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'I' ITEM NOTE

From:	General Secretariat of the Council
dated:	19 September 2025
To:	Permanent Representatives Committee
No. Cion doc.:	11429/25 + ADD 1
Subject:	Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EU) 2024/2865 as regards dates of application and transitional provisions - Mandate for negotiatons with the European Parliament

1. In October 2024, the European Council called on EU institutions, Member States, and stakeholders, as a matter of priority, to take work forward, notably in response to the challenges identified in the reports by Enrico Letta (‘Much more than a market’) and Mario Draghi (‘The future of European competitiveness’). The Budapest declaration of 8 November 2024 subsequently called for “launching a simplification revolution”, by ensuring a clear, simple and smart regulatory framework for businesses and drastically reducing administrative, regulatory and reporting burdens, in particular for SMEs.

2. Between 26 February and 9 July 2025, as a follow-up to the EU Leaders' call, the Commission put forward five 'Omnibus' packages aiming to simplify existing legislation on sustainability, investment, agriculture, small and mid-caps, digitalisation and common specifications, defence readiness, followed by a sixth Omnibus on simplification of certain requirements and procedures for chemical products.[1]

3. One of the two proposals in this sixth Omnibus on chemicals amends the dates of application and transitional provisions in the revised Regulation on Classification, Labelling, and Packaging of Chemicals (the CLP Regulation)[2]. The proposal amends the dates of entry into force and entry into application of the provisions of that Regulation. The provisions also amend the timelines for relabelling, mandatory formatting requirements, advertisements, distance sales and labelling of fuel pumps. A new application date of 1 January 2028 is set for all the abovementioned provisions.

4. This part of the Omnibus VI package on simplification amendments to the CLP Regulation is named 'stop-the-clock', and the Presidency has proposed to treat it separately from the substantive part of the package. The 'stop-the-clock' proposal was first presented at the meeting of the Antici Group (Simplification) on 11 July and discussed at the meetings on 24 July and 15 September 2025. Broad agreement has been reached on this proposal.

5. Consequently, the Permanent Representatives Committee is invited to endorse the attached compromise text and instruct the Presidency to start negotiations with the European Parliament as soon as possible, in order to reach an agreement at first reading on this basis.

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1 Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EU) 2024/2865 as regards dates of application and transitional provisions - COM(2025) 526 (ST 11429/25 + ADD 1);

Proposal for a Regulation of the European Parliament and of the Council amending Regulations (EC) No 1272/2008, (EC) No 1223/2009 and (EU) 2019/1009 as regards simplification of certain requirements and procedures for chemical products - COM(2025) 531 (ST 11433/25 + ADD 1-2)

2 Regulation (EU) 2024/2865 of the European Parliament and of the Council of 23 October 2024 amending Regulation (EC) No 1272/2008 on classification, labelling and packaging of substances and mixtures

6. As indicated in the Presidency Note of 6 September 2019 on openness and transparency, the Presidency suggests that, if no objections are raised, the mandate approved by the Permanent Representatives Committee will be made public, in accordance with the Council's Rules of Procedure.

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ANNEX

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2025/0526 (COD)

Proposal for a

REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Regulation (EU) 2024/2865 as regards dates of application and transitional provisions

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 114 thereof,

Having regard to the proposal from the European Commission,

After transmission of the draft legislative act to the national Parliaments,

Having regard to the opinion of the European Economic and Social Committee[3],

Acting in accordance with the ordinary legislative procedure,

[3] OJ C [...], [...], p. [...]

Whereas:

(1) Regulation (EC) No 1272/2008 of the European Parliament and of the Council[4] contains certain requirements as regards the classification, labelling, and packaging of hazardous substances and mixtures. That Regulation was amended by Regulation (EU) 2024/2865 of the European Parliament and of the Council[5], which *inter alia* introduced specific rules on the formatting of labels, deadlines for relabelling in case of classification changes, information requirements for advertisements and distance sales offers and labelling requirements for fuelling stations. Article 2 of Regulation (EU) 2024/2865 deferred the date of application of those rules.

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4 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, ELI: http://data.europa.eu/eli/reg/2008/1272/oj).

5 Regulation (EU) 2024/2865 of the European Parliament and of the Council of 23 October 2024 amending Regulation (EC) No 1272/2008 on classification, labelling and packaging of substances and mixtures (OJ L, 2024/2865, 20.11.2024, ELI: http://data.europa.eu/eli/reg/2024/2865/oj).

(2) The 2024 Draghi report[6] highlighted that the number and the complexity of rules risk limiting the room for manoeuvre for Union undertakings and preventing them from remaining competitive. A detailed analysis of Regulation (EC) No 1272/2008[7] also pointed to excessive administrative burden and costs associated with requirements introduced by Regulation (EU) 2024/2865. Based on those findings, the Commission has laid down a proposal to simplify certain requirements and procedures for chemical products[8]. That proposal is, *inter alia*, intended to better balance, on the one hand, the need for label information to be clearly understood by consumers and, on the other hand, the need to reduce market barriers and administrative burden for industry[9]. In light of that proposal, it is necessary to further defer the obligations on label formatting, advertisements, distance sales offers and relabelling that were introduced by Regulation (EU) 2024/2865. Such further deferral would enable economic operators to prepare for changes to the formatting and labelling requirements, as well as new information requirements for advertisements and distance sales offers envisaged in the Commission's proposal.

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6 2024 report by Mario Draghi on the future of European competitiveness: https://commission.europa.eu/topics/eu-competitiveness/draghi-report_en#paragraph_47059

7 Detailed analysis of costs associated with new formatting requirements is provided in the Staff Working Document Accompanying the document Proposal for a Regulation of the European Parliament and of the Council amending Regulations (EC) No 1272/2008, (EC) No 1223/2009 and (EU) 2019/1009 as regards simplification of certain requirements and procedures for chemical products, SWD(2025) 531, p. 14.

