Council of the European Union

Brussels, 21 May 2026
(OR. en)

9170/26

Interinstitutional File: 2025/0409 (COD)

LIMITE

SIMPL 95	**DENLEG 44**
ANTICI 98	**MI 460**
AGRI 363	**FOOD 59**
AGRILEG 117	**FEED 19**
ENV 494	**SEMENCES 26**
PESTICIDE 30	**SAN 294**
PHYTOSAN 39	**CHIMIE 52**
VETER 68	**CODEC 888**

'I' ITEM NOTE

From:	General Secretariat of the Council
To:	Permanent Representatives Committee
No. Cion doc.:	17055/25
Subject:	Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Council Directive 98/58/EC and Directive 2009/128/EC of the European Parliament and of the Council as regards the simplification and strengthening of food and feed safety requirements, and repealing Council Directives 82/711/EEC and 85/572/EEC - Mandate for negotiations with the European Parliament

I. BACKGROUND

1. In October 2024, the European Council called on all 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')[1]. 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.

[1] EUCO 25/24.

2. Since February 2025, as a follow-up to the call by EU Leaders at that and subsequent meetings, the Commission has put forward ten 'Omnibus' packages aiming to simplify existing legislation on sustainability, investment, agriculture, small and mid-caps/digitalisation and common specifications, defence readiness, chemical products, digital issues including AI, environment, the automotive sector and a tenth Omnibus on food and feed safety.

3. As part of the tenth Omnibus package, the Commission adopted on 16 December 2025 a legislative proposal for a Directive of the European Parliament and of the Council amending Council Directive 98/58/EC and Directive 2009/128/EC of the European Parliament and of the Council as regards the simplification and strengthening of food and feed safety requirements, and repealing Council Directives 82/711/EEC and 85/572/EEC (henceforth "*the Directives proposal"*)[2]. In conjunction with the proposal for a Regulation of the European Parliament and of the Council amending Regulations (EC) No 999/2001, (EC) No 1829/2003, (EC) No 1831/2003, (EC) No 852/2004, (EC) No 853/2004, (EC) No 396/2005, (EC) No 1099/2009, (EC) No 1107/2009, (EU) No 528/2012, (EU) 2017/625 as regards the simplification and strengthening of food and feed safety requirements (henceforth "*the Regulations proposal"*)[3], the Directives proposal is part of the cross-cutting legislative simplification package (Omnibus X) announced in the Commission's Vision for Agriculture and Food[4], which aims to reduce unnecessary regulatory burdens while maintaining high standards for food and feed safety, and for the protection of human and animal health and the environment.

4. The Directives proposal is based on Article 43(2), Article 114 and Article 192(1) of the Treaty on the Functioning of the European Union (TFEU).

5. Both the European Economic and Social Committee (EESC) and the European Committee of the Regions (CoR) were consulted. The EESC delivered its opinion on 29 April 2026[5]. The CoR has not yet delivered its opinion.

---

2 17055/25.
3 17056/1/25 REV 1.
4 6385/25.
5 9416/26.

6. In the European Parliament, a debate on the two proposals of the Omnibus X package that are still under negotiation, including the Directives proposal, was held on 5 May 2026 at a joint meeting of the Committee on the Environment, Climate and Food Safety (ENVI) and the Committee on Agriculture and Rural Development (AGRI). Mr Michele Picaro (ECR, Italy, for ENVI) and Mr Herbert Dorfmann (EPP, Italy, for AGRI) have been appointed as rapporteurs. It is expected that the report will be voted by the joint Committee only after the summer break.

II. STATE OF PLAY

7. The Antici Group (Simplification) (AGS), the dedicated group set up on 21 February 2025[6] to work on the simplification omnibus proposals, examined the Directives proposal at its meetings on 2 February, 6 and 25 March, 29 April and 13 May 2026. In the course of the above meetings, the Presidency presented four compromise texts, in which the concerns raised by the delegations have been largely addressed. In the AGS meeting on 13 May, delegations broadly supported the last Presidency compromise text[7].

