

SWEDEN

Swedish comments on amendments adopted by the European Parliament on 17 January 2024 on the proposal for a regulation on mercury.

	Article	COM proposal	EP proposal	SE comment
Amendment 1	Recital 1 a (new)		<i>(1a) Mercury is a chemical of global concern for the environment, owing to its long-range atmospheric transport, its persistence following its anthropogenic introduction into the environment and its ability to bioaccumulate in ecosystems. Mercury also has significant negative effects on human health and is passed from mothers to children via the placenta or through breastfeeding. Mercury pollution of the environment can result from anthropogenic activities, including insufficient management of mercury waste, cremation or improper implementation of mandatory separators in dental practices.</i>	No objection

<p>Amendment 2</p>	<p>Proposal for a regulation Recital 4</p>	<p>(4) Considering the availability of mercury-free alternatives, it is appropriate to prohibit the use of dental amalgam for dental treatment of all members of the population, whilst maintaining the possibility of using dental amalgam for patients with specific medical needs. In order to prevent dental amalgam, which is prohibited on the Union market, being manufactured for export from the Union, it is necessary to prohibit the manufacture and export of dental amalgam. Article 10 of Regulation (EU) 2017/852 should therefore be amended accordingly.</p>	<p>(4) Considering the availability of mercury-free alternatives, <i>the affordability of alternative materials and the current transition to mercury-free fillings in many Member States</i>, it is appropriate to prohibit the use of dental amalgam for dental treatment of all members of the population, whilst maintaining the possibility of using dental amalgam for patients with specific medical needs. <i>The transition to mercuryfree alternatives for dental fillings has already advanced in many Member States, thus highlighting the feasibility of and need for that prohibition as a costeffective way of preventing additional mercury pollution.</i> In order to prevent dental amalgam, which is prohibited on the Union market, being manufactured for export from the Union, it is necessary to prohibit the manufacture and export of dental amalgam. Article 10 of Regulation (EU) 2017/852 should therefore be amended accordingly.</p>	<p>No objection</p>
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Amendment 3	Proposal for a regulation Recital 4 a (new)		<i>(4a) Crematoria are a significant source of releases of mercury into the atmosphere and even with a phase-out of dental amalgam, crematoria will continue to contribute to mercury pollution of air, water, and soil. It is necessary to collect information on measures implemented in Member States, and to develop guidelines for crematoria, in order to achieve appropriate pollution prevention and to mitigate the impact on the environment and human health.</i>	No objection.
Amendment 16	Proposal for a regulation Recital 4 b (new)		<i>4b) To limit the socio-economic impact of a shift to mercury-free fillings on the costs of dental care for patients and dentists, Member States should endeavour to ensure appropriate reimbursement is made available for mercury-free alternatives. The phase-out of dental amalgam should be accompanied by professional training for dentists, where appropriate, in order to adjust to new techniques.</i>	We prefer the wording proposed by the PCY for Coreper.
Amendment 4	Proposal for a regulation Recital 5	(5) Article 4(1) of Directive 2011/65/EU	(5) Article 4(1) of Directive 2011/65/EU of the European Parliament and of the Council ⁴⁴ prohibits the placing on the	We question whether this level of detail is

		<p>of the European Parliament and of the Council⁴⁴ prohibits the placing on the Union market and import into the Union of certain electrical and electronic equipment containing mercury. Annex III to that Directive lists, among other items, certain mercury-added lamps exempted from the said prohibition until the dates specified therein. That exemption already expired on 13 April 2016 for non-linear halophosphate lamps, <i>and it will expire</i> on 24 February 2023 <i>or on 24 February 2027</i> for certain compact fluorescent lamps, linear</p>	<p>Union market and import into the Union of certain electrical and electronic equipment containing mercury. Annex III to that Directive lists, among other items, certain mercury-added lamps exempted from the said prohibition until the dates specified therein. That exemption already expired on 13 April 2016 for non-linear halophosphate lamps, on 24 February 2023 for certain compact fluorescent lamps, <i>and on 24 August 2023 for linear fluorescent lamps for general lighting purposes. For nonlinear triband phosphor fluorescent lamps, the exemption expires on 24 February 2025. The exemption for most high pressure sodium (vapour) lamps for general lighting purposes with an improved colouring index expired on 24 February 2023, whereas for the remaining ones as well as for other high pressure sodium (vapour) lamps for general lighting purposes, the exemption will expire on 24 February 2025.</i> In addition, certain linear fluorescent lamps for general lighting purposes are listed for a future prohibition in Decision MC-4/3</p>	<p>necessary in this recital.</p>
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		<p>fluorescent lamps <i>and</i> high pressure sodium (vapour) lamps for general lighting purposes, as well as for <i>non-linear triband phosphor fluorescent</i> lamps. In addition, certain linear fluorescent lamps for general lighting purposes are listed for a future prohibition in Decision MC-4/3 adopted at the fourth meeting, held from 21 to 25 March 2022, of the Conference of the Parties to the Minamata Convention on Mercury⁴⁵. That Decision was supported by the Union by means of Council Decision (EU) 2022/549⁴⁶. As some of those lamps are currently not covered by</p>	<p>adopted at the fourth meeting, held from 21 to 25 March 2022, of the Conference of the Parties to the Minamata Convention on Mercury⁴⁵. That Decision was supported by the Union by means of Council Decision (EU) 2022/549⁴⁶. As <i>it is appropriate to prohibit the export from the Union of the remaining mercury-added lamps as soon as possible, and</i> some of those lamps are currently not covered by Part A of Annex II to Regulation (EU) 2017/852, they should, for the sake of coherence, be included therein to prohibit their manufacturing and export from the dates <i>specified</i> in Annex III of Directive 2011/65/EU and the most ambitious dates included in Decision MC-4/3. <i>Moreover, significant co-benefits can be achieved by phasing out the export of mercury-added lamps as soon as possible, given that mercury-free alternatives are more energy-efficient and would therefore prevent tonnes of CO₂ emissions from being released.</i></p>	
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		<p>Part A of Annex II to Regulation (EU) 2017/852, they should, for the sake of coherence, be included therein to prohibit their manufacturing and export from the dates in <i>line with</i> Annex III of Directive 2011/65/EU and the most ambitious dates included in Decision MC-4/3.</p>		
Amendment 5	Proposal for a regulation Recital 5 a (new)		<p><i>(5a) In light of the detrimental effects of mercury and mercury compounds on human health and the environment, exposure and emissions should be further minimised as much as possible. Recent reports show that European companies are manufacturing and exporting mercury compounds which are used for non-allowed uses, particularly in cosmetics. Therefore, the Commission should report on the implementation and enforcement of the Minamata Convention, in particular with regard to</i></p>	No comment

			<i>the use of mercury and mercury compounds in cosmetics and to the manufacturing, import and export of mercury and mercury compounds for non-allowed uses. The Commission should further assess the remaining uses of mercury, for example in porosimetry, lighthouses and vaccines, as well as the need to amend the list of large waste sources, and, where appropriate, suggest measures to phase out such uses and regulate manufacture, import and export for such purposes.</i>	
Amendment 6	Proposal for a regulation Recital 5 b (new)		<i>(5b) Considering the lack of proper collection systems for mercury-added products in non-electronic and electronic waste, secondary mercury emissions from landfills and waste incinerators continue to occur, which points to the need to collect such products separately and in an environmentally sound manner.</i>	Batteries and electronic waste are already collected separately. We question whether introducing a separate collection system for remaining mercury containing products would be proportionate.
Amendment 7	Proposal for a regulation	2a. From 1 January 2025, dental amalgam shall not be used for dental	2a. From 1 January 2025, dental amalgam shall not be used for dental treatment of any member of the population,	We support clarifying that the need to use the

	Article 1 – paragraph 1 – point 1 – point a Regulation (EU) 2017/852 Article 10 – paragraph 2a	treatment of any member of the population, except when deemed strictly necessary by the dental practitioner based on <i>the</i> specific medical needs of the patient.;	except when deemed strictly necessary by the dental practitioner based on <i>duly justified</i> specific medical needs of the patient.;	derogation should be duly justified.
Amendment 8	Proposal for a regulation Article 1 – paragraph 1 – point 1 a (new) Regulation (EU) 2017/852 Article 11 – paragraph 1 a (new)		<i>(1a) In Article 11, the following paragraph is added: 'Mercury-added products that are still in circulation and that can no longer be used shall be considered waste and shall be collected separately and in an environmentally sound manner.'</i>	Batteries and electronic waste are already collected. We question whether introducing a separate collection system for mercury containing products would be proportionate.
Amendment 9	Proposal for a regulation Article 1 – paragraph 1 – point 1 b (new) Regulation (EU) 2017/852		<i>(1b) In Article 18, the following paragraph is added: '3a. By 30 June 2024, and every two years thereafter, Member States shall report to the Commission on planned and implemented measures to reduce mercury emissions and releases from crematoria. The Commission shall make the data on measures reported by Member States in</i>	No objection. The starting year for reporting could be set a little later than 2024.

