



**COUNCIL OF  
THE EUROPEAN UNION**

**Brussels, 3 December 2012**

**16735/12  
ADD 1**

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**Interinstitutional File::  
2010/0246 (COD)**

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**CODEC 2803  
COMPET 730  
CHIMIE 88  
ENFOPOL 390  
ENV 891  
MI 779  
ENT 302  
OC 672**

**ADDENDUM TO THE "I/A" ITEM NOTE**

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from : General Secretariat of the Council

to : COREPER / COUNCIL

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n° prop. Cion: 14376/10 COMPET 272 CHIMIE 33 ENFOPOL 271 ENV 636 MI 348 ENT 127  
CODEC 944

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Objet : Proposal for a Regulation of the European Parliament and of the Council on the  
marketing and use of explosives precursors (**first reading**)

- Adoption of the legislative act (**LA + S**)

=Statements

**COMMON GUIDELINES**

**Consultation deadline: 10.12.2012**

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### **Statements by Germany**

1. In view of both recital 4 and our understanding that it is not the objective of this Regulation to prohibit other measures taken by Member States to protect the public from the risks posed by the listed chemicals and particularly from the health risks involved, Germany regrets that it was not possible to make it clear, in either the wording of the Regulation or in the recitals, that existing European or national provisions, particularly those on the protection of health, remain unaffected. We acknowledge that recital 4 has been amended to include a reference to existing provisions for the protection of the environment and of workers' safety as an alternative to any such regulation. However, the reference to rules concerning workers' safety does not go far enough.
2. Germany points out that a greater harmonisation of the rules on the labelling of affected products would have been desirable with a view to the internal market and the avoidance of unnecessary bureaucracy for businesses. In addition, in line with the purpose of the Regulation and in order to avoid red tape, only the distributor should be subject to the labelling requirement provided for in the Regulation.

### **Statement by Bulgaria**

Bulgaria fully recognises the importance of establishing a common legislative framework with harmonized rules for marketing and use of explosive precursors, which would also aim at strengthening the level of public security and reducing the risk of terrorist attacks throughout the Union.

Bulgaria will therefore support the adoption of the Regulation.

However, we would like to express our regrets that the proposed Regulation does not fully achieve its goals.

Bulgaria believes that the aim of the Regulation both as regards the functioning of the Internal market and the security issues, could best be achieved with a simpler regime.

Bulgaria therefore considers that the option which would cause least administrative burden would be not to derogate from the EU-wide restrictions at all.

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