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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EC) No 1446/1999

of 24 June 1999

amending Regulation (EC) No 858/94 introducing a system for the statistical monitoring of trade in bluefin tuna (*Thunnus thynnus*) within the Community

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 37 thereof,

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

Having regard to the opinion of the European Parliament ⁽²⁾,

Whereas

- (1) in the context of measures to regulate stocks of bluefin tuna (*Thunnus thynnus*) adopted by the International Convention for the Conservation of Atlantic Tunas, hereinafter called the 'ICCAT', to which the Community is a party, a system for the statistical monitoring of catches and imports of bluefin tuna has been implemented by the contracting parties; to that end, the necessary measures were adopted in Regulation (EC) No 858/94 ⁽³⁾;
- (2) to facilitate management of this system by the Community and its Member States, at its tenth extraordinary meeting, held in San Sebastian in November 1996, the ICCAT adopted a recommendation enabling Member States to authenticate the statistical documents relating to catches of bluefin tuna made by vessels flying the flag of another Member State;
- (3) to supplement the arrangements for managing stocks of bluefin tuna, at its 15th ordinary meeting, held in Madrid from 14 to 21 November 1997, the ICCAT adopted a recommendation extending the statistical monitoring system to re-exports of bluefin tuna; to this end, the rules governing the various types of commercial operations including

one or more re-exports to or from the customs territory of the Community must be established, and a model re-export licence provided to this end;

- (4) implementation of these measures by the Community requires Regulation (EC) No 858/94 to be amended; at the same time the list of third countries in point 2 of Annex II to that Regulation should be updated,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 858/94 is amended as follows:

- (1) the following indent shall be added to Article 1:

‘— re-exports to third countries of bluefin tuna (*Thunnus thynnus*) falling within CN codes ex 0302 39, ex 0303 49, ex 0304 20 45, ex 1604 14 16 and ex 1604 14 18.’

- (2) the following Article shall be inserted after Article 2:

‘Article 2a

1. All quantities of bluefin tuna caught by a vessel flying the flag of a Member State and exported to a third country shall be accompanied by the statistical document in Annex I.

2. Statistical documents drawn up pursuant to paragraph 1 may be authenticated by the competent authorities of the Member States whose flag the vessels flies or by those of a different Member State where the products concerned are landed, provided the corresponding quantities of bluefin tuna are exported outside the Community from the territory of the Member State of landing.

⁽¹⁾ OJ C 264, 21.8.1998, p. 10.

⁽²⁾ OJ C 98, 9.4.1999, p. 32.

⁽³⁾ OJ L 99, 19.4.1994, p. 1.

3. Without prejudice to Article 5(1), Member States which authenticate statistical documents pursuant to paragraph 1 shall inform the Member State whose flag the vessels flies by forwarding to them a copy of the documents they have authenticated within two months of the date of authentication.

4. Once this Regulation enters into force, each Member State shall communicate to the Commission the information on its competent authorities referred to in paragraph 2; the Commission shall forward this information to the other Member States.'

(3) the following paragraph shall be added to Article 3:

'4. All quantities of bluefin tuna imported into the Community market after having been re-exported by a third country must be accompanied by a re-export licence in accordance with Annex III.

The re-export licence must have been completed, signed and authenticated in accordance with the procedures laid down in paragraph 2 for the statistical document; it shall then be supplied to the competent authorities of the Member State where the product is imported.'

(4) the following Article shall be inserted after Article 3:

'Article 3a

1. All quantities of bluefin tuna re-exported to a third country after having been imported into the Community must be accompanied by a re-export licence in accordance with Annex III.

2. The sections of the re-export licence which concern them shall be completed and signed by the relevant traders, who shall be responsible for the statements made. Re-export licences must be accompanied by a duly authenticated copy of the original statistical document as referred to in Article 3.

3. Re-export licences shall be authenticated by the competent authorities of the Member State from which the re-export is to take place.