	Article 18 – paragraph 3 a (new)		<i>accordance with the first subparagraph publicly available.’</i>	
Amendment 10	Proposal for a regulation Article 1 – paragraph 1 – point 1 c (new) Regulation (EU) 2017/852 Article 19 – paragraph 1 a (new)		<i>(1c) In Article 19, the following paragraph is inserted: ‘1a. By 31 December 2025, the Commission shall report to the European Parliament and to the Council on the reduction of mercury emissions and releases from crematoria on the basis of the reporting referred to in Article 18(3a) and, where appropriate, draft guidelines on the abatement technologies to control and reduce mercury emissions and releases from crematoria, taking into account existing guidelines.’</i>	No objection.
Amendment 11	Proposal for a regulation Article 1 – paragraph 1 – point 1 d (new) Regulation (EU) 2017/852 Article 19 – paragraph 2 a (new)		<i>paragraph is inserted: ‘2a. By 30 June 2026, the Commission shall submit a report to the European Parliament and to the Council assessing the feasibility of withdrawing the exemptions for the use of dental amalgam, referred to in Article 10, by 2030. That report shall also outline the impact on the health of patients generally and patients dependent on amalgam</i>	We support assessing a possible withdrawal of the exemptions for the use of dental amalgam. We also support reporting on the necessity to expand the list of mercury waste sources.

			<p><i>fillings.</i></p> <p><i>The Commission shall, where appropriate, propose measures, together with its report referred to in the first subparagraph.</i></p> <p><i>At the latest by 31 December 2026, the Commission shall report to the European Parliament and to the Council on:</i></p> <p><i>(a) the implementation and enforcement of the Convention including as regards the phase-out of mercury in cosmetics by 2025 by the Parties to the Convention and controlling and eliminating the manufacturing, import and export of mercury compounds for illegal practices within the Union and globally;</i></p> <p><i>(b) the need to phase out remaining mercury uses, such as in lighthouses and porosimetry;</i></p> <p><i>(c) the necessity to expand the list of mercury waste sources referred to in Article 11.</i></p> <p><i>Together with its report referred to in the third subparagraph of this paragraph, the Commission shall, where appropriate,</i></p>	
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			<i>propose measures, such as a review of Regulation (EU) No 649/2012 of the European Parliament and of the Council^{1a} and restrictions of exports of mercuric azanide chloride (HgNH₂Cl).</i>	
Amendment 12	Article 1 – paragraph 1 – point 1 e (new) Regulation (EU) 2017/852 Article 19 – paragraph 3	3. The Commission shall, if appropriate, present a legislative proposal together with its reports referred to in <i>paragraphs 1 and 2.</i>	<i>(1e) In Article 19, paragraph 3 is replaced by the following:</i> 3. The Commission shall, if appropriate, present a legislative proposal together with its reports referred to in <i>paragraphs 1 and 2.</i> "3. The Commission shall, if appropriate, present a legislative proposal together with its reports referred to in <i>this Article.</i> "	No objection
Amendment 13	Proposal for a regulation Annex – paragraph 1 – point 2 Regulation (EU) 2017/852 Annex II – part A – entry 4a	‘4a. Triband phosphor lamps for general lighting purposes that are not included in entry 4, point (a). <i>31.12.2027</i>	‘4a. Triband phosphor lamps for general lighting purposes that are not included in entry 4, point (a). <i>31.12.2025</i>	No objection
Amendment 14	Proposal for a regulation	4c. Non-linear triband phosphor lamps. <i>31.12.2027</i>	4c. Non-linear triband phosphor lamps. <i>31.12.2025</i>	No objection

	Annex – paragraph 1 – point 2 Regulation (EU) 2017/852 Annex II – part A – entry 4c			
Amendment 15	Proposal for a regulation Annex – paragraph 1 – point 3 Regulation (EU) 2017/852 Annex II – part A – entry 5a	5a. High pressure mercury sodium (vapour) lamps (HPS) for general lighting purposes 31.12.2025	5a. High pressure mercury sodium (vapour) lamps (HPS) for general lighting purposes <i>with:</i> <i>(a) $P \leq 105\text{ W}$ exceeding 16 mg Hg;</i> <i>(b) $105\text{ W} < P \leq 155\text{ W}$ exceeding 20 mg Hg;</i> <i>(c) $P > 155\text{ W}$ exceeding 25 mg Hg.</i> 31.12.2025	Same as council mandate.



Council of the European Union
General Secretariat

Brussels, 01 February 2024

Interinstitutional files:
2023/0272 (COD)

WK 1649/2024 INIT

LIMITE

ENV

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CONTRIBUTION

From:	General Secretariat of the Council
To:	Working Party on the Environment
N° prev. doc.:	WKs 797/2024 and 1167/2024
N° Cion doc.:	ST 11960/23 + ADD 1
Subject:	Mercury Regulation: EP amendments - comments from delegations

Following the call for comments on the above set out with WKs 797/2024 and 1167/2024, delegations will find attached comments from CZ, DK, IE, ES, FR, HR, MT, NL, SK and SE.

WK 1649/2024 INIT

LIMITE

THE NETHERLANDS

P9_TA(2024)0019

Mercury: dental amalgam and other mercury-added products subject to manufacturing, import and export restrictions

Amendments adopted by the European Parliament on 17 January 2024 on the proposal for a regulation of the European Parliament and of the Council amending Regulation (EU) 2017/852 of the European Parliament and of the Council of 17 May 2017 on mercury as regards dental amalgam and other mercury-added products subject to manufacturing, import and export restrictions (COM(2023)0395 – C9-0309/2023 – 2023/0272(COD))¹

(Ordinary legislative procedure: first reading)

COMMENTS FROM THE NETHERLANDS
23-1-2024

¹ The matter was referred back for interinstitutional negotiations to the committee responsible, pursuant to Rule 59(4), fourth subparagraph (A9-0002/2024).

Amendment 1

Proposal for a regulation Recital 1 a (new)

Text proposed by the Commission

Amendment

(1a) Mercury is a chemical of global concern for the environment, owing to its long-range atmospheric transport, its persistence following its anthropogenic introduction into the environment and its ability to bioaccumulate in ecosystems. Mercury also has significant negative effects on human health and is passed from mothers to children via the placenta or through breastfeeding. Mercury pollution of the environment can result from anthropogenic activities, including insufficient management of mercury waste, cremation or improper implementation of mandatory separators in dental practices.

Am.1 – no objection, though not considered of added value (similar to statement in preamble of Mercury Regulation)

Amendment 2

Proposal for a regulation Recital 4

Text proposed by the Commission

Amendment

(4) Considering the availability of mercury-free alternatives, it is appropriate to prohibit the use of dental amalgam for dental treatment of all members of the population, whilst maintaining the possibility of using dental amalgam for patients with specific medical needs. In order to prevent dental amalgam, which is prohibited on the Union market, being manufactured for export from the Union, it is necessary to prohibit the manufacture and export of dental amalgam. Article 10 of Regulation (EU) 2017/852 should therefore be amended accordingly.

(4) Considering the availability of mercury-free alternatives, ***the affordability of alternative materials and the current transition to mercury-free fillings in many Member States***, it is appropriate to prohibit the use of dental amalgam for dental treatment of all members of the population, whilst maintaining the possibility of using dental amalgam for patients with specific medical needs. ***The transition to mercury-free alternatives for dental fillings has already advanced in many Member States, thus highlighting the feasibility of and need for that prohibition as a cost-effective way of preventing additional mercury pollution.*** In order to prevent dental amalgam, which is prohibited on the Union market, being manufactured for export from the Union, it is necessary to

prohibit the manufacture and export of dental amalgam. Article 10 of Regulation (EU) 2017/852 should therefore be amended accordingly.

Am.2 – 1st insertion: support; 2nd insertion: no objection

Amendment 3

Proposal for a regulation Recital 4 a (new)

Text proposed by the Commission

Amendment

(4a) Crematoria are a significant source of releases of mercury into the atmosphere and even with a phase-out of dental amalgam, crematoria will continue to contribute to mercury pollution of air, water, and soil. It is necessary to collect information on measures implemented in Member States, and to develop guidelines for crematoria, in order to achieve appropriate pollution prevention and to mitigate the impact on the environment and human health.

Am.3 – preference for rejection; preludes on measures with respect to crematoria that, according to the impact assessment by the Commission (COM), imply an increase of administrative burden and costs for crematoria that are not balanced by achieved environmental benefit; the EP amendment furthermore calls for collection of information that is similar to information already presented in COM's impact assessment.

Amendment 16

Proposal for a regulation Recital 4 b (new)

Text proposed by the Commission

Amendment

(4b) To limit the socio-economic impact of a shift to mercury-free fillings on the costs of dental care for patients and dentists, Member States should endeavour to ensure appropriate reimbursement is made available for mercury-free alternatives. The phase-out of dental amalgam should be accompanied by professional training for dentists, where appropriate, in order to adjust to new techniques.

Am.16 – support

Amendment 4

Proposal for a regulation

Recital 5

Text proposed by the Commission

(5) Article 4(1) of Directive 2011/65/EU of the European Parliament and of the Council⁴⁴ prohibits the placing on the Union market and import into the Union of certain electrical and electronic equipment containing mercury. Annex III to that Directive lists, among other items, certain mercury-added lamps exempted from the said prohibition until the dates specified therein. That exemption already expired on 13 April 2016 for non-linear halophosphate lamps, **and it will expire** on 24 February 2023 **or on 24 February 2027** for certain compact fluorescent lamps, linear fluorescent lamps **and** high pressure sodium (vapour) lamps for general lighting purposes, as well as for **non-linear tri-band phosphor fluorescent** lamps. In addition, certain linear fluorescent lamps for general lighting purposes are listed for a future prohibition in Decision MC-4/3 adopted at the fourth meeting, held from 21 to 25 March 2022, of the Conference of the Parties to the Minamata Convention on Mercury⁴⁵. That Decision was supported by the Union by means of Council Decision (EU) 2022/549⁴⁶. As some of those lamps are currently not covered by Part A of Annex II to Regulation (EU) 2017/852, they should, for the sake of coherence, be included therein to prohibit their manufacturing and export from the dates in **line with** Annex III of Directive 2011/65/EU and the most ambitious dates included in Decision MC-4/3.

