



EU Environment Report

September 2012

AUTOMOBILES

EU to extend exemption for lead in cars

On 20 September 2012, a draft decision by the European Commission was published which extends the exemption, due to expire on 1 January 2013, from a prohibition on lead in vehicle parts and components under Directive 2000/53/EC on end-of-life vehicles. The exemption, contained in Annex II of Directive 2000/53/EC, deals with the use of lead in solders in electrical glazing applications on glass, except for soldering in laminated glazing. According to the draft Commission Decision, the exemption will remain in place until 1 January 2016.

The full text of the draft Commission Decision can be accessed via the following link: <http://register.consilium.europa.eu/pdf/en/12/st13/st13992.en12.pdf>

CHEMICALS

New REACH restrictions on cadmium and lead published

On 18 September 2012, two new substance restrictions were published in the EU's official journal, on cadmium and lead. The restrictions take the form of Regulations amending Annex XVII to Regulation No. 1907/2006 on the Registration, Evaluation, Authorisation and Restriction of Chemicals ("REACH Regulation").

The Regulation on cadmium removes cross-linked polyethylene (VPE), high-impact polystyrene and polypropylene (PP) from the list of restricted uses of cadmium, and mandates that the Commission ask the European Chemicals Agency, by 19 November 2012, to prepare a dossier in order to assess whether the use of cadmium and its compounds in plastic material should be further restricted.

The Regulation on lead provides that lead shall not be placed on the market or used in any individual part of articles of jewellery if the concentration of lead (expressed as metal) in such a part is equal to or greater than 0.05 % by weight. Certain derogations are contained in the Regulation.

The full text of both Regulations can be accessed via the following links:

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2012:252:0001:0003:EN:PDF>

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2012:252:0004:0006:EN:PDF>

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This newsletter briefly describes EU environment developments.

Due to the general nature of its content, this newsletter is not and should not be regarded as legal advice.

Prohibition on mercury in measuring devices extended

On 19 September, Regulation 847/2012 was published in the EU's Official Journal, which introduces new restrictions on the use of mercury in measuring devices from 10 April 2014. The new restrictions apply to the use of mercury in barometers, hygrometers, manometers, sphygmomanometers, strain gauges to be used with plethysmographs, tensiometers, thermometers and other non-electrical thermometric applications. Certain exemptions are, however, envisaged. This move follows the introduction of similar restrictions on the use of mercury in measuring devices in 2007.

The full text of the new restrictions can be read here: <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2012:253:0001:0004:EN:PDF>

New prohibition on certain phenylmercury products

On 19 September 2012, Regulation 848/2012 was published in the EU's Official Journal, introducing restrictions on the use of certain phenylmercury compounds. The restrictions come into force on 10 October 2017.

The full text of the new restrictions can be accessed via the following link:

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2012:253:0005:0007:EN:PDF>

ECO-DESIGN/ECO-LABELLING

Energy labelling of electrical lamps and luminaires

On 26 September 2012, Regulation No. 874/2012 on the energy labelling of electrical lamps and luminaires was published in the EU's Official Journal. For example, the Regulation imposes an obligation on suppliers of electrical lamps, irrespective of whether these are sold individually or together with luminaires, to print a label on the packaging in which the electrical lamps are contained in accordance with the specifications laid down in Annex I to the Regulation. The Regulations imposes further obligations on suppliers and dealers of electrical lamps and luminaires to provide specific information (such as the energy efficiency class) in advertisements, technical promotional materials and when requested to do so by Member State authorities.

The full text of Regulation No. 874/2012 can be read here: <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2012:258:0001:0020:EN:PDF>

ENERGY

Parliament approves agreements on new Directives on marine fuels and energy efficiency

The European Parliament has formally approved EU agreements on the revised marine fuels directive and the new energy efficiency directive. The final legislative hurdle will be approval by the Council of Ministers in October 2012, which would result in the two pieces of legislation being published in the EU's Official Journal in November 2012.

Under the revised marine fuels directive, the sulphur content of marine fuels will be cut to 0.5% by 2020 and ships in EU sulphur emissions control areas (SECAs) will also have to comply with the 0.1% sulphur limit by 2015.

The new energy efficiency directive also includes environmental targets, for example an obligation on energy suppliers to deliver an annual 1.5% energy savings among end-users, and a 3% renovation target for central government offices (applicable first to "total useful floor areas" of more than 500 m² and then to those of more than 250m² from July 2015).

The press releases in relation to the approval of these EU agreements can be accessed via the following links:

<http://www.europarl.europa.eu/news/en/pressroom/content/20120907IPR50818/html/Cleaner-shipping-fuels-to-save-lives>

<http://www.europarl.europa.eu/news/en/pressroom/content/20120907IPR50808/html/Energy-efficiency-billions-to-be-made-in-savings>

OTHER

EU court rules against Italian GM maize ban

On 6 September 2012, the Court of Justice of the European Union ("CJEU") quashed a decision taken by Italy to require national authorisation of certain GMOs such as MON 810 maize, even after these had been authorised under the EU system, pursuant to Regulation No 1829/2003. The CJEU stated that Member States were only entitled to prohibit or restrict the cultivation of such GMOs which had already been authorised on the EU level and included in the EU's common catalogue, where this was expressly provided for in EU law, for example in accordance with the "emergency measures" under Regulation No 1829/2003 or with the coexistence measures under Directive 2002/53.

