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WORKING PAPER

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WORKING DOCUMENT

From:	Presidency
To:	Working Party on Technical Harmonisation (Goods package)
Subject:	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on the mutual recognition of goods lawfully marketed in another Member State - 4-column document (technical trilogue on 11 October 2018)

On the mutual recognition of goods lawfully marketed in another Member State

2017/0354(COD)-annex

Version 6 [post technical meeting 2018_10_11 version updated 12 October]

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
FORMULA				
1	2017/0354 (COD)	2017/0354 (COD)	2017/0354 (COD)	2017/0354 (COD) <small>Text Origin: EP Mandate</small>
PROPOSAL TITLE				
2	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on the mutual recognition of goods lawfully marketed in another Member State (Text with EEA relevance)	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on the mutual recognition of goods lawfully marketed in another Member State (Text with EEA relevance)	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on the mutual recognition of goods lawfully marketed in another Member State (Text with EEA relevance)	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on the mutual recognition of goods lawfully marketed in another Member State (Text with EEA relevance) <small>Text Origin: EP Mandate</small>
FORMULA				
3	THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,	THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,	THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,	THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION, <small>Text Origin: EP Mandate</small>
CITATION				
4				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Having regard to the Treaty on the Functioning of the European Union, and in particular Article 114 thereof,	Having regard to the Treaty on the Functioning of the European Union, and in particular Article 114 thereof,	Having regard to the Treaty on the Functioning of the European Union, and in particular Article 114 thereof,	Having regard to the Treaty on the Functioning of the European Union, and in particular Article 114 thereof, Text Origin: EP Mandate
CITATION				
5	Having regard to the proposal from the European Commission,	Having regard to the proposal from the European Commission,	Having regard to the proposal from the European Commission,	Having regard to the proposal from the European Commission, Text Origin: EP Mandate
CITATION				
6	After transmission of the draft legislative act to the national parliaments,	After transmission of the draft legislative act to the national parliaments,	After transmission of the draft legislative act to the national parliaments,	After transmission of the draft legislative act to the national parliaments, Text Origin: EP Mandate
CITATION				
7	Having regard to the opinion of the European Economic and Social Committee ¹ , Acting in accordance with the ordinary legislative procedure, 1. OJ C , , p. .	Having regard to the opinion of the European Economic and Social Committee ¹ , Acting in accordance with the ordinary legislative procedure, 1. OJ C , , p. .	Having regard to the opinion of the European Economic and Social Committee ¹ , Acting in accordance with the ordinary legislative procedure, 1. OJ C , , p. .	Having regard to the opinion of the European Economic and Social Committee ¹ , Acting in accordance with the ordinary legislative procedure, 1. OJ C , , p. . Text Origin: EP Mandate

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CITATION				
8	THIS CITATION IS MISSING. THANK YOU FOR USING ANOTHER LANGUAGE.	<input type="checkbox"/> deleted	<input type="checkbox"/> deleted	THIS CITATION IS MISSING. THANK YOU FOR USING ANOTHER LANGUAGE. Text Origin: EP Mandate
FORMULA				
9	Whereas:	Whereas:	Whereas:	Whereas: Text Origin: EP Mandate
RECITAL 1				
10	(1) The internal market comprises an area without internal frontiers in which the free movement of goods is ensured in accordance with the provisions of the Treaties. Quantitative restrictions on imports and all measures having equivalent effect are prohibited between Member States. That prohibition covers any national measure which is capable of hindering, directly or indirectly, actually or potentially, intra-Union trade in goods. Free movement of goods is ensured in the internal market by harmonisation of rules at	(1) The internal market comprises an area without internal frontiers in which the free movement of goods is ensured in accordance with the provisions of the Treaties. Quantitative restrictions on imports and all measures having equivalent effect are prohibited between Member States. That prohibition covers any national measure which is capable of hindering, directly or indirectly, actually or potentially, intra-Union trade in goods. Free movement of goods is ensured in the internal market by harmonisation of rules at	(1) The internal market comprises an area without internal frontiers in which the free movement of goods is ensured in accordance with the provisions of the Treaties. Quantitative restrictions on imports and all measures having equivalent effect are prohibited between Member States. That prohibition covers any national measure which is capable of hindering, directly or indirectly, actually or potentially, intra-Union trade in goods. Free movement of goods is ensured in the internal market by harmonisation of rules at Union level setting common	

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	Union level setting common requirements for the marketing of certain goods or, for goods or aspects of goods not covered by Union harmonisation rules, by the application of the principle of mutual recognition.	Union level setting common requirements for the marketing of certain goods or, for goods or aspects of goods not <u>fully</u> covered by Union harmonisation rules, by the application of the principle of mutual recognition <u>as defined by the Court of Justice of the European Union</u> . AM 1	requirements for the marketing of certain goods or, for goods or aspects of goods not exhaustively covered by Union harmonisation rules, by the application of the principle of mutual recognition.	
RECITAL 2				
11	(2) Obstacles to the free movement of goods between Member States may be unlawfully created if, in the absence of Union harmonisation rules covering goods or a certain aspect of goods, a Member State's competent authority applies national rules to goods of that type lawfully marketed in another Member State, requiring the goods to meet certain technical requirements, for example requirements relating to designation, form, size, weight, composition, presentation, labelling or packaging. The application of such rules to goods lawfully	(2) Obstacles to the free movement of goods between Member States may be unlawfully created if, in the absence of Union harmonisation rules covering goods or a certain aspect of goods, a Member State's competent authority applies national rules to goods of that type lawfully marketed in another Member State, requiring the goods to meet certain technical requirements, for example requirements relating to designation, form, size, weight, composition, presentation, labelling or packaging, <u>request for additional testing and/or</u>	(2) Obstacles to the free movement of goods between Member States may be unlawfully created if, in the absence of Union harmonisation rules covering goods or a certain aspect of goods, a Member State's competent authority applies national rules to goods of that type lawfully marketed in another Member State, requiring the goods to meet certain technical requirements, for example requirements relating to designation, form, size, weight, composition, presentation, labelling or packaging. The application of such rules to goods lawfully marketed in another Member State could be contrary to Articles 34 and 36 of the	

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	marketed in another Member State could be contrary to Articles 34 and 36 of the Treaty even if the rules apply without distinction to all goods.	<u><i>duplication of tests</i></u> . The application of such rules to goods lawfully marketed in another Member State could be contrary to Articles 34 and 36 of the Treaty even if the rules apply without distinction to all goods. AM 2	Treaty even if the rules apply without distinction to all goods.	
RECITAL 3				
12	(3) The principle of mutual recognition derives from the case-law of the Court of Justice of the European Union. According to this principle, Member States may not prohibit the sale on their territory of goods which are lawfully marketed in another Member State, even where the goods have been produced or manufactured in accordance with different technical rules. But the principle is not absolute. Member States can oppose the marketing of goods lawfully marketed elsewhere, when such restrictions are justified on the grounds set out in Article 36 of the Treaty or on the basis of other overriding reasons of public interest, and which in	(3) The principle of mutual recognition derives from the case-law of the Court of Justice of the European Union. According to this principle, Member States may not prohibit the sale on their territory of goods which are lawfully marketed in another Member State, even where the goods have been produced or manufactured in accordance with different technical rules. But the principle is not absolute. Member States can oppose the marketing of goods lawfully marketed elsewhere, when such restrictions are justified on the grounds set out in Article 36 of the Treaty or on the basis of other overriding reasons of public interest, <u><i>recognised by</i></u>	(3) The principle of mutual recognition derives from the case-law of the Court of Justice of the European Union. According to this principle, Member States may not prohibit the sale on their territory of goods which are lawfully marketed in another Member State, even where the goods have been produced, including through manufacturing process, or manufactured in accordance with different technical rules. But the principle is not absolute. Member States can oppose the marketing of goods lawfully marketed elsewhere, when such restrictions are justified on the grounds set out in Article 36 of the Treaty or on the basis of other overriding reasons of public interest, and	

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	either case are proportionate to the aim pursued.	<u>the ECJ jurisprudence in relation to the free movement of goods</u> , and which in either case are proportionate to the aim pursued. <u>This regulation imposes the obligation to clearly justify why market access is refused.</u> AM 3	which in either case are proportionate to the aim pursued.	
RECITAL 4				
13	(4) The concept of overriding reasons of public interest is an evolving concept developed by the Court of Justice in its case-law in relation to Articles 34 and 36 of the Treaty. This concept covers, inter alia, the effectiveness of fiscal supervision, the fairness of commercial transactions, protection of consumers, protection of the environment, the maintenance of press diversity and the risk of seriously undermining the financial balance of the social security system. Such overriding reasons, where legitimate differences exist from one Member State to another, may justify the application of national rules by the competent authorities.	(4) The concept of overriding reasons of public interest is an evolving concept developed by the Court of Justice in its case-law in relation to Articles 34 and 36 of the Treaty. This concept covers, inter alia, the effectiveness of fiscal supervision, the fairness of commercial transactions, protection of consumers, protection of the environment, the maintenance of press diversity and the risk of seriously undermining the financial balance of the social security system. Such overriding reasons, where legitimate differences exist from one Member State to another, may justify the application of national rules by the competent authorities.	(4) The concept of overriding reasons of public interest is an evolving concept developed by the Court of Justice in its case-law in relation to Articles 34 and 36 of the Treaty. This concept covers, inter alia, the effectiveness of fiscal supervision, the fairness of commercial transactions, protection of consumers, protection of the environment, the maintenance of press diversity and the risk of seriously undermining the financial balance of the social security system. Such overriding reasons, where legitimate differences exist from one Member State to another, may justify the application of national rules by the competent authorities. However, such administrative	

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	<p>However, such decisions need to be duly justified, and the principle of proportionality must always be respected, regard being had to whether the competent authority has in fact made the least restrictive decision possible.</p> <p>Furthermore, administrative decisions restricting or denying market access in respect of goods lawfully marketed in another Member State must not be based on the mere fact that the goods under assessment fulfil the legitimate public objective pursued by the Member State in a different way from the way that domestic goods in that Member State fulfil that objective.</p>	<p>However, such decisions need to be duly justified. <u>Where legitimate differences exist from one Member State to another, they may justify the application of national rules by the competent authorities.</u> <u>However, administrative decisions need to be always duly justified, legitimate, appropriate and in respect with the principle of proportionality and the competent authority has to make the least restrictive decision possible. With the aim of reducing internal market barriers and improve the functioning of the internal market for goods, the Commission</u> and the principle of proportionality must always be respected, regard being had <u>Member States are encouraged to initiate an assessment process as to whether all the national rules are still fit for purpose and are not creating disproportionate non-tariff barriers</u> the competent authority has in fact made the least restrictive decision possible. Furthermore, administrative decisions</p>	<p>decisions need to be duly justified, and the principle of proportionality must always be respected, regard being had to whether the competent authority has in fact made the least restrictive decision possible.</p> <p>Furthermore, administrative decisions restricting or denying market access in respect of goods lawfully marketed in another Member State must not be based on the mere fact that the goods under assessment fulfil the legitimate public objective pursued by the Member State in a different way from the way that domestic goods in that Member State fulfil that objective.</p>	

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		<p>restricting or denying market access in respect of goods lawfully marketed in another Member State must not be based on the mere fact that the goods under assessment fulfil the legitimate public objective pursued by the Member State in a different way from the way that domestic goods in that Member State fulfil that objective. <u><i>In order to assist Member States in their task of justifying restrictions to the principle of mutual recognition, the Commission should provide non-binding guidance reviewing the case law on the concept of overriding reasons of public interest and on how to apply the principle of mutual recognition. Competent authorities should have the ability and opportunity to provide contributions and deliver feedback on the guidance.</i></u></p> <p>AM 4</p>		
	RECITAL 5			
G	14	(5) Regulation (EC) No 764/2008 ¹ was adopted in order to facilitate the	(5) Regulation (EC) No 764/2008 ¹ was adopted in order to facilitate the application of the	(5) Regulation (EC) No 764/2008 ¹ was adopted in order to facilitate the

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	<p>application of the mutual recognition principle, by establishing procedures to minimise the possibility of creating unlawful obstacles to the free movement of goods which have already been lawfully marketed in another Member State. Despite the adoption of that Regulation, many problems still exist as regards the application of the mutual recognition principle. The evaluation carried out between 2014 and 2016 showed that the principle does not function as it should and Regulation (EC) No 764/2008 has had limited effect in facilitating its application. The tools and procedural guarantees put in place by Regulation (EC) No 764/2008 failed in their aim of improving the application of the mutual recognition principle. For example, the Product Contact Points network which was put in place in order to provide information to economic operators on applicable national rules and the application of mutual recognition is barely known or</p>	<p>application of the mutual recognition principle, by establishing procedures to minimise the possibility of creating unlawful obstacles to the free movement of goods which have already been lawfully marketed in another Member State. Despite the adoption of that Regulation, many problems still exist as regards the application of the mutual recognition principle. The evaluation carried out between 2014 and 2016 showed that the principle does not function as it should and Regulation (EC) No 764/2008 has had limited effect in facilitating its application. The tools and procedural guarantees put in place by Regulation (EC) No 764/2008 failed in their aim of improving the application of the mutual recognition principle. For example, the Product Contact Points network which was put in place in order to provide information to economic operators on applicable national rules and the application of mutual recognition is barely known or</p>	<p>mutual recognition principle, by establishing procedures to minimise the possibility of creating unlawful obstacles to the free movement of goods which have already been lawfully marketed in another Member State. Despite the adoption of that Regulation, many problems still exist as regards the application of the mutual recognition principle. The evaluation carried out between 2014 and 2016 showed that the principle does not function as it should and Regulation (EC) No 764/2008 has had limited effect in facilitating its application. The tools and procedural guarantees put in place by Regulation (EC) No 764/2008 failed in their aim of improving the application of the mutual recognition principle. For example, the Product Contact Points network which was put in place in order to provide information to economic operators on applicable national rules and the application of mutual recognition is barely known or used by economic operators. Within the network, national authorities do not cooperate sufficiently. The requirement to notify</p>	<p>application of the mutual recognition principle, by establishing procedures to minimise the possibility of creating unlawful obstacles to the free movement of goods which have already been lawfully marketed in another Member State. Despite the adoption of that Regulation, many problems still exist as regards the application of the mutual recognition principle. The evaluation carried out between 2014 and 2016 showed that the principle does not function as it should and Regulation (EC) No 764/2008 has had limited effect in facilitating its application. The tools and procedural guarantees put in place by Regulation (EC) No 764/2008 failed in their aim of improving the application of the mutual recognition principle. For example, the Product Contact Points network which was put in place in order to provide information to economic operators on applicable national rules and the application of mutual recognition is barely known or</p>

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	<p>used by economic operators. Within the network, national authorities do not cooperate sufficiently. The requirement to notify administrative decisions denying or restricting market access is complied with rarely. As a result, obstacles to free movement of goods in the internal market remain.</p> <p>1. OJ, L 218,13.8.2008, p.21</p>	<p>used by economic operators. Within the network, national authorities do not cooperate sufficiently. The requirement to notify administrative decisions denying or restricting market access is complied with rarely. As a result, obstacles to free movement of goods in the internal market remain.</p> <p>1. OJ, L 218,13.8.2008, p.21</p>	<p>administrative decisions denying or restricting market access is complied with rarely. As a result, obstacles to free movement of goods in the internal market remain.</p> <p>1. OJ, L 218,13.8.2008, p.21</p>	<p>used by economic operators. Within the network, national authorities do not cooperate sufficiently. The requirement to notify administrative decisions denying or restricting market access is complied with rarely. As a result, obstacles to free movement of goods in the internal market remain.</p> <p>1. OJ, L 218,13.8.2008, p.21</p> <p>Text Origin: EP Mandate</p>
	RECITAL 6			
15	<p>(6) In December 2013, the conclusions on the Single Market Policy adopted by the Competitiveness Council noted that to improve framework conditions for businesses and consumers in the Single Market, all relevant instruments should be appropriately employed, including mutual recognition. The Council invited the Commission to report on the cases where the functioning of the mutual recognition principle is still inadequate or</p>	<p>(6) In December 2013, the conclusions on the Single Market Policy adopted by the Competitiveness Council noted that to improve framework conditions for businesses and consumers in the Single Market, all relevant instruments should be appropriately employed, including mutual recognition. The Council invited the Commission to report on the cases where the functioning of the mutual recognition principle is still inadequate or</p>	<p>(6) In December 2013, the conclusions on the Single Market Policy adopted by the Competitiveness Council noted that to improve framework conditions for businesses and consumers in the Single Market, all relevant instruments should be appropriately employed, including mutual recognition. The Council invited the Commission to report on the cases where the functioning of the mutual recognition principle is still inadequate or problematic. In its Conclusions on the Single</p>	<p>(6) In December 2013, the conclusions on the Single Market Policy adopted by the Competitiveness Council noted that to improve framework conditions for businesses and consumers in the Single Market, all relevant instruments should be appropriately employed, including mutual recognition. The Council invited the Commission to report on the cases where the functioning of the mutual recognition principle is still inadequate or</p>

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	problematic. In its Conclusions on the Single Market Policy of February 2015 the Competitiveness Council urged the Commission to take steps to ensure that the principle of mutual recognition functioned effectively and to bring forward proposals to that effect.	problematic. In its Conclusions on the Single Market Policy of February 2015 the Competitiveness Council urged the Commission to take steps to ensure that the principle of mutual recognition functioned effectively and to bring forward proposals to that effect.	Market Policy of February 2015 the Competitiveness Council urged the Commission to take steps to ensure that the principle of mutual recognition functioned effectively and to bring forward proposals to that effect.	problematic. In its Conclusions on the Single Market Policy of February 2015 the Competitiveness Council urged the Commission to take steps to ensure that the principle of mutual recognition functioned effectively and to bring forward proposals to that effect. Text Origin: EP Mandate
RECITAL 7				
16	(7) Regulation (EC) No 764/2008 has several shortcomings, and should therefore be revised and strengthened. For the sake of clarity, Regulation (EC) No 764/2008 should be replaced by this Regulation. This Regulation should establish clear procedures to ensure the free movement to goods lawfully marketed in another Member State and to ensure that free movement can be restricted only where Member States have legitimate public interest grounds for doing so and the restriction is proportionate. It ensures that existing rights and obligations	(7) Regulation (EC) No 764/2008 has several shortcomings, and should therefore be revised and strengthened. For the sake of clarity, Regulation (EC) No 764/2008 should be replaced by this Regulation. This Regulation should establish clear procedures to ensure the free movement to goods lawfully marketed in another Member State and to ensure that free movement can be restricted only where Member States have <u>duly justified</u> legitimate public interest grounds for doing so and the restriction is proportionate. It ensures that existing rights	(7) Regulation (EC) No 764/2008 has several shortcomings, and should therefore be revised and strengthened. For the sake of clarity, Regulation (EC) No 764/2008 should be replaced by this Regulation. This Regulation should establish clear procedures to ensure the free movement to of goods lawfully marketed in another Member State and to ensure that free movement can be restricted only where Member States have legitimate public interest grounds for doing so and the restriction is proportionate. It ensures that existing rights and obligations deriving from the mutual recognition principle are	

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	deriving from the mutual recognition principle are observed, by both economic operators and national authorities.	and obligations deriving from the mutual recognition principle are observed, by both economic operators and national authorities. <small>AM 5</small>	observed, by both economic operators and national authorities.	
RECITAL 8				
17	(8) This Regulation should not prejudice further harmonisation of conditions for the marketing of goods, where appropriate, with a view to improving the functioning of the internal market.	(8) This Regulation should not prejudice further harmonisation of conditions for the marketing of goods, where appropriate, with a view to improving the functioning of the internal market.	(8) This Regulation should not prejudice further harmonisation of conditions for the marketing of goods, where appropriate, with a view to improving the functioning of the internal market.	(8) This Regulation should not prejudice further harmonisation of conditions for the marketing of goods, where appropriate, with a view to improving the functioning of the internal market. <small>Text Origin: EP Mandate</small>
RECITAL 9				
18	(9) Trade barriers may also result from other types of measures falling under the scope of Articles 34 and 36 of the Treaty. Those measures may, for example, include technical specifications drawn up for public procurement procedures or requirements to use official languages in the Member States. However, such measures should not constitute national technical	(9) Trade barriers may also result from other types of measures falling under the scope of Articles 34 and 36 of the Treaty. Those measures may, for example, include technical specifications drawn up for public procurement procedures or requirements to use official languages in the Member States. However, such measures should not constitute national technical	(9) Trade barriers may also result from other types of measures falling under the scope of Articles 34 and 36 of the Treaty. Those measures may, for example, include technical specifications drawn up for public procurement procedures or requirements to use official languages in the Member States. However, such measures should not constitute national technical rules within the meaning of this	(9) Trade barriers may also result from other types of measures falling under the scope of Articles 34 and 36 of the Treaty. Those measures may, for example, include technical specifications drawn up for public procurement procedures or requirements to use official languages in the Member States. However, such measures should not constitute national technical

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	rules within the meaning of this Regulation and should not fall within its scope.	rules within the meaning of this Regulation and should not fall within its scope.	Regulation and should not fall within its scope.	rules within the meaning of this Regulation and should not fall within its scope. Text Origin: EP Mandate
RECITAL 10				
19	(10) National technical rules are sometimes given effect in a Member State by means of a prior authorisation procedure, under which formal approval must be obtained from a competent authority before the goods can be placed on the market there. The existence of a prior authorisation procedure in itself restricts the free movement of goods. Therefore, in order to be justified with regard to the fundamental principle of free movement of goods within the internal market, such a procedure must pursue a public interest objective recognised by Union law, and it must be proportionate and non-discriminatory. The compliance of such a procedure with Union law is assessed in the light of the considerations set out in the case-law of the Court of Justice. As a result,	(10) National technical rules are sometimes given effect in a Member State by means of a prior authorisation procedure, under which formal approval must be obtained from a competent authority before the goods can be placed on the market there. The existence of a prior authorisation procedure in itself restricts the free movement of goods. Therefore, in order to be justified with regard to the fundamental principle of free movement of goods within the internal market, such a procedure must pursue a public interest objective recognised by Union law, and it must be proportionate and non-discriminatory. The compliance of such a procedure with Union law is assessed in the light of the considerations set out in the case-law of the Court of Justice. As a result,	(10) National technical rules are sometimes given effect in a Member State by means of a prior authorisation procedure, under which formal approval must be obtained from a competent authority before the goods can be placed on the market there. The existence of a prior authorisation procedure in itself restricts the free movement of goods. Therefore, in order to be justified with regard to the fundamental principle of free movement of goods within the internal market, such a procedure must pursue a public interest objective recognised by Union law, and it must be proportionate and non-discriminatory. The compliance of such a procedure with Union law is assessed in the light of the considerations set out in the case-law of the Court of Justice. As a result, administrative decisions denying or restricting market access exclusively on the grounds that	

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	administrative decisions denying or restricting market access exclusively on the grounds that the goods do not have a valid prior authorisation should be excluded from the scope of this Regulation. When, however, an application for mandatory prior authorisation of goods is made, any intended administrative decision to reject the application on the basis of a technical rule applicable in that Member State should be taken in accordance with this Regulation, so that the applicant can benefit from the procedural protection which this Regulation provides.	administrative decisions denying or restricting market access exclusively on the grounds that the goods do not have a valid prior authorisation should be excluded from the scope of this Regulation. When, however, an application for mandatory prior authorisation of goods is made, any intended administrative decision to reject the application on the basis of a technical rule applicable in that Member State should be taken in accordance with this Regulation, so that the applicant can benefit from the procedural protection which this Regulation provides.	the goods do not have a valid prior authorisation should be excluded from the scope of this Regulation. When, however, an application for mandatory prior authorisation of goods is made, any intended administrative decision to reject the application on the basis of a technical rule applicable in that Member State should be taken in accordance with this Regulation, so that the applicant can benefit from the procedural protection which this Regulation provides.	
	RECITAL 11			
20	(11) It is important to clarify that the types of goods covered by this Regulation include agricultural products. The term 'agricultural products' includes products of fisheries, as provided for in Article 38(1) of the Treaty.	(11) It is important to clarify that the types of goods covered by this Regulation include agricultural products. The term 'agricultural products' includes products of fisheries, as provided for in Article 38(1) of the Treaty. <u><i>The Commission should keep and, when feasible, further develop an indicative and</i></u>	(11) It is important to clarify that the types of goods covered by this Regulation include agricultural products. The term 'agricultural products' includes products of fisheries, as provided for in Article 38(1) of the Treaty.	