Amendment

(5) Article 4(1) of Directive 2011/65/EU of the European Parliament and of the Council⁴⁴ prohibits the placing on the Union market and import into the Union of certain electrical and electronic equipment containing mercury. Annex III to that Directive lists, among other items, certain mercury-added lamps exempted from the said prohibition until the dates specified therein. That exemption already expired on 13 April 2016 for non-linear halophosphate lamps, on 24 February 2023 for certain compact fluorescent lamps, **and on 24 August 2023 for** linear fluorescent lamps **for general lighting purposes. For non-linear tri-band phosphor fluorescent lamps, the exemption expires on 24 February 2025. The exemption for most** high pressure sodium (vapour) lamps for general lighting purposes **with an improved colouring index expired on 24 February 2023, whereas for the remaining ones** as well as for **other high pressure sodium (vapour) lamps for general lighting purposes, the exemption will expire on 24 February 2025.** In addition, certain linear fluorescent lamps for general lighting purposes are listed for a future prohibition in Decision MC-4/3 adopted at the fourth meeting, held from 21 to 25 March 2022, of the Conference of the Parties to the Minamata Convention on Mercury⁴⁵. That Decision was supported by the Union by means of Council Decision (EU) 2022/549⁴⁶. **As it is appropriate to prohibit the export from the Union of the remaining mercury-added lamps as soon as possible, and** some of those lamps are currently not covered by Part A of Annex II to Regulation (EU) 2017/852, they should, for the sake of coherence, be included therein to prohibit their manufacturing and export from the dates **specified** in Annex III of Directive 2011/65/EU and the most ambitious dates included in Decision MC-4/3. **Moreover, significant co-benefits can be achieved by phasing out the export of**

mercury-added lamps as soon as possible, given that mercury-free alternatives are more energy-efficient and would therefore prevent tonnes of CO₂ emissions from being released.

⁴⁴ Directive 2011/65/EU of the European Parliament and of the Council of 8 June 2011 on the restriction of the use of certain hazardous substances in electrical and electronic equipment (OJ L 174, 1.7.2011).

⁴⁵ Council Decision (EU) 2022/549 of 17 March 2022 on the position to be taken on behalf of the European Union at the second segment of the fourth meeting of the Conference of the Parties to the Minamata Convention on Mercury as regards the adoption of a Decision to amend Annexes A and B to that Convention (OJ L 107, 6.4.2022, p. 78).

⁴⁶ Council Decision (EU) 2022/549 of 17 March 2022 on the position to be taken on behalf of the European Union at the second segment of the fourth meeting of the Conference of the Parties to the Minamata

⁴⁴ Directive 2011/65/EU of the European Parliament and of the Council of 8 June 2011 on the restriction of the use of certain hazardous substances in electrical and electronic equipment (OJ L 174, 1.7.2011).

⁴⁵ Council Decision (EU) 2022/549 of 17 March 2022 on the position to be taken on behalf of the European Union at the second segment of the fourth meeting of the Conference of the Parties to the Minamata Convention on Mercury as regards the adoption of a Decision to amend Annexes A and B to that Convention (OJ L 107, 6.4.2022, p. 78).

⁴⁶ Council Decision (EU) 2022/549 of 17 March 2022 on the position to be taken on behalf of the European Union at the second segment of the fourth meeting of the Conference of the Parties to the Minamata

Am.4 – preference for amendment according to Council Presidency (PCY) mandate

Amendment 5

Proposal for a regulation Recital 5 a (new)

Text proposed by the Commission

Amendment

(5a) In light of the detrimental effects of mercury and mercury compounds on human health and the environment, exposure and emissions should be further minimised as much as possible. Recent reports show that European companies are manufacturing and exporting mercury compounds which are used for non-allowed uses, particularly in cosmetics. Therefore, the Commission should report on the implementation and enforcement of the Minamata Convention, in particular with regard to the use of mercury and mercury compounds in cosmetics and to the

manufacturing, import and export of mercury and mercury compounds for non-allowed uses. The Commission should further assess the remaining uses of mercury, for example in porosimetry, lighthouses and vaccines, as well as the need to amend the list of large waste sources, and, where appropriate, suggest measures to phase out such uses and regulate manufacture, import and export for such purposes.

Am.5 – only supported if redrafted

No support for task for COM and MS to evaluate implementation and enforcement of the Convention – this would duplicate work under the Convention

Regarding porosimetry: has this been addressed in an impact assessment related to the Mercury Regulation? Is an equally well-functioning mercury-free porosimetry technique available? If not, we do not see reason to mention porosimetry explicitly in the present revision of the Regulation.

Amendment 6

Proposal for a regulation

Recital 5 b (new)

Text proposed by the Commission

Amendment

(5b) Considering the lack of proper collection systems for mercury-added products in non-electronic and electronic waste, secondary mercury emissions from landfills and waste incinerators continue to occur, which points to the need to collect such products separately and in an environmentally sound manner.

Am.6 – preference for rejection; in NL and other MS separate collection is regulated

Amendment 7

Proposal for a regulation

Article 1 – paragraph 1 – point 1 – point a

Regulation (EU) 2017/852

Article 10 – paragraph 2a

Text proposed by the Commission

2a. From 1 January 2025, dental amalgam shall not be used for dental treatment of any member of the population, except when deemed strictly necessary by the dental practitioner based on **the** specific medical needs of the patient.;

Amendment

2a. From 1 January 2025, dental amalgam shall not be used for dental treatment of any member of the population, except when deemed strictly necessary by the dental practitioner based on **duly justified** specific medical needs of the patient.;

Am.7 – preference for rejection, since checking whether and enforcing that dentists duly justify their choice for dental amalgam would require an extensive administrative system, if feasible at all.

If mentioning “duly justified” in the regulation is important for EP, we could accept insertion in recital 4 (“...whilst maintaining the possibility of using dental amalgam for patients with duly justified specific medical needs ...”).

Amendment 8

Proposal for a regulation Article 1 – paragraph 1 – point 1 a (new)

Regulation (EU) 2017/852

Article 11 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

(1a) In Article 11, the following paragraph is added:

'Mercury-added products that are still in circulation and that can no longer be used shall be considered waste and shall be collected separately and in an environmentally sound manner.'

Am.8 – Rejection – adoption of provision as proposed should not be done without a proper impact assessment. Moreover, it is likely to duplicate and/or interfere with provisions under existing legislation with respect to environmental sound management of hazardous waste; in NL and other MS already separate collection as hazardous waste takes place.

Amendment 9

Proposal for a regulation

Article 1 – paragraph 1 – point 1 b (new)

Regulation (EU) 2017/852

Article 18 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

(1b) In Article 18, the following paragraph is added:

‘3a. By 30 June 2024, and every two years thereafter, Member States shall report to the Commission on planned and implemented measures to reduce mercury emissions and releases from crematoria.

The Commission shall make the data on measures reported by Member States in accordance with the first subparagraph publicly available.’

Am.9 – Rejection – information is already largely (publicly) available, cf. COM’s impact assessment; the proposed task for MS is a duplication of work.

Amendment 10

Proposal for a regulation

Article 1 – paragraph 1 – point 1 c (new)

Regulation (EU) 2017/852

Article 19 – paragraph 1 a (new)

Text proposed by the Commission
Amendment

(1c) In Article 19, the following paragraph is inserted:

‘1a. By 31 December 2025, the Commission shall report to the European Parliament and to the Council on the reduction of mercury emissions and releases from crematoria on the basis of the reporting referred to in Article 18(3a) and, where appropriate, draft guidelines on the abatement technologies to control and reduce mercury emissions and releases from crematoria, taking into account existing guidelines.’

Am.10 – No objection against the drafting of guidelines, however without requiring reporting by MS as referred to in Am.9

Amendment 11

Proposal for a regulation

Article 1 – paragraph 1 – point 1 d (new)

Regulation (EU) 2017/852

Article 19 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

(1d) In Article 19, the following paragraph is inserted:

‘2a. By 30 June 2026, the Commission shall submit a report to the European Parliament and to the Council assessing the feasibility of withdrawing the exemptions for the use of dental amalgam, referred to in Article 10, by 2030. That report shall also outline the impact on the health of patients generally and patients dependent on amalgam fillings.

The Commission shall, where appropriate, propose measures, together with its report referred to in the first subparagraph.

At the latest by 31 December 2026, the Commission shall report to the European Parliament and to the Council on:

(a) the implementation and enforcement of the Convention including as regards the phase-out of mercury in cosmetics by 2025 by the Parties to the Convention and controlling and eliminating the manufacturing, import and export of mercury compounds for illegal practices within the Union and globally;

(b) the need to phase out remaining mercury uses, such as in lighthouses and porosimetry;

(c) the necessity to expand the list of mercury waste sources referred to in Article 11.

Together with its report referred to in the third subparagraph of this paragraph, the Commission shall, where appropriate, propose measures, such as a review of Regulation (EU) No 649/2012 of the European Parliament and of the Council^{1a} and restrictions of exports of mercuric azanide chloride (HgNH₂Cl).

^{1a} Regulation (EU) No 649/2012 of the European Parliament and of the Council of 4 July 2012 concerning the export and import of hazardous chemicals (OJ L 201 27.7.2012, p. 60).’

