



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 29 November 2013

16978/13

**ENV 1133
MI 1093
DELECT 93**

“I/A” ITEM NOTE

from: General Secretariat of the Council
to: Coreper/Council

No. Cion prop.: 15394/13 ENV 982 MI 927 DELACT 66

Subject: Commission Delegated Directive .../.../EU of 18.10.2013 amending, for the purposes of adapting to technical progress, the Annex IV to Directive 2011/65/EU of the European Parliament and of the Council as regards an exemption for lead and cadmium in metallic bonds creating superconducting magnetic circuits in MRI, SQUID, NMR (Nuclear Magnetic Resonance) or FTMS (Fourier Transform Mass Spectrometer) detectors

- 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 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 equipment². The Commission having notified the delegated act on 18 October 2013, the Council may object to it until 18 December 2013.
2. The Working Party on Environment has examined the delegated act and agreed that there are no grounds for the Council to object it.

¹ Doc. 15394/13.

² OJ L 174, 1.7.2011, p. 88.

3. It is therefore suggested that Coreper recommend that the Council 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 3 of the Delegated Directive.
