



Brussels, 23 April 2021
(OR. en)

7948/21

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'I/A' ITEM NOTE

From: General Secretariat of the Council

To: Permanent Representatives Committee/Council

No. Cion doc.: ST 7007/21 + ADD 1 - C(2021) 1533 final

Subject: Commission Delegated Regulation (EU) .../... of 11.3.2021 amending, for the purposes of its adaptation to technical and scientific progress, Part 3 of Annex VI to Regulation (EC) No 1272/2008 of the European Parliament and of the Council on classification, labelling and packaging of substances and mixtures

- Decision not to raise objections

1. On 11 March 2021, the Commission submitted the above draft Delegated Regulation to the Council, which amends Part 3 of Annex VI of Regulation (EC) No 1272/2008¹ in accordance with its Articles 37 and 53a(4).

¹ Regulation (EC) No 1272/2008 of the European Parliament and of the Council of 16 December 2008 on classification, labelling and packaging of substances and mixtures, amending and repealing Directives 67/548/EEC and 1999/45/EC, and amending Regulation (EC) No 1907/2006 (OJ L 353, 31.12.2008, p. 1–1355): Current consolidated version dates 1 May 2020.

2. Table 3 of Part 3 of Annex VI to Regulation (EC) No 1272/2008 contains the list of harmonised classification and labelling of hazardous substances. Classification for substances in mixtures with acute toxicity for human health is determined by Acute Toxicity Estimates (ATE). The inclusion of harmonised ATE values in the entries listed in Annex VI of Regulation (EC) No 1272/2008 facilitates the harmonisation of the classification of mixtures and provides support for the enforcement authorities.
 3. Pursuant to Article 53a(4), experts designated by each Member State are consulted in the relevant expert group. In accordance with points 6 and 10 of the Annex to the Interinstitutional Agreement on Better Law-Making of 13 April 2016², the European Parliament and the Council have been invited to participate in the expert group, and all stakeholders were consulted.
 4. On 12 March 2021, delegations were asked by 12 April 2021 to indicate their possible opposition to the above draft Delegated Regulation. No delegation raised any relevant grounds for opposition. The official two-month deadline expires on 12 May 2021.
 5. Against this background, the Permanent Representatives Committee is invited to recommend to the Council to confirm the non-opposition to the draft Delegated Regulation, as set out in document ST 7007/21 + ADD 1 as an item without discussion at one of its forthcoming meetings.
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² OJ L 123 of 12.05 2016, p. 1