Am.11

2a: no support; regarding amending Art.19 of the Mercury Regulation we support PCY mandate Art.1(1b).

We could support a provision requiring the Commission to provide guidelines and/or a report setting out which specific medical conditions justify the use of amalgam,

including dentistry experts' advise (possibly through the assistance of MS Chief Dental Officers network).

Ad (a) – evaluation of the implementation and enforcement of the Convention – no support; duplicating work under the Convention.

Ad (b) – assessment of remaining mercury uses – no objection, however doubt whether it is justified to mention porosimetry explicitly (cf. comment to Am.5)

Ad (c) – assess need to expand waste sources list in Art.11 – no objection but we wonder which waste sources proponents have in mind

Amendment 12

Proposal for a regulation

Article 1 – paragraph 1 – point 1 e (new)

Regulation (EU) 2017/852

Article 19 – paragraph 3

Present text

3. The Commission shall, if appropriate, present a legislative proposal together with its reports referred to in *paragraphs 1 and 2*.

Amendment

(1e) In Article 19, paragraph 3 is replaced by the following:

"3. The Commission shall, if appropriate, present a legislative proposal together with its reports referred to in ***this Article.***"

Am.12 – Could be accepted if appropriate

Amendment 13

Proposal for a regulation

Annex – paragraph 1 – point 2

Regulation (EU) 2017/852

Annex II – part A – entry 4a

Text proposed by the Commission

‘4a. Triband phosphor lamps for general lighting purposes that are not included in entry 4, point (a).

31.12.2027

Amendment

‘4a. Triband phosphor lamps for general lighting purposes that are not included in entry 4, point (a).

31.12.2025

Am. 13 – We have strong preference for keeping to the date 31-12-2027 mentioned in the Commission proposal and the PCY mandate, which is in line with the prohibition date under the Minamata Convention

Amendment 14

Proposal for a regulation

Annex – paragraph 1 – point 2

Regulation (EU) 2017/852

Annex II – part A – entry 4c

Text proposed by the Commission

4c. Non-linear triband phosphor lamps.

31.12.2027

Amendment

4c. Non-linear triband phosphor lamps.

31.12.2025

Am.14 – We have strong preference for keeping to the date 31-12-2027 mentioned in the Commission proposal and the PCY mandate, which is in line with the prohibition date under the Minamata Convention

Amendment 15

Proposal for a regulation

Annex – paragraph 1 – point 3

Regulation (EU) 2017/852

Annex II – part A – entry 5a

Text proposed by the Commission

5a. High pressure mercury sodium
(vapour) lamps (HPS) for general lighting
purposes

31.12.2025

Amendment

5a. High pressure mercury sodium
(vapour) lamps (HPS) for general lighting
purposes *with:*

- (a) *$P \leq 105\text{ W}$ exceeding 16 mg Hg;*
- (b) *$105\text{ W} < P \leq 155\text{ W}$ exceeding 20 mg Hg;*
- (c) *$P > 155\text{ W}$ exceeding 25 mg Hg*

31.12.2025

Am.15 - Support

DENMARK

Comments to the EP amendments adopted 17 January 2024 on the proposal on mercury as regards dental amalgam and other mercury added products subject to manufacturing, import and export restrictions.

Emission from Crematoria (amendment 9 and 10)

Denmark has no objection against tasking the Commission to draft guidelines on the technologies to control and reduce mercury emissions and releases from crematoria (amendment 10). However, without requiring reporting by MS (amendment 9 and partly 10). Information on emissions is already available, cf. COM's impact assessment.

Recitals on the same issue (amendment 3) should be amended to that regard.

Mercury added products to be considered as waste (amendment 8 and 6)

Denmark object to this new provision. The provision interferes with and duplicate provision under existing waste legislation.

Exemption for the use of dental amalgam - specific medical needs (amendment 7 and 11)

The reference to “duly justified” cannot be supported (amendment 7 and the first part of 11). The Presidency compromise text has included information on the manufacturing and import of dental amalgam for specific medical needs which will give the same information as if a new administrative system was to be build up to check the “duly justified” use.

Implementation and enforcement of the Minamata Convention (amendment 11 and 5)

With regard to the Commissions reporting on the implementation and enforcement of the Minamata Convention also included in amendment 11 and amendment 5– We do not find these new provisions necessary, as they duplicate work all ready taken place under the Convention and as such do not need to be mentioned in this Regulation.

With respect to the rest of the recitals – We believe that the Presidency compromise text covers most of the issues and as such do not find these new amendments necessary.

IRELAND

Comments on amendments adopted by the European Parliament on 17 January 2024 on the proposal for a regulation on mercury as regards dental amalgam and other mercury-added products subject to manufacturing, import and export restrictions (doc. P9_TA(2024)0019).

- **Amendment 1: Recital 1 a (new):** no objection.
 - **Amendment 2: Recital: 4:** no objection.
 - **Amendment 3: Recital 4 a (new):** The Commission's proposal in July 2023 '*does not introduce an EU-wide obligation for Member States and operators to equip crematoria with mercury emissions abatement technology. While the Commission assessed the need for the Union to regulate the associated mercury emissions from crematoria in compliance with requirements set in Article 19 of the Regulation, the assessment concluded that the costs and administrative burdens would not be proportionate vis-à-vis the environmental objectives pursued and unevenly spread across Member States*'.
This assessment collected '*information on measures implemented in Member States*' so this may not be required, however we could accept the EP suggestion to '*develop guidelines for crematoria, in order to achieve appropriate pollution prevention and to mitigate the impact on the environment and human health*'.
 - **Amendment 16: Recital 4b (new):** We can accept this amendment, provided any requirement for reimbursement applies only to the treatment of public patients for which dentists are already being reimbursed by the Ministry for Health. We do not support a requirement for reimbursement for work which is paid for out-of-pocket or by social Insurance schemes or private insurance schemes. Any requirement to provide for training must allow sufficient time for Member States to gather data on what practises dentists are using at present, so that an evidence based, appropriate and targeted training approach can be developed.
 - **Amendment 4: Recital 5:** no objection.
 - **Amendment 5: Recital 5a (new):** we would query the need for this additional recital, as the EU's implementation of the Mercury Regulation & Minamata Convention already broadly covers this.
 - **Amendment 6: Recital 5 b (new):** as above.
 - **Amendment 7: Article 1 – paragraph 1 – point 1 – point a:** we could support this amendment.
 - **Amendment 8: Article 1 – paragraph 1 – point 1 a (new):** Further work & discussion required on this new proposal.
 - **Amendment 9: Article 1 – paragraph 1 – point 1 b (new):** This new proposal is linked to a decision on whether to accept or partially accept **Amendment 3**.
 - **Amendment 10: Article 1 – paragraph 1 – point 1 c (new):** as above.
 - **Amendment 11: Article 1 – paragraph 1 – point 1 d (new):** We can hold a positive scrutiny on this amendment, provided reporting requirements apply only to the use of dental amalgam under public schemes administered by the Ministry for Health, as we have access to this data. If there is a desire to apply this reporting requirement to the private sector, then a longer timeline would be required.
 - **Amendment 12: Article 1 – paragraph 1 – point 1 e (new):** linked with decision to agree on Amendment 11 above.
 - **Amendments 13, 14 & 15:** stick with Commission proposal/Presidency compromise text.
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FRANCE

Notes des autorités françaises

Objet : Commentaires portant sur les amendements adoptés par le Parlement le 17 janvier 2024 sur la proposition de la Commission européenne relative à la révision du règlement (UE) 2017/852 relatif au mercure

Amendement 1 – Ajout d'un considérant sur la nocivité du mercure

Les autorités françaises n'ont pas d'objection à cet amendement visant à rappeler dans un considérant la nocivité du mercure pour l'environnement et la santé humaine et les sources de pollution de l'environnement liées à cette substance.

Amendement 2 – Ajout d'un considérant visant à justifier l'interdiction d'utilisation, de fabrication et d'exportation des amalgames dentaires

Les autorités françaises n'ont pas d'objection à cet amendement.

Amendements 3, 9 et 10 – Prévention des émissions de mercure des crématoriums « assurant la crémation de personnes décédées »

Les autorités françaises ne soutiennent pas les amendements 3, 9 et 10 tels que rédigés consistant à prescrire la transmission à la Commission par les Etats-Membres, au plus tard le 30 juin 2024 puis tous les deux ans, un rapport sur les mesures prévues et mises en place pour réduire les émissions et rejets de mercure des crématoriums.

Néanmoins, elles soutiennent l'intérêt de collecter des informations concernant les mesures mises en place par les Etats-membres pour **prévenir et contrôler** les émissions de mercure des crématoriums **assurant la crémation de personnes décédées** et les partager avec d'autres Etats-Membres pour homogénéiser les pratiques et établir des lignes directrices sur les mesures de **prévention et de contrôle** des émissions de mercure des crématoriums.

Alternativement à l'amendement 9 du Parlement, les autorités françaises ne seraient ainsi pas opposées à l'introduction d'une prescription visant à imposer aux Etats-Membres, au plus tard le 30 juin 2024 puis tous les **quatre** ans (au lieu des deux ans proposés par le Parlement), la transmission d'un rapport à la Commission sur les mesures prévues et mises en place pour « **prévenir et contrôler** » les émissions et rejets de mercure des crématoriums « **assurant la crémation de personnes décédées** » (les autorités françaises considèrent utile d'apporter cette précision) et pour rendre publiques ces mesures, afin de partager les bonnes pratiques tout en limitant la charge administrative liée à une telle mesure.

