

English edition

Legislation

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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 1295/2002
of 17 July 2002
establishing the standard import values for determining the entry price of certain fruit and vegetables

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 3223/94 of 21 December 1994 on detailed rules for the application of the import arrangements for fruit and vegetables ⁽¹⁾, as last amended by Regulation (EC) No 1498/98 ⁽²⁾, and in particular Article 4(1) thereof,

Whereas:

- (1) Regulation (EC) No 3223/94 lays down, pursuant to the outcome of the Uruguay Round multilateral trade negotiations, the criteria whereby the Commission fixes the standard values for imports from third countries, in respect of the products and periods stipulated in the Annex thereto.

- (2) In compliance with the above criteria, the standard import values must be fixed at the levels set out in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The standard import values referred to in Article 4 of Regulation (EC) No 3223/94 shall be fixed as indicated in the Annex hereto.

Article 2

This Regulation shall enter into force on 18 July 2002.

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

Done at Brussels, 17 July 2002.

For the Commission
J. M. SILVA RODRÍGUEZ
Agriculture Director-General

⁽¹⁾ OJ L 337, 24.12.1994, p. 66.

⁽²⁾ OJ L 198, 15.7.1998, p. 4.

ANNEX

to the Commission Regulation of 17 July 2002 establishing the standard import values for determining the entry price of certain fruit and vegetables

(EUR/100 kg)

CN code	Third country code ⁽¹⁾	Standard import value
0707 00 05	052	101,8
	999	101,8
0709 90 70	052	73,0
	999	73,0
0805 50 10	388	57,2
	524	53,7
	528	56,2
	999	55,7
0808 10 20, 0808 10 50, 0808 10 90	064	143,9
	388	89,8
	400	98,8
	404	77,8
	508	94,9
	512	91,1
	524	91,0
	528	74,8
	720	171,0
	804	98,4
	999	103,2
	0808 20 50	052
388		85,5
512		73,8
528		86,1
804		54,8
0809 10 00	999	88,2
	052	159,6
	064	166,6
0809 20 95	999	163,1
	052	342,5
	061	255,2
	400	294,9
	616	247,4
0809 30 10, 0809 30 90	999	285,0
	052	131,7
	999	131,7
0809 40 05	064	118,4
	999	118,4

⁽¹⁾ Country nomenclature as fixed by Commission Regulation (EC) No 2020/2001 (OJ L 273, 16.10.2001, p. 6). Code '999' stands for 'of other origin'.

COMMISSION REGULATION (EC) No 1296/2002**of 17 July 2002****applying a reduction coefficient to refund certificates for goods not covered by Annex I to the Treaty, as provided for by Article 8(5) of Regulation (EC) No 1520/2000**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3448/93 of 6 December 1993 laying down the trade arrangements applicable to certain goods resulting from the processing of agricultural products ⁽¹⁾, as last amended by Regulation (EC) No 2580/2000 ⁽²⁾,Having regard to Commission Regulation (EC) No 1520/2000 of 13 July 2000 laying down common detailed rules for the application of the system of granting export refunds on certain agricultural products exported in the form of goods not covered by Annex I to the Treaty and the criteria for fixing the amount of such refunds ⁽³⁾, as last amended by Regulation (EC) No 1052/2002 ⁽⁴⁾, and in particular Article 8(5),

Whereas:

- (1) The total amount of applications for refund certificates valid from 1 August 2002 exceeds the maximum

referred to in Article 8(4) of Regulation (EC) No 1520/2000.

- (2) A reduction coefficient shall be calculated on the basis of Article 8(3) and (4) of Regulation (EC) No 1520/2000. Such coefficient should therefore be applied to amounts requested in the form of refund certificates valid from 1 August 2002 as established in Article 8(6) of Regulation (EC) No 1520/2000,

HAS ADOPTED THIS REGULATION:

Article 1

The amounts for applications of refund certificates valid from 1 August 2002 are subject to a reduction coefficient of 0,36.

Article 2

This Regulation shall enter into force on 18 July 2002.

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

Done at Brussels, 17 July 2002.

For the Commission

Erkki LIIKANEN

Member of the Commission⁽¹⁾ OJ L 318, 20.12.1993, p. 18.⁽²⁾ OJ L 298, 25.11.2000, p. 5.⁽³⁾ OJ L 177, 15.7.2000, p. 1.⁽⁴⁾ OJ L 160, 18.6.2002, p. 16.

COMMISSION REGULATION (EC) No 1297/2002**of 17 July 2002****establishing unit values for the determination of the customs value of certain perishable goods**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code ⁽¹⁾, as last amended by Regulation (EC) No 2700/2000 of the European Parliament and of the Council ⁽²⁾,

Having regard to Commission Regulation (EEC) No 2454/93 of 2 July 1993 laying down provisions for the implementation of Council Regulation (EEC) No 2913/92 establishing the Community Customs Code ⁽³⁾, as last amended by Regulation (EC) No 444/2002 ⁽⁴⁾, and in particular Article 173(1) thereof,

Whereas:

- (1) Articles 173 to 177 of Regulation (EEC) No 2454/93 provide that the Commission shall periodically establish unit values for the products referred to in the classification in Annex 26 to that Regulation.

- (2) The result of applying the rules and criteria laid down in the abovementioned Articles to the elements communicated to the Commission in accordance with Article 173(2) of Regulation (EEC) No 2454/93 is that unit values set out in the Annex to this Regulation should be established in regard to the products in question,

HAS ADOPTED THIS REGULATION:

Article 1

The unit values provided for in Article 173(1) of Regulation (EEC) No 2454/93 are hereby established as set out in the table in the Annex hereto.

Article 2

This Regulation shall enter into force on 18 July 2002.

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

Done at Brussels, 17 July 2002.

For the Commission

Erkki LIIKANEN

Member of the Commission

⁽¹⁾ OJ L 302, 19.10.1992, p. 1.

⁽²⁾ OJ L 311, 12.12.2000, p. 17.

⁽³⁾ OJ L 253, 11.10.1993, p. 1.

⁽⁴⁾ OJ L 68, 12.3.2002, p. 11.

ANNEX

Code	Description	Amount of unit values per 100 kg			
	Species, varieties, CN code	EUR	DKK	SEK	GBP
1.10	New potatoes 0701 90 50	—	—	—	—
1.30	Onions (other than seed) 0703 10 19	46,15	342,80	425,86	29,45
1.40	Garlic 0703 20 00	206,05	1 530,58	1 901,43	131,50
1.50	Leeks ex 0703 90 00	80,00	594,26	738,24	51,06
1.60	Cauliflowers 0704 10 00	55,28	410,63	510,12	35,28
1.80	White cabbages and red cabbages 0704 90 10	41,13	305,52	379,55	26,25
1.90	Sprouting broccoli or calabrese (<i>Brassica oleracea</i> L. <i>convar. botrytis</i> (L.) <i>Alef</i> var. <i>italica</i> <i>Plenck</i>) ex 0704 90 90	61,43	456,31	566,88	39,20
1.100	Chinese cabbage ex 0704 90 90	42,28	314,06	390,16	26,98
1.110	Cabbage lettuce (head lettuce) 0705 11 00	90,36	671,21	833,84	57,67
1.130	Carrots ex 0706 10 00	34,84	258,80	321,50	22,23
1.140	Radishes ex 0706 90 90	132,46	983,94	1 222,34	84,54
1.160	Peas (<i>Pisum sativum</i>) 0708 10 00	381,76	2 835,79	3 522,88	243,64
1.170	Beans:				
1.170.1	Beans (<i>Vigna</i> spp., <i>Phaseolus</i> spp.) ex 0708 20 00	162,84	1 209,63	1 502,71	103,93
1.170.2	Beans (<i>Phaseolus</i> ssp. <i>vulgaris</i> var. <i>Compressus</i> <i>Savi</i>) ex 0708 20 00	54,23	402,83	500,43	34,61
1.180	Broad beans ex 0708 90 00	157,74	1 171,72	1 455,62	100,67
1.190	Globe artichokes 0709 10 00	—	—	—	—
1.200	Asparagus:				
1.200.1	— green ex 0709 20 00	500,63	3 718,75	4 619,78	319,50
1.200.2	— other ex 0709 20 00	256,97	1 908,82	2 371,32	164,00
1.210	Aubergines (eggplants) 0709 30 00	83,28	618,62	768,50	53,15

