Answer given by Mr Kinnock on behalf of the Commission

(10 November 1998)

The Community Guidelines for the development of the trans-European transport network (Decision No 1692/96/EC of the Parliament and the Council of 23 July 1996 ([1])), which constitute a general reference framework intended to encourage the Member States in carrying out projects of common interest, foresee the construction of a new high-speed railway line (in addition to the existing railway line) from the German/Austrian border (Kufstein), via Wörgl, Innsbruck, Austrian/Italian border (Brenner pass) to Fortezza. This forms part of one of the 14 priority projects adopted by the European Council at Essen.

Following joint declarations by the governments of the Member States concerned and comprehensive feasibility studies, Innsbruck and Fortezza are to be linked through the Brenner base tunnel. This tunnel project, as well as the upgrading of the access routes to it, constitutes a long-term project which will be implemented in stages, depending on capacity requirements. While for the first stage (the Kufstein — Innsbruck section) construction work is planned to start in 1999, for the Brenner base tunnel all the technical design studies (Baureifplanung) have still to be carried out before works can begin. This phase, including extensive geological and geotechnical investigations, is essential for the granting of building permission by the relevant Italian and Austrian authorities.

The German, Italian and Austrian governments and the Commission have agreed that these studies should be started as soon as possible. The necessary preparations are currently in hand. The Commission is satisfied that all parties involved are making every effort to carry out the essential design phase as quickly and efficiently as possible so that construction can start as soon as possible.

([1]) OJ L 228, 9.9.1996.

(1999/C 142/082) **WRITTEN QUESTION E-3004/98**

by Doeke Eisma (ELDR) to the Commission

(8 October 1998)

Subject: The discovery of pollutants indicated as flame retardants in sperm whales which normally stay and feed in deep waters

1. Is the Commission familiar with flame retardants, a group of chemical compounds which are used at relatively high concentrations in electronic equipment such as computers and television sets?

2. Is the Commission familiar with a Dutch study (published in Nature of 2 July 1998) showing that two chemical groups of flame retardants, polybrominated biphenyls (PBBs) and polybrominated diphenyl ethers (PDEs), are present in sperm whales which normally stay and feed in deep water, indicating that these compounds have reached deep ocean waters?

3. Does the Commission acknowledge that these substances are very similar in behaviour and toxicity to well-known environmental contaminants such as polychlorinated biphenyls (PCBs) and dichlorodiphenyltrichloroethane (DDT), substances which are banned in the EU Member States? If not, why?

4. Does the Commission agree that the results of this study indicate that these flame retardants, which enter the atmosphere, rivers and sea waters, probably through insufficient burning in waste incinerators, are accumulating in the environment at such speed that they could become a serious threat to the health of humans and animals if no measures are taken quickly? If not, why?

5. If so, can the Commission indicate what measures it will take to prevent further accumulation of these toxic substances in the environment?

6. Would the Commission be willing to ban these groups of flame retardants?

Answer given by Mrs Bjerregaard on behalf of the Commission

(1 December 1998)

The Commission is familiar with flame retardants. Indeed, the use of certain brominated flame retardants in certain textile articles was prohibited many years ago. Directive 79/663 ([1]) prohibits use of Tris(2,3 — dibromopropyl) phosphate and Directive 83/264 ([2]) prohibits the use of Tris-aziridinyl phosphinoxide and all ten polybrominated biphenyls for this purpose. In addition, the Commission proposed already in 1991 (COM(91) 7 final) ([3]) to ban the marketing of all ten brominated diphenyl ethers. However, the Parliament chose not to give an opinion during the first reading and the Commission decided eventually in 1995 to withdraw its proposal. Nevertheless, the flame retardant industry has since made a voluntary commitment to the Orgaisation for economic cooperation and development to better control the use of the brominated diphenyl ethers.

Council Regulation (EEC) 793/93 ([4]) on the evaluation and control of the risks of existing substances provides a general programme to assess the risks of chemicals and to identify the needs for risk reduction. Currently the polybrominated biphenyls (PBBs) are not being produced in Europe in high volumes, whereas under this Regulation three polybrominated diphenyl ethers (PBDEs) are being assessed (Bis(pentabromophenyl) ether (DBDPE) (1163-19 — 5) Rapporteur: France and United Kingdom, Diphenyl ether, octabromo derivate (OBDPE) (32536-52 — 0) Rapporteur: France and United Kingdom, Diphenyl ether, pentabromo derivate (PBDPE) (32534-81 — 9) Rapporteur: United Kingdom). The parts of the risk assessment reports related to the environment of all three substances have been discussed and agreed by the competent technical committee. The conclusions were that for the atmospheric ecosystems, no need was seen for further risk reduction measures. For the aquatic, sediment and soil ecosystems, there was a need for additional eco-toxicity testing in order to establish the extent of the potential risk and thereby address the potential need and extent of further risk reduction measures. For the accumulation of the chemicals through the food chain and their potential effects on higher food chain species, it was concluded that under normal use and disposal practices for DBDPE and OBDPE no further risk reduction measures are needed. A potential concern was indicated for PBDPE. In order to clarify this concern further information on releases of the chemical from specific uses has been requested. Discussions within the competent technical committee on the assessment of risks to human health are currently in progress. The recent information, including the study published in Nature, has been forwarded to the Member State rapporteur for evaluation and possible inclusion.

There are similarities between these compounds and DDT and PCBs. However, there are also differences. The three compounds are all very lipophilic, but only PBDPE is being considered for classification as dangerous to the environment. A testing programme has been recommended to further define the toxicity profiles of all three chemicals in relation to potential human health effects.

The risk assessment reports conclude that emissions of the flame retardants from incineration processes will be near zero. The potential pathways leading to environmental concentrations of the three brominated flame retardants are currently under investigation by the technical committee. When the risk assessment reports have been finalised, and, if necessary, the relevant results submitted to the scientific committee for toxicity, eco-toxicity and environment, risk reduction measures will be recommended in those areas where concern has been indicated. This will take into account the potential concern for both humans and the environment.

([1]) OJ L 197, 3.8.1979.
([2]) OJ L 147, 6.6.1983.
([3]) OJ C 46, 22.2.1991.
([4]) OJ L 84, 5.4.1993.