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THE EUROPEAN UNION**

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ADDENDUM TO DRAFT MINUTES¹

**Subject : 2856th meeting of the Council of the European Union (ENVIRONMENT) held
in Brussels on 3 March 2008**

¹ The information from the Council minutes which is contained in this addendum is not confidential and may therefore be released to the public.

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Agenda items released to the public concerning the final adoption of Council acts

"A" items: (list: 6903/08 PTS A 13)

When finally adopting the "A" items relating to legislative acts, the Council agreed to enter the following in these minutes:

6. **Council Decision on defining 1-benzylpiperazine (BZP) as a new psychoactive substance which is to be made subject to control measures and criminal provisions**
6573/08 CORDROGUE 24 SAN 33

The Council adopted the above Regulation. (Legal basis: Article 8(3) of Council Decision 2005/387/JHA).

9. **Package of 26 Comitology files:**

- (a) **Directive of the European Parliament and of the Council amending Directive 2000/60/EC establishing a framework for Community action in the field of water policy, as regards the implementing powers conferred on the Commission**
PE-CONS 3647/2/07 REV 2 ENV 446 CODEC 898

The Council approved the amendments set out in the European Parliament's opinion, and adopted the proposed act thus amended. (Legal basis: Article 175(1) of the Treaty establishing the European Community).

- (b) **Directive of the European Parliament and of the Council amending Directive 2000/53/EC on end-of-life vehicles, as regards the implementing powers conferred on the Commission**

PE-CONS 3648/2/07 REV 2 ENV 447 ENT 104 CODEC 899

The Council approved the amendments set out in the European Parliament's opinion, and adopted the proposed act thus amended. (Legal basis: Article 175(1) of the Treaty establishing the European Community).

- (c) **Directive of the European Parliament and of the Council amending Directive 2002/96/EC on waste electrical and electronic equipment (WEEE), as regards the implementing powers conferred on the Commission**

PE-CONS 3649/2/07 REV 2 ENV 448 CODEC 900

The Council approved the amendments set out in the European Parliament's opinion, and adopted the proposed act thus amended. (Legal basis: Article 175(1) of the Treaty establishing the European Community).

- (d) **Directive of the European Parliament and of the Council amending Directive 2002/95/EC on the restriction of the use of certain hazardous substances in electrical and electronic equipment, as regards the implementing powers conferred on the Commission**

PE-CONS 3650/2/07 REV 2 ENV 449 ENT 105 CODEC 901

The Council approved the amendments set out in the European Parliament's opinion, and adopted the proposed act thus amended. (Legal basis: Article 95 of the Treaty establishing the European Community).

- (e) **Directive of the European Parliament and of the Council amending Directive 2005/32/EC establishing a framework for the setting of ecodesign requirements for energy-using products, as well as Council Directive 92/42/EEC and Directives 96/57/EC and 2000/55/EC of the European Parliament and of the Council, as regards the implementing powers conferred on the Commission**
PE-CONS 3651/11/07 REV 11 ENER 215 ENV 450 MI 198 CODEC 902
+ REV 11 COR 1 (nl)

The Council approved the amendments set out in the European Parliament's opinion, and adopted the proposed act thus amended. (Legal basis: Article 95 of the Treaty establishing the European Community).

1. **Statement by the European Parliament, the Council and the Commission**

"Given the importance of swiftly adopting new implementing measures in the context of Directive 2005/32/EC, in the interest of energy efficiency and the environment, the three institutions should implement the regulatory procedure with scrutiny as soon as possible, working quickly, flexibly and efficiently and paying particular attention to effective coordination and communication between their respective secretariats."

- (f) **Directive of the European Parliament and of the Council amending Directive 2006/43/EC on statutory audits of annual accounts and consolidated accounts, as regards the implementing powers conferred on the Commission**
PE-CONS 3683/07 DRS 51 CODEC 1283

The Council approved the amendments set out in the European Parliament's opinion, and adopted the proposed act thus amended. (Legal basis: Article 44(2)(g) of the Treaty establishing the European Community).

2. **Joint Council and Commission Statement**

"The provision stating that the Committee shall adopt its own rules of procedure has been deleted from the Articles establishing the committees for the sake of legal clarity but that in no way changes the legal situation insofar as the same obligation is laid down in Article 7(1) of Decision 1999/468/EC. In particular, its deletion is without prejudice to the rules of procedure of existing committees and the possibility of derogating from the standard rules of procedure."

3. **Commission Statement**

"Where the regulatory procedure with scrutiny applies, the Commission considers that any possible measure adopted under Article 47(3) should not affect national decisions taken by Member States as to whether or not to admit personnel from the competent authorities of third countries on their national territory."

(g) **Regulation of the European Parliament and of the Council amending Regulation (EC) No 1606/2002 on the application of international accounting standards, as regards the implementing powers conferred on the Commission**
PE-CONS 3684/07 DRS 52 CODEC 1284

The Council approved the amendments set out in the European Parliament's opinion, and adopted the proposed act thus amended. (Legal basis: Article 95(1) of the Treaty establishing the European Community).