III. KEY COMPROMISE ELEMENTS

A. Directive 2009/128/EC (SUD)

8. The current Directive 2009/128/EC on the sustainable use of pesticides (the so-called Sustainable Use Directive or 'SUD') prohibits aerial application of pesticides, while allowing the Member States the possibility to grant individual derogations from the above prohibition at the expense of a significant administrative burden for the professional users and for the competent authorities. The proposed amendments to the SUD in the Directives proposal are aimed at facilitating the use of drones for targeted application of pesticides which may present an equivalent or even lower risk than land-based pesticide applications.

---

6 Antici Group (Simplification) mandate, 6340/25.
7 8994/26.

9. The last Presidency compromise text maintains the existing derogation from the ban on aerial spraying in special cases (Article 9(2) of the SUD), and the additional derogation, as proposed by the Commission, for certain types of drones, even if the conditions for special cases are not met (Article 9a of the Directives proposal).

10. Following discussions in the above mentioned AGS meetings and on the basis of the written contributions of the delegations, the last Presidency compromise text further includes:

– new wording to clarify that the European Food Safety Authority (EFSA)'s mandate will cover guidance on both the risk assessment of the plant protection products (PPPs) that can be sprayed from drones, and the types of drones, their conditions of use and their related risks;

– a period of 30 months for the adoption of the delegated act identifying the types of drones that can be used for spraying of PPPs;

– for aerial spraying by vehicles other than certain types of drones, following the approval of an application plan, Member States would have the possibility to dispense with the requirement for the separate approval of individual applications of PPPs, whereas such approval has so far been mandatory. This would shift the procedure from a two-step to a one-step process. Member States may still require the approval of the above individual applications of PPPs. In that case, they may provide that, in the absence of any answer within the time period laid down by the competent authority, this approval shall be deemed to be granted. Furthermore, with regard to low-risk PPPs, Member States would have the possibility to replace the requirement for approval of the application plan with a simple notification to the competent authorities;

– transitional measures giving the Member States the possibility to allow the use of drones until the above mentioned delegated act is adopted, provided that the existing conditions for aerial spraying are met and that the Commission and EFSA are notified within the 30 days after Member States' granting the approval of the use of drones, together with the risk assessment based on which the approval has been granted.

11. A broad majority of delegations agreed with the amendment in the Directives proposal as proposed by the Commission and the further amendments as set out above.

PUBLIC

B. Directive 98/58/EC

12. Directive 98/58/EC requires farmers to keep records of medicinal treatments given to animals and of the number of mortalities. However, similar record-keeping is required by the Regulation on veterinary medicinal products and by the Regulation on animal health ('Animal Health Law'), respectively. The amendment in the Directives proposal is intended to eliminate this duplication.

13. Following the discussions in the AGS meetings, a broad majority of delegations agreed with the proposed amendment in the Directives proposal without any changes.

C. Directives 82/711/EEC and 85/572/EEC

14. Regulation (EU) No 10/2011 covers matters related to plastic materials and articles intended to come into contact with food. The same matters are regulated by Directives 82/711/EEC and 85/572/EEC, therefore those Directives are proposed to be repealed in the Directives proposal for reasons of legal certainty.

15. Following the discussions in the AGS meetings, delegations agreed with the proposed amendment in the Directives proposal without any changes.

16. The last Presidency compromise text on the Directives proposal is set out in Annex to this note. A correction has been introduced in Article 1(2)(c)(ii). Insertions compared to the Commission proposal are marked in **bold**, deletions in ~~strikethrough~~.

17. Based on the views expressed by delegations in the AGS meeting on 13 May, the Presidency concluded that there was sufficient support from delegations, representing a qualified majority, in favour of the last Presidency compromise text, and that it would submit the text without further modifications to the Permanent Representatives Committee at a forthcoming meeting as a I-item on the agenda, to confirm agreement.

PUBLIC

IV. CONCLUSION

18. The Permanent Representatives Committee is invited to confirm agreement on the text of the mandate with regard to the Directives proposal, as set out in the Annex to this note, and to invite the Presidency to conduct negotiations with the European Parliament on the basis of this mandate and in conjunction with the Regulations proposal.

