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'I/A' ITEM NOTE

From: General Secretariat of the Council
To: Permanent Representatives Committee/Council

Subject: Draft DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE
COUNCIL on liability for defective products and repealing Council Directive
85/374/EEC (**first reading**)
- Adoption of the legislative act

1. On 28 September 2022 the Commission submitted its proposal¹, based on Article 114 TFEU, to the Council.
2. The European Economic and Social Committee delivered its opinion on 24 January 2023².
3. On 12 March 2024, the European Parliament adopted its position at first reading on the Commission proposal (without legal linguistic revision). After finalisation of the adopted text by the legal linguists, the Parliament approved a corrigendum to that position at its plenary session from 16 to 19 September 2024. It reflects the compromise agreement reached between the Institutions and should, therefore, be acceptable to the Council³.

¹ 13134/22 + ADD 1 to ADD 5.

² OJ C 140, 21.4.2023, p. 34.

³ 13435/24.

4. The Permanent Representatives Committee is therefore asked to confirm its agreement and to suggest that the Council approve the European Parliament's position, as set out in PE-CONS 7/24, as an "A" item at a forthcoming meeting.
5. The statement for the minutes of the Council meeting is set out in the Addendum 1 to this note.
6. If the Council approves the European Parliament's position, the legislative act will be adopted.

After being signed by the Presidents of the European Parliament and of the Council, the legislative act will be published in the *Official Journal of the European Union*.
