental and Health NGOS include

The **European Environmental Bureau, (EEB)**, [www.eeb.org](http://www.eeb.org), is a federation of more than 145 environmental citizens' organisations based in all EU Member States and most Accession Countries, as well as in a few neighbouring countries. These organisations range from local and national, to European and international. The aim of the EEB is to protect and improve the environment of Europe and to enable the citizens of Europe to play their part in achieving that goal.

The **Zero Mercury Working group**, [www.zeromercury.org](http://www.zeromercury.org), is an international coalition of more than 56 public interest non-governmental organizations from around the world formed in 2005 by the European Environmental Bureau and the Mercury Policy Project/Ban Mercury Working Group. The aim of the group is to reach 'Zero' emissions, demand and supply of mercury, from all sources we can control, towards eliminating mercury in the environment at EU level and globally."

**Health Care Without Harm Europe**, [www.noharm.org](http://www.noharm.org), belongs a global coalition of more than 450 groups in 55 countries. We are working together to transform the healthcare industry so that, without compromising patient safety or care, it is ecologically sustainable and no longer a source of harm to people and the environment.

**Health and Environment Alliance**, [www.env-health.org](http://www.env-health.org), aims to raise awareness of how environmental protection improves health. It achieves this by creating opportunities for better representation of the perspectives of citizens and health experts in the environment and health-related European policy-making. Our membership includes a diverse network of more than 50 citizens', patients', women's, health professionals' and environmental organisations across Europe and has a strong track record in increasing public and expert engagement in both EU debates and the decision-making process.

<sup>ii</sup> <http://www.barometerworld.co.uk/default.htm> (UK), <http://www.comitti.com/> (UK), <http://www.russell-scientific.co.uk/> (UK), <http://www.barometers.com/index.htm> (Belgium), <http://www.rosebarometers.nl>

<sup>2</sup> <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2007:257:0013:01:EN:HTML>