19. In accordance with the approach to legislative transparency endorsed by Coreper on 14 July 2020[8], and in full consistency with Regulation (EC) 1049/2001 and the Council's Rules of Procedure, the text of the mandate thus agreed will be made public unless the Permanent Representatives Committee objects.

PUBLIC

---

[8] 9493/20.

ANNEX

2025/0409 (COD)

Draft

DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

amending Council Directive 98/58/EC and Directive 2009/128/EC of the European Parliament and of the Council as regards the simplification and strengthening of food and feed safety requirements, and repealing Council Directives 82/711/EEC and 85/572/EEC

PUBLIC

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 43(2), Article 114 and Article 192(1) 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,

Having regard to the opinion of the Committee of the Regions,

Acting in accordance with the ordinary legislative procedure,

Whereas:

(1) Directive 2009/128/EC of the European Parliament and of the Council[9] lays down the legal framework for the sustainable use of pesticides (plant protection products). Article 9(1) of Directive 2009/128/EC provides for a prohibition of aerial spraying of pesticides by an aircraft. Article 9(2) to (6) thereof allows individual derogations from that prohibition, under certain conditions.

(2) Since the entry into force of Directive 2009/128/EC, experience has shown that the procedure for individual derogations from the prohibition of aerial spraying of pesticides entails considerable administrative burden for professional users and it slows down and restricts the development of technologies that could allow for safer choices for human health and the environment. Certain types of unmanned aircraft systems (commonly referred to as drones) under particular conditions are capable of minimising the exposure of the operator to the use of pesticides in the field and could allow professional users to apply pesticides in more targeted ways. Such unmanned aircraft systems are likely to help reduce the use of pesticides and consequently **could** help reduce the risks to human health and the environment compared to the use of land-based application equipment. It is therefore appropriate to enable Member States to exempt such types of unmanned aircraft systems from the prohibition of aerial spraying provided for in Directive 2009/128/EC under certain conditions.

(3) In order to ensure protection of human health and the environment, it is appropriate to require that such exemption can only apply if the pesticides are explicitly authorised for aerial use by unmanned aircraft systems. Such explicit authorisation of pesticides for aerial use by unmanned aircraft systems would ensure that any potential risks to human health and the environment from exposure to such pesticides are thoroughly assessed as part of the authorisation process. As the authorisations of pesticides are regulated under Regulation (EC) No 1107/2009 of the European Parliament and of the Council[10], the Commission should mandate the European Food Safety Authority (EFSA) to develop a guidance document **covering, on one side, the** ~~on~~ risk assessment of pesticides for application by unmanned aircraft systems under Regulation (EC) No 1107/2009 in order to ensure that a robust framework of safeguards is in place**, and on the other side, the types and the conditions of use, and the related risks, of unmanned aircraft systems that can be utilised for the aerial spraying of pesticides**.

(3a) To encourage the use of low-risk plant protection products and reduce administrative burden both for professional users and competent authorities, Member States should be allowed to replace the approval of an application plan with a prior notification of such applications.

---

[9] Directive 2009/128/EC of the European Parliament and of the Council of 21 October 2009 establishing a framework for Community action to achieve the sustainable use of pesticides (OJ L 309, 24.11.2009, pp. 71–86, ELI: http://data.europa.eu/eli/dir/2009/128/oj).

[10] Regulation (EC) No 1107/2009 of the European Parliament and of the Council of 21 October 2009 concerning the placing of plant protection products on the market and repealing Council Directives 79/117/EEC and 91/414/EEC OJ L 309, 24.11.2009, pp. 1, ELI: http://data.europa.eu/eli/reg/2009/1107/oj).

(4) The legislative framework governing the operation of unmanned aircraft systems includes such acts as Regulation (EU) 2018/1139 of the European Parliament of the Council[11] and Commission Implementing Regulation (EU) 2019/947[12]. This legislative framework does not identify the types of unmanned aircraft systems that could be appropriate for use for aerial application of pesticides by professional users. Therefore, complementary to the development of specific guidance on the risk assessment of pesticides that could be used for application by unmanned aircraft systems, it is necessary to identify the types of unmanned aircraft systems that have lower or equal risks as regards human health and the environment compared to the risks arising from land-based application equipment for the same use.

