



Brussels, 23 January 2020  
(OR. en)

5464/20

DENLEG 12  
AGRI 31  
SAN 20

#### 'A' ITEM NOTE

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From: Permanent Representatives Committee  
To: Council

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No. prev. doc.: 5272/20  
No. Cion doc.: 15110/19 + ADD 1

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Subject: COMMISSION REGULATION (EU) .../... of XXX amending Annex II to Regulation (EC) No 1333/2008 of the European Parliament and of the Council as regards the use of citric acid (E 330) in cocoa and chocolate products  
*- Decision not to oppose the adoption*

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1. On 9 December 2019, the Commission submitted for scrutiny by the European Parliament and the Council the above draft Regulation (ST 15110/19 + ADD 1) in accordance with Article 5a (3)(a) of Council Decision 1999/468/EC<sup>1</sup>, as modified by Council Decision No 2006/512/EC laying down the procedures for the exercise of implementing powers conferred on the Commission<sup>2</sup>.
2. The Working Party on Foodstuffs (Attachés) considered, through an informal written procedure<sup>3</sup>, that there are no grounds for the Council to oppose the adoption of the draft Commission Regulation.

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<sup>1</sup> OJ L 184, 17.7.1999, p. 23

<sup>2</sup> OJ L 200, 22.7.2006, p. 11

<sup>3</sup> WK 14299/2019, WK 506/2020

3. On 22 January 2020, the Permanent Representatives Committee, while taking note of the intention of the United Kingdom to abstain, confirmed the agreement reached by the Working Party and decided to recommend to the Council to confirm that there are no grounds for opposing the draft measures.
  4. Thus, the Council is invited to confirm, as an "A" item on its agenda, that there are no grounds for opposing the draft measures, with the United Kingdom delegation abstaining.
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