



Brussels, 7 December 2020  
(OR. en)

13702/20

AGRILEG 164  
VETER 57  
DELECT 161  
PREP-BXT 50

#### 'I/A' ITEM NOTE

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

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No. Cion doc.: 13700/20 + ADD 1

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Subject: COMMISSION DELEGATED REGULATION (EU) .../... of XXX amending Annex II to Regulation (EC) No 853/2004 of the European Parliament and of the Council as regards the identification mark to be used for certain products of animal origin in the United Kingdom in respect of Northern Ireland  
*- Intention not to raise objections*

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1. On 7 December 2020, the Commission notified the above mentioned delegated regulation to the Council<sup>1</sup>, in accordance with the procedure set out in Article 290 TFEU and in Article 10(1) of Regulation (EU) No 853/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific hygiene rules for food of animal origin<sup>2</sup>. In accordance to Article 11a(6) of that Regulation, the Council may object to the delegated act within two months of notification, i.e. until 7 February 2020.

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<sup>1</sup> Doc. C(2020) 8765 final.

<sup>2</sup> OJ L 139, 30.4.2004, p. 55.

2. On the same day, Commissioner Kyriakides addressed a letter to the Presidency requesting that the Council examines the delegated regulation in an accelerated manner to provide a reaction to the Commission already by 20 December 202, in order to allow the Commission to publish the measure prior to 1 January 2021, in the interest of smooth flow of trade<sup>3</sup>.
3. In order for the Council to confirm its early non-objection to the delegated act as an 'I/A' item within that deadline, the item has been added on the agenda of Coreper on 9 December 2020. The Working Party of Counsellors/Attachés (Veterinary Matters) has been invited to express objections, if any, by 8 December 10h00.
4. In view of the above, the Permanent Representatives Committee (Part 1) is invited to:
  - recommend that the Council confirms that it has no intention to object to the delegated act and that the Commission and the European Parliament are to be informed thereof. This implies that, if the European Parliament also confirms that it has no intention to object, the delegated act shall be published and enter into force in accordance with Article 11a(6) of Regulation (EU) No 853/2004 of the European Parliament and of the Council.

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<sup>3</sup> 13758/20.