COUNCIL DECISION

of 22 October 1999

on accepting the amendments to the Protocol for the protection of the Mediterranean Sea against pollution from land-based sources (Barcelona Convention)

(1999/801/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community and in particular Article 175(1) thereof, in conjunction with the first sentence of Article 300(2) and the first subparagraph of Article 300(3) thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament [1],

Whereas:

(1) the Community is a contracting party to the Convention for the Protection of the Mediterranean Sea against Pollution [2]; hereinafter referred to as the 'Barcelona Convention', and has also concluded four of the Protocols adopted within the framework of the Barcelona Convention, namely, the Protocol for the prevention of pollution by dumping from ships and aircraft [2], the Protocol concerning cooperation in combating pollution by oil and other harmful substances [3], the Protocol for protection against pollution from land-based sources [4] and the Protocol concerning specially protected areas [5];

(2) the Commission, on behalf of the Community, has taken part in the negotiations on revising the Protocol for the protection of the Mediterranean Sea against pollution from land-based sources, hereinafter referred to as the 'Protocol';

(3) under Article 174 of the Treaty, Community policy on the environment contributes to the pursuit of objectives which include preserving, protecting and improving the quality of the environment and promoting measures at international level to deal with regional or worldwide environmental problems;

(4) the scope of the amendments to the Protocol, at least partly, covers areas of Community competence; the Community has adopted a number of directives in this field [6] and is taking steps in this context to ensure that the conclusion of these international agreements neither conflicts with, nor alters the scope of, current Community law;

(5) the Community's accession to the revised Protocol will help achieve the objectives set out in Article 174 of the Treaty;

(6) the revised Protocol was adopted and opened for signing at the Conference of Plenipotentiaries held in Syracuse on 7 and 8 March 1996;

(7) the Council took a decision on signing the Protocol on 22 July 1996, at which time, however, the revised Protocol was no longer open for signing,

HAS DECIDED AS FOLLOWS:

Article 1

The amendments to the Protocol for the protection of the Mediterranean Sea against pollution from land-based sources are hereby approved on behalf of the Community.

The text of the said amendments is attached to this Decision.

Article 2

The President of the Council is hereby authorised to notify, on behalf of the Community, acceptance of the amendments to

[1] OJ C 219, 30.7.1999, p. 186.
[2] Decision 77/585/EEC, OJ L 240, 19.9.1977, p. 1.
[3] Decision 81/420/EEC, OJ L 162, 19.6.1981, p. 4.
[4] Decision 83/101/EEC, OJ L 67, 12.3.1983, p. 1.
[5] Decision 84/132/EEC, OJ L 68, 10.3.1984, p. 36.
[6] Council Directive 76/464/EEC of 4 May 1976 on pollution caused by certain dangerous substances discharged into the aquatic environment of the Community (OJ L 129, 18.5.1976, p. 23). Directive as amended by Directive 91/692/EEC (OJ L 377, 31.12.1991, p. 48). Council Directive 96/61/EC of 24 September 1996 concerning integrated pollution prevention and control (OJ L 257, 10.10.1996, p. 26).

the Protocol for the protection of the Mediterranean Sea against pollution from land-based sources, in accordance with Article 16 of the Convention for the Protection of the Mediterranean Sea against Pollution [1].

Article 3

This Decision shall be published in the *Official Journal of the European Communities*.

It shall take effect on the day of its adoption.

Done at Luxembourg, 22 October 1999.

For the Council
The President
S. MÖNKÄRE

[1] The date of entry into force of the amendments to the Protocol for the protection of the Mediterranean Sea against pollution from land-based sources will be published in the *Official Journal of the European Communities* by the General Secretariat of the Council of the European Union.

AMENDMENTS TO THE PROTOCOL FOR THE PROTECTION OF THE MEDITERRANEAN SEA AGAINST POLLUTION FROM LAND-BASED SOURCES

A. Title

The title of the Protocol is amended as follows:

'PROTOCOL FOR THE PROTECTION OF THE MEDITERRANEAN SEA AGAINST POLLUTION FROM LAND-BASED SOURCES AND ACTIVITIES'

B. Preambular paragraphs

The first preambular paragraph of the Protocol is amended as follows:

'Being Parties to the Convention for the Protection of the Mediterranean Sea against Pollution, adopted at Barcelona on 16 February 1976 and amended on 10 June 1995,'

The third preambular paragraph of the Protocol is amended as follows:

'*Noting* the increasing environmental pressures resulting from human activities in the Mediterranean Sea area, particularly in the fields of industrialisation and urbanisation, as well as the seasonal increases in the coastal population due to tourism.'

