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Texts adopted by Parliament

Tuesday 14 March 2006 - Strasbourg Provisional edition

Community strategy concerning mercury P6_TA-PROV(2006)0078 A6-0044/2006

European Parliament resolution on the Community strategy concerning mercury (2005/2050(INI))

The European Parliament ,

– having regard to the communication from the Commission to the Council and the European Parliament on the Community Strategy concerning mercury (COM(2005)0020),

– having regard to PARCOM Decision 90/3 on Reducing Atmospheric Emissions from Existing Chlor-Alkali Plants,

– having regard to Rule 45 of its Rules of Procedure,

– having regard to the report of the Committee on the Environment, Public Health and Food Safety (A6-0044/2006),

A. whereas mercury and its compounds are highly toxic to humans living in different ecosystems and to plant and animal wildlife,

B. whereas mercury is persistent and can change in the environment into methylmercury, the most toxic form, which readily passes both the placental barrier and the blood-brain barrier and may cause damage to the developing brain,

C. whereas mercury that is correctly stored and isolated, presenting no potential risk as there is no evaporation, should nevertheless be stored on secure sites that are continuously monitored and where intervention can take place quickly if necessary,

D. whereas mercury contamination is a widespread, persistent and diffuse problem, transported across international boundaries far from its sources, contaminating both the European and global food supplies; whereas the Community Strategy on mercury proposed by the Commission is an important contribution to tackling this global threat, but further binding measures need to be taken at international and EU level in order to protect human health and the environment,

E. whereas the Commission stated in its Extended Impact Assessment that the magnitude of the adverse health impacts from mercury is unknown, so more information on health costs are needed; whereas, however, further studies should not lead to delays in the Community Strategy,

F. whereas mercury and its compounds are listed as a priority hazardous substance under Directive

2000/60/EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for Community action in the field of water policy(1) (the Water Framework Directive); whereas the Commission was required, under Article 16(8) of that Directive as amended, to make a proposal for the cessation or phasing-out of discharges, emissions and losses of priority hazardous substances by December 2003, but has still not made such a proposal,

G. whereas the EU is the world's largest mercury exporter, and whereas an EU export ban would make a significant contribution to curbing trade and diminishing global supplies of mercury,

H. whereas 12 000 tonnes of mercury in the EU mercury-cell chlor-alkali industry - the biggest holding of mercury in the EU - is destined for decommissioning pursuant to PARCOM Decision 90/3; whereas the EU needs to act urgently to phase out the exports of this surplus mercury in order to avoid environmental damage in third countries, in particular because EU mercury exports encourage the continued and highly polluting use of mercury in gold mining, and whereas all of this surplus mercury needs to be stored safely in the EU to avoid further environmental damage,

I. whereas mercury has been mined in Almadén, Spain, for centuries, and whereas the closure of these mines has to be accompanied by economic and social restructuring measures for the area concerned,

J. whereas it is urgent to establish a place where safe storage of surplus mercury from all over Europe could be secured,

K. whereas the main source of mercury release is coal burning, and whereas emissions from large combustion plants are regulated through Community legislation (Council Directive 96/61/EC of 24 September 1996 on integrated pollution prevention and control(2) (the IPPC Directive) and Directive 2001/80/EC of the European Parliament and of the Council of 23 October 2001 on the limitation of emissions of certain pollutants into the air from large combustion plants(3) ),

L. whereas mercury in dental amalgam represents the second largest stock of mercury in society; whereas the largest source of mercury exposure for most people in developed countries is inhalation of mercury from dental amalgam; whereas exposure to mercury from dental amalgam needs to be looked at above all from a health perspective; whereas emissions from crematoria will be a significant source of mercury pollution for many years to come, unless abatement techniques that can considerably reduce these emissions are put into place very soon,

M. whereas substituting mercury in measuring and control equipment for consumer and professional use is an effective way of addressing inevitable emissions from their use and disposal,