Code	Description	Amount of unit values per 100 kg			
	Species, varieties, CN code	EUR	DKK	SEK	GBP
1.220	Ribbed celery (<i>Apium graveolens</i> L., var. <i>dulce</i> (Mill.) Pers.) ex 0709 40 00	100,48	746,39	927,23	64,13
1.230	Chantarelles 0709 59 10	790,01	5 868,33	7 290,18	504,18
1.240	Sweet peppers 0709 60 10	123,61	918,19	1 140,66	78,89
1.270	Sweet potatoes, whole, fresh (intended for human consumption) 0714 20 10	77,46	575,39	714,81	49,44
2.10	Chestnuts (<i>Castanea</i> spp.), fresh ex 0802 40 00	176,48	1 310,93	1 628,56	112,63
2.30	Pineapples, fresh ex 0804 30 00	88,05	654,02	812,49	56,19
2.40	Avocados, fresh ex 0804 40 00	130,67	970,65	1 205,83	83,39
2.50	Guavas and mangoes, fresh ex 0804 50 00	139,52	1 036,36	1 287,46	89,04
2.60	Sweet oranges, fresh:				
2.60.1	— Sanguines and semi-sanguines 0805 10 10	71,70	532,60	661,65	45,76
2.60.2	— Navels, navelines, navelates, salustianas, vernas, Valencia lates, Maltese, shamoutis, ovalis, trovita and hamlins 0805 10 30	43,43	322,57	400,73	27,71
2.60.3	— Others 0805 10 50	42,56	316,14	392,74	27,16
2.70	Mandarins (including tangerines and satsumas), fresh; clementines, wilkings and similar citrus hybrids, fresh:				
2.70.1	— Clementines ex 0805 20 10	90,52	672,38	835,30	57,77
2.70.2	— Monreales and satsumas ex 0805 20 30	79,36	589,53	732,37	50,65
2.70.3	— Mandarines and wilkings ex 0805 20 50	78,92	586,20	728,23	50,36
2.70.4	— Tangerines and others ex 0805 20 70 ex 0805 20 90	96,19	714,52	887,64	61,39
2.85	Limes (<i>Citrus aurantifolia</i> , <i>Citrus latifolia</i>), fresh 0805 50 90	98,01	728,03	904,43	62,55
2.90	Grapefruit, fresh:				
2.90.1	— white ex 0805 40 00	44,61	331,35	411,63	28,47
2.90.2	— pink ex 0805 40 00	56,40	418,98	520,50	36,00

Code	Description	Amount of unit values per 100 kg			
	Species, varieties, CN code	EUR	DKK	SEK	GBP
2.100	Table grapes 0806 10 10	152,34	1 131,61	1 405,80	97,22
2.110	Water melons 0807 11 00	38,07	282,79	351,31	24,30
2.120	Melons (other than water melons):				
2.120.1	— Amarillo, cuper, honey dew (including cantalene), ontentiente, piel de sapo (including verde liso), rochet, tendral, futuro ex 0807 19 00	97,68	725,59	901,40	62,34
2.120.2	— Other ex 0807 19 00	181,66	1 349,38	1 676,32	115,93
2.140	Pears				
2.140.1	Pears — nashi (<i>Pyrus pyrifolia</i>), Pears — Ya (<i>Pyrus bretschneideri</i>) ex 0808 20 50	—	—	—	—
2.140.2	Other ex 0808 20 50	—	—	—	—
2.150	Apricots ex 0809 10 00	163,60	1 215,25	1 509,70	104,41
2.160	Cherries 0809 20 95 0809 20 05	—	—	—	—
2.170	Peaches 0809 30 90	—	—	—	—
2.180	Nectarines ex 0809 30 10	—	—	—	—
2.190	Plums 0809 40 05	—	—	—	—
2.200	Strawberries 0810 10 00	131,51	976,88	1 213,57	83,93
2.205	Raspberries 0810 20 10	335,59	2 492,83	3 096,82	214,17
2.210	Fruit of the species <i>Vaccinium myrtillus</i> 0810 40 30	614,33	4 563,37	5 669,04	392,07
2.220	Kiwi fruit (<i>Actinidia chinensis</i> Planch.) 0810 50 00	141,03	1 047,59	1 301,42	90,00
2.230	Pomegranates ex 0810 90 95	335,98	2 495,73	3 100,42	214,42
2.240	Khakis (including sharon fruit) ex 0810 90 95	395,81	2 940,19	3 652,58	252,61
2.250	Lychees ex 0810 90 30	290,55	2 158,28	2 681,21	185,43

COMMISSION REGULATION (EC) No 1298/2002
of 17 July 2002
amending Regulation (EC) No 1503/96 on the detailed rules for the application of Council Regulation (EC) No 3072/95 with regard to import duties on rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organisation of the market in rice ⁽¹⁾, as last amended by Commission Regulation (EC) No 411/2002 ⁽²⁾, and in particular Article 11(4) thereof,

Whereas:

- (1) Pursuant to Article 4a(3) of Commission Regulation (EC) No 1503/96 ⁽³⁾, as last amended by Regulation (EC) No 2831/98 ⁽⁴⁾, a certificate of authenticity shall accompany the import licence application for Basmati rice. Such a certificate has to be issued by a competent body recognised by the Commission. Annex III to Regulation (EC) No 1503/96 provides for the list of competent bodies recognised by the Commission. The authorities of Pakistan have informed the Commission that the competent body for issuing authenticity certificates for Pakistani Basmati rice is to be changed as from 1 August 2002. Annex III of Regulation (EC) No 1503/96 should therefore be amended accordingly.

- (2) In order to allow for imports of Pakistani Basmati rice accompanied by a certificate of authenticity issued as from 1 August 2002 by the new competent Pakistani body, this Regulation should apply as from that date.

- (3) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

In Annex III to Regulation (EC) No 1503/96 the indent '— Rice Export Corporation of Pakistan Ltd, Karachi' is replaced by '— Trading Corporation of Pakistan (Pvt) Ltd'.

Article 2

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

It shall be applicable as from 1 August 2002.

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

Done at Brussels, 17 July 2002.

For the Commission
Franz FISCHLER
Member of the Commission

⁽¹⁾ OJ L 329, 30.12.1995, p. 18.

⁽²⁾ OJ L 62, 5.3.2002, p. 27.

⁽³⁾ OJ L 189, 30.7.1996, p. 71.

⁽⁴⁾ OJ L 351, 29.12.1998, p. 25.

COMMISSION REGULATION (EC) No 1299/2002
of 17 July 2002
fixing the import duties in the rice sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organisation of the market in rice ⁽¹⁾, as last amended by Commission Regulation (EC) No 411/2002 ⁽²⁾,

Having regard to Commission Regulation (EC) No 1503/96 of 29 July 1996 laying down detailed rules for the application of Council Regulation (EC) No 3072/95 as regards import duties in the rice sector ⁽³⁾, as last amended by Regulation (EC) No 2831/98 ⁽⁴⁾, and in particular Article 4(1) thereof,

Whereas:

- (1) Article 11 of Regulation (EC) No 3072/95 provides that the rates of duty in the Common Customs Tariff are to be charged on import of the products referred to in Article 1 of that Regulation. However, in the case of the products referred to in paragraph 2 of that Article, the import duty is to be equal to the intervention price valid for such products on importation and increased by a certain percentage according to whether it is husked or milled rice, minus the cif import price provided that duty does not exceed the rate of the Common Customs Tariff duties.
- (2) Pursuant to Article 12(3) of Regulation (EC) No 3072/95, the cif import prices are calculated on the basis of the representative prices for the product in question on the world market or on the Community import market for the product.

- (3) Regulation (EC) No 1503/96 lays down detailed rules for the application of Regulation (EC) No 3072/95 as regards import duties in the rice sector.
- (4) The import duties are applicable until new duties are fixed and enter into force. They also remain in force in cases where no quotation is available from the source referred to in Article 5 of Regulation (EC) No 1503/96 during the two weeks preceding the next periodical fixing.
- (5) In order to allow the import duty system to function normally, the market rates recorded during a reference period should be used for calculating the duties.
- (6) Application of Regulation (EC) No 1503/96 results in import duties being fixed as set out in the Annexes to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The import duties in the rice sector referred to in Article 11(1) and (2) of Regulation (EC) No 3072/95 shall be those fixed in Annex I to this Regulation on the basis of the information given in Annex II.

Article 2

This Regulation shall enter into force on 18 July 2002.

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

Done at Brussels, 17 July 2002.

For the Commission
J. M. SILVA RODRÍGUEZ
Agriculture Director-General

⁽¹⁾ OJ L 329, 30.12.1995, p. 18.

⁽²⁾ OJ L 62, 5.3.2002, p. 27.

⁽³⁾ OJ L 189, 30.7.1996, p. 71.

⁽⁴⁾ OJ L 351, 29.12.1998, p. 25.

ANNEX I

Import duties on rice and broken rice

(EUR/t)

CN code	Duties (€)				
	Third countries (except ACP and Bangladesh) (7)	ACP (1) (2) (3)	Bangladesh (4)	Basmati India and Pakistan (6)	Egypt (8)
1006 10 21	(7)	69,51	101,16		158,25
1006 10 23	(7)	69,51	101,16		158,25
1006 10 25	(7)	69,51	101,16		158,25
1006 10 27	(7)	69,51	101,16		158,25
1006 10 92	(7)	69,51	101,16		158,25
1006 10 94	(7)	69,51	101,16		158,25
1006 10 96	(7)	69,51	101,16		158,25
1006 10 98	(7)	69,51	101,16		158,25
1006 20 11	264,00	88,06	127,66		198,00
1006 20 13	264,00	88,06	127,66		198,00
1006 20 15	264,00	88,06	127,66		198,00
1006 20 17	264,00	88,06	127,66	14,00	198,00
1006 20 92	264,00	88,06	127,66		198,00
1006 20 94	264,00	88,06	127,66		198,00
1006 20 96	264,00	88,06	127,66		198,00
1006 20 98	264,00	88,06	127,66	14,00	198,00
1006 30 21	(7)	133,21	193,09		312,00
1006 30 23	(7)	133,21	193,09		312,00
1006 30 25	(7)	133,21	193,09		312,00
1006 30 27	(7)	133,21	193,09		312,00
1006 30 42	(7)	133,21	193,09		312,00
1006 30 44	(7)	133,21	193,09		312,00
1006 30 46	(7)	133,21	193,09		312,00
1006 30 48	(7)	133,21	193,09		312,00
1006 30 61	(7)	133,21	193,09		312,00
1006 30 63	(7)	133,21	193,09		312,00
1006 30 65	(7)	133,21	193,09		312,00
1006 30 67	(7)	133,21	193,09		312,00
1006 30 92	(7)	133,21	193,09		312,00
1006 30 94	(7)	133,21	193,09		312,00
1006 30 96	(7)	133,21	193,09		312,00
1006 30 98	(7)	133,21	193,09		312,00
1006 40 00	(7)	41,18	(7)		96,00

(1) The duty on imports of rice originating in the ACP States is applicable, under the arrangements laid down in Council Regulation (EC) No 1706/98 (OJ L 215, 1.8.1998, p. 12) and amended Commission Regulation (EC) No 2603/97 (OJ L 351, 23.12.1997, p. 22).

