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I

(Acts whose publication is obligatory)

REGULATION (EEC) No 1735/75 OF THE COUNCIL

of 24 June 1975

amending Regulation (EEC) No 803/68 on the valuation of goods for customs purposes

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 213 and 235 thereof;

Having regard to the proposal from the Commission;

Having regard to the Opinion of the European Parliament ⁽¹⁾;

Having regard to the Opinion of the Economic and Social Committee ⁽²⁾;

Whereas Article 9 (1) (a) of Council Regulation (EEC) No 803/68 ⁽³⁾ of 27 June 1968 on the valuation of goods for customs purposes, as last amended by Regulation (EEC) No 1028/75 ⁽⁴⁾, provides that the price paid or payable may be accepted as the value for customs purposes if the contract of sale is executed within the period specified in Article 10 of Regulation (EEC) No 803/68;

Whereas Article 10 (1) of that Regulation provides that the price paid or payable may be accepted for the purposes of Article 9 of Regulation (EEC) No 803/68 if the date of the contract precedes the date referred to in Article 5 (a) or (b) by not more than six months; whereas pursuant to Article 10 (2) to (4) this period of grace may be extended, under certain conditions, to 12 months or more but not beyond 24 months, by means of Regulations adopted in accordance with the procedure laid down in Article 17 of the said Regulation;

Whereas experience has shown the need for frequent renewal of the list of goods benefiting from these special periods of grace in order to include new products or to modify the length of the periods of grace indicated or to amend the wording of certain items on this list as a consequence of the periodic amendment of the Common Customs Tariff of the European Communities;

Whereas the establishment of a general period of grace of 12 months would mean a considerable simplification in this respect;

Whereas such a provision would, if accompanied by an amendment to paragraph 7 of the abovementioned Article 10 of Regulation (EEC) No 803/68 specifying that the application of the period of grace may be suspended in a period of price instability, either generally or in relation to particular goods, maintain a balance between the objectives of the present wording of this Article which allows the price paid or payable to be taken as the basis of the valuation in most cases and the necessity, when valuing goods for customs purposes, not to deviate from the price the goods would fetch at the time mentioned in Article 5 of the said Regulation,

HAS ADOPTED THIS REGULATION

Article 1

Article 10 of Regulation (EEC) No 803/68 shall be replaced by the following:

'1. For the purposes of Article 9 the price paid or payable may be accepted if the date of the

⁽¹⁾ OJ No C 140, 13. 11. 1974, p. 66.

⁽²⁾ OJ No C 16, 23. 1. 1975, p. 22.

⁽³⁾ OJ No L 148, 28. 6. 1968, p. 6.

⁽⁴⁾ OJ No L 102, 22. 4. 1975, p. 1.

contract precedes the date referred to in Article 5 (a) or (b) by not more than 12 months.

2. Where goods are usually sold with a delivery period of more than 12 months, the period of grace may be correspondingly increased, but shall however not exceed 24 months.

3. The goods for which the period of grace referred to in paragraph 2 can be allowed and the length of the period of grace admissible shall be determined in accordance with the procedure laid down in Article 17.

4. Where the goods are manufactured to order, the price paid or payable may be accepted for the purposes of Article 9 when delivery has been made within the agreed period.

5. If it is proved that reasons of *force majeure* or exceptional circumstances have caused the delivery period to exceed the period of grace admissible under paragraphs 1 to 4, the latter period may be correspondingly extended.

6. The application of the periods of grace referred to in paragraphs 1 to 4 may be suspended in a period of price instability in accordance with the procedure laid down in Article 17.'

Article 2

This Regulation shall enter into force on 1 January 1976.

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

Done at Luxembourg, 24 June 1975.

For the Council

The President

G. FITZGERALD

REGULATION (EEC) No 1736/75 OF THE COUNCIL

of 24 June 1975

on the external trade statistics of the Community and statistics of trade between Member States

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 235 thereof;

Having regard to the proposal from the Commission;

Having regard to the Opinion of the European Parliament ⁽¹⁾;

Whereas a thorough examination of the situation has shown the need to establish standard definitions and methods for the external trade statistics of the Community and statistics of trade between Member States;

Whereas the European Parliament in its resolution of 18 January 1972 embodying its Opinion on the proposal from the Commission of the European Communities to the Council for a Regulation concerning the nomenclature of goods for the external trade statistics of the Community and statistics of trade between Member States (NIMEXE) expressed the hope that the unification of the nomenclatures of goods for external trade statistics would be supplemented as soon as possible by a corresponding harmonization of the concepts, methods and definitions used in external trade statistics;

Whereas, since the external trade statistics of the Community and statistics of trade between Member States are not collected and compiled by the institutions of the Community but by the Member States themselves, homogeneous and detailed data for the Community can only be obtained from national data collected and compiled according to standard definitions and methods;

Whereas, as between Member States and between Member States and the institutions of the Community, the exchange of statistical data in conjunction with the application of modern methods for the transmission of information can be effected only if standard definitions and methods

are applied to the collection and compilation of national results;

Whereas the application of standard definitions and methods to the external trade statistics of the Community and the statistics on trade between Member States will encourage the standardization and simplification of the documents and other information media used in international trade;

Whereas the replacement of national rules by Community rules will improve comparability and facilitate the analysis of the results of the external trade statistics of the Community and of the Member States;

Whereas the application of standard definitions and methods could help to simplify the collection and compilation of data on trade between Member States, and the establishment of substitute Community methods for the statistical recording of trade between Member States, should recording of the movement of goods at domestic frontiers be abolished;

Whereas in order to conduct negotiations in which it is participating as a unit, it is essential for the Community to have homogeneous statistical data on external trade;

Whereas the establishment of Community statistics on transit and warehousing traffic will be facilitated by the application of standard definitions and methods to the statistical recording of all other movements of goods concerned with external trade;

Whereas it is necessary, in order to ensure the provision of regular and complete statistical information on the external trade of the Community and on trade between the Member States, for the Member States and the institutions of the Community to compile their results according to a standard system and a standard calendar;

Whereas the standard definitions and methods for the external trade statistics of the Community and statistics of trade between Member States must be

⁽¹⁾ OJ No C 19, 12. 4. 1973, p. 41.

applied both to Community imports and exports and to trade between the Member States; whereas statistics relating to the external trade of the Community with third countries are instrumental in the attainment of a common commercial policy; whereas statistics relating to trade between the Member States are required for the harmonious functioning of the common market; whereas the Treaty does not provide the powers of action required to apply standard definitions and methods in the case of these statistics;

Whereas, since harmonization is a continuing task and depends *inter alia* on progress in other areas of the law, the necessary conditions should be created for a process of constant adaptation whose implications should remain within the framework of the financial resources already available;

Whereas the provisions on the definitions and methods used for the external trade statistics of the Community and statistics on trade between Member States should be applied uniformly and be directly binding;

Whereas it is important to ensure that the provisions of this Regulation be applied uniformly and, to this end, to introduce a Community procedure whereby the detailed rules for their application may be adopted within appropriate time limits; whereas a committee should be set up to ensure close and effective collaboration between Member States and the Commission,

HAS ADOPTED THIS REGULATION:

TITLE I

Definitions and methods

Article 1

All goods:

- (a) entering or leaving the statistical territory of the Community,
- (b) circulating between the statistical territories of the Member States,

shall be included in the external trade statistics of the Community and the statistics of trade between Member States.

Article 2

1. Amongst the goods referred to in Article 1, those which enter and leave the statistical territory of a Member State under a transit procedure shall be the subject of transit statistics.

2. Amongst the goods referred to in Article 1, the following shall be the subject of warehousing statistics:

- (a) goods entering or leaving the customs warehouses designated in Council Directive No 69/74/EEC ⁽¹⁾ of 4 March 1969 on the harmonization of provisions laid down by law, regulation or administrative action relating to customs warehousing procedure, as amended by the Act of Accession ⁽²⁾, with the exception of the customs warehouses listed in Annex A;
- (b) goods entering or leaving the free zones designated in Council Directive No 69/75/EEC ⁽³⁾ of 4 March 1969 on the harmonization of provisions laid down by law, regulation or administrative provisions relating to free zones, amended by the Act of Accession and listed in Annex A.

3. Amongst the goods referred to in Article 1, goods entering or leaving storage premises other than those referred to in 2 (a) and (b), these premises being determined in accordance with Article 41, shall be the subject of separate statistics.

4. Acting unanimously on a proposal from the Commission, the Council shall lay down provisions concerning the statistics on transit and warehousing traffic and the statistics referred to in paragraph 3.

The rules of the Member States shall continue to apply up to the date of entry into force of these provisions, without prejudice to the statistical provisions of Council Regulation (EEC) No 542/69 ⁽⁴⁾ of 18 March 1969 on Community transit, as last amended by the Act of Accession.

5. The rules for the collection, compilation and publication of data concerning those of the goods referred to in Article 1 which do not meet the conditions of paragraph 1, 2 or 3 or which, on leaving a customs warehouse not listed in Annex A, a free zone listed therein, or storage premises within the meaning of paragraph 3, do not leave the statistical territory of the Member State of storage are given in Articles 3 to 39.

⁽¹⁾ OJ No L 58, 8. 3. 1969, p. 7.

⁽²⁾ OJ No L 73, 27. 3. 1972, p. 14.

⁽³⁾ OJ No L 58, 8. 3. 1969, p. 11.

⁽⁴⁾ OJ No L 77, 29. 3. 1969, p. 1.

Article 3

1. The statistical territory of the Community shall comprise the customs territory of the Community as defined in Council Regulation (EEC) No 1496/68 ⁽¹⁾ of 27 September 1968 on the definition of the customs territory of the Community, as last amended by Regulation (EEC) No 3456/73 ⁽²⁾, with the exception of the French overseas departments and Greenland.
2. The Member States shall define their statistical territory in accordance with paragraph 1.

Article 4

1. Goods shall be taken to mean all movable property.
2. Electric current shall be considered as goods within the meaning of paragraph 1.

Article 5

1. In the statistical information medium, goods shall be described according to the description laid down in the provisions concerning trade in goods, without prejudice to paragraph 3, so that they may be easily and accurately classified under the appropriate heading in the nomenclature of goods for the external trade statistics of the Community and statistics of trade between Member States (NIMEXE).
2. Notwithstanding paragraph 1, up to the date referred to in Article 2 (2) of Council Regulation (EEC) No 1445/72 ⁽³⁾ of 24 April 1972 concerning the nomenclature of goods for the external trade statistics of the Community and statistics of trade between the Member States (NIMEXE), goods shall be described in such a way that they may be accurately classified by the Member States under the appropriate heading of their national goods nomenclatures for external trade statistics.
3. The goods must be described in accordance with paragraph 1 or 2 even when other Community Regulations require them to be described simultaneously according to other nomenclatures.
4. For each type of goods, the code number given in the nomenclature used must be indicated.

Article 6

1. In the statistical information medium, countries and territories shall be described in such a way that they may be easily and accurately classified under the appropriate heading of the country nomenclature for the external trade statistics of the Community and statistics of trade between the Member States referred to in Article 35.
2. The code number given in the country nomenclature for the external trade statistics of the Community and statistics of trade between Member States must be indicated for each country.

Article 7

1. For each heading of the NIMEXE, the following should be indicated in the statistical information medium:
 - (a) the statistical category, in accordance with Article 8;
 - (b) for imports, the country of origin or consignment, in accordance with Articles 9, 10 and 11;
 - (c) for exports, the country of destination in accordance with Article 12;
 - (d) in accordance with Article 15 (1) and (4), the net weight of the goods or, in accordance with Article 15 (2) and (4), the net weight with immediate wrappings of goods defined in accordance with Article 41;
 - (e) in accordance with Article 16, other units of measurement, hereinafter called 'supplementary units', in addition to or in place of the net weight or, in the case of the goods defined in accordance with Article 41, the net weight with immediate wrappings;
 - (f) the statistical value of the goods, in accordance with Article 17;
 - (g) the invoice price of the goods;
 - (h) the nature of the transaction and the delivery terms, in accordance with Article 18;
 - (i) where appropriate, special movement of goods, in accordance with Article 19;
 - (j) the means of transport, in accordance with Article 20.
2. The date from which the data referred to in paragraph 1 (g), (h) and (j) should be indicated shall be determined in accordance with Article 41.