N. whereas mercury contamination from household waste is an increasing problem, and whereas compulsory separate collection and treatment schemes for all mercury-containing products circulating in society need to be put in place,

O. whereas exposure to methylmercury mostly occurs via diet, and whereas it collects and gets concentrated especially in the aquatic food chain, making sensitive population groups and populations with a high intake of fish and seafood particularly vulnerable,

P. whereas exposure to mercury of sensitive population groups (infants, children, pregnant women and women of childbearing age) needs to be minimised; whereas the effectiveness of such minimisation needs to be effectively monitored; whereas the population as a whole, and in particular sensitive groups, need to be informed and educated about, and alerted to, the potential risks of foodstuffs that are contaminated with mercury and its compounds,

Q. whereas furthermore the relevance to health of such sources of mercury as amalgam, vaccines containing mercury and disinfectants must be independently investigated,

R. whereas the EU should work towards global actions to substantially reduce mercury supply and demand , and to control all trade in it; whereas the EU should take legally binding action at Community level in order to provide vital credibility for action at international level,

S. whereas, when reviewing the strategy in 2010, measurements in soil, air and water must have been made, must be publicly available, and must be taken into consideration,

T. whereas the uptake of mercury depends to some extent on the bioaccessibility occurring in different ecosystems at local level,

1. Welcomes the Commission communication on a 'Community Strategy concerning Mercury' and emphasises the overall approach taken with the objectives to reduce and eventually phase out emissions, supply and demand of mercury at European level as well as to manage the surpluses of mercury and to protect against exposure;

2. Stresses, in this context, the importance of the EU continuing its efforts at international level, such as through the European Neighbourhood and Partnership Instrument, with a view to reducing substantially emissions and uses of mercury on a global scale, given that alternatives exist, while at the same time phasing out primary production and preventing surpluses re-entering the market;

3. Underlines the need for the Community Strategy to be followed by specific measures and legislative acts as soon as practicably possible;

4. Underlines, considering the above, and in particular the significant amounts of mercury surpluses arising from the decommissioning of mercury cells in chlor-alkali plants, the significance of a pro-active Commission proposal to phase out the export of metallic mercury and its compounds from the Community and asks the Commission to propose an EU mercury export ban;

5. Calls on the Commission to propose before March 2008 measures to track imports and exports of mercury and its compounds within the Member States as well as to and from the Community, to be in place before the export ban;

6. Calls on the Commission to consider an extension of the current prohibition on the export of mercury-containing soaps, provided for in Regulation (EC) No 304/2003 of the European Parliament and of the Council of 28 January 2003 concerning the export and import of dangerous chemicals(4) , to other mercury-containing products, which are, or soon will be, subject to use and marketing restrictions within the EU;

7. Asks the Commission to come forward with proposals for legally binding measures to ensure that all mercury coming from the chlor-alkali industry is not put back into circulation and is safely stored, in secure sites, continuously monitored and located where active intervention can take place immediately if necessary;

8. Asks the Commission, in addition to the above, to ensure that the following elements are included in the relevant instrument regarding the storage of surplus metallic mercury: minimum safety standards, regular and transparent reporting, advance planning and projections, penalties and sanctions;

9. Calls on the Commission to raise public awareness, by holding information campaigns, as regards the health risks, the risks of exposure, and the environmental problems that mercury can cause;

10. Underlines, furthermore, the importance of applying the polluter-pays principle, in particular as far as storage of surplus mercury is concerned; stresses that the industry sectors responsible for the production of mercury should contribute to the financing of the safe storage of surplus mercury.;

11. Calls on the Commission to ensure at the same time that no European primary mercury enters the European and/or global market;

12. Underlines that the main source of emissions of mercury is the burning of coal, and asks the Commission to introduce under the IPPC Directive or in a separate legislative instrument, as soon as possible, and at the very least, emission limit values for mercury from all relevant activities, and in particular from both large and small-scale coal combustion processes;

