



Council of the
European Union

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COTRA 9

DECLASSIFICATION

of document: ST 11679/11 RESTREINT UE/EU RESTRICTED

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Subject: *Council Decision to authorise the Commission to negotiate an Agreement between the Government of the United States of America and the European Union on the coordination of energy-efficiency labelling programmes for office equipment - Adoption*

Delegations will find attached the declassified version of the above document.

The text of this document is identical to the previous version.



COUNCIL OF
THE EUROPEAN UNION

Brussels, 24 June 2011

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I/A ITEM NOTE

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

No. Cion prop. : 11461/11 ENER 236 COTRA 7

Subject : Council Decision to authorise the Commission to negotiate an Agreement between the Government of the United States of America and the European Union on the coordination of energy-efficiency labelling programmes for office equipment
- Adoption

1. On 9 June, the Commission presented its recommendation to the Council on the above subject¹ ("*new Energy Star Agreement*"). The Council Energy Working Party examined the text of the recommendation on 14 and 21 June, and marked its agreement on the provisions proposed therein.
2. The Permanent Representatives Committee is invited to suggest to the Council that it adopt the attached draft Decision as an "A" item.

¹ doc. 11461/11 ENER 236 COTRA 7 RESTREINT UE/EU RESTRICTED

*draft***COUNCIL DECISION**

to authorise the Commission to negotiate an Agreement between the Government of the United States of America and the European Union on the coordination of energy-efficiency labelling programmes for office equipment

THE COUNCIL OF THE EUROPEAN UNION

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 218(3) and (4) thereof,

Having regard to the recommendation from the European Commission,

HAS ADOPTED THIS DECISION:

Article 1

- (1) The Commission is hereby authorised to negotiate on behalf of the European Union a new agreement between the Government of the United States of America and the European Union on the coordination of energy-efficiency labelling programs for office equipment.
- (2) The Commission shall conduct those negotiations on behalf of the Union, and shall negotiate the provisions of the Agreement in accordance with the Negotiating Directives set out in the Addendum to this Decision.
- (3) The negotiations shall be conducted in consultation with the Council Energy Working Party, designated by the Council as the special committee in accordance with Article 218(4) TFEU. The Commission shall report regularly to the special committee, including, where possible, in writing.
- (4) The Council may review the content of the Negotiating Directives at any time.

Article 2

This Decision is addressed to the Commission.

Done at ...,

For the Council

The President

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Directives for the negotiation of an Agreement between the Government of the United States of America and the European Union on the coordination of energy-efficiency labelling programmes for office equipment

1. The Commission shall ensure that the negotiated draft Agreement contains the main provisions of the Agreement currently in force¹, including the possibility for manufacturers to self-certify their products in the EU.
2. In light of the above and given the decision of the US to introduce third-party certification to the programme in the US, the Commission shall ensure that the provisions of the negotiated draft Agreement related to product registration, notably those listed under Article VI of the Agreement currently in force are adapted accordingly.

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¹ OJL 381, 28.12.2006, p.26.