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From:	General Secretariat of the Council
To:	Permanent Representatives Committee/Council
Subject:	Draft DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Directive 2011/65/EU as regards the reattribution of scientific and technical tasks to the European Chemicals Agency **(first reading)** - Adoption of the legislative act = Statement

Statement by the Commission

The Commission notes that a 48-months review cycle for adding new substances to the RoHS Directive can have negative impacts on the assessment quality and stakeholder consultation process. Making this assessment of substances a permanent exercise can also create uncertainties for the electrical and electronic equipment sector.

Further, the Commission notes that adopting delegated acts for exemptions under the RoHS Directive requires at least 12 months. Introducing the obligation to adopt delegated acts within 9 months after receiving the opinion of the Agency's Committees poses a risk that the Commission cannot meet the deadline.