Article 8

1. Imports shall be broken down in accordance with the following statistical procedures:
 - (a) importation for inward processing;
 - (b) importation after outward processing;
 - (c) other importation.

⁽¹⁾ OJ No L 238, 28. 9. 1968, p. 1.

⁽²⁾ OJ No L 356, 27. 12. 1973, p. 1.

⁽³⁾ OJ No L 161, 17. 7. 1972, p. 1.

2. Exports shall be broken down in accordance with the following statistical procedures:

- (a) exportation after inward processing;
- (b) exportation for outward processing;
- (c) other exportation.

3. Amendments to the list of statistical procedures, their definition, and also the concordance between the statistical procedures and the customs procedures shall be determined in accordance with Article 41, without prejudice to the latter.

Article 9

1. 'Country of origin' shall be taken to mean the country in which the goods originated within the meaning of Council Regulation (EEC) No 802/68 ⁽¹⁾ of 27 June 1968 on the common definition of the concept of the origin of goods, as last amended by the Act of Accession.

2. When, for the application of the Common Customs Tariff, of quantitative restrictions or of any other provisions relative to trade, the origin of goods is established on the basis of Community conventions, or specific Community Regulations departing from Regulation (EEC) No 802/68, the rules laid down by those conventions or Regulations shall apply in the specific cases laid down therein.

Article 10

When, before arriving in the importing country, goods have entered one or more countries in transit and have been subject in those countries to halts or legal operations not inherent in their transportation, the country of consignment shall be taken to be the last country where such halts or legal operations occurred. In other cases, the country of consignment shall be the same as the country of origin.

Article 11

Without prejudice to Article 42, the following must be indicated in the statistical information medium:

- (a) in the case of goods originating in third countries which are not in free circulation in the Community, except where specific provisions have been adopted in accordance with Article 41:
 - the country of origin, or
 - in the case of goods in Chapter 99 of the NIMEXE, the country of consignment, or

- in the case of the acquisition of vessels already in use, the country on whose register of shipping the vessel was registered or, failing that, the country whose flag was flown by the vessel when it was acquired;

(b) for all other goods:

- the Member State of consignment, or
- pursuant to specific provisions adopted in accordance with Article 41, the third country of consignment.

Article 12

'Country of destination' shall be taken to mean the last country to which it is known at the time of export that the goods are to be dispatched.

Article 13

'Country of purchase' shall be taken to mean the country in which the importer's co-contractor is based.

Article 14

'Country of sale' shall be taken to mean the country in which the exporter's co-contractor is based.

Article 15

1. 'Net weight' shall be taken to mean the actual weight of the goods with all packaging removed.
2. 'Net weight with immediate wrappings' shall be taken to mean the combined weight of the goods and the packaging which the purchaser normally acquires with them in retail sales.
3. 'Packaging' shall be taken to mean all inner and outer containers, packing, coverings and supports, with the exception of equipment for transportation such as containers within the meaning given to that word in Article 1 (b) of the customs convention on containers signed in Geneva on 18 May 1956 and also tarpaulins, tackle and other equipment connected with transport.

4. The net weight and the net weight with immediate wrappings must be given in kilogrammes.

Article 16

'Supplementary units' shall be taken to mean units of measurement other than units of weight expressed in kilogrammes.

Article 17

1. On import, the statistical value of goods shall be:

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 1.

— the dutiable value determined on the basis of Council Regulation (EEC) No 803/68 ⁽¹⁾ of 27 June 1968 on the valuation of goods for customs purposes, as last amended by Regulation (EEC) No 1028/75 ⁽²⁾, or

— a value determined on the basis of the concept of dutiable value.

2. On export, the statistical value of goods shall be taken as the value of the goods at the place and at the time they leave the statistical territory of the exporting Member State.

3. The measures necessary to ensure the homogeneity, comparability and continuity of the external trade statistics of the Community and the statistics of trade between the Member States shall be determined in accordance with the procedure provided for in Article 41.

The rules of the Member States in this matter shall continue to apply until such measures are taken.

Article 18

1. The terms 'nature of the transaction' and 'delivery terms' shall be taken to mean data regarding the clauses of the contract.

The nature of the transaction shall be defined as follows: purchase or sale, commission, consignment, supply free of charge, other transactions.

The delivery terms shall be defined as follows: cif, fob, free-at-frontier, free at point of dispatch, free at domicile after clearance through customs, free at domicile not cleared through customs, other delivery terms.

2. The Member States may enlarge upon the headings 'other transactions' and 'other delivery terms' in their national instructions.

Article 19

1. Special movements of goods shall be as follows:

- (a) movements relating to repairs to means of transport (Article 27);
- (b) consignments to foreign armed forces (Article 28 (1) or (2));
- (c) consignments from foreign armed forces (Article 28 (1) or (3));
- (d) consignments to the home armed forces (Article 29 (1));

(e) re-importation of goods by the home armed forces (Article 29 (2));

(f) movements of industrial plant (Article 33 (1) (a));

(g) staggered consignments (Article 33 (1) (b));

(h) bunker supplies (Article 33 (1) (c));

(i) ships' stores (Article 33 (1) (d));

(j) returned consignments (Article 33 (1) (e)).

2. The list of special movements of goods may be amended in accordance with the procedure provided for in Article 41 in so far as the application of the simplifying and standardizing provisions adopted pursuant to Article 33 make updating necessary.

Article 20

1. The types of transport shall be as follows:

(a) sea;

(b) inland waterway;

(c) air;

(d) rail;

(e) road;

(f) pipeline;

(g) other or unspecified types of transport.

2. If reference is made to one of the types of transport listed in paragraph 1 (a) to (e), it should also be indicated whether the goods are transported in containers within the meaning of Article 15 (3).

Article 21

1. The following shall be adopted in accordance with the procedure provided for in Article 41: the provisions concerning standardization and, particularly in the case of the statistics of trade between Member States, the provisions concerning simplification:

(a) of statistical information;

(b) of the media used for such information in so far as those provisions cover the data referred to in Articles 5, 6 and 7.

2. The rules of the Member States in this matter shall continue to apply up to the date of entry into force of those provisions.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 6.

⁽²⁾ OJ No L 102, 22. 4. 1975, p. 1.

TITLE II

Compilation of results

Article 22

1. The Community and the Member States shall compile the data referred to in Article 7 (a), (b), (c), (d), (e) and (f).

2. The data referred to in paragraph 1 shall be compiled for all goods which are the subject, in accordance with Article 2 (5), of the external trade statistics of the Community and statistics of trade between Member States, with the exception of those:

- (a) included in the list of exceptions given in Annex B;
- (b) whose value and weight are below the statistical threshold defined in Article 24;
- (c) to which Article 27, 28 (1), 29, 30 (1), 31 or 32 or similar provisions adopted pursuant to Article 33 apply.

3. The Member States may waive the statistical information requirement for the goods referred to in paragraph 2 (a), (b) and (c).

Article 23

1. The reference period shall be the calendar month.

2. The media used for statistical information shall be classified under the calendar month in which the customs declaration was recorded or, failing that, the month of the declaration for statistical purposes.

To this end, the Member States shall fix the date on which the monthly compilation closes so as to allow all declarations relating to the reference month to be classified, in principle, within that period.

Article 24

1. The statistical threshold shall be the limit, expressed in net weight and in value, below which no figures are compiled.

2. Until such time as a standard statistical threshold has been fixed, the threshold for each type of goods may not exceed 1 000 kg regardless of the statistical value of the goods and/or 250 units of account regardless of the net weight of the goods. Each Member State shall inform the Commission of the statistical threshold which it has adopted.

3. The measures necessary to ensure application of paragraph 2 and standardization of the statistical threshold shall be adopted in accordance with Article 41.

Article 25

1. Any correction called for in the data contained in a statistical information medium shall, as far as possible, be incorporated in the results for the month in which the information medium in question is classified in accordance with Article 23 (2).

2. If the compilation of these monthly results is already closed, the corrected data shall be taken into account when compiling cumulative results. In such a case, however, the Member States shall ensure that the month to which the corrections apply can be determined.

3. The corrected cumulative results for 12 months shall be deemed to be the annual results. Additional corrections may nevertheless be subsequently made available to users.

4. Corrections may not be carried over from one year to the next.

Article 26

The Member States shall retain the statistical information media referred to in Article 21 (1) (b) for at least two years after the end of the reference year.

Article 27

1. No data shall be compiled:

- on imports of goods intended for the repair of foreign means of transport, containers or equipment connected with transport, which are temporarily located on the statistical territory of the importing Member State;
- on exports of goods intended for the repair of means of transport, containers or equipment connected with transport, belonging to the exporting Member State, which are temporarily located outside the statistical territory of that State;
- on the parts replaced during the repairs referred to above which do not leave the statistical territory where the repairs were carried out.

2. Paragraph 1 shall not apply to repairs to ships and aircraft.

Article 28

1. No data shall be compiled on the movement of goods acquired or disposed of within the statistical

territory of a Member State by foreign armed forces stationed therein.

2. Goods intended for foreign armed forces stationed outside the statistical territory of the exporting Member State and of their home country shall be included in the export statistics of the said Member State; the country in which the forces are stationed shall be considered as the country of destination.

3. Goods originating with foreign armed forces stationed outside the statistical territory of the importing Member State and of their home country shall be included in the import statistics of the said Member State; the country in which the forces are stationed shall be considered as the country of origin or consignment.

Article 29

1. No data shall be compiled on the export of goods intended for the home armed forces stationed outside the statistical territory.

2. No data shall be compiled on the reimportation of goods taken out of the statistical territory by the home armed forces.

Article 30

The products of deep-sea fishing landed at the ports of a Member State shall not be included in the import statistics of the said State when those products have been caught by vessels registered in that Member State and flying its flag.

Article 31

No specific data shall be compiled on imports or exports of packaging of the usual commercial type.

Article 32

No data shall be compiled on gold specie, i.e. gold exchanged between banks under the international settlement procedure.

Article 33

1. Provisions shall be adopted, according to the procedure laid down in Article 41, for standardization and, particularly in the case of statistics on trade

between Member States, for simplification of the compilation of data on, among other things:

- (a) industrial plant;
- (b) staggered consignments;
- (c) bunker supplies;
- (d) ships' stores;
- (e) returned consignments;
- (f) joint production;
- (g) mixed consignments;
- (h) postal consignments;
- (i) petroleum and its by-products;
- (j) ships and aircraft;
- (k) deep-sea fishery products.

2. The rules of the Member States in this matter shall continue to apply up to the date of entry into force of these provisions.

TITLE III

Nomenclature

Article 34

The data referred to in Article 22 (1) shall be compiled for each type of goods according to the current version of:

- (a) the NIMEXE, published as an Annex to Regulation (EEC) No 1445/72, or
- (b) the national nomenclatures in accordance with Article 2 (2) of the same Regulation.

Article 35

The data referred to in Article 22 (1) shall be compiled by country according to the current version of the country nomenclature for the external trade statistics of the Community and statistics of trade between Member States given in Annex C.

Article 36

The Commission shall publish in the *Official Journal of the European Communities* the NIMEXE and the country nomenclature for the external trade statistics of the Community and statistics of trade between Member States in the version thereof valid on 1 January of each year as it results from the decisions taken pursuant to Article 5 of Regulation (EEC) No 1445/72 and Article 41 of this Regulation.

TITLE IV

Transmission and publication of data*Article 37*

1. The Council, acting unanimously on a proposal from the Commission, shall decide on the conditions subject to which the Member States may declare data compiled in accordance with Article 22 (1) to be confidential.

2. Until these conditions are decided the Member States shall continue to apply their national provisions in this matter.