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		<p><u>non-exhaustive list up to date online to help identify which types of goods are subject to this Regulation.</u></p> <p>AM 6</p>		
RECITAL 12				
21	(12) It is important to clarify that the term 'producer' includes not only the manufacturer of goods, but also the person who presents himself as the producer of goods, such as agricultural products, which were not obtained by a manufacturing process.	(12) It is important to clarify that the term 'producer' includes not only the manufacturer of goods, but also the person who presents himself as the producer of goods, such as agricultural products, which were not obtained by a manufacturing process.	(12) It is important to clarify that the term 'producer' includes not only the manufacturer of goods, but also the person who presents himself as the producer of goods, such as agricultural products, which were not obtained by a manufacturing process.	
RECITAL 13				
22	(13) Decisions of national courts or tribunals assessing the legality of cases in which, on account of the application of a national technical rule, goods lawfully marketed in one Member State are not granted access to the market of another Member State, and decisions of national courts or tribunals applying penalties, should be excluded from the scope of this Regulation.	(13) Decisions of national courts or tribunals assessing the legality of cases in which, on account of the application of a national technical rule, goods lawfully marketed in one Member State are not granted access to the market of another Member State, and decisions of national courts or tribunals applying penalties, should be excluded from the scope of this Regulation.	(13) Decisions of national courts or tribunals assessing the legality of cases in which, on account of the application of a national technical rule, goods lawfully marketed in one Member State are not granted access to the market of another Member State, and decisions of national courts or tribunals applying penalties, should be excluded from the scope of this Regulation.	(13) Decisions of national courts or tribunals assessing the legality of cases in which, on account of the application of a national technical rule, goods lawfully marketed in one Member State are not granted access to the market of another Member State, and decisions of national courts or tribunals applying penalties, should be excluded from the scope of this Regulation.

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				Text Origin: EP Mandate
RECITAL 14				
G	23	<p>(14) To benefit from the principle of mutual recognition, goods must be lawfully marketed in another Member State. It should be clarified that, for goods to be considered as lawfully marketed in another Member State, the goods need to comply with the relevant rules applicable in that Member State, and to be being made available to end users in that Member State.</p> <p>AM 7</p>	<p>(14) To benefit from the principle of mutual recognition, goods must be lawfully marketed in another Member State. It should be clarified that, for goods to be considered as lawfully marketed in another Member State, the goods need to comply with the relevant rules applicable in that Member State, and to be being-made available to end users in that Member State.</p>	<p>(14) To benefit from the principle of mutual recognition, goods must be lawfully marketed in another Member State. It should be clarified that, for goods to be considered as lawfully marketed in another Member State, the goods need to comply with the relevant rules applicable in that Member State, and to be being-made available to end users in that Member State.</p> <p>Text Origin: EP Mandate</p>
RECITAL 14A				
Y	23a	<p>14a <u>To raise awareness on the part of national authorities and economic operators of the principle of mutual recognition, Member States are encouraged to provide for clear and unambiguous 'single market clauses' in their national technical rules which ensure that goods lawfully marketed in one Member State are presumed to be compatible</u></p>		

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		<u>with the national technical rules of another Member State.</u> AM 8		
RECITAL 15				
24	<p>(15) The evidence required to demonstrate that goods are lawfully marketed in another Member State varies significantly from Member State to Member State. This causes unnecessary burdens delays and additional costs for economic operators, while preventing national authorities from obtaining the information necessary for assessing the goods in a timely manner. This may inhibit application of the mutual recognition principle. It is therefore essential to make it easier for economic operators to demonstrate that their goods are lawfully marketed in another Member State. Economic operators should be able to benefit from a process of self-declaration, which should provide competent authorities with all necessary information on the goods and on their compliance</p>	<p>(15) The evidence required to demonstrate that goods are lawfully marketed in another Member State varies significantly from Member State to Member State.— This causes unnecessary burdens delays and additional costs for economic operators, while preventing national authorities from obtaining the information necessary for assessing the goods in a timely manner. This may inhibit application of the mutual recognition principle. It is therefore essential to make it easier for economic operators to demonstrate that their goods are lawfully marketed in another Member State. Economic operators should be able to benefit from a process of self-declaration, which should provide competent authorities with all necessary information on the goods and on their compliance</p>	<p>(15) The evidence required to demonstrate that goods are lawfully marketed in another Member State varies significantly from Member State to Member State.— This causes unnecessary burdens, delays and additional costs for economic operators, while preventing national authorities from obtaining the information necessary for assessing the goods in a timely manner. This may inhibit application of the mutual recognition principle. It is therefore essential to make it easier for economic operators to demonstrate that their goods are lawfully marketed in another Member State. Economic operators should be able to benefit from a process of self-declaration, which should provide competent authorities with all necessary information on the goods and on their compliance with the rules applicable in that other Member</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	with the rules applicable in that other Member State. The use of the declaration does not prevent national authorities from taking a decision restricting market access, on the condition that such a decision is proportionate and respects the mutual recognition principle and this Regulation.	with the rules applicable in that other Member State. The use of the <u>voluntary</u> declaration does not prevent national authorities from taking a decision restricting market access, on the condition that such a decision is proportionate, <u>justified</u> and respects the mutual recognition principle and this Regulation. AM 9	State. The use of the declaration does not prevent national authorities from taking aan administrative decision restricting market access, on the condition that such a decision is proportionate and respects the mutual recognition principle and this Regulation.	
RECITAL 16				
25	(16) The producer, or the producer's representative, should be responsible for filling in the information in the mutual recognition declaration as the producer knows the goods best. However, the information that the goods are being made available to end users in the relevant Member State may be in the possession of an importer or a distributor, rather than the actual producer. It should therefore be permissible for another economic operator to fill in this information in place of the producer.	(16) The producer, or the producer's <u>authorised</u> representative, should be responsible for filling in the information in the mutual recognition declaration as the producer knows the goods best. However, the information that the goods are being made available to end users in the relevant Member State may be in the possession of an importer or a distributor, rather than the actual producer. It should therefore be permissible for another economic operator to fill in this information in place of the producer, <u>provided that</u>	(16) It should be possible for the producer, importer or distributor to draw up a declaration of lawful marketing of goods for the purposes of mutual recognition (or the producer's representative, mutual recognition declaration'). The producer should be responsible for filling in the information in the mutual recognitionable to mandate his authorised representative to draw up such declaration on his behalf and under his responsibility. As the producer knows the goods best. However, the information that the and is in a possession of the evidence that his goods are	

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		<p><u><i>the economic operator takes the responsibility for the information filled into the mutual recognition declaration.</i></u></p> <p>AM 10</p>	<p>being made available to end users meet certain requirements, if an importer or a distributor draws up such a declaration, he should be able to supply the evidence necessary for verification of the information contained in the relevant Member State may be declaration. Where an economic operator is able to provide in the possession of an importer or a distributor, rather than the actual producer declaration only the information on the lawfulness of the marketing of the goods, it should therefore be permissible be possible for another economic operator to fill in this provide the information in place of the producer that the goods are being made available to end users in the relevant Member State.</p>	
	RECITAL 17			
26	(17) The mutual recognition declaration should continue to give accurate and complete information on the goods at any point in the future. The declaration should therefore be kept up to date, as	(17) The mutual recognition declaration should continue to give accurate and complete information on the goods at any point in the future. The declaration should therefore be kept up to date, as	(17) The mutual recognition declaration should continue to give accurate and complete information on the goods at any point in the future. The declaration should therefore be kept up to date, as necessary, in	

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	necessary, to reflect changes, for example changes in the relevant technical rules.	necessary, to reflect changes, for example changes in the relevant technical rules.	order to reflect changes, for example changes in the relevant technical rules.		
RECITAL 18					
y	27	(18) In order to ensure that the information provided in a mutual recognition declaration is comprehensive, a harmonised structure for such declarations should be laid down for use by economic operators wishing to make such declarations. AM 11	(18) In order to ensure that the information provided in a mutual recognition declaration is comprehensive <i>and truthful</i> , a harmonised structure for such declarations should be laid down for use by economic operators wishing to make such declarations.		y
RECITAL 19					
y	28	(19) It is important to ensure that the mutual recognition declaration is filled in truthfully and accurately. It is therefore necessary to provide for economic operators to be responsible for the information contained in the declaration.	(19) It is important to ensure that the mutual recognition declaration is filled in truthfully and accurately. It is therefore necessary to provide for economic operators to be responsible for the information contained in the declaration.	(19) It is important to ensure that the mutual recognition declaration is filled in truthfully and accurately. It is therefore necessary to provide for economic operators to be responsible for the information contained provided by them in the declaration.	y
RECITAL 20					
y	29	(20) In order to enhance the efficiency and	(20) In order to enhance the efficiency and	(20) In order to enhance the efficiency and competitiveness of	y

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	competitiveness of businesses operating in the non-harmonised area, it should be possible to benefit from new information technologies for the purposes of facilitating the provision of the mutual recognition declaration. Therefore, economic operators should be able to make their declaration available online.	competitiveness of businesses operating in the non-harmonised area, it should be possible to benefit from new information technologies for the purposes of facilitating the provision of the mutual recognition declaration. Therefore, economic operators should be able <u>and encouraged</u> to make their declaration available online <u>and in a secure way</u> . AM 12	businesses operating in the non-harmonised area, it should be possible to benefit from new information technologies for the purposes of facilitating the provision of the mutual recognition declaration. Therefore, economic operators should be able to make their declaration publicly available online provided that it would be easily accessible .	
	RECITAL 20A			
y 29a		20a <u>The Commission should ensure that a template for the mutual recognition declaration and relevant guidelines to complete the declaration are made available on the Single Digital Gateway in all of the official languages of the Union.</u> AM 13		y
	RECITAL 20B			
y 29b		20b <u>A well-functioning principle of mutual recognition is an essential</u>		y

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<p><u>complement to harmonisation at EU level, especially when taking into consideration that many products have both harmonised and non-harmonised aspects following that a considerable number of products with non-harmonised aspects exist in the internal market.</u></p> <p>AM 14</p>		
RECITAL 21				
30	<p>(21) This Regulation should also apply to goods in respect of which only some aspects are covered by Union harmonisation legislation. Where, pursuant to Union harmonisation legislation, economic operators are required to draw up an EU declaration of conformity to demonstrate compliance with that legislation, it should be permissible for the information provided in the mutual recognition declaration under this Regulation to be included as part of that EU declaration of conformity.</p>	<p>(21) This Regulation should also apply to goods in respect of which only some aspects are covered by Union harmonisation legislation. Where, pursuant to Union harmonisation legislation, economic operators are required to draw up an EU declaration of conformity to demonstrate compliance with that legislation, it should be permissible for the information provided in the mutual recognition declaration under this Regulation to be included as part of that EU declaration of conformity.</p>	<p>(21) This Regulation should also apply to goods in respect of which only some aspects are covered by Union harmonisation legislation. Where, pursuant to Union harmonisation legislation, economic operators are required to draw up an EU declaration of conformity to demonstrate compliance with that legislation, it should be permissible for the information provided in the mutual recognition declaration under this Regulation to be included as part of that attached to the EU declaration of conformity.</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	RECITAL 22			
Y	31	<p>(22) Where producers<u>economic operators</u> decide not to make use of the mutual recognition declaration mechanism, it should be for the Member State to request the <u>specific and clearly defined</u> information that it considers necessary for the assessment of the goods, taking due account <u>in respect</u> of the principle of proportionality. <u>The use of the declaration does not prevent national authorities from taking a decision restricting the access to market in accordance with this Regulation.</u></p> <p>AM 15</p>	<p>(22) Where producers<u>economic operators</u> decide not to make use of the mutual recognition declaration mechanism, it should be for the competent authorities of the Member State to request the<u>specific and clearly defined</u> information that it considers<u>they consider</u> necessary for the assessment of the goods, taking due account of the principle of proportionality.</p>	
	RECITAL 22A			
G	31a	<p>22a <u>The economic operator should be given appropriate time within which to submit documents or any other information requested by the competent authority of the Member State of destination, or to present any comments or arguments in relation to</u></p>	<p>22a The economic operator should be given appropriate time within which to submit documents or any other information requested by the competent authority of the Member State of destination, or to present any comments or arguments in relation to the</p>	<p>22a <u>The economic operator should be given appropriate time within which to submit documents or any other information requested by the competent authority of the Member State of destination, or to present any comments or arguments in relation to</u></p>

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>the assessment of the goods in question.</u> AM 16	assessment of the goods in question.	<u>the assessment of the goods in question.</u> Text Origin: EP Mandate
RECITAL 23				
32	<p>(23) Directive (EU) 2015/1535 of the European Parliament and of the Council requires Member States to communicate to the Commission and to the other Member States any draft national technical regulation concerning any product, including agricultural and fish products, and a statement of the grounds which make the enactment of that regulation necessary. It is necessary, however, to ensure that, following the adoption of such a national technical regulation, the principle of mutual recognition is correctly applied in individual cases to specific goods. This Regulation should lay down procedures for the application of the mutual recognition principle in individual cases by, for example, requiring Member States to indicate the national technical rules on which the administrative</p>	<p>(23) Directive (EU) 2015/1535 of the European Parliament and of the Council requires Member States to communicate to the Commission and to the other Member States any draft national technical regulation concerning any product, including agricultural and fish products, and a statement of the grounds which make the enactment of that regulation necessary. It is necessary, however, to ensure that, following the adoption of such a national technical regulation, the principle of mutual recognition is correctly applied in individual cases to specific goods. This Regulation should lay down procedures for the application of the mutual recognition principle in individual cases by, for example, requiring Member States to indicate the national technical rules on which the administrative</p>	<p>(23) Directive (EU) 2015/1535 of the European Parliament and of the Council requires Member States to communicate to the Commission and to the other Member States any draft national technical regulation concerning any product, including agricultural and fishfishery products, and a statement of the grounds which make the enactment of that regulation necessary. It is necessary, however, to ensure that, following the adoption of such a national technical regulation, the principle of mutual recognition is correctly applied in individual cases to specific goods. This Regulation should lay down procedures for the application of the mutual recognition principle in individual cases by, for example, requiring Member States to indicate the national technical rules on which the administrative decision is based and the legitimate public interest ground justifying the applicable</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	decision is based and the legitimate public interest ground on which the administrative decision is justified. This requirement does not, however, oblige Member States to justify the national technical rule itself, but rather the application of that national technical rule with respect to a product lawfully marketed in another Member State.	decision is based and the legitimate public interest ground on which the administrative decision is justified. This requirement does not, however, oblige Member States to justify the national technical rule itself, but rather the application of that national technical rule with respect to a product lawfully marketed in another Member State.	national technical rule on which the administrative decision is justified based . This requirement does not, however, oblige Member States to justify the national technical rule itself, but rather the application of that national technical rule with respect to a product good lawfully marketed in another Member State. In most of the cases the proportionality of the national technical rule should be sufficient by itself to demonstrate that the administrative decision which is based on that rule is proportionate. However, the means to demonstrate the proportionality of the administrative decision should be the result of a case by case evaluation.	
	RECITAL 24			
R 33	(24) As decisions denying or restricting market access for goods already lawfully marketed in another Member State should be an exception to the fundamental principle of free movement of goods, it is appropriate to establish a clear procedure designed to	(24) As decisions denying or restricting market access for goods already lawfully marketed in another Member State should be an exception to the fundamental principle of free movement of goods, it is appropriate to establish a clear procedure designed to	(24) As administrative decisions denying or restricting market access for goods already lawfully marketed in another Member State should be an exception to the fundamental principle of free movement of goods, it is appropriate to establish a clear procedure	R

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	ensure that such decisions observe the existing obligations deriving from the mutual recognition principle. Such procedure ensures that decisions taken are proportionate and respect the mutual recognition principle and this Regulation.	ensure that such decisions observe the existing obligations deriving from the mutual recognition principle. Such procedure ensures that decisions taken are proportionate and respect the mutual recognition principle and this Regulation.	designed to ensure that such decisions to determine whether such goods are lawfully marketed in that Member State and, if so, that Member States observe the existing obligations deriving from the mutual recognition principle. Such procedure ensures that should ensure that administrative decisions taken are proportionate and respect the mutual recognition principle and this Regulation. When observing those obligations, Member States should be able to ensure that their legitimate public interests are adequately protected, in accordance with Article 36 of the Treaty and the case law of the Court of Justice.	
	RECITAL 25			
y 34	(25) While a competent authority is assessing goods before deciding whether or not it should deny or restrict market access, it should not be able to take decisions suspending market access, except where rapid intervention is required to prevent harm to safety and health of users or to prevent	(25) While a competent authority is assessing goods before deciding whether or not it should deny or restrict market access, it should not be able to take decisions suspending market access, except where rapid intervention is required to prevent harm to safety and/or health of users, <u>persons or to</u>	(25) While a competent authority is assessing goods before deciding whether or not it should deny or restrict market access, it should not be able to take decisions suspending market access, except where rapid intervention is required to prevent harm to safety and/or health of users persons or to the environment , or to prevent the	y

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	the goods being made available where the making available of such goods is generally prohibited on grounds of public morality or public security, including for example the prevention of crime.	<u>the environment</u> , or to prevent the goods being made available where the making available of such goods is generally prohibited on grounds of public morality or public security, including for example the prevention of crime. AM 17	goods being made available where the making available of such goods is generally prohibited on grounds of public morality or public security, including for example the prevention of crime.	
RECITAL 26				
35	(26) Regulation (EC) No 765/2008 of the European Parliament and of the Council ¹ establishes a system of accreditation which ensures the mutual acceptance of the level of competence of conformity assessment bodies. The competent authorities of Member States should therefore not refuse test reports and certificates issued by an accredited conformity assessment body on grounds related to the competence of that body. Furthermore, in order to avoid as far as possible the duplication of tests and procedures which have been already carried out in another Member State, Member States should also	(26) Regulation (EC) No 765/2008 of the European Parliament and of the Council ¹ establishes a system of accreditation which ensures the mutual acceptance of the level of competence of conformity assessment bodies. The competent authorities of Member States should therefore not refuse test reports and certificates issued by an accredited conformity assessment body on grounds related to the competence of that body. Furthermore, in order to avoid as far as possible the duplication of tests and procedures which have been already carried out in another Member State, Member States should <i>also</i>	(26) Regulation (EC) No 765/2008 of the European Parliament and of the Council ¹ establishes a system of accreditation which ensures the mutual acceptance of the level of competence of conformity assessment bodies. The competent authorities of Member States should therefore not refuse test reports and certificates issued by an accredited conformity assessment body on grounds related to the competence of that body. Furthermore, in order to avoid as far as possible the duplication of tests and procedures which have been already carried out in another Member State, Member States should also accept test reports and certificates issued by other	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>accept test reports and certificates issued by other conformity assessment bodies in accordance with Union law. Competent authorities should be required to take due account of the content of the test reports or certificates presented.</p> <p>1. Regulation (EC) No 765/2008 of the European Parliament and of the Council of 9 July 2008 setting out the requirements for accreditation and market surveillance relating to the marketing of products and repealing Regulation (EEC) No 339/93 (OJ L 218, 13.8.2008, p. 30).</p>	<p>accept <u>take due account of</u> test reports and certificates issued by other conformity assessment bodies in accordance with Union law. Competent authorities should be required to take due account of the content of the test reports or certificates presented.</p> <p>1. Regulation (EC) No 765/2008 of the European Parliament and of the Council of 9 July 2008 setting out the requirements for accreditation and market surveillance relating to the marketing of products and repealing Regulation (EEC) No 339/93 (OJ L 218, 13.8.2008, p. 30).</p> <p>AM 18</p>	<p>conformity assessment bodies in accordance with Union law. Competent authorities should be required to take due account of the content of the test reports or certificates presented.</p> <p>1. Regulation (EC) No 765/2008 of the European Parliament and of the Council of 9 July 2008 setting out the requirements for accreditation and market surveillance relating to the marketing of products and repealing Regulation (EEC) No 339/93 (OJ L 218, 13.8.2008, p. 30).</p>	
	RECITAL 27			
36	<p>(27) Directive 2001/95/EC of the European Parliament and of the Council¹ specifies that only safe products may be placed on the market and lays down the obligations of producers and distributors with respect to the safety of products. It entitles the authorities to ban any dangerous product with</p>	<p>(27) Directive 2001/95/EC of the European Parliament and of the Council¹ specifies that only safe products may be placed on the market and lays down the obligations of producers and distributors with respect to the safety of products. It entitles the authorities to ban any dangerous product with</p>	<p>(27) Directive 2001/95/EC of the European Parliament and of the Council¹ specifies that only safe products may be placed on the market and lays down the obligations of producers and distributors with respect to the safety of products. It entitles the authorities to ban any dangerous product with immediate effect or, for the period needed for the</p>	

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	<p>immediate effect or, for the period needed for the various safety evaluations, checks and controls, to ban temporarily a product that could be dangerous. It also describes the procedure for authorities to apply appropriate measures such as those referred to in Article 8(1)(b) to (f) thereof, in case of products posing a risk, and it also establishes the obligation to notify those measures to the Commission and other Member States. Therefore, competent authorities should be able to continue applying that Directive and in particular the provisions contained in Articles 8(1)(d) to (f) and Article 8(3) of that Directive.</p> <p>1. OJ L 11, 15.1.2002, p. 4.</p>	<p>immediate effect or, for the period needed for the various safety evaluations, checks and controls, to ban temporarily a product that could be dangerous. It also describes the procedure for authorities to apply appropriate measures such as those referred to in Article 8(1)(b) to (f) thereof, in case of products posing a risk, and it also establishes the obligation to notify those measures to the Commission and other Member States. Therefore, competent authorities should be able to continue applying that Directive and in particular the provisions contained in Articles 8(1)(d) to (f) and Article 8(3) of that Directive.</p> <p>1. OJ L 11, 15.1.2002, p. 4.</p>	<p>various safety evaluations, checks and controls, to ban temporarily a product that could be dangerous. It also describes the procedure for authorities to apply appropriate measures such as those referred to in Article 8(1)(b) to (f) thereof, in case of products posing a risk, and it also establishes the obligation to notify those measures to the Commission and other Member States. Therefore, competent authorities should be able to continue applying that Directive and in particular the provisions contained in Articles 8(1)(d) 8(1)(b) to (f) and Article 8(3) of that Directive.</p> <p>1. OJ L 11, 15.1.2002, p. 4.</p>	
RECITAL 28				
37	<p>(28) Regulation (EC) No 178/2002 of the European Parliament and of the Council¹ establishes, inter alia, a rapid alert system for the notification of a direct or indirect risk to human health</p>	<p>(28) Regulation (EC) No 178/2002 of the European Parliament and of the Council¹ establishes, inter alia, a rapid alert system for the notification of a direct or indirect risk to human health</p>	<p>(28) Regulation (EC) No 178/2002 of the European Parliament and of the Council¹ establishes, inter alia, a rapid alert system for the notification of a direct or indirect risk to human health deriving from food</p>	<p>(28) Regulation (EC) No 178/2002 of the European Parliament and of the Council¹ establishes, inter alia, a rapid alert system for the notification of a direct or indirect risk to human health</p>