The fourth preamble paragraph of the Protocol is amended as follows:

'*Recognising* the danger posed to the marine environment, living resources and human health by pollution from land-based sources and activities and the serious problems resulting therefrom in many coastal waters and river estuaries of the Mediterranean Sea, primarily due to the release of untreated, insufficiently treated or inadequately disposed of domestic or industrial discharges containing substances that are toxic, persistent and liable to bioaccumulate,'

The following paragraph is added as the fifth preambular paragraph:

'*Applying* the precautionary principle and the polluter pays principle, undertaking environmental impact assessment and utilising the best available techniques and the best environmental practice including clean production technologies, as provided for in Article 4 of the Convention.'

The sixth preambular paragraph of the Protocol is amended as follows:

'*Determined* to take, in close cooperation, the necessary measures to protect the Mediterranean Sea against pollution from land-based sources and activities,'

The following paragraph is added as the seventh preambular paragraph:

'*Taking into consideration* the Global Programme of Action for the Protection of the Marine Environment from Land-Based Activities, adopted at Washington, D.C., on 3 November 1995,'

C. Article 1

A title is inserted and the text is amended as follows:

'General provision

The Contracting Parties to this Protocol (hereinafter referred to as "the Parties") shall take all appropriate measures to prevent, abate, combat and eliminate to the fullest possible extent

pollution of the Mediterranean Sea area caused by discharges from rivers, coastal establishments or outfalls, or emanating from any other land-based sources and activities within their territories, giving priority to the phasing out of inputs of substances that are toxic, persistent and liable to bioaccumulate.'

D. Article 2

A title is inserted, and the text of paragraphs (a) and (d) are amended as follows:

'Definitions

(a) "The Convention" means the Convention for the Protection of the Mediterranean Sea against Pollution, adopted at Barcelona on 16 February 1976 and amended on 10 June 1995;

(d) The "hydrologic basin" means the entire watershed area within the territories of the Contracting Parties, draining into the Mediterranean Sea area as defined in Article 1 of the Convention.'

E. Article 3

A title is inserted and the following new paragraph is added:

'Protocol area'

(a*bis* (renumbered as (b))

'(b) The hydrologic basin of the Mediterranean Sea area;'

Paragraph (b) is renumbered as paragraph (c). Paragraph (c) is renumbered as paragraph (d) and amended as follows:

'(d) Brackish waters, coastal salt waters including marshes and coastal lagoons, and ground waters communicating with the Mediterranean Sea.'

F. Article 4

A title is inserted and the texts of paragraphs 1(a) and (b) are amended as follows:

'Protocol application

1. This Protocol shall apply:

(a) to discharges originating from land-based point and diffuse sources and activities within the territories of the Contracting Parties that may affect directly or indirectly the Mediterranean Sea area. These discharges shall include those which reach the Mediterranean area, as defined in article 3(a), (c) and (d) of this Protocol, through coastal disposals, rivers, outfalls, canals, or other watercourses, including ground water flow, or through run-off and disposal under the seabed with access from land;

(b) to inputs of polluting substances transported by the atmosphere to the Mediterranean Sea area from land-based sources or activities within the territories of the Contracting Parties under the conditions defined in Annex III to this Protocol.'

The following new paragraph is added:

'3. The Parties shall invite States that are not parties to the Protocol and have in their territories parts of the hydrologic basin of the Mediterranean area to cooperate in the implementation of the Protocol.'

G. Article 5

A title is inserted and the texts of paragraphs 1, 2 and 4 are amended as follows:

'General obligations

1. The Parties undertake to eliminate pollution deriving from land-based sources and activities, in particular to phase out inputs of the substances that are toxic, persistent and liable to bioaccumulate listed in Annex I.

2. To this end, they shall elaborate and implement, individually or jointly, as appropriate, national and regional action plans and programmes, containing measures and timetables for their implementation.'

Paragraph 3 is deleted.

4. (renumbered as 3)

'3. The priorities and timetables for implementing the action plans, programmes and measures shall be adopted by the Parties taking into account the elements set out in Annex I and shall be periodically reviewed.'

The following new paragraphs are added:

'4. When adopting action plans, programmes and measures, the Parties shall take into account, either individually or jointly, the best available techniques and the best environmental practice including, where appropriate, clean production technologies, taking into account the criteria set forth in Annex IV.