Article 38

1. The Member States shall transmit to the Commission without delay, and at the latest six weeks from the end of the reference month, the cumulative monthly results of their external trade statistics. These results shall give the data listed in Article 22 (1).

2. The means of transmission and the supply of specific figures shall be regulated as necessary according to Article 41.

3. The Council acting unanimously on a proposal from the Commission shall determine the conditions for the application of paragraph 1 to data declared confidential in accordance with Article 37.

Article 39

1. Statistical data relating to the external trade of the Community and to trade between the Member States shall be compiled on the basis of national figures and shall be made available to users by the Commission.

2. The Commission shall publish monthly and quarterly figures in the monthly external trade bulletin at least.

3. The Commission shall publish the annual statistical figures for the external trade of the Community and for trade between Member States at least in the following volumes:

- (a) the analytical tables based on the NIMEXE;
- (b) the analytical tables based on the statistical and tariff classification for external trade (CST) or on the standard international trade classification (SITC);
- (c) tariff statistics.

TITLE V

Committee on External Trade Statistics*Article 40*

The NIMEXE Committee, set up under Article 3 of Regulation (EEC) No 1445/72, hereinafter referred to as 'the Committee on External Trade Statistics', may examine any question relating to the application of this Regulation which is raised by its Chairman either on his own initiative or at the request of the representative of a Member State.

Article 41

The necessary provisions shall be adopted in accordance with the procedure defined in Article 5 (2) and (3) of Regulation (EEC) No 1445/72 for:

- (a) the application of Articles 5, 6, 11, 18, 22, 23 and 32;
- (b) the annual up-dating of the country nomenclature for the external trade statistics of the Community and statistics of trade between Member States.

TITLE VI

Final provisions*Article 42*

1. Member States may collect and compile further data in addition to that referred to in Articles 7 (1) and 22 (1).

2. Any Member State which avails itself of this option shall inform the Commission. The latter shall inform the other Member States.

Article 43

1. At the data collection stage, the Member States shall have the right, within the framework of this Regulation, to introduce simplified procedures for the benefit of natural or legal persons who have to supply statistical information to the bodies responsible for external trade statistics.

2. Any Member State which avails itself of this right shall inform the Commission. The latter shall inform the other Member States.

Article 44

Belgium, Luxembourg and the Netherlands shall have the right not to apply this Regulation when compiling statistics on trade between them.

Article 45

Each Member State shall inform the Commission of the provisions it is adopting with a view to implementing this Regulation. The Commission shall inform the other Member States.

Article 46

The Annexes to this Regulation shall form an integral part thereof.

Article 47

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

Member States shall, however, have the right until 31 December 1976, not to apply Articles 7 to 12, 22 to 32 and 38. Article 2 notwithstanding, Denmark and Ireland may apply the rules on the collection, compilation and publication of data, as set out in Articles 3 to 39, to all the goods referred to in Article 1 until 31 December 1977. Furthermore, the United Kingdom may suspend the application of Articles 5, 7 (1) (a), (d), (e) and (i) and 24 (2) until that date; Ireland may similarly suspend application of Articles 5 and 7 (1) (e) and Denmark application of Article 7 (1) (a), (b) and (i). Moreover, the United Kingdom need not apply Article 6 (2) at the data collection stage, until such time as the Council decides otherwise.

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

Done at Luxembourg, 24 June 1975.

For the Council

The President

G. FITZGERALD

ANNEX A

Customs warehouses and free zones referred to in Article 2 (2)

(a) Customs warehouses for which no entry shall be made in the warehousing statistics:

The French Republic:

— entrepôts industriels;

The Kingdom of the Netherlands:

— fabrieksentrepots.

(b) Free zones for which an entry shall be made in the warehousing statistics:

The Kingdom of the Netherlands:

— publieke en particuliere entrepots.

ANNEX B

Lists of exceptions referred to in Article 22 (2) (a)

Data shall not be required for the following goods:

(a) means of payment which are legal tender, and securities;

(b) emergency aid for disaster areas;

(c) because of the diplomatic or similar nature of their intended use:

— goods benefiting from diplomatic and consular or similar immunity;

— gifts to a foreign head of state or to members of a foreign government or parliament;

— items being circulated within the framework of administrative mutual aid;

(d) provided that their importation or exportation is temporary, amongst other things:

— goods intended for fairs and exhibitions;

— theatrical scenery;

— merry-go-rounds and other fairground attractions;

— professional equipment within the meaning of the International Customs Convention of 8 June 1968;

— cinematographic films;

— apparatus and equipment for experimental purposes;

— animals for show, breeding, racing, etc.;

— commercial samples;

— means of transport, containers and equipment connected with transport;

— packaging;

— goods on hire;

— plant and equipment for civil engineering works;

-
- (e) provided that they are not the subject of a commercial transaction:
- decorations, honorary distinctions, prizes, commemorative badges and medals;
 - travel equipment, provisions and other items, including sports equipment, intended for personal use or consumption which accompany, precede or follow the traveller;
 - bridal outfits, items involved in moving house, or heirlooms;
 - coffins and urns, funeral ornaments, items for the upkeep of graves and funeral monuments;
 - printed advertising material, instructions for use, price lists and other advertising items;
 - goods which have become unusable, or which cannot be used for industrial purposes;
 - ballast;
 - photographs, exposed and developed films, drafts, drawings, copies of plans, manuscripts, files and records, printing proofs;
 - postage stamps;
- (f) goods on approval;
- (g) goods which are the subject of non-commercial traffic between natural persons resident in the frontier zones defined by the Member States (frontier traffic);
- (h) goods leaving a given statistical territory to return after crossing a foreign territory, either directly or with halts inherent in the transport.
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ANNEX C

Country nomenclature for the external trade statistic of the Community and statistics of trade between Member States referred to in Article 35

(Version valid as from 1 January 1975)

EUROPE	216	Libya
	220	Egypt (incl. Gaza strip)
	224	Sudan
European Communities		
001		France (incl. Monaco)
002		Belgium-Luxembourg
003		Netherlands
004		Germany, Federal Republic of (incl. West Berlin, Jungholz, Mittelberg, excl. Büsingen)
005		Italy (incl. San Marino)
006		United Kingdom (Great Britain incl. Isle of Man and British Channel Islands; Northern Ireland)
007		Ireland
008		Denmark
Rest of Europe		
024		Iceland
025		Faroe Islands
028		Norway (incl. Svalbard [Spitzbergen] and Jan Mayen)
030		Sweden
032		Finland (incl. Aland Islands)
036		Switzerland (incl. Liechtenstein, Büsingen and Campione)
038		Austria (excl. Jungholz and Mittelberg)
040		Portugal (incl. Azores and Madeira)
042		Spain (incl. The Balearic Islands)
043		Andorra
044		Gibraltar
045		Vatican City State
046		Malta (incl. Gozo and Comino)
048		Yugoslavia
050		Greece (incl. the Greek islands)
052		Turkey
056		Soviet Union
058		German Democratic Republic and Soviet Sector of Berlin (a)
060		Poland
062		Czechoslovakia
064		Hungary
066		Romania
068		Bulgaria
070		Albania
AFRICA		
North Africa		
201		Spanish North Africa (b): Ceuta, Melilla, Province of Spanish Sahara
202		Canary Islands
204		Morocco (incl. Ifni)
208		Algeria
212		Tunisia
		West Africa
	228	Mauritania
	232	Mali
	236	Upper Volta
	240	Niger
	244	Chad
	247	Cape Verde Islands
	248	Senegal
	252	The Gambia
	257	Guinea Bissau (formerly Portuguese Guinea)
	260	Guinea
	264	Sierra Leone
	268	Liberia
	272	Ivory Coast
	276	Ghana
	280	Togo
	284	Dahomey
	288	Nigeria
		Central, East and South Africa
	302	Cameroon
	306	Central African Republic
	310	Equatorial Guinea
	311	Sao Tomé and Príncipe
	314	Gabon
	318	People's Republic of the Congo (Brazzaville)
	322	Zaire (formerly Congo Kinshasa)
	324	Rwanda
	328	Burundi
	329	St. Helena (incl. Ascension, Gough, Tristan da Cunha)
	330	Angola (incl. Cabinda)
	334	Ethiopia
	338	French Territory of the Afars and Issas (formerly French Somaliland)
	342	Somalia
	346	Kenya
	350	Uganda
	352	Tanzania (Tanganyika, Zanzibar, Pemba)
	355	Seychelles (incl. Amirante Islands)
	357	British Indian Ocean Territory (Chagos Archipelago and Des Roches)
	366	Mozambique
	370	Madagascar
	372	Réunion
	373	Mauritius
	376	Comoro Islands
	378	Zambia (formerly Northern Rhodesia)
	382	Rhodesia (formerly Southern Rhodesia)
	386	Malawi (formerly Nyasaland)

390	Republic of South Africa (incl. South-West Africa Territory)
391	Botswana
393	Swaziland
395	Lesotho

AMERICA

Northern America

400	United States of America (incl. Puerto Rico)
404	Canada (incl. Newfoundland)
406	Greenland
408	St-Pierre and Miquelon

Central and South America

412	Mexico
413	Bermuda
416	Guatemala
421	Belize
424	Honduras
428	El Salvador
432	Nicaragua
436	Costa Rica
440	Panama
444	Panama Canal Zone
448	Cuba
452	Haiti
453	Bahamas
454	Turks and Caicos Islands
456	Dominican Republic
457	Virgin Islands of the United States
458	Guadeloupe (incl. St Barthélemy, northern part of St Martin, Les Saintes, Désirade and Marie-Galante)
462	Martinique
463	Cayman Islands
464	Jamaica
469	Barbados
470	West Indies (West Indies Associated States (c), British Virgin Islands, Montserrat)
472	Trinidad and Tobago
474	Aruba
478	Curaçao (incl. Bonaire, Saba, St Eustatius and southern part of St Martin)
480	Colombia
484	Venezuela
488	Guyana (formerly British Guiana)
492	Surinam
496	French Guiana
500	Ecuador (incl. Galapagos Islands)
504	Peru
508	Brazil
512	Chile
516	Bolivia
520	Paraguay
524	Uruguay
528	Argentina
529	Falkland Islands

ASIA

West Asia

600	Cyprus
604	Lebanon

608	Syria
612	Iraq
616	Iran
620	Afghanistan
624	Israel
628	Jordan
632	Saudi Arabia
636	Kuwait
640	Bahrain
644	Qatar
645	Dubai
646	Abu-Dhabi
648	Sharjah, Ajman, Umm al Qaiwan, Ras al Khaimah, Fujairah
649	Oman (formerly Sultanate of Muscat and Oman)
652	Yemen (North Yemen)
656	People's Democratic Republic of Yemen (South Yemen)

Rest of Asia

662	Pakistan
664	India
666	Bangladesh
667	Maldives
669	Sri Lanka (Ceylon)
672	Nepal
673	Sikkim
675	Bhutan
676	Burma
680	Thailand (Siam)
684	Laos
688	North Vietnam
692	South Vietnam
696	Cambodia (Khmer Republic)
700	Indonesia
701	Malaysia (Malaya, Sabah [d], Sarawak)
703	Brunei
704	Portuguese Timor
706	Singapore
708	Philippines
716	People's Republic of Mongolia
720	People's Republic of China (incl. Tibet, Manchuria)
724	North Korea
728	South Korea
732	Japan (e)
736	Taiwan (Formosa)
740	Hong Kong
743	Macao

AUSTRALASIA AND OCEANIA

800	Australia
801	New Guinea (Australian) and Papua
802	Territories under Australia's control (Cocos-[Keeling] Islands, Christmas Islands, Heard and McDonald Islands, Norfolk Island)
803	Nauru
804	New Zealand
808	Pacific Islands under US control (f)
809	New Caledonia and dependencies
811	Wallis and Futuna Islands
812	British Oceania (territories under the Western Pacific High Commission) (g)
813	Niue and Tokelau Islands
815	Fiji
816	New Hebrides