Les autorités françaises pourront notamment partager avec les autres Etats-membres les dispositions prévues dans la législation française relatives aux contrôles de conformité des installations, aux contrôles des rejets atmosphériques et des dispositifs de sécurité du four des crématoriums ainsi que les valeurs limites des polluants contenus dans les gaz rejetés, parmi lesquels le mercure et les dioxines et furanes.

Alternativement à l'amendement 10 du Parlement consistant à prescrire l'établissement d'un rapport par la Commission au Parlement et au Conseil, au plus tard le 31 décembre 2025, sur la réduction des émissions et rejets de mercure provenant des crématorium et l'élaboration de lignes directrices sur les technologies de réduction visant à contrôler et à réduire les émissions et rejets de mercure des crématorium en tenant compte des lignes directrices existantes, les autorités françaises ne seraient pas opposées à prescrire l'établissement d'un rapport par la Commission au Parlement et au Conseil, au plus tard le 31 décembre 2025, sur les **mesures de prévention et de contrôle** des émissions et rejets de mercure provenant des crématorium **assurant la crémation de personnes décédées** et l'élaboration de lignes directrices sur les **mesures de prévention et de contrôle** de ces émissions.

En effet, comme l'a souligné la Commission européenne dans son étude d'impact, les autorités françaises considèrent qu'il ne faut pas que ces dispositions amènent à la mise en place de technologies de réductions des émissions qui auraient des coûts et des charges administratives excessifs et disproportionnés aux objectifs environnementaux poursuivis sur le long terme, compte tenu du fait que l'utilisation des amalgames dentaires a d'ores et déjà diminué significativement au cours de ces dernières années et que ceux-ci vont disparaître presque totalement très prochainement.

Amendement 16 – Ajout d'un considérant pour inciter le remboursement des alternatives aux amalgames dentaires

Les autorités françaises soutiennent cet amendement qui vise à inciter les Etats Membres à garantir un remboursement approprié pour les alternatives sans mercure afin de limiter l'impact socio-économique du passage à des obturations sans mercure sur les coûts des soins dentaires pour les patients et à former, dans les Etats-Membres où cela le nécessite, les dentistes aux nouvelles techniques alternatives sans amalgame.

Amendements 5 et 11 / Rapport sur la mise en œuvre et le respect de la Convention de Minamata

Les autorités françaises ne soutiennent l'amendement 5 et une partie de l'amendement 11 consistant à demander à la Commission de rendre compte de la mise en œuvre et du respect de la Convention de Minamata, en particulier en ce qui concerne l'utilisation du mercure et des composés du mercure dans les cosmétiques. En effet, ce règlement européen n'apparaît pas constituer l'outil approprié pour prescrire la transmission de rapports visant à justifier le respect d'une convention internationale d'autant plus qu'il est déjà bien prévu, conformément à la décision prise lors de la COP 5 de la Convention de Minamata, que les Parties, parmi lesquelles, l'Union européenne devront transmettre au secrétariat de la Convention des informations concernant les difficultés rencontrées relatives à l'élimination progressive du mercure dans les cosmétiques d'ici 2025.

Amendements 5 et 11 – Utilisation restantes du mercure (phares, porosimétrie, ...) et élargissement de la liste des sources de déchets de mercure

Concernant les propositions visant à demander à la Commission d'évaluer plus en détail les utilisations restantes du mercure, par exemple dans la porosimétrie, les phares et les vaccins, ainsi que la nécessité de modifier la liste des principales sources de déchets et, le cas échéant, suggérer des mesures visant à éliminer progressivement ces utilisations et à réglementer la fabrication, les autorités françaises n'y sont pas opposées sur le principe mais souhaiteraient connaître la position de la Commission sur ce point.

Amendement 6 – Collecte des déchets contenant du mercure ajouté dans les déchets non électriques et électroniques

Dans la lignée des commentaires émis sur l'amendement 5, les autorités françaises souhaiteraient connaître l'avis de la Commission quant à la proposition de collecter séparément les produits contenant du mercure ajouté dans les déchets non électroniques.

Amendement 7 – Justification des cas où seraient encore autorisée l'utilisation des amalgames dentaires

Les autorités françaises soutiennent l'amendement proposé visant à préciser que les cas jugés strictement nécessaires pour lesquels les amalgames dentaires pourront encore être utilisés à compter du 1^{er} janvier 2025, doivent pouvoir être « **dûment justifiés** » au regard des besoins médicaux spécifiques du patient.

Amendement 8 – Gestion des déchets de produits contenant du mercure ajouté

Les autorités françaises considèrent que l'amendement 8 consistant à compléter l'article 11 par des dispositions visant à préciser que « les produits contenant du mercure ajouté qui sont encore en circulation et qui ne peuvent plus être utilisés doivent être considérés comme des déchets et doivent être collectés séparément et de manière écologiquement rationnelle » peut être sujet à interprétation et mériterait d'être clarifié afin d'explicitier les termes « qui ne peuvent plus être utilisés » en précisant notamment si ces termes sous-entendent que ces produits ne peuvent plus être utilisés car défectueux ou s'il s'agit de produits interdits. En tout état de cause, cette disposition ne devrait pas laisser sous-entendre que tous les produits contenant du mercure ajouté sont interdits d'utilisation, ce qui n'est actuellement pas le cas (notamment pour les usages militaires). Par ailleurs, dans le cas où il serait fait référence à des produits qui ne peuvent plus être utilisés car défectueux, et donc relevant du statut de déchets, les autorités françaises s'interrogent s'il y a lieu d'ajouter de telles dispositions au regard de la réglementation européenne en vigueur relative aux déchets et à la gestion des déchets dangereux, applicable notamment à de tels déchets.

Amendement 11 – Rapport d'évaluation sur la nécessité du maintien des dérogations de l'utilisation des amalgames

Comme cela a été exprimé lors de la proposition de texte de compromis de la Présidence, les autorités françaises soutiennent la proposition de compléter l'article 19 par un nouveau paragraphe 4 prescrivant à la Commission d'évaluer d'ici le 1^{er} janvier 2030, la nécessité de maintenir les dérogations visées à l'article 10(7) et de présenter, s'il y a lieu, une proposition législative au Parlement européen et au Conseil.

Les autorités françaises estiment que la date du 1^{er} janvier 2026 proposée par le Parlement pour évaluer la possibilité d'un retrait des dérogations d'ici 2030 apparaît trop proche.

Amendements 4, 13 et 14 – Date d'interdiction de certaines lampes

Les autorités françaises souhaiteraient connaître la position de la Commission sur les propositions d'amendement du Parlement visant à avancer au 1^{er} janvier 2025 les dates d'interdiction des lampes au phosphore à trois bandes de puissance à des fins d'éclairage public, les lampes au phosphore à trois bandes non linéaires, que la Commission avait proposé de fixer au 1^{er} janvier 2027. Le Parlement justifie ces propositions via l'ajout d'un considérant (amendement 4) en soulignant l'intérêt de prévoir des dates d'interdiction de fabrication et d'exportation des lampes en cohérence avec la directive 2011/65/UE du Parlement européen et du Conseil relative l'interdiction de mise sur le marché de l'Union et l'importation dans l'Union européenne de certains équipements électriques et électroniques contenant du mercure ainsi qu'avec la dernière décision adoptée par les Parties à la Convention de Minamata lors de la 4^e conférence des Parties.

Les autorités françaises s'interrogent sur les éventuels impacts liés à une entrée en vigueur de ces interdictions dès le 1^{er} janvier 2025.

Amendement 15 – Interdiction des lampes à vapeur de mercure et de sodium haute pression

Les autorités françaises souhaiteraient connaître la position de la Commission sur les propositions d'amendement du Parlement visant à restreindre l'interdiction des lampes à vapeur de mercure et de sodium à haute pression (HPS) pour l'éclairage public aux lampes qui dépassent un certain seuil de teneur en mercure (seuil différent selon la puissance de la lampe).

Les autorités françaises s'interrogent sur les raisons ayant conduit le Parlement à proposer ces seuils et qui impliquent une mesure d'interdiction moins ambitieuse que celle de la Commission.



Courtesy translation

“This is a courtesy translation and in the event there are any differences between the French and English texts, the French text governs”

Amendment 1 - Addition of a recital on the harmfulness of mercury

The French authorities have no objection to the proposed amendment, which aims to include in a recital the harmfulness of mercury for the environment and human health and the sources of environmental pollution linked to this substance.

Amendment 2 - Addition of a recital to justify the ban on the use, manufacture and export of dental amalgams

The French authorities have no objection to this amendment.

Amendments 3, 9 and 10 - Prevention of mercury emissions from crematoria providing cremation for deceased persons

The French authorities do not support amendments 3, 9 and 10 as drafted, which require Member States to submit to the Commission, by 30 June 2024 at the latest and every two years thereafter, a report on the measures planned and implemented to reduce mercury emissions and releases from crematoria.

Nevertheless, they support the value of collecting information on the measures put in place by Member States to prevent and control mercury emissions from crematoria providing cremation of deceased persons and sharing it with other Member States in order to standardise practices and establish guidelines on measures to prevent and control mercury emissions from crematoria.