5. The Parties shall take preventive measures to reduce to the minimum the risk of pollution caused by accidents.'

H. Article 6

A title is inserted and the text is replaced by the following:

'Authorisation or regulation system

1. Point source discharges into the Protocol area, and releases into water or air that reach and may affect the Mediterranean area, as defined in Article 3(a), (c) and (d) of this Protocol, shall be strictly subject to authorisation or regulation by the competent authorities of the Parties, taking due account of the provisions of this Protocol and Annex II thereto, as well as the relevant decisions or recommendations of the meetings of the Contracting Parties.

2. To this end, the Parties shall provide for systems of inspection by their competent authorities to assess compliance with authorisations and regulations.

3. The Parties may be assisted by the Organisation, upon request, in establishing new, or strengthening existing, competent structures for inspection of compliance with authorisations and regulations. Such assistance shall include special training of personnel.

4. The Parties establish appropriate sanctions in case of non-compliance with the authorisations and regulations and ensure their application.'

I. Article 7

A title is inserted. The texts of paragraph 1(e) and paragraph 3 are amended as follows:

'Common guidelines, standards and criteria

1. …

(e) Specific requirements concerning the quantities of the substances discharged (listed in Annex I), their concentration in effluents and methods of discharging them.

3. The action plans, programmes and measures referred to in Articles 5 and 15 of this Protocol shall be adopted by taking into account, for their progressive implementation, the capacity to adapt and reconvert existing installations, the economic capacity of the Parties and their need for development.'

J. Article 8

A title is inserted and the text is amended as follows:

'Monitoring

Within the framework of the provisions of, and the monitoring programmes provided for in Article 12 of the Convention, and if necessary in cooperation with the competent international organisations, the Parties shall carry out at the earliest possible date monitoring activities and make access to the public of the findings in order:

(a) systematically to assess, as far as possible, the levels of pollution along their coasts, in particular with regard to the sectors of activity and categories of substances listed in Annex I, and periodically to provide information in this respect;

(b) to evaluate the effectiveness of action plans, programmes and measures implemented under this Protocol to eliminate to the fullest possible extent pollution of the marine environment.'

K. Article 9

A title is inserted and the text is amended as follows:

'Scientific and technical cooperation

In conformity with Article 13 of the Convention, the Parties shall cooperate in scientific and technological fields related to pollution from land-based sources and activities, particularly research on inputs, pathways and effects of pollutants and on the development of new methods for their treatment, reduction or elimination, as well as the development of clean production processes to this effect. To this end, the Parties shall, in particular, endeavour to:'

The following new paragraph is added:

'(c) promote access to, and transfer of, environmentally sound technology including clean production technology.'

L. Article 10

A title is inserted and the text is amended as follows:

'Technical assistance

1. The Parties shall, directly or with the assistance of competent regional or other international organisations, bilaterally or multilaterally, cooperate with a view to formulating and, as far as possible, implementing programmes of assistance to developing countries, particularly in the fields of science, education and technology, with a view to preventing, reducing or, as appropriate, phasing out inputs of pollutants from land-based sources and activities and their harmful effects in the marine environment.

2. Technical assistance would include, in particular, the training of scientific and technical personnel, as well as the acquisition, utilisation and production by those countries of appropriate equipment and, as appropriate, clean production technologies, on advantageous terms to be agreed upon among the Parties concerned.'

M. Article 11

A title is inserted as follows:

'Transboundary pollution'

N. Article 12

A title is inserted and the text of paragraph 1 is amended as follows:

'Settlement of disputes

1. Taking into account Article 28(1), of the Convention, when land-based pollution originating from the territory of one Party is likely to prejudice directly the interests of one or more of the other Parties, the Parties concerned shall, at the request of one or more of them, undertake to enter into consultation with a view to seeking a satisfactory solution.'

O. Article 13

A title is inserted. The texts of paragraph 1, the first sentence of paragraph 2 and sub-paragraph (d) of paragraph 2 are amended as follows:

'Reports

1. The Parties shall submit reports every two years, unless decided otherwise by the meeting of the Contracting Parties, to the meetings of the Contracting Parties, through the Organisation, of measures taken, results achieved and, if the case arises, of difficulties encountered in the application of this Protocol. Procedures for the submission of such reports shall be determined at the meetings of the Parties.

2. Such reports shall include, *inter alia*:

(d) action plans, programmes and measures implemented in accordance with Articles 5, 7 and 15 of this Protocol.'