817	Tonga		porting country, not shown under country of origin):
819	Western Samoa		(exportation: stores and provisions for foreign ships and aeroplanes)
821	Cooks Islands (excl. Niue Island)		
822	French Polynesia		
		954	Miscellaneous not specified elsewhere, Polar regions
	MISCELLANEOUS	958	Items whose country of origin and destination are unspecified, items of mixed provenance
950	Stores and provisions (importation: stores and provisions for ships and aeroplanes of the im-	977	Secret, origin or destination are not disclosed for commercial or military reasons

-
- (a) Trade with the German Democratic Republic and the Soviet Sector of Berlin is not included in the Federal German Republic's foreign trade statistics.
- (b) Including Alhucemas, Chafarinas and Penon de Velez de la Gomera.
- (c) The West Indies Associated States are: Antigua, St. Christopher, Nevis, Anguilla, Dominica, Grenada, St. Lucia and St. Vincent.
- (d) North Borneo, formerly British.
- (e) Including the Bonin Islands, Rosario Island, Volcano Islands, Parece Vela, Marcus Island, Ryukyu (including Okinawa) and Daito Islands.
- (f) The Pacific Islands under US control are: Guam, American Samoa, Pacific Islands under US control and trust territory of the Pacific Islands (Midway Isles, Wake Island, south of Sofou-Gan: the Caroline, Marshall and Mariana Islands).
- (g) Territories coming under the West Pacific High Commission: Gilbert and Ellice Islands, British Solomon Islands, and the Islands of Canton and Enderbury.
-

II

(Acts whose publication is not obligatory)

COUNCIL

FOURTH COUNCIL DECISION

of 24 June 1975

on the equivalence of field inspections carried out in third countries
on seed-producing crops

(75/407/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Directive No 66/402/EEC⁽¹⁾ of 14 June 1966 on the marketing of cereal seed, as last amended by Directive No 73/438/EEC⁽²⁾, and in particular Article 16 (1) (a) thereof;

Having regard to Council Directive No 69/208/EEC⁽³⁾ of 30 June 1969 on the marketing of seed of oil and fibre plants, as last amended by Directive No 73/438/EEC, and in particular Article 15 (1) (a) thereof;

Having regard to the proposal from the Commission;

Whereas there are rules on seed control in Australia and in Hungary; whereas these rules provide for official field inspection to be carried out during the period of seed production;

Whereas an examination of these rules and the manner in which they are applied has revealed that

the prescribed field inspections satisfy the conditions laid down in Annex I to the abovementioned Directives;

Whereas this Decision does not preclude Community findings being revoked or extension of the period of their validity being refused, when the conditions on which they are based are not or cease to be satisfied; whereas, to this end, further practical information on seed produced in the abovementioned countries should be obtained by growing and checking samples of such seed in comparative Community tests;

Whereas it has become necessary to amend certain Council Decisions declaring equivalences owing to a transfer of powers within a national authority responsible for official seed control,

HAS ADOPTED THIS DECISION:

Article 1

It is hereby determined that, where the special conditions laid down in the Annex to this Decision are satisfied, field inspections of crops producing seed of the 'certified seed' category carried out in the countries and by the authorities listed in the said Annex and in respect of the species specified

⁽¹⁾ OJ No 125, 11. 7. 1966, p. 2309/66.

⁽²⁾ OJ No L 356, 27. 12. 1973, p. 79.

⁽³⁾ OJ No L 169, 10. 7. 1969, p. 3.

therein satisfy the conditions laid down in Annex I to Directive No 66/402/EEC or No 69/208/EEC.

Article 2

In the Annex to First Council Decision No 72/292/EEC ⁽¹⁾ of 20 July 1972 on the equivalence of field inspections carried out in third countries on seed-producing crops, under reference No 21 the words 'Department of Primary Industries' in column 3 shall be replaced by the words 'Department of Agriculture'.

Article 3

In the Annex to Third Council Decision No 74/348/EEC ⁽²⁾ of 27 June 1974 on the equivalence of field inspections carried out in third countries on

seed-producing crops, under reference No 1 the words 'Department of Primary Industries', in column 3, shall be replaced by the words 'Department of Agriculture'.

Article 4

This Decision shall apply until 30 June 1976.

Article 5

This Decision is addressed to the Member States.

Done at Luxembourg, 24 June 1975.

For the Council

The President

M. A. CLINTON

⁽¹⁾ OJ No L 186, 16. 8. 1972, p. 22.

⁽²⁾ OJ No L 191, 15. 7. 1974, p. 11.

ANNEX

Ref. No	Country	Authority	Species	Special conditions
1	2	3	4	5
1	Australia	Department of Agriculture, Canberra	Swede rape	1, 2, 3, 4
2	Hungary	Országos Vetőmagfelügyelőség (Hungarian Seed Control Office), Budapest	Black mustard Rye	1, 2, 3, 4 1, 2, 3, 4

Special conditions

1. Field inspection shall be carried out in accordance with national rules for the application of the scheme for the varietal certification of seed moving in international trade of the Organization for Economic Cooperation and Development (OECD).
2. Field inspection shall be carried out by State authorities or by any legal person, whether governed by public or by private law, acting under the responsibility of such authorities, provided that such person derives no private gain from the result of the inspection.
3. Harvested seed shall be packed in officially sealed packages which bear an official label giving the following information:
 - (a) authority responsible and country;
 - (b) species;
 - (c) variety;
 - (d) reference number of the basic seed and name of the Member State which certified the seed;
 - (e) reference number of the lot;
 - (f) declared net or gross weight;
 - (g) the words 'non-certified seed'.

All information shall be given in at least one of the official languages of the European Communities.

4. An official notice shall give the following information:
 - area cultivated,
 - quantity of harvested seed,
 - an attestation that the crops from which the seed comes have satisfied an official field inspection.

FOURTH COUNCIL DECISION
of 24 June 1975
on the equivalence of seed produced in third countries
(75/408/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Directive No 66/402/EEC ⁽¹⁾ of 14 June 1966 on the marketing of cereal seed, as last amended by Directive No 73/438/EEC ⁽²⁾, and in particular Article 16 (1) (b) thereof;

Having regard to Council Directive No 69/208/EEC ⁽³⁾ of 30 June 1969, on the marketing of seed of oil and fibre plants, as last amended by Directive No 73/438/EEC, and in particular Article 15 (1) (b) thereof;

Having regard to the proposal from the Commission;

Whereas there are rules on seed control in Australia and in Hungary;

Whereas an examination of these rules and the manner in which they are applied has revealed that the conditions governing seed harvested and controlled in these countries afford the same assurances as regards the seed's characteristics, identity, examination, marking and control as do the conditions applicable to seed harvested and controlled within the Community;

Whereas this Decision does not preclude Community findings being revoked or extension of the period of their validity being refused when the conditions on which they are based are not or cease to be satisfied; whereas to this end further practical information on seed produced in the abovementioned countries should be obtained by growing and checking samples of such seed in comparative Community tests;

Whereas it has become necessary to amend certain Council Decisions declaring equivalences owing to

a transfer of powers within the national authorities responsible for official seed control,

HAS ADOPTED THIS DECISION:

Article 1

It is hereby declared that, where the special conditions laid down in the Annex are satisfied, seed harvested in the countries and officially controlled by the authorities listed in the said Annex and belonging to the species and categories specified therein is equivalent to seed of the corresponding categories harvested within the Community and complying with Directive No 66/402/EEC or No 69/208/EEC.

Article 2

In the Annex to First Council Decision No 72/293/EEC ⁽⁴⁾ of 20 July 1972 on the equivalence of seed produced in third countries, under reference No 21, the words 'Department of Primary Industries', which appear in column 3, shall be replaced by the words 'Department of Agriculture'.

Article 3

In the Annex to Third Council Decision No 74/349/EEC ⁽⁵⁾ of 27 June 1974 on the equivalence of seed produced in third countries, under reference No 1, the words 'Department of Primary Industries' shall be replaced by the words 'Department of Agriculture'.

Article 4

This Decision shall apply until 30 June 1976.

Article 5

This Decision is addressed to the Member States.

Done at Luxembourg, 24 June 1975.

For the Council

The President

M. A. CLINTON

⁽¹⁾ OJ No 125, 11. 7. 1966, p. 2309/66.

⁽²⁾ OJ No L 356, 27. 12. 1973, p. 79.

⁽³⁾ OJ No L 169, 10. 7. 1969, p. 3.

⁽⁴⁾ OJ No L 186, 16. 8. 1972, p. 30.

⁽⁵⁾ OJ No L 191, 15. 7. 1974, p. 17.

ANNEX

Ref. No	Country	Authority	Species	Categories		Special conditions
				in the country	in the Community	
1	2	3	4	5	6	7
1	Australia	Department of Agriculture, Canberra	Swede rape	— Basic seed	— Basic seed	1, 2, 3, 4, 5, 6
				— Certified seed	— Certified seed	1, 2, 3, 4, 5, 6
2	Hungary	Országos Vetőmagfelügyelőség (Hungarian Seed Control Office), Budapest	Black mustard	— Basic seed	— Basic seed	1, 2, 3, 4, 5, 6
				— Certified seed	— Certified seed	1, 2, 3, 4, 5, 6
			Rye	— Basic seed	— Basic seed	1, 2, 3, 4, 5, 6
				— Certified seed	— Certified seed	1, 2, 3, 4, 5, 6

Special conditions

1. Seed shall be officially certified and its packages officially sealed and marked in accordance with the scheme for the varietal certification of seed moving in international trade of the Organization for Economic Cooperation and Development (OECD). The quality of the seed shall meet the requirements of Community rules.
2. Field inspection shall be carried out by State authorities or by any legal person, whether governed by public or by private law, acting under the responsibility of such authorities, provided that such person derives no private gain from the result of the inspection.
3. The official label shall give the following additional information:
 - (a) date of official sealing;
 - (b) a statement that the seed complies with EEC rules and standards.

This information may also appear on another official label which, in addition, shall give the name of the authority and of the country.

4. Any chemical treatment of the seed shall be noted either on the official label or on a special label and on the package or inside it.
5. An official notice placed inside the package shall give at least the reference number of the lot, the species and the variety.

This notice is not necessary if the minimum information is printed indelibly on the package.

6. All information required for official labels, official notices and packages shall be given in at least one of the official languages of the European Communities.

COUNCIL DIRECTIVE

of 24 June 1975

amending for the fifth time Directive No 67/548/EEC concerning the approximation of the laws, regulations and administrative provisions relating to the classification, packaging and labelling of dangerous substances

(75/409/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 100 thereof;

Having regard to the proposal from the Commission;

Having regard to the Opinion of the European Parliament ⁽¹⁾;

Having regard to the Opinion of the Economic and Social Committee ⁽²⁾;

Whereas it is necessary to amend Council Directive No 67/548/EEC ⁽³⁾ of 27 June 1967 concerning the approximation of the laws, regulations and administrative provisions relating to the classification, packaging and labelling of dangerous substances, as last amended by Directive No 73/146/EEC ⁽⁴⁾; whereas some of the provisions on the labelling and packaging of dangerous substances should be clarified and amplified; whereas these provisions should in any case be harmonized with those of Council Directive No 73/173/EEC ⁽⁵⁾ of 4 June 1973 concerning the approximation of the laws, regulations and administrative provisions of the Member States relating to the classification, packaging and labelling of dangerous preparations (solvents);

Whereas the dimensions of the label should be established in proportion to the capacity of the package;

Whereas it is also necessary to adopt rules defining the relationship between markings for transport and markings for marketing and handling, in order to avoid double marking with different symbols;

Whereas dangerous substances, although complying with the requirements of Directive No 67/548/EEC, could prove a hazard to health or safety; whereas provision should therefore be made for a procedure to offset this hazard;

Whereas it is necessary to make certain amendments to the wording of the German, English and Italian versions of the Directive,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Directive No 67/548/EEC shall be amended in accordance with the following Articles.