4. Re-exports of bluefin tuna which have already been re-exported shall require a new re-export licence to be drawn up and authenticated; in such cases, the duly authenticated copies of the statistical documents and the original re-export licences accompanying the product must be attached to the new licence.'

(5) the following indent shall be added to Article 5(1):

— the quantities of each commercial presentation of bluefin tuna entered each half-year for free circulation in its territory after having been re-exported from a third country, broken down by country of origin.'

(6) point 2 of Annex II shall be replaced by the text appearing in Annex I to this Regulation;

(7) Annex III appearing in Annex II to this Regulation shall be added.

Article 2

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

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

Done at Luxembourg, 24 June 1999.

For the Council

The President

J. TRITTI

*ANNEX I***‘2. Third countries recognised by ICCAT for which the statistical document can be authenticated by an institution authorised for this purpose, for example a chamber of commerce**

Angola, Brazil, Canada, Cape Verde, China, Côte d’Ivoire, Croatia, Equatorial Guinea, Gabon, Ghana, Guinea Conakry, Japan, Korea, Libya, Morocco, Russia, São Tomé and Príncipe, South Africa, Tunisia, Uruguay, USA, Venezuela.’

ANNEX II

ANNEX III

SPECIMEN RE-EXPORT LICENCE

Document No	ICCAT BLUEFIN TUNA RE-EXPORT LICENCE			
'EXPORT' SECTION				
1. COUNTRY OF RE-EXPORT:				
2. PLACE OF RE-EXPORT (town, state, province, country):				
3. DESCRIPTION OF THE IMPORTED FISH:				
<i>Product F/FR</i>	<i>Type (*) RD/GG/DR/FL/OT</i>	<i>Weight (kg)</i>	<i>Flag state</i>	<i>Date of importation</i>
^(*) F = fresh, FR = frozen, RD = live weight, GG = gutted and gilled, DR = dressed, FL = fillets, OT = other. if OT, describe the type of product:				
4. DESCRIPTION OF THE RE-EXPORTED FISH:				
<i>Product F/FR</i>	<i>Type (*) RD/GG/DR/FL/OT</i>	<i>Weight (kg)</i>		
^(a) F = fresh, FR = frozen, RD = live weight, GG = gutted and gilled, DR = dressed, FL = fillets, OT = other. if OT, describe the type of product:				
5. RE-EXPORTER'S DECLARATION — <i>I hereby declare that the above information is, to the best of my knowledge, complete, true and correct.</i>				
Name	Address	Signature	Date	Licence No (if applicable)
6. GOVERNMENT AUTHENTICATION — <i>I hereby certify that the above information is, to the best of my knowledge, complete, true and correct</i>				
Name	Address	Signature	Date	Government stamp
'IMPORT' SECTION				
IMPORTERS DECLARATION — <i>I hereby declare that the above information is, to the best of my knowledge, complete, true and correct.</i> (Transit country)				
Name	Address	Signature	Date	Licence No (where appropriate)
IMPORTERS DECLARATION — <i>I hereby declare that the above information is, to the best of my knowledge, complete, true and correct.</i> (Transit country)				
Name	Address	Signature	Date	Licence No (where appropriate)
IMPORTERS DECLARATION — <i>I hereby declare that the above information is, to the best of my knowledge, complete, true and correct.</i> (Final destination)				
Name	Address	Signature	Date	Licence No (where appropriate)
FINAL PLACE OF IMPORT:				
Town	State of province	Country		

NOTE: If this document is filled out in a language other than English, please attach a translation into English.

