



Council of the
European Union

Brussels, 6 October 2017
(OR. en)

12705/1/17
REV 1

ENV 789
MI 664
AGRI 509
CHIMIE 81
SAN 332
CONSOM 308
DELECT 172

'I/A' ITEM NOTE

From:	General Secretariat of the Council
To:	Permanent Representatives Committee (Part 1)/Council
No. Cion doc.:	11882/17 ENV 727 MI 607 AGRI 443 CHIMIE 78 SAN 319 CONSOM 293 DELECT 23 - C(2017) 5467 final + ADD 1 - Annex
Subject:	Commission Delegated Regulation (EU) .../... of 4.9.2017 setting out scientific criteria for the determination of endocrine-disrupting properties pursuant to Regulation (EU) No 528/2012 - Intention not to raise objection to a delegated act

1. The Commission has submitted the above delegated act¹ to the Council in accordance with the procedure set out in Article 290 TFEU and in particular with the first subparagraph of Article 5(3) of Regulation (EU) No 528/2012 of the European Parliament and of the Council of 22 May 2012 concerning the making available on the market and use of biocidal products². As the Commission notified the delegated act on 4 September 2017, the Council may object to it until 4 November 2017.

¹ Doc. 11882/17 + ADD 1.

² OJ L 167, 27.6.2012.

2. On 28 September 2017, the Working Party on Environment examined the delegated act and agreed, with the DK, LU and SE delegations objecting to the delegated Regulation, that there are no grounds for the Council to object to it. DK and SE delegations have submitted each a statement as set out in the Addendum to this note.

3. It is therefore suggested that Coreper recommend the Council to confirm 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 4 of the Delegated Regulation.