P. Article 14

A title is inserted. The texts of paragraph 1 and of sub-paragraphs (a), (c) and (f), of paragraph 2 are amended as follows:

'Meetings

1. Ordinary meetings of the Parties shall take place in conjunction with ordinary meetings of the Contracting Parties to the Convention held pursuant to Article 18 of the Convention. The Parties may also hold extraordinary meetings in accordance with Article 18 of the Convention.

2. …

(a) to keep under review the implementation of this Protocol and to consider the efficacy of the action plans, programmes and measures adopted;

(c) to formulate and adopt action plans, programmes and measures in accordance with Articles 5, 7 and 15 of this Protocol;

(f) to consider the reports submitted by the Parties under Article 13 of this Protocol.'

Q. Article 15

A title is inserted and the text of paragraph 1 is amended as follows:

'Adoption of action plans, programmes and measures

1. The meeting of the Parties shall adopt, by a two-thirds majority, the short-term and medium-term regional action plans and programmes containing measures and timetables for their implementation provided for in Article 5 of this Protocol.'

The text of paragraph 2 is replaced by the following:

'2. Regional action plans and programmes as referred to in paragraph 1 shall be formulated by the Organisation and considered and approved by the relevant technical body of the Contracting Parties within one year at the latest of the entry into force of the amendments to this Protocol. Such regional action plans and programmes shall be put on the agenda for the subsequent meeting of the Parties for adoption. The same procedure shall be followed for any additional action plans and programmes.'

The following new paragraphs are added:

'3. The measures and timetables adopted in accordance with paragraph 1 of this Article shall be notified by the Secretariat to all the Parties. Such measures and timetables become binding on the one hundred and eightieth day following the day of notification for the Parties which have not notified the Secretariat of an objection within one hundred and seventy-nine days from the date of notification.

4. The Parties which have notified an objection in accordance with the preceding paragraph shall inform the meeting of the Parties of the provisions they intend to take, it being understood that these Parties may at any time give their consent to these measures or timetables.'

R. Article 16

A title is inserted and the text of paragraph 2 is amended as follows:

'Final provisions

2. The rules of procedure and the financial rules adopted pursuant to Article 24 of the Convention shall apply with respect to this Protocol, unless the Parties to this Protocol agree otherwise.'

The text of the last paragraph is amended as follows:

'Done at Athens on 17 May 1980 and amended at Syracuse on 7 March 1996 in a single copy in the Arabic, English, French and Spanish languages, the four texts being equally authoritative.'

ANNEX I

Annex I is replaced by a new Annex I as follows:

'ANNEX I

ELEMENTS TO BE TAKEN INTO ACCOUNT IN THE PREPARATION OF ACTION PLANS, PROGRAMMES AND MEASURES FOR THE ELIMINATION OF POLLUTION FROM LAND-BASED SOURCES AND ACTIVITIES

This annex contains elements which will be taken into account in the preparation of action plans, programmes and measures for the elimination of pollution from land-based sources and activities referred to in Articles 5, 7 and 15 of this Protocol.

Such action plans, programmes and measures will aim to cover the sectors of activity listed in Section A and also cover the groups of substances enumerated in Section C, selected on the basis of the characteristics listed in Section B of the present Annex.

Priorities for action should be established by the Parties, on the basis of the relative importance of their impact on public health, the environment and socio-economic and cultural conditions. Such programmes should cover point sources, diffuse sources and atmospheric deposition.

In preparing action plans, programmes and measures, the Parties, in conformity with the Global Programme of Action for the Protection of the Marine Environment from Land-based Activities, adopted at Washington, D.C., in 1995, will give priority to substances that are toxic, persistent and liable to bioaccumulate, in particular to persistent organic pollutants (POPs), as well as to wastewater treatment and management.

A. SECTORS OF ACTIVITY

The following sectors of activity (not listed in order of priority) will be primarily considered when setting priorities for the preparation of action plans, programmes and measures for the elimination of the pollution from land-based sources and activities:

(1) energy production;

(2) fertiliser production;

(3) production and formulation of biocides;

(4) the pharmaceutical industry;

(5) petroleum refining;

(6) the paper and paper-pulp industry;

(7) cement production;

(8) the tanning industry;

(9) the metal industry;

(10) mining;

(11) the shipbuilding and repairing industry;

(12) harbour operations;

(13) the textile industry;

(14) the electronic industry;

(15) the recycling industry;

(16) other sectors of the organic chemical industry;

(17) other sectors of the inorganic chemical industry;

(18) tourism;

(19) agriculture;

(20) animal husbandry;

(21) food processing;

(22) aquaculture;

(23) treatment and disposal of hazardous wastes;

(24) treatment and disposal of domestic waste water;

(25) management of municipal solid waste;

(26) disposal of sewage sludge;

(27) the waste management industry;

(28) incineration of waste and management of its residues;

(29) works which cause physical alteration of the natural state of the coastline;

(30) transport.

