



**COUNCIL OF  
THE EUROPEAN UNION**

**Brussels, 21 January 2013**

**5258/13**

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**Interinstitutional File:  
2012/0007 (COD)**

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**CODEC 64  
MI 14  
CHIMIE 2  
ENV 29  
COMPET 15  
ENT 10  
PE 9**

**INFORMATION NOTE**

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from: General Secretariat  
to: Permanent Representatives Committee/Council  
Subject: Proposal for a directive of the European Parliament and of the Council on the classification, packaging and labelling of dangerous preparations (recast)  
- Outcome of the European Parliament's first reading  
(Strasbourg, 14 to 17 January 2013)

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**I. INTRODUCTION**

The Rapporteur, Mrs Eija-Riitta KORHOLA (EPP, FI), presented a report consisting of 1 amendment (amendment 1) to the proposal for a Directive of the European Parliament and of the Council on the classification, packaging and labelling of dangerous preparations on behalf of the Committee on the Environment, Public Health and Food Safety.

No negotiations with the Council took place on this proposal.

As the proposal was placed on the agenda under Rule 138 of the European Parliament's Rules of Procedure, no debate was held.

## **II. VOTE**

When it voted in plenary on 16 January 2013, the European Parliament adopted amendment 1.

The text of the amendments adopted and the European Parliament's legislative resolution are annexed to this note.

## **Classification, packaging and labelling of dangerous preparations \*\*\*I**

**European Parliament legislative resolution of 16 January 2013 on the proposal for a directive of the European Parliament and of the Council on the classification, packaging and labelling of dangerous preparations (recast) (COM(2012)0008 – C7-0021/2012 – 2012/0007(COD))**

**(Ordinary legislative procedure – recast)**

*The European Parliament,*

- having regard to the Commission proposal to Parliament and the Council (COM(2012)0008),
  - having regard to Article 294(2) and Article 114 of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C7-0021/2012),
  - having regard to Article 294(3) of the Treaty on the Functioning of the European Union,
  - having regard to the opinion of the European Economic and Social Committee of 28 March 2012<sup>1</sup>,
  - having regard to the Interinstitutional Agreement of 28 November 2001 on a more structured use of the recasting technique for legal acts<sup>2</sup>,
  - having regard to the letter of 9 November 2012 from the Committee on Legal Affairs to the Committee on the Environment, Public Health and Food Safety in accordance with Rule 87(3) of its Rules of Procedure,
  - having regard to Rules 87 and 55 of its Rules of Procedure,
  - having regard to the report of the Committee on the Environment, Public Health and Food Safety (A7-0391/2012),
- A. whereas, according to the Consultative Working Party of the legal services of the European Parliament, the Council and the Commission, the proposal in question does not include any substantive amendments other than those identified as such in the proposal and whereas, as regards the codification of the unchanged provisions of the earlier acts together with those amendments, the proposal contains a straightforward codification of the existing texts, without any change in their substance;
1. Adopts its position at first reading hereinafter set out, taking into account the recommendations of the Consultative Working Party of the legal services of the European Parliament, the Council and the Commission;

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<sup>1</sup> OJ C 181, 21.6.2012, p. 203.

<sup>2</sup> OJ C 77, 28.3.2002, p. 1.

2. Calls on the Commission to refer the matter to Parliament again if it intends to amend the proposal substantially or replace it with another text;
3. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

## **Amendment 1**

### **Proposal for a directive Article 20 – paragraph 5**

#### *Text proposed by the Commission*

5. A delegated act adopted pursuant to Article 10(4), Article 12(4) and Article 19 shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by **one month** at the initiative of the European Parliament or of the Council.

#### *Amendment*

5. A delegated act adopted pursuant to Article 10(4), Article 12(4) and Article 19 shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by **two months** at the initiative of the European Parliament or of the Council.