As an alternative to Parliament's amendment 9, the French authorities would therefore not be opposed to the introduction of a requirement for Member States, by 30 June 2024 at the latest and every **four years** thereafter (instead of the two years proposed by Parliament), to send a report to the Commission on the measures planned and put in place to **"prevent and control"** mercury emissions and releases **"from crematoria providing cremation of deceased persons"** (the French authorities consider it useful to include this clarification) and to make these measures public, in order to share best practice while limiting the administrative burden associated with such a measure.

In particular, the French authorities could share with other Member States the provisions laid down in French legislation relating to compliance controls on facilities, controls on atmospheric emissions and safety devices for crematoria furnaces, as well as the limit values for pollutants contained in the gases released, including mercury, dioxins and furans.

As an alternative to Parliament's 10 amendment, which would require the Commission to draw up a report to Parliament and the Council by 31 December 2025 on the reduction of mercury emissions and releases from crematoria and to draw up guidelines on technologies to control and reduce mercury emissions and releases from crematoria, taking into account existing guidelines, the French authorities would not be opposed to requiring the Commission to draw up a report to the Parliament and the Council by 31 December 2025 at the latest on measures to **prevent and control** mercury emissions and releases from crematoria for the cremation of deceased persons and to draw up guidelines on measures to **prevent and control** such emissions.

As emphasised by the European Commission in its impact assessment, the French authorities consider that these provisions must not lead to the introduction of emission reduction technologies that would lead to excessive costs and administrative burdens disproportionate to the environmental objectives pursued in the long term, given that the use of dental amalgams has already fallen significantly in recent years and will disappear almost completely in the very near future.

Amendment 16 - Addition of a recital to encourage the reimbursement of alternatives to dental amalgam

The French authorities support this amendment, which aims to encourage the Member States to guarantee appropriate reimbursement for mercury-free alternatives in order to limit the socio-economic impact of the switch to mercury-free fillings on the cost of dental care for patients, and to train dentists, in Member States where this is necessary, in the new amalgam-free alternative techniques.

Amendments 5 and 11 / Report on the implementation and compliance to the Minamata Convention

The French authorities do not support amendment 5 and part of amendment 11, which would require the Commission to report on the implementation and compliance to the Minamata Convention, particularly as regards the use of mercury and mercury compounds in cosmetics. Indeed, this European regulation does not appear to be the appropriate tool for prescribing the transmission of reports aimed at justifying compliance with an international convention. Moreover, as it is already stipulated in the decision taken at COP 5 of the Minamata Convention, the Parties, including the European Union, must transmit to the Convention secretariat information regarding the difficulties encountered in phasing out the use of mercury in cosmetics by 2025.

Amendments 5 and 11 - Remaining uses of mercury (lighthouses, porosimetry, etc.) and extending the list of sources of mercury waste

Concerning the proposals aimed requesting the Commission to assess the remaining uses of mercury, for example in porosimetry, lighthouses and vaccines, as well as the need to amend the list of main sources of waste and, where appropriate, suggest measures to phase out these uses and regulate manufacture, the French authorities are not opposed in principle but would like to know the Commission's position on this point.

Amendment 6 - Collection of waste containing added mercury in non-electrical and electronic waste

In line with the comments made on amendment 5, the French authorities would like to know the Commission's opinion on the proposal to collect separately products containing added mercury in non-electronic waste.

Amendment 7 - Justification of the cases in which the use of dental amalgams would still be authorised

The French authorities support the suggested amendment seeking to specify that the cases deemed strictly necessary for which dental amalgams may still be used after 1 January 2025 must be "duly justified" in the light of the patient's specific medical needs.

Amendment 8 - Management of waste from products containing added mercury

The French authorities consider that amendment 8, which consists of completing Article 11 with provisions aimed at specifying that "products containing added mercury that are still in circulation and can no longer be used must be considered as waste and must be collected separately in an environmentally responsible manner" may be open to interpretation and should be clarified in order to explain the terms "that can no longer be used", specifying in particular whether these terms imply that these products can no longer be used because they are defective or whether they are prohibited products. In any event, this provision should not imply that all products containing added mercury are banned from use, which is not currently the case (particularly for military use). Furthermore, in the event that reference is made to products that can no longer be used because they are defective, and therefore have waste status, the French authorities wonder whether such provisions should be added in the light of current European regulations on waste and the management of hazardous waste, applicable in particular to such waste.

Amendment 11 - Assessment report on the need to maintain the derogations on the use of amalgams

As expressed in the Presidency's proposal for a compromise text, the French authorities support the suggestion to supplement Article 19 with a new paragraph 4 requiring the Commission to assess, by 1 January 2030, the need to maintain the derogations referred to in Article 10(7) and, if appropriate, to submit a legislative proposal to the European Parliament and the Council.

The French authorities consider that the date of 1 January 2026 proposed by Parliament for assessing the possibility of withdrawing the derogations by 2030 appears too soon.

Amendments 4, 13 and 14 - Date for banning certain lamps

The French authorities would like to know the Commission's position on Parliament's proposed amendments aimed at bringing forward to 1 January 2025 the dates for banning three-band phosphor lamps for public lighting purposes and non-linear three-band phosphor lamps, which the Commission had proposed to set at 1 January 2027. Parliament justifies these proposals by adding a recital (amendment 4), stressing the importance of setting dates for banning the manufacture and export of lamps that are consistent with Directive 2011/65/EU of the European Parliament and of the Council on the banning of the placing on the market and importation into the European Union of certain electrical and electronic equipment containing mercury and with the latest decision adopted by the Parties to the Minamata Convention at the 4th Conference of the Parties.

The French authorities wonder about the possible impact of these bans coming into force on 1 January 2025.

Amendment 15 - Ban on mercury vapour and high-pressure sodium lamps

The French authorities would like to know the Commission's position on Parliament's proposed amendments aimed at restricting the ban on mercury vapour and high-pressure sodium (HPS) lamps for general lighting purposes that exceed a certain mercury content threshold (the threshold varies according to the wattage of the lamp).

The French authorities question the reasons that led Parliament to propose these thresholds, which imply a less ambitious ban than proposed by the Commission.

CZECH REPUBLIC

The Czech Republic's position on the European Parliament's amendments to the regulation on mercury

The Czech Republic thanks PRES for the opportunity to comment on the amendments.

In general, the Czech Republic does not have a fundamental problem with them, except for amendments 7, 8 and 16.

Further, a more specific position on some amendments is given.

AM 1, 2, 3, 4: CZ is flexible

AM 5: neutral (*neutral means that is more or less acceptable for us*)

Rationale: According to the Czech Republic, the evaluation of the remaining use of mercury in products or waste sources is sufficiently addressed. The Czech Republic also takes a slightly negative position on the proposal that the EC should focus on the content of substances in vaccines. This could do more harm than good, especially at a time of increasingly heated opinions about vaccinations after the covid-19 pandemic. Vaccination represents the most effective prevention of a number of diseases and brings significant positive effects not only on health, but also on the financial costs of the entire healthcare system and the country's economy.

AM 7: CZ is rather negative

Rationale: It is not clear what *duly justified* would mean in practice and who could assess this and based on what parameters.

AM 8: negative

Rationale: The mercury regulation does not restrict the use of products with added mercury. The ban applies to their production, import and export. The proposed text for non-electrical waste is unacceptable because it lacks an overview of which products contain it and for what quantity separate collection should exist, and there is no justification for why the hazardous waste collection system is insufficient. Waste from electrical and electronic equipment is already covered by the WEEE Directive (2012/19/EU).

AM 9 and AM 10: neutral

Rationale: According to the Czech Republic, the expected report would not bring anything new in such a short period of time. Guidelines are the first step, and after a certain period of time an evaluation can be made. Furthermore, there is no obligation on crematorium operators to provide such information.

AM 11: neutral

Rationale: The Czech Republic considers the current state of re-evaluation and awareness in relation to products and productions and how they are then reflected in the current legislation to be sufficient. For the required amalgam assessment report (Article 19, paragraph 2a), it is practically impossible to imagine a report that would objectively summarize the impact on the health of patients who are dependent on amalgam fillings.

AM 12: CZ is flexible

AM 13-15: CZ can be positive

Rationale: The Czech Republic supports that the deadlines for the end of export, import and production for products or groups of products in the mercury regulation be aligned with the deadlines for the end of exemptions for those products under the RoHS directive, which ends their placing on the market.

AM 16: negative

Rationale: The Czech Republic cannot agree with the part of the text “...Member States should endeavour to ensure appropriate reimbursement is made available for mercury-free alternatives...” As the health policy is in the hands of the Member States, it is up to the decision and competence of each State how, which and if or to what extent it will reimburse alternative dental fillings on national level.

SPAIN

MERCURY REGULATION: EP amendments

COMENTS FROM SPAIN

Amendments 4, 13 and 14 - Date for banning certain lamps: Spanish authorities prefer to keep de date 2027, in line with the Commission proposal and the impact assessment.

Amendments 3, 5, 9, 10 and 1, referring to reporting obligations for COM or for MS, we are not in favour as they do not add value to the proposal but add an unjustified administrative burden.

Amendment 8: the wording of this amendment is confusing, it should be explained what does the expression “that can no longer be used” means and if it could better fit in waste regulations.

Spanish authorities are flexible with respect to the remaining amendments.

Croatia

Mercury Regulation

Comments on the adopted EP amendments shared under WK 797/2024

Follow-up to the WPE on 25 January 2024 and call for comments WK 1167/2024 INIT

HR does not support parts of amendment 5 and amendment 11 related to the Commission's obligation to report on implementation and enforcement of the Minamata Convention, in order to prevent duplication of obligations already regulated by the Convention.

