



I. News from ETHiC

The most recent **ETHiC** Plenary meeting, held on 4th April 2006, saw, along the customary numerous participation of the member companies, the participation of two visitor companies, namely Mr Jurgen Miethlinger and Mr Roman Reder from PoloPlast and Mr Démosthène Sakkas from CTS Cousin Tessier. **ETHiC** wishes to welcome the two companies soon in its group.

ETHiC Excom have taken the decision to strengthen its communication activities through the publication of a leaflet and a complete redesign of its website; especially **ETHiC** website will serve the purpose of being a term of reference in the realm of the European Compounding and Masterbatch Industry.

II. EU Community Patent

The Commission launched a consultation process on 16 January 2006, inviting all stakeholders, industry and individuals, to make a contribution to the future single market for patents. The consultation focuses on three major issues:

- the Community patent;
- how the current patent system in Europe could be improved;
- and possible areas for harmonisation

What are the advantages of a Community patent? Unitary protection standards in the contracting states:

- One application/one language
- "A la carte" market by designation of countries
- Cost-effective
- Costs less than 3 separate national patents

The European patent grant procedure, controlled by EPO (European patent Office) implies the following steps:

- Filing the application
- Examination on filing/formalities examination
- Search
- Publication of application and search report
- Substantive examination (grant of patent or refusal of application)
- Opposition (in some cases)
- Appeal (in some cases)

III. IPPC

The Directive on Integrated Pollution Prevention and Control (IPPC), adopted in 1996, had to be implemented into the national legislation by 30 October 1999. In addition, Member States have also been given a transitional period until October 2007 to ensure that all other existing installations fully comply with the Directive. The Directive refers to new installations as well as to those "existing" installations (i.e. before 2000). The Directive seeks to achieve a high level of environmental protection through integrated prevention and control of the pollution arising from multiple industrial and agricultural activities (i.e. production of metals, minerals, chemicals, paper, textiles, leather, processed foods, combustion plants, oil refineries, waste management, etc).

Based on the principle of subsidiarity, the local authority will have the power of giving the permits for installations. Member States must ensure that per-

mits for the concerned industrial processes – in order to be allowed to operate - include emission limit values based on Best Available Techniques (BAT). The permits do not prescribe take only into account the technical characteristics of the installation concerned, its geographical location and the environmental conditions. In order to determine the proper BAT, the public authorities need to take into account the reference documents on BAT, namely BREFs (= BAT Reference Documents). BREFs are adopted by the European Commission based on an exchange of technical information between specialists from industry, Member State, research institutes and NGOs.



The permit system aims to ensure that: 1) Operators of installations take preventive measures against pollution, applying Best Available Techniques – 2) No "significant pollution" is caused – 3) Waste that cannot be avoided is recovered or safely disposed of – 4) Energy is used efficiently – 5) Accidents are prevented and their consequences are limited – 6) The site is returned to a satisfactory state when the installation closes.

A report was foreseen by art. 16.3 of the Directive; it has predicted that 1)

the implementation of the Directive has been transposed in the Member States with great delays and infringement procedures are ongoing against eight Member States due to incorrect transposition (namely: Belgium, Denmark, France, Germany, Greece, the Netherlands, Luxembourg and Spain) - 2) The Commission launched a process to review the IPPC Directive, which will end in 2007 with a Commission Communication (if appropriate, the Commission will propose legislative changes to the Directive).

The EU Institutions are following a new approach in the field of environmental legislation, namely "simplification". The actual revision of the Waste Framework Directive (WFD) will have a close link with the IPPC by eliminating existing overlaps which brought to unnecessary regulatory and administrative burden (Art 20 of the WFD à This Directive shall not apply in case in which a permit has already been obtained under the IPPC Directive (and vice versa) -> NO DOUBLE PERMITS!

IV. REACH

The long waited project based on RIP 3.2 phase 2 is beginning to see the light; it will begin in June and last for 12 months; EuPC/**ETHIC** will concentrate their efforts on Preparations/Recycling; the following members of **ETHIC** have enthusiastically decided to participate:

- Giulia Cabella from Clariant
- Marc Cornu from Ampacet
- Nicole Petiniot from Cabot
- Leopold Katzmayer from Gabriel Chemie
- Luc Van Wabeeke from Ravago
- Claire Dury from PolyOne Corporation
- Paolo Bochicchio from EuPC/ETHIC
- Mark Burstall from EuPR
- Roger van der Linden from Borealis Group
- Roland Blackburn as an Independent Consultant

EuPC is also involved in the SEG's, through Walter Claes and Susan Strombom, where we look after all EuPC member's interests. EuPC is also involved in RIP 3.5- 2 (Downstream User Requirements: Walter Claes / Sabine Dröge) - RIP 3.7 (Application for Authorisation: Sabine Dröge / Walter Claes) - RIP 3.9-2 (Socio Economic Analysis: Sabine Dröge) - RIP 2 (Reach IT / IUCLID 5 Beta Testing: Giulia Cabella from Clariant and Marc Cornu from Ampacet) - SHERPER Expert Group: Walter Claes - SME Helpdesk Expert's Roundtable: Helpdesk and IRS: Roland Blackburn, Paolo Bochicchio, Mark Burstall, Walter Claes, Sabine Dröge, Susan Strömbom, Geoffroy Tillieux, Song-Lâ Ophaso.

The Austrian presidency sustains that the "Common Position" will be approved in June 2006 and that the second reading in parliament could already begin in July 2006. The next presidency of Finland aims to adopt the regulation before the end of 2006 so that it could enter into force, after the translation into national languages, in April 2007. All the Institutions involved aim at avoiding the conciliation phase in order to meet the deadline of April 2007.

V. News from the EU Presidency

The Finnish Presidency, which will begin in July, will have major issues to deal with and possibly finalize: REACH and EU Waste Legislation (Waste Framework Directive, Thematic Strategy on Prevention and Recycling of Waste, Thematic Strategy on Natural Resources).

According to the new EU Finnish Presidency, REACH, the controversial chemical regulation will enter into force by the end of the year and that a deal will be struck between Council and Parliament. The differences between Council and Parliament will not be so insurmountable to arrive to the "Conciliation" phase.

VI. Conferences & Meetings

EuPC Services	A practical approach to LME: Plastics Risk Management, EuPC offices, Brussels, <i>22nd June 2006</i>
ETHIC	Plenary Meeting, <i>23rd October 2006</i>
EuPC	Regulated Substances Conference, EuPC offices, Brussels, <i>16th November 2006</i>
EuPC	III ^o Conference on REACH, Brussels, <i>7th December 2006</i>

VI. Coming up in the next Newsletter

- REACH
- REACH Helpdesk
- Update on EU Waste legislation
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