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>deriving from food or feed. It obliges Member States to notify the Commission immediately, under the rapid alert system of any measure they adopt which is aimed at restricting the placing on the market of, withdrawing or recalling food or feed in order to protect human health, and which requires rapid action. Competent authorities should be able to continue applying that Regulation and in particular the provisions contained in Articles 50 (3) and 54 of that Regulation.</p> <p>1. OJ L 31, 1.2.2002,p 1. _____</p>	<p>deriving from food or feed. It obliges Member States to notify the Commission immediately, under the rapid alert system of any measure they adopt which is aimed at restricting the placing on the market of, withdrawing or recalling food or feed in order to protect human health, and which requires rapid action. Competent authorities should be able to continue applying that Regulation and in particular the provisions contained in Articles 50 (3) and 54 of that Regulation.</p> <p>1. OJ L 31, 1.2.2002,p 1. _____</p>	<p>or feed. It obliges Member States to notify the Commission immediately, under the rapid alert system of any measure they adopt which is aimed at restricting the placing on the market of, withdrawing or recalling food or feed in order to protect human health, and which requires rapid action. Competent authorities should be able to continue applying that Regulation and in particular the provisions contained in Articles 50 (3) and 54 of that Regulation.</p> <p>1. OJ L 31, 1.2.2002,p 1. _____</p>	<p>deriving from food or feed. It obliges Member States to notify the Commission immediately, under the rapid alert system of any measure they adopt which is aimed at restricting the placing on the market of, withdrawing or recalling food or feed in order to protect human health, and which requires rapid action. Competent authorities should be able to continue applying that Regulation and in particular the provisions contained in Articles 50 (3) and 54 of that Regulation.</p> <p>1. OJ L 31, 1.2.2002,p 1. _____</p> <p>Text Origin: EP Mandate</p>
	RECITAL 29			
38	<p>(29) Regulation (EU) 2017/625 of European Parliament and of the Council¹ establishes a harmonised Union framework for the organisation of official controls, and official activities other than official controls, along the entire agri-food chain, taking into account the</p>	<p>(29) Regulation (EU) 2017/625 of European Parliament and of the Council¹ establishes a harmonised Union framework for the organisation of official controls, and official activities other than official controls, along the entire agri-food chain, taking into account the</p>	<p>(29) Regulation (EU) 2017/625 of European Parliament and of the Council¹ establishes a harmonised Union framework for the organisation of official controls, and official activities other than official controls, along the entire agri-food chain, taking into account the rules on official controls laid down in Regulation</p>	<p>(29) Regulation (EU) 2017/625 of European Parliament and of the Council¹ establishes a harmonised Union framework for the organisation of official controls, and official activities other than official controls, along the entire agri-food chain, taking into account the</p>

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>rules on official controls laid down in Regulation (EC) No 882/2004 and in relevant sectoral legislation. It lays down a specific procedure to ensure that economic operators remedy a situation of non-compliance with feed and food law, animal health and animal welfare rules. Competent authorities should be able to continue applying that Regulation and in particular the provisions contained in Article 138 of that Regulation.</p> <p>1. Regulation (EU) 2017/625 of the European Parliament and of the Council of 15 March 2017 on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products, amending Regulations (EC) No 999/2001, (EC) No 396/2005, (EC) No 1069/2009, (EC) No 1107/2009, (EU) No 1151/2012, (EU) No 652/2014, (EU) 2016/429 and (EU) 2016/2031 of the European Parliament and of the Council, Council Regulations (EC) No 1/2005 and (EC) No 1099/2009 and Council Directives 98/58/EC, 1999/74/EC, 2007/43/EC, 2008/119/EC and 2008/120/EC, and repealing Regulations (EC) No 854/2004 and (EC) No 882/2004 of</p>	<p>rules on official controls laid down in Regulation (EC) No 882/2004 and in relevant sectoral legislation. It lays down a specific procedure to ensure that economic operators remedy a situation of non-compliance with feed and food law, animal health and animal welfare rules. Competent authorities should be able to continue applying that Regulation and in particular the provisions contained in Article 138 of that Regulation.</p> <p>1. Regulation (EU) 2017/625 of the European Parliament and of the Council of 15 March 2017 on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products, amending Regulations (EC) No 999/2001, (EC) No 396/2005, (EC) No 1069/2009, (EC) No 1107/2009, (EU) No 1151/2012, (EU) No 652/2014, (EU) 2016/429 and (EU) 2016/2031 of the European Parliament and of the Council, Council Regulations (EC) No 1/2005 and (EC) No 1099/2009 and Council Directives 98/58/EC, 1999/74/EC, 2007/43/EC, 2008/119/EC and 2008/120/EC, and repealing Regulations (EC) No 854/2004 and (EC) No 882/2004 of</p>	<p>(EC) No 882/2004 and in relevant sectoral legislation. It lays down a specific procedure to ensure that economic operators remedy a situation of non-compliance with feed and food law, animal health and animal welfare rules. Competent authorities should be able to continue applying that Regulation and in particular the provisions contained in Article 138 of that Regulation.</p> <p>1. Regulation (EU) 2017/625 of the European Parliament and of the Council of 15 March 2017 on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products, amending Regulations (EC) No 999/2001, (EC) No 396/2005, (EC) No 1069/2009, (EC) No 1107/2009, (EU) No 1151/2012, (EU) No 652/2014, (EU) 2016/429 and (EU) 2016/2031 of the European Parliament and of the Council, Council Regulations (EC) No 1/2005 and (EC) No 1099/2009 and Council Directives 98/58/EC, 1999/74/EC, 2007/43/EC, 2008/119/EC and 2008/120/EC, and repealing Regulations (EC) No 854/2004 and (EC) No 882/2004 of the European Parliament and of the Council, Council Directives 89/608/EEC, 89/662/EEC, 90/425/EEC, 91/496/EEC, 96/23/EC, 96/93/EC and 97/78/EC and Council Decision 92/438/EEC (Official Controls</p>	<p>rules on official controls laid down in Regulation (EC) No 882/2004 and in relevant sectoral legislation. It lays down a specific procedure to ensure that economic operators remedy a situation of non-compliance with feed and food law, animal health and animal welfare rules. Competent authorities should be able to continue applying that Regulation and in particular the provisions contained in Article 138 of that Regulation.</p> <p>1. Regulation (EU) 2017/625 of the European Parliament and of the Council of 15 March 2017 on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products, amending Regulations (EC) No 999/2001, (EC) No 396/2005, (EC) No 1069/2009, (EC) No 1107/2009, (EU) No 1151/2012, (EU) No 652/2014, (EU) 2016/429 and (EU) 2016/2031 of the European Parliament and of the Council, Council Regulations (EC) No 1/2005 and (EC) No 1099/2009 and Council Directives 98/58/EC, 1999/74/EC, 2007/43/EC, 2008/119/EC and 2008/120/EC, and repealing Regulations (EC) No 854/2004 and (EC) No 882/2004 of</p>

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	the European Parliament and of the Council, Council Directives 89/608/EEC, 89/662/EEC, 90/425/EEC, 91/496/EEC, 96/23/EC, 96/93/EC and 97/78/EC and Council Decision 92/438/EEC (Official Controls Regulation) (OJ L 95, 7.4.2017, p. 1).	the European Parliament and of the Council, Council Directives 89/608/EEC, 89/662/EEC, 90/425/EEC, 91/496/EEC, 96/23/EC, 96/93/EC and 97/78/EC and Council Decision 92/438/EEC (Official Controls Regulation) (OJ L 95, 7.4.2017, p. 1).	Regulation) (OJ L 95, 7.4.2017, p. 1).	the European Parliament and of the Council, Council Directives 89/608/EEC, 89/662/EEC, 90/425/EEC, 91/496/EEC, 96/23/EC, 96/93/EC and 97/78/EC and Council Decision 92/438/EEC (Official Controls Regulation) (OJ L 95, 7.4.2017, p. 1). Text Origin: EP Mandate
	RECITAL 29A			
38a			29a Regulation (EU) No 1306/2013 of the European Parliament and of the Council ¹ establishes a harmonised Union framework for carrying out the checks in respect of the obligations laid down in Section II of Chapter I of Title II of Part 2 of Regulation (EU) No 1308/2013 ² in accordance with the criteria laid down in Article 4 of Regulation (EC) No 882/2004 of the European Parliament and of the Council ³ and shall ensure that any operator complying with those obligations is entitled to be covered by a system of checks. Competent authorities should be able to continue applying that Regulation and in particular the provisions contained in Article 90 of that	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			<p>Regulation.</p> <p>1. Regulation (EU) No 1306/2013 of the European Parliament and of the Council of 17 December 2013 on the financing, management and monitoring of the common agricultural policy and repealing Council Regulations (EEC) No 352/78, (EC) No 165/94, (EC) No 2799/98, (EC) No 814/2000, (EC) No 1290/2005 and (EC) No 485/2008 (OJ L 347, 20.12.2013, p. 549–607).</p> <p>1. Regulation (EU) No 1308/2013 of the European Parliament and of the Council of 17 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007 (OJ L 347, 20.12.2013, p. 671–854).</p> <p>1. Regulation (EC) No 882/2004 of the European Parliament and of the Council of 29 April 2004 on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules (OJ L 165, 30.4.2004, p. 1).</p>	
	RECITAL 30			
Y 39	(30) Any administrative decision taken by competent authorities of Member States pursuant to this Regulation should specify the remedies	(30) Any administrative decision taken by competent authorities of Member States pursuant to this Regulation should specify the remedies	(30) Any administrative decision taken by competent authorities of Member States pursuant to this Regulation should specify the remedies available so that an	Y

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	available so that an economic operator can bring proceedings before the competent national court or tribunal. The decision should also refer to the problem-solving procedure provided for in this Regulation.	available so that an economic operator can <u>appeal the decision or</u> bring proceedings before the competent national court or tribunal. The <u>administrative</u> decision should also refer to the <u>possibility of economic operators to use the SOLVIT network and to have access to the</u> problem-solving procedure provided for in this Regulation. AM 19	economic operator can, according to the national legislation, appeal the decision or bring proceedings before the competent national court or tribunal. The administrative decision should also refer to the possibility of economic operators to use the SOLVIT network and to have access to the problem-solving procedure provided for in this Regulation.	
RECITAL 31				
40	(31) Effective solutions for economic operators wishing for a business friendly alternative when challenging administrative decisions denying or restricting market access are essential to ensure a correct and consistent application of the mutual recognition principle. In order to guarantee such solutions, and to avoid legal costs, especially for SMEs, a non-judicial problem -solving procedure should be available for economic operators.	(31) Effective solutions for economic operators wishing for a business friendly alternative when challenging administrative decisions denying or restricting market access are essential to ensure a correct and consistent application of the mutual recognition principle. In order to guarantee such solutions, and to avoid legal costs, especially for SMEs, a non-judicial problem -solving procedure should be available for economic operators.	(31) Effective solutions for economic operators wishing for a business friendly alternative when challenging administrative decisions denying or restricting market access are essential to ensure a correct and consistent application of the mutual recognition principle. In order to guarantee such solutions, and to avoid legal costs, especially for SMEs, a non-judicial problem -solving procedure should be available for economic operators.	(31) Effective solutions for economic operators wishing for a business friendly alternative when challenging administrative decisions denying or restricting market access are essential to ensure a correct and consistent application of the mutual recognition principle. In order to guarantee such solutions, and to avoid legal costs, especially for SMEs, a non-judicial problem -solving procedure should be available for economic operators. Text Origin: EP Mandate

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	RECITAL 32			
41	<p>(32) The Internal Market Problem Solving Network (SOLVIT) is a service provided by the national administration in each Member State aiming to find solutions for citizens and businesses when their rights are breached by public authorities in another Member State. The principles governing the functioning of SOLVIT are set out in the Commission Recommendation 2013/461/EU¹.</p> <p>1. Commission Recommendation 2013/461/EU of 17 September 2013 on the principles governing SOLVIT (OJ L 249, 19.9.2013, p. 10).</p>	<p>(32) The Internal Market Problem Solving Network (SOLVIT) is a service provided by the national administration in each Member State aiming to find solutions for citizens and businesses when their rights are breached by public authorities in another Member State. The principles governing the functioning of SOLVIT are set out in the Commission Recommendation 2013/461/EU¹. <u><i>Each Member State and the Commission must ensure that a national SOLVIT centre is established and that adequate human and financial resources are available to guarantee that the SOLVIT centre takes part in the European SOLVIT network on the basis of the principles set out in the Recommendation 2013/461/EU. The Commission should increase awareness about the existence and benefits of</i></u></p>	<p>(32) The Internal Market Problem Solving Network (SOLVIT) is a service provided by the national administration in each Member State aiming to find solutions for citizens and businesses when their rights are breached by public authorities in another Member State. The principles governing the functioning of SOLVIT are set out in the Commission Recommendation 2013/461/EU¹.</p> <p>1. Commission Recommendation 2013/461/EU of 17 September 2013 on the principles governing SOLVIT (OJ L 249, 19.9.2013, p. 10).</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<p><u>SOLVIT, especially amongst businesses.</u></p> <p>1. Commission Recommendation 2013/461/EU of 17 September 2013 on the principles governing SOLVIT (OJ L 249, 19.9.2013, p. 10).</p> <p>AM 20</p>		
RECITAL 33				
R 42	<p>(33) The SOLVIT system has proved to be an effective non-judicial, problem-solving mechanism that is provided free of charge. It works under short deadlines and provides practical solutions to citizens and businesses when they are experiencing difficulties with their Union rights being recognised by public authorities. Therefore, economic operators should have to rely on SOLVIT first before the problem-solving mechanism under this Regulation can be triggered. Where the economic operator, the relevant SOLVIT centre and the involved Member States in question all agree on the appropriate outcome, no</p>	<p>(33) The SOLVIT system has proved<u>the potential</u> to be an effective non-judicial, problem-solving mechanism that is provided free of charge. It works under short deadlines and provides practical solutions to citizens and businesses when they are experiencing difficulties with their Union rights being recognised by public authorities. Therefore, economic operators should have to rely on SOLVIT first before the problem-solving mechanism under this Regulation can be triggered. Where the economic operator, the relevant SOLVIT centre and the involved Member States in question all agree on</p>	<p>(33) The SOLVIT system has proved to be an effective non-judicial, problem-solving mechanism that is provided free of charge. It works under short deadlines and provides practical solutions to citizens and businesses when they are experiencing difficulties with their Union rights being recognised by public authorities. Therefore, economic operators should have to rely on SOLVIT first before the problem-solving mechanism under this Regulation can be triggered. Where the economic operator, the relevant SOLVIT centre and the involved Member States in question all agree on the appropriate outcome, no further action should be required.</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	further action should be required.	the appropriate outcome, no further action should be required. AM 21	Recital 33 & 34 must be merged	
RECITAL 34				
43	(34) However, where the SOLVIT's informal approach fails, and serious doubts remain regarding the compatibility of the administrative decision with the mutual recognition principle the Commission should be empowered to look into the matter and provide an assessment to be taken into account by the competent national authorities at the request of the SOLVIT centre. The Commission's intervention should be subject to a reasonable time-limit, in compliance with the European Code of Good Administrative Behaviour.	(34) However, where the SOLVIT's informal approach fails, and serious doubts remain regarding the compatibility of the administrative decision with the mutual recognition principle the Commission should be empowered to look into the matter and provide an assessment to be taken into account by the competent national authorities at the request of <u>any of the SOLVIT centres. For the purposes of collecting additional information or documents necessary for completing its assessment, the Commission should inform the relevant SOLVIT centres about its communications with the economic operator or competent authority concerned. When completing an assessment, the Commission should issue an opinion to be communicated</u>	(34) However, where the SOLVIT's informal approach fails, and serious doubts remain regarding the compatibility of the administrative decision with the mutual recognition principle the Commission should be empowered to look into the matter and provide at the request of any of the SOLVIT centres involved. Following an assessment, the Commission should issue an opinion to be taken into account by the competent national authorities at the request of communicated through the relevant SOLVIT centre to the economic operator concerned and to the competent authorities and to be considered during the SOLVIT centre procedure. The Commission's intervention should be subject to a reasonable time-limit, in compliance with the European Code of Good Administrative Behaviour. These SOLVIT cases should be	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<p><u>through the relevant SOLVIT centre to the economic operator concerned and to the competent authorities and to be considered during the SOLVIT procedure.</u> The Commission's intervention should be subject to a reasonable<u>two-months'</u> time-limit, in compliance with the European Code of Good Administrative Behaviour. <u>The two months period does not include the time necessary for receiving the additional information and documents that might be deemed necessary. If the case is solved during this two months period, the Commission should be able to decide not to issue an opinion.</u></p> <p>AM 22</p>	<p>subject to a separate workflow in the SOLVIT database and should not be included in the regular SOLVIT statistics.</p> <p>Recital 33 & 34 must be merged</p>	
	RECITAL 34A			
R 43a		<p>34a <u>Where the Commission assesses an administrative decision, it is important for economic operators to be able to use such assessment if they bring proceedings before a national court or tribunal. Therefore, in the particular</u></p>		R

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<p><u><i>case of administrative decisions subject to this Regulation, bringing proceedings before a national court or tribunal should not prevent the economic operator from using SOLVIT.</i></u></p> <p>AM 23</p>		
RECITAL 35				
44	<p>(35) The opinion of the Commission as regards an administrative decision denying or restricting market access should only cover the questions of whether the administrative decision is compatible with the mutual recognition principle and whether it complies with the requirements of this Regulation. This is without prejudice to the Commission's powers under article 258 of the Treaty and the Member States' obligation to comply with the provisions of Union law, where systemic problems identified as regards the application of the mutual recognition principle can be further addressed.</p>	<p>(35) The opinion of the Commission as regards an administrative decision denying or restricting market access should only cover the questions of whether the administrative decision is compatible with the mutual recognition principle and whether it complies with the requirements of this Regulation. This is without prejudice to the Commission's powers under article 258 of the Treaty and the Member States' obligation to comply with the provisions of Union law, where systemic problems identified as regards the application of the mutual recognition principle can be further addressed.</p>	<p>(35) The opinion of the Commission as regards an administrative decision denying or restricting market access should only cover the questions of whether the administrative decision is compatible with the mutual recognition principle and whether it complies with the requirements of this Regulation. This is without prejudice to the Commission's powers under article 258 of the Treaty and the Member States' obligation to comply with the provisions of Union law, where systemic problems identified as regards the application of the mutual recognition principle can be further addressed.</p>	<p>(35) The opinion of the Commission as regards an administrative decision denying or restricting market access should only cover the questions of whether the administrative decision is compatible with the mutual recognition principle and whether it complies with the requirements of this Regulation. This is without prejudice to the Commission's powers under article 258 of the Treaty and the Member States' obligation to comply with the provisions of Union law, where systemic problems identified as regards the application of the mutual recognition principle can be further addressed.</p>

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				Text Origin: EP Mandate
	RECITAL 36			
G 45	<p>(36) It is important for the internal market in goods that businesses, and in particular SMEs, can obtain reliable and specific information about the law in force in a given Member State. Product Contact Points should play an important role in facilitating communication between national authorities and economic operators, by disseminating information about specific product rules and how mutual recognition is applied in their territory. Therefore, it is necessary to enhance the role of Product Contact Points as the principal providers of information on all product-related rules, including national rules covered by mutual recognition.</p>	<p>(36) It is important for the internal market in goods that businesses, and in particular SMEs, can obtain reliable and specific information about the law in force in a given Member State. Product Contact Points should play an important role in facilitating communication between national authorities and economic operators, by disseminating information about specific product rules and how mutual recognition is applied in their territory. Therefore, it is necessary to enhance the role of Product Contact Points as the principal providers of information on all product-related rules, including national rules covered by mutual recognition.</p>	<p>(36) It is important for the internal market in goods that businesses, and in particular SMEs, can obtain reliable and specific information about the law in force in a given Member State. Product Contact Points should play an important role in facilitating communication between national authorities and economic operators, by disseminating information about specific product rules and how mutual recognition is applied in their territory. Therefore, it is necessary to enhance the role of Product Contact Points as the principal providers of information on all product-related rules, including national rules covered by mutual recognition.</p>	<p>(36) It is important for the internal market in goods that businesses, and in particular SMEs, can obtain reliable and specific information about the law in force in a given Member State. Product Contact Points should play an important role in facilitating communication between national authorities and economic operators, by disseminating information about specific product rules and how mutual recognition is applied in their territory. Therefore, it is necessary to enhance the role of Product Contact Points as the principal providers of information on all product-related rules, including national rules covered by mutual recognition.</p> <p>Text Origin: EP Mandate</p>
	RECITAL 37			
Y 46	<p>(37) In order to facilitate the free movement of goods, Product Contact Points should</p>	<p>(37) In order to facilitate the free movement of goods, Product Contact Points should</p>	<p>(37) In order to facilitate the free movement of goods, Product Contact Points should be</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>be required to provide information, free of charge, on their national technical rules and the application of the principle of mutual recognition. Product Contact Points should be adequately equipped and resourced. In accordance with Regulation [Single Digital Gateway – COM(2017)256] they should provide information through a website and be subject to the quality criteria required by that Regulation, and be subject to the quality criteria set out in that Regulation.</p>	<p>be required to provide, <u>up to a reasonable level</u>, information, free of charge, on their national technical rules and the application of the principle of mutual recognition. Product Contact Points should be adequately equipped and resourced. In accordance with Regulation [Single Digital Gateway – COM(2017)256] they should provide information through a website and be subject to the quality criteria required by that Regulation, and be subject to the quality criteria set out in that Regulation.</p> <p>AM 24</p>	<p>required to provide information, free of charge, on their national technical rules and the application of the principle of mutual recognition. Product Contact Points should be adequately equipped and resourced. In accordance with Regulation [Single Digital Gateway – COM(2017)256] they should provide information through a website and be subject to the quality criteria required by that Regulation, and be set out in that Regulation. The tasks of Product Contact Points related to the provision of any such information, including an electronic copy of or an electronic link to the national technical rule, should be performed without prejudice to the national rules governing their distribution. Furthermore, Product Contact Points should not be required to provide copies of or electronic links to standards which are subject to the quality criteria set out in that Regulation, intellectual property rights of standardisation bodies and organisations.</p>	
RECITAL 38				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
47	(38) Cooperation between competent authorities is essential for the smooth functioning of the mutual recognition principle and for creating a mutual recognition culture. Product Contact Points and national competent authorities should therefore be required to cooperate and exchange information and expertise in order to ensure a correct and consistent application of the principle and of this Regulation.	(38) Cooperation between competent authorities is essential for the smooth functioning of the mutual recognition principle and for creating a mutual recognition culture. Product Contact Points and national competent authorities should therefore be required to cooperate and exchange information and expertise in order to ensure a correct and consistent application of the principle and of this Regulation. <u><i>The Union should finance activities aiming at enhancing this cooperation between competent authorities such as trainings and exchanges of good practices.</i></u> AM 25	(38) Cooperation between competent authorities is essential for the smooth functioning of the mutual recognition principle and for creating a mutual recognition culture. Product Contact Points and national competent authorities should therefore be required to cooperate and exchange information and expertise in order to ensure a correct and consistent application of the principle and of this Regulation.	
RECITAL 39				
48	(39) For the purposes of notifying administrative decisions denying or restricting market access, of allowing communication between Product Contact Points and of ensuring administrative cooperation, it	(39) For the purposes of notifying administrative decisions denying or restricting market access, of allowing communication between Product Contact Points and of ensuring administrative cooperation, it	(39) For the purposes of notifying administrative decisions denying or restricting market access, of allowing communication between Product Contact Points and of ensuring administrative cooperation, it is necessary to provide Member	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	is necessary to provide Member States with access to an information and communication support system.	is necessary to provide Member States with access to an information and communication support system.	States with access to an information and communication support system.	
RECITAL 40				
49	<p>(40) In order to ensure uniform conditions for the implementation of this Regulation, implementing powers should be conferred on the Commission. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council¹.</p> <p>1. Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by the Member States of the Commission's exercise of implementing powers.</p>	<p>(40) In order to ensure uniform conditions for the implementation of this Regulation, implementing powers should be conferred on the Commission. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council¹.</p> <p>1. Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by the Member States of the Commission's exercise of implementing powers.</p>	<p>(40) In order to ensure uniform conditions for the implementation of this Regulation, implementing powers should be conferred on the Commission. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council¹.</p> <p>1. Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by the Member States of the Commission's exercise of implementing powers.</p>	<p>(40) In order to ensure uniform conditions for the implementation of this Regulation, implementing powers should be conferred on the Commission. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council¹.</p> <p>1. Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by the Member States of the Commission's exercise of implementing powers.</p> <p>Text Origin: EP Mandate</p>
RECITAL 41				
50	(41) Where for the purposes of this Regulation it is	(41) Where for the purposes of this Regulation it is	(41) Where for the purposes of this Regulation it is necessary to	(41) Where for the purposes of this Regulation it is