(5) In order to identify the types of unmanned aircraft systems that may be used for application of pesticides, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of supplementing Directive 2009/128/EC to identify the types of unmanned aircraft systems that have lower or equal risks compared to the risks arising from land-based application equipment for the same use. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council ~~should~~ receive all documents at the same time as Member States' experts, and ~~those~~**their** experts ~~should~~ systematically have access to meetings of Commission expert groups dealing with the preparation of ~~such~~ delegated acts.

(6) Given the need to address perceived remaining knowledge and data gaps before the types of unmanned aircraft systems that have lower or equal risks compared to the risks arising from land-based application equipment for the same use can be identified, it is appropriate to allow time for the Commission to consult EFSA and the Member States— in preparation of a delegated act identifying those types of unmanned aircraft systems that may be exempted from the prohibition of aerial spraying. The Commission should ~~be empowered to~~ adopt a delegated act ~~in accordance with Article 20a~~ to identify types of unmanned aircraft systems for which it can be established that the risks from exposure to pesticides to human health and the environment is equal to or lower than from the use of land-based application equipment for the same use~~. Adoption of this delegated act should be a precondition for the possibility for Member States to exempt such types of unmanned aircraft systems from the prohibition of aerial spraying~~. Pending the identification of the types of unmanned aircraft systems that may be exempted and the decision by a Member State to exempt those identified unmanned aircraft systems from the prohibition on aerial spraying, it is appropriate to continue to require

---

[11] Regulation (EU) 2018/1139 of the European Parliament of the Council on common rules in the field of civil aviation and establishing a European Union Aviation Safety Agency, and amending Regulations (EC) No 2111/2005, (EC) No 1008/2008, (EU) No 996/2010, (EU) No 376/2014 and Directives 2014/30/EU and 2014/53/EU of the European Parliament and of the Council, and repealing Regulations (EC) No 552/2004 and (EC) No 216/2008 of the European Parliament and of the Council and Council Regulation (EEC) No 3922/91 (OJ L 212, 22.8.2018, pp. 1, ELI: http://data.europa.eu/eli/reg/2018/1139/oj).

[12] Commission Implementing Regulation (EU) 2019/947 of 24 May 2019 on the rules and procedures for the operation of unmanned aircraft (OJ L 152, 11.6.2019, ELI: http://data.europa.eu/eli/reg_impl/2019/947/oj).

a professional user to submit requests for approval of aerial spraying by all unmanned aircraft systems. **In addition, given the time needed to adopt the delegated act and in order to reduce administrative burden and facilitate the use of unmanned aircraft systems pending its adoption, Member States should have the possibility to introduce horizontal exemptions from the prohibition of aerial spraying for professional users. Such exemptions should be introduced only in specific conditions and subject to a comprehensive assessment of the risks. The assessments based on which such general exemptions are introduced should be communicated to the Commission and the Authority, to support the ongoing work on the delegated act. Once the delegated act is adopted, Member States should ensure that the horizontal exemptions previously introduced are maintained only if compatible with the delegated act.**

(7) Directive No 98/58/EC sets minimum requirements for the protection of animals kept for farming purposes. Owners or keepers of animals kept for farming purposes are currently required to keep records of medicinal treatments given to animals and of the number of mortalities in accordance with points 5 and 6 of the Annex to Directive 98/58/EC. Article 108 of Regulation (EU) 2019/6 of the European Parliament and of the Council[13] contains more detailed record keeping requirements on the use of medicinal products for owners or keepers of food producing animals. At the same time Article 102(1)(d) and Article 186(1)(d) of Regulation No 2016/429 of the European Parliament and of the Council[14] require operators to keep and maintain records containing information on the mortality of animals in their establishments. Thus, parallel reporting obligations exist for both points 5 and 6 of the Annex to Directive 98/58/EC. The obligations imposed should be simplified to avoid duplication of record keeping requirements for farmers. Therefore, points 5 and 6 of the Annex to Directive 98/58/EC should be deleted.

---

13 Regulation (EU) 2019/6 of the European Parliament and of the Council of 11 December 2018 on veterinary medicinal products and repealing Directive 2001/82/EC (OJ L 4, 7.1.2019, p. 43, ELI: http://data.europa.eu/eli/reg/2019/6/oj).

