



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 17 January 2013

5392/13

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2012/0366 (COD)**

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MI 23
FISC 12
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"I" ITEM NOTE

from : General Secretariat
to : Permanent Representatives Committee (Part I)

No. Cion prop. : 18068/12 SAN 337 MI 850 FISC 206 CODEC 3117 - COM(2012) 788final

Subject : Proposal for a Directive of the European Parliament and of the Council on the approximation of the laws, regulations and administrative provisions of the Member States concerning the manufacture, presentation and sale of tobacco and related products
- Optional consultation of the Committee of the Regions¹

1. On 19 December 2012 the Commission submitted to the European Parliament and the Council the above proposal.
3. The proposal, which is based on Article 114 of the Treaty on the Functioning of the European Union, does not require the opinion of the Committee of the Regions. However, it may be recalled that the Committee of the Regions was consulted on the previous proposal² that was the basis for the current Directive 2001/37/EC. For the sake of consistency, it may be appropriate to consult the Committee of the Regions on this proposal as well. The Commission also suggested to the Council to conduct this consultation.

¹ The sole purpose of this note is to decide on the consultation of another institution/body and not on the substance.

² OJ C 150 E, 30.5.2000

4. The Permanent Representatives Committee is therefore invited to decide, in accordance with Article 19(7)(h) of the Council's Rules of Procedure, to consult the Committee of the Regions on the above proposal and to request it to give its opinion as soon as possible.
