Council of the European Union

Brussels, 10 July 2018
(OR. en)

11024/18

Interinstitutional File:
2018/0070 (COD)

ENV 514
ENT 132
COMPET 516
IND 196
SAN 226
CONSOM 209
MI 527
CHIMIE 43
CODEC 1261

NOTE

From:	General Secretariat of the Council
To:	Delegations
No. prev. doc.:	10779/18 ENV 492 ENT 129 COMPE 499 IND 188 SAN 215 CONSOM 202 MI 514 CHIMIE 40 CODEC 1224
No. Cion doc.:	7470/18 ENV 197 ENT 52 COMPET 181 IND 84 SAN 92 CONSOM 75 MI 213 CHIMIE 13 CODEC 441 - COM(2018) 144 final + ADD 1
Subject:	Proposal for a Regulation of the European Parliament and of the Council on persistent organic pollutants (recast) - Opinion of the Consultative Working Party of Legal Services

Delegations will find attached the opinion of the Consultative Working Party of Legal Services regarding the abovementioned subject.

GROUPE CONSULTATIF
DES SERVICES JURIDIQUES

Brussels, 22 JUIN 2018

OPINION

FOR THE ATTENTION OF **THE EUROPEAN PARLIAMENT**
THE COUNCIL
THE COMMISSION

Proposal for a Regulation of the European Parliament and of the Council on persistent organic pollutants (recast)

COM(2018) 144 final of 22.3.2018 - 2018/0070 (COD)

Having regard to the Inter-institutional Agreement of 28 November 2001 on a more structured use of the recasting technique for legal acts, and in particular to point 9 thereof, the Consultative Working Party consisting of the respective legal services of the European Parliament, the Council and the Commission met on 13 and 20 April 2018 for the purpose of examining, among others, the aforementioned proposal submitted by the Commission.

At those meetings[1], an examination of the proposal for a Regulation of the European Parliament and of the Council recasting Regulation (EC) No 850/2004 of the European Parliament and of the Council of 29 April 2004 on persistent organic pollutants and amending Directive 79/117/EEC resulted in the Consultative Working Party's establishing, by common accord, as follows.

1. The following should have been marked with the grey-shaded type generally used for identifying substantive changes:
- in Article 4(3), fourth subparagraph, the adding of the words '*in an annotation*' and the replacement of the word '*first*' with '*second*';
- in Article 7(5), the replacement of the current references to '*paragraph 4(b)*' with references to '*paragraph 4*';
- in Article 9(2), the adding of the words '*its publication*';
- in Article 13(1)(a), the deletion of the words '*forward to the Commission*';
- in Article 13(1)(f), the deletion of the words '*provide the Commission*' and '*with*'.
2. In the third subparagraph of Article 9(4), the adding of the word '*that*' should have been identified with adaptation arrows and the word '*plan*' should not have been presented between adaptation arrows.

[1] The Consultative Working Party worked on the basis of the English language version of the proposal, being the master-copy language version of the text under discussion.

3. In Annex IV, footnote no. 7 should be adapted so as to read as indicated in the document attached hereto.

In consequence, examination of the proposal has enabled the Consultative Working Party to conclude, without dissent, that the proposal does not comprise any substantive amendments other than those identified as such. The Working Party also concluded, as regards the codification of the unchanged provisions of the earlier act with those substantive amendments, that the proposal contains a straightforward codification of the existing legal text, without any change in its substance.

F. DREXLER
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L. ROMERO REQUENA
Director General

Text of footnote no. 7 of Annex IV

The limit is calculated as PCDD and PCDF according to the following toxic equivalency factors (TEFs):

PCDD	TEF
2,3,7,8-TeCDD	1
1,2,3,7,8-PeCDD	1
1,2,3,4,7,8-HxCDD	0,1
1,2,3,6,7,8-HxCDD	0,1
1,2,3,7,8,9-HxCDD	0,1
1,2,3,4,6,7,8-HpCDD	0,01
OCDD	0,0003
PCDF	TEF
2,3,7,8-TeCDF	0,1
1,2,3,7,8-PeCDF	0,03
2,3,4,7,8-PeCDF	0,3
1,2,3,4,7,8-HxCDF	0,1
PCDD	TEF
1,2,3,6,7,8-HxCDF	0,1
1,2,3,7,8,9-HxCDF	0,1
2,3,4,6,7,8-HxCDF	0,1
1,2,3,4,6,7,8-HpCDF	0,01
1,2,3,4,7,8,9-HpCDF	0,01
OCDF	0,0003