(2) In accordance with Regulation (EC) No 1706/98, the duties are not applied to products originating in the African, Caribbean and Pacific States and imported directly into the overseas department of Réunion.

(3) The import levy on rice entering the overseas department of Réunion is specified in Article 11(3) of Regulation (EC) No 3072/95.

(4) The duty on imports of rice not including broken rice (CN code 1006 40 00), originating in Bangladesh is applicable under the arrangements laid down in Council Regulation (EEC) No 3491/90 (OJ L 337, 4.12.1990, p. 1) and amended Commission Regulation (EEC) No 862/91 (OJ L 88, 9.4.1991, p. 7).

(5) No import duty applies to products originating in the OCT pursuant to Article 101(1) of amended Council Decision 91/482/EEC (OJ L 263, 19.9.1991, p. 1).

(6) For husked rice of the Basmati variety originating in India and Pakistan, a reduction of EUR/t 250 applies (Article 4a of amended Regulation (EC) No 1503/96).

(7) Duties fixed in the Common Customs Tariff.

(8) The duty on imports of rice originating in and coming from Egypt is applicable under the arrangements laid down in Council Regulation (EC) No 2184/96 (OJ L 292, 15.11.1996, p. 1) and Commission Regulation (EC) No 196/97 (OJ L 31, 1.2.1997, p. 53).

ANNEX II

Calculation of import duties for rice

	Paddy	Indica rice		Japonica rice		Broken rice
		Husked	Milled	Husked	Milled	
1. Import duty (EUR/tonne)	(¹)	264,00	416,00	264,00	416,00	(¹)
2. Elements of calculation:						
(a) Arag cif price (EUR/tonne)	—	201,34	236,54	256,74	258,20	—
(b) fob price (EUR/tonne)	—	—	—	227,12	228,58	—
(c) Sea freight (EUR/tonne)	—	—	—	29,62	29,62	—
(d) Source	—	USDA and operators	USDA and operators	Operators	Operators	—

(¹) Duties fixed in the Common Customs Tariff.

DIRECTIVE 2002/49/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL
of 25 June 2002
relating to the assessment and management of environmental noise

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 175(1) thereof,

Having regard to the proposal from the Commission ⁽¹⁾,

Having regard to the opinion of the Economic and Social Committee ⁽²⁾,

Having regard to the opinion of the Committee of the Regions ⁽³⁾,

Acting in accordance with the procedure laid down in Article 251 of the Treaty ⁽⁴⁾, and in the light of the joint text approved by the Conciliation Committee on 8 April 2002,

Whereas:

- (1) It is part of Community policy to achieve a high level of health and environmental protection, and one of the objectives to be pursued is protection against noise. In the Green Paper on Future Noise Policy, the Commission addressed noise in the environment as one of the main environmental problems in Europe.
- (2) In its Resolution of 10 June 1997 ⁽⁵⁾ on the Commission Green Paper, the European Parliament expressed its support for that Green Paper, urged that specific measures and initiatives should be laid down in a Directive on the reduction of environmental noise, and noted the lack of reliable, comparable data regarding the situation of the various noise sources.
- (3) A common noise indicator and a common methodology for noise calculation and measurement around airports were identified in the Commission Communication of 1 December 1999 on Air Transport and the Environment. This communication has been taken into account in the provisions of this Directive.
- (4) Certain categories of noise emissions from products are already covered by Community legislation, such as Council Directive 70/157/EEC of 6 February 1970 on

the approximation of the laws of the Member States relating to the permissible sound level and the exhaust system of motor vehicles ⁽⁶⁾, Council Directive 77/311/EEC of 29 March 1977 on the approximation of the laws of the Member States relating to the driver-perceived noise level of wheeled agricultural or forestry tractors ⁽⁷⁾, Council Directive 80/51/EEC of 20 December 1979 on the limitation of noise emissions from subsonic aircraft ⁽⁸⁾ and its complementary directives, Council Directive 92/61/EEC of 30 June 1992 relating to the type-approval of two or three-wheel motor vehicles ⁽⁹⁾ and Directive 2000/14/EC of the European Parliament and of the Council of 8 May 2000 on the approximation of the laws of the Member States relating to the noise emission in the environment by equipment for use outdoors ⁽¹⁰⁾.

- (5) This Directive should *inter alia* provide a basis for developing and completing the existing set of Community measures concerning noise emitted by the major sources, in particular road and rail vehicles and infrastructure, aircraft, outdoor and industrial equipment and mobile machinery, and for developing additional measures, in the short, medium and long term.
- (6) Certain categories of noise such as noise created inside means of transport and noise from domestic activities should not be subject to this Directive.
- (7) In accordance with the principle of subsidiarity as set out in Article 5 of the Treaty, the Treaty objectives of achieving a high level of protection of the environment and of health will be better reached by complementing the action of the Member States by a Community action achieving a common understanding of the noise problem. Data about environmental noise levels should therefore be collected, collated or reported in accordance with comparable criteria. This implies the use of harmonised indicators and evaluation methods, as well as criteria for the alignment of noise-mapping. Such criteria and methods can best be established by the Community.

⁽¹⁾ OJ C 337 E, 28.11.2000, p. 251.

⁽²⁾ OJ C 116, 20.4.2001, p. 48.

⁽³⁾ OJ C 148, 18.5.2001, p. 7.

⁽⁴⁾ Opinion of the European Parliament of 14 December 2000 (OJ C 232, 17.8.2001, p. 305), Council Common Position of 7 June 2001 (OJ C 297, 23.10.2001, p. 49) and Decision of the European Parliament of 3 October 2001 (OJ C 87 E, 11.4.2002, p. 118). Decision of the European Parliament of 15 May 2002 and Decision of the Council of 21 May 2002.

⁽⁵⁾ OJ C 200, 30.6.1997, p. 28.

⁽⁶⁾ OJ L 42, 23.2.1970, p. 16. Directive as last amended by Commission Directive 1999/101/EC (OJ L 334, 28.12.1999, p. 41).

⁽⁷⁾ OJ L 105, 28.4.1977, p. 1. Directive as last amended by Directive 97/54/EC (OJ L 277, 10.10.1997, p. 24).

⁽⁸⁾ OJ L 18, 24.1.1980, p. 26. Directive as last amended by Directive 83/206/EEC (OJ L 117, 4.5.1983, p. 15).

⁽⁹⁾ OJ L 225, 10.8.1992, p. 72. Directive as last amended by Directive 2000/7/EC (OJ L 106, 3.5.2000, p. 1).

⁽¹⁰⁾ OJ L 162, 3.7.2000, p. 1.

- (8) It is also necessary to establish common assessment methods for 'environmental noise' and a definition for 'limit values', in terms of harmonised indicators for the determination of noise levels. The concrete figures of any limit values are to be determined by the Member States, taking into account, *inter alia*, the need to apply the principle of prevention in order to preserve quiet areas in agglomerations.
- (9) The selected common noise indicators are L_{den} , to assess annoyance, and L_{night} , to assess sleep disturbance. It is also useful to allow Member States to use supplementary indicators in order to monitor or control special noise situations.
- (10) Strategic noise mapping should be imposed in certain areas of interest as it can capture the data needed to provide a representation of the noise levels perceived within that area.
- (11) Action plans should address priorities in those areas of interest and should be drawn up by the competent authorities in consultation with the public.
- (12) In order to have a wide spread of information to the public, the most appropriate information channels should be selected.
- (13) Data collection and the consolidation of suitable Community-wide reports are required as a basis for future Community policy and for further information of the public.
- (14) An evaluation of the implementation of this Directive should be carried out regularly by the Commission.
- (15) The technical provisions governing the assessment methods should be supplemented and adapted as necessary to technical and scientific progress and to progress in European standardisation.
- (16) The measures necessary for the implementation of this Directive should be adopted in accordance with Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission ⁽¹⁾,

HAVE ADOPTED THIS DIRECTIVE:

Article 1

Objectives

1. The aim of this Directive shall be to define a common approach intended to avoid, prevent or reduce on a prioritised basis the harmful effects, including annoyance, due to exposure

to environmental noise. To that end the following actions shall be implemented progressively:

- (a) the determination of exposure to environmental noise, through noise mapping, by methods of assessment common to the Member States;
- (b) ensuring that information on environmental noise and its effects is made available to the public;
- (c) adoption of action plans by the Member States, based upon noise-mapping results, with a view to preventing and reducing environmental noise where necessary and particularly where exposure levels can induce harmful effects on human health and to preserving environmental noise quality where it is good.

