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**COM (79)403**

**Vol. 1979/0144**

Historical Archives of the European Commission

### ***Disclaimer***

Conformément au règlement (CEE, Euratom) n° 354/83 du Conseil du 1er février 1983 concernant l'ouverture au public des archives historiques de la Communauté économique européenne et de la Communauté européenne de l'énergie atomique (JO L 43 du 15.2.1983, p. 1), tel que modifié par le règlement (CE, Euratom) n° 1700/2003 du 22 septembre 2003 (JO L 243 du 27.9.2003, p. 1), ce dossier est ouvert au public. Le cas échéant, les documents classifiés présents dans ce dossier ont été déclassifiés conformément à l'article 5 dudit règlement.

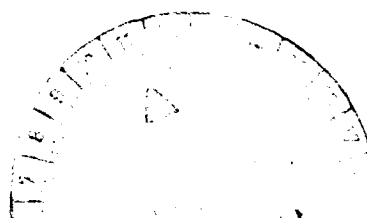
In accordance with Council Regulation (EEC, Euratom) No 354/83 of 1 February 1983 concerning the opening to the public of the historical archives of the European Economic Community and the European Atomic Energy Community (OJ L 43, 15.2.1983, p. 1), as amended by Regulation (EC, Euratom) No 1700/2003 of 22 September 2003 (OJ L 243, 27.9.2003, p. 1), this file is open to the public. Where necessary, classified documents in this file have been declassified in conformity with Article 5 of the aforementioned regulation.

In Übereinstimmung mit der Verordnung (EWG, Euratom) Nr. 354/83 des Rates vom 1. Februar 1983 über die Freigabe der historischen Archive der Europäischen Wirtschaftsgemeinschaft und der Europäischen Atomgemeinschaft (ABl. L 43 vom 15.2.1983, S. 1), geändert durch die Verordnung (EG, Euratom) Nr. 1700/2003 vom 22. September 2003 (ABl. L 243 vom 27.9.2003, S. 1), ist diese Datei der Öffentlichkeit zugänglich. Soweit erforderlich, wurden die Verschlussachen in dieser Datei in Übereinstimmung mit Artikel 5 der genannten Verordnung freigegeben.

# 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.

\*COM(79)250 final.

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

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/EEC<sup>1</sup>, as amended by Directive .....<sup>2</sup> 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".

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<sup>1</sup> OJ No L 262, 27.9.1976, p. 169

<sup>2</sup> 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.

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