13. Calls on the Commission to ensure in the short term strict implementation of the IPPC Directive, bearing in mind that the mercury-cell process in the chlor-alkali industry is not identified as a Best Available Technique;

14. Calls on the Commission to take necessary measures and propose, in the short term, national mass emission limits as well as local air quality limits for mercury under relevant existing or separate legislative instruments;

15. Calls on the Commission to take action to implement PARCOM Decision 90/3 so as to phase out the use of mercury-cell chlor-alkali plants as soon as practicable, with the objective that they should be phased out completely by 2010;

16. Asks the Commission to take further measures, in the short term, to control mercury emissions from crematoria, given that this is an increasing and worrisome source of emissions;

17. Asks the Commission to come forward by the end of 2007 with a proposal to restrict the use of mercury in dental amalgam and urges the Commission at the same time to take measures ensuring that the Community requirements regarding treatment of dental waste are properly applied, and to investigate whether additional measures are needed to ensure that amalgam does not enter the waste stream ;

18. Asks the Commission to restrict the marketing and use of mercury in all measuring and control equipment for both consumer and professional uses (especially in households, healthcare facilities, schools and scientific and research institutions), but allowing for some exemptions only where adequate alternatives are not yet available; such exemptions should also apply to the rare cases of maintenance of traditional barometers, museum collections and industrial heritage; furthermore, a small number of professional companies in the EU produce traditional measuring instrumentation using small quantities of mercury and this use should continue to be permitted in carefully controlled and licensed environments;

19. Asks the Commission to take measures, in the short term, to ensure that all products (not only electrical and electronic) containing mercury and currently circulating in society are collected separately and safely treated;

20. Calls upon the Commission to address the use of mercury in the manufacture of vaccines, as also mentioned in the Council conclusions of 24 June 2005, and to evaluate this with a view to achieving a restriction of such use and a total ban, when appropriate and safe alternatives exist, and to support research into viable options for the future delivery of thiomersal-free multi-dose vaccines in developing

countries;

21. Calls upon the Commission to ensure that priority is given and appropriate funds are allocated for mercury research via the 7th RTD Framework Programme and other appropriate funding mechanisms;

22. Calls upon the Commission to ensure that all remaining uses of mercury, not covered by the presented strategy, shall be subject to substitution by safe alternatives where feasible, under the proposed REACH Regulation, once it is adopted;

23. Underlines the importance of pursuing measures against exposure and improving understanding, and acknowledges the importance of public awareness, communication and education, mainly concerning the health risks from exposure to mercury; stresses the need for access to environmental information in line with the Aarhus Convention;

24. Calls upon the Commission to investigate options for making the reporting of Member States" mercury dietary intake data for vulnerable groups to the European Food Safety Authority (EFSA) mandatory, and to request the Scientific Committee on Health and Environmental Risks to carry out a mercury risk assessment for vulnerable groups;

25. Calls on the Commission, in the same context, to assign priority to financing communication with vulnerable population groups concerning the damaging impact of mercury and to share good practices;

26. Calls upon the Commission to conduct an overall Health Impact Assessment to investigate the health costs from mercury contamination, including the reduced intellectual capacity of European children arising from mercury exposure;

27. Calls upon the Commission to fulfil, as soon as possible, its obligation under the Water Framework Directive which required it to propose, already by December 2003, adequate emission controls and quality standards to phase out discharges, emissions and losses of mercury and its compounds into the aquatic environment;

28. Welcomes the Commission's proposal to investigate further specific dietary intakes of different types of fish and seafood among vulnerable subpopulations, and considers it as one of the most pressing actions to ensure that exposure of vulnerable subpopulations is reduced to below internationally accepted standards for safe levels of methylmercury;