4. **Joint Council and Commission Statement**

"The provision stating that the Committee shall adopt its own rules of procedure has been deleted from the Articles establishing the committees for the sake of legal clarity but that in no way changes the legal situation insofar as the same obligation is laid down in Article 7(1) of Decision 1999/468/EC. In particular, its deletion is without prejudice to the rules of procedure of existing committees and the possibility of derogating from the standard rules of procedure."

(h) **Regulation of the European Parliament and of the Council amending Regulation (EC) No 396/2005 on maximum residue levels of pesticides in or on food and feed of plant and animal origin, as regards the implementing powers conferred on the Commission**

PE-CONS 3694/07 AGRILEG 192 ENV 685 CODEC 1404

The Council approved the amendments set out in the European Parliament's opinion, and adopted the proposed act thus amended. (Legal basis: Article 37 and Article 152(4)(b) of the Treaty establishing the European Community).

5. Commission Statement

"The standard time-limits for the regulatory procedure with scrutiny are laid down in Article 5a(3) and (4) of Decision 1999/468/EC. Derogation from paragraphs 3 and 4 may be provided in duly substantiated exceptional cases. The objective of curtailment of time-limits under the regulatory procedure with scrutiny included in the proposal for a Regulation of the European Parliament and the Council amending Regulation (EC) No 396/2005 on maximum residue levels of pesticides in or on food and feed as regards the implementing powers conferred on the Commission is to complete the process from application for a maximum residue level to adoption within less than one year.

These adaptations are necessary to ensure consistency with the proposed one-year deadline for authorisation of plant protection products included in the proposal for a Regulation of the European Parliament and of the Council concerning the placing of plant protection products on the market.

The European Commission will examine the appropriateness of curtailment of time limits under the regulatory procedure with scrutiny after two years' experience with the authorisation procedure in the proposal for a Regulation of the European Parliament and of the Council concerning the placing of plant protection products on the market, taking into account experience gained in the application of these procedures in the European Parliament and the Council."

- (i) **Directive of the European Parliament and of the Council amending Council Directive 92/49/EEC on the coordination of laws, regulations and administrative provisions relating to direct insurance other than life assurance, as regards the implementing powers conferred on the Commission**
PE-CONS 3679/1/07 REV 1 ECOFIN 470 SURE 38 CODEC 1275

The Council approved the amendments set out in the European Parliament's opinion, and adopted the proposed act thus amended. (Legal basis: Article 47(2) and Article 55 of the Treaty establishing the European Community).

- (j) **Directive of the European Parliament and of the Council amending Council Directive 91/675/EEC setting up a European insurance and occupational pensions committee, as regards the implementing powers conferred on the Commission**
PE-CONS 3669/07 ECOFIN 460 SURE 35 CODEC 1263

The Council approved the amendments set out in the European Parliament's opinion, and adopted the proposed act thus amended. (Legal basis: Article 47(2) of the Treaty establishing the European Community).

- (k) **Directive of the European Parliament and of the Council amending Directive 2004/109/EC on the harmonisation of transparency requirements in relation to information about issuers whose securities are admitted to trading on a regulated market, as regards the implementing powers conferred on the Commission**
PE-CONS 3670/07 EF 74 ECOFIN 461 DRS 49 CODEC 1264

The Council approved the amendments set out in the European Parliament's opinion, and adopted the proposed act thus amended. (Legal basis: Article 44 and Article 95 of the Treaty establishing the European Community).

- (l) **Directive of the European Parliament and of the Council amending Directive 2006/49/EC on the capital adequacy of investment firms and credit institutions, as regards the implementing powers conferred on the Commission**
PE-CONS 3671/07 EF 75 ECOFIN 462 CODEC 1266

The Council approved the amendments set out in the European Parliament's opinion, and adopted the proposed act thus amended. (Legal basis: Article 47(2) of the Treaty establishing the European Community).

- (m) **Directive of the European Parliament and of the Council amending Directive 2006/48/EC relating to the taking up and pursuit of the business of credit institutions, as regards the implementing powers conferred on the Commission**
PE-CONS 3672/07 EF 76 ECOFIN 463 CODEC 1267
+ COR 1 (lt)

The Council approved the amendments set out in the European Parliament's opinion, and adopted the proposed act thus amended. (Legal basis: first and third sentences of Article 47(2) of the Treaty establishing the European Community).

- (n) **Directive of the European Parliament and of the Council amending Directive 2004/39/EC on markets in financial instruments, as regards the implementing powers conferred on the Commission**
PE-CONS 3675/07 EF 79 ECOFIN 466 CODEC 1271

The Council approved the amendments set out in the European Parliament's opinion, and adopted the proposed act thus amended. (Legal basis: Article 47(2) of the Treaty establishing the European Community).

- (o) **Directive of the European Parliament and of the Council amending Directive 2002/87/EC on the supplementary supervision of credit institutions, insurance undertakings and investment firms in a financial conglomerate, as regards the implementing powers conferred on the Commission**
PE-CONS 3673/07 EF 77 ECOFIN 464 SURE 36 CODEC 1268

The Council approved the amendments set out in the European Parliament's opinion, and adopted the proposed act thus amended. (Legal basis: Article 47(2) of the Treaty establishing the European Community).