2. This Directive shall also aim at providing a basis for developing Community measures to reduce noise emitted by the major sources, in particular road and rail vehicles and infrastructure, aircraft, outdoor and industrial equipment and mobile machinery. To this end, the Commission shall submit to the European Parliament and the Council, no later than 18 July 2006, appropriate legislative proposals. Those proposals should take into account the results of the report referred to in Article 10(1).

Article 2

Scope

1. This Directive shall apply to environmental noise to which humans are exposed in particular in built-up areas, in public parks or other quiet areas in an agglomeration, in quiet areas in open country, near schools, hospitals and other noise-sensitive buildings and areas.

2. This Directive shall not apply to noise that is caused by the exposed person himself, noise from domestic activities, noise created by neighbours, noise at work places or noise inside means of transport or due to military activities in military areas.

Article 3

Definitions

For the purposes of this Directive:

- (a) 'environmental noise' shall mean unwanted or harmful outdoor sound created by human activities, including noise emitted by means of transport, road traffic, rail traffic, air traffic, and from sites of industrial activity such as those defined in Annex I to Council Directive 96/61/EC of 24 September 1996 concerning integrated pollution prevention and control ⁽²⁾;
- (b) 'harmful effects' shall mean negative effects on human health;

⁽¹⁾ OJ L 184, 17.7.1999, p. 23.

⁽²⁾ OJ L 257, 10.10.1996, p. 26.

- (c) 'annoyance' shall mean the degree of community noise annoyance as determined by means of field surveys;
- (d) 'noise indicator' shall mean a physical scale for the description of environmental noise, which has a relationship with a harmful effect;
- (e) 'assessment' shall mean any method used to calculate, predict, estimate or measure the value of a noise indicator or the related harmful effects;
- (f) ' L_{den} ' (day-evening-night noise indicator) shall mean the noise indicator for overall annoyance, as further defined in Annex I;
- (g) ' L_{day} ' (day-noise indicator) shall mean the noise indicator for annoyance during the day period, as further defined in Annex I;
- (h) ' $L_{evening}$ ' (evening-noise indicator) shall mean the noise indicator for annoyance during the evening period, as further defined in Annex I;
- (i) ' L_{night} ' (night-time noise indicator) shall mean the noise indicator for sleep disturbance, as further defined in Annex I;
- (j) 'dose-effect relation' shall mean the relationship between the value of a noise indicator and a harmful effect;
- (k) 'agglomeration' shall mean part of a territory, delimited by the Member State, having a population in excess of 100 000 persons and a population density such that the Member State considers it to be an urbanised area;
- (l) 'quiet area in an agglomeration' shall mean an area, delimited by the competent authority, for instance which is not exposed to a value of L_{den} or of another appropriate noise indicator greater than a certain value set by the Member State, from any noise source;
- (m) 'quiet area in open country' shall mean an area, delimited by the competent authority, that is undisturbed by noise from traffic, industry or recreational activities;
- (n) 'major road' shall mean a regional, national or international road, designated by the Member State, which has more than three million vehicle passages a year;
- (o) 'major railway' shall mean a railway, designated by the Member State, which has more than 30 000 train passages per year;
- (p) 'major airport' shall mean a civil airport, designated by the Member State, which has more than 50 000 movements per year (a movement being a take-off or a landing), excluding those purely for training purposes on light aircraft;
- (q) 'noise mapping' shall mean the presentation of data on an existing or predicted noise situation in terms of a noise indicator, indicating breaches of any relevant limit value in force, the number of people affected in a certain area, or the number of dwellings exposed to certain values of a noise indicator in a certain area;
- (r) 'strategic noise map' shall mean a map designed for the global assessment of noise exposure in a given area due to different noise sources or for overall predictions for such an area;
- (s) 'limit value' shall mean a value of L_{den} or L_{night} , and where appropriate L_{day} and $L_{evening}$, as determined by the Member State, the exceeding of which causes competent authorities to consider or enforce mitigation measures; limit values may be different for different types of noise (road-, rail-, air-traffic noise, industrial noise, etc.), different surroundings and different noise sensitiveness of the populations; they may also be different for existing situations and for new situations (where there is a change in the situation regarding the noise source or the use of the surrounding);
- (t) 'action plans' shall mean plans designed to manage noise issues and effects, including noise reduction if necessary;
- (u) 'acoustical planning' shall mean controlling future noise by planned measures, such as land-use planning, systems engineering for traffic, traffic planning, abatement by sound-insulation measures and noise control of sources;
- (v) 'the public' shall mean one or more natural or legal persons and, in accordance with national legislation or practice, their associations, organisations or groups.

Article 4

Implementation and responsibilities

1. Member States shall designate at the appropriate levels the competent authorities and bodies responsible for implementing this Directive, including the authorities responsible for:

- (a) making and, where relevant, approving noise maps and action plans for agglomerations, major roads, major railways and major airports;
- (b) collecting noise maps and action plans.

2. The Member States shall make the information referred to in paragraph 1 available to the Commission and to the public no later than 18 July 2005.

Article 5

Noise indicators and their application

1. Member States shall apply the noise indicators L_{den} and L_{night} as referred to in Annex I for the preparation and revision of strategic noise mapping in accordance with Article 7.

Until the use of common assessment methods for the determination of L_{den} and L_{night} is made obligatory, existing national noise indicators and related data may be used by Member States for this purpose and should be converted into the indicators mentioned above. These data must not be more than three years old.

2. Member States may use supplementary noise indicators for special cases such as those listed in Annex I(3).

3. For acoustical planning and noise zoning, Member States may use other noise indicators than L_{den} and L_{night} .

4. No later than 18 July 2005, Member States shall communicate information to the Commission on any relevant limit values in force within their territories or under preparation, expressed in terms of L_{den} and L_{night} and where appropriate, L_{day} and $L_{evening}$, for road-traffic noise, rail-traffic noise, aircraft noise around airports and noise on industrial activity sites, together with explanations about the implementation of the limit values.

Article 6

Assessment methods

1. The values of L_{den} and L_{night} shall be determined by means of the assessment methods defined in Annex II.

2. Common assessment methods for the determination of L_{den} and L_{night} shall be established by the Commission in accordance with the procedure laid down in Article 13(2) through a revision of Annex II. Until these methods are adopted, Member States may use assessment methods adapted in accordance with Annex II and based upon the methods laid down in their own legislation. In such case, they must demonstrate that those methods give equivalent results to the results obtained with the methods set out in paragraph 2.2 of Annex II.

3. Harmful effects may be assessed by means of the dose-effect relations referred to in Annex III.

Article 7

Strategic noise mapping

1. Member States shall ensure that no later than 30 June 2007 strategic noise maps showing the situation in the preceding calendar year have been made and, where relevant, approved by the competent authorities, for all agglomerations with more than 250 000 inhabitants and for all major roads which have more than six million vehicle passages a year, major railways which have more than 60 000 train passages per year and major airports within their territories.

No later than 30 June 2005, and thereafter every five years, Member States shall inform the Commission of the major roads which have more than six million vehicle passages a year, major railways which have more than 60 000 train passages per year, major airports and the agglomerations with more than 250 000 inhabitants within their territories.

2. Member States shall adopt the measures necessary to ensure that no later than 30 June 2012, and thereafter every five years, strategic noise maps showing the situation in the preceding calendar year have been made and, where relevant, approved by the competent authorities for all agglomerations

and for all major roads and major railways within their territories.

No later than 31 December 2008, Member States shall inform the Commission of all the agglomerations and of all the major roads and major railways within their territories.

3. The strategic noise maps shall satisfy the minimum requirements laid down in Annex IV.

4. Neighbouring Member States shall cooperate on strategic noise mapping near borders.

5. The strategic noise maps shall be reviewed, and revised if necessary, at least every five years after the date of their preparation.

Article 8

Action plans

1. Member States shall ensure that no later than 18 July 2008 the competent authorities have drawn up action plans designed to manage, within their territories, noise issues and effects, including noise reduction if necessary for:

- (a) places near the major roads which have more than six million vehicle passages a year, major railways which have more than 60 000 train passages per year and major airports;
- (b) agglomerations with more than 250 000 inhabitants. Such plans shall also aim to protect quiet areas against an increase in noise.

The measures within the plans are at the discretion of the competent authorities, but should notably address priorities which may be identified by the exceeding of any relevant limit value or by other criteria chosen by the Member States and apply in particular to the most important areas as established by strategic noise mapping.

2. Member States shall ensure that, no later than 18 July 2013, the competent authorities have drawn up action plans notably to address priorities which may be identified by the exceeding of any relevant limit value or by other criteria chosen by the Member States for the agglomerations and for the major roads as well as the major railways within their territories.

3. Member States shall inform the Commission of the other relevant criteria referred to in paragraphs 1 and 2.

4. The action plans shall meet the minimum requirements of Annex V.

5. The action plans shall be reviewed, and revised if necessary, when a major development occurs affecting the existing noise situation, and at least every five years after the date of their approval.

