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From:	General Secretariat of the Council
To:	Permanent Representatives Committee/Council
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Subject:	COMMISSION REGULATION (EU) .../... of XXX amending Annex I to Regulation (EC) No 1334/2008 of the European Parliament and of the Council as regards caffeine and theobromine - <i>Decision not to oppose adoption</i>

1. On 18 July 2018, the Commission submitted for scrutiny by the European Parliament and by the Council the above draft Regulation, on the basis of Article 11(3) of Regulation (EC) No 1334/2008 of the European Parliament and of the Council and of Article 7(5) of Regulation (EC) No 1331/2008 of the European Parliament and of the Council¹.
2. The Working Party on Foodstuffs considered, through an informal written procedure², that there are no grounds for the Council to oppose the adoption of the draft Commission Regulation.
3. The Permanent Representatives Committee is therefore invited to:
 - confirm the agreement reached by the Working Party, and
 - recommend to the Council to confirm, as an "A" item on its agenda, that there are no grounds for opposing the draft measures.

¹ Regulation (EC) No 1334/2008 of the European Parliament and of the Council (OJ L 354, 31.12.2008, p. 34) and with Article 7(5) of Regulation (EC) No 1331/2008 of the European Parliament and of the Council (OJ L 354, 31.12.2008, p. 1).

² WK 9084/2018 INIT and WK 9564/2018 INIT.