- (p) **Directive of the European Parliament and of the Council amending Directive 2003/6/EC on insider dealing and market manipulation (market abuse), as regards the implementing powers conferred on the Commission**
PE-CONS 3674/07 EF 78 ECOFIN 465 CODEC 1270

The Council approved the amendments set out in the European Parliament's opinion, and adopted the proposed act thus amended. (Legal basis: Article 95 of the Treaty establishing the European Community).

- (q) **Directive of the European Parliament and of the Council amending Directive 2003/71/EC on the prospectus to be published when securities are offered to the public or admitted to trading, as regards the implementing powers conferred on the Commission**
PE-CONS 3676/07 EF 80 ECOFIN 467 DRS 50 CODEC 1272

The Council approved the amendments set out in the European Parliament's opinion, and adopted the proposed act thus amended. (Legal basis: Article 44 and Article 95 of the Treaty establishing the European Community).

- (r) **Directive of the European Parliament and of the Council amending Directive 2002/83/EC concerning life assurance, as regards the implementing powers conferred on the Commission**

PE-CONS 3677/07 ECOFIN 468 SURE 37 CODEC 1273

The Council approved the amendments set out in the European Parliament's opinion, and adopted the proposed act thus amended. (Legal basis: Article 47(2) and Article 55 of the Treaty establishing the European Community).

- (s) **Directive of the European Parliament and of the Council amending Directive 2005/60/EC on the prevention of the use of the financial system for the purpose of money laundering and terrorist financing, as regards the implementing powers conferred on the Commission**

PE-CONS 3678/07 EF 81 ECOFIN 469 CRIMORG 173 CODEC 1274

The Council approved the amendments set out in the European Parliament's opinion, and adopted the proposed act thus amended. (Legal basis: Article 47(2), first and third sentences, and Article 95 of the Treaty establishing the European Community).

- (t) **Directive of the European Parliament and of the Council amending Directive 98/8/EC concerning the placing of biocidal products on the market, as regards the implementing powers conferred on the Commission**

PE-CONS 3682/07 ENV 631 ENT 141 CODEC 1280

The Council approved the amendments set out in the European Parliament's opinion, and adopted the proposed act thus amended. (Legal basis: Article 95 of the Treaty establishing the European Community).

- (u) **Regulation of the European Parliament and of the Council amending Regulation (EC) No 562/2006 establishing a Community Code on the rules governing the movement of persons across borders (Schengen Borders Code), as regards the implementing powers conferred on the Commission**
PE-CONS 3680/07 FRONT 117 CODEC 1276 COMIX 976
+ COR 1

The Council approved the amendments set out in the European Parliament's opinion, and adopted the proposed act thus amended. (Legal basis: Article 62(1) and (2a) of the Treaty establishing the European Community).

- (v) **Directive of the European Parliament and of the Council amending Directive 2001/18/EC on the deliberate release into the environment of genetically modified organisms, as regards the implementing powers conferred on the Commission**
PE-CONS 3681/07 ENV 630 SAN 208 AGRI 380 CODEC 1278

The Council approved the amendments set out in the European Parliament's opinion, and adopted the proposed act thus amended. (Legal basis: Article 95 of the Treaty establishing the European Community).

- (w) **Directive of the European Parliament and of the Council amending Directive 2001/83/EC on the Community code relating to medicinal products for human use, as regards the implementing powers conferred on the Commission**
PE-CONS 3692/07 MI 329 ECO 162 SAN 251 CODEC 1402

The Council approved the amendments set out in the European Parliament's opinion, and adopted the proposed act thus amended. (Legal basis: Article 95 of the Treaty establishing the European Community).

- (x) **Regulation of the European Parliament and of the Council amending Regulation (EC) No 1829/2003 on genetically modified food and feed, as regards the implementing powers conferred on the Commission**

PE-CONS 3693/07 AGRILEG 191 ENV 684 CODEC 1403
+ REV 1 (cs)

The Council approved the amendments set out in the European Parliament's opinion, and adopted the proposed act thus amended. (Legal basis: Article 37, Article 95 and Article 152(4)(b) of the Treaty establishing the European Community).

- (y) **Directive of the European Parliament and of the Council amending Directive 2005/68/EC on reinsurance, as regards the implementing powers conferred on the Commission**

PE-CONS 3685/07 ECOFIN 473 SURE 39 CODEC 1288

The Council adopted the above Directive in accordance with the second indent of Article 251(2) of the EC Treaty (Legal basis: Article 47(2) and Article 55 of the Treaty establishing the European Community).

- (z) **Directive of the European Parliament and of the Council amending Council Directive 85/611/EEC on the coordination of laws, regulations and administrative provisions relating to undertakings for collective investment in transferable securities (UCITS), as regards the implementing powers conferred on the Commission**

PE-CONS 3689/07 EF 82 ECOFIN 482 CODEC 1310

The Council adopted the above Directive in accordance with the second indent of Article 251(2) of the EC Treaty (Legal basis: Article 47(2) of the Treaty establishing the European Community).

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