6. Neighbouring Member States shall cooperate on the action plans for border regions.

7. Member States shall ensure that the public is consulted about proposals for action plans, given early and effective opportunities to participate in the preparation and review of the action plans, that the results of that participation are taken into account and that the public is informed on the decisions taken. Reasonable time-frames shall be provided allowing sufficient time for each stage of public participation.

If the obligation to carry out a public participation procedure arises simultaneously from this Directive and any other Community legislation, Member States may provide for joint procedures in order to avoid duplication.

Article 9

Information to the public

1. Member States shall ensure that the strategic noise maps they have made, and where appropriate adopted, and the action plans they have drawn up are made available and disseminated to the public in accordance with relevant Community legislation, in particular Council Directive 90/313/EEC of 7 June 1990 on the freedom of access to information on the environment⁽¹⁾, and in conformity with Annexes IV and V to this Directive, including by means of available information technologies.

2. This information shall be clear, comprehensible and accessible. A summary setting out the most important points shall be provided.

Article 10

Collection and publication of data by Member States and the Commission

1. No later than 18 January 2004, the Commission will submit a report to the European Parliament and the Council containing a review of existing Community measures relating to sources of environmental noise.

2. The Member States shall ensure that the information from strategic noise maps and summaries of the action plans as referred to in Annex VI are sent to the Commission within six months of the dates laid down in Articles 7 and 8 respectively.

3. The Commission shall set up a database of information on strategic noise maps in order to facilitate the compilation of the report referred to in Article 11 and other technical and informative work.

4. Every five years the Commission shall publish a summary report of data from strategic noise maps and action plans. The first report shall be submitted by 18 July 2009.

⁽¹⁾ OJ L 158, 23.6.1990, p. 56.

Article 11

Review and reporting

1. No later than 18 July 2009, the Commission shall submit to the European Parliament and the Council a report on the implementation of this Directive.

2. That report shall in particular assess the need for further Community actions on environmental noise and, if appropriate, propose implementing strategies on aspects such as:

- (a) long-term and medium-term goals for the reduction of the number of persons harmfully affected by environmental noise, taking particularly into account the different climates and different cultures;
- (b) additional measures for a reduction of the environmental noise emitted by specific sources, in particular outdoor equipment, means and infrastructures of transport and certain categories of industrial activity, building on those measures already implemented or under discussion for adoption;
- (c) the protection of quiet areas in open country.

3. The report shall include a review of the acoustic environment quality in the Community based on the data referred to in Article 10 and shall take account of scientific and technical progress and any other relevant information. The reduction of harmful effects and the cost-effectiveness ratio shall be the main criteria for the selection of the strategies and measures proposed.

4. When the Commission has received the first set of strategic noise maps, it shall reconsider:

- the possibility for a 1,5 metre measurement height in Annex I, paragraph 1, in respect of areas having houses of one storey,
- the lower limit for the estimated number of people exposed to different bands of L_{den} and L_{night} in Annex VI.

5. The report shall be reviewed every five years or more often if appropriate. It shall contain an assessment of the implementation of this Directive.

6. The report shall, if appropriate, be accompanied by proposals for the amendment of this Directive.

Article 12

Adaptation

The Commission shall adapt Annex I, point 3, Annex II and Annex III hereto to technical and scientific progress in accordance with the procedure provided for in Article 13(2).

*Article 13***Committee**

1. The Commission shall be assisted by the committee set up by Article 18 of Directive 2000/14/EC.

2. Where reference is made to this paragraph, Articles 5 and 7 of Decision 1999/468/EC shall apply, having regard to the provisions of Article 8 thereof.

The period laid down in Article 5(6) of Decision 1999/468/EC shall be set at three months.

3. The Committee shall adopt its rules of procedure.

*Article 14***Transposition**

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive no later than 18 July 2004. They shall inform the Commission thereof.

When the Member States adopt these measures, they shall contain a reference to this Directive or shall be accompanied by such a reference on the occasion of their official publication.

The methods of making such a reference shall be laid down by the Member States.

2. The Member States shall communicate to the Commission the texts of the provisions of national law that they adopt in the field governed by this Directive.

*Article 15***Entry into force**

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

*Article 16***Addressees**

This Directive is addressed to the Member States.

Done at Luxembourg, 25 June 2002.

For the European Parliament

The President

P. COX

For the Council

The President

J. MATAS I PALOU

ANNEX I

NOISE INDICATORS

referred to in Article 5

1. Definition of the day-evening-night level L_{den}

The day-evening-night level L_{den} in decibels (dB) is defined by the following formula:

$$L_{den} = 10 \lg \frac{1}{24} \left(12 * 10^{\frac{L_{day}}{10}} + 4 * 10^{\frac{L_{evening} + 5}{10}} + 8 * 10^{\frac{L_{night} + 10}{10}} \right)$$

in which:

- L_{day} is the A-weighted long-term average sound level as defined in ISO 1996-2: 1987, determined over all the day periods of a year,
- $L_{evening}$ is the A-weighted long-term average sound level as defined in ISO 1996-2: 1987, determined over all the evening periods of a year,
- L_{night} is the A-weighted long-term average sound level as defined in ISO 1996-2: 1987, determined over all the night periods of a year;

in which:

- the day is 12 hours, the evening four hours and the night eight hours. The Member States may shorten the evening period by one or two hours and lengthen the day and/or the night period accordingly, provided that this choice is the same for all the sources and that they provide the Commission with information on any systematic difference from the default option,
- the start of the day (and consequently the start of the evening and the start of the night) shall be chosen by the Member State (that choice shall be the same for noise from all sources); the default values are 07.00 to 19.00, 19.00 to 23.00 and 23.00 to 07.00 local time,
- a year is a relevant year as regards the emission of sound and an average year as regards the meteorological circumstances;

and in which:

- the incident sound is considered, which means that no account is taken of the sound that is reflected at the façade of the dwelling under consideration (as a general rule, this implies a 3 dB correction in case of measurement).

The height of the L_{den} assessment point depends on the application:

- in the case of computation for the purpose of strategic noise mapping in relation to noise exposure in and near buildings, the assessment points must be $4,0 \pm 0,2$ m (3,8 to 4,2 m) above the ground and at the most exposed façade; for this purpose, the most exposed façade will be the external wall facing onto and nearest to the specific noise source; for other purposes other choices may be made,
- in the case of measurement for the purpose of strategic noise mapping in relation to noise exposure in and near buildings, other heights may be chosen, but they must never be less than 1,5 m above the ground, and results should be corrected in accordance with an equivalent height of 4 m,
- for other purposes such as acoustical planning and noise zoning other heights may be chosen, but they must never be less than 1,5 m above the ground, for example for:
 - rural areas with one-storey houses,
 - the design of local measures meant to reduce the noise impact on specific dwellings,
 - the detailed noise mapping of a limited area, showing the noise exposure of individual dwellings.

2. Definition of the night-time noise indicator

The night-time noise indicator L_{night} is the A-weighted long-term average sound level as defined in ISO 1996-2: 1987, determined over all the night periods of a year;

in which:

- the night is eight hours as defined in paragraph 1,
- a year is a relevant year as regards the emission of sound and an average year as regards the meteorological circumstances, as defined in paragraph 1,
- the incident sound is considered, as laid down in paragraph 1,
- the assessment point is the same as for L_{den} .

3. Supplementary noise indicators

In some cases, in addition to L_{den} and L_{night} , and where appropriate L_{day} and $L_{evening}$, it may be advantageous to use special noise indicators and related limit values. Some examples are given below:

- the noise source under consideration operates only for a small proportion of the time (for example, less than 20 % of the time over the total of the day periods in a year, the total of the evening periods in a year, or the total of the night periods in a year),
 - the average number of noise events in one or more of the periods is very low (for example, less than one noise event an hour; a noise event could be defined as a noise that lasts less than five minutes; examples are the noise from a passing train or a passing aircraft),
 - the low-frequency content of the noise is strong,
 - L_{Amax} or SEL (sound exposure level) for night period protection in the case of noise peaks,
 - extra protection at the weekend or a specific part of the year,
 - extra protection of the day period,
 - extra protection of the evening period,
 - a combination of noises from different sources,
 - quiet areas in open country,
 - the noise contains strong tonal components,
 - the noise has an impulsive character.
-

ANNEX II

ASSESSMENT METHODS FOR THE NOISE INDICATORS

referred to in Article 6

1. Introduction

The values of L_{den} and L_{night} can be determined either by computation or by measurement (at the assessment position). For predictions only computation is applicable.

Provisional computation and measurement methods are set out in paragraphs 2 and 3.

2. Interim computation methods for L_{den} and L_{night} *2.1. Adaptation of existing national computation methods*

If a Member State has national methods for the determination of long-term indicators those methods may be applied, provided that they are adapted to the definitions of the indicators set out in Annex I. For most national methods this implies the introduction of the evening as a separate period and the introduction of the average over a year. Some existing methods will also have to be adapted as regards the exclusion of the façade reflection, the incorporation of the night and/or the assessment position.

The establishment of the average over a year requires special attention. Variations in emission and transmission can contribute to fluctuations over a year.

2.2. Recommended interim computation methods

For Member States that have no national computation methods or Member States that wish to change computation method, the following methods are recommended:

For INDUSTRIAL NOISE: ISO 9613-2: 'Acoustics — Abatement of sound propagation outdoors, Part 2: General method of calculation'.