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>necessary to process personal data, this should be carried out in accordance with Union law on the protection of personal data. Any processing of personal data under this Regulation is subject to Regulation (EU) 2016/679 of the European Parliament and of the Council¹ and Regulation (EC) No 45/2001 of the European Parliament and of the Council², as the case may be.</p> <p>1. Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (OJ L 119, 4.5.2016, p. 1).</p> <p>2. Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data (OJ L 8, 12.1.2001, p. 1).</p>	<p>necessary to process personal data, this should be carried out in accordance with Union law on the protection of personal data. Any processing of personal data under this Regulation is subject to Regulation (EU) 2016/679 of the European Parliament and of the Council¹ and Regulation (EC) No 45/2001 of the European Parliament and of the Council², as the case may be.</p> <p>1. Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (OJ L 119, 4.5.2016, p. 1).</p> <p>2. Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data (OJ L 8, 12.1.2001, p. 1).</p>	<p>process personal data, this should be carried out in accordance with Union law on the protection of personal data. Any processing of personal data under this Regulation is subject to Regulation (EU) 2016/679 of the European Parliament and of the Council¹ and Regulation (EC) No 45/2001 of the European Parliament and of the Council², as the case may be.</p> <p>1. Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (OJ L 119, 4.5.2016, p. 1).</p> <p>2. Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data (OJ L 8, 12.1.2001, p. 1).</p>	<p>necessary to process personal data, this should be carried out in accordance with Union law on the protection of personal data. Any processing of personal data under this Regulation is subject to Regulation (EU) 2016/679 of the European Parliament and of the Council¹ and Regulation (EC) No 45/2001 of the European Parliament and of the Council², as the case may be.</p> <p>1. Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (OJ L 119, 4.5.2016, p. 1).</p> <p>2. Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data (OJ L 8, 12.1.2001, p. 1).</p> <p>Text Origin: EP Mandate</p>
RECITAL 42				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	
G	51	(42) Reliable and efficient monitoring mechanisms should be established to provide information on the application of the Regulation and on its impact on the free movement of goods. Such mechanisms should not go beyond what is necessary to achieve these objectives.	(42) Reliable and efficient monitoring mechanisms should be established to provide information on the application of the Regulation and on its impact on the free movement of goods. Such mechanisms should not go beyond what is necessary to achieve these objectives.	(42) Reliable and efficient monitoring mechanisms should be established to provide information on the application of the Regulation and on its impact on the free movement of goods. Such mechanisms should not go beyond what is necessary to achieve these objectives. Text Origin: EP Mandate	G
RECITAL 43					
Y	52	(43) For the purposes of raising awareness about the mutual recognition principle and ensuring that this Regulation is applied correctly and consistently, the Union should finance awareness-raising campaigns and other related activities aiming at enhancing trust and cooperation between competent authorities and economic operators. AM 26	(43) For the purposes of raising awareness about the mutual recognition principle and ensuring that this Regulation is applied correctly and consistently, the provision should be made for Union should finance financing of awareness-raising campaigns and other related activities aiming at enhancing trust and cooperation between competent authorities and economic operators.		Y
RECITAL 44					
G	53	(44) In order to remedy the	(44) In order to remedy the	(44) In order to remedy the lack	G

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	
	lack of accurate data related to the functioning of the mutual recognition principle and its impacts on the single market for goods, Union should finance collection of such data.	lack of accurate data related to the functioning of the mutual recognition principle and its impacts on the single market for goods, Union should finance collection of such data.	of accurate data related to the functioning of the mutual recognition principle and its impacts on the single market for goods, Union should finance collection of such data.	lack of accurate data related to the functioning of the mutual recognition principle and its impacts on the single market for goods, Union should finance collection of such data. Text Origin: EP Mandate	
	RECITAL 45				
G	54 (45) The financial interests of the Union should be protected through proportionate measures throughout the expenditure cycle, including the prevention, detection and investigation of irregularities, the recovery of funds lost, wrongly paid or incorrectly used and, where appropriate, administrative and financial penalties.	(45) The financial interests of the Union should be protected through proportionate measures throughout the expenditure cycle, including the prevention, detection and investigation of irregularities, the recovery of funds lost, wrongly paid or incorrectly used and, where appropriate, administrative and financial penalties.	(45) The financial interests of the Union should be protected through proportionate measures throughout the expenditure cycle, including the prevention, detection and investigation of irregularities, the recovery of funds lost, wrongly paid or incorrectly used and, where appropriate, administrative and financial penalties.	(45) The financial interests of the Union should be protected through proportionate measures throughout the expenditure cycle, including the prevention, detection and investigation of irregularities, the recovery of funds lost, wrongly paid or incorrectly used and, where appropriate, administrative and financial penalties. Text Origin: EP Mandate	G
	RECITAL 46				
Y	55 (46) The Commission should carry out an evaluation of this Regulation. The evaluation should be based on the five criteria of effectiveness, efficiency, relevance, coherence and added value	(46) The Commission should carry out an evaluation of this Regulation. The evaluation should be based on the five criteria of effectiveness, efficiency, relevance, coherence and added value	<div>□deleted</div> Deleted - Covered by Recital (48)		Y

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	
	and should provide the basis for impact assessments of possible further measures.	and should provide the basis for impact assessments of possible further measures.			
	RECITAL 47				
G	56 (47) It is appropriate to defer the application of this Regulation in order to allow competent authorities and economic operators sufficient time to adapt to the requirements laid down in it.	(47) It is appropriate to defer the application of this Regulation in order to allow competent authorities and economic operators sufficient time to adapt to the requirements laid down in it.	(47) It is appropriate to defer the application of this Regulation in order to allow competent authorities and economic operators sufficient time to adapt to the requirements laid down in it.	(47) It is appropriate to defer the application of this Regulation in order to allow competent authorities and economic operators sufficient time to adapt to the requirements laid down in it. Text Origin: EP Mandate	G
	RECITAL 48				
Y	57 (48) The Commission should carry out an evaluation of this Regulation against the objectives it pursues. Commission should use the data collected on the functioning of the mutual recognition principle and its impacts on the single market for goods as well as information available in the information and communication support system to evaluate this Regulation. Commission should be able to ask Member States request for additional	(48) The Commission should carry out an evaluation of this Regulation against the objectives it pursues. Commission should use the data collected on the functioning of the mutual recognition principle and its impacts on the single market for goods as well as information available in the information and communication support system to evaluate this Regulation. Commission should be able to ask Member States request for additional	(48) The Commission should carry out an evaluation of this Regulation against the objectives it pursues. The Commission should use the data collected on the functioning of the mutual recognition principle and its impacts on the single market for goods as well as information available in the information and communication support system to evaluate this Regulation. The Commission should be able to ask request Member States request for to provide additional information necessary for the evaluation. Pursuant to point 22		Y

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>information necessary for the evaluation. Pursuant to point 22 of the Interinstitutional Agreement of 13 April 2016 on Better Law Making¹, the evaluation, based on efficiency, effectiveness, relevance, coherence and value added, should provide the basis for impact assessments of options for further action.</p> <p>¹ OJ L 123, 12.5.2016, p. 1.</p>	<p>information necessary for the evaluation. Pursuant to point 22 of the Interinstitutional Agreement of 13 April 2016 on Better Law Making¹, the evaluation, based on efficiency, effectiveness, relevance, coherence and value added, should provide the basis for impact assessments of options for further action.</p> <p>¹ OJ L 123, 12.5.2016, p. 1.</p>	<p>of the Interinstitutional Agreement of 13 April 2016 on Better Law Making¹, the evaluation, based on efficiency, effectiveness, relevance, coherence and value added, should provide the basis for impact assessments of options for further action.</p> <p>1. OJ L 123, 12.5.2016, p. 1.</p>	
	RECITAL 49			
58	<p>(49) Since the objectives of this Regulation, namely to ensure a smooth, consistent and correct application of the mutual recognition principle, cannot be sufficiently achieved by the Member States and can, therefore, by reason of their scale and effect, be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on the European Union. In accordance with the principle</p>	<p>(49) Since the objectives of this Regulation, namely to ensure a smooth, consistent and correct application of the mutual recognition principle, cannot be sufficiently achieved by the Member States and can, therefore, by reason of their scale and effect, be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on the European Union. In accordance with the principle</p>	<p>(49) Since the objectives of this Regulation, namely to ensure a smooth, consistent and correct application of the mutual recognition principle, cannot be sufficiently achieved by the Member States and can, therefore, by reason of their scale and effect, be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on the European Union. In accordance with the principle of proportionality, as set out in that Article, this Regulation does not</p>	<p>(49) Since the objectives of this Regulation, namely to ensure a smooth, consistent and correct application of the mutual recognition principle, cannot be sufficiently achieved by the Member States and can, therefore, by reason of their scale and effect, be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on the European Union. In accordance with the principle</p>

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	
	of proportionality, as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve that objective.	of proportionality, as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve that objective.	go beyond what is necessary in order to achieve that objective.	of proportionality, as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve that objective. <small>Text Origin: EP Mandate</small>	
	FORMULA				
G	59	HAVE ADOPTED THIS REGULATION:	HAVE ADOPTED THIS REGULATION:	HAVE ADOPTED THIS REGULATION: <small>Text Origin: EP Mandate</small>	G
	CHAPTER I				
Y	60	Chapter I General provisions	Chapter I General provisions	Chapter I General provisions <small>Text Origin: EP Mandate</small>	Y
	ARTICLE 1				
R	61	Article 1 Subject matter	Article 1 Subject matter	Article 1 Subject matter <small>Text Origin: EP Mandate</small>	R
	ARTICLE 1-PARAGRAPH -1				
R	61a		-1 <i><u>The aim of this Regulation is to strengthen the functioning of the</u></i>	-1 The aim of this Regulation is to strengthen the functioning of the internal market by	R

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>internal market by improving the application of the mutual recognition principle and by removing unjustified barriers to trade.</u> AM 27	improving the application of the principle of mutual recognition.	
	ARTICLE 1-PARAGRAPH			
R	62	<p>This Regulation lays down rules and procedures concerning the application by Member States of the principle of mutual recognition, in individual cases, in relation to goods lawfully marketed in another Member State and subject to Articles 34 and 36 of the Treaty.</p>	<p>This Regulation lays down rules and procedures concerning the application by Member States of the principle of mutual recognition, in individual cases, in relation to goods lawfully marketed in another Member State and subject to Articles 34 and 36 of the Treaty.</p>	<p>This Regulation lays down rules and procedures concerning the application by Member States of the principle of mutual recognition, in individual cases, in relation to goods lawfully marketed in another Member State and subject to Articles 34 and 36 of the Treaty. It shall not affect the legitimate public interests that may be protected by national measures in accordance with Union law.</p>
	ARTICLE 1-PARAGRAPH			
G	63	<p>This Regulation also provides for the establishment and maintenance of Product Contact Points in Member States and for cooperation and exchange of information in the context of the principle of mutual recognition.</p>	<p>This Regulation also provides for the establishment and maintenance of Product Contact Points in Member States and for cooperation and exchange of information in the context of the principle of mutual recognition.</p>	<p>This Regulation also provides for the establishment and maintenance of Product Contact Points in Member States and for cooperation and exchange of information in the context of the principle of mutual recognition.</p> <p>Text Origin: EP Mandate</p>

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	ARTICLE 2			
64	Article 2 Scope	Article 2 Scope	Article 2 Scope	Article 2 Scope Text Origin: EP Mandate
	ARTICLE 2-PARAGRAPH 1 - INTRODUCTORY PART			
65	1. This Regulation applies to goods of any type, including agricultural products, and to administrative decisions taken or to be taken by a competent authority of a Member State ('the Member State of destination') in relation to any such goods lawfully marketed in another Member State, where the decision meets the following criteria:	1. This Regulation applies to goods of any type, including agricultural products, and to administrative decisions taken or to be taken by a competent authority of a Member State ('the Member State of destination') in relation to any such goods lawfully marketed in another Member State, where the decision meets <u>both of</u> the following criteria: AM 28	1. This Regulation applies to goods of any type, including agricultural products within the meaning of the second subparagraph of Article 38(1) of the Treaty , and to administrative decisions taken or to be taken by a competent authority of a Member State ('the Member State of destination') in relation to any such goods lawfully marketed in another Member State, where the administrative decision meets both of the following criteria:	1. This Regulation applies to goods of any type, including agricultural products <u>within the meaning of the second subparagraph of Article 38(1) of the Treaty</u> , and to administrative decisions taken or to be taken by a competent authority of a Member State ('the Member State of destination') in relation to any such goods lawfully marketed in another Member State, where the <u>administrative</u> decision meets <u>both of</u> the following criteria: provisionally green
	ARTICLE 2-PARAGRAPH 1-POINT A			
66	(a) the basis for the decision is a national technical rule applicable in the Member	(a) the basis for the decision is a national technical rule applicable in the Member	(a) the basis for the administrative decision is a national technical rule applicable	(a) the basis for the <u>administrative</u> decision is a national technical rule

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	
	State of destination;	State of destination;	in the Member State of destination;	applicable in the Member State of destination; Text Origin: Council Mandate	
	ARTICLE 2-PARAGRAPH 1-POINT B				
67	(b) the direct or indirect effect of the decision is to deny or restrict market access in the Member State of destination.	(b) the direct or indirect effect of the decision is to deny or restrict market access in the Member State of destination.	(b) the direct or indirect effect of the administrative decision is to deny or restrict market access in the Member State of destination.	(b) the direct or indirect effect of the <u>administrative</u> decision is to deny or restrict market access in the Member State of destination. Text Origin: Council Mandate	
	ARTICLE 2-PARAGRAPH 2				
68	2. The reference in paragraph 1 to 'administrative decisions' includes any administrative step that has the same or substantially the same legal effect as a decision.	2. The reference in paragraph 1 to 'administrative decisions' includes any administrative step that has the same or substantially the same legal effect as a decision.	2. The reference in paragraph 1 to 'administrative decisions' includes any administrative step that is based on a national technical rule and has the same or substantially the same legal effect as a decision that referred to in point (b) of paragraph 1.	2. The reference in paragraph 1 to 'administrative decisions' includes any administrative step that <u>is based on a national technical rule and</u> has the same or substantially the same legal effect as a decision <u>that referred to in point (b) of paragraph 1.</u>	
	ARTICLE 2-PARAGRAPH 3 - INTRODUCTORY PART				
69	3. For the purposes of this Regulation, a 'national technical rule' is any provision of a law, regulation or other administrative provision of a	3. For the purposes of this Regulation, a 'national technical rule' is any provision of a law, regulation or other administrative provision of a	3. For the purposes of this Regulation, a 'national technical rule' is any provision of a law, regulation or other administrative provision of a Member State,	3. For the purposes of this Regulation, a 'national technical rule' is any provision of a law, regulation or other administrative provision of a	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	
	Member State, which has the following elements:	Member State, which has the following elements:	which has the following elements:	Member State, which has the following elements: <small>Text Origin: EP Mandate</small>	
ARTICLE 2-PARAGRAPH 3-POINT A					
6	70	(a) the provision covers an area or aspect that is not the subject of harmonisation at Union level;	(a) the provision covers an area or aspect that is goods or aspects of goods that are not the subject of harmonisation at Union level;	(a) the provision covers an area or aspect that is goods or aspects of goods that are not the subject of harmonisation at Union level; <small>Text Origin: Council Mandate</small>	6
ARTICLE 2-PARAGRAPH 3-POINT B					
6	71	(b) the provision either prohibits the making available of goods, or a type of goods, on the domestic market in that Member State or else it makes compliance with the provision compulsory, de facto or de jure, whenever goods, or goods of a given type, are being made available on that market;	(b) the provision either prohibits the making available of goods, or a type of goods, on the domestic market in that Member State or else it makes compliance with the provision compulsory, de facto or de jure, whenever goods, or goods of a given type, are being made available on that market; <small>AM 29</small>	(b) the provision either prohibits the making available of goods, or a type of goods, on the domestic market in that Member State or else it makes compliance with the provision compulsory, de facto or de jure, whenever goods, or goods of a given type, are being made available on that market; <small>Text Origin: EP Mandate</small>	6
ARTICLE 2-PARAGRAPH 3-POINT C - INTRODUCTORY PART					
6	72	(c) the provision does at least one of the following:	(c) the provision does at least one of the following:	(c) the provision does at least one of the following:	6

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
				Text Origin: EP Mandate
	ARTICLE 2-PARAGRAPH 3-POINT C-POINT I			
6 73	(i) it lays down the characteristics required of those goods, or goods of that type, such as their levels of quality, performance or safety, or dimensions, including the requirements applicable to the goods or type of goods as regards the name under which they are sold, terminology, symbols, testing and test methods, packaging, marking or labelling, and conformity assessment procedures;	(i) it lays down the characteristics required of those goods, or goods of that type, such as their levels of quality, performance or safety, or dimensions, including the requirements applicable to the goods or type of goods as regards the name under which they are sold, terminology, symbols, testing and test methods, packaging, marking or labelling, and conformity assessment procedures;	(i) it lays down the characteristics required of those goods, or goods of that type, such as their levels of quality, performance or safety, or dimensions, including the requirements applicable to the goods or type of goods as regards the name under which they are sold, terminology, symbols, testing and test methods, packaging, marking or labelling, and conformity assessment procedures;	(i) it lays down the characteristics required of those goods, or goods of that type, such as their levels of quality, performance or safety, or dimensions, including the requirements applicable to the goods or type of goods as regards the name under which they are sold, terminology, symbols, testing and test methods, packaging, marking or labelling, and conformity assessment procedures; Text Origin: EP Mandate
	ARTICLE 2-PARAGRAPH 3-POINT C-POINT II			
6 74	(ii) it imposes on those goods, or goods of that type, other requirements that are imposed for the purposes of protecting consumers or the environment and that affect the life-cycle of the goods after they have been made available on the domestic market in that Member State, such as conditions of use,	(ii) it imposes on those goods, or goods of that type, other requirements that are imposed for the purposes of protecting consumers or the environment and that affect the life-cycle of the goods after they have been made available on the domestic market in that Member State, such as conditions of use,	(ii) it imposes on those goods, or goods of that type, other requirements that are imposed for the purposes of protecting consumers or the environment and that affect the life-cycle of the goods after they have been made available on the domestic market in that Member State, such as conditions of use, recycling, reuse or disposal,	(ii) it imposes on those goods, or goods of that type, other requirements that are imposed for the purposes of protecting consumers or the environment and that affect the life-cycle of the goods after they have been made available on the domestic market in that Member State, such as conditions of use,

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	
	recycling, reuse or disposal, where such conditions can significantly influence either the composition or nature of the goods, or type of goods, or the making available of them on the domestic market in that Member State.	recycling, reuse or disposal, where such conditions can significantly influence either the composition or nature of the goods, or type of goods, or the making available of them on the domestic market in that Member State. AM 30	where such conditions can significantly influence either the composition or nature of the goods, or type of goods, or the making available of them on the domestic market in that Member State.	recycling, reuse or disposal, where such conditions can significantly influence either the composition or nature of the goods, or type of goods, or the making available of them on the domestic market in that Member State. Text Origin: EP Mandate	
ARTICLE 2-PARAGRAPH 4					
G 75	4. Paragraph 3(c)(i) also covers production methods and processes used in respect of agricultural products, as referred to in the second subparagraph of Article 38(1) of the Treaty or products intended for human and animal consumption, as well as production methods and processes relating to other products, where these have an effect on their characteristics.	4. Paragraph 3(c)(i) also covers production methods and processes used in respect of agricultural products, as referred to in the second subparagraph of Article 38(1) of the Treaty or products intended for human and animal consumption, as well as production methods and processes relating to other products, where these have an effect on their characteristics.	4. Paragraph 3(c)(i) also covers production methods and processes used in respect of agricultural products, as referred to in the second subparagraph of Article 38(1) of the Treaty, or products intended for human and animal consumption, as well as production methods and processes relating to other products, where these have an effect on their characteristics.	4. Paragraph 3(c)(i) also covers production methods and processes used in respect of agricultural products, as referred to in the second subparagraph of Article 38(1) of the Treaty, or products intended for human and animal consumption, as well as production methods and processes relating to other products, where these have an effect on their characteristics. Text Origin: Council Mandate	G
ARTICLE 2-PARAGRAPH 4A					
Y 75a		4a <u><i>This Regulation is without prejudice to the Directive (EU) 2015/1535 and the obligation to notify</i></u>			Y

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u><i>draft national technical regulations to the Commission and the Member States prior to their adoption.</i></u> AM 31 In the EP Report Article 2 - Paragraph 4 - new subparagraph. Automatically renumbered - No change of substance.		
	ARTICLE 2-PARAGRAPH 4B			
y	75b		4b Technical specifications drawn up for public procurement procedures and requirements to use an official language of the Member State of destination shall not constitute national technical rules within the meaning of this Regulation. In the Council GA Article 2 - Paragraph 4a. Automatically renumbered - No change of substance.	
	ARTICLE 2-PARAGRAPH 5			
g	76	5. A requirement for prior authorisation does not itself constitute a national technical rule for the purposes of this Regulation, but a decision to refuse prior authorisation	5. A requirement for prior authorisation does not itself constitute a national technical rule for the purposes of this Regulation, but a decision to refuse prior authorisation based	5. A requirement for prior authorisation does not itself constitute a national technical rule for the purposes of this Regulation, but a decision to refuse prior authorisation

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	based on a national technical rule may be a decision to which this Regulation applies if it fulfils the other requirements of paragraph 1.	based on a national technical rule may be a decision to which this Regulation applies if it fulfils the other requirements of paragraph 1.	on a national technical rule may shall be considered a decision to which this Regulation applies if it fulfils the other requirements of paragraph 1.	based on a national technical rule may be shall be considered a decision to which this Regulation applies if it fulfils the other requirements of paragraph 1.
ARTICLE 2-PARAGRAPH 6 - INTRODUCTORY PART				
77	6. This Regulation does not apply to:	6. This Regulation does not apply to:	6. This Regulation does not apply to:	6. This Regulation does not apply to: <small>Text Origin: EP Mandate</small>
ARTICLE 2-PARAGRAPH 6-POINT A				
78	(a) decisions of a judicial nature taken by national courts or tribunals;	(a) decisions of a judicial nature taken by national courts or tribunals;	(a) decisions of a judicial nature taken by national courts or tribunals;	(a) decisions of a judicial nature taken by national courts or tribunals; <small>Text Origin: EP Mandate</small>
ARTICLE 2-PARAGRAPH 6-POINT B				
79	(b) decisions of a judicial nature taken by law enforcement authorities in the course of the investigation or prosecution of a criminal offence as regards the terminology, symbols or any material reference to unconstitutional or criminal organisations or offences of a racist, discriminatory or xenophobic nature.	(b) decisions of a judicial nature taken by law enforcement authorities in the course of the investigation or prosecution of a criminal offence as regards the terminology, symbols or any material reference to unconstitutional or criminal organisations or offences of a racist, discriminatory or xenophobic nature.	(b) decisions of a judicial nature taken by law enforcement authorities in the course of the investigation or prosecution of a criminal offence as regards the terminology, symbols or any material reference to unconstitutional or criminal organisations or offences of a racist, discriminatory or xenophobic nature.	(b) decisions of a judicial nature taken by law enforcement authorities in the course of the investigation or prosecution of a criminal offence as regards the terminology, symbols or any material reference to unconstitutional or criminal organisations or offences of a racist, discriminatory or xenophobic nature.