B. CHARACTERISTICS OF SUBSTANCES IN THE ENVIRONMENT

For the preparation of action plans, programmes and measures, the Parties should take into account the characteristics listed below:

(1) persistence;

(2) toxicity or other noxious properties (e.g. carcinogenicity, mutagenicity, teratogenicity);

(3) bioaccumulation;

(4) radioactivity;

(5) the ratio between observed concentrations and no observed effect concentrations (NOEC);

(6) the risk of eutrophication of anthropogenic origin;

(7) health effects and risks;

(8) transboundary significance;

(9) the risk of undesirable changes in the marine ecosystem and irreversibility or durability of effects;

(10) interference with the sustainable exploitation of living resources or with other legitimate uses of the sea;

(11) effects on the taste and/or smell of marine products for human consumption;

(12) effects on the smell, colour, transparency or other characteristics of seawater;

(13) distribution pattern (i.e. quantities involved, use patterns and probability of reaching the marine environment).

C. CATEGORIES OF SUBSTANCES

The following categories of substances and sources of pollution will serve as guidance in the preparation of action plans, programmes and measures:

(1) organohalogen compounds and substances which may form such compounds in the marine environment. Priority will be given to aldrin, chlordane, DDT, dieldrin, dioxins and furans, endrin, heptachlor, hexachlorobenzene, mirex, PCBs and toxaphene;

(2) organophosphorus compounds and substances which may form such compounds in the marine environment;

(3) organotin compounds and substances which may form such compounds in the marine environment;

(4) polycyclic aromatic hydrocarbons;

(5) heavy metals and their compounds;

(6) used lubricating oils;

(7) radioactive substances, including their wastes, when their discharges do not comply with the principles of radiation protection as defined by the competent international organisations, taking into account the protection of the marine environment;

(8) biocides and their derivatives;

(9) pathogenic micro-organisms;

(10) crude oils and hydrocarbons of petroleum origin;

(11) cyanides and fluorides;

(12) non-biodegradable detergents and other non-biodegradable surface-active substances;

(13) compounds of nitrogen and phosphorus and other substances which may cause euthrophication;

(14) litter (any persistent manufactured or processed solid material which is discarded, disposed of, or abandoned in the marine and coastal environment);

(15) thermal discharges;

(16) acid or alkaline compounds which may impair the quality of water;

(17) non-toxic substances that have an adverse effect on the oxygen content of the marine environment;

(18) non-toxic substances that may interfere with any legitimate use of the sea;

(19) non-toxic substances that may have adverse effects on the physical or chemical characteristics of seawater.'

ANNEX II

Annex II is deleted.

ANNEX III

Annex III is renumbered as Annex II. A title is added and the introductory paragraph is amended as follows:

'*ANNEX II*

ELEMENTS TO BE TAKEN INTO ACCOUNT IN THE ISSUE OF THE AUTHORISATIONS FOR DISCHARGES OF WASTES

With a view to the issue of an authorisation for the discharges of wastes containing substances referred to in Article 6 of this Protocol, particular account will be taken, as the case may be, of the following factors:'

The title and paragraphs 1, 2, 3, 6 and 7 of Section A are amended as follows:

'A. CHARACTERISTICS AND COMPOSITION OF THE DISCHARGES

1. Type and size of point or diffuse source (e.g. industrial process).

2. Type of discharges (e.g. origin, average composition).

3. State of waste (e.g. solid, liquid sludge, slurry).

6. Concentrations with respect to relevant constituents of substances listed in Annex I and of other substances as appropriate.

