

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(79) 403 final

Brussels, 12th July 1979

PROPOSAL FOR A COUNCIL DIRECTIVE
AMENDING FOR THE SECOND TIME DIRECTIVE
76/768/EEC ON THE APPROXIMATION OF THE
LAWS OF THE MEMBER STATES RELATING TO COSMETIC PRODUCTS

(presented by the Commission to the Council)

PROPOSAL FOR A COUNCIL DIRECTIVE AMENDING FOR THE
SECOND TIME DIRECTIVE 76/768/EEC
ON THE APPROXIMATION OF THE LAWS
OF THE MEMBER STATES RELATING TO COSMETIC PRODUCTS

EXPLANATORY MEMORANDUM

The aim of the proposal is to extend the period laid down in Article 5 of Council Directive 76/768/EEC.

1. Article 5 provides that on expiry of a three-year period from notification of the abovementioned Directive, i.e., on 30 July 1979, the substances and colouring agents listed in Annex IV shall:
 - either be definitively permitted,
 - or definitively prohibited (Annex II),
 - or else retained for a period of three years in Annex IV,
 - or deleted from all Annexes to the Directive.
2. On 23 May 1979 the Commission forwarded to the Council a proposal for a Council Directive amending for the first time Directive 76/768/EEC in order, among other things, to ensure compliance with Article 5 thereof*.
3. In view of the complexity of the problem, it will not be possible to meet the deadline of 30 July 1979.
4. Accordingly, it is proposed that the period laid down in Article 5 be extended to 31 December 1980.
5. The proposal is based on Article 100. Since its implementation does not appear to entail amendments to the laws of the Member States, there does not appear to be a need to consult the European Parliament and the Economic and Social Committee.

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THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community, and in particular Article 100 thereof,

Having regard to the proposal from the Commission,

Whereas Article 5 of Council Directive 76/768/EEC¹, as amended by Directive² lays down that, on expiry of a three-year period from notification of the Directive, the substances and colouring agents listed in Annex IV thereof shall either be definitively permitted, or definitively prohibited, or else retained for a further period of three years in Annex IV, or deleted from all Annexes;

Whereas, in view of the complexity of the problems to be solved, this deadline cannot be met and must therefore be extended,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Directive 76/768/EEC is hereby amended as follows:

1. In the first paragraph of Article 5, the expression "For a period of three years from notification of this Directive" is replaced by "Until 31 December 1980".

¹ OJ No L 262, 27.9.1976, p. 169

² OJ No L

2. In the second paragraph of Article 5, the expression "On expiry of the three year period" is replaced by "From 1 January 1981".

Article 2

1. Member States shall take all the measures necessary to comply with this Directive by 30 July 1979 and shall forthwith inform the Commission thereof.
2. Once this Directive has been notified, the Member States shall also ensure that the Commission is informed, in sufficient time for it to submit its comments, of any other draft laws, regulations or administrative provisions which they propose to adopt in the field covered by this Directive.

Article 4

This Directive is addressed to the Member States.