Article 2

1. Article 6 (2), first clause, shall be replaced by the following text:

‘Every package must clearly and indelibly show the following:’

2. The following sentence shall be added to Article 6 (2) (d):

‘For packages of harmful, irritant, highly flammable, flammable and oxidizing substances, indication need not be given of special risks where the package contains no more than 125 ml.’

Article 3

Article 7 shall be replaced by the following text:

‘1. Where the particulars laid down by Article 6 appear on a label, that label must be placed on one or more surfaces of the package so that it

⁽¹⁾ OJ No C 2, 9. 1. 1974, p. 59.

⁽²⁾ OJ No C 109, 19. 9. 1974, p. 19.

⁽³⁾ OJ No 196, 16. 8. 1967, p. 1.

⁽⁴⁾ OJ No L 167, 25. 6. 1973, p. 1.

⁽⁵⁾ OJ No L 189, 11. 7. 1973, p. 7.

can be read horizontally when the package is set down normally. The dimensions of the label must be as follows:

<i>Package contents</i>	<i>Dimension</i>
— less than or equal to three litres, if possible at least	52 × 74 mm
— greater than three litres, and not exceeding 50 litres,	at least 74 × 105 mm
— greater than 50 litres, and not exceeding 500 litres,	at least 105 × 148 mm
— greater than 500 litres,	at least 148 × 210 mm

Each symbol must cover at least one-tenth of the surface of the label and be at least 1 cm². The entire area of the label must adhere to the package immediately containing the substance.

2. A label is not required where the particulars are clearly shown on the immediate package, as specified in paragraph 1.

3. The colour and presentation of the label — or in the case of paragraph 2, of the package — must be such that the danger symbol stands out clearly from the background.

4. Member States may make the placing on the market of dangerous substances in their territories subject to the use of the national language or languages in respect of the labelling thereof.

5. For the purposes of this Directive, labelling requirements shall be deemed to be satisfied:

- (a) in the case of an outer package containing one or more inner packages, where the outer package is labelled in accordance with international rules on the transport of dangerous substances and the inner package or packages are labelled in accordance with this Directive;
- (b) in the case of a single package, where such a package is labelled in accordance with international rules on the transport of dangerous substances and with Article 6 (2) (a), (b) and (d).

In the case of dangerous substances, which do not leave the sovereign territory of a Member State, labelling may be permitted which complies with national rules instead of with international rules on the transport of dangerous substances.'

Article 4

Article 8 (a) shall be replaced by the following text:

- '(a) permit the labelling required by Article 6 to be applied in some other appropriate manner on packages which are either too small or otherwise unsuitable to allow labelling in accordance with Article 7 (1) or (2);'

Article 5

The following Articles shall be added after Article 8c:

Article 8d

Member States shall not prohibit, restrict or impede on the grounds of classification, packaging or labelling as defined in this Directive, the placing on the market of dangerous substances which satisfy the requirements of this Directive and the Annexes thereto.

Article 8e

1. Where a Member State has detailed grounds for establishing that a dangerous substance, although satisfying the requirements of this Directive, constitutes a hazard to health or safety, it may provisionally prohibit the sale of that substance or subject it to special conditions ruling in its territory. It shall immediately inform the Commission and the other Member States thereof and give reasons for its decision.

2. The Commission shall, within six weeks, consult with the Member States concerned, express its Opinion without delay and take the appropriate steps.

3. Where the Commission is of the opinion that technical adaptations to this Directive are necessary, such adaptations shall be adopted by either the Commission or the Council under the procedure laid down in Article 8c. In this event, the Member State having adopted safeguard measures may maintain them until such adaptations enter into force.'

Article 6

The German text shall be amended as follows:

1. 'brennbaren' shall be replaced by 'entzündlichen' in Article 2(2)(b);
2. 'brennbar' shall be replaced by 'entzündlich' in Article 2 (2) (d) and Annex III under R 21;
3. 'Gift' shall be replaced by 'giftig' and 'Reizstoff' by 'reizend' in Article 6 (2) (c) and in Annex II.

Article 7

The English text shall be amended as follows:

1. the term 'highly' shall replace:
 - 'easily' in Article 2 (2) (c),
 - 'very' in Article 6 (2) (c),
 - 'easily' in Annex II,
 - 'very' in Annex III, R 22 and R 25;
2. in Annex III, R 23 and R 26, 'extremely' shall replace 'highly'.

Article 8

The Italian text shall be amended as follows: the word 'molto' in Annex III, R 22 and R 25, shall be replaced by the word 'facilmente'.

Article 9

1. The Member States shall introduce the provisions necessary to comply with this Directive by 1 June 1976 at the latest and shall inform the Commission immediately thereof.
2. The Member States shall ensure that the text of internal legal provisions to be adopted in the field covered by this Directive are sent to the Commission.

Article 10

This Directive is addressed to the Member States.

Done at Luxembourg, 24 June 1975.

For the Council

The President

G. FITZGERALD

COUNCIL DIRECTIVE

of 24 June 1975

on the approximation of the laws of the Member States relating to continuous totalizing weighing machines

(75/410/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 100 thereof;

Having regard to the proposal from the Commission;

Having regard to the Opinion of the European Parliament ⁽¹⁾;

Having regard to the Opinion of the Economic and Social Committee ⁽²⁾;

Whereas in the Member States both the construction and the methods of control of continuous totalizing weighing machines attached to conveyor belts are subject to mandatory provisions which differ from one Member State to another and consequently hinder trade in such instruments; whereas it is therefore necessary to approximate these provisions;

Whereas Council Directive No 71/316/EEC ⁽³⁾ of 26 July 1971 on the approximation of the laws of the Member States relating to common provisions for both measuring instruments and methods of metrological control, as amended by the Act of Accession ⁽⁴⁾, has laid down the EEC pattern approval and EEC initial verification procedures; whereas, in accordance with that Directive, it is necessary to lay down the technical requirements which the fabrication and operation of continuous totalizing weighing machines must satisfy in order to be freely imported, marketed and used after having undergone the requisite inspections and having been provided with the required marks and symbols,

HAS ADOPTED THIS DIRECTIVE:

Article 1

This Directive applies to continuous totalizing weighing machines attached to conveyor belts.

These machines are defined in Chapter I, Section 2 of the Annex.

Article 2

Those continuous totalizing weighing machines which may bear EEC marks and symbols are described in the Annex.

They shall be subject to EEC pattern approval and shall be submitted for EEC initial verification.

Article 3

No Member State may refuse, prohibit or restrict the placing on the market or entry into service of continuous totalizing weighing machines bearing the EEC pattern approval symbol, or EEC initial verification mark.

Article 4

1. Member States shall put into force the laws, regulations or administrative provisions needed in order to comply with this Directive within 18 months of its notification, and shall forthwith inform the Commission thereof.

2. Member States shall ensure that the texts of the main provisions of national law which they adopt in the field covered by this Directive are communicated to the Commission.

Article 5

This Directive is addressed to the Member States.

Done at Luxembourg, 24 June 1975.

For the Council

The President

G. FITZGERALD

⁽¹⁾ OJ No C 2, 9. 1. 1974, p. 63.

⁽²⁾ OJ No C 8, 31. 1. 1974, p. 6.

⁽³⁾ OJ No L 202, 6. 9. 1971, p. 1.

⁽⁴⁾ OJ No L 73, 27. 3. 1972, p. 14.

ANNEX

CHAPTER I

DEFINITIONS AND TERMINOLOGY

1. CLASSIFICATION OF WEIGHING MACHINES ACCORDING TO THEIR METHOD OF OPERATION
 - 1.1. **Automatic machines**

Machines accomplishing a weighing operation without intervention by an operator and setting in motion an automatic process characteristic of the machine.
 - 1.2. **Non-automatic machines**

Machines which require the intervention of an operator during the weighing process, especially to deposit on and/or remove the loads from the load receptor of the machine and also to determine the result.
2. DEFINITION

Continuous totalizing weighing machines of the belt conveyor type are automatic weighing machines which determine the mass of a product in bulk without systematic subdivision, the movement of the belt being uninterrupted.

For the purposes of this Annex, these weighing machines shall be abbreviated to 'belt weighers'.
3. TERMINOLOGY
 - 3.1. **General**

In so far as they are not contrary to Sections 2 and 3 of this Annex, Sections 1 and 2 of the Annex to Council Directive No 73/360/EEC ⁽¹⁾ of 19 November 1973 on the approximation of the laws of the Member States relating to non-automatic weighing machines, apply to the belt weighers dealt with in this Directive.
 - 3.2. **Classification**
 - 3.2.1. *According to the method of totalizing*
 - 3.2.1.1. By addition:

belt weighers on which the totalizing device carries out the addition of successive partial loads, each of which corresponds to a given distance travelled by the belt.
 - 3.2.1.2. By integration:

belt weighers on which the totalizing device carries out the integration with respect to time of the product of the load per unit length and the speed of the belt.
 - 3.2.2. *According to the type of load receptor*

⁽¹⁾ OJ No L 335, 5. 12. 1973, p. 1.

- 3.2.2.1. **With weigh table:**
belt weighers on which only one part of the conveyor forms the load receptor, called the 'weigh table'.
- 3.2.2.2. **With belt conveyor included:**
belt weighers on which the entire belt conveyor forms the load receptor.
- 3.3. **Components**
- 3.3.1. *Main components*
- 3.3.1.1. **Belt conveyor:**
device intended for conveying the product by means of a belt resting on rollers turning about their axes.
- 3.3.1.1.1. **Carrying rollers:**
rollers by means of which the conveyor belt is supported on the fixed frame.
- 3.3.1.1.2. **Weighing rollers:**
rollers by means of which the conveyor belt is supported on the load receptor of the weighing unit.
- 3.3.1.2. **Weighing unit:**
all or part of a non-automatic weighing machine or any other device providing information on the mass of the load to be measured.
- 3.3.1.3. **Belt displacement transducer:**
device on the conveyor supplying either information corresponding to the displacement of a defined length of the belt or information proportional to the speed of the belt.
- 3.3.1.3.1. **Displacement sensing device:**
that part of the displacement transducer permanently linked to the belt.
- 3.3.1.4. **Totalization device:**
device carrying out the addition of partial loads or the integration of the product of the load per unit length and the speed of the belt from information supplied by the weighing unit and the displacement transducer.
- 3.3.1.5. **Totalization indicating device:**
device receiving information from the totalization device and indicating the mass of the load conveyed.
- 3.3.1.5.1. **General totalization indicating device (without zero-resetting device):**
device indicating the overall total of the mass of all the totalized loads.
- 3.3.1.5.2. **Partial totalization indicating device (with zero-resetting device):**
device indicating the mass of totalized loads over a limited period.

- 3.3.1.5.3. Supplementary totalization indicating device:
totalization indicating device with a scale interval greater than that of the general totalization indicating device, and intended to indicate the total mass of a load transported over a fairly long period of operation. These devices may be fitted with a zero-resetting device.
- 3.3.1.5.4. Test totalization indicating device:
device with a smaller scale interval than that of the general totalization indicating device, and intended for test purposes.
- 3.3.1.6. Zero-setting device:
device enabling zero totalization to be obtained over a whole number of revolutions of the empty conveyor;
the zero-setting device may be either non-automatic, semi-automatic or automatic.
- 3.3.1.6.1. Zero totalization indicating device (zero indicator):
indicating device separate from the totalization indicator fitted to the zero-setting device and allowing zero-setting to be checked when the belt is not loaded.
- 3.3.1.6.2. Non-automatic zero-setting device:
device allowing observation, setting to zero and checking of zero-setting by the operator.
- 3.3.1.6.3. Semi-automatic zero-setting device:
- 3.3.1.6.3.1. device allowing, on manual command, the automatic setting to zero of the belt weigher, or
- 3.3.1.6.3.2. device indicating, on manual command, the value by which it is necessary to adjust the zero-setting device.
- 3.3.1.6.4. Automatic zero-setting device:
device allowing the belt weigher to be set to zero, without intervention by the operator, after the belt has been operating empty.
- 3.3.2. *Ancillary components*
- 3.3.2.1. Instantaneous load indicating device:
device indicating the mass of the load acting on the weighing unit at any given time.
- 3.3.2.2. Flowrate indicating device:
device indicating the instantaneous flowrate either as the mass of the product conveyed in unit time or as a percentage of the maximum flowrate.
- 3.3.2.3. Operation checking devices:
devices enabling certain functions to be checked, and intended in particular:
— either to simulate the effect of a constant load with the belt empty (zero checking device with additional mass),
— or to compare two integrations of a load per unit length over the same time interval,
— or to indicate that the maximum load or maximum flowrate have been exceeded,

— or to draw the attention of the user to a fault in the operation of the belt weigher and in particular in the electrical components.

