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'I/A' ITEM NOTE

From:	General Secretariat of the Council
To:	Permanent Representatives Committee (Part 1)/Council
No. Cion doc.:	C(2023)8519 - ST 16974/23 + ADD 1
Subject:	COMMISSION DELEGATED REGULATION (EU) .../... of 14.12.2023 amending Annexes II and III to Regulation (EC) No 853/2004 of the European Parliament and of the Council as regards specific hygiene requirements for certain meat, fishery products, dairy products and eggs - <i>Delegated Act - Intention not to raise objections</i>

1. On 14 December 2023, the Commission submitted the above delegated act to the Council in accordance with the procedure set out in Article 290 TFEU and with Article 10(1), second subparagraph, points (a), (c), (d), (e) and (f), thereof, of Regulation (EC) No 853/2004. The Council may object to it until 15 February 2024¹.
2. During a silence consultation, two delegations indicated reasons that could be grounds for objecting to the delegated act².
3. Consequently, the Presidency included the delegated act on the agenda of the meeting of Counsellors/Attachés (Agri – Food and Food Systems) on 29 January 2024³. The Presidency noted that there was no qualified majority in favour of objecting to the act.

¹ This original deadline was subsequently extended by the European Parliament by two months.

² WK 849/2024.

³ During that meeting, one more delegation indicated its objection to the delegated act.

4. It is therefore suggested that Coreper recommend that the Council confirms, as an "A" item on the agenda of one of its forthcoming meetings, that it has no intention to object to the delegated act and that the Commission and the European Parliament are to be informed thereof. This implies that, unless the European Parliament objects to it, the delegated act shall be published and enter into force in accordance with Article 11a(6) of Regulation (EC) No 853/2004.
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