



Brussels, 15 December 2017  
(OR. en)

15837/17

COMPET 877  
ENV 1075  
CHIMIE 106  
MI 968  
ENT 272  
SAN 466  
CONSOM 400

**'I/A' ITEM NOTE**

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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 XVII to Regulation (EC) No 1907/2006 of the European Parliament and of the Council concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH) as regards methanol  
– Decision not to oppose adoption

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1. Article 131 of Regulation (EC) No 1907/2006 provides that the Annexes of this Regulation may be amended in accordance with the procedure referred to in Article 133(4) thereof.
2. Therefore, in accordance with Article 5a(2) of Council Decision 1999/468/EC<sup>1</sup>, the Committee established under Regulation (EC) No 1907/2006 was consulted on 25 October 2017 on amending Annex XVII (restrictions on the manufacture, placing on the market and use of certain dangerous substances, mixtures and articles) as regards methanol. It voted in favour of the above draft Commission Regulation (nineteen Member States in favour, eighth Members States against and one Member State abstention).

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<sup>1</sup> Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission (OJ L 184, 17.7.1999, p. 23), as amended by Decision 2006/512/EC (JO L 200, 22.7.2006, p. 11).

3. Consequently, the Commission submitted the above draft Commission Regulation to the Council on 10 November 2017, in accordance with Article 5a(3)(a) of Council Decision 1999/468/EC.
4. Under the regulatory procedure with scrutiny, the Council, acting by qualified majority, may oppose the Commission's adoption of the draft Commission Regulations on the grounds that the draft measures presented by the Commission:
  - exceed the implementing powers provided for in the basic instrument, or
  - are not compatible with the aim or the content of the basic instrument, or
  - do not respect the principles of subsidiarity or proportionality.
5. The delegations were asked on 17 November 2017 to indicate their possible opposition to the draft Commission Regulation before 14 December 2017. No delegation raised any of the above-mentioned grounds for opposition.
6. The Permanent Representatives Committee is therefore invited to recommend to the Council to confirm, as an "A" item of its agenda, that it is not opposed to the draft Commission Regulation in subject.

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