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	
				Text Origin: EP Mandate	
	ARTICLE 2-PARAGRAPH 7 - INTRODUCTORY PART				
G	80 7. Articles 5 and 6 shall not affect the application of the following provisions:	7. Articles 5 and 6 shall not affect the application of the following provisions:	7. Articles 5 and 6 shall not affect the application of the following provisions:	7. Articles 5 and 6 shall not affect the application of the following provisions: Text Origin: EP Mandate	G
	ARTICLE 2-PARAGRAPH 7-POINT A				
G	81 (a) Article 8(1)(d) to (f) or Article 8(3) of Directive 2001/95/EC;	(a) Article 8(1)(d) to (f) or <u>and</u> Article 8(3) of Directive 2001/95/EC; AM 32	(a) Article 8(1)(d) to (f) or 8(1)(b) to (f) and Article 8(3) of Directive 2001/95/EC;	(a) Article 8(1)(d) to (f) 8(1)(b) to (f) and Article 8(3) of Directive 2001/95/EC; see Recital 27	G
	ARTICLE 2-PARAGRAPH 7-POINT B				
G	82 (b) Article 50(3)(a) and Article 54 of Regulation (EC) No 178/2002;	(b) Article 50(3)(a) and Article 54 of Regulation (EC) No 178/2002;	(b) Article 50(3)(a) and Article 54 of Regulation (EC) No 178/2002;	(b) Article 50(3)(a) and Article 54 of Regulation (EC) No 178/2002; Text Origin: EP Mandate	G
	ARTICLE 2-PARAGRAPH 7-POINT C				
G	83 (c) Article 138 of Regulation (EU) 2017/625.	(c) Article 138 of Regulation (EU) 2017/625.	(c) Article 138 of Regulation (EU) 2017/625-;	(c) Article 138 of Regulation (EU) 2017/625-; Text Origin: EP Mandate	G
	ARTICLE 2-PARAGRAPH 7 - INTRODUCTORY PART-POINT CA				
Y	83a				Y

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	
			ca Article 90 of Regulation (EU) 1306/2013.	to be checked by EP light yellow light yellow	
	ARTICLE 3				
84	Article 3 Definitions	Article 3 Definitions	Article 3 Definitions	Article 3 Definitions Text Origin: EP Mandate	
	ARTICLE 3-PARAGRAPH - INTRODUCTORY PART				
85	For the purposes of this Regulation, the following definitions shall apply:	For the purposes of this Regulation, the following definitions shall apply:	For the purposes of this Regulation, the following definitions shall apply:	For the purposes of this Regulation, the following definitions shall apply: Text Origin: EP Mandate	
	ARTICLE 3-PARAGRAPH-POINT 1				
86	(1) 'lawfully marketed in another Member State' means that the goods or type of goods comply with the relevant rules applicable in that Member State and are made available to end users in that Member State;	(1) 'lawfully marketed in another Member State' means that the goods or type of goods comply with the relevant rules applicable in that Member State and are made available to end users in that Member State;	(1) 'lawfully marketed in another Member State' means that the goods or type of goods comply with the relevant rules applicable in that Member State or are not subject to any rules in that Member State , and are made available to end users in that Member State;		
	ARTICLE 3-PARAGRAPH-POINT 2				
87	(2) 'making available on the domestic market in a Member	(2) 'making available on the domestic market in a Member	(2) 'making available on the domestic market in a Member	(2) 'making available on the domestic market in a Member	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	State' means any supply of the goods for distribution, consumption or use on the market within the territory of that Member State in the course of a commercial activity, whether in return for payment or free of charge;	State' means any supply of the goods for distribution, consumption or use on the market within the territory of that Member State in the course of a commercial activity, whether in return for payment or free of charge; AM 33	State' means any supply of the goods for distribution, consumption or use on the market within the territory of that Member State in the course of a commercial activity, whether in return for payment or free of charge;	State' means any supply of the goods for distribution, consumption or use on the market within the territory of that Member State in the course of a commercial activity, whether in return for payment or free of charge; Text Origin: EP Mandate
ARTICLE 3-PARAGRAPH-POINT 3				
88	(3) 'restricting market access' means imposing conditions to be fulfilled before the goods can be made available on the domestic market in the relevant Member State, or conditions for keeping the goods on that market, which in either case require the modification of one or more of the characteristics of those goods, as described in Article 2(3)(c)(i), or the performance of additional testing;	(3) 'restricting market access' means imposing conditions to be fulfilled before the goods can be made available on the domestic market in the relevant Member State, or conditions for keeping the goods on that market, which in either case require the modification of one or more of the characteristics of those goods, as described in Article 2(3)(c)(i), or the performance of additional testing; AM 34	(3) 'restricting market access' means imposing conditions to be fulfilled before the goods can be made available on the domestic market in the relevant Member State, or conditions for keeping the goods on that market, which in either case require the modification of one or more of the characteristics of those goods, as described in Article 2(3)(c)(i), or the performance of additional testing;	(3) 'restricting market access' means imposing conditions to be fulfilled before the goods can be made available on the domestic market in the relevant Member State, or conditions for keeping the goods on that market, which in either case require the modification of one or more of the characteristics of those goods, as described in Article 2(3)(c)(i), or the performance of additional testing; Text Origin: EP Mandate
ARTICLE 3-PARAGRAPH-POINT 4 - INTRODUCTORY PART				
89	(4) 'denying market access' means any of the following:	(4) 'denying market access' means any of the following:	(4) 'denying market access' means any of the following:	(4) 'denying market access' means any of the following: Text Origin: EP Mandate

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	ARTICLE 3-PARAGRAPH-POINT 4-POINT A			
G	90	(a) prohibiting the goods from being made available on the domestic market in the relevant Member State or from being kept on that market; AM 35	(a) prohibiting the goods from being made available on the domestic-market in the relevant Member State or from being kept on that market;	(a) prohibiting the goods from being made available on the domestic-market in the relevant Member State or from being kept on that market; Text Origin: EP Mandate
	ARTICLE 3-PARAGRAPH-POINT 4-POINT B			
G	91	(b) requiring the withdrawal or recall of the goods from that market;	(b) requiring the withdrawal or recall of the goods from that market;	(b) requiring the withdrawal or recall of the goods from that market; Text Origin: EP Mandate
	ARTICLE 3-PARAGRAPH - INTRODUCTORY PART-POINT 4A			
Y	91a		4a 'withdrawal' means any measure aimed at preventing goods in the supply chain from being made available on the market;	light yellow
	ARTICLE 3-PARAGRAPH - INTRODUCTORY PART-POINT 4B			
Y	91b		4b 'recall' means any measure aimed at achieving the return of goods that have already been made available to the end-user;	light yellow

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	ARTICLE 3-PARAGRAPH-POINT 5			
92	(5) 'prior authorisation' means an administrative procedure under the law of a Member State whereby the competent authority of that Member State is required, on the basis of an application by an economic operator, to give its formal approval before goods may be made available on the domestic market in that Member State;	(5) 'prior authorisation' means an administrative procedure under the law of a Member State whereby the competent authority of that Member State is required, on the basis of an application by an economic operator, to give its formal approval before goods may be made available on the domestic market in that Member State; AM 36	(5) 'prior authorisation' means a mandatory or voluntary administrative procedure under the law of a Member State whereby the competent authority of that Member State is required, on the basis of an application by an economic operator, to give gives its formal approval before goods may be made available on the domestic market in that Member State;	Examples of voluntary prior authorisation to be provided by the Council.
	ARTICLE 3-PARAGRAPH-POINT 6			
93	(6) 'producer' means any natural or legal person who manufactures the goods or has the goods designed or manufactured, and markets them under his name or trademark, or any other natural or legal person who, by putting his name, trademark or other distinguishing feature on the goods presents himself as its producer;	(6) 'producer' means any natural or legal person who manufactures the goods or has the goods designed or manufactured, and markets them under his name or trademark, <u>any natural or legal person who modifies goods already lawfully marketed in a Member State in such a way that compliance with the relevant rules applicable in that Member State might be affected</u> , or any other natural or legal person who, by	(6) 'producer' means: (a) any natural or legal person who manufactures the goods or has the goods designed or manufactured, or who produces goods which were not obtained by a manufacturing process , and markets them under his name or trademark, or (b) any natural or legal person who modifies goods already lawfully marketed in a Member State in such a way that compliance with the	(6) 'producer' means: <u>(a)</u> any natural or legal person who manufactures the goods or has the goods designed or manufactured, <u>or who produces goods which were not obtained by a manufacturing process, INCLUDING AGRICULTURAL PRODUCTS</u> , and markets them under his name or trademark, or <u>(b) any natural or legal</u>

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<p>putting his name, trademark or other distinguishing feature on the goods, <u>including agricultural products, which were not obtained by a manufacturing process</u>, presents himself as its producer;</p> <p>AM 37</p>	<p>relevant rules applicable in that Member State may be affected, or</p> <p>(c) any other natural or legal person who, by putting his name, trademark or other distinguishing feature on the goods or on the accompanying documents presents himself as its producer;</p>	<p><u>person who modifies goods already lawfully marketed in a Member State in such a way that compliance with the relevant rules applicable in that Member State may be affected, or</u></p> <p><u>(c)</u> any other natural or legal person who, by putting his name, trademark or other distinguishing feature on the goods <u>or on the accompanying documents</u> presents himself as its producer;</p> <p>Text Origin: Council Mandate</p>
ARTICLE 3-PARAGRAPH-POINT 7				
94	<p>(7) 'authorised representative' means any natural or legal person established within the Union who has received a written mandate from the producer to act on the producer's behalf with regard to the making available of the goods on the domestic market in question;</p>	<p>(7) 'authorised representative' means any natural or legal person established within the Union who has received a written mandate from the producer to act on the producer's behalf with regard to the making available of the goods on the domestic market in question;</p> <p>AM 38</p>	<p>(7) 'authorised representative' means any natural or legal person established within the Union who has received a written mandate from the producer to act on the producer's behalf with regard to the making available of the goods on the domestic market in question;</p>	<p>(7) 'authorised representative' means any natural or legal person established within the Union who has received a written mandate from the producer to act on the producer's behalf with regard to the making available of the goods on the domestic market in question;</p> <p>Text Origin: EP Mandate</p>
ARTICLE 3-PARAGRAPH-POINT 8				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
95	(8) 'importer' means any natural or legal person established in the Union who makes the goods from a third country available on the Union market for the first time;	(8) 'importer' means any natural or legal person established in the Union who makes the goods from a third country available on the Union market for the first time;	(8) 'importer' means any natural or legal person established in within the Union who makes the goods from a third country available on the Union market for the first time;	(8) 'importer' means any natural or legal person established in within the Union who makes the goods from a third country available on the Union market for the first time; Text Origin: Council Mandate
ARTICLE 3-PARAGRAPH-POINT 9				
96	(9) 'distributor' means any natural or legal person in the supply chain established in the Union, other than the producer or the importer, who makes the goods available on the domestic market in the relevant Member State;	(9) 'distributor' means any natural or legal person in the supply chain established in the Union, other than the producer or the importer, who makes the goods available on the domestic market in the relevant Member State; AM 39	(9) 'distributor' means any natural or legal person in the supply chain established in the Union, other than the producer or the importer, who makes the goods available on the domestic market in the relevant Member State;	(9) 'distributor' means any natural or legal person in the supply chain established in the Union , other than the producer or the importer, who makes the goods available on the domestic market in the relevant Member State; Text Origin: Council Mandate
ARTICLE 3-PARAGRAPH-POINT 10				
97	(10) 'economic operator' means any of the following in relation to the goods: the producer, the authorised representative, the importer or the distributor;	(10) 'economic operator' means any of the following in relation to the goods: the producer, the authorised representative, the importer or the distributor;	(10) 'economic operator' means any of the following in relation to the goods: the producer, the authorised representative, the importer or the distributor;	(10) 'economic operator' means any of the following in relation to the goods: the producer, the authorised representative, the importer or the distributor; Text Origin: EP Mandate

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	ARTICLE 3-PARAGRAPH-POINT 11			
98	(11) 'end user' means any natural or legal person, residing or established in the Union, to whom the goods have been or are being made available either as a consumer, outside any trade, business, craft or profession, or as a professional end user in the course of his industrial or professional activities;	(11) 'end user' means any natural or legal person, residing or established in the Union, to whom the goods have been or are being made available either as a consumer, outside any trade, business, craft or profession, or as a professional end user in the course of his industrial or professional activities;	(11) 'end user' means any natural or legal person, residing or established in the Union, to whom the goods have been or are being made available either as a consumer, outside any trade, business, craft or profession, or as a professional end user in the course of his industrial or professional activities;	(11) 'end user' means any natural or legal person, residing or established in the Union, to whom the goods have been or are being made available either as a consumer, outside any trade, business, craft or profession, or as a professional end user in the course of his industrial or professional activities; Text Origin: EP Mandate
	ARTICLE 3-PARAGRAPH-POINT 12			
99	(12) 'legitimate public interest ground' means any of the grounds set out in Article 36 of the Treaty or any other overriding reasons of public interest.	(12) 'legitimate public interest ground' means any of the grounds set out in Article 36 of the Treaty or any other overriding reasons of public interest.	(12) 'legitimate public interest ground' means any of the grounds set out in Article 36 of the Treaty or any other overriding reasons of public interest.	(12) 'legitimate public interest ground' means any of the grounds set out in Article 36 of the Treaty or any other overriding reasons of public interest. Text Origin: EP Mandate
	ARTICLE 3-PARAGRAPH - INTRODUCTORY PART-POINT 12A			
99a		12a <u>'conformity assessment body' means conformity assessment body as defined in point 13 of Article 2 of Regulation (EC) 765/2008.</u> AM 40		12a <u>'conformity assessment body' means conformity assessment body as defined in point 13 of Article 2 of Regulation (EC) 765/2008.</u> Text Origin: EP Mandate

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	ARTICLE 3-PARAGRAPH - INTRODUCTORY PART-POINT 12B			
Y	99b	<p>12b <u><i>'serious risk' means any serious risk, including those the effects of which are not immediate, requiring rapid intervention by the public authorities.</i></u></p> <p>AM 41</p>		to be dealt with after examination of article 6
	CHAPTER II			
Y	100	<p>Chapter II</p> <p>Procedures concerning application of the mutual recognition principle in individual cases</p>	<p>Chapter II</p> <p>Procedures concerning application of the mutual recognition principle in individual cases</p>	<p>Chapter II</p> <p>Procedures concerning application of the mutual recognition principle in individual cases</p> <p>Text Origin: EP Mandate</p>
	ARTICLE 4			
R	101	<p>Article 4</p> <p>Mutual recognition declaration</p>	<p>Article 4</p> <p>Mutual recognition declaration</p>	<p>Article 4</p> <p>Mutual recognition declaration</p> <p>Text Origin: EP Mandate</p>
	ARTICLE 4-PARAGRAPH 1-SUBPARAGRAPH 1			
R	102	1. The producer of goods, or goods of a given type, that are	1. The producer of goods, or goods of a given type, that are	1. The producer of goods, or goods of a given type, that are

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	being or are to be made available on the domestic market in a Member State ('the Member State of destination') may draw up a declaration (a 'mutual recognition declaration') in order to demonstrate to the competent authorities of the Member State of destination that the goods, or goods of that type, are lawfully marketed in another Member State.	being or are to be made available on the domestic market in a Member State ('the Member State of destination') may draw up a <u>voluntary</u> declaration <u>of lawful marketing for the purposes of mutual recognition</u> (# <u>hereinafter referred to as</u> 'mutual recognition declaration') in order to demonstrate to the competent authorities of the Member State of destination <u>during the assessment of goods pursuant to Article 5,</u> that the goods, or goods of that type, are lawfully marketed in another Member State. AM 42	being or are to be made available on the domestic market in a Member State ('the Member State of destination') may draw up a declaration of lawful marketing for the purposes of mutual recognition (a <u>hereinafter referred to as</u> 'mutual recognition declaration') in order to demonstrate to the competent authorities of the Member State of destination that the goods, or goods of that type, are lawfully marketed in another Member State.	
	ARTICLE 4-PARAGRAPH 1-SUBPARAGRAPH			
R 103	Alternatively, the producer may mandate his authorised representative to draw up the declaration on his behalf.	Alternatively, The producer may mandate his authorised representative to draw up the declaration on his behalf <u>provided that the mandate explicitly mentions it.</u> AM 43	Alternatively, The producer may mandate his authorised representative to draw up the declaration on his behalf.	
	ARTICLE 4-PARAGRAPH 1-SUBPARAGRAPH			
R 104				R

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Within the mutual recognition declaration, the specific information related to the marketing of the goods or type of goods may, however, be filled in by any economic operator.	<u>Alternatively</u> , within the mutual recognition declaration, <u>or</u> the specific information <u>of that declaration</u> related to the marketing of the goods or type of goods may, however, be filled in by any economic operator, <u>provided that the relevant signatory can supply the evidence supporting the information of that declaration</u> . AM 44	Within Where the mutual recognition declaration drawn up by the producer contains only the information set out in Part I of the Annex, in order the declaration to be considered during the assessment under Article 5 , the specific information related to the marketing of the goods or that type of goods may, however, set out in Part II of the Annex shall be filled in by any economic operator the importer or by the distributor .	
	ARTICLE 4-PARAGRAPH 1 - INTRODUCTORY PART-SUBPARAGRAPH A			
R 104a			<p>a Alternatively, the mutual recognition declaration may be drawn up by an importer and/or a distributor provided that all the information required under the Annex is included in the declaration and that the relevant signatory can supply the evidence referred to in point (a) of Article 5(1a).</p> <p>In the Council GA Article 4 - Paragraph 1 - new subparagraph - Automatically renumbered - No change of substance.</p>	
	ARTICLE 4-PARAGRAPH 2-SUBPARAGRAPH 2			

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	
R	105	2. The mutual recognition declaration shall follow the structure and contain the information specified in the Annex.	2. The mutual recognition declaration shall follow the structure and contain the information specified in the Annex.	2. The mutual recognition declaration shall follow the structure and contain the information specified in Part I and Part II of the Annex.	R
ARTICLE 4-PARAGRAPH 2-SUBPARAGRAPH					
R	106	<p>The declaration shall be completed in one of the official languages of the Union and, where that language is not the language required by the Member State of destination, it shall be translated by the economic operators into the language or languages required by the Member State of destination.</p> <p>AM 45</p>	<p>The declaration shall be completed in one of the official languages of the Union and, where that language is not the language required by the Member State of destination, it shall be translated by the economic operators into the language or languages required by the Member State of destination.</p>	<p>The declaration shall be completeddrawn up in one of the official languages of the Union and, where that language is not the language required by the Member State of destination, it shall be translated by the economic operators into thea language or languages required by the Member State of destination.</p> <p>technical adjustment, to be checked by EP.</p>	R
ARTICLE 4-PARAGRAPH 3					
R	107	<p>3. Economic operators shall be responsible for the content and accuracy of the information that they themselves provide in the mutual recognition declaration.</p>	<p>3. Economic operators <u>who complete the declaration</u> shall be responsible for the content and accuracy of the information, <u>including translated information</u>, that they themselves provide in the mutual recognition declaration. <u>With this regard, economic operators shall be</u></p>	<p>3. Economic operators shall be responsible for the content and accuracy of the information that they themselves provide in the mutual recognition declaration.</p>	R

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	
		<p><u>liable in accordance with national laws for providing declarations containing false or misleading information.</u></p> <p>AM 46</p>			
	ARTICLE 4-PARAGRAPH 4				
G	108	4. Economic operators shall ensure that the declaration is kept up to date at all times to reflect any changes in the information provided by them in the declaration.	4. Economic operators shall ensure that the declaration is kept up to date at all times to reflect any changes in the information provided by them in the declaration.	4. Economic operators shall ensure that the declaration is kept up to date at all times to reflect any changes in the information provided by them in the declaration.	G
				Text Origin: EP Mandate	
	ARTICLE 4-PARAGRAPH 5				
R	109	<p>5. The mutual recognition declaration may be supplied to the competent authority of the Member State of destination for the purposes of an assessment to be carried out under Article 5. It may be supplied either in paper form or by electronic means.</p> <p>AM 47</p>	<p>5. The mutual recognition declaration may be supplied to the competent authority of the Member State of destination for the purposes of an assessment to be carried out under Article 5. It may be supplied either in paper form or by electronic means <u>or be made available online.</u></p>	<p>5. The mutual recognition declaration may be supplied to the competent authority of the Member State of destination for the purposes of an assessment to be carried out under Article 5. It may be supplied either in paper form or, by electronic means or be made available online, in accordance with the requirements of the competent authority of the Member State of destination.</p>	R
	ARTICLE 4-PARAGRAPH 6 - INTRODUCTORY PART				
G	110				G

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	
	6. Economic operators may make the declaration available on a website, provided that the following conditions are satisfied:	6. <u>Where</u> economic operators may make the declaration available on a website <u>online</u> , provided that the following conditions are <u>shall be</u> satisfied: AM 48	6. Where economic operators may make the declaration available on a website <u>online</u> , provided that the following conditions are <u>shall be</u> satisfied:	6. <u>Where</u> economic operators may make the declaration available on a website <u>online</u> , provided that the following conditions are <u>shall be</u> satisfied: Text Origin: EP Mandate	
	ARTICLE 4-PARAGRAPH 6-POINT A				
R	111 (a) the goods type or series to which the declaration applies are easily identifiable on the website;	(a) the goods type or series to which the declaration applies are easily identifiable on the website;	(a) the goods type or series to which the declaration applies are easily identifiable on the website ;		R
	ARTICLE 4-PARAGRAPH 6-POINT B				
R	112 (b) the website is monitored to ensure the availability of and access to the declaration;	(b) the website is monitored to ensure the availability of and access to the declaration;	(b) the website is technical means used ensure easy navigation and are monitored to ensure the availability of and access to the declaration;		R
	ARTICLE 4-PARAGRAPH 6-POINT C				
R	113 (c) there are instructions provided on how to navigate the website and access the declaration.	(c) there are instructions provided on how to navigate the website and access the declaration.	<input type="checkbox"/> deleted		R
	ARTICLE 4-PARAGRAPH 7 - INTRODUCTORY PART				
R	114 7. If a mutual recognition declaration is supplied to a	7. If a mutual recognition declaration is supplied to a	<input type="checkbox"/> deleted	To be dealt with together with article 5.	R

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	competent authority of the Member State of destination in accordance with the requirements of this Article, then for the purposes of any assessment of the goods under Article 5:	competent authority of the Member State of destination in accordance with the requirements of this Article, then for the purposes of any assessment of the goods under Article 5:	Moved to Article 5	
ARTICLE 4-PARAGRAPH 7-POINT A				
R 115	(a) the declaration, together with any evidence reasonably required by the competent authority to verify the information contained in it, shall be accepted by the competent authority as sufficient to demonstrate that the goods are lawfully marketed in another Member State; and	(a) the declaration, together with any <u>supporting</u> evidence reasonably required <u>in response to a reasoned request</u> by the competent authority to verify the information contained in it, shall be accepted by the competent authority as sufficient to demonstrate that the goods are lawfully marketed in another Member State; and AM 49	<input type="checkbox"/> deleted Moved to Article 5	To be dealt with together with article 5.
ARTICLE 4-PARAGRAPH 7-POINT B				
R 116	(b) the competent authority shall not require any other information or documentation from any economic operator for the purpose of demonstrating that the goods are lawfully marketed in	(b) the competent authority shall not require any other information or documentation from any economic operator for the purpose of demonstrating that the goods are lawfully marketed in	<input type="checkbox"/> deleted Moved to Article 5	To be dealt with together with article 5.

