

Minority-vote on Lead and its compounds in articles intended for consumer use

A sound assessment of a situation also requires a sound analysis of available information no matter when it is fed into an ongoing discussion process. In particular this should be the case where the information was submitted during the public consultation and even more if such information concerns the most vulnerable group of enterprises namely small and micro enterprises, which are evidently considered as the backbone of our European economy. Cultural, traditional and/or religious handcraft figurines and similar objects (objets d'art) were reported as relevant in the context of the proposed restriction and an exemption was suggested. For me as a member of the SEAC these are very important aspects which need enough room for discussion and are also highly relevant for smaller Member States with predominantly SME-structure.

Objets d'art containing lead can easily fall below the size of 5 cm in one dimension and therefore would fall within the scope of the present restriction. Notwithstanding that the finally adopted migration test can help to lower down the negative effects of this restriction I seriously doubt that small and micro-sized handicraft enterprises can effort to carry out such tests. Consequently in my opinion this would lead to a phasing out of this kind of manufacturers within the EU.

A rejection of the concerns related to objets d'art could only be based on a sound discussion before. As far as I do recall the whole process this did not happen. The SEAC-chair's rejection to my intervention made a comprehensive discussion and consequently a serious assessment of the issue impossible. However, in my opinion one of the major tasks of the committee for socio-economic analysis is to assess and to analyse impacts on the European economy in a holistic way that also includes the impact on SMEs. I strongly believe that only such an approach gives credibility to an expert opinion and to the work of an expert committee as a whole.

In this particular case, where in contrary to other interventions from the public consultation the objets d'art were not reflected even in the justification of the opinion. Consequently the way of adopting issues into the opinion was not transparent and easily could have led to arbitrary decisions.

Due to the arguments I mentioned above I was urged to disagree with the final opinion.