



EUROPEAN COMMISSION

Brussels, 30.10.2013  
C(2013) 7295 final

*Dear President,*

*The European Commission would like to thank the Senato della Repubblica for its Opinion on the Commission proposal for a Regulation amending Regulation (EU) No 528/2012 concerning the making available on the market and use of biocidal products with regard to certain conditions for access to the market {COM(2013) 288 final}.*

*The Commission welcomes the general support of the Senato della Repubblica for the Commission proposal, as well as its favourable opinion on the application of the principles of subsidiarity and proportionality.*

*As regards the Senato della Repubblica's concerns related to the subsidiarity and proportionality statements, the Commission would like to emphasise that the proposal revised certain elements of an existing regulation. This revision – which aimed at correcting unforeseen and undesirable consequences of the existing regulation – was based on a broadly positive assessment of subsidiarity in the original regulation. Regarding proportionality, the Commission has thoroughly and carefully discussed the draft proposal with Member States experts and other stakeholders at all stages of its elaboration, to make sure that it achieves the objective of addressing the unforeseen and undesired effects of the existing EU Regulation without going beyond what is necessary to achieve that objective. This follows implicitly from the detailed recitals explaining each provision.*

*I would like to reiterate that the Commission continues to take all necessary steps to ensure that those involved in the preparation of legislation, at both political and administrative level, are fully aware of the Commission's obligations and responsibilities in this respect.*

*The Commission hopes that these clarifications address the comment made in the Opinion submitted by the Senato della Repubblica.*

*Mr Renato SCHIFANI  
President of the  
Senato della Repubblica  
Piazza Madama, 1  
IT – 00186 ROMA*

*The Commission has also taken note of the suggestions provided, in particular regarding the sustainable use of biocidal products, and is grateful for these.*

*The Commission is looking forward to continuing our political dialogue in the future.*

*Yours faithfully,*

*Maroš Šefčovič  
Vice-President*