Additionally, the amendment 9 (Article 18 paragraph 3 a (new)) we can support in principle, but we are questioning the proposed deadlines since we believe that reporting on measures to reduce mercury should be postponed until guidelines for crematoria are developed.

SLOVAKIA

P9_TA(2024)0019

Mercury: dental amalgam and other mercury-added products subject to manufacturing, import and export restrictions

Amendments adopted by the European Parliament on 17 January 2024 on the proposal for a regulation of the European Parliament and of the Council amending Regulation (EU) 2017/852 of the European Parliament and of the Council of 17 May 2017 on mercury as regards dental amalgam and other mercury-added products subject to manufacturing, import and export restrictions (COM(2023)0395 – C9-0309/2023 – 2023/0272(COD))¹

(Ordinary legislative procedure: first reading)

¹ The matter was referred back for interinstitutional negotiations to the committee responsible, pursuant to Rule 59(4), fourth subparagraph (A9-0002/2024).

Amendment 1

Proposal for a regulation Recital 1 a (new)

Text proposed by the Commission

Amendment

(1a) Mercury is a chemical of global concern for the environment, owing to its long-range atmospheric transport, its persistence following its anthropogenic introduction into the environment and its ability to bioaccumulate in ecosystems. Mercury also has significant negative effects on human health and is passed from mothers to children via the placenta or through breastfeeding. Mercury pollution of the environment can result from anthropogenic activities, including insufficient management of mercury waste, cremation or improper implementation of mandatory separators in dental practices.

Slovakia has no objections to the first part of the Amendment 1. In the last sentence, we suggest adding other activities that produce mercury emissions such as coal burning, small and artisanal gold mining using mercury and replace the expression “*improper implementation of mandatory separators in dental practices*” by expression “*insufficient implementing measures in the field of using dental amalgam*”.

Amendment 2

Proposal for a regulation Recital 4

Text proposed by the Commission

Amendment

(4) Considering the availability of mercury-free alternatives, it is appropriate to prohibit the use of dental amalgam for dental treatment of all members of the population, whilst maintaining the possibility of using dental amalgam for patients with specific medical needs. In order to prevent dental amalgam, which is prohibited on the Union market, being manufactured for export from the Union, it is necessary to prohibit the manufacture

(4) Considering the availability of mercury-free alternatives, ***the affordability of alternative materials and the current transition to mercury-free fillings in many Member States***, it is appropriate to prohibit the use of dental amalgam for dental treatment of all members of the population, whilst maintaining the possibility of using dental amalgam for patients with specific medical needs. ***The transition to mercury-free alternatives for dental fillings has***

and export of dental amalgam. Article 10 of Regulation (EU) 2017/852 should therefore be amended accordingly.

already advanced in many Member States, thus highlighting the feasibility of and need for that prohibition as a cost-effective way of preventing additional mercury pollution. In order to prevent dental amalgam, which is prohibited on the Union market, being manufactured for export from the Union, it is necessary to prohibit the manufacture and export of dental amalgam. Article 10 of Regulation (EU) 2017/852 should therefore be amended accordingly.

Slovakia supports this highly positive amendment 2 which supplements the text proposed by the Commission.

Amendment 3

Proposal for a regulation Recital 4 a (new)

c

Text proposed by the Commission

Amendment

(4a) Crematoria are a significant source of releases of mercury into the atmosphere and even with a phase-out of dental amalgam, crematoria will continue to contribute to mercury pollution of air, water, and soil. It is necessary to collect information on measures implemented in Member States, and to develop guidelines for crematoria, in order to achieve appropriate pollution prevention and to mitigate the impact on the environment and human health.

Slovakia has no objections to this Amendment 3. Crematoria produce significant emissions of mercury and therefore it is necessary to take measures to reduce them. Data collection and guidelines preparation can be a good starting point in this area.

Recital 4 b (new)

Text proposed by the Commission

Amendment

(4b) To limit the socio-economic impact of a shift to mercury-free fillings on the costs of dental care for patients and

dentists, Member States should endeavour to ensure appropriate reimbursement is made available for mercury-free alternatives. The phase-out of dental amalgam should be accompanied by professional training for dentists, where appropriate, in order to adjust to new techniques.

Slovakia has no objections to this proposal 4b.

Amendment 4

Proposal for a regulation

Recital 5

Text proposed by the Commission

(5) Article 4(1) of Directive 2011/65/EU of the European Parliament and of the Council⁴⁴ prohibits the placing on the Union market and import into the Union of certain electrical and electronic equipment containing mercury. Annex III to that Directive lists, among other items, certain mercury-added lamps exempted from the said prohibition until the dates specified therein. That exemption already expired on 13 April 2016 for non-linear halophosphate lamps, **and it will expire on 24 February 2023 or on 24 February 2027** for certain compact fluorescent lamps, linear fluorescent lamps **and** high pressure sodium (vapour) lamps for general lighting purposes, as well as for **non-linear tri-band phosphor fluorescent** lamps. In addition, certain linear fluorescent lamps for general lighting purposes are listed for a future prohibition in Decision MC-4/3 adopted at the fourth meeting, held from 21 to 25 March 2022, of the Conference of the Parties to the Minamata Convention on Mercury⁴⁵. That Decision was supported by the Union by means of Council Decision (EU) 2022/549⁴⁶. As some of those lamps are currently not covered by Part A of Annex II to Regulation (EU) 2017/852, they should, for the sake of

Amendment

(5) Article 4(1) of Directive 2011/65/EU of the European Parliament and of the Council⁴⁴ prohibits the placing on the Union market and import into the Union of certain electrical and electronic equipment containing mercury. Annex III to that Directive lists, among other items, certain mercury-added lamps exempted from the said prohibition until the dates specified therein. That exemption already expired on 13 April 2016 for non-linear halophosphate lamps, on 24 February 2023 for certain compact fluorescent lamps, **and on 24 August 2023 for** linear fluorescent lamps **for general lighting purposes. For non-linear tri-band phosphor fluorescent lamps, the exemption expires on 24 February 2025. The exemption for most** high pressure sodium (vapour) lamps for general lighting purposes **with an improved colouring index expired on 24 February 2023, whereas for the remaining ones** as well as for **other high pressure sodium (vapour) lamps for general lighting purposes, the exemption will expire on 24 February 2025.** In addition, certain linear fluorescent lamps for general lighting purposes are listed for a future prohibition in Decision MC-4/3 adopted at the fourth meeting, held from 21

coherence, be included therein to prohibit their manufacturing and export from the dates in ***line with*** Annex III of Directive 2011/65/EU and the most ambitious dates included in Decision MC-4/3.

to 25 March 2022, of the Conference of the Parties to the Minamata Convention on Mercury⁴⁵. That Decision was supported by the Union by means of Council Decision (EU) 2022/549⁴⁶. ***As it is appropriate to prohibit the export from the Union of the remaining mercury-added lamps as soon as possible, and some of those lamps are currently not covered by Part A of Annex II to Regulation (EU) 2017/852, they should, for the sake of coherence, be included therein to prohibit their manufacturing and export from the dates specified in Annex III of Directive 2011/65/EU and the most ambitious dates included in Decision MC-4/3. Moreover, significant co-benefits can be achieved by phasing out the export of mercury-added lamps as soon as possible, given that mercury-free alternatives are more energy-efficient and would therefore prevent tonnes of CO₂ emissions from being released.***

⁴⁴ Directive 2011/65/EU of the European Parliament and of the Council of 8 June 2011 on the restriction of the use of certain hazardous substances in electrical and electronic equipment (OJ L 174, 1.7.2011).

⁴⁵ Council Decision (EU) 2022/549 of 17 March 2022 on the position to be taken on behalf of the European Union at the second segment of the fourth meeting of the Conference of the Parties to the Minamata Convention on Mercury as regards the adoption of a Decision to amend Annexes A and B to that Convention (OJ L 107, 6.4.2022, p. 78).

⁴⁶ Council Decision (EU) 2022/549 of 17 March 2022 on the position to be taken on behalf of the European Union at the second segment of the fourth meeting of the Conference of the Parties to the Minamata

⁴⁴ Directive 2011/65/EU of the European Parliament and of the Council of 8 June 2011 on the restriction of the use of certain hazardous substances in electrical and electronic equipment (OJ L 174, 1.7.2011).

⁴⁵ Council Decision (EU) 2022/549 of 17 March 2022 on the position to be taken on behalf of the European Union at the second segment of the fourth meeting of the Conference of the Parties to the Minamata Convention on Mercury as regards the adoption of a Decision to amend Annexes A and B to that Convention (OJ L 107, 6.4.2022, p. 78).

⁴⁶ Council Decision (EU) 2022/549 of 17 March 2022 on the position to be taken on behalf of the European Union at the second segment of the fourth meeting of the Conference of the Parties to the Minamata

[Slovakia has no objections to the Amendment 4.](#)

Amendment 5

Proposal for a regulation
Recital 5 a (new)

Text proposed by the Commission

Amendment

(5a) In light of the detrimental effects of mercury and mercury compounds on human health and the environment, exposure and emissions should be further minimised as much as possible. Recent reports show that European companies are manufacturing and exporting mercury compounds which are used for non-allowed uses, particularly in cosmetics. Therefore, the Commission should report on the implementation and enforcement of the Minamata Convention, in particular with regard to the use of mercury and mercury compounds in cosmetics and to the manufacturing, import and export of mercury and mercury compounds for non-allowed uses. The Commission should further assess the remaining uses of mercury, for example in porosimetry, lighthouses and vaccines, as well as the need to amend the list of large waste sources, and, where appropriate, suggest measures to phase out such uses and regulate manufacture, import and export for such purposes.