14 Regulation (EU) 2016/429 of the European Parliament and of the Council of 9 March 2016 on transmissible animal diseases and amending and repealing certain acts in the area of animal health ('Animal Health Law') (OJ L 84, 31.3.2016, p. 1, ELI: http://data.europa.eu/eli/reg/2016/429/oj).

(8) Regulation (EC) No 1935/2004 provides the legal framework applicable to materials and articles intended to come into contact with food. Article 5(1) of Regulation (EC) No 1935/2004 empowers the Commission to adopt specific measures for the materials and articles listed in Annex I of that Regulation. Pending the adoption by the Commission of a specific measure on plastic food contact materials, Regulation No 1935/2004 did not repeal Council Directives 82/711/EEC[15] and 85/572/EEC[16], which laid down the rules necessary for testing the migration of the constituents of plastic materials and articles intended to come into contact with foodstuffs, including the list of simulants to be used to that end for specific food categories. Commission Regulation (EU) No 10/2011[17] was adopted as a specific measure for plastic materials and articles intended to come into contact with food. Since Commission Regulation covers the matters regulated by Directives 82/711/EEC and 85/572/EEC, it is therefore appropriate to repeal Directives 82/711/EEC and 85/572/EEC for reasons of legal certainty.

HAVE ADOPTED THIS DIRECTIVE:

---

15 Council Directive 82/711/EEC of 18 October 1982 laying down the basic rules necessary for testing migration of the constituents of plastic materials and articles intended to come into contact with foodstuffs, (OJ L 297, 23.10.1982, pp. 26–30, ELI: http://data.europa.eu/eli/dir/1982/711/oj).

16 Council Directive 85/572/EEC of 19 December 1985 laying down the list of simulants to be used for testing migration of constituents of plastic materials and articles intended to come into contact with foodstuffs, (OJ L 372, 31.12.1985, pp. 14–21, ELI: http://data.europa.eu/eli/dir/1985/572/oj).

17 Commission Regulation (EU) No 10/2011 of 14 January 2011 on plastic materials and articles intended to come into contact with food Text with EEA relevance, (OJ L 12, 15.1.2011, pp. 1–89, ELI: http://data.europa.eu/eli/reg/2011/10/oj).

Article 1

Amendments to Directive 2009/128/EC

Directive 2009/128/EC is amended as follows:

(1) Article 3 is amended as follows:

(a) point 5 is replaced by the following:

'5. 'aerial spraying' means application of pesticides from a manned aircraft or an unmanned aircraft system;;'

(b) the following point 5a is inserted:

'5a. 'unmanned aircraft system' means any aircraft with equipment for aerial application of pesticides, operating autonomously or piloted remotely without a pilot on board;;'

(2) Article 9 is amended as follows:

(a) in paragraph 1, the following new subparagraph is added:

'The prohibition provided for in the first subparagraph may only be derogated from in accordance with paragraphs 2 to 6 of this Article or with Article 9a.'

(b) in paragraph 2, the ~~first sentence of the first subparagraph~~ **introductory wording** is replaced by the following:

'2. By way of derogation from paragraph 1, aerial spraying may be allowed in special cases provided the following conditions are met:;'

(c) paragraph 4 is amended as follows:

(i) the first and the second subparagraphs are replaced by the following:

'A professional user wishing to apply pesticides by aerial spraying shall submit a request for approval of an application plan to a competent authority accompanied by evidence to show that the conditions referred to in paragraphs 2 and 3 are fulfilled. The request shall be submitted in due time to a competent authority. It shall contain information about the intended time of spraying, the crop, the amounts, the type of pesticides applied, and the area planned to be treated.

Member States may require the approval of applications by aerial spraying. In that case, they may provide that, in the absence of any answer within the time period laid down by the competent authority, this approval shall be deemed to be granted.'

PUBLIC

(ii) the following new subparagraph is inserted:

'Member States may allow low risk plant protection products within the meaning of Article 47 of Regulation (EC) No 1107/2009 to be exempted from the request for approval of an application plan provided that the conditions set out in Article 9a(1) or Article 9a(2a) are fulfilled and a prior notification is submitted to the competent authorities. The prior notification shall contain information about the intended time of spraying and the amounts and type of pesticides applied.'