3.3.2.4. Flowrate regulating device:

device intended to ensure a programmed flowrate.

3.3.2.5. Preselection device:

device enabling the feed to the conveyor to be stopped when the totalized load has reached a preselected value.

3.3.2.6. Displacement simulator:

auxiliary verification device used in tests on the belt weigher without its conveyor and intended to simulate displacement of the belt.

4. METROLOGICAL CHARACTERISTICS

4.1. Totalization scale interval

Value, expressed in units of mass equal to:

- in the case of continuous (analogue) indication the smallest subdivision of the scale of totalized mass: (d_t),
- in the case of discontinuous (digital) indication, the difference between two consecutive values of the totalized mass (d_{td}).

4.2. Scale interval (d_o) of the zero totalization indicating device (zero indicator)

The value of the scale interval (d_o) of the zero totalization indicating device, expressed in units of mass, equals:

- in the case of continuous (analogue) indication, the smallest subdivision of the scale of the zero totalization indicating device,
- in the case of discontinuous (digital) indication, the difference between two consecutive values of the zero totalization indicating device.

4.3. Weigh length (L)

Distance between the axes of the weighing rollers at the extremities of the weigh table increased by the half-distances between the axes of each of these rollers and those of the nearest carrying rollers of the conveyor.

4.4. Weighing cycle

Group of operations relating to each addition of partial load at the end of which the elements of the totalization device have returned for the first time to their initial position or state.

4.5. Maximum capacity (max) and minimum capacity (min) of the weighing unit

4.5.1. Maximum capacity

Maximum instantaneous net load on the conveyor belt which the weighing unit is intended to weigh.

4.5.2. Minimum capacity

Value of the net load below which the use of the weighing results may cause an excessive relative error in the totalization result.

- 4.5.3. *Weighing range of the unit*
Interval between the minimum and maximum capacities.
- 4.6. **Maximum flowrate (Q_{\max}) and minimum flowrate (Q_{\min})**
- 4.6.1. *Maximum flowrate*
Maximum flowrate is the rate of flow obtained with the maximum capacity of the weighing unit and the maximum speed of the belt.
- 4.6.2. *Minimum flowrate*
Value of the flowrate below which the weighing results may be subject to excessive relative errors.
- 4.7. **Mean test flowrate (Q_e)**
Quotient of the totalized mass (C) and the duration of the test (t):
$$Q_e = \frac{C}{t}$$
- 4.8. **Minimum totalized load**
Minimum totalized mass of a product below which the result may be affected by errors greater than the maximum permissible errors for any flowrate between the maximum and the minimum flowrates.
- 4.9. **Maximum load per unit length on the belt**
Quotient of the maximum capacity of the weighing unit and the weigh length:
$$\frac{\text{Max}}{L}$$

CHAPTER II

METROLOGICAL REQUIREMENTS

5. **DEFINITION OF THE SCOPE OF THE ACCURACY CLASSES**
- 5.1. **Accuracy classes**
Belt weighers shall be divided into two accuracy classes:
Class 1,
Class 2.
- 5.2. **Classification**
The belt weighers shall be classified in terms of their metrological characteristics and qualities.
- 5.2.1. *Characteristics of Class 1*
- 5.2.1.1. Totalization scale interval:
the totalization scale interval shall be:
— less than or equal to $\frac{1}{2\,000}$ of the load totalized in one hour at maximum flowrate,
— greater than or equal to $\frac{1}{50\,000}$ of this load.

- 5.2.1.2. Scale interval of the zero totalization indicating device (d_0):
without being greater than the totalization scale interval:
— the continuous (analogue) scale interval shall be less than or equal to $\frac{1}{20\ 000}$ of the load totalized in one hour at maximum flowrate,
— the discontinuous (digital) scale interval shall be less than or equal to $\frac{1}{40\ 000}$ of the above load.
- 5.2.2. *Characteristics of Class 2*
- 5.2.2.1. Totalization scale interval:
the totalization scale interval shall be:
— less than or equal to $\frac{1}{1\ 000}$ of the load totalized in one hour at maximum flowrate,
— greater than or equal to $\frac{1}{25\ 000}$ of this load.
- 5.2.2.2. Scale interval of the zero totalization indicating device:
Without being greater than the totalization scale interval:
— the continuous (analogue) scale interval shall be less than or equal to $\frac{1}{10\ 000}$ of the load totalized in one hour at maximum flowrate,
— the discontinuous (digital) scale interval shall be less than or equal to $\frac{1}{20\ 000}$ of the above load.
- 5.2.3. *Form of scale intervals*
Scale intervals shall be in the form:
 $1 \cdot 10^n$, $2 \cdot 10^n$, $5 \cdot 10^n$, n being a positive or negative whole number, or zero;
however, the scale intervals of the zero totalization indicating device and those of the test indicator need not comply with this requirement.
- 5.2.4. *Belt weighers fitted with a zero checking device with additional mass*
The conditions laid down in 5.2.1.2, 5.2.2.2, and 5.2.3 relating to the zero totalization indicating device shall also apply to the indicator of the control value.
- 5.2.5. *Minimum flowrate*
The minimum flowrate shall be 20% of the maximum flowrate.
6. MAXIMUM PERMISSIBLE ERRORS
- After the belt weigher has been set correctly to zero with no load, the maximum permissible errors, positive or negative, shall be equal to the values specified below, for any totalized mass, greater than or equal to the minimum totalized load.
- 6.1. Maximum permissible errors on EEC initial verification
- 6.1.1. *Class 1*
0.5% of the totalized load for any flowrate between 20 and 100% of the maximum flowrate.
- 6.1.2. *Class 2*
1% of the totalized load for any flowrate between 20 and 100% of the maximum flowrate.

6.2. Maximum permissible errors in service

6.2.1. Class 1

1% of the totalized load for any flowrate between 20 and 100% of the maximum flowrate.

6.2.2. Class 2

2% of the totalized load for any flowrate between 20 and 100% of the maximum flowrate.

7. APPLICABILITY OF MAXIMUM PERMISSIBLE ERRORS

7.1. Where the test totalization indicating device is discontinuous (digital), the maximum permissible errors shall be increased by one scale interval of this device.

7.2. Where a belt weigher is fitted with several totalization indicating devices, the errors in the results supplied by each of them shall not exceed the maximum permissible errors.

For a given totalized load, the difference between the results, taken two by two, shall be less than or equal to:

- one scale interval of the discontinuous (digital) indicating device, when the results are supplied by two discontinuous (digital) indicators,
- the absolute value of the maximum permissible error where the results are supplied by two continuous (analogue) indicators.
- the greater of the two values:
 - absolute value of the maximum permissible error, or
 - one discontinuous (digital) scale interval;

where the results are supplied by a continuous (analogue) indicator and a discontinuous (digital) indicator.

7.3. Simulation tests

7.3.1. Maximum permissible errors, positive or negative, during simulation tests

7.3.1.1. Class 1:

for any flowrate between 5 and 20% of the maximum flowrate:

0.07% of the load totalized at maximum flowrate for the duration of the test;

for any flowrate between 20 and 100% of the maximum flowrate:

0.35% of the totalized load.

7.3.1.2. Class 2:

for any flowrate between 5 and 20% of the maximum flowrate:

0.14% of the load totalized at the maximum flowrate for the duration of the test;

for any flowrate between 20 and 100% of the maximum flowrate:

0.7% of the totalized load.

7.3.2. Displacement simulation device

In simulating the displacement speeds required for testing, the relative simulation error shall not exceed 20% of the maximum permissible error for the totalized load.

This error is included in the maximum permissible errors.

7.3.3. *Difference between two results obtained due to a variation in the simulated speed*

For any variation in the speed of the displacement simulator corresponding to a variation of up to $\pm 10\%$ in the speeds of the conveyor belt provided for by the manufacturer, the variation in the relative error of the results of the simulation tests shall not exceed 20% of the maximum permissible error referred to in 7.3.1.

7.3.4. *Difference between two results obtained by varying the point of application of the same load*

When the point of application of the same load is varied, in a manner compatible with the design of the load receptor, the difference between two results shall not be greater than the absolute value of the maximum permissible error.

7.3.5. *Zero-setting*

For any load within the range of the zero-setting device, the results, after setting the machine to zero, shall comply with the maximum permissible errors for the totalized load.

7.3.6. *Influence factors*

7.3.6.1. Temperature:

After setting to zero, belt weighers shall comply with the requirements relating to the maximum permissible errors at all virtually constant temperatures between -10 and $+40^\circ\text{C}$. However, for special applications, these belt weighers may have different temperature ranges from those specified above. In that case, the interval must be at least 30°C and must be indicated in the descriptive markings. During the tests, temperatures are considered virtually constant if the variation is no greater than $5^\circ\text{C}/\text{hour}$.

For a variation of 10°C , and provided that the variation in temperature is not greater than $5^\circ\text{C}/\text{hour}$, the belt weighers shall be such that their zero indications or, in the case of machines fitted with a zero checking device with additional mass, the control value, do not vary by more than:

0.07% for Class 1,
0.14% for Class 2,

of the load totalized at the maximum flowrate for the duration of the test.

7.3.6.2. Effect of electric power supply:

belt weighers shall comply with the requirements relating to the maximum permissible errors without intermediate setting to zero, within the following limits—variation of the electric power supply:

— from -15 to $+10\%$ of the normal voltage,
— from -2 to $+2\%$ of the normal frequency.

7.3.6.3. Other influence factors:

belt weighers shall, under normal conditions of use, comply with the requirements relating to the maximum permissible errors when they are submitted to the effects of influence factors other than those referred to in 7.3.6.1 and 7.3.6.2 and resulting from the conditions of their installation (vibrations, atmospheric conditions etc.).

7.3.7. *Metrological characteristics*

7.3.7.1. Repeatability:

the difference between the results obtained for the same load placed under the same conditions on the load receptor, taken in pairs, shall not be greater than the absolute value of the maximum permissible error.

- 7.3.7.2. Discrimination of the totalization device:
for any flowrate between the minimum and maximum flowrate and for two loads differing from each other by a value equal to the maximum permissible error for that load, the difference between the results must be at least equal to one half of the calculated value corresponding to the difference between the loads.
- 7.3.7.3. Discrimination of the indicator used for zero-setting:
for tests of a duration of three minutes, there must be a clearly visible difference between the results obtained at no load and for a load, deposited or removed, equal to the following percentages of the maximum capacity:
0.1% for Class 1,
0.2% for Class 2.
- 7.3.7.4. Stability of zero:
- 7.3.7.4.1. short-term stability:
after five tests of three minutes' empty operation, the variation between the smallest and largest results obtained shall not exceed the following percentages of the load totalized in one hour at the maximum flowrate:
0.0025% for Class 1,
0.005% for Class 2.
- 7.3.7.4.2. long-term stability:
the tests described in 7.3.7.4.1 shall be repeated, and after three hours of empty operation under stable test conditions and without intermediate setting to zero:
— the difference between the smallest and largest results obtained shall not exceed the limits laid down in 7.3.7.4.1,
— the difference between the smallest and largest of all the results obtained (in 7.3.7.4.1 and the first indent of this paragraph) shall not be greater than the following percentages of the load totalized in one hour at the maximum flowrate:
0.0035% for Class 1,
0.007% for Class 2.
- 7.3.7.5. Supplementary totalization indicating devices:
supplementary totalizing devices:
— shall not affect the operation of the weighing machines,
— shall be constructed in such a manner that their results are correct.
- 7.3.7.6. Belt weighers fitted with a zero checking device with additional mass:
for belt weighers fitted with a zero checking device with additional mass, the provisions laid down in 7.3.7.3 and 7.3.7.4 shall apply to testing with an additional mass; the maximum permissible deviations from the control value shall be calculated by reference to these provisions.
- 7.4. 'In situ' tests
The maximum permissible errors shall be applicable to any quantity of product at least equal to the minimum totalized load.
- 7.4.1. *Displacement sensing device*
There shall be virtually no slip between the displacement sensing device and the belt.

