



Council of the
European Union

Brussels, 2 December 2019
(OR. en)

14466/19

COMPET 767
ENV 950
CHIMIE 138
MI 814
ENT 260
SAN 483
CONSOM 318
DELECT 210

'I/A' ITEM NOTE

From: General Secretariat of the Council

To: Permanent Representatives Committee/Council

No. Cion doc.: 13598/19 + ADD 1 - C(2019) 7611 final

Subject: COMMISSION DELEGATED REGULATION (EU) .../... of 29.10.2019 amending Regulation (EC) No 1272/2008 of the European Parliament and of the Council on classification, labelling and packaging of substances and mixtures as regards information relating to emergency health response
- Intention not to raise objections to a delegated act

1. On 29 October 2019, the Commission submitted the above delegated act¹ to the Council in accordance with the procedure set out in Article 290 TFEU and Article 45(1) of the CLP Regulation (EC) No 1272/2008 on classification, labelling and packaging of substances and mixtures. Commission Regulation (EU) No 2017/542² amended the CLP Regulation by adding an Annex VIII related to emergency health response and intended to be applicable from 1 January 2020. The above delegated act proposes an amendment to Annex VIII before its applicability date.

¹ doc. ST 13598/19 + ADD1

² O.J. L 78, 23.3.2017, p. 1–12: Commission Regulation (EU) 2017/542 of 22 March 2017 amending Regulation (EC) No 1272/2008 of the European Parliament and of the Council on classification, labelling and packaging of substances and mixtures by adding an Annex on harmonised information relating to emergency health response

2. The delegated act is based on Articles 45 (4) and 53 (1) of Regulation (EC) No 1272/2008. The Council has until 30 December 2019 to object to it.
 3. The Working Parties on Technical Harmonisation (Dangerous Chemicals) and Technical Harmonisation (Attachés) examined the delegated act, and by 22 November 2019 concluded that there are no grounds for the Council to object to it.
 4. Against this background, the Permanent Representatives Committee could invite the Council to confirm that the Council 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 unless the European Parliament objects to it, the delegated act shall be published and enter into force in accordance with Art. 53 of Regulation (EC) 1272/2008.
-