Suitable noise-emission data (input data) for this method can be obtained from measurements carried out in accordance with one of the following methods:

- ISO 8297: 1994 'Acoustics — Determination of sound power levels of multisource industrial plants for evaluation of sound pressure levels in the environment — Engineering method',
- EN ISO 3744: 1995 'Acoustics — Determination of sound power levels of noise using sound pressure — Engineering method in an essentially free field over a reflecting plane',
- EN ISO 3746: 1995 'Acoustics — Determination of sound power levels of noise sources using an enveloping measurement surface over a reflecting plane'.

For AIRCRAFT NOISE: ECAC.CEAC Doc. 29 'Report on Standard Method of Computing Noise Contours around Civil Airports', 1997. Of the different approaches to the modelling of flight paths, the segmentation technique referred to in section 7.5 of ECAC.CEAC Doc. 29 will be used.

For ROAD TRAFFIC NOISE: The French national computation method 'NMPB-Routes-96 (SETRA-CERTU-LCPC-CSTB)', referred to in 'Arrêté du 5 mai 1995 relatif au bruit des infrastructures routières, Journal Officiel du 10 mai 1995, Article 6' and in the French standard 'XPS 31-133'. For input data concerning emission, these documents refer to the 'Guide du bruit des transports terrestres, fascicule prévision des niveaux sonores, CETUR 1980'.

For RAILWAY NOISE: The Netherlands national computation method published in 'Reken- en Meetvoorschrift Railverkeerslawaaai '96, Ministerie Volkshuisvesting, Ruimtelijke Ordening en Milieubeheer, 20 November 1996'.

Those methods must be adapted to the definitions of L_{den} and L_{night} . No later than 1 July 2003 the Commission will publish guidelines in accordance with Article 13(2) on the revised methods and provide emission data for aircraft noise, road traffic noise and railway noise on the basis of existing data.

3. Interim measurement methods for L_{den} and L_{night}

If a Member State wishes to use its own official measurement method, that method shall be adapted in accordance with the definitions of the indicators set out in Annex I and in accordance with the principles governing long-term average measurements stated in ISO 1996-2: 1987 and ISO 1996-1: 1982.

If a Member State has no measurement method or if it prefers to apply another method, a method may be defined on the basis of the definition of the indicator and the principles stated in ISO 1996-2: 1987 and ISO 1996-1: 1982.

Measurement data in front of a façade or another reflecting element must be corrected to exclude the reflected contribution of this façade or element (as a general rule, this implies a 3 dB correction in case of measurement).

ANNEX III

ASSESSMENT METHODS FOR HARMFUL EFFECTS

referred to in Article 6(3)

Dose-effect relations should be used to assess the effect of noise on populations. The dose-effect relations introduced by future revisions of this Annex in accordance with Article 13(2) will concern in particular:

- the relation between annoyance and L_{den} for road, rail and air traffic noise, and for industrial noise,
- the relation between sleep disturbance and L_{night} for road, rail and air traffic noise, and for industrial noise.

If necessary, specific dose-effect relations could be presented for:

- dwellings with special insulation against noise as defined in Annex VI,
 - dwellings with a quiet façade as defined in Annex VI,
 - different climates/different cultures,
 - vulnerable groups of the population,
 - tonal industrial noise,
 - impulsive industrial noise and other special cases.
-

ANNEX IV

MINIMUM REQUIREMENTS FOR STRATEGIC NOISE MAPPING

referred to in Article 7

1. A strategic noise map is the presentation of data on one of the following aspects:
 - an existing, a previous or a predicted noise situation in terms of a noise indicator,
 - the exceeding of a limit value,
 - the estimated number of dwellings, schools and hospitals in a certain area that are exposed to specific values of a noise indicator,
 - the estimated number of people located in an area exposed to noise.
2. Strategic noise maps may be presented to the public as:
 - graphical plots,
 - numerical data in tables,
 - numerical data in electronic form.
3. Strategic noise maps for agglomerations shall put a special emphasis on the noise emitted by:
 - road traffic,
 - rail traffic,
 - airports,
 - industrial activity sites, including ports.
4. Strategic noise mapping will be used for the following purposes:
 - the provision of the data to be sent to the Commission in accordance with Article 10(2) and Annex VI,
 - a source of information for citizens in accordance with Article 9,
 - a basis for action plans in accordance with Article 8.

Each of those applications requires a different type of strategic noise map.

5. Minimum requirements for the strategic noise maps concerning the data to be sent to the Commission are set out in paragraphs 1.5, 1.6, 2.5, 2.6 and 2.7 of Annex VI.
6. For the purposes of informing the citizen in accordance with Article 9 and the development of action plans in accordance with Article 8, additional and more detailed information must be given, such as:
 - a graphical presentation,
 - maps disclosing the exceeding of a limit value,
 - difference maps, in which the existing situation is compared with various possible future situations,
 - maps showing the value of a noise indicator at a height other than 4 m where appropriate.

The Member States may lay down rules on the types and formats of these noise maps.

7. Strategic noise maps for local or national application must be made for an assessment height of 4 m and the 5 dB ranges of L_{den} and L_{night} as defined in Annex VI.
8. For agglomerations separate strategic noise maps must be made for road-traffic noise, rail-traffic noise, aircraft noise and industrial noise. Maps for other sources may be added.
9. The Commission may develop guidelines providing further guidance on noise maps, noise mapping and mapping softwares in accordance with Article 13(2).

ANNEX V

MINIMUM REQUIREMENTS FOR ACTION PLANS

referred to in Article 8

1. An action plan must at least include the following elements:
 - a description of the agglomeration, the major roads, the major railways or major airports and other noise sources taken into account,
 - the authority responsible,
 - the legal context,
 - any limit values in place in accordance with Article 5,
 - a summary of the results of the noise mapping,
 - an evaluation of the estimated number of people exposed to noise, identification of problems and situations that need to be improved,
 - a record of the public consultations organised in accordance with Article 8(7),
 - any noise-reduction measures already in force and any projects in preparation,
 - actions which the competent authorities intend to take in the next five years, including any measures to preserve quiet areas,
 - long-term strategy,
 - financial information (if available): budgets, cost-effectiveness assessment, cost-benefit assessment,
 - provisions envisaged for evaluating the implementation and the results of the action plan.
 2. The actions which the competent authorities intend to take in the fields within their competence may for example include:
 - traffic planning,
 - land-use planning,
 - technical measures at noise sources,
 - selection of quieter sources,
 - reduction of sound transmission,
 - regulatory or economic measures or incentives.
 3. Each action plan should contain estimates in terms of the reduction of the number of people affected (annoyed, sleep disturbed, or other).
 4. The Commission may develop guidelines providing further guidance on the action plans in accordance with Article 13(2).
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ANNEX VI

DATA TO BE SENT TO THE COMMISSION

referred to in Article 10

The data to be sent to the Commission are as follows:

1. For agglomerations

- 1.1. A concise description of the agglomeration: location, size, number of inhabitants.
- 1.2. The responsible authority.
- 1.3. Noise-control programmes that have been carried out in the past and noise-measures in place.
- 1.4. The computation or measurement methods that have been used.
- 1.5. The estimated number of people (in hundreds) living in dwellings that are exposed to each of the following bands of values of L_{den} in dB 4 m above the ground on the most exposed façade: 55-59, 60-64, 65-69, 70-74, > 75, separately for noise from road, rail and air traffic, and from industrial sources. The figures must be rounded to the nearest hundred (e.g. 5 200 = between 5 150 and 5 249; 100 = between 50 and 149; 0 = less than 50).

In addition it should be stated, where appropriate and where such information is available, how many persons in the above categories live in dwellings that have:

- special insulation against the noise in question, meaning special insulation of a building against one or more types of environmental noise, combined with such ventilation or air conditioning facilities that high values of insulation against environmental noise can be maintained,
- a quiet façade, meaning the façade of a dwelling at which the value of L_{den} four metres above the ground and two metres in front of the façade, for the noise emitted from a specific source, is more than 20 dB lower than at the façade having the highest value of L_{den} .

An indication should also be given on how major roads, major railways and major airports as defined in Article 3 contribute to the above.

- 1.6. The estimated total number of people (in hundreds) living in dwellings that are exposed to each of the following bands of values of L_{night} in dB 4 m above the ground on the most exposed façade: 50-54, 55-59, 60-64, 65-69, > 70, separately for road, rail and air traffic and for industrial sources. These data may also be assessed for value band 45-49 before the date laid down in Article 11(1).

In addition it should be stated, where appropriate and where such information is available, how many persons in the above categories live in dwellings that have:

- special insulation against the noise in question, as defined in paragraph 1.5,
- a quiet façade, as defined in paragraph 1.5.

It must also be indicated how major roads, major railways and major airports contribute to the above.

- 1.7. In case of graphical presentation, strategic maps must at least show the 60, 65, 70 and 75 dB contours.
- 1.8. A summary of the action plan covering all the important aspects referred to in Annex V, not exceeding ten pages in length.

