



Brussels, 29 May 2019  
(OR. en)

9429/19

---

---

**Interinstitutional File:**  
**2017/0353(COD)**

---

---

CODEC 1109  
ENT 138  
MI 455  
CONSOM 171  
COMPET 415  
UD 146  
CHIMIE 83  
COMER 73

#### 'I/A' ITEM NOTE

---

From: General Secretariat of the Council  
To: Permanent Representatives Committee/Council

---

Subject: Draft REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on market surveillance and compliance of products and amending Directive 2004/42/EC and Regulations (EC) No 765/2008 and (EU) No 305/2011 **(first reading)**  
- Adoption of the legislative act

---

1. On 19 December 2017 the Commission sent the above proposal<sup>1</sup>, to the Council.
2. The European Economic and Social Committee delivered its opinion on 23 May 2018<sup>2</sup>.
3. On 17 April 2019 the European Parliament adopted its position at first reading on the Commission proposal. The outcome of voting in the European Parliament reflects the compromise agreement reached between the institutions and should, therefore, be acceptable to the Council<sup>3</sup>.

---

<sup>1</sup> 15950/17.

<sup>2</sup> OJ C 283, 10.8.2018, p. 19.

<sup>3</sup> 8438/19.

4. The Permanent Representatives Committee is therefore asked to confirm its agreement and to suggest that the Council:
- approve the European Parliament's position, as set out in PE-CONS 45/19, as an "A" item at a forthcoming meeting, with Slovakia voting against and Bulgaria and Luxembourg abstaining;
  - decide that the statements in the addendum to this note be entered in the minutes of that meeting.

If the Council approves the European Parliament's position, the legislative act will be adopted.

After being signed by the President of the European Parliament and the President of the Council, the legislative act will be published in the Official Journal of the European Union.

---