



**COUNCIL OF
THE EUROPEAN UNION**

**Brussels, 17 April 2013 (18.04)
(OR. fr)**

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2011/0156 (COD)**

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REV 1**

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SAN 122
OC 201**

"I/A" ITEM NOTE

from: General Secretariat of the Council

to: COREPER - COUNCIL

Subject : Proposal for a Regulation of the European Parliament and of the Council on food intended for infants and young children, food for special medical purposes, and total diet replacement for weight control and repealing Council Directive 92/52/EEC, Commission Directives 96/8/EC, 1999/21/EC, 2006/125/EC and 2006/141/EC, Directive 2009/39/EC of the European Parliament and of the Council and Commission Regulations (EC) No 41/2009 and (EC) No 953/2009 **(first reading)**

- Adoption of

a) the Council's position

b) the statement of the Council's reasons

COMMON GUIDELINES

Consultation deadline for Croatia: 19.4.2013

1. On 24 June 2011, the Commission forwarded the above proposal to the Council¹, based on Article 114 TFEU.
2. The European Economic and Social Committee delivered its opinion on 26 October 2011².

¹ 12099/11.

² OJ C 24, 28.1.2012, p. 119.

3. The European Parliament adopted its position at first reading on 14 June 2012¹.
4. At its 3213th meeting on 20 December 2012, the Council (Transport, Telecommunications and Energy) reached a political agreement on the Council's position at first reading on the abovementioned decision².
5. The Permanent Representatives Committee is asked to advise the Council to:
 - adopt, as an "A" item on the agenda for a forthcoming meeting, the Council's position at first reading as set out in 5394/13 and the statement of reasons as set out in 5394/13 ADD 1 REV 1, with the German delegation voting against and the UK delegation abstaining; and
 - order the statements set out in the addendum to this note to be entered in the minutes of that meeting.

¹ 11133/12.

² In accordance with the letter of 18 December 2012 sent by the Chair of the European Parliament's Committee on Environment, Public Health and Food Safety to the Chair of Coreper, the European Parliament should, at second reading, approve the Council's position at first reading without amendment.