Council of the European Union

'I/A' ITEM NOTE

From:	General Secretariat of the Council
To:	Permanent Representatives Committee/Council
No. Cion doc.:	6376/19 + ADD 1
Subject:	COMMISSION REGULATION (EU) …/… of XXX laying down ecodesign requirements for household dishwashers pursuant to Directive 2009/125/EC of the European Parliament and of the Council amending Commission Regulation (EC) No 1275/2008 and repealing Commission Regulation (EU) No 1016/2010 - Decision not to oppose adoption (regulatory procedure with scrutiny)

1. The measure envisaged being in accordance with the opinion of the relevant committee, the Commission has submitted the above draft measure[1] to the Council for scrutiny in accordance with the procedure in Article 5a(3)(a) of Council Decision 1999/468/EC[2]. The Commission having presented the draft measure on 13 February 2019, the Council has until 13 May 2019 to decide to oppose the adoption.

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[1]   6376/19 + ADD 1

[2]   Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission (OJ L 184, 17.7.1999, p. 23), as amended by Decision 2006/512/EC (OJ L 200, 22.7.2006, p. 11).

2. Delegations were asked to submit any comments on this file by 15 March 2019. Delegations have not provided indication that there is any reason to oppose the draft measure in question on the grounds described in Decision 1999/468, namely that it:

–   exceeds the implementing powers provided for in the basic instrument;

–   is incompatible with the aim or content of the basic instrument; or

–   does not respect the principles of subsidiarity or proportionality.

3. It is therefore suggested that <u>Coreper</u> recommend that <u>the Council</u> confirms that there are no grounds for opposing the draft measure. This implies that, unless <u>the European Parliament</u> opposes it, <u>the Commission</u> may adopt the proposed measure in accordance with Article 5a(3)(d) of Council Decision 1999/468/EC.

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