



Brussels, 3 September 2019  
(OR. en)

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ENT 194  
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**'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) No .../.. of XXX amending Annex XIV to Regulation (EC) No 1907/2006 of the European Parliament and of the Council concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH)  
- 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).
2. Therefore, in accordance with Article 5a(2) of Council Decision 1999/468/EC , the Committee established under Regulation (EC) No 1907/2006 was consulted on 9 July 2019 on amending Annex XIV (list of substances subject to authorisation). The aforementioned committee voted unanimously in favour of this measure.

3. Consequently, the Commission submitted the above draft Regulation to the Council on 23 July 2019, 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 25 July 2019 to indicate their possible opposition to the draft Regulation before 26 August 2019. 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 Regulation in subject.

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