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	another Member State.	another Member State.		
	ARTICLE 4-PARAGRAPH 8 - INTRODUCTORY PART			
R 117	8. If a mutual recognition declaration is not supplied to a competent authority of the Member State of destination in accordance with the requirements of this Article, the competent authority may request any of the economic operators to provide the following documentation and information in order to demonstrate for the purposes of an assessment under Article 5 that the goods are lawfully marketed in another Member State:	8. If a mutual recognition declaration is not supplied to a competent authority of the Member State of destination in accordance with the requirements of this Article, the competent authority may request any of the <u>relevant economic operator</u> to provide the following documentation and information in order to demonstrate for the purposes of an assessment under Article 5 that the goods are lawfully marketed in another Member State: AM 50	<input type="checkbox"/> deleted Moved to Article 5	To be dealt with together with article 5.
	ARTICLE 4-PARAGRAPH 8-POINT A			
R 118	(a) any relevant information concerning the characteristics of the goods or type of goods in question;	(a) any relevant information concerning the characteristics of the goods or type of goods in question <u>that is necessary for the assessment</u> ; AM 51	<input type="checkbox"/> deleted Moved to Article 5	To be dealt with together with article 5.
	ARTICLE 4-PARAGRAPH 8-POINT B			
R 119				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	(b) any relevant information on the lawful marketing of the goods in another Member State;	(b) any relevant information on the lawful marketing of the goods in another Member State <u>that is necessary for the assessment</u> ; <small>AM 52</small>	<input type="checkbox"/> deleted Moved to Article 5	To be dealt with together with article 5.
ARTICLE 4-PARAGRAPH 8-POINT C				
R 120	(c) any other information the competent authority considers useful for the purposes of its assessment.	(c) any other <u>relevant</u> information the competent authority considers useful <u>necessary</u> for the purposes of its assessment, <u>provided that such requests are duly justified</u> . <small>AM 53</small>	<input type="checkbox"/> deleted Moved to Article 5	To be dealt with together with article 5.
ARTICLE 4-PARAGRAPH 9				
G 121	9. Where the goods for which the mutual recognition declaration is being supplied are also subject to a Union act requiring an EU declaration of conformity, the mutual recognition declaration may be included as part of that EU declaration of conformity.	9. Where the goods for which the mutual recognition declaration is being supplied are also subject to a Union act requiring an EU declaration of conformity, the mutual recognition declaration may be included as part of that <u>attached to the</u> EU declaration of conformity. <small>AM 54</small>	9. Where the goods for which the mutual recognition declaration is being supplied are also subject to a Union act requiring an EU declaration of conformity, the mutual recognition declaration may be included as part of that <u>attached to the</u> EU declaration of conformity.	9. Where the goods for which the mutual recognition declaration is being supplied are also subject to a Union act requiring an EU declaration of conformity, the mutual recognition declaration may be included as part of that <u>attached to the</u> EU declaration of conformity. <small>Text Origin: EP Mandate</small>
ARTICLE 5				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
R 122	<p>Article 5</p> <p>Assessment of goods</p>	<p>Article 5</p> <p>Assessment of goods</p>	<p>Article 5</p> <p>Assessment of goods</p>	<p>Article 5</p> <p>Assessment of goods</p> <p>Text Origin: EP Mandate</p>
ARTICLE 5-PARAGRAPH 1				
R 123	<p>1. Where a competent authority of a Member State has doubts as regards goods which the economic operator claims are lawfully marketed in another Member State, the competent authority shall contact the relevant economic operator without delay and shall carry out an assessment the goods.</p>	<p>1. Where a competent authority of a <u>the</u> Member State <u>of destination has reasonable</u>has doubts as regards to whether goods which the economic operator claims<u>that are made available or are going to be made available on its market</u> are lawfully marketed in another Member State, the competent authority shall contact the <u>competent authority of that other Member State and the</u> relevant economic operator without delay and shall carry out an assessment <u>of</u> the goods.</p> <p>AM 55</p>	<p>1. Where, in the framework of the implementation of a national technical rule or a prior authorisation procedure, a competent authority of at the Member State has doubts as regards of destination intends to take an administrative decision in relation to goods which are subject to this Regulation, the competent authority shall contact the relevant the economic operator claims without delay and shall carry out an assessment of the goods.</p> <p>The purpose of the assessment is to establish whether the goods or that type of goods are lawfully marketed in another Member State and, if so, whether the public interests covered by the applicable national technical rule of the Member State of destination are adequately protected</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			<p>having regard to the characteristics of the goods in question.</p> <p>When the the competent authority shall enter into contact with the relevant economic operator, it shall inform the economic operator of the goods that are subject to that assessment and of the applicable national technical rule.</p> <p>The competent authority of the Member State of destination without delay and shall carry out an assessment of the goods also inform the economic operator of the possibility to supply a mutual recognition declaration in accordance with the requirements of Article 4.</p>	
	ARTICLE 5-PARAGRAPH 1A			
R 123a		<p>1a <u>The purpose of the assessment is to establish whether the goods or that type of goods are lawfully marketed in another Member State and, if so, whether the legitimate public interests covered by the applicable national technical rule of the Member State of destination</u></p>		R

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<p><u>are adequately protected having regard to the characteristics of the goods in question.</u></p> <p>AM 56</p> <p>In the EP Report Article 5 - Paragraph 1 - new subparagraph. Automatically renumbered - No change of substance.</p>		
	ARTICLE 5-PARAGRAPH 1B			
R 123b			<p>1b Except where the assessment under paragraph 1 is carried out in the framework of a prior authorisation procedure, the economic operator shall be allowed to make the goods available on the market of the Member State of destination while the competent authority carries out the assessment and may continue to do so unless an administrative decision to restrict or deny market access for those goods is received.</p> <p>In the Council GA Article 5 - Paragraph 1aa. Automatically renumbered - no change of substance.</p>	
	ARTICLE 5-PARAGRAPH 1C			
R 123c				R

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			<p>1c If a mutual recognition declaration is supplied to the competent authority of the Member State of destination in accordance with the requirements of Article 4, then for the purposes of any assessment of the goods under paragraph 1:</p> <p>(a) the declaration, together with any evidence reasonably required by the competent authority to verify the information contained in it, shall be accepted by the competent authority as sufficient to demonstrate that the goods are lawfully marketed in another Member State; and</p> <p>(b) the competent authority shall not require any other information or documentation from any economic operator for the purpose of demonstrating that the goods are lawfully marketed in another Member State.</p> <p>In the Council GA Article 5 - Paragraph 1a. Automatically renumbered - no change of substance.</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	ARTICLE 5-PARAGRAPH 1D			
R 123d			<p>1d If a mutual recognition declaration is not supplied to the competent authority of the Member State of destination in accordance with the requirements of Article 4, for the purposes of the assessment under paragraph 1 the competent authority may request the relevant economic operators to provide information as follows:</p> <p>(a) on the characteristics of the goods or type of goods in question;</p> <p>(b) on the lawful marketing of the goods in another Member State.</p> <p><i>In the Council GA Article 5 - Paragraph 1b. Automatically renumbered - no change of substance.</i></p>	
	ARTICLE 5-PARAGRAPH 1E			
R 123e			<p>1e The economic operator concerned shall be allowed at least 20 working days following the request of the competent authority of the Member State of destination in which to</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			<p>submit the documents and information under point (a) of paragraph 1a or paragraph 1b, or to submit any arguments or comments the economic operator may have.</p> <p>In the Council GA Article 5 - Paragraph 1c. Automatically renumbered - no change of substance.</p>	
	ARTICLE 5-PARAGRAPH 1F			
R 123f			<p>1f Where, after the economic operator has submitted the documents and information under point (a) of paragraph 1a or paragraph 1b, the competent authority of the Member State of destination still has doubts that the goods have been lawfully marketed in another Member State, it may request the competent authorities or the Product Contact Points of that Member State to provide any information relevant for verifying data and documents supplied by the economic operator, as referred to in Article 10.</p> <p>In the Council GA Article 5 - Paragraph 1d. Automatically renumbered -</p>	R

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			no change of substance.	
ARTICLE 5-PARAGRAPH 2				
G 124	2. In carrying out assessments under paragraph 1, the competent authorities of Member States shall take due account of the content of test reports or certificates issued by a conformity assessment body and provided by any economic operator as part of the assessment. Competent authorities of Member States shall not refuse certificates or test reports issued by a conformity assessment body accredited for the appropriate field of conformity assessment activity in accordance with Regulation (EC) No 765/2008 on grounds related to the competence of that body.	2. In carrying out assessments under paragraph 1, the competent authorities of Member States shall take due account of the content of test reports or certificates issued by a conformity assessment body and provided by any economic operator as part of the assessment. Competent authorities of Member States shall not refuse certificates or test reports issued by a conformity assessment body accredited for the appropriate field of conformity assessment activity in accordance with Regulation (EC) No 765/2008 on grounds related to the competence of that body.	2. In carrying out assessments under paragraph 1, the competent authorities of Member States shall take due account of the content of test reports or certificates issued by a conformity assessment body and provided by any economic operator as part of the assessment. Competent authorities of Member States shall not refuse certificates or test reports issued by a conformity assessment body accredited for the appropriate field of conformity assessment activity in accordance with Regulation (EC) No 765/2008 on grounds related to the competence of that body.	2. In carrying out assessments under paragraph 1, the competent authorities of Member States shall take due account of the content of test reports or certificates issued by a conformity assessment body and provided by any economic operator as part of the assessment. Competent authorities of Member States shall not refuse certificates or test reports issued by a conformity assessment body accredited for the appropriate field of conformity assessment activity in accordance with Regulation (EC) No 765/2008 on grounds related to the competence of that body. Text Origin: EP Mandate
ARTICLE 5-PARAGRAPH 3				
R 125	3. Where, on completion of an assessment under paragraph 1, the competent authority of a Member State takes an administrative decision with respect to the	3. Where, on completion of an assessment under paragraph 1, the competent authority of a Member State takes an administrative decision with respect to the	3. Where, on completion of an assessment under paragraph 1, the competent authority of a Member State takes an administrative decision with respect to the goods, it shall	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	goods, it shall communicate its decision within 20 working days to the relevant economic operator referred to in paragraph 1, to the Commission and to the other Member States. Notification to the Commission and to the other Member States shall be done by means of the system referred to in Article 11.	goods, it shall communicate its decision <u>without delay and no later than 2015</u> within 20 working days to the relevant economic operator referred to in paragraph 1, to the Commission and to the other Member States. Notification to the Commission and to the other Member States shall be done by means of the system referred to in Article 11. <small>AM 57</small>	communicate notify its decision within 20 working days to the relevant economic operator referred to in paragraph 1, to the Commission and to the other Member States, without undue delay and no more than 20 working days after the decision has been taken . Notification to the Commission and to the other Member States shall be done by means of the system referred to in Article 11.	
ARTICLE 5-PARAGRAPH 4				
R 126	4. The administrative decision referred to in paragraph 3 shall set out the reasons for the decision in a manner that is sufficiently detailed and reasoned to enable an assessment to be made of its compatibility with the mutual recognition principle and with the requirements of this Regulation.	4. The administrative decision referred to in paragraph 3 shall set out the reasons for the decision in a manner that is sufficiently detailed and reasoned to enable <u>facilitate</u> an assessment to be made of its compatibility with the mutual recognition principle and with the requirements of this Regulation. <small>AM 58</small>	4. The administrative decision referred to in paragraph 3 shall set out the reasons for the decision in a manner that is sufficiently detailed and reasoned to enable an assessment to be made of its compatibility with the mutual recognition principle and with the requirements of this Regulation.	
ARTICLE 5-PARAGRAPH 5 - INTRODUCTORY PART				
R 127	5. In particular, the following information shall be included:	5. In particular, the following information shall be included:	5. In particular, the following information shall be included in	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			the administrative decision referred to in paragraph 3:	
	ARTICLE 5-PARAGRAPH 5-POINT A			
R 128	(a) the national technical rule on which the decision is based;	(a) the national technical rule on which the decision is based, <u>including the date and the number of the notification of the draft of that technical rule pursuant to Directive (EU) 2015/1535</u> ; AM 59	(a) the national technical rule on which the administrative decision is based;	R
	ARTICLE 5-PARAGRAPH 5-POINT B			
R 129	(b) the legitimate public interest ground on which the decision is justified;	(b) the legitimate public interest ground <u>justifying the application of the national technical rule</u> on which the <u>administrative</u> decision is justified <u>based</u> ; AM 60	(b) the legitimate public interest ground justifying the applicable national technical rule on which the administrative decision is justified based ;	R
	ARTICLE 5-PARAGRAPH 5-POINT C			
R 130	(c) the technical or scientific evidence considered, including any technical or scientific developments that have occurred since the national technical rule was adopted;	(c) the technical or scientific evidence considered, including any technical or scientific developments that have occurred since the national technical rule was adopted;	(c) the technical or scientific evidence considered, including, where applicable, any relevant changes in the state of the art any technical or scientific developments that have occurred since the national technical rule was adopted came into force ;	R

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	ARTICLE 5-PARAGRAPH 5-POINT D			
R	131	(d) a summary of the arguments put forward by the relevant economic operator;	(d) a summary of the arguments relevant for the assessment put forward by the relevant economic operator, if such were provided ;	
	ARTICLE 5-PARAGRAPH 5-POINT E			
G	132	(e) the evidence demonstrating that the decision is appropriate for the purpose of achieving the objective pursued and that it does not go beyond what is necessary in order to attain that objective. AM 61	(e) the evidence demonstrating that the administrative decision is appropriate for the purpose of achieving the objective pursued and that it does not go beyond what is necessary in order to attain that objective.	(e) the evidence demonstrating that the <u>administrative</u> decision is appropriate for the purpose of achieving the objective pursued and that it does not go beyond what is necessary in order to attain that objective. Text Origin: EP Mandate
	ARTICLE 5-PARAGRAPH 6			
R	133	6. The administrative decision referred to in paragraph 3 shall specify the remedies available under the law in force in the Member State concerned and the time limits applicable to those remedies, and it shall also include a reference to the procedure under Article 8. AM 62	6. The administrative decision referred to in paragraph 3 shall <u>clearly</u> specify the remedies available under the law in force in the Member State concerned and the time limits applicable to those remedies, and it shall also include a reference to the possibility of economic operators to use the SOLVIT network and to have access to the procedure under Article 8.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	ARTICLE 5-PARAGRAPH 7			
G	134 7. The administrative decision referred to in paragraph 3 shall not take effect before it has been notified to the relevant economic operator under that paragraph.	7. The administrative decision referred to in paragraph 3 shall not take effect before it has been notified to the relevant economic operator under that paragraph.	7. The administrative decision referred to in paragraph 3 shall not take effect before it has been notified to the relevant economic operator under that paragraph.	7. The administrative decision referred to in paragraph 3 shall not take effect before it has been notified to the relevant economic operator under that paragraph. Text Origin: EP Mandate
	ARTICLE 6			
Y	135 Article 6 Temporary suspension of market access	Article 6 Temporary suspension of market access	Article 6 Temporary suspension of market access	Article 6 Temporary suspension of market access Text Origin: EP Mandate
	ARTICLE 6-PARAGRAPH 1 - INTRODUCTORY PART			
Y	136 1. While the competent authority of a Member State is carrying out an assessment of goods pursuant to Article 5, it shall not temporarily suspend the making available of those goods on the domestic market in that Member State, except in one or the other of the following situations:	1. While the competent authority of a Member State is carrying out an assessment of goods pursuant to Article 5, it shall not may temporarily suspend the making available of those goods on the domestic market in that Member State, except only in one or the other of the following situations:	1. By way of derogation from Article 5(1aa) , while the competent authority of a Member State is carrying out an assessment of goods pursuant to Article 5, it shall not may temporarily suspend the making available of those goods on the domestic market in that Member State, except only in one or the other of the following situations:	to be decided pending discussion on article 5

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		AM 63		
	ARTICLE 6-PARAGRAPH 1-POINT A			
y	137 (a) under normal or reasonably foreseeable conditions of use, the goods pose a serious risk, including one where the effects are not immediate, which requires rapid intervention by the competent authority;	(a) under normal or reasonably foreseeable conditions of use, the goods pose a serious risk <u>to safety or health of users, persons or to the environment</u> , including one where the effects are not immediate, which requires rapid intervention by the competent authority; AM 64	(a) under normal or reasonably foreseeable conditions of use, the goods pose or could pose a serious risk to safety or health of persons or to the environment , including one where the effects are not immediate, which requires rapid intervention by the competent authority;	
	ARTICLE 6-PARAGRAPH 1-POINT B			
g	138 (b) the making available of the goods, or goods of that type, on the domestic market in that Member State is generally prohibited in that Member State on grounds of public morality or public security.	(b) the making available of the goods, or goods of that type, on the domestic -market in that Member State is generally prohibited in that Member State on grounds of public morality or public security. AM 65	(b) the making available of the goods, or goods of that type, on the domestic -market in that Member State is generally prohibited in that Member State on grounds of public morality or public security.	(b) the making available of the goods, or goods of that type, on the domestic -market in that Member State is generally prohibited in that Member State on grounds of public morality or public security. Text Origin: EP Mandate
	ARTICLE 6-PARAGRAPH 2			
g	139 2. The competent authority of the Member State shall immediately notify the relevant economic operator,	2. The competent authority of the Member State shall immediately notify the relevant economic operator,	2. The competent authority of the Member State shall immediately notify the relevant economic operator, the	2. The competent authority of the Member State shall immediately notify the relevant economic operator,

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	the Commission and the other Member States of any suspension pursuant to paragraph 1. The notification to the Commission and other Member States shall be made by means of the system referred to in Article 11. In cases falling within point (a) of paragraph 1 of this Article, the notification shall be accompanied by a technical or scientific justification demonstrating why the case is considered to fall within that point.	the Commission and the other Member States of any suspension pursuant to paragraph 1. The notification to the Commission and other Member States shall be made by means of the system referred to in Article 11. In cases falling within point (a) of paragraph 1 of this Article, the notification shall be accompanied by a <u>detailed</u> technical or scientific justification demonstrating why the case is considered to fall within that point <u>that the goods pose a serious risk.</u> AM 66	Commission and the other Member States of any temporary suspension pursuant to paragraph 1. The notification to the Commission and other Member States shall be made by means of the system referred to in Article 11. In cases falling within point (a) of paragraph 1 of this Article, the notification shall be accompanied by a technical or scientific justification demonstrating why the case is considered to fall within that point.	the Commission and the other Member States of any <u>temporary</u> suspension pursuant to paragraph 1. The notification to the Commission and other Member States shall be made by means of the system referred to in Article 11. In cases falling within point (a) of paragraph 1 of this Article, the notification shall be accompanied by a <u>detailed</u> technical or scientific justification demonstrating why the case is considered to fall within that point. Text Origin: Council Mandate
	ARTICLE 7			
140	Article 7 Notification under the Rapid Information Exchange System (RAPEX)	Article 7 Notification under the Rapid Information Exchange System (RAPEX)	Article 7 Notification under the Rapid Information Exchange System (RAPEX) or Rapid Alert System for Food and Feed (RASFF)	Article 7 Notification under the Rapid Information Exchange System (RAPEX) <u>or Rapid Alert System for Food and Feed (RASFF)</u> Text Origin: Council Mandate
	ARTICLE 7-PARAGRAPH 1 - INTRODUCTORY PART			
141				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	1. If the administrative decision referred to in Article 5 or the temporary suspension referred to in Article 6 is also a measure which is required to be notified through RAPEX as referred to in the General Product Safety Directive 2001/95/EC, a separate notification to the Commission under this Regulation is not required, provided that the following conditions are met:	1. If the administrative decision referred to in Article 5 or the temporary suspension referred to in Article 6 is also a measure which is required to be notified through RAPEX as referred to in the General Product Safety Directive 2001/95/EC, a separate notification to the Commission <u>and to the other Member States</u> under this Regulation is not required, provided that the following conditions are met: AM 67	1. If the administrative decision referred to in Article 5 or the temporary suspension referred to in Article 6 is also a measure which is required to be notified through RAPEX as referred to in Directive 2001/95/EC or through the RASFF as referred to in Regulation (EC) No 178/2002 the General Product Safety Directive 2001/95/EC , a separate notification to the Commission and the other Member States under this Regulation is not required, provided that the following conditions are met:	1. If the administrative decision referred to in Article 5 or the temporary suspension referred to in Article 6 is also a measure which is required to be notified through RAPEX as referred to in <u>Directive 2001/95/EC or through the RASFF as referred to in Regulation (EC) No 178/2002</u> the General Product Safety Directive 2001/95/EC , a separate notification to the Commission <u>and the other Member States</u> under this Regulation is not required, provided that the following conditions are met: Text Origin: Council Mandate
	ARTICLE 7-PARAGRAPH 1-POINT A			
142	(a) the RAPEX notification indicates that notification of the measure also counts as notification under this Regulation;	(a) the RAPEX notification indicates that notification of the measure also counts as notification under this Regulation;	(a) the RAPEX or RASFF notification indicates that notification of the measure also counts as notification under this Regulation;	(a) the RAPEX <u>or RASFF</u> notification indicates that notification of the measure also counts as notification under this Regulation; Text Origin: Council Mandate
	ARTICLE 7-PARAGRAPH 1-POINT B			
143	(b) the supporting evidence	(b) the supporting evidence	(b) the supporting evidence	(b) the supporting evidence

