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Conformément au règlement (CEE, Euratom) n° 354/83 du Conseil du 1er février 1983 concernant l'ouverture au public des archives historiques de la Communauté économique européenne et de la Communauté européenne de l'énergie atomique (JO L 43 du 15.2.1983, p. 1), tel que modifié par le règlement (CE, Euratom) n° 1700/2003 du 22 septembre 2003 (JO L 243 du 27.9.2003, p. 1), ce dossier est ouvert au public. Le cas échéant, les documents classifiés présents dans ce dossier ont été déclassifiés conformément à l'article 5 dudit règlement.

In accordance with Council Regulation (EEC, Euratom) No 354/83 of 1 February 1983 concerning the opening to the public of the historical archives of the European Economic Community and the European Atomic Energy Community (OJ L 43, 15.2.1983, p. 1), as amended by Regulation (EC, Euratom) No 1700/2003 of 22 September 2003 (OJ L 243, 27.9.2003, p. 1), this file is open to the public. Where necessary, classified documents in this file have been declassified in conformity with Article 5 of the aforementioned regulation.

In Übereinstimmung mit der Verordnung (EWG, Euratom) Nr. 354/83 des Rates vom 1. Februar 1983 über die Freigabe der historischen Archive der Europäischen Wirtschaftsgemeinschaft und der Europäischen Atomgemeinschaft (ABl. L 43 vom 15.2.1983, S. 1), geändert durch die Verordnung (EG, Euratom) Nr. 1700/2003 vom 22. September 2003 (ABl. L 243 vom 27.9.2003, S. 1), ist diese Datei der Öffentlichkeit zugänglich. Soweit erforderlich, wurden die Verschlusssachen in dieser Datei in Übereinstimmung mit Artikel 5 der genannten Verordnung freigegeben.

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(75) 383 final.
Brussels, 18 July 1975

Amendment of the proposal for a Council Directive relating to the collection, regeneration and/or destruction of polychlorinated biphenyls (PCB.)

(forwarded by the Commission to the Council under the terms of Article 149, second paragraph, of the EEC Treaty)

I. Explanatory memorandum

As the result of the opinion expressed by the European Parliament[1] on the proposal for a Council Directive relating to the collection, regeneration and/or destruction of polychlorinated byphenyls (PCBs)[2], the Commission considers it expedient to amend its initial proposal in accordance with Article 149, second paragraph, of the Treaty establishing the European Economic Community.

2. Observations on the amendments put forward by the European Parliament

Article 7

(A) This article makes it mandatory that Member States compile every three years a report on the state of PCB treatment.

The European Parliament would like a summary report to be sent to each of the Member States, to the Council and to the European Parliament.

(B) The Commission is able to accept this amendment in principle. It nevertheless proposes to take into account the wording of the corresponding article in the outline Directive on wastes which is in the process of being adopted by the Council.

This wording provides that summary reports compiled by a Member State be forwarded by the Commission to the other Member States and that a report of a more political nature on the application of this Directive be forwarded to the Council and to the European Parliament.

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1) O.J. N°

2) O.J. N° 49 of 1.3.1975, p. 1

Article 8

(A) In the belief that the provisions of this Directive must be applied soon as possible, the European Parliament suggests that the Council undertake to adopt the Directive before 1 October 1975.

(B) The Commission mentioned that this proposal for a Directive was drawn up as a result of a French communication in connection with the Information Agreement on the nvironment of 5 March 1973.

According to the procedures laid down in this Agreement, the Council should normally adopt a Directive at the Commission's proposal five months after it has been sent to the Council, that is 13 July 1975.

It should however be recalled that the Commission also forwarded to the Council in connection with a general programme on the removal of technical barriers to trade, a proposal for a Directive relating to the approximation of the laws, regulations and administrative provisions of the Member States relating to restricting the marketing and use of certain dangerous substances and preparations. This proposal for a Directive aims to limit the use of PCBs in closed systems.

It is proposed to retain the initial text of the Commission proposal.

Amendment of the proposal for a Council Directive relating to the collection, regeneration and/or destruction of polychlorinated biphenyls (PCBs)

(forwarded by the Commission to the Council under the terms of Article 149, second paragraph, of the EEC Treaty).

The proposal for a Directive forwarded to the Council on 13 February is amended:

- by an amendment to Article 7.

Original text	Amended text
Article 7	Article 7
Every three years each Member State shall compile a report on the position as to PCB treatment in its territory and shall forward it to the Commission. The Commission shall forward it to the other Member States.	Every three years each Member State shall compile a report on the position as to PCB treatment in its territory and shall forward it to the Commission. The Commission shall forward it to the other Member States. The Commission shall report every three years to the Council and to the European Parliament on the application of this Directive.