(3) the following new Article 9a is inserted:

'Article 9a

Aerial spraying of pesticides by unmanned aircraft systems

1. By way of further derogation from Article 9(1), Member States may, in the case of professional users, exempt from the prohibition laid down in that Article, the aerial spraying of pesticides by unmanned aircraft systems identified **in the delegated act adopted** pursuant to paragraph 2 **of this Article**.

   Pesticides to be used for aerial spraying by such unmanned aircraft systems shall be explicitly authorised for that use by the Member State under Regulation (EC) No 1107/2009 following a specific assessment addressing risks from aerial spraying **or be covered by a permit for** ~~a single~~ **experiments or tests under Article 54 of Regulation (EC) No 1107/2009, for aerial spraying**.

2. The Commission shall adopt a delegated act by [OP: please insert the date = ~~4 years~~**30 months** after the entry into force of this Directive] in accordance with Article 20a supplementing this Directive to identify the types of unmanned aircraft systems that have lower or equal risks compared to the risks arising from land-based application equipment for the same use.;

2a. Pending the adoption of the delegated act referred to in paragraph 2, Member States may, in the case of professional users, exempt from the prohibition laid down in Article 9(1), the aerial spraying of pesticides by unmanned aircraft systems.

Such an exemption shall only be granted where the unmanned aircraft system is intended for specific spraying purposes provided that the safety conditions for such spraying have been established, and spraying is notified in advance to the competent authority.

Member States shall ensure that the conditions referred to in Article 9 paragraph 2 are met.

The Member State shall notify the Commission and EFSA no later than 30 days after granting such an exemption, making available also the assessment.'

PUBLIC

(4) Article 20a is replaced by the following:

‘Article 20a

Exercise of the delegation

1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.

2. The power to adopt delegated acts referred to in Article 5(3), Article 8(7), Article 9a(2), Article 14(4) and Article 15(1) shall be conferred on the Commission for a period of [OP: please insert the date = five years after the date of entry into force of this Directive]. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.

3. The delegation of power referred to in Article 5(3), Article 8(7), Article 9a(2), Article 14(4) and Article 15(1) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making ([6]).

5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.

6. A delegated act adopted pursuant to Article 5(3), Article 8(7), Article 9a(2), Article 14(4) and Article 15(1) shall enter into force only if no objection has been expressed either by the European Parliament or **by** the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council..’

Article 2
Amendment to Directive 98/58/EC

Points 5 and 6 of **the** Annex ~~I~~ to Directive 98/58/EC are deleted.

Article 3
Repeal of Directives 82/711/EEC and 85/572/EEC

1. Directive 82/711/EEC and Directive 85/572/EEC are repealed ~~with effect from [OP: please insert the date = date of entry into force of this Directive]~~.

2. References to the repealed Directives shall be construed as references to Commission Regulation (EU) No 10/2011.

Article 4
Transposition

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with Article 1 of this Directive by [OP: please insert the date = 5 years after the entry into force of this Directive.] ~~at the latest~~. They shall ~~forthwith communicate to~~**immediately inform** the Commission ~~the text of those provisions.~~**thereof.**

2. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with Articles 2 and 3 of this Directive by [OP: please insert the date = two years after the entry into force of this Directive.] ~~at the latest. When Member States adopt the provisions referred to in paragraphs 1 and 2,~~ They shall ~~contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. Member States shall determine how such reference is to be made.~~**immediately inform the Commission thereof.**

2a. When Member States adopt the measures referred to in paragraphs 1 and 2, they shall contain a reference to this Directive or shall be accompanied by such reference on the occasion of their official publication. The methods of making such reference shall be laid down by Member States.

3. Member States shall communicate to the Commission the text of the main ~~provisions~~**measures** of national law which they adopt in the field covered by this Directive.

Article 5
Entry into force

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

PUBLIC

Article 6
Addressees

This Directive is addressed to the Member States.

Done at Strasbourg,

For the European Parliament *For the Council*

The President *The President*

PUBLIC