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	required for the administrative decision under Article 5 or for the temporary suspension under Article 6 is enclosed with the RAPEX notification.	required for the administrative decision under Article 5 or for the temporary suspension under Article 6 is enclosed with the RAPEX notification.	required– for the administrative decision under Article 5 or for the temporary suspension under Article 6 is enclosed with the RAPEX or RASFF notification.	required– for the administrative decision under Article 5 or for the temporary suspension under Article 6 is enclosed with the RAPEX <u>or RASFF</u> notification. Text Origin: Council Mandate
ARTICLE 8				
144	Article 8 Problem-solving procedure	Article 8 Problem-solving procedure	Article 8 Problem-solving procedure	Article 8 Problem-solving procedure Text Origin: EP Mandate
ARTICLE 8-PARAGRAPH 1				
145	1. This Article applies if an economic operator affected by an administrative decision has submitted the decision to the Internal Market Problem Solving Network (SOLVIT) and, during the SOLVIT procedure, the Home Centre asks the Commission to give an opinion to assist in solving the case.	1. This Article applies if an economic operator affected by an administrative decision has submitted the decision to the Internal Market Problem Solving Network (SOLVIT) and, during the SOLVIT procedure, the Home Centre <u>or the Lead Centre</u> asks the Commission to give an opinion to assist in solving the case. <u>SOLVIT home and lead centres as well as the economic operator shall provide the Commission with all relevant documents</u>	1. This Article applies if an economic operator affected by an administrative decision has submitted the decision to the Internal Market Problem Solving Network (SOLVIT) and, during the SOLVIT procedure, the Home Centre or the Lead Centre asks the Commission to give an opinion to assist in solving the case.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<p><u>relative to the decision at stake. The Commission may also give an opinion on its own initiative.</u></p> <p>AM 68</p>		
ARTICLE 8-PARAGRAPH 2				
146	<p>2. The Commission shall, within three months of receipt of the request referred to in paragraph 1, enter into communication with the relevant economic operator or operators and the competent authorities who took the administrative decision in order to assess the compatibility of the administrative decision with the principle of mutual recognition and this Regulation.</p>	<p>2. The Commission shall, within three months of receipt of the request referred to in paragraph 1, enter into communication <u>without undue delay, consider the documents and information provided within the SOLVIT procedure in order to assess the compatibility of the administrative decision</u> with the relevant economic operator or operators and the competent authorities who took the administrative decision in order to assess the compatibility of the administrative <u>principle of mutual recognition and this Regulation. Where additional information is needed for the purposes of the assessment referred to above, the Commission shall, without undue delay, request the relevant SOLVIT Centre to</u></p>	<p>2. The Commission shall, within three months of receipt of After receiving the request referred to in paragraph 1, enter into communication with the relevant economic operator or operators and the competent authorities who took the administrative decision in order to the Commission shall, without undue delay, assess the compatibility of the administrative decision with the principle of mutual recognition and this Regulation.</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<p><u>enter into communication</u> with the principle of mutual recognition and this Regulation<u>relevant economic</u> <u>operator or operators and the</u> <u>competent authorities.</u></p> <p>AM 69</p>		
	ARTICLE 8-PARAGRAPH 2A			
Y 146a			<p>2a For the purposes of the assessment referred to in paragraph 2, the Commission shall consider the administrative decision notified in accordance with Article 5(3) and the documents and information obtained during the SOLVIT procedure. Where additional information or documents are necessary for completing the assessment referred to in paragraph 2, the Commission shall request the relevant SOLVIT Centre to enter into communication with the economic operator concerned or with the competent authorities who took the administrative decision in order to provide such additional information or documents.</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	ARTICLE 8-PARAGRAPH 3			
R 147	<p>3. Following completion of its assessment, the Commission may issue an opinion identifying concerns that should, in its view, be addressed in the SOLVIT case and, where appropriate, making recommendations to assist in solving the case.</p>	<p>3. Following completion of its assessment, the <u>Within two months of receipt of the request referred to in paragraph 1</u> the Commission may <u>shall complete its assessment and</u> issue an opinion identifying concerns that should, in its view, be addressed in the SOLVIT case and, where appropriate, making recommendations to assist in solving the case. <u>The two months period does not include the time necessary for receiving the additional information and documents as provided for in paragraph 2.</u></p> <p>AM 70</p>	<p>3. Following completion of its assessment Within six weeks of receipt of the request referred to in paragraph 1, the Commission may shall issue an opinion. Where appropriate, the Commission's opinion shall identify any concerns that should identify concerns that should, in its view, be addressed in the SOLVIT case and, where appropriate, making or shall make recommendations to assist in solving the case. The six weeks period does not include the time necessary for receiving the additional information and documents as provided for in paragraph 2a.</p>	
	ARTICLE 8-PARAGRAPH 3A			
Y 147a		<p>3a <u>Where, during the assessment referred to in paragraph 2, the Commission is informed that the case is solved, it may decide not to issue an opinion.</u></p> <p>AM 71</p> <p>In the EP Report Article</p>	<p>3a Where during the assessment referred to in paragraph 2, the Commission is informed that the case is solved, an opinion need not be given.</p> <p>In the Council GA Article 8 - Paragraph 3 - new subparagraph. Automatically</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		8 - Paragraph 3 - new subparagraph. Automatically renumbered - no change of substance..	renumbered - no change of substance.	
	ARTICLE 8-PARAGRAPH 4			
R	148	<p>4. The Commission's opinion shall be considered during the SOLVIT procedure referred to in paragraph 1.</p> <p><i>considered communicated to all parties involved in the case as well as to the Member State's competent authorities responsible for market control activities by means of the system referred to in Article 11. The opinion shall be taken into account</i> during the SOLVIT procedure referred to in paragraph 1.</p> <p>AM 72</p>	<p>4. The Commission's opinion shall be communicated through the relevant SOLVIT centre to the economic operator concerned and to the relevant competent authorities. It shall be notified by the Commission to all Member States by means of the system referred to in Article 11. The opinion shall be considered during the SOLVIT procedure referred to in paragraph 1.</p>	R
	ARTICLE 8-PARAGRAPH 4A			
R	148a	<p>4a <i>Recourse to national remedies by economic operators shall neither affect their possibility to use SOLVIT nor the Home Centre's possibility to seek an opinion as referred to in paragraph 1.</i></p> <p>AM 73</p>		R

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		In the EP Report Article 8 - Paragraph 4 - new subparagraph. Automatically renumbered - no change of substance.		
ARTICLE 8-PARAGRAPH 4B				
R	148b		4b The problem solving procedure under this Article shall apply without prejudice to the relevant remedies procedures available under national law. In the Council GA Article 8 - Paragraph 4a. Automatically renumbered - no change of substance.	
CHAPTER III				
G	149	Chapter III Administrative cooperation, monitoring and communication	Chapter III Administrative cooperation, monitoring and communication	Chapter III Administrative cooperation, monitoring and communication Text Origin: EP Mandate
ARTICLE 9				
G	150	Article 9 Tasks of the Product Contact Points	Article 9 Tasks of the Product Contact Points	Article 9 Tasks of the Product Contact Points Text Origin: EP Mandate

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	ARTICLE 9-PARAGRAPH 1			
151	1. Member States shall designate and maintain Product Contact Points on their territory and ensure that their Product Contact Points have sufficient powers and are adequately resourced for the proper performance of their tasks. They shall ensure that Product Contact Points deliver their services in accordance with Regulation (Single Digital Gateway – COM(2017)256).	1. Member States shall designate and maintain Product Contact Points on their territory and ensure that their Product Contact Points have sufficient powers and are adequately resourced for the proper performance of their tasks. They shall ensure that Product Contact Points deliver their services in accordance with Regulation (Single Digital Gateway – COM(2017)256).	1. Member States shall designate and maintain Product Contact Points on their territory and ensure that their Product Contact Points have sufficient powers and are adequately resourced for the proper performance of their tasks. They shall ensure that Product Contact Points deliver their services in accordance with Regulation (Single Digital Gateway – COM(2017)256).	1. Member States shall designate and maintain Product Contact Points on their territory and ensure that their Product Contact Points have sufficient powers and are adequately resourced for the proper performance of their tasks. They shall ensure that Product Contact Points deliver their services in accordance with Regulation (Single Digital Gateway – COM(2017)256). Text Origin: EP Mandate
	ARTICLE 9-PARAGRAPH 2 - INTRODUCTORY PART			
152	2. Product Contact Points shall provide the following information online:	2. Product Contact Points shall provide the following information online:	2. Product Contact Points shall provide the following information online:	2. Product Contact Points shall provide the following information online: Text Origin: EP Mandate
	ARTICLE 9-PARAGRAPH 2-POINT A			
153	(a) information on the principle of mutual recognition and the application of this Regulation in the territory of that Member State, including information	(a) information on the principle of mutual recognition and the application of this Regulation in the territory of that Member State, including information	(a) information on the principle of mutual recognition and the application of this Regulation in the territory of that Member State, including information on the procedure set out in Article 5;	(a) information on the principle of mutual recognition and the application of this Regulation in the territory of that Member State, including information

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	on the procedure set out in Article 5;	on the procedure set out in Article 5;		on the procedure set out in Article 5; <small>Text Origin: EP Mandate</small>
ARTICLE 9-PARAGRAPH 2-POINT B				
154	(b) the contact details of the competent authorities within that Member State by means of which they may be contacted directly, including the particulars of the authorities responsible for supervising the implementation of the national technical rules applicable in the territory of that Member State;	(b) the contact details of the competent authorities within that Member State by means of which they may be contacted directly, including the particulars of the authorities responsible for supervising the implementation of the national technical rules applicable in the territory of that Member State;	(b) the contact details of the competent authorities within that Member State by means of which they may be contacted directly, including the particulars of the authorities responsible for supervising the implementation of the national technical rules applicable in the territory of that Member State;	(b) the contact details of the competent authorities within that Member State by means of which they may be contacted directly, including the particulars of the authorities responsible for supervising the implementation of the national technical rules applicable in the territory of that Member State; <small>Text Origin: EP Mandate</small>
ARTICLE 9-PARAGRAPH 2-POINT C				
155	(c) the remedies and procedures available in the territory of that Member State in the event of a dispute between the competent authority and an economic operator, including the procedure described in Article 8.	(c) the remedies and procedures available in the territory of that Member State in the event of a dispute between the competent authority and an economic operator, including the procedure described in Article 8.	(c) the remedies and procedures available in the territory of that Member State in the event of a dispute between the competent authority and an economic operator, including the procedure described in Article 8.	(c) the remedies and procedures available in the territory of that Member State in the event of a dispute between the competent authority and an economic operator, including the procedure described in Article 8. <small>Text Origin: EP Mandate</small>

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	ARTICLE 9-PARAGRAPH 2A			
G 155a			<p>2a Where, due to the complexity of organisation and distribution of functions among competent authorities in a Member State, not all of the required information under point (b) of the first subparagraph can be provided online the remaining information shall be provided upon request.</p> <p>In the Council GA Article 9 - Paragraph 2 - new subparagraph. Automatically renumbered - no change of substance.</p>	agreed not to add 2a
	ARTICLE 9-PARAGRAPH 3			
G 156	<p>3. Where necessary to complement the information provided online under paragraph 2, Product Contact Points shall provide, at the request of an economic operator or a competent authority of another Member State, any useful information, such as an electronic copy of or an electronic link to the national technical rules applicable to specific goods or a specific type of goods in the</p>	<p>3. Where necessary to complement the information provided online under paragraph 2, Product Contact Points shall provide, at the request of an economic operator or a competent authority of another Member State, any useful information, such as an electronic copy of or an electronic link to the national technical rules <u>and national administrative procedures</u> applicable to</p>	<p>3. Where necessary to complement the information provided online under paragraph 2, Product Contact Points shall provide, at the request of an economic operator or a competent authority of another Member State, any useful information, such as an electronic copy of or an electronic link to the national technical rules applicable to specific goods or a specific type of goods in the territory in which the Product</p>	<p>3. Where necessary to complement the information provided online under paragraph 2, Product Contact Points shall provide, at the request of an economic operator or a competent authority of another Member State, any useful information, such as an electronic copy of or an electronic link to the national technical rules <u>and national administrative procedures</u> applicable to</p>

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	territory in which the Product Contact Point is established and information as whether that the goods or goods of that type are subject to a requirement for prior authorisation under national law.	specific goods or a specific type of goods in the territory in which the Product Contact Point is established and information as whether that the goods or goods of that type are subject to a requirement for prior authorisation under national law. AM 74	Contact Point is established and information as whether that the goods or goods of that type are subject to a requirement for prior authorisation under national law. See Recital (37)	specific goods or a specific type of goods in the territory in which the Product Contact Point is established and information as whether that the goods or goods of that type are subject to a requirement for prior authorisation under national law. See recital 37 Text Origin: Council Mandate
ARTICLE 9-PARAGRAPH 4				
157	4. Product Contact Points shall respond within 15 working days of receiving any request under paragraph 3.	4. Product Contact Points shall respond within 15 working days of receiving any request under paragraph 3.	4. Product Contact Points shall respond within 15 working days of receiving any request under the second subparagraph of paragraph 2 and under paragraph 3.	4. Product Contact Points shall respond within 15 working days of receiving any request under paragraph 3. Text Origin: Commission Proposal
ARTICLE 9-PARAGRAPH 5				
158	5. Product Contact Points shall not charge any fee for the provision of the information under paragraph 3.	5. Product Contact Points shall not charge any fee for the provision of the information under paragraph 3.	5. Product Contact Points shall not charge any fee for the provision of the information under the second subparagraph of paragraph 2 and under paragraph 3.	5. Product Contact Points shall not charge any fee for the provision of the information under paragraph 3. Text Origin: Commission Proposal

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	ARTICLE 10			
y	<div>159</div> <div>Article 10</div> <div>Administrative cooperation</div>	<div>Article 10</div> <div>Administrative cooperation</div>	<div>Article 10</div> <div>Administrative cooperation</div>	<div>Article 10</div> <div>Administrative cooperation</div> <div>Text Origin: EP Mandate</div>
	ARTICLE 10-PARAGRAPH 1			
g	<div>160</div> <div>1. The Commission shall provide for and ensure efficient cooperation and exchange of information between the competent authorities and the Product Contact Points of the various Member States.</div>	<div>1. The Commission shall provide for and ensure efficient cooperation and exchange of information between the competent authorities and the Product Contact Points of the various Member States.</div>	<div>1. The Commission shall provide for and ensure efficient cooperation and exchange of information between the competent authorities and the Product Contact Points of the various Member States.</div>	<div>1. The Commission shall provide for and ensure efficient cooperation and exchange of information between the competent authorities and the Product Contact Points of the various Member States.</div> <div>Text Origin: EP Mandate</div>
	ARTICLE 10-PARAGRAPH 2			
y	<div>161</div> <div>2. Product Contact Points in the Member State in which an economic operator claims to be lawfully marketing his goods shall provide the competent authorities of other Member States, upon request and within 15 working days, with any relevant information relating to those goods.</div>	<div>2. Product Contact Points in the Member State in which an economic operator claims to be lawfully marketing his goods shall provide the competent authorities of other Member States, upon request and within 15 working days, with any relevant information relating to those goods.</div>	<div>2. Product Contact PointsCompetent authorities in the Member State in which an economic operator claims to be lawfully marketing his goods shall provide the competent authorities of other Member States, upon request and within 15 working days, with any information relevant informationfor verifying data and documents supplied during the assessment under Article 5</div>	<div>light yellow</div>

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			relating to those goods. Without prejudice to the time limit for providing the requested information, the Product Contact Points may facilitate the contacts between the relevant competent authorities.	
ARTICLE 10-PARAGRAPH 2A				
R 161a		<p>2a <u><i>For the purpose of paragraph 1, the Commission shall establish a Coordination Group (the 'Group'). The Group shall be composed of representatives from the competent authorities and the Product Contact Points of the Member States.</i></u></p> <p><u><i>The tasks of the Group shall include:</i></u></p> <p><u><i>(a) facilitate the exchange of information, best practices and other relevant aspects of control activities in Member States;</i></u></p> <p><u><i>(b) support the functioning of the Product Contact Points and enhance their cross-border cooperation;</i></u></p>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<p><u>(c) provide Commission contributions and feedback to any guidance on the concept of overriding reasons of public interest and recommendations, as well as best practices in order to encourage consistent application of this Regulation;</u></p> <p><u>(d) facilitate and coordinate exchange of officials among Member States, especially with regard to particularly problematic sectors;</u></p> <p><u>(e) facilitate and coordinate the organisation of common training programmes for authorities and businesses.</u></p> <p>AM 75</p>		
	ARTICLE 10-PARAGRAPH 3			
162	3. Member States shall ensure that their competent authorities and Product Contact Points participate in the activities referred to in paragraph 1.	3. <u>Each Member State shall inform the Commission of the identity of the representatives appointed from that Member State to the Group.</u> Member States shall ensure that their competent authorities and Product Contact Points participate in the activities	3. Member States shall ensure that their competent authorities and Product Contact Points participate in the activities referred to in paragraph 1.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		referred to in paragraph 1 <u>and paragraph 2a.</u> AM 76		
ARTICLE 11				
163	Article 11 Information and communication support system	Article 11 Information and communication support system	Article 11 Information and communication support system	Article 11 Information and communication support system Text Origin: Council Mandate
ARTICLE 11-PARAGRAPH 1				
164	1. For the purposes of Articles 5, 6, and 10, the Union information and communication support system set out in [Regulation on compliance and enforcement] shall be used, except as provided in Article 7.	1. For the purposes of Articles 5, 6, and 10, the Union information and communication support system set out in [Regulation on compliance and enforcement] shall be used, except as provided in Article 7.	1. For the purposes of Articles 5, 6, and 10, the Union information and communication support system set out in [Article 34 of Regulation on compliance and enforcement/enforcement/Article 23 of Regulation(EC) No 765/2008] shall be used, except as provided in Article 7.	reference to b e checked by lawyer-linguists
ARTICLE 11-PARAGRAPH 2				
165	2. The Commission shall adopt implementing acts specifying the details of the system referred to in paragraph 1 and its functionalities for the	2. The Commission shall adopt implementing acts specifying the details of the system referred to in paragraph 1 and its functionalities for the	2. The Commission shall adopt implementing acts specifying the details of the system referred to in paragraph 1 and its functionalities for the purposes of this Regulation. Those	2. The Commission shall adopt implementing acts specifying the details of the system referred to in paragraph 1 and its functionalities for the

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	
	purposes of this Regulation. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 15(2).	purposes of this Regulation. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 15(2).	implementing acts shall be adopted in accordance with the examination procedure referred to in Article 15(2).	purposes of this Regulation. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 15(2). Text Origin: EP Mandate	
	CHAPTER IV				
G	166	Chapter IV Financing	Chapter IV Financing	Chapter IV Financing Text Origin: EP Mandate	G
	ARTICLE 12				
G	167	Article 12 Financing of activities in support of this Regulation	Article 12 Financing of activities in support of this Regulation	Article 12 Financing of activities in support of this Regulation Text Origin: EP Mandate	G
	ARTICLE 12-PARAGRAPH 1 - INTRODUCTORY PART				
Y	168	1. The Union may finance the following activities in support of this Regulation: AM 77	1. The Union may <u>shall</u> finance the following activities in support of this Regulation:	1. The Union may finance the following activities in support of this Regulation:	Y
	ARTICLE 12-PARAGRAPH 1-POINT A				
G	169				G

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	
	(a) awareness-raising campaigns:	(a) awareness-raising campaigns:	(a) awareness-raising campaigns:	(a) awareness-raising campaigns: Text Origin: EP Mandate	
	ARTICLE 12-PARAGRAPH 1-POINT B				
G	170 (b) education and training;	(b) education and training;	(b) education and training;	(b) education and training; Text Origin: EP Mandate	G
	ARTICLE 12-PARAGRAPH 1-POINT C				
G	171 (c) exchange of officials;	(c) exchange of officials;	(c) exchange of officials;	(c) exchange of officials; Text Origin: EP Mandate	G
	ARTICLE 12-PARAGRAPH 1-POINT D				
Y	172 (d) the functioning of cooperation amongst Product Contact Points and the technical and logistic support for this cooperation;	(d) the functioning of cooperation amongst Product Contact Points and the technical and logistic support for this cooperation <u>exchange of good practices</u> ; AM 78	(d) the functioning of cooperation amongst Product Contact Points and the technical and logistic support for this cooperation;	text to be based on Commission proposal, subject to agreement on article 10	Y
	ARTICLE 12-PARAGRAPH 1-POINT E				
G	173 (e) collection of data related to the functioning of the mutual recognition principle and its impacts on the single market for goods.	(e) collection of data related to the functioning of the mutual recognition principle and its impacts on the single market for goods.	(e) collection of data related to the functioning of the mutual recognition principle and its impacts on the single market for goods.	(e) collection of data related to the functioning of the mutual recognition principle and its impacts on the single market for goods. Text Origin: EP Mandate	G

