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NOTE

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| From: | General Secretariat of the Council |
| To: | Council |

Subject: Product Safety and Market Surveillance Package

a) Proposal for a Regulation of the European Parliament and of the Council on consumer product safety and repealing Council Directive 87/357/EEC and Directive 2001/95/EC (First reading)

b) Proposal for a Regulation of the European Parliament and of the Council on market surveillance of products and amending Council Directives 89/686/EEC and 93/15/EEC, and Directives 94/9/EC, 94/25/EC, 95/16/EC, 97/23/EC, 1999/5/EC, 2000/9/EC, 2000/14/EC, 2001/95/EC, 2004/108/EC, 2006/42/EC, 2006/95/EC, 2007/23/EC, 2008/57/EC, 2009/48/EC, 2009/105/EC, 2009/142/EC, 2011/65/EU, Regulation (EU) No 305/2011, Regulation (EU) No 764/2008 and Regulation (EC) No 765/2008 of the European Parliament and of the Council (First reading)

- Request by 11 delegations for information by the Presidency and the Commission

Please find attached a note by 11 Member States for the Council (Competitiveness)
on 26 May 2016.

Request for the inclusion of an aob item on “information by the presidency and the commission on the next steps regarding the consumer safety/market surveillance package negotiations”

The 11 Member States in favour of the “Made In” request the addition of an item on “information by the Presidency and the Commission on the next steps regarding the Consumer Safety/Market Surveillance Package negotiations” under “Any other Business” (item 10 of the provisional agenda) at the Competitiveness Council on 26 May 2016.

In a letter dated 16 March 2016, Ministers from 11 Member States (BG, CY, EL, ES, FR, HR, IT, MT, PT, RO, SI) invited the Presidency and the Commission to renew the efforts to find a compromise and presented a compromise proposal based on a deletion of Article 7 and an introduction of mandatory marking of origin (so-called “Made In”) in a limited number of sectorial legislation, combined with a revision clause.

The compromise proposal aims at moving the negotiations from the current standoff and must be considered as an opportunity, an idea upon which we are totally available to reopen a discussion and find a balanced agreement as a win-win solution for all, given the importance of the package for the Single Market.

The 11 Member States in favour of the “Made In” attach great importance to the Consumer Safety/Market Surveillance Package as it is, thus a splitting of the package or a proposal for a sole Market Surveillance package would not be acceptable.

Therefore we request the Presidency to inform the Council of the abovementioned initiative on the “Made In” issue and on how the Presidency and the Commission intend to proceed in order to break the current negotiations’ deadlock.
