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#### COVER NOTE

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From:	European Commission
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To:	General Secretariat of the Council
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Subject:	COMMISSION DECISION (EU) .../... of XXX on the sectoral reference document on best environmental management practices, environmental performance indicators and benchmarks of excellence for the fabricated metal products manufacturing sector for the purposes of Regulation (EC) No 1221/2009 of the European Parliament and of the Council

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Delegations will find attached document D073519/01.

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Encl: D073519/01



Brussels, **XXX**  
D073519/01  
[...](2021) **XXX** draft

**COMMISSION DECISION (EU) .../...**

**of **XXX****

**on the sectoral reference document on best environmental management practices,  
environmental performance indicators and benchmarks of excellence for the fabricated  
metal products manufacturing sector for the purposes of Regulation (EC) No 1221/2009  
of the European Parliament and of the Council**

(Text with EEA relevance)

## COMMISSION DECISION (EU) .../...

of **XXX**

**on the sectoral reference document on best environmental management practices, environmental performance indicators and benchmarks of excellence for the fabricated metal products manufacturing sector for the purposes of Regulation (EC) No 1221/2009 of the European Parliament and of the Council**

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EC) No 1221/2009 of the European Parliament and of the Council of 25 November 2009 on the voluntary participation by organisations in a Community eco-management and audit scheme (EMAS), repealing Regulation (EC) No 761/2001 and Commission Decisions 2001/681/EC and 2006/193/EC<sup>1</sup>, and in particular Article 46(1) thereof,

Whereas:

- (1) Regulation (EC) No 1221/2009 obliges the Commission to develop sectoral reference documents for specific economic sectors. The documents must include best environmental management practices, environmental performance indicators and, where appropriate, benchmarks of excellence and rating systems identifying environmental performance levels. Organisations registered or preparing to become registered under the eco-management and audit scheme established by Regulation (EC) No 1221/2009 are required to take the sectoral reference documents into account when developing their environmental management system and when assessing their environmental performance in their environmental statement, or updated environmental statement, prepared in accordance with Annex IV to that Regulation.
- (2) Regulation (EC) No 1221/2009 required the Commission to establish a working plan setting out an indicative list of sectors to be considered priority sectors for the adoption of sectoral and cross-sectoral reference documents. The Commission has, in that working plan<sup>2</sup>, identified the fabricated metal products manufacturing sector as a priority sector.

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<sup>1</sup> OJ L 342, 22.12.2009, p. 1.

<sup>2</sup> Communication from the Commission — Establishment of the working plan setting out an indicative list of sectors for the adoption of sectoral and cross-sectoral reference documents, under Regulation (EC) No 1221/2009 on the voluntary participation by organisations in a Community eco-management and audit scheme (EMAS), OJ C 358, 8.12.2011, p. 2.

- (3) The sectoral reference document should identify, by way of best environmental management practices for that sector<sup>3</sup>, concrete actions to improve the overall environmental management of companies in the sector in three main areas, which cover, from the perspective of the manufacturers, the main environmental aspects of the fabricated metal products manufacturing companies. Those main areas are cross cutting issues, optimisation of utilities and manufacturing processes. Specific environmental performance indicators and benchmarks of excellence for a particular best environmental management practice should also be given whenever possible and meaningful.
- (4) In order to allow organisations in the fabricated metal products manufacturing sector, environmental verifiers, national authorities, accreditation and licensing bodies and other operators sufficient time to prepare for introduction of the sectoral reference document for the fabricated metal products manufacturing sector, the date of application of this Decision should be deferred.
- (5) In developing the sectoral reference document, the Commission has consulted with Member States and other stakeholders in accordance with Regulation (EC) No 1221/2009.
- (6) The measures provided for in this Decision are in accordance with the opinion of the Committee established by Article 49 of Regulation (EC) No 1221/2009,

HAS ADOPTED THIS DECISION:

#### *Article 1*

The sectoral reference document on best environmental management practices, sector environmental performance indicators and benchmarks of excellence for the fabricated metal products manufacturing sector is set out in the Annex.

#### *Article 2*

This Decision shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

It shall apply from [*insert date – 120 days following publication.*].

Done at Brussels,

*For the Commission*  
*The President*  
*Ursula VON DER LEYEN*

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<sup>3</sup> Antonopoulos I., Canfora P., Gaudillat P., Dri M., Eder P., Best Environmental Management Practice in the Fabricated Metal Products manufacturing sector, EUR 30025 EN, Publications Office of the European Union, Luxembourg, 2020, ISBN 978-92-76-14299-7, doi:10.2760/894966, JRC119281; [https://susproc.jrc.ec.europa.eu/product-bureau/sites/default/files/inline-files/JRC\\_BEMP\\_fabricated\\_metal\\_product\\_manufacturing\\_report.pdf](https://susproc.jrc.ec.europa.eu/product-bureau/sites/default/files/inline-files/JRC_BEMP_fabricated_metal_product_manufacturing_report.pdf)