



Health NGOs welcome European Parliament Decision to Challenge loop-hole for hazardous flame retardant.

Brussels, 09 January 2006: The European Public Health Alliance – Environment Network and Health Care Without Harm welcomes the European Parliament’s decision today to take the European Commission to the European Court of Justice over Deca-BDE. The European Commission has exempted Deca-BDE, a brominated flame retardant, from the Restriction of Hazardous Substances Directive (RoHS) due to come into force this July.

The decision signed by the President of the Parliament, Josep Borrell Fontelles after the legal service of the European Parliament and the Legal Affairs Committee considered the case, gives a strong signal that Parliamentarians are not willing to see the health of European citizens and the rules and democratic processes of EU be “rail-roaded” by the Commission.

Like Denmark, who will also take the Commission to the ECJ, the Parliament states the exemption of Deca-BDE by the Commission does not take into consideration the safer alternatives that are available and in this case already on the European market. From a legal standpoint this will be an interesting case to watch as the European Institutions enter a period of negotiation regarding the “Comitology” procedure. The case will highlight how the Commission is able to overstep its mandate in the absence of proper Parliamentary oversight.

Denmark and the European Parliament both state the Commission has acted illegally in basing its decision on a UK Deca risk assessment. Meanwhile, the UK assessment is being revised in light of worrying new evidence. The Competent Authority of Member States on existing EU Chemicals Regulation will discuss this evidence in May 2006 to see what further Risk Reduction measures may be necessary. This is in line with the position of the Commission’s own scientific committee for environment and health risk (SCHER) that present scientific studies risk reduction measures are indeed necessary to protect human health.

“Deca-BDE has not yet been given a clean bill of health, and less harmful alternatives are available and being used by electronic industries Dell, Apple, and Sony.” says Karolina Ruzickova from Health Care Without Harm Europe.

Genon Jensen of EPHA Environment Network goes on to say, “Finally, Denmark and the European Parliament are prepared to stand up to protect people’s health. We are appalled at the Commission decision not taking into consideration the scientific evidence to date on PBDEs indicating that these chemicals also share many common traits with PCBs, including studies linking them to immune suppression, cancer, endocrine disruption and neuro-behavioral and developmental effects.”

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