



EUROPEAN COMMISSION

Directorate-General for Internal Market, Industry, Entrepreneurship and SMEs
Single Market Enforcement
Notification of Regulatory Barriers

Message 009

Communication from the Commission - TRIS/(2023) 3410

Directive (EU) 2015/1535

Notification: 2022/0863/F

Premature closure of the notification procedure

MSG: 20233410.EN

1. MSG 009 IND 2022 0863 F EN 15-12-2023 06-12-2023 COM CLOSURE X 15-12-2023

2. Commission

3. DG GROW/E/3 - N105 04/63

4. 2022/0863/F - C50A - Foodstuffs

5.

6. The Commission hereby informs you that the above-mentioned notification was closed on 06-12-2023 for the following reason:

The text was adopted by the Member State before the end of the standstill period laid down in Article 6 of Directive (EU) 2015/1535. The Commission therefore invites the Member State in question to inform it of the measures it intends to take in order to rectify this situation: either a total repeal of the text in question or notification of a new draft intended to replace it. It would like to point out, in this regard, that in its judgment of 26 September 2000 (Case C-443/98), the Court of Justice stated that breach of the obligations of postponement of adoption set out in Article 9 of Directive 83/189 also constitutes a substantial procedural defect such as to render technical regulations inapplicable.

European Commission

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