7.4.2. *Machine used for testing*

The machine used in tests with the product or products intended to be weighed by the belt weigher (hereinafter called 'material tests') must permit the totalized load to be checked with an error not exceeding 20% of the maximum permissible error.

7.4.3. *Value of the minimum totalized load*

The minimum totalized load shall be at least equal to the largest of the following three values:

- the load obtained at the maximum flowrate in one revolution of the belt,
- 2% of the load totalized in one hour at the maximum flowrate or 200 totalization scale intervals for Class 1,
- 1% of the load totalized in one hour at the maximum flowrate or 100 totalization scale intervals for Class 2.

7.4.4. *Metrological characteristics*

7.4.4.1. Variation in the relative errors:

the difference between the relative errors for several results obtained at virtually identical flowrates, for approximately the same quantities of products and under the same conditions, shall not exceed the absolute value of the maximum permissible error.

7.4.4.2. Maximum permissible errors in the checking of zero:

after a whole number of revolutions of the belt the zero indicator shall not exceed the following percentages of the load totalized at the maximum flowrate for the duration of the test:

- 0.1% for Class 1,
- 0.2% for Class 2.

7.4.4.3. Discrimination of the indicator used for zero-setting:

for a number of tests, equivalent to a whole number of revolutions of the belt not exceeding three minutes, there shall be a clearly visible difference between the results obtained at no load and for a load deposited or removed, equal to the following percentages of the maximum capacity:

- 0.1% for Class 1,
- 0.2% for Class 2.

7.4.4.4. Stability of zero:

after five tests corresponding to a whole number of revolutions of the belt of a duration as close as possible to three minutes, the variation between the smallest and largest results obtained shall not exceed the following percentages of the load totalized in one hour at the maximum flowrate:

- 0.0035% for Class 1,
- 0.007% for Class 2.

7.4.4.5. Machines fitted with a zero checking device with additional mass:

for belt weighers fitted with a zero checking device, the provisions laid down in 7.4.4.2, 7.4.4.3 and 7.4.4.4 shall also apply to testing with an additional mass; the maximum permissible variations in the value shall be calculated by reference to these provisions;

belt weighers fitted with a zero checking device, with an additional mass corresponding to 20% of the maximum capacity of the weighing unit, shall also comply with the provisions on the checking of zero in 7.4.4.2.

7. 5. Summary table of main metrological requirements

	CLASS 1	CLASS 2
Value of totalization scale interval (d_t or d_{td}) (see 5.2)	$\frac{C_{max}}{50\,000} \leq d_t \text{ or } d_{td} \leq \frac{C_{max}}{2\,000}$	$\frac{C_{max}}{25\,000} \leq d_t \text{ or } d_{td} \leq \frac{C_{max}}{1\,000}$
Scale interval of zero totalization indicating device (d_o) (see 5.2)	Continuous indication $d_o \leq \frac{C_{max}}{20\,000}$ Discontinuous indication $d_o \leq \frac{C_{max}}{40\,000}$ and $d_o \leq d_t \text{ or } d_{td}$	Continuous indication $d_o \leq \frac{C_{max}}{10\,000}$ Discontinuous indication $d_o \leq \frac{C_{max}}{20\,000}$ and $d_o \leq d_t \text{ or } d_{td}$
Maximum permissible errors (material tests): — EEC initial verification (see 6.1) — in service (see 6.2)	0.5 % C 1 % C	1 % C 2 % C
Applicability of maximum permissible errors (see 7) <i>Simulation tests (see 7.3)</i>		
Maximum permissible errors (see 7.3.1): — for $\frac{Q_{max}}{20} \leq Q \leq \frac{Q_{max}}{5}$ — for $\frac{Q_{max}}{5} \leq Q \leq Q_{max}$	0.07 % $Q_{max} \times t$ 0.35 % C	0.14 % $Q_{max} \times t$ 0.7 % C
Temperature (see 7.3.6.1) Variation in zero indication for a variation in temperature of 10° C	0.07 % $Q_{max} \times t$	0.14 % $Q_{max} \times t$
Discrimination of the indicator used for zero-setting (see 7.3.7.3)	Difference between the test results obtained at no-load and for a load:	
	0.1 % max	0.2 % max
	Must be clearly discernible	
Stability of zero (see 7.3.7.4): — short-term stability, — long-term stability	For tests of three minutes' duration	
	Variation $\leq 0.0025\% C_{max}$ Variation $\leq 0.0035\% C_{max}$	Variation $\leq 0.005\% C_{max}$ Variation $\leq 0.007\% C_{max}$
<i>'In situ' tests (see 7.4)</i>		
Value of minimum totalized load (see 7.4.3)	≥ 1 rev. of belt at Q_{max} $\geq 2\% C_{max}$ $\geq 200 d_t \text{ or } d_{td}$	≥ 1 rev. of belt at Q_{max} $\geq 1\% C_{max}$ $\geq 100 d_t \text{ or } d_{td}$
Discrimination of indicator used for zero setting (see 7.4.4.3)	Difference between the test results obtained at no-load and for a load:	
	0.1 % max	0.2 % max
	Must be clearly discernible	
Stability of zero (see 7.4.4.4): — stability (short-term)	For tests of a duration as close as possible to three minutes and corresponding to a whole number of revolutions of the belt Variations $\leq 0.0035\% C_{max}$	Variation $\leq 0.007\% C_{max}$

C = totalized load.

t = duration of the test in hours.

 C_{max} = load totalized in one hour at maximum flowrate.

CHAPTER III

TECHNICAL REQUIREMENTS

8. COMPOSITION

Belt weighers shall comprise:

- a belt conveyor,
- a weighing unit,
- a displacement transducer,
- a totalization device,
- a general totalization indicating device,
- a zero-setting device.

The zero-setting device on belt weighers shall be fitted with a zero indicator, distinct from the general totalization indicating device, or a zero checking device with additional mass, when:

- the general totalization indicating device indicates only positive values, or
- the totalization scale interval is greater than the scale interval of the zero indicator specified in 5.2.1.2 for Class 1 and 5.2.2.2 for Class 2.

8.1. Security of operation

8.1.1. *Absence of characteristics likely to facilitate fraudulent use*

Belt weighers must have no characteristics likely to facilitate their fraudulent use.

8.1.2. *Impossibility of maladjustment or accidental breakdown*

Both mechanical and electro-mechanical belt weighers must be so constructed that no maladjustment or accidental breakdown can normally take place without the effect of the maladjustment or the accidental breakdown being easily detectable.

8.1.3. *Protection of the controls of the belt weigher*

Controls of the belt weighers must be so designed that they cannot normally come to rest in other positions than those intended by design unless during the manoeuvre all indication or printing is made impossible.

8.1.4. Totalization indicating devices placed at a distance shall be provided with devices complying with 8.8.

8.2. Belt conveyor

8.2.1. *Belt weigher with conveyor included*

The conveyor shall be constructed in a robust manner and shall form a rigid assembly. When the roller support is used as the only load lever of the weighing unit the product shall be deposited at the fulcrum.

8.2.2. *Belt weigher with weigh table*

The conveyor support frame shall be constructed in a robust manner. In any straight longitudinal section the roller track shall be such that the belt is constantly supported on the weighing rollers, so that correct weighing is ensured. The conveyor shall be fitted, if necessary, with a belt-cleaning device, the position and operation of which must not affect the results.

- 8.2.3. *Special installation conditions*
- Belt weighers shall be such that the installation of the roller track, the composition and mounting of the belt and the arrangement of the product feed do not cause any errors in the result.
- 8.2.3.1. Roller track:
- an efficient protection system against corrosion and clogging shall be provided where necessary;
- the upper generatrices of the rollers in the same group shall be virtually in the same plane;
- the roller track shall be such that no slipping of the product occurs.
- 8.2.3.2. Conveyor belt:
- 8.2.3.2.1. Mass per unit length of the conveyor belt:
- the mass per unit length of the belt shall be virtually constant; joints must not cause any disturbance in its operation;
- 8.2.3.2.2. The speed and the length of the belt must be such that the checking of zero can be carried out in a time not exceeding three minutes, however:
- if this provision cannot be complied with, the belt weigher must be provided with a semi-automatic or automatic zero-setting device.
- 8.2.3.2.3. The speed of the belt shall not vary by more than 5% of the speeds for which the belt weigher is designed.
- 8.2.3.3. Weigh length:
- belt weighers shall be constructed in such a manner that the weigh length remains unchanged in service;
- it must be possible to seal the weigh length adjustment devices.
- 8.2.3.4. Belt tension:
- at a given point on the roller track the belt tension shall be made virtually constant;
- tension shall be such that under normal working conditions there is no slip between the belt and the driving drum.
- 8.2.3.5. Effect of the product:
- arrival of the product on the conveyor must not affect the results.
- 8.3. **Weighing unit**
- 8.3.1. *General*
- The weighing unit shall be suitable for its purpose. It shall be protected, where necessary, against the effect of accidental loads greater than the maximum capacity.
- The design of the load receptor shall be such that it is not likely to cause additional errors, whatever the feed.
- 8.3.2. *Load balancing device*
- The load-balancing device shall have a continuous action from zero to a value of mass at least equal to the maximum capacity. Weighing shall not commence until the weighing unit is operating under normal working conditions.

8.4. Displacement transducer

The design of the displacement sensing device (3.3.1.3.1) shall be such that there is no possibility of slip which could affect the results, whether the belt is loaded or not.

When the information is discontinuous it shall correspond to displacements of the belt equal to or less than the weigh length.

When the information is continuous it must not be replaced by a signal independent of the conveyor belt except in checking or adjustment operations.

8.5. Totalization indicating and printing devices**8.5.1. *Quality of the indication***

Totalization indicating and printing devices shall permit reliable, simple and non-ambiguous reading of the results by simple juxtaposition of the figures and shall bear the name or symbol of the appropriate unit of mass. It must not be possible to reset the general totalization indicating device to zero.

8.5.2. *Scale interval of belt weighers provided with several totalization indicating or printing devices*

The scale interval of the continuous (analogue) totalization indicating device or devices on a belt weigher shall not exceed twice the scale interval of the discontinuous (digital) totalization indicating device or devices. Discontinuous (digital) totalization indicating or printing devices on a belt weigher shall have the same scale interval.

8.5.3. *Forms of discontinuous (digital) results*

Results provided by discontinuous (digital) indicating devices shall be shown exclusively in the form of aligned figures.

8.5.4. *Reliability*

The indicated results must not be distorted by for instance an accidental stopping of the belt or by a breakdown in the power supply.

8.5.5. *Range of indication*

General totalization indicating devices shall be such that they permit the reading of a value at least equal to the quantity of product weighed in 10 hours of operation at the maximum flowrate.

8.5.6. *Supplementary totalization indicating devices*

The scale interval of the supplementary totalization indicating device shall be at least equal to 10 times the totalization scale interval indicated on the descriptive plate. The requirements of 5.2 are not applicable to these devices.

8.5.7. *Engagement of totalization indicating devices*

Totalization indicating and printing devices which indicate only positive values shall be disengaged when the belt is operating unloaded.

The engagement and disengagement of the totalization device shall be carried out by the belt weigher itself and be activated by the load.

