

- (vi) Articles 6 and 7 are deleted.
- (vii) Article 9 (2) is amended as follows:  
The first paragraph becomes:  
'Without ... exclusively:  
— flavouring substances as defined in Article 1 (2) (b) (i),  
— and/or flavouring preparations as defined in Article 1 (2) (c).'
- The second paragraph becomes:  
'If the sales description ... unless **all** flavouring components **have** been ... solely **or mainly** ... concerned.'
- (viii) Article 11 (2) is amended as follows:  
(these provisions also replace paragraphs 3 (a) and (b):  
'2. The Commission representative ... matter. The opinion shall be delivered with the majority provided for in Article 148 (2) of the Treaty for

the adoption of the decisions to be taken by the Council on a proposal from the Commission. When the vote is taken in the Committee, the votes of the representatives of the Member States shall be weighted in accordance with the above Article. The chairman shall not vote. The Commission shall adopt the intended measures when they are in accordance with the opinion of the Committee or in the absence of any opinion, the Commission shall forthwith submit to the Council a proposal relating to the measures to be taken. The Council shall act by qualified majority.'

Paragraphs 3 (a) and (b) are deleted.

Paragraph 3 (c) becomes new paragraph 3 and is amended as follows:

'3. If the Council has not taken a decision within three months from the date on which the matter was referred to the Council, the proposed measures shall be adopted by the Commission.'

**Re-examined proposal for a Council Directive on the approximation of the laws of the Member States on extraction solvents used in the production of foodstuffs and food ingredients <sup>(1)</sup>**

*COM(88) 227 final — SYN 29*

*Submitted by the Commission pursuant to Article 149 (2) (d) of the EEC Treaty on 20 April 1988)*

(88/C 152/10)

The following amendments are proposed by the Commission to its proposal of 28 October 1983 (as modified on 8 March 1985):

The Commission assents to the common position of the Council as described in Council document 7261/87 of 22 June 1987 subject to the following amendments:

- (i) Article 2 (5) is amended as follows:

'Within **two years** of the adoption of this Directive, the Commission shall, after consulting the Scientific Committee for Food, re-examine the provisions relating to **Part 1 of the Annex** and the following substances and shall propose any necessary amendments acting in accordance with the procedure laid down in Article 100A of the Treaty.'

(rest unchanged)

- (ii) Article 6 is amended as follows:

'1. Where the procedure laid down in this Article is to be followed, the chairman shall **refer the matter to the Standing Committee for Foodstuffs.**

2. The representative of the Commission shall submit to the Committee a draft of the measures to be taken. The Committee shall deliver its opinion on the draft within a period **which the chairman may lay down** according to the urgency of the matter. The opinion shall be delivered by the majority laid down in Article 148 (2) of the Treaty **in the case of decisions which the Council is required to adopt on a proposal from the Commission. The votes of the representatives of the Member States within the committee shall be weighted in the manner set out in that Article.** The chairman shall not vote.

<sup>(1)</sup> OJ No C 77, 23. 3. 1985, p. 7.

3. (a) The Commission shall adopt the intended measures when they are in accordance with the Committee's opinion.
- (b) Where the intended measures are not in accordance with the opinion of the Committee, or in the absence of any opinion, the Commission shall forthwith submit to the Council a proposal relating to the measures to be taken. The Council shall act by a qualified majority.

If, on the expiry of **three months from the date on which the matter was referred to it, the Council has not acted, the proposed measures shall be adopted by the Commission.**'

**Proposal for a Council Regulation (EEC) amending Regulation (EEC) No 729/70 on the financing of the common agricultural policy**

*COM(88) 230 final*

*(Submitted by the Commission on 27 April 1988)*

(88/C 152/11)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 thereof,

Having regard to the proposal from the Commission,

In cooperation with the European Parliament,

Whereas by Regulation (EEC) No 3183 (<sup>1</sup>), the Council adapted its Regulation (EEC) No 729/70 of 21 April on the financing of the common agricultural policy (<sup>2</sup>) with a view to enabling the Community to ensure the financing of the expenditure provided for in the various Regulations on the common market organizations in situations where relevant available appropriations are exhausted; whereas the adaptation consists essentially in a two-month delay between fundings by the Member States from their own financial resources and the booking of such expenditure by the advance payments made to the Member States by the Community;

Whereas, with a view to ensuring continuity of the payments provided for by the various marked organizations, the two-month delay introduced by Regulation (EEC) No 3183/87 should be extended to two-and-a-half months,

HAS ADOPTED THIS REGULATION:

*Article 1*

Regulation (EEC) No 729/70 is hereby amended as follows:

1. The following words in the last subparagraph of Article 4 (2) are deleted:

'and until the adoption of final arrangements in conjunction with the decisions concerning the future financing of the Community.'

2. The last subparagraph of Article 5 (2) (a) is replaced by the following:

'From January 1988, the Commission shall decide solely on monthly advances against booking of expenditure effected from the financial resources referred to in the third subparagraph of Article 4 (2). Expenditure for October shall be attached to October if it is effected from 1 to 15 October and to November if it is effected from 16 to 31 October. Advance payments shall be made before the 20th of the second month following that in which the expenditure is disbursed by the paying agencies. However, advance payments against booking of expenditure effected from 16 October to 30 November shall be paid not later than the third working day in January.'

*Article 2*

This Regulation shall enter into force on the third day following its publication in the *Official Journal of the European Communities*.

This Regulation shall apply for the first time to expenditure for October 1988.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

(<sup>1</sup>) OJ No L 304, 27. 10. 1987, p. 1.

(<sup>2</sup>) OJ No L 94, 28. 4. 1970, p. 13.