8 Proposal for a Regulation of the European Parliament and of the Council amending Regulations (EC) No 1272/2008, (EC) No 1223/2009 and (EU) 2019/1009 as regards simplification of certain requirements and procedures for chemical products, COM(2025) 531.

9 Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions The Single Market: our European home market in an uncertain world, a strategy for making the Single Market simple, seamless and strong, COM(2025) 500 final, p. 10: https://single-market-economy.ec.europa.eu/document/download/d92c78d0-7d47-4a16-b53f-1cead54bcb49_en?filename=Communication%20-%20Single%20Market%20Strategy.pdf.

(3) Regulation (EU) 2024/2865 introduced specific provisions for the labelling of fuels supplied at fuelling stations. However, certain requirements, including the requirement to indicate the supplier, the nominal quantity, and the unique formula identifier, appeared to be impractical and costly for undertakings, without bringing benefits to the protection of human health and the environment. For that reason, the Commission proposal as regards simplification of certain requirements and procedures for chemical products intends to modify those requirements to make them more apt by removing unnecessary and burdensome labelling requirements. In light of those anticipated modifications, it is appropriate to further defer the date of application of those requirements.

(4) Article 2(4) and (5) of Regulation (EU) 2024/2865 contain transitional provisions that enable undertakings to apply the provisions introduced by that Regulation before the dates of their application on a voluntary basis. To ensure consistency with the longer deferral and to provide legal clarity for economic operators, it is necessary to amend the dates of application of those transitional provisions on mandatory formatting requirements, relabelling, advertisements, distance offers and labelling of fuelling stations and align those dates with the extended deferred applicability dates.

(5) To ensure a high level of protection of human health and the environment, the application dates of other provisions of Regulation (EU) 2024/2865 should remain unchanged.

(6) Regulation (EU) 2024/2865 should therefore be amended accordingly,

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HAVE ADOPTED THIS REGULATION:

Article 1

Amendments to Regulation (EU) 2024/2865

Article 2 of Regulation (EU) 2024/2865 is amended as follows:

(1) paragraph 2 is replaced by the following:
‘2. Article 1, point (3)(b), Article 1, points (4) to (7), Article 1, point (12)(a), Article 1, point (13), Article 1, points (15)(a) and (b), Article 1, points (17), (18), (22) and (23), points (4), (8), (10) and (11) of Annex I and point (1) of Annex II shall apply from 1 July 2026.’;

(2) paragraph 3 is replaced by the following:
‘3. Article 1, points (1) and (9), Article 1, points (24)(b) and (d) and Annex IV shall apply from 1 January 2027’;

(3) the following paragraph 3a is added:
‘3a. Article 1, points (14), (15)(c), (26) and (27), points (2) and (3) of Annex I and point (2) of Annex II shall apply from 1 January 2028’;

(4) paragraph 4 is replaced by the following:
‘4. By way of derogation from Article 5, Article 6(3) and (4), Article 9(3) and (4), Article 10, Article 25(3), Articles 29, Article 31(1), Article 35, Article 40(1) and (2), Article 42(1), third subparagraph of Regulation (EC) No 1272/2008, section 1.2.1, section 1.5.1.2 and section 1.5.2.4.1 of Annex I and Part 3 of Annex II to Regulation (EC) No 1272/2008 as applicable on 9 December 2024, substances and mixtures may until 30 June 2026 be classified, labelled and packaged in accordance with Regulation (EC) No 1272/2008 as amended by Article 1, points (4) to (7), Article 1, point (12)(a), Article 1, point (13), Article 1, point (15)(a) and (b), Article 1, points (18) and (22), Article 1, point (23)(a) and points (4), (8) and (10) of Annex I and point (1) of Annex II to this Regulation.’;

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(5) paragraph 5 is replaced by the following:

‘5. By way of derogation from Article 1(1), 18(3)(b), Article 45(1) and (3) of Regulation (EC) No 1272/2008 and part A, section 1 of Annex VIII, part A, section 2.1, of Annex VIII, part A, the first subparagraph of section 2.4 of Annex VIII, Part B, section 1 of Annex VIII, Part B, the third paragraph of section 3.1 of Annex VIII, Part B, section 3.6 of Annex VIII, Part B, the first row of Table 3 of section 3.7 of Annex VIII, Part B, the first paragraph of section 4.1 of Annex VIII, Part C, sections 1.2 and 1.4 of Annex VIII, and Part D, sections 1, 2 and 3 of Annex VIII to Regulation (EC) No 1272/2008 as applicable on 9 December 2024, substances and mixtures may until 31 December 2026 be classified, labelled and packaged in accordance with Regulation (EC) No 1272/2008 as amended by Article 1, points (1) and (9), Article 1, point (24)(b) and (d) of this Regulation and Annex IV to this Regulation.’;

(6) the following paragraph is added:

‘5a. By way of derogation from Article 30, Article 31(3), Article 48 of Regulation (EC) No 1272/2008, section 1.2.1 of Annex I and Part 5 of Annex II to Regulation (EC) No 1272/2008 as applicable on 9 December 2024, substances and mixtures may until 31 December 2027 be classified, labelled and packaged in accordance with Regulation (EC) No 1272/2008 as amended by Article 1, points (14), (15)(c) and (26), points (2) and (3) of Annex I and point (2) of Annex II to this Regulation.’.

Article 2

Entry into force

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Strasbourg,

For the European Parliament	*For the Council*
The President	*The President*
[...]	*[...]*