7. Physical, chemical and biochemical properties of the waste discharges.'

The title of Section B is amended and a new paragraph is added:

'B. CHARACTERISTICS OF DISCHARGE CONSTITUENTS WITH RESPECT TO THEIR HARMFULNESS

7. All other characteristics as listed in Annex I, Section B.'

The title and paragraph 3 of Section C are amended as follows:

'C. CHARACTERISTICS OF DISCHARGE SITE AND RECEIVING ENVIRONMENT

3. Initial dilution achieved at the point of discharge into the receiving environment.'

ANNEX IV

Annex IV is renumbered as Annex III. A title is added and paragraphs 1, 2, 3 and 5 are amended as follows:

'*ANNEX III*

CONDITIONS OF APPLICATION TO POLLUTION TRANSPORTED THROUGH THE ATMOSPHERE

1. This Protocol shall apply to polluting discharges into the atmosphere under the following conditions:

(a) the discharged substance is or could be transported to the Mediterranean Sea area under prevailing meteorological conditions;

(b) the input of the substance into the Mediterranean Sea area is hazardous for the environment in relation to the quantities of the same substance reaching the area by other means.

2. This Protocol shall also apply to polluting discharges into the atmosphere affecting the Mediterranean Sea area form land-based sources within the territories of the Parties and from fixed man-made offshore structures, subject to the provisions of Article 4(2) of this Protocol.

3. In the case of pollution of the Mediterranean Sea area from land-based sources through the atmosphere, the provisions of Articles 5 and 6 of this Protocol shall apply progressively to appropriate substances and sources listed in Annex I to this Protocol as will be agreed by the Parties:

5. The provisions of Annex II to this Protocol shall apply to pollution through the atmosphere whenever appropriate. Air pollution monitoring and modelling using acceptable common emission factors and methodologies shall be carried out in the assessment of atmospheric deposition of substances, as well as in the compilation of inventories of quantities and rates of pollutant emissions into the atmosphere from land-based sources.'

ANNEX IV

A new Annex IV is added as follows:

'ANNEX IV

CRITERIA FOR THE DEFINITION OF BEST AVAILABLE TECHNIQUES AND BEST ENVIRONMENTAL PRACTICE

A. BEST AVAILABLE TECHNIQUES

1. The use of the best available techniques shall emphasise the use of non-waste technology, if available.

2. The term "best available techniques" means the latest stage of development (state of the art) of processes, of facilities or of methods of operation which indicate the practical suitability of a particular measure for limiting discharges, emissions and waste. In determining whether a set of processes, facilities and methods of operation constitute the best available techniques in general or individual cases, special consideration shall be given to:

   (a) comparable processes, facilities or methods of operation which have recently been successfully tried out;

   (b) technological advances and changes in scientific knowledge and understanding;

   (c) the economic feasibility of such techniques;

   (d) time limits for installation in both new and existing plants;

   (e) the nature and volume of the discharges and emissions concerned.

3. It therefore follows that what is "best available techniques" for a particular process will change with time in the light of technological advances, economic and social factors, as well as changes in scientific knowledge and understanding.

4. If the reduction of discharges and emissions resulting from the use of best available techniques does not lead to environmentally acceptable results, additional measures have to be applied.

5. "Techniques" include both the technology used and the way in which the installation is designed, built, maintained, operated and dismantled.

B. BEST ENVIRONMENTAL PRACTICE

6. The term "best environmental practice" means the application of the most appropriate combination of environmental control measures and strategies. In making a selection for individual cases, at least the following graduated range of measures should be considered:

(a) the provision of information and education to the public and to users about the environmental consequences of choice of particular activities and choice of products, their use and ultimate disposal;

(b) the development and application of codes of good environmental practice which cover all aspects of the activity in the product's life;

(c) the mandatory application of labels informing users of environmental risks related to a product, its use and ultimate disposal;

(d) saving resources, including energy;

(e) making collection and disposal systems available to the public;

(f) avoiding the use of hazardous substances or products and the generation of hazardous waste;

(g) recycling, recovery and reuse;

(h) the application of economic instruments to activities, products or groups of products;

(i) establishing a system of licensing, involving a range of restrictions or a ban.

7. In determining what combination of measures constitute best environmental practice, in general or individual cases, particular consideration should be given to:

(a) the environmental hazard of the product and its production, use and ultimate disposal;

(b) the substitution by less polluting activities or substances;

(c) the scale of use;

(d) the potential environmental benefit or penalty of substitute materials or activities;

(e) advances and changes in scientific knowledge and understanding;

(f) time limits for implementation;

(g) social and economic implications.

8. It therefore follows, that best environmental practice for a particular source will change with time in the light of technological advances, economic and social factors, as well as changes in scientific knowledge and understanding.

9. If the reduction of inputs resulting from the use of best environmental practice does not lead to environmentally acceptable results, additional measures have to be applied and best environmental practice redefined.'