Slovakia has objection on inclusion of porosimetry in this Amendment 5.

Justification: Porosimetry using mercury is a standard laboratory method for determining pore sizes and surface areas in samples under investigation. This method is used in laboratories and the work is carried out by experts who know how to deal with mercury and its waste.

Amendment 6

Proposal for a regulation
Recital 5 b (new)

Text proposed by the Commission

Amendment

(5b) Considering the lack of proper collection systems for mercury-added products in non-electronic and electronic waste, secondary mercury emissions from landfills and waste incinerators continue

to occur, which points to the need to collect such products separately and in an environmentally sound manner.

We do not support the proposal, because separate collection systems for waste from electronic and non-electronic equipment are in place in MS. Despite this fact, waste from electronic equipment still occurs in municipal waste and causes subsequent emissions. Currently, we do not have enough information necessary to introduce other additional measures to eliminate these deficiencies in mercury containing waste.

Amendment 7

Proposal for a regulation

Article 1 – paragraph 1 – point 1 – point a

Regulation (EU) 2017/852

Article 10 – paragraph 2a

Text proposed by the Commission

2a. From 1 January 2025, dental amalgam shall not be used for dental treatment of any member of the population, except when deemed strictly necessary by the dental practitioner based on *the* specific medical needs of the patient.;

Amendment

2a. From 1 January 2025, dental amalgam shall not be used for dental treatment of any member of the population, except when deemed strictly necessary by the dental practitioner based on **duly justified** specific medical needs of the patient.;

Slovakia essentially does not agree with this Amendment 7. A dentist's opinion and decision on the use of dental amalgam for specific medical needs is not necessary duly justified. This would bring increased administrative costs, including the introduction of a specific control mechanism of dentists.

Amendment 8

Proposal for a regulation

Article 1 – paragraph 1 – point 1 a (new)

Regulation (EU) 2017/852

Article 11 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

(1a) In Article 11, the following paragraph is added:

'Mercury-added products that are still in circulation and that can no longer be used shall be considered waste and shall be collected separately and in an

environmentally sound manner.’

The introduction of this proposal requires an overall evaluation of its impacts. Without this evaluation we do not support this Amendment.

Amendment 9

Proposal for a regulation

Article 1 – paragraph 1 – point 1 b (new)

Regulation (EU) 2017/852

Article 18 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

(1b) In Article 18, the following paragraph is added:

‘3a. By 30 June 2024, and every two years thereafter, Member States shall report to the Commission on planned and implemented measures to reduce mercury emissions and releases from crematoria.

The Commission shall make the data on measures reported by Member States in accordance with the first subparagraph publicly available.’

In general, Slovakia agrees with the proposal, but it is necessary to adjust the dates and implementation. In point 3a, we propose a shift to 31 December 2024.

We also suggest to supplement the task for the Commission, namely to propose a reporting form according subparagraph 3a for the sake of harmonization within the Member States by 31 August 2024.

Amendment 10

Proposal for a regulation

Article 1 – paragraph 1 – point 1 c (new)

Regulation (EU) 2017/852

Article 19 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

(1c) In Article 19, the following paragraph is inserted:

‘1a. By 31 December 2025, the Commission shall report to the European Parliament and to the Council on the reduction of mercury emissions and releases from crematoria on the basis of

the reporting referred to in Article 18(3a) and, where appropriate, draft guidelines on the abatement technologies to control and reduce mercury emissions and releases from crematoria, taking into account existing guidelines.'

Slovakia has no objections to the Amendment 10.

Amendment 11

Proposal for a regulation

Article 1 – paragraph 1 – point 1 d (new)

Regulation (EU) 2017/852

Article 19 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

(1d) In Article 19, the following paragraph is inserted:

'2a. By 30 June 2026, the Commission shall submit a report to the European Parliament and to the Council assessing the feasibility of withdrawing the exemptions for the use of dental amalgam, referred to in Article 10, by 2030. That report shall also outline the impact on the health of patients generally and patients dependent on amalgam fillings.

The Commission shall, where appropriate, propose measures, together with its report referred to in the first subparagraph.

At the latest by 31 December 2026, the Commission shall report to the European Parliament and to the Council on:

(a) the implementation and enforcement of the Convention including as regards the phase-out of mercury in cosmetics by 2025 by the Parties to the Convention and controlling and eliminating the manufacturing, import and export of mercury compounds for illegal practices within the Union and globally;

(b) the need to phase out remaining mercury uses, such as in lighthouses and

porosimetry;

(c) the necessity to expand the list of mercury waste sources referred to in Article 11.

Together with its report referred to in the third subparagraph of this paragraph, the Commission shall, where appropriate, propose measures, such as a review of Regulation (EU) No 649/2012 of the European Parliament and of the Council^{1a} and restrictions of exports of mercuric azanide chloride (HgNH₂Cl).

^{1a} Regulation (EU) No 649/2012 of the European Parliament and of the Council of 4 July 2012 concerning the export and import of hazardous chemicals (OJ L 201 27.7.2012, p. 60).'

In general, Slovakia agrees with the proposal, but we cannot agree to the addition of porosimetry.

Amendment 12

Proposal for a regulation

Article 1 – paragraph 1 – point 1 e (new)

Regulation (EU) 2017/852

Article 19 – paragraph 3

Present text

3. The Commission shall, if appropriate, present a legislative proposal together with its reports referred to in *paragraphs 1 and 2*.

Amendment

(1e) In Article 19, paragraph 3 is replaced by the following:

"3. The Commission shall, if appropriate, present a legislative proposal together with its reports referred to in *this Article*."

Slovakia has no objections to the Amendment 12.

Amendment 13

Proposal for a regulation

Annex – paragraph 1 – point 2

Regulation (EU) 2017/852

Annex II – part A – entry 4a

Text proposed by the Commission

‘4a. Triband phosphor lamps for general lighting purposes that are not included in entry 4, point (a).

31.12.2027

Amendment

‘4a. Triband phosphor lamps for general lighting purposes that are not included in entry 4, point (a).

31.12.2025

Slovakia has objections to the Amendment 13 and we support the Commission's proposal.

Amendment 14

Proposal for a regulation

Annex – paragraph 1 – point 2

Regulation (EU) 2017/852

Annex II – part A – entry 4c

Text proposed by the Commission

4c. Non-linear triband phosphor lamps.

31.12.2027

Amendment

4c. Non-linear triband phosphor lamps.

31.12.2025

Slovakia has objections to the Amendment 14 and we support the Commission's proposal.

Amendment 15

Proposal for a regulation

Annex – paragraph 1 – point 3

Regulation (EU) 2017/852

Annex II – part A – entry 5a

Text proposed by the Commission

5a. High pressure mercury sodium (vapour) lamps (HPS) for general lighting purposes

31.12.2025

Amendment

5a. High pressure mercury sodium (vapour) lamps (HPS) for general lighting purposes **with:**

31.12.2025

(a) $P \leq 105\text{ W}$ exceeding 16 mg Hg;

***(b) $105\text{ W} < P \leq 155\text{ W}$ exceeding 20
mg Hg;***

(c) $P > 155\text{ W}$ exceeding 25 mg Hg.

Slovakia has objections to the Amendment 15 and we support the Commission's proposal which is more stringent.



MALTA

Comments on the Amendments adopted by the European Parliament on 17 January 2024

Amendments adopted by the European Parliament on 17 January 2024

Furthermore, MT would like to put forward the following comments on the following provisions:

General remark

As per the review clause of Article 19 of the Mercury Regulation, the Commission was to assess and report on the need to regulate, at Union level, emissions of mercury and of its compounds from crematoria, the feasibility of phasing-out the use of dental amalgam, and on the environmental benefits and the feasibility of banning the manufacture and export of other mercury-added products, which are prohibited from being placed on the Union market and imported into the Union. From a waste perspective, the EP mandate appears to expand on the scope of this review by including the following:

- a) Separate collection of mercury-added products in circulation and which can no longer be used (Amendment 8, and related recitals in Amendment 1a and 5b); and
- b) A review clause to determine whether it is necessary to expand the list of large sources of mercury waste (Amendment 11 and related recitals in Amendment 5a)

In MT's view, the review of the Mercury Regulation should be restricted to the mandate given to the Commission in Article 19.

Amendment 4 - Recital 5

The Commission text highlights that high pressure sodium (vapour) lamps for general lighting purposes containing mercury are exempted from the prohibition on placing on the Union market and of being imported into the Union and that such exemption will expire on **24 February 2027**. On the other hand, the EP text proposes that the exemption for high pressure mercury sodium (vapour) lamps (HPS) for general lighting purposes expires on **24 February 2025**. MT does not support this proposal.

Furthermore, it is to be noted that, according to Annex III of Directive 2011/65/EU of the European Parliament and of the Council on the restriction of the use of certain hazardous substances in electrical and electronic equipment, the exemptions related to high pressure mercury sodium (vapour) lamps (HPS) for general lighting purposes will expire on **24 February 2027**. In view of this, MT again urges the Presidency to align the exemption dates of the current proposal on HPS lamps to that in Annex III of Directive 2011/65/EU.

Amendment 9 - Article 1, paragraph 1, point 1 b (new)

It would be beneficial to have access to measures implemented across the EU to abate this pollutant. Moreover, MT would also like clarification with regards to small pet crematoriums. Would such facilities fall within the scope of this proposal?
