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NOTE

From:	Presidency
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Subject:	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 - <i>General approach</i>

In document ST 9095/15 INIT, Articles 16, 17 and 19 should be read as follows:

Standardisation requests to European standardisation organisations

- 1. The Commission may request one or several European standardisation organisations to draft or identify a European standard, which aims at ensuring that products that conform to such standard or parts thereof comply with the general safety requirement. The Commission shall determine the requirements as to the content to be met by the requested European standard and a deadline for its adoption.**

The Commission shall adopt the request referred to in the first subparagraph by an implementing decision. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 19(3).

- ~~1. Where the Commission considers that a European standard, which aims at ensuring that products that conform to such standard or parts thereof comply with the general safety requirement, should be drafted or identified, it shall make a request to one or several European standardisation organisations in accordance with Articles 10(1) to 10(5) of Regulation (EU) No 1025/2012.~~

~~For such a request the Commission shall determine the requirements as to the content to be met by the requested European standard and a deadline for its adoption on the basis of the opinion of the committee referred to in the first subparagraph of Article 19(1), first subparagraph and in accordance with the procedure referred to in Article 19(3).~~

- 2. The relevant European standardisation organisation shall indicate, within one month following receipt of the request referred to in paragraph 1, if it accepts it.**
- 3. Where a request for funding is made, the Commission shall inform the relevant European standardisation organisations, within two months following the receipt of the acceptance referred to in paragraph 2, about the award of a grant for drafting a European standard.**
- 4. The European standardisation organisations shall inform the Commission about the activities undertaken for the development of the European standard referred to in paragraph 1. The Commission together with the European standardisation organisations shall assess the compliance of the European standards drafted or identified by the European standardisation organisations with its initial request.**

5. Where the European standard satisfies the requirements it aims to cover and the general safety requirement, the Commission shall publish a reference to such European standard without delay in the *Official Journal of the European Union*.

Formal objections to European standards

- 1. When a Member State or the European Parliament considers that a European standard referred to in Article 16 does not entirely satisfy the requirements it aims to cover and the general safety requirement laid down in Article 4, it shall inform the Commission thereof with a detailed explanation and the Commission shall decide:**
 - (a) to publish, not to publish or to publish with restriction the references to the European standard concerned in the *Official Journal of the European Union*;**
 - (b) to maintain, to maintain with restriction or to withdraw the references to the European standard concerned in or from the *Official Journal of the European Union*.**
- 2. The Commission shall publish information on its website on the European standards that have been subject to a decision referred to in paragraph 1.**
- 3. The Commission shall inform the European standardisation organisation concerned of the decision referred to in paragraph 1 and, if necessary, request the revision of the European standard concerned.**
- 4. The decision referred to in point (a) of paragraph 1 of this Article shall be adopted in accordance with the advisory procedure referred to in Article 19(2).**
- 5. The decision referred to in point (b) of paragraph 1 of this Article shall be adopted in accordance with the examination procedure referred to in Article 19(3).**

~~Article 11 of Regulation (EU) No 1025/2012 shall apply in the case of formal objections by the Member States or the European Parliament to European standards referred to in Article 16.~~

Article 19

Committee procedure

1. The Commission shall be assisted by a Committee. That Committee shall be a committee within the meaning of Regulation (EU) No 182/2011.

~~Without prejudice to the second subparagraph of Article 16(1), the Committee shall be consulted by the Commission on any matter to which the provisions of this Regulation apply and for which consultation of sectorial experts is required by Regulation (EU) No 1025/2012 or by any other Union legislation.~~

- ~~— However, for the purposes of Articles 16 and 17 of this Regulation except the second subparagraph of Article 16(1), the Commission shall be assisted by the Committee established by Regulation (EU) No 1025/2012. That Committee shall be a committee within the meaning of Regulation (EU) No 182/2011.~~

2. Where reference is made to this paragraph, Article 4 of Regulation (EU) No 182/2011 shall apply.

3. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.

- ~~4. Where the opinion of the Committee referred to in the second subparagraph of paragraph 1 is to be obtained by written procedure, that procedure shall be terminated without result when, within the time limit for delivery of the opinion, the chair of the committee so decides or a simple majority of committee members so request.~~
