



Notification Number: 2011/673/F

Order relating to the content and submission conditions of annual declarations of nanoparticle substances, adopted pursuant to Articles R. 523-12 and R. 523-13 of the Environment Code.

Date received : 29/12/2011
End of Standstill : 30/03/2012 (02/07/2012)
Issue of comments by : Commission, United Kingdom
Issue of detailed opinion by : Commission

Message

Message 002

Communication from the Commission - SG(2011) D/53226
Directive 98/34/EC
Translation of the message 001
Notification: 2011/0673/F

No abre el plazo - Nezaħajuje odklady - Fristerne indledes ikke - Kein Fristbeginn - Viivituste perioodi ei avata - Καμμία έναρξη προθεσμίας - Does not open the delays - N'ouvre pas de délais - Non fa decorrere la mora - Neietekmē atlikšanu - Atidėjimai nepradedami - Nem nyitja meg a késések - Ma' jiftaħ il-perijodi ta' dawmien - Geen termijnbegin - Nie otwiera opóźnień - Nao inicia o prazo - Neotvorí oneskorenia - Ne uvaja zamud - Määräaika ei ala tästä - Inleder ingen frist - He ce предвижда период на прекъсване - Nu deschide perioadele de stagnare - Nu deschide perioadele de stagnare.

(MSG: 201103226.EN)

1. Structured Information Line

MSG 002 IND 2011 0673 F EN 29-12-2011 F NOTIF

2. Member State

F

3. Department Responsible

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3. Originating Department

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4. Notification Number

2011/0673/F - C00C

5. Title

Order relating to the content and submission conditions of annual declarations of nanoparticle substances, adopted pursuant to Articles R. 523-12 and R. 523-13 of the Environment Code.

6. Products Concerned

This regulation sets out the content and submission conditions of annual declarations of information relating to nanoparticle substances, as single substances or as part of a mixture without being bound, or a material intended to reject such substances that are produced, distributed or imported nationally.

7. Notification Under Another Act

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8. Main Content

Adopted pursuant to the Decree on the annual declaration of nanoparticle substances (notified on 23 June 2011 in notification 2011/307/F and currently being studied by the Council of State), the order sets out specific aspects relating to declarations, in particular the content and submission conditions thereof.

Mandatory declaration shall apply to manufacturers, national importers and distributors of nanomaterials. A declaration number is attributed as part of the declaration process. For the sake of administrative simplification, this number may be sent to distributors or to professional users when transferring nanomaterial. These provisions will mean that declarants further down the chain need not re-enter the information relating to identity and physical and chemical characteristics.

The order also specifies that declaration should ordinarily be made electronically.

The annex details the information to be declared annually: this information is split into five parts: identity of declarant, identity of nanoparticle substance, quantity of nanoparticle substance, uses and identity of professional users.

The provisions shall enter into force on 1 January 2013 and the first declarations shall relate to 2012.

9. Brief Statement of Grounds

The order complements the declaration scheme introduced by Article 185 of Law 2010-788 of 12 July 2010 on the national commitment to the environment, known as Grenelle II, and the decree on annual declaration of nanoparticle substances, currently being examined by the Council of State. This scheme consists of requesting



that economic agents provide information concerning the nanomaterials that they manufacture, import or distribute. This does not constitute a prerequisite for the activities concerned, which can continue without obstacle.

This scheme aims to improve knowledge of nanomaterials and their uses, to monitor the channels of use, to improve knowledge of the market and the volumes sold and to collect available information on toxicological and eco-toxicological properties.

This order covers the following elements:

- Content of the declarations: information to be provided in the “substance identity”, “uses”, “quantity”, “identity of declarant” and “identity of professional user” fields have been specified.
- The submission conditions relating to the declaration: in general, declarations shall be made electronically.

10. Reference Documents - Basic Texts

Reference texts: - Law 2009-967 of 3 August 2009 relating to the institution of the Environment Round Table, known as the Grenelle I Law,

- Law 2010-788 of 12 July 2010 on the national commitment to the environment, known as the Grenelle II Law.

- Decree on annual declarations of nanoparticle substances, notified under 2011/307/F. This text is currently being examined by the Council of State.

11. Invocation of the Emergency Procedure

No

12. Grounds for the Emergency

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13. Confidentiality

No

14. Fiscal measures

No

15. Impact assessment

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16. TBT and SPS aspects

TBT relevance

No - The draft is neither a technical regulation nor a conformity assessment.

SPS relevance

No - The draft is not a sanitary or phytosanitary measure.

Catherine Day



EUROPEAN COMMISSION
GROWTH DIRECTORATE-GENERAL

Single Market for goods
Prevention of Technical Barriers

Secrétaire général
Commission européenne

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