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	ARTICLE 12-PARAGRAPH 2			
174	<p>2. The Union's financial assistance with respect to activities under this Regulation shall be implemented in accordance with Regulation (EU, Euratom) No 966/2012 of the European Parliament and the Council¹, either directly or by delegating budget implementation tasks to the entities listed in Article 58(1)(c) of that Regulation.</p> <p>1. Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council of 25 October 2012 on the financial rules applicable to the general budget of the Union and repealing Council Regulation (EC, Euratom) No 1605/2002 (OJ L 298, 26.10.2012, p. 1).</p>	<p>2. The Union's financial assistance with respect to activities under this Regulation shall be implemented in accordance with Regulation (EU, Euratom) No 966/2012 of the European Parliament and the Council¹, either directly or by delegating budget implementation tasks to the entities listed in Article 58(1)(c) of that Regulation.</p> <p>1. Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council of 25 October 2012 on the financial rules applicable to the general budget of the Union and repealing Council Regulation (EC, Euratom) No 1605/2002 (OJ L 298, 26.10.2012, p. 1).</p>	<p>2. The Union's financial assistance with respect to activities under this Regulation shall be implemented in accordance with Regulation (EU, Euratom) No 966/2012 of the European Parliament and the Council¹, either directly or by delegating budget implementation tasks to the entities listed in Article 58(1)(c) of that Regulation.</p> <p>1. Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council of 25 October 2012 on the financial rules applicable to the general budget of the Union and repealing Council Regulation (EC, Euratom) No 1605/2002 (OJ L 298, 26.10.2012, p. 1).</p>	<p>2. The Union's financial assistance with respect to activities under this Regulation shall be implemented in accordance with Regulation (EU, Euratom) No 966/2012 of the European Parliament and the Council¹, either directly or by delegating budget implementation tasks to the entities listed in Article 58(1)(c) of that Regulation.</p> <p>1. Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council of 25 October 2012 on the financial rules applicable to the general budget of the Union and repealing Council Regulation (EC, Euratom) No 1605/2002 (OJ L 298, 26.10.2012, p. 1).</p> <p>Text Origin: EP Mandate</p>
	ARTICLE 12-PARAGRAPH 3			
175	<p>3. The appropriations allocated to activities referred to in this Regulation shall be determined each year by the budgetary authority within the</p>	<p>3. The appropriations allocated to activities referred to in this Regulation shall be determined each year by the budgetary authority within the</p>	<p>3. The appropriations allocated to activities referred to in this Regulation shall be determined each year by the budgetary authority within the limits of the</p>	<p>3. The appropriations allocated to activities referred to in this Regulation shall be determined each year by the budgetary authority within the</p>

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	limits of the financial framework in force.	limits of the financial framework in force.	financial framework in force.	limits of the financial framework in force. <small>Text Origin: EP Mandate</small>
ARTICLE 13				
176	Article 13 Protection of the financial interests of the Union	Article 13 Protection of the financial interests of the Union	Article 13 Protection of the financial interests of the Union	Article 13 Protection of the financial interests of the Union <small>Text Origin: EP Mandate</small>
ARTICLE 13-PARAGRAPH 1				
177	1. The Commission shall take appropriate measures to ensure that, when activities financed under this Regulation are implemented, the financial interests of the Union are protected by the application of preventive measures against fraud, corruption and any other illegal activities, by effective checks and, if irregularities are detected, by the recovery of the amounts wrongly paid and, where appropriate, by effective, proportionate and dissuasive administrative and financial penalties.	1. The Commission shall take appropriate measures to ensure that, when activities financed under this Regulation are implemented, the financial interests of the Union are protected by the application of preventive measures against fraud, corruption and any other illegal activities, by effective checks and, if irregularities are detected, by the recovery of the amounts wrongly paid and, where appropriate, by effective, proportionate and dissuasive administrative and financial penalties.	1. The Commission shall take appropriate measures to ensure that, when activities financed under this Regulation are implemented, the financial interests of the Union are protected by the application of preventive measures against fraud, corruption and any other illegal activities, by effective checks and, if irregularities are detected, by the recovery of the amounts wrongly paid and, where appropriate, by effective, proportionate and dissuasive administrative and financial penalties.	1. The Commission shall take appropriate measures to ensure that, when activities financed under this Regulation are implemented, the financial interests of the Union are protected by the application of preventive measures against fraud, corruption and any other illegal activities, by effective checks and, if irregularities are detected, by the recovery of the amounts wrongly paid and, where appropriate, by effective, proportionate and dissuasive administrative and financial penalties. <small>Text Origin: EP Mandate</small>

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	ARTICLE 13-PARAGRAPH 2			
178	2. The Commission or its representatives and the Court of Auditors shall have the power of audit, on the basis of documents and of on-the-spot inspections, over all grant beneficiaries, contractors and subcontractors who have received Union funds under this Regulation.	2. The Commission or its representatives and the Court of Auditors shall have the power of audit, on the basis of documents and of on-the-spot inspections, over all grant beneficiaries, contractors and subcontractors who have received Union funds under this Regulation.	2. The Commission or its representatives and the Court of Auditors shall have the power of audit, on the basis of documents and of on-the-spot inspections, over all grant beneficiaries, contractors and subcontractors who have received Union funds under this Regulation.	2. The Commission or its representatives and the Court of Auditors shall have the power of audit, on the basis of documents and of on-the-spot inspections, over all grant beneficiaries, contractors and subcontractors who have received Union funds under this Regulation. Text Origin: EP Mandate
	ARTICLE 13-PARAGRAPH 3			
179	3. The European Anti-fraud Office (OLAF) may carry out investigations, including on-the-spot checks and inspections in accordance with the procedures laid down in Regulation (EU, Euratom) No 883/2013 of the European Parliament and of the Council ¹ and Council Regulation (Euratom, EC) No 2185/96 ² with a view to establishing whether there has been fraud, corruption or any other illegal activity affecting the financial interests of the Union in connection with a	3. The European Anti-fraud Office (OLAF) may carry out investigations, including on-the-spot checks and inspections in accordance with the procedures laid down in Regulation (EU, Euratom) No 883/2013 of the European Parliament and of the Council ¹ and Council Regulation (Euratom, EC) No 2185/96 ² with a view to establishing whether there has been fraud, corruption or any other illegal activity affecting the financial interests of the Union in connection with a	3. The European Anti-fraud Office (OLAF) may carry out investigations, including on-the-spot checks and inspections in accordance with the procedures laid down in Regulation (EU, Euratom) No 883/2013 of the European Parliament and of the Council ¹ and Council Regulation (Euratom, EC) No 2185/96 ² with a view to establishing whether there has been fraud, corruption or any other illegal activity affecting the financial interests of the Union in connection with a grant agreement or grant decision or a	3. The European Anti-fraud Office (OLAF) may carry out investigations, including on-the-spot checks and inspections in accordance with the procedures laid down in Regulation (EU, Euratom) No 883/2013 of the European Parliament and of the Council ¹ and Council Regulation (Euratom, EC) No 2185/96 ² with a view to establishing whether there has been fraud, corruption or any other illegal activity affecting the financial interests of the Union in connection with a

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>grant agreement or grant decision or a contract funded under this Regulation.</p> <p>1. Regulation (EU, Euratom) No 883/2013 of the European Parliament and of the Council of 11 September 2013 concerning investigations conducted by the European Anti-Fraud Office (OLAF) and repealing Regulation (EC) No 1073/1999 of the European Parliament and of the Council and Council Regulation (Euratom) No 1074/1999 (OJ L 248, 18.9.2013, p. 1). 2. Council Regulation (Euratom, EC) No 2185/96 of 11 November 1996 concerning on-the-spot checks and inspections carried out by the Commission in order to protect the European Communities' financial interests against fraud and other irregularities, OJ L292, 14.11.1996, p.2.</p>	<p>grant agreement or grant decision or a contract funded under this Regulation.</p> <p>1. Regulation (EU, Euratom) No 883/2013 of the European Parliament and of the Council of 11 September 2013 concerning investigations conducted by the European Anti-Fraud Office (OLAF) and repealing Regulation (EC) No 1073/1999 of the European Parliament and of the Council and Council Regulation (Euratom) No 1074/1999 (OJ L 248, 18.9.2013, p. 1). 2. Council Regulation (Euratom, EC) No 2185/96 of 11 November 1996 concerning on-the-spot checks and inspections carried out by the Commission in order to protect the European Communities' financial interests against fraud and other irregularities, OJ L292, 14.11.1996, p.2.</p>	<p>contract funded under this Regulation.</p> <p>1. Regulation (EU, Euratom) No 883/2013 of the European Parliament and of the Council of 11 September 2013 concerning investigations conducted by the European Anti-Fraud Office (OLAF) and repealing Regulation (EC) No 1073/1999 of the European Parliament and of the Council and Council Regulation (Euratom) No 1074/1999 (OJ L 248, 18.9.2013, p. 1). 2. Council Regulation (Euratom, EC) No 2185/96 of 11 November 1996 concerning on-the-spot checks and inspections carried out by the Commission in order to protect the European Communities' financial interests against fraud and other irregularities, OJ L292, 14.11.1996, p.2.</p>	<p>grant agreement or grant decision or a contract funded under this Regulation.</p> <p>1. Regulation (EU, Euratom) No 883/2013 of the European Parliament and of the Council of 11 September 2013 concerning investigations conducted by the European Anti-Fraud Office (OLAF) and repealing Regulation (EC) No 1073/1999 of the European Parliament and of the Council and Council Regulation (Euratom) No 1074/1999 (OJ L 248, 18.9.2013, p. 1). 2. Council Regulation (Euratom, EC) No 2185/96 of 11 November 1996 concerning on-the-spot checks and inspections carried out by the Commission in order to protect the European Communities' financial interests against fraud and other irregularities, OJ L292, 14.11.1996, p.2.</p> <p>Text Origin: EP Mandate</p>
	ARTICLE 13-PARAGRAPH 4			
180	<p>4. Without prejudice to paragraphs 1, 2 and 3, cooperation agreements with third countries and with international organisations, contracts, grant agreements and grant decisions, resulting from the implementation of</p>	<p>4. Without prejudice to paragraphs 1, 2 and 3, cooperation agreements with third countries and with international organisations, contracts, grant agreements and grant decisions, resulting from the implementation of</p>	<p>4. Without prejudice to paragraphs 1, 2 and 3, cooperation agreements with third countries and with international organisations, contracts, grant agreements and grant decisions, resulting from the implementation of this</p>	<p>4. Without prejudice to paragraphs 1, 2 and 3, cooperation agreements with third countries and with international organisations, contracts, grant agreements and grant decisions, resulting from the implementation of</p>

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	
	this Regulation shall contain provisions expressly empowering the Commission, the Court of Auditors and OLAF to conduct such audits and investigations, in accordance with their respective competences.	this Regulation shall contain provisions expressly empowering the Commission, the Court of Auditors and OLAF to conduct such audits and investigations, in accordance with their respective competences.	Regulation shall contain provisions expressly empowering the Commission, the Court of Auditors and OLAF to conduct such audits and investigations, in accordance with their respective competences.	this Regulation shall contain provisions expressly empowering the Commission, the Court of Auditors and OLAF to conduct such audits and investigations, in accordance with their respective competences. Text Origin: EP Mandate	
CHAPTER V					
G	181	Chapter V Review and Committee procedure	Chapter V Review and Committee procedure	Chapter V Review and Committee procedure Text Origin: EP Mandate	G
ARTICLE 14					
G	182	Article 14 Evaluation	Article 14 Evaluation	Article 14 Evaluation Text Origin: EP Mandate	G
ARTICLE 14-PARAGRAPH 1					
Y	183	1. By (...), and every five years thereafter, the Commission shall carry out an evaluation of this Regulation against the objectives it pursues and shall submit a	1. By (...), and every five <u>two</u> years thereafter, the Commission shall carry out an evaluation of this Regulation against the objectives it pursues and shall submit a	1. By (...) [Publications office, please insert the date 4 years after the date of entry into force], and every five years thereafter, the Commission shall carry out an evaluation of this use the date of application as a starting date	Y

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	report thereon to the European Parliament, to the Council and to the European Economic and Social Committee.	report thereon to the European Parliament, to the Council and to the European Economic and Social Committee. <small>AM 79</small>	Regulation against the objectives it pursues and shall submit a report thereon to the European Parliament, to the Council and to the European Economic and Social Committee.	
ARTICLE 14-PARAGRAPH 2				
184	2. For the purposes of paragraph 1, the Commission shall use the information available in the system referred to in Article 11 and the data collected as referred to in Article 12(1) (e). The Commission may also ask Member States to submit any relevant information for evaluating the free movement of goods lawfully marketed in another Member State and of the effectiveness of this Regulation, as well as an assessment of the functioning of the Product Contact Points.	2. For the purposes of paragraph 1, the Commission shall use the information available in the system referred to in Article 11 and the data collected as referred to in Article 12(1) (e). The Commission may also ask Member States to submit any relevant information for evaluating the free movement of goods lawfully marketed in another Member State and of the effectiveness of this Regulation, as well as an assessment of the functioning of the Product Contact Points.	2. For the purposes of paragraph 1, the Commission shall use the information available in the system referred to in Article 11 and the data collected as referred to in Article 12(1) (e). The Commission may also ask Member States to submit any relevant information for evaluating the free movement of goods lawfully marketed in another Member State and of the effectiveness of this Regulation, as well as an assessment of the functioning of the Product Contact Points.	2. For the purposes of paragraph 1, the Commission shall use the information available in the system referred to in Article 11 and the data collected as referred to in Article 12(1) (e). The Commission may also ask Member States to submit any relevant information for evaluating the free movement of goods lawfully marketed in another Member State and of the effectiveness of this Regulation, as well as an assessment of the functioning of the Product Contact Points. <small>Text Origin: EP Mandate</small>
ARTICLE 15				
185	Article 15 Committee procedure	Article 15 Committee procedure	Article 15 Committee procedure	Article 15 Committee procedure <small>Text Origin: EP Mandate</small>

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	ARTICLE 15-PARAGRAPH 1			
186	1. The Commission shall be assisted by a committee. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.	1. The Commission shall be assisted by a committee. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.	1. The Commission shall be assisted by a committee. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.	1. The Commission shall be assisted by a committee. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011. Text Origin: EP Mandate
	ARTICLE 15-PARAGRAPH 2			
187	2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.	2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.	2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.	2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply. Text Origin: EP Mandate
	CHAPTER VI			
188	Chapter VI Final provisions	Chapter VI Final provisions	Chapter VI Final provisions	Chapter VI Final provisions Text Origin: EP Mandate
	ARTICLE 16			
189	Article 16 Repeal	Article 16 Repeal	Article 16 Repeal	Article 16 Repeal Text Origin: EP Mandate

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	ARTICLE 16-PARAGRAPH			
Y	190	Regulation (EC) No 764/2008 is repealed.	Regulation (EC) No 764/2008 is repealed.	Regulation (EC) No 764/2008 is repealed with effect from ... [Publications office, please insert the date 1 year after the date of entry into force]. References to the repealed Regulation shall be construed as references to this Regulation.
	ARTICLE 17			
R	191	Article 17 Entry into force and application	Article 17 Entry into force and application	Article 17 Entry into force and application Text Origin: EP Mandate
	ARTICLE 17-PARAGRAPH			
R	192	This Regulation shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union.	This Regulation shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union.	This Regulation shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union. Text Origin: EP Mandate
	ARTICLE 17-PARAGRAPH			
R	193			

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	It shall apply from 1 January 2020.	It shall apply from 1 January 2020.	It shall apply from ... [Publications office, please insert the date 1 year after the date of entry into force]1 January 2020.	
ARTICLE 17-PARAGRAPH				
194	This Regulation shall be binding in its entirety and directly applicable in all Member States.	This Regulation shall be binding in its entirety and directly applicable in all Member States.	This Regulation shall be binding in its entirety and directly applicable in all Member States.	This Regulation shall be binding in its entirety and directly applicable in all Member States. Text Origin: EP Mandate
FORMULA				
195	Done at Brussels,	Done at Brussels,	Done at Brussels,	Done at Brussels, Text Origin: EP Mandate
FORMULA				
196	For the European Parliament	For the European Parliament	For the European Parliament	For the European Parliament Text Origin: EP Mandate
FORMULA				
197	The President	The President	The President	The President Text Origin: EP Mandate
FORMULA				
198	For the Council	For the Council	For the Council	For the Council

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	
				Text Origin: EP Mandate	
	FORMULA				
G	199	The President	The President	The President Text Origin: EP Mandate	G
	ANNEX				
G	200	ANNEX	ANNEX	ANNEX Text Origin: EP Mandate	G
	PARAGRAPH - INTRODUCTORY PART				
Y	201	Mutual recognition declaration for the purposes of Regulation [XXX/YYYY]	Mutual recognition declaration for the purposes of Regulation [XXX/YYYY]	Mutual recognition declaration Declaration of lawful marketing of goods for the purposes of mutual recognition (Regulation [XXX/YYYY])	Y
	PARAGRAPH - INTRODUCTORY PART-POINT -1				
Y	201a		-1 Part I In the Council GA new Part I. Automatically renumbered - no change of substance		Y
	PARAGRAPH-POINT 1				
Y	202	1. Unique identifier for the goods or type of goods: [Note: insert the goods number or other reference marker that	1. Unique identifier for the goods or type of goods: [Note: insert the goods number or other reference marker that	1. Unique identifier for the goods or type of goods: [Note: insert the goods identification number or other reference marker	Y

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	
	uniquely identifies the goods or type of goods]	uniquely identifies the goods or type of goods]	that uniquely identifies the goods or type of goods]		
	PARAGRAPH - INTRODUCTORY PART-POINT 1A				
Y	202a	1a <u>Name and address of the economic operator drawing up the mutual recognition declaration</u> AM 80			Y
	PARAGRAPH-POINT 2				
Y	203	2. Name and address of the producer or his authorised representative:	2. Name and address of the producer or his authorised representative:	2. Name and address of the economic operator : [Note: insert the name and address of the signatory of Part I of the declaration: the producer and, where applicable, his authorised representative, or the importer, or the distributor]	Y
	PARAGRAPH-POINT 3				
G	204	3. Description of the goods or type of goods subject of the declaration: [Note: the description should be sufficient to enable the goods to be identified for traceability reasons. It may be accompanied by a photograph, where appropriate]	3. Description of the goods or type of goods subject of the declaration: [Note: the description should be sufficient to enable the goods to be identified for traceability reasons. It may be accompanied by a photograph, where appropriate]	3. Description of the goods or type of goods subject of the declaration: [Note: the description should be sufficient to enable the goods to be identified for traceability reasons. It may be accompanied by a photograph, where appropriate] Text Origin: EP Mandate	G

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	PARAGRAPH-POINT 4 - INTRODUCTORY PART			
Y	205	4. Declaration and information on the lawfulness of the marketing of the goods or type of goods:	4. Declaration and information on the lawfulness of the marketing of the goods or that type of goods:	Y
	PARAGRAPH-POINT 4-POINT 41			
Y	206	<p>4.1. The goods or type of goods described above comply with the relevant rules applicable in the Member State identified below: The title, in each case, of the relevant rules applicable in that Member State:</p> <p>AM 81</p>	<p>4.1. The goods or type of goods described above, <u>including their characteristics</u>, comply with the relevant rules applicable in the Member State identified below: The title, in each case, of the relevant rules applicable in that Member State:</p> <p>4.1. The goods or type of goods described above comply with the relevantfollowing rules applicable in [Note: identify the Member State identified below: in which the goods or that type of goods are claimed to be lawfully marketed]: [Note: insert the title and official publication reference, in each case, of the relevant rules applicable in that Member State and reference of the administrative decision if the goods were subject to a prior authorisation],</p> <p>or</p> <p>The goods or type of goods described above are not subject to any rules in [Note: identify the Member State in which the goods or that type of goods are claimed to be lawfully</p>	Y

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			marketed].	
PARAGRAPH-POINT 4-POINT 42				
Y	207	4.2. Reference of the conformity assessment procedure applicable to the goods or type of goods, and/or of any tests performed by a conformity assessment body (if such procedure was carried out or if such tests were performed):	4.2. Reference of the conformity assessment procedure applicable to the goods or that type of goods, and/or reference of test reports for of any tests performed by a conformity assessment body, including the name and address of that body (if such procedure was carried out or if such tests were performed):	
PARAGRAPH - INTRODUCTORY PART-POINT 4A				
Y	207a		4a Any additional information considered relevant to an assessment of whether the goods or that type of goods are lawfully marketed in the Member State indicated in point 4.1:	
PARAGRAPH - INTRODUCTORY PART-POINT 4B				
Y	207b		4b This part of the declaration is issued under the sole responsibility of the economic operator identified under point 2.	
PARAGRAPH - INTRODUCTORY PART-POINT 4C				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	
Y	207c		<p>4c Signed for and on behalf of:</p> <p>(place and date of issue):</p> <p>(name, function) (signature):</p> <p>In the Council GA new Paragraph. Automatically renumbered - no change of substance.</p>		Y
	PARAGRAPH - INTRODUCTORY PART-POINT 4D				
Y	207d		<p>4d Part II</p> <p>In the Council GA new Part. Automatically renumbered - no change of substance.</p>		Y
	PARAGRAPH-POINT 5 - INTRODUCTORY PART				
Y	208	5. Declaration and information on the marketing of the goods or type of goods:	5. Declaration and information on the marketing of the goods or that type of goods:		Y
	PARAGRAPH-POINT 5-POINT 51				
Y	209	5.1. The goods or type of goods are made available to end users on the domestic market in a Member State.	5.1. The goods or that type of goods are made available to end users on the domestic market in at the Member State indicated in point 4.1.		Y
	PARAGRAPH-POINT 5-POINT 52				
Y	210				Y

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	5.2. Information that the goods or type of goods are made available to the end users in that Member State, including details of the relevant Member State and of the date of when the goods were first made available to end users on the domestic market in that Member State:	5.2. Information that the goods or type of goods are made available to the end users in that Member State, including details of the relevant Member State and of the date of when the goods were first made available to end users on the domestic market in that Member State:	5.2. Information that the goods or that type of goods are made available to the end users in that the Member State, including details of the relevant Member State and indicated in point 4.1, including details of the date of when the goods were first made available to end users on the domestic market in that Member State:	
	PARAGRAPH-POINT 6			
211	6. Any additional information considered relevant to an assessment of whether the goods or type of goods are lawfully marketed in that Member State	6. Any additional information considered relevant to an assessment of whether the goods or type of goods are lawfully marketed in that Member State	6. Any additional information considered relevant to an assessment of whether the goods or that type of goods are lawfully marketed in that the Member State indicated in point 4.1:	
	PARAGRAPH-POINT 7 - INTRODUCTORY PART			
212	7. This declaration is issued under the sole responsibility of the signatories:	7. This declaration is issued under the sole responsibility of the signatories:	7. This part of the declaration is issued under the sole responsibility of [Note: insert the name and address of the signatory of Part II of the declarationthe signatories: the producer and, where applicable, his authorised representative, or the importer, or the distributor].	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	
	PARAGRAPH-POINT 7-PARAGRAPH				
G	213	Signed for and on behalf of	Signed for and on behalf of	Signed for and on behalf of Text Origin: EP Mandate	G
	PARAGRAPH-POINT 7-PARAGRAPH				
G	214	(place and date of issue):	(place and date of issue):	(place and date of issue): Text Origin: EP Mandate	G
	PARAGRAPH-POINT 7-PARAGRAPH				
G	215	(name, function) (signature) :	(name, function) (signature) :	(name, function) (signature) : Text Origin: EP Mandate	G
	PARAGRAPH-POINT 7-PARAGRAPH				
Y	216	And if another economic operator fills in point 5 :	And if another economic operator fills in point 5 :	<input type="checkbox"/> deleted	Y
	PARAGRAPH-POINT 7-PARAGRAPH				
Y	217	Signed for and on behalf of:	Signed for and on behalf of:	<input type="checkbox"/> deleted	Y
	PARAGRAPH-POINT 7-PARAGRAPH				
Y	218	(place and date of issue)	(place and date of issue)	<input type="checkbox"/> deleted	Y
	PARAGRAPH-POINT 7-PARAGRAPH				
Y	219	(name, function) (signature)	(name, function) (signature)	<input type="checkbox"/> deleted	Y