



**COUNCIL OF
THE EUROPEAN UNION**

**Brussels, 13 November 2009 (16.11)
(OR. fr)**

12682/09

**Interinstitutional file :
2008/0035 (COD)**

**CODEC 1044
MI 303
ENT 167
CONSOM 163
SAN 211
ECO 111
ENV 524
CHIMIE 66**

"I/A" ITEM NOTE

from : General Secretariat of the Council

au : COREPER/CONSEIL

N° Cion prop.: 6725/1/08 REV 1 MI 71 ENT 40 CONSOM 25 SAN 37 ECO 27 ENV 109
CHIMIE 7 CODEC 240

Subject : Proposal for a Regulation of the European Parliament and of the Council on
cosmetic products (recast) **[first reading]**
– Adoption of the legislative act **(LA + D)**

1. On 11 February 2008, the Commission sent the Council the above proposal, ¹ which is based on Article 95 of the EC Treaty.
2. The European Economic and Social Committee delivered its opinion on 9 July 2008 ².
3. In accordance with the joint declaration on practical arrangements for the codecision procedure ³, informal talks were held between the Council, the European Parliament and the Commission with a view to reaching agreement at first reading.

¹ 6725/1/08 REV 1.

² OJ C 27, 3.2.2009, p. 34.

³ OJ C 145, 30.6.2007, p. 5.

4. The European Parliament delivered its opinion at first reading on 24 March 2009, adopting one amendment to the Commission proposal. The outcome of the vote of the European Parliament reflects the compromise agreed between the institutions and should therefore be acceptable to the Council ¹.

5. The Permanent Representatives Committee is therefore asked to confirm its agreement and advise the Council to:
 - adopt the Regulation, as set out in PE-CONS 3623/09, as an "A" item at a forthcoming meeting;

 - order the statements in the Addendum to this note to be entered in the minutes of that meeting.

After being signed by the President of the European Parliament, the President of the Council and the Secretaries-General of the two institutions, the legislative act will be published in the Official Journal of the European Union.



¹ 7909/09.