Totalization indicating and printing devices which indicate positive and negative values shall be engaged when the belt is operated unloaded and shall be

constructed in such a manner that the indicated results cannot be affected by vibrations.

The test totalization indicating device shall only operate during testing.

8.5.8. *Test totalization indicating device*

Where the scale interval of the general totalization indicating device is greater than

- 0.1% of the minimum totalized load for Class 1,
- 0.2% of the minimum totalized load for Class 2,

the belt weigher shall be provided with a separate test totalization indicating device with a scale interval not exceeding the above percentages.

8.6. *Zero-setting device*

It must be possible to balance the mass of the unloaded belt acting on the load receptor.

8.6.1. *Non-automatic zero-setting device*

Where this device can be adjusted manually, in a continuous manner, the effect in one hour of any linear or rotary movement of the final control element of 10 mm or half a turn respectively shall not exceed:

- 0.1% of the load totalized at the maximum flowrate in one hour for Class 1,
- 0.2% of the load totalized at the maximum flowrate in one hour for Class 2.

Where the device can be adjusted manually in a discontinuous manner, the effect in one hour corresponding to the scale interval of the control element shall not exceed:

- 0.01% of the load totalized at the maximum flowrate in one hour for Class 1,
- 0.02% of the load totalized at the maximum flowrate in one hour for Class 2.

It must be easily determinable whether any correction to be made is positive or negative.

8.6.2. *Semi-automatic or automatic zero-setting device*

Semi-automatic or automatic zero-setting devices shall be constructed in such a manner that:

- setting to zero takes place after a whole number of revolutions of the belt,
- the end of the operation is indicated,
- their limits of adjustments are indicated.

The error of adjustment of these devices in one hour of operation shall not exceed:

- 0.1% of the load totalized at maximum flowrate in one hour for Class 1,
- 0.2% of the load totalized at maximum flowrate in one hour for Class 2.

The automatic zero-setting devices shall be disengaged during testing.

8.6.3. *Zero checking device*

The zero checking device works by means of an additional mass, either placed on the weighing unit or electrically simulated.

The device shall comply with the following requirements:

- the mass shall be applied in a constant manner by a suitable mechanism,
- the application of the mass shall be possible only when the belt is revolving unloaded,
- the mass must be protected against dust,
- the zero checking operation must always be carried out in the same way,
- the zero checking operation must stop automatically after a predetermined whole number of revolutions of the belt,
- at the end of the zero checking operation a control value based on the additional mass and the number of revolutions of the belt must be indicated.

8.6.4. *Belt weighers fitted with a zero checking device with additional mass*

Belt weighers fitted with totalization indicating devices which only indicate positive values shall be fitted with a zero checking device as laid down in 8.6.3. The additional mass shall equal 5% of the maximum capacity of the weighing unit.

Belt weighers fitted with totalization indicating devices which indicate positive and negative values may be fitted with a zero checking device as laid down in 8.6.3. The additional mass shall equal 5% or 20% of the maximum capacity of the weighing unit.

8.7. **Zero totalization indicating device**

The zero totalization indicating device shall in no case interfere with the results of the totalization indicating device.

8.8. **Indication that the maximum capacity of the weighing unit or the maximum or minimum flowrates have not been complied with**

An appropriate signal shall be given if the values of the maximum flowrate or capacity have been exceeded or if the value of the minimum flowrate has not been reached.

8.9. **Ancillary devices**

Ancillary devices must not affect the results.

8.10. **Sealing**

It must be possible to seal components of belt weighers, the removal or adjustments of which affect their metrological characteristics, in accordance with the conditions laid down by EEC pattern approval.

9. **DESCRIPTIVE PLATES AND STAMPING PLATES**

Belt weighers shall, where necessary, bear the following markings in the order shown:

9.1. **Compulsory basic markings expressed clearly in the language of the country of destination**

9.1.1. Manufacturer's identification.

9.1.2. Importer's identification (for imported machines).

9.1.3. Designation of the belt weigher.

9.1.4. Type and serial number of the belt weigher.

9.1.5. Designation of the product or products to be weighed.

- 9.1.6. Minimum totalized load kg or metric tons.
- 9.1.7. Number of cycles per hour (for belt weighers operating by addition).
- 9.1.8. The inscription: 'Machine must be reset to zero at least every three hours. Zero testing must have a duration of at least revolutions' (The number of revolutions in zero testing will be fixed in the EEC pattern approval in conjunction with 7.4.4.4.).
- 9.2. **Basic markings expressed in code**
- 9.2.1. *Compulsory in all cases:*
- EEC pattern approval sign,
 - indication of the class of accuracy in the form

1

 or

2

 - continuous (analogue) totalization scale interval in the form $d_t =$,
 - discontinuous (digital) totalization scale interval in the form $d_{td} =$,
 - maximum capacity in the form Max . . .,
 - maximum flowrate in the form $Q_{max} . . .$,
 - minimum flowrate in the form $Q_{min} . . .$,
 - nominal speeds of the belt in the form $v = . . .$ m/s,
 - weigh length in the form $L = . . .$ m,
 - identification mark on parts of the belt weigher not directly attached to the main body.
- 9.2.2. *Compulsory where relevant:*
- scale interval of the zero totalization indicating device in the form $d_o =$,
 - the control value with maximum possible variation is laid down in 7.4.4.2 (for belt weighers fitted with a zero checking device with additional mass).
- 9.3. **Supplementary markings**
- Depending on the particular use of the belt weigher, one or more additional markings may be required on EEC pattern approval by the metrological service issuing the EEC approval certificate.
- 9.4. **Presentation of the descriptive markings**
- The descriptive markings shall be indelible and have a size, shape and clarity such that they permit easy reading under the normal conditions of use of the belt weigher.
- They shall be grouped together at one clearly visible location on the belt weigher, on a descriptive plate fixed near the indicating device or inscribed directly on the indicator itself.
- It must be possible to seal the plate bearing the markings.
- 9.5. **Stamping**
- The descriptive plate may include a space for stamping. If it does not include a space for stamping, a plate designed for this purpose shall be provided in its vicinity.

CHAPTER IV

METROLOGICAL CONTROLS

EEC pattern approval and EEC initial verification of belt weighers shall be carried out in accordance with Directive No 71/316/EEC. Certain of these requirements are specified in this Chapter.

10. EEC PATTERN APPROVAL

10.1. Application for EEC approval

Applications for EEC approval shall include the following information and be accompanied by the following specific documents:

10.1.1. *Metrological characteristics*

10.1.1.1. Descriptive markings as specified in Section 9.

10.1.1.2. Special characteristics of the weighing unit.

10.1.2. *Descriptive documents:*

- plan or sketch of the whole assembly,
- any plans, or models or photographs required, showing details of metrological interest,
- description and schematic drawing showing clearly the operation of the belt weigher.

10.2. EEC pattern approval examination

10.2.1. *Simulation tests*

These tests shall be carried out on the belt weigher, with or without the belt conveyor to which it is to be connected.

These tests shall in particular make it possible to assess the effect of influence factors which may affect the belt weigher under normal conditions of use (temperature, voltage, frequency, etc.). These shall be examined separately as necessary.

The belt weighers must comply with the requirements of 7.3.

10.2.2. *Tests under normal conditions of use*

These tests include material tests and shall be carried out with a quantity of the product at least equal to the minimum totalized load, at flowrates between the minimum and maximum flowrates.

The belt weighers must fulfil the requirements of 7.4.

11. EEC INITIAL VERIFICATION

EEC initial verification of belt weighers shall be carried out in two stages.

11.1. The first stage consists of the following operations:

- checking that the belt weigher conforms to the approved pattern, and examination of the various parts of the mechanism,
- totalization tests by means of displacement simulation, in accordance with the requirements of 7.3.1, 7.3.3, 7.3.4, 7.3.5 and 7.3.7, excluding 7.3.7.4.2.

For belt weighers with a belt conveyor included (3.2.2.2), the tests shall be carried out on a complete machine.

For belt weighers with a weigh table (3.2.2.1), the tests shall be carried out on the belt weigher without the belt conveyor, and using a displacement simulation device.

These tests must show the result of totalization, i.e. the totalized mass and either the number of cycles or the number representing the length of the belt which has theoretically passed.

11.2. The second stage shall be carried out as follows:

11.2.1. *'In situ' tests*

It must be possible to carry out *in situ* tests in a reliable and easy manner with the product or products to be weighed. The installation of belt weighers shall be designed in such a way that their verification can be carried out without disrupting their normal operation.

A test machine complying with the requirements of 7.4.2 must be permanently available in the vicinity of the belt weigher or weighers to be verified and storage and transport must be organized in such a manner as to prevent any loss of the product.

11.2.2. *Checking of the displacement sensing device*

If there is reason to suppose that slipping of the displacement sensing device may occur, the slip must be measured.

11.2.3. *Verification of zero-setting*

This verification shall be carried out over a whole number of belt revolutions under the conditions set out in 7.4.4.2 and 7.4.4.5.

11.2.4. *Stability of zero*

For tests *in situ* the stability of zero must comply with the requirements of 7.4.4.4.

On machines fitted with a zero checking device with additional mass, the test shall be carried out at least five times. The measured deviations from the control value shall not exceed the value calculated by applying the provisions of 7.4.4.4.

11.2.5. *Material tests*

These tests shall cover under normal conditions of use, at least two flowrates between the minimum and maximum flowrates. They shall be carried out with a quantity of the product at least equal to the minimum totalized load.

Checking of the mass of the product shall take place before or after its passage over the belt weigher.

CHAPTER V

RECOMMENDED PRACTICAL PROVISIONS

12. CONSTRUCTION

Belt weighers which comply with the following provisions shall be considered to comply with the relevant sections in the preceding chapters.

12.1. Special installation conditions

Belt weighers must comply with the following conditions of installation:

12.1.1. Roller track

the upper generatrices of the rollers and sets of rollers forming the conveying track shall be parallel for each group of rollers. Those situated in the immediate vicinity of the end drums need not necessarily conform to this requirement. The inclination of the side-roller axis to the middle-roller axis shall not be greater than 20° for Class 1 and 30° for Class 2.

The inclination of the longitudinal straight section of the plane of the upper generatrices of the rollers shall not be greater than 10‰ for Class 1 and 20‰ for Class 2 provided that the product does not slip.

For Class 1, the weighing rollers and the carrying rollers situated immediately before and after the weigh table shall be mounted on ball bearings or on any similar type of bearing; the alignment of these rollers for a given load approximately equal to half the maximum capacity shall be within 0.3 mm, and the eccentricity error must not exceed 0.2 mm.

12.1.2. Conveyor belt**12.1.2.1. Joints:**

the belt shall consist of one or two parts, each having the same characteristics; the joint or joints shall be oblique and the acute angle between the joint and the lateral edge of the belt shall not exceed 45° .

12.1.2.2. Length:

the length of the unwound belt shall not exceed the shorter of the following two values:

- the distance travelled by any point on the belt during 1.5 minutes at the lowest nominal speed,
- or 100 m.

12.1.3. Action of the product

The weigh table shall be located at a distance from the feeding device between two and five times the distance travelled by any point on the belt in one second at maximum speed.

12.2. Displacement transducer

Measurement of the length corresponding to the displacement of the belt or measurement of the speed shall be made on the inner part of the belt.

On machines operating by integration, it must be possible to fit the displacement transducer with a device enabling the number of revolutions or fractions of revolutions of the displacement sensing device to be counted.

12.3. Instantaneous load and flowrate indicators

The parts of the scale of the instantaneous load and flowrate indicators corresponding to the values which do not lie between the minimum and maximum flowrates shall be differentiated from the rest of the scale.

These indicators may be replaced or supplemented by a recorder provided that it does not affect the results.

If the instantaneous load indicator is also the flowrate indicator it shall bear the inscription:

'Flowrate valid for a belt speed of m/s'.

12.4. **Totalization indicating and printing devices**

Totalization indicating and printing devices which indicate only the positive values of the belt shall be engaged as soon as the flowrate reaches 5% of the maximum flowrate.