To read the full text of the judgment, please click on the following link: <http://curia.europa.eu/juris/document/document.jsf?text=&docid=126437&pageIndex=0&doclang=EN&mode=lst&dir=&occ=first&part=1&cid=1283599>

Initiation of EU investigation into Chinese solar panels

On 6 September 2012, the European Commission launched an anti-dumping investigation into imports of solar panels and their key components originating in China, following a complaint lodged on 25 July 2012 by the industry association EU Pro Sun. Provisional findings will be issued within nine months of the opening of the investigation, namely by June 2013. From this date, provisional duties may be imposed on Chinese imports for a six-month period. Member States will then have to decide whether to adopt definitive anti-dumping measures against the country in relation to imports of solar panels.

The press release published by the European Commission can be accessed via the following link:

<http://europa.eu/rapid/pressReleasesAction.do?reference=MEMO/12/647&format=HTML>

Denmark confirms plan to create a nanoregister

The Danish government has confirmed its plans to create a national register of products containing nanomaterials. A pilot version of the register should be available next summer, but an official date for the register has yet to be announced.

Other EU countries are also taking action in this area. France has already established a mandatory reporting scheme for products containing nanomaterials. Italy and Belgium have also announced similar plans.

The Months Ahead

25 – 26 October

Green Deal Forum 2012, London, UK

<http://marketforce.eu.com/Conferences/greendeal12/Programme/>

28 – 30 October

Global Energy 2012, Geneva, Switzerland

<http://www.globalenergygeneva.com>

29 October – 2 November

Climate Change: Earth System, Future Scenarios and Threats 2012, Newcastle upon Tyne, UK

<http://www.environmental-expert.com/events/climate-change-earth-system-future-scenarios-and-threats-2012-13325>

5 – 6 November

Essentials of the Oil & Gas Industry, London, UK

http://www.informaglobalevents.com/appdata/downloads/essentials-of-the-oil-and-gas-industry//Essentials_of_the_Oil_and_Gas_Industry2.pdf

5 – 6 November

WATER 2012, London, UK

<http://marketforce.eu.com/Conferences/water12/Programme/>

5 – 9 November

CLIMATE 2012 – The World's CO₂-friendly Scientific Online Climate Conference

<http://www.climate2012.de/>

7 – 8 November

WWEM 2012 - Water, Wastewater and Environmental Monitoring Conference, Telford, England, UK

<http://www.environmental-expert.com/events/wwem-2012-water-wastewater-and-environmental-monitoring-conference-11279>

7 – 10 November

ECOMONDO 2012, Rimini, Italy

<http://www.environmental-expert.com/events/ecomondo-2012-12646>

12 – 14 November

Behavior, Energy & Climate Change Conference, Sacramento, California, USA

<http://www.becccconference.org/>

12 – 15 November

Fourth International Symposium on Energy from Biomass and Waste, Venice, Italy

<http://venicesymposium.it/>

13 – 14 November

International Concentrated Solar Thermal Power – CSP Today, Seville, Spain

<http://www.csptoday.com/csp/>

15 – 16 November

Strategic Risk in the Oil & Gas Industry, London, UK

<http://www.informaglobalevents.com/appdata/downloads/strategic-risk-oil-gas-industry//PK1171StrategicRiskOilandGas.pdf>

20 – 23 November

POLEKO International Trade Fair of Environmental Protection, Poznan, Poland

<http://www.environmental-expert.com/events/poleko-international-trade-fair-of-environmental-protection-7824>

21 – 23 November

Energy markets and energy derivatives, London, UK

<http://www.informaglobalevents.com/event/energy-markets-and-energy-derivatives-training-course>

26 – 30 November

Air Pollution 2012, Newcastle, UK

<http://www.environmental-expert.com/events/air-pollution-2012-13295>

27 – 30 November

Pollutec 2012, Lyon, France

<http://www.environmental-expert.com/events/pollutec-2012-12458>

29 November

More Crop per Drop – Raising Water Use Efficiency 2012, London UK

<http://www.environmental-expert.com/events/more-crop-per-drop-raising-water-use-efficiency-2012-13375>

29 – 30 November

Rebalancing the World Energy Markets: The role of China, Russia and Central Asia, London, UK

<http://www.chathamhouse.org/World-energy-markets?campaign=confalerts>

29 -- 30 November

Annual Conference on REACH, Brussels, Belgium

<https://www.era.int/upload/dokumente/13905.pdf>

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