2. For major roads, major railways and major airports

- 2.1. A general description of the roads, railways or airports: location, size, and data on the traffic.
- 2.2. A characterisation of their surroundings: agglomerations, villages, countryside or otherwise, information on land use, other major noise sources.
- 2.3. Noise-control programmes that have been carried out in the past and noise-measures in place.
- 2.4. The computation or measurement methods that have been used.
- 2.5. The estimated total number of people (in hundreds) living outside agglomerations in dwellings that are exposed to each of the following bands of values of L_{den} in dB 4 m above the ground and on the most exposed façade: 55-59, 60-64, 65-69, 70-74, > 75.

In addition it should be stated, where appropriate and where such information is available, how many persons in the above categories live in dwellings that have:

- special insulation against the noise in question, as defined in paragraph 1.5,
- a quiet façade, as defined in paragraph 1.5.

- 2.6. The estimated total number of people (in hundreds) living outside agglomerations in dwellings that are exposed to each of the following bands of values of L_{night} in dB 4 m above the ground and on the most exposed façade: 50-54, 55-59, 60-64, 65-69, > 70. These data may also be assessed for value band 45-49 before the date laid down in Article 11(1).

In addition it should be stated, where appropriate and where such information is available, how many persons in the above categories live in dwellings that have:

- special insulation against the noise in question, as defined in paragraph 1.5,
- a quiet façade, as defined in paragraph 1.5.

- 2.7. The total area (in km²) exposed to values of L_{den} higher than 55, 65 and 75 dB respectively. The estimated total number of dwellings (in hundreds) and the estimated total number of people (in hundreds) living in each of these areas must also be given. Those figures must include agglomerations.

The 55 and 65 dB contours must also be shown on one or more maps that give information on the location of villages, towns and agglomerations within those contours.

- 2.8. A summary of the action plan covering all the important aspects referred to in Annex V, not exceeding ten pages in length.

3. Guidelines

The Commission may develop guidelines to provide further guidance on the above provision of information, in accordance with Article 13(2).

DECLARATION BY THE COMMISSION**in the Conciliation Committee on the Directive relating to the assessment and management of environmental noise**

The Commission takes note of the text agreed for Article 1(2) of the Environmental Noise Directive by the members of the Conciliation Committee for the European Parliament and the Council.

The Commission considers that legislative proposals to reduce noise emissions from all major sources should be made on the basis of robust evidence supporting such proposals. This is in line with the 'knowledge-based approach' for policy-making as proposed in the Sixth Environment Action Programme (COM(2001)31) and approved by the European Parliament and the Council.

In this regard, the reports required from Member States under the Directive on the basis of harmonised noise indicators will be an essential element. The provision of such data across the Community will allow the impact and benefits of possible measures to be properly assessed prior to presenting Community legislative proposals.

Therefore, and in accordance with the Treaty establishing the European Community, the Commission will evaluate the need to come forward with new legislative proposals, reserving its right to decide as and when it would be appropriate to present any such proposals.

This is consistent with the Commission's right of initiative, as laid out in the Treaty, while the requirements of Article 1(2) relating to the submission of new proposals within a fixed time frame appear to be prejudicial to this right.

COMMISSION DIRECTIVE 2002/64/EC

of 15 July 2002

amending Council Directive 91/414/EEC to include cinidon-ethyl, cyhalofop butyl, famoxadone, florasulam, metalaxyl-M and picolinafen as active substances

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

concerning picolinafen. Commission Decision 1999/555/EC ⁽⁷⁾ confirmed that the dossier was 'complete'.

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 91/414/EEC of 15 July 1991 concerning the placing of plant-protection products on the market ⁽¹⁾, as last amended by Commission Directive 2002/48/EC ⁽²⁾, and in particular Article 6(1) thereof,

Whereas:

- (1) In accordance with Article 6(2) of Directive 91/414/EEC, the United Kingdom received on 28 April 1997 an application from BASF for the inclusion of the active substance cinidon-ethyl in Annex I to Directive 91/414/EEC. Commission Decision 98/398/EC ⁽³⁾ confirmed that the dossier was 'complete' in the sense that it could be considered as satisfying, in principle, the data and information requirements laid down in Annexes II and III to Directive 91/414/EEC.
- (2) Italy received an application under Article 6(2) of Directive 91/414/EEC on 30 April 1997 from Dow Agro-Sciences, concerning cyhalofop butyl. Commission Decision 98/242/EC ⁽⁴⁾ confirmed that the dossier was 'complete'.
- (3) France received an application under Article 6(2) of Directive 91/414/EEC on 20 October 1996 from DuPont de Nemours concerning famoxadone. Commission Decision 97/591/EC ⁽⁵⁾ confirmed that the dossier was 'complete'.
- (4) Belgium received an application under Article 6(2) of Directive 91/414/EEC on 2 February 1998 from Dow Agro Sciences concerning florasulam. Commission Decision 98/676/EC ⁽⁶⁾ confirmed that the dossier was 'complete'.
- (5) Belgium received an application under Article 6(2) of Directive 91/414/EEC on 9 February 1996 from Novartis Crop Protection AG (now Syngenta) concerning metalaxyl-m. Decision 97/591/EC confirmed that the dossier was 'complete'.
- (6) Germany received an application under Article 6(2) of Directive 91/414/EEC on 10 May 1999 from BASF-AG

- (7) For these active substances, the effects on human health and the environment have been assessed, in accordance with Article 6(2) and (4) of Directive 91/414/EEC, for the uses proposed by the applicants. The nominated rapporteur Member States submitted draft assessment reports concerning the substances to the Commission on 2 November 1998 (cinidon-ethyl), 30 November 1998 (cyhalofop butyl), 5 August 1998 (famoxadone), 19 November 1999 (florasulam), 27 July 1999 (metalaxyl-m) and 21 December 2000 (picolinafen).
- (8) The draft assessment reports have been reviewed by the Member States and the Commission within the Standing Committee on the Food Chain and Animal Health. The reviews were finalised on 19 April 2002 in the format of the Commission review reports for cinidon-ethyl, cyhalofop butyl, famoxadone, florasulam, metalaxyl-M and picolinafen.
- (9) The reviews of cinidon-ethyl, metalaxyl-M and picolinafen did not reveal any open questions which would have required a consultation of the Scientific Committee on Plants.
- (10) As regards cyhalofop butyl, the Scientific Committee on Plants was asked to comment on potential effects on aquatic organisms and non-target arthropods and on operator exposure. In its opinion ⁽⁸⁾ the Committee noted that aerial application of the active substance may pose an unacceptable risk to aquatic organisms within flooded paddy fields and in adjacent drainage canals, if they are of low depth. Terrestrial applications to flooded paddies may pose an unacceptable risk to aquatic organisms within the paddy fields. The Committee considered the use unlikely to be harmful to bees but highlighted remaining uncertainty with regard to other non-target arthropods, which should be addressed by an extended test. This information was subsequently provided and evaluated. The Committee was further of the opinion that the operator exposure to cyhalofop-butyl has been adequately addressed.

⁽¹⁾ OJ L 230, 19.8.1991, p. 1.⁽²⁾ OJ L 148, 6.6.2002, p. 19.⁽³⁾ OJ L 176, 20.6.1998, p. 34.⁽⁴⁾ OJ L 96, 28.3.1998, p. 45.⁽⁵⁾ OJ L 239, 30.8.1997, p. 48.⁽⁶⁾ OJ L 317, 26.11.1998, p. 47.⁽⁷⁾ OJ L 210, 10.8.1999, p. 22.⁽⁸⁾ Opinion of the scientific Committee on Plants on the evaluation of cyhalofop-butyl (DE-537) in the context of Council Directive 91/414/EEC concerning the placing of plant-protection products on the market (SCP/CYHALO/002 final, adopted 7 March 2001).

- (11) As regards famoxadone, the Committee was asked to comment on the effects to *Daphnia* and earthworms, in particular in relation to degradation products of the active substance and on the relevance to humans of the eye effect observed in the 12-month dog study and possible implications for risk assessment for operators. In its opinion ⁽¹⁾ the Committee commented that the risk to *Daphnia* of famoxadone and its metabolites has been sufficiently addressed. The Committee further noted that the metabolites IN-KZ007 and IN-JS940 are unlikely to present an acute risk to earthworms but was unable to evaluate the likely chronic risks of the parent substance or metabolites to earthworms when more than six applications per season are assumed. The Committee, finally, was of the opinion that the eye effect of famoxadone in dogs is to be considered relevant for humans pending a more complete understanding of the mechanism of action. The observations of the Scientific Committee were taken into consideration in formulating this Directive and the relevant review report.
- (12) As regards florasulam, the Committee was asked to comment on the relevance of two degradation products of the active substance (ASTCA and DFP-ASTCA), and on the approach proposed to establish an acute reference dose. In its opinion ⁽²⁾ the Committee concluded that modelling results do not indicate potential groundwater contamination above a threshold of toxicological concern for the parent substance or its breakdown products. Neither the active substance nor the main metabolite appears to pose an unacceptable risk to non-target aquatic organisms. Data reportedly showing no toxicity to soil and aquatic organisms of the degradation products ASTCA and DFP-ASTCA were not available to the Committee, and would need to be assessed. This information was subsequently submitted by the notifier and evaluated by the rapporteur Member State. The Committee was further of the opinion that the allocation of an acute reference dose is not warranted.
- (13) It has appeared from the various examinations made that plant-protection products containing the active substances concerned may be expected to satisfy, in general, the requirements laid down in Article 5(1)(a) and (b) and Article 5(3) of Directive 91/414/EEC, in particular with regard to the uses which were examined and detailed in the Commission review reports. It is therefore appropriate to include these active substances in Annex I, in order to ensure that in all Member States the authorisations of plant-protection products containing the active substances concerned can be granted in accordance with the provisions of that Directive.
- (14) The Commission review report is required for the proper implementation by the Member States, of several

sections of the uniform principles laid down in Directive 91/414/EEC. It is, therefore, appropriate to provide that the finalised review reports, except for confidential information, should be kept available or made available by the Member States for consultation by any interested parties.

