



Council of the  
European Union

Brussels, 2 October 2017  
(OR. en)

12701/17

ENV 788  
MI 663  
DELECT 171

#### 'I/A' ITEM NOTE

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From: General Secretariat of the Council  
To: Permanent Representatives Committee/Council

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No. Cion doc.: 11706/17 ENV 713 MI 586 DELECT 140 - C(2017) 5446 final + ADD 1 - Annex 1

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Subject: COMMISSION DELEGATED DIRECTIVE (EU) .../... of 7.8.2017 amending, for the purposes of adapting to scientific and technical progress, Annex III to Directive 2011/65/EU of the European Parliament and of the Council as regards an exemption for cadmium in colour converting light-emitting diodes (LEDs) for use in display systems  
- Intention not to raise objection to a delegated act

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1. The Commission has submitted the above delegated act<sup>1</sup> to the Council in accordance with the procedure set out in Article 290 TFEU and in particular Article 5(1)(a) of Directive 2011/65/EU of the European Parliament and of the Council of 8 June 2011 on the restriction of the use of certain hazardous substances in electrical and electronic equipment<sup>2</sup>. The Commission having notified the delegated act on 21 August 2017, the Council may object to it until 21 October 2017.

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<sup>1</sup> Doc. 11706/17 + ADD 1.  
<sup>2</sup> OJ L 174, 1.7.2011, p. 88.

2. On 28 September 2017, the Working Party on Environment examined the delegated act and agreed, with the FR and LU delegations objecting to the delegated Directive, that there are no grounds for the Council to object to it.
  3. It is therefore suggested that Coreper recommends that the Council confirms that it has no intention to object to the delegated act and that the Commission and the European Parliament are to be informed thereof. This implies that, unless the European Parliament objects to it, the delegated act shall be published and enter into force on the twentieth day following its publication in the Official Journal of the European Union in accordance with Article 3 of the Delegated Directive.
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