29. Calls upon the Commission to ensure that a programme of testing for methylmercury levels and the cofactors which influence the absorption and/or impact of mercury in fish throughout Europe, including testing of large predatory fish, is introduced as soon as possible, with a view to consumption recommendations being issued by EFSA for fish with high levels of mercury, with particular emphasis on guidelines for vulnerable population groups; considers that such a programme should take into account the special risks linked to the fact that certain ecosystems transform mercury more readily into bioavailable methylmercury than others;

30. Calls upon the Commission, in the same context, to ensure that mercury especially in vulnerable populations is included in the biomonitoring programme originally foreseen in the European Environment and Health Action Plan 2004-2010 (COM(2004)0416), as called for by Parliament in its resolution thereon of 23 February 20051;

31. Welcomes the Council's conclusion recognising the environmental and social problems arising from the closure of the long established mercury mines in Almadén, Spain, as a consequence of the

Community strategy concerning mercury; recommends that adequate compensation measures be undertaken and duly funded by the Commission in order to allow the area affected by the closure of mercury mines to achieve viable economic and social alternatives; underlines that consideration should be given to the possibility of using Almadén for the safe storage of the existing metallic mercury stocks or metallic mercury sub-produced by industry all over Europe but not mercury-containing articles that have become waste, thus making use of the infrastructures, local manpower and technological expertise existing there;

32. Supports measures to ensure rehabilitation and monitoring of the contaminated sites, including closed mines, industrial sites or storage sites for waste from both, respecting the polluter-pays principle;

33. Welcomes all actions proposed by the Commission at international level and stresses the importance of the Commission and the Member States supporting and promoting international action, with a view to reaching an agreement on the implementation of a global legislative instrument on mercury;

34. Supports strongly initiatives to make mercury subject to the PIC-procedure of the Rotterdam and/or Basel Convention, in order to increase transparency in mercury trade;

35. Underlines, further, the importance of the EU cooperating with the main mining countries, Algeria and Kyrgyzstan, with a view to phasing out the primary mercury entering the world market, by supporting relevant actions;

36. Stresses the importance of the EU taking the initiative and organising bilateral meetings with other regions, such as the G77 and China, in order better to prepare the negotiations scheduled to take place during the upcoming UNEP Governing Council in 2007;

37. Asks the Commission to explore the possibility of providing technical assistance and know-how to affected developing countries and countries with economies in transition to eventually phase out uses and releases of mercury and mercury compounds;

38. Stresses that, in addition, the use of amalgam in Second- and Third-World countries must be reduced;

39. Asks the Commission, considering the above, to request Member States to report on all of their activities and projects on mercury involving developing countries, with a view to determining where the needs are for more efficient use of EU funds;

40. Calls on the Commission to ensure restriction in the use of mercury in gold mining, by promoting at the same time non-mercury-using viable techniques, and furthermore to come forward with a proposal for a positive labelling scheme for gold that has been mined without the use of mercury, covering gold processed both inside and outside the European Union;

41. Reminds the Commission of its own statement that the Medical Devices Expert Group "comprises 'stakeholders' to assist the Commission on questions arising from the implementation and practical application" of Council Directive 90/385/EEC of 20 June 1990 on the approximation of the laws of the Member States relating to active implantable medical devices(5) ; therefore considers it extremely important, to ensure full participation of all stakeholders, such as health care professionals, toxicologists and experts in clinical environmental medicine, patient groups and public health groups in the Medical Devices Expert Group, and to ensure a balanced representation of the different views;

42. Instructs its President to forward this resolution to the Council and the Commission.

(1) OJ L 327, 22.12.2000, p. 1. Directive as last amended by Decision No 2455/2001 (OJ L 331, 15.12.2001, p. 1).
(2) OJ L 257, 10.10.1996, p. 26.
(3) OJ L 309, 27.11.2001, p. 1.
(4) OJ L 63, 6.3 2003, p. 1.
(5) OJ L 189, 20.7.1990, p. 17.

Last updated: 15 March 2006 Legal notice