- (15) After inclusion, Member States should be allowed a reasonable period to implement the provisions of Directive 91/414/EEC as regards plant-protection products containing cinidon-ethyl, cyhalofop butyl, famoxadone, florasulam, metalaxyl-M or picolinafen and in particular to review existing provisional authorisations and, by the end of this period at the latest, to transform those authorisations into full authorisations, to amend them or to withdraw them in accordance with the provisions of Directive 91/414/EEC.
- (16) It is therefore appropriate to amend Directive 91/414/EEC accordingly.
- (17) The measures provided for in this Directive are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Annex I to Directive 91/414/EEC is amended as set out in the Annex to this Directive.

Article 2

Member States shall keep available the review reports for cinidon-ethyl, cyhalofop butyl, famoxadone, florasulam, metalaxyl-M and picolinafen, except for confidential information within the meaning of Article 14 of Directive 91/414/EEC, for consultation by any interested parties or shall make it available to them on specific request.

Article 3

Member States shall adopt and publish by 31 March 2003 at the latest the laws, regulations and administrative provisions necessary to comply with this Directive. They shall forthwith inform the Commission thereof.

They shall apply those provisions from 1 April 2003.

When Member States adopt those provisions, they shall contain a reference to this Directive or shall be accompanied by such a reference on the occasion of their official publication. Member States shall determine how such reference is to be made.

⁽¹⁾ Opinion of the Scientific Committee on Plants on specific questions from the Commission concerning the evaluation of famoxadone in the context of Directive 91/414/EEC concerning the placing of plant-protection products on the market (SCP/FAMOX/002 final, adopted 5 September 2001).

⁽²⁾ Opinion of the Scientific Committee on Plants regarding the inclusion of florasulam in Annex I to Directive 91/414/EEC concerning the placing of plant-protection products on the market (SCP/FLORES/002 final, adopted 29 October 2001).

Article 4

1. Member States shall review the authorisation for each plant-protection product containing cinidon-ethyl, cyhalofop butyl, famoxadone, florasulam, metalaxyl-M or picolinafen to ensure that the conditions relating to these active substances set out in Annex I to Directive 91/414/EEC are complied with. Where necessary, they shall amend or withdraw the authorisation in accordance with Directive 91/414/EEC before 31 March 2003.

2. Member States shall, for each authorised plant-protection product containing cinidon-ethyl, cyhalofop butyl, famoxadone, florasulam, metalaxyl-M or picolinafen as either the only active substance or as one of several active substances all of which were listed in Annex I to Directive 91/414/EEC by 1 October 2002, re-evaluate the product in accordance with the uniform principles provided for in Annex VI to Directive 91/414/EEC, on the basis of a dossier satisfying the requirements of Annex III thereto. On the basis of that evaluation, they shall determine whether the product satisfies the conditions set out in Article

4(1)(b), (c), (d) and (e) of Directive 91/414/EEC. Where necessary and by 31 March 2004 at the latest, they shall amend or withdraw the authorisation for each such plant-protection product.

Article 5

This Directive shall enter into force on 1 October 2002.

Article 6

This Directive is addressed to the Member States.

Done at Brussels, 15 July 2002.

For the Commission

David BYRNE

Member of the Commission

ANNEX

In Annex I the following rows are added at the end of the table:

No	Common name, identification numbers	IUPAC name	Purity (%)	Entry into force	Expiration of inclusion	Specific provisions
33	Cinidon-ethyl CAS No 142891-20-1 CIPAC No 598	(Z)-ethyl 2-chloro-3-[2-chloro-5-(cyclohex-1-ene-1,2-dicarboximido)phenyl]acrylate	940 g/kg	1 October 2002	30 September 2012	<p>Only uses as herbicide may be authorised.</p> <p>For the implementation of the uniform principles of Annex VI, the conclusions of the review report on cinidon-ethyl, and in particular Appendices I and II thereof, as finalised in the Standing Committee on the Food Chain and Animal Health on 19 April 2002 shall be taken into account. In this overall assessment Member States:</p> <ul style="list-style-type: none"> — should pay particular attention to the potential for groundwater contamination, when the active substance is applied in regions with vulnerable soil (e.g. soils with neutral or high pH values) and/or climatic conditions, — should pay particular attention to the protection of aquatic organisms. <p>Conditions of authorisation must include risk-mitigation measures, where appropriate.</p>
34	Cyhalofop butyl CAS No 122008-85-9 CIPAC No 596	Butyl-(R)-2-[4(4-cyano-2-fluorophenoxy)phenoxy]propionate	950 g/kg	1 October 2002	30 September 2012	<p>Only uses as herbicide may be authorised.</p> <p>For the implementation of the uniform principles of Annex VI, the conclusions of the review report on cyhalofop butyl, and in particular Appendices I and II thereof, as finalised in the Standing Committee on the Food Chain and Animal Health on 19 April 2002 shall be taken into account. In this overall assessment:</p> <ul style="list-style-type: none"> — Member States must carefully consider the potential impact of aerial applications to non-target organisms and in particular to aquatic species. Conditions of authorisation must include restrictions or risk mitigation measures, where appropriate, — Member States must carefully consider the potential impact of terrestrial applications on aquatic organisms within paddy fields. Conditions of authorisation must include risk-mitigation measures, where appropriate.

No	Common name, identification numbers	IUPAC name	Purity (%)	Entry into force	Expiration of inclusion	Specific provisions
35	Famoxadone CAS No 131807-57-3 CIPAC No 594	3-anilino-5-methyl-5-(4-phenoxyphenyl)-1,3-oxazolidine-2,4-dione	960 g/kg	1 October 2002	30 September 2012	<p>Only uses as fungicide may be authorised.</p> <p>For the implementation of the uniform principles of Annex VI, the conclusions of the review report on famoxadone, and in particular Appendices I and II thereof, as finalised in the Standing Committee on the Food Chain and Animal Health on 19 April 2002 shall be taken into account. In this overall assessment:</p> <ul style="list-style-type: none"> — Member States must pay particular attention to potential chronic risks of the parent substance or metabolites to earthworms, — Member States must pay particular attention to the protection of aquatic organisms and must ensure that the conditions of authorisation include, where appropriate, risk-mitigation measures, — Member States should pay particular attention to the protection of operators.
36	Florasulam CAS No 145701-23-1 CIPAC No 616	2', 6', 8-Trifluoro-5-methoxy-[1,2,4]-triazolo [1,5-c] pyrimidine-2-sulphonanilide	970 g/kg	1 October 2002	30 September 2012	<p>Only uses as herbicide may be authorised.</p> <p>For the implementation of the uniform principles of Annex VI, the conclusions of the review report on florasulam, and in particular Appendices I and II thereof, as finalised in the Standing Committee on the Food Chain and Animal Health on 19 April 2002 shall be taken into account. In this overall assessment Member States:</p> <ul style="list-style-type: none"> — should pay particular attention to the potential for groundwater contamination, when the active substance is applied in regions with vulnerable soil and/or climatic conditions. Conditions of authorisation must include risk-mitigation measures, where appropriate.

No	Common name, identification numbers	IUPAC name	Purity (¹)	Entry into force	Expiration of inclusion	Specific provisions
37	Metalaxyl-M CAS No 70630-17-0 CIPAC No 580	Methyl(R)-2-[[{(2,6-dimethylphenyl)methoxyacetyl} amino} propionate	910 g/kg	1 October 2002	30 September 2012	<p>Only uses as fungicide may be authorised.</p> <p>For the implementation of the uniform principles of Annex VI, the conclusions of the review report on Metalaxyl-M, and in particular Appendices I and II thereof, as finalised in the Standing Committee on the Food Chain and Animal Health on 19 April 2002 shall be taken into account. In this overall assessment:</p> <ul style="list-style-type: none"> — particular attention should be given to the potential for groundwater contamination by the active substance or its degradation products CGA 62826, and CGA 108906 when the active substance is applied in regions with vulnerable soil and/or climatic conditions. Risk-mitigation measures should be applied, where appropriate.
38	Picolinafen CAS No 137641-05-5 CIPAC No 639	4'-Fluoro-6-[(α,α,α -trifluoro-m-tolyl)oxy]picolinanilide	970 g/kg	1 October 2002	30 September 2012	<p>Only uses as herbicide may be authorised.</p> <p>For the implementation of the uniform principles of Annex VI, the conclusions of the review report on picolinafen, and in particular Appendices I and II thereof, as finalised in the Standing Committee on the Food Chain and Animal Health on 19 April 2002 shall be taken into account. In this overall assessment Member States:</p> <ul style="list-style-type: none"> — must pay particular attention to the protection of aquatic organisms. Conditions of authorisation should include risk-mitigation measures, where appropriate.

(¹) Further details on identity and specification of active substances are provided in the review report.'