



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 15.12.2006  
COM(2006) 842 final

2003/0256 (COD)

### **OPINION OF THE COMMISSION**

**pursuant to Article 251 (2) third sub-paragraph, point (c) of the EC Treaty, on the European Parliament's amendments to the Council's Common Position regarding the proposals for a**

#### **REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL**

**concerning the Registration, Evaluation, Authorisation and Restrictions of Chemicals (REACH), establishing a European Chemicals Agency, amending Directive 1999/45/EC of the European Parliament and the Council and repealing Council Regulation (EEC) No 793/93 and Commission Regulation (EC) No 1488/94 as well as Council Directive 76/769/EEC and Commission Directives 91/155/EEC, 93/67/EEC, 93/105/EC and 2000/21/EC**

**AMENDING THE PROPOSAL OF THE COMMISSION**  
pursuant to Article 250 (2) of the EC Treaty

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#### **1. BACKGROUND**

##### **PROCEDURE**

The proposal COM(2003) 644(01) final and COM(2003) 644(02) final<sup>1</sup> were transmitted to the European Parliament and the Council on 3 November 2003 in accordance with the co-decision procedure pursuant to Article 95 of the EC Treaty.

The European Economic and Social Committee gave its opinion on 1 April 2004<sup>2</sup>.

The Committee of Regions gave an opinion on 24 February 2005<sup>3</sup>.

The European Parliament gave its opinion at the first reading on 17 November 2005.

Following the opinion of the European Parliament and pursuant to Article 251(2) of the EC Treaty, the Council adopted a Common Position on 27 June 2006. The Commission's Communication on the Common Position COM(2006) 375 was adopted on 12 July 2006.

The European Parliament adopted its position at the second reading on 13 December 2006.

##### **OBJECTIVE OF THE COMMISSION PROPOSAL**

The purpose of the Regulation is to ensure a high level of protection of human health and the environment as well as the free circulation of substances on the internal market while enhancing competitiveness and innovation.

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<sup>1</sup> OJ C 96, 21.04.2004, p.24.

<sup>2</sup> OJ C 112, 30.04.2004, p.92

<sup>3</sup> OJ C 164, 05.07.2005, p.78.

## **2. COMMISSION COMMENTS**

### **2.1. General**

On 13 December 2006, the European Parliament adopted a compromise package which had been agreed with the Council in view of reaching a second reading agreement.

The Commission accepts in full Amendment 191 which constitutes the compromise package.

### **2.2 Amended Proposal**

Pursuant to Article 250(2) of the EC Treaty, the Commission amends its proposal as set out above.