COUNCIL REGULATION (EC) No 1447/1999
of 24 June 1999

**establishing a list of types of behaviour which seriously infringe the rules of the
common fisheries policy**

THE COUNCIL OF THE EUROPEAN UNION,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community, and in particular Article 37 thereof,

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

Having regard to the opinion of the European Parliament ⁽²⁾,

Whereas:

- (1) according to Article 31(2a) of Council Regulation (EEC) No 2847/93 of 12 October 1993 establishing a control system applicable to the common fisheries policy ⁽³⁾, the Council, acting on the basis of Article 37 of the Treaty, may draw up a list of types of behaviour which seriously infringe the rules of the common fisheries policy;
- (2) in order to improve transparency in the common fisheries policy, Member States should provide the Commission with information on instances of such behaviour and action taken by Member States;
- (3) Article 37 of Regulation (EEC) No 2847/93 provides for the protection of certain personal data in the framework of the control system applicable to the common fisheries policy;
- (4) the abovementioned list is to be coherent with similar provisions adopted by international fisheries organisations;
- (5) for certain measures laid down by this Regulation it is appropriate to provide for detailed rules of implementation,

Article 1

The types of behaviour which seriously infringe the rules of the common fisheries policy as referred to in Article 1 of Regulation (EEC) No 2847/93 shall be those listed in the Annex hereto.

Article 2

1. The Member States shall notify the Commission on a regular basis of the instances of behaviour referred to in Article 1 that have been discovered and shall provide it with all information regarding action taken by the administrative and/or judicial authorities.
2. The Commission shall make the information it receives pursuant to paragraph 1 available to the European Parliament, the Council and the Advisory Committee of Fisheries.
3. The information notified under paragraph 1 and made available under paragraph 2 shall be treated in accordance with the provisions of Article 37 of Regulation (EEC) No 2847/93.
4. Detailed rules for the implementation of this Article, shall be laid down in accordance with the procedure in Article 36 of Regulation (EEC) No 2847/93.

Article 3

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

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

Done at Luxembourg, 24 June 1999.

For the Council
The President
J. TRITTIN

⁽¹⁾ OJ C 105, 15.4.1999, p. 3.

⁽²⁾ Opinion delivered on 4 May 1999 (not yet published in the Official Journal).

⁽³⁾ OJ L 261, 20.10.1993, p. 1. Regulation as last amended by Regulation (EC) No 2846/98 (OJ L 358, 31.12.1998, p. 5).

*ANNEX***LIST OF TYPES OF BEHAVIOUR WHICH SERIOUSLY INFRINGE THE RULES OF THE
COMMON FISHERIES POLICY****A. Failure to cooperate with the authorities responsible for monitoring**

- Obstructing the work of fisheries inspectors in the exercise of their duties in inspecting for compliance with the applicable Community rules.
- Falsifying, concealing, destroying or tampering with evidence which could be used in the course of inquiries or judicial proceedings.

B. Failure to cooperate with observers

- Obstructing the work of observers in carrying out their duties, laid down by Community Law, of observing compliance with the applicable Community rules.

C. Failure to observe the conditions to be met when fishing

- Fishing without holding a fishing licence, a fishing permit or any other authorisation required for fishing and issued by the flag Member State or by the Commission.
- Fishing under cover of one of the abovementioned documents the content of which has been falsified.
- Falsifying, deleting or concealing the identification marks of the fishing vessel.

D. Failure to comply during fishing operations

- Using or keeping on board prohibited fishing gear or devices affecting the selectiveness of gear.
- Using prohibited fishing methods.
- Not lashing or stowing fishing gear the use of which is prohibited in a certain fishing zone.
- Directed fishing for, or keeping on board of species from, stocks subject to a moratorium or a prohibition of fishing.
- Unauthorised fishing in a given zone and/or during a specific period.
- Failure to comply with the rules on minimum sizes.
- Failure to comply with the rules and procedures relating to transshipment and fisheries operations involving joint action by two or more vessels.

E. Failure to comply in connection with resources for monitoring

- Falsifying or failing to record data in logbooks, landing declarations, sales notes, takeover declarations and transport documents or failure to keep or submit these documents.
- Tampering with the satellite-based vessel monitoring system.
- Deliberate failure to comply with the Community rules on remote transmission of movements of fishing vessels and of data of fishery products held on board.
- Failure of the master of the fishing vessel of a third country or his representative to comply with the applicable control rules when operating fishing in Community waters.

F. Failure to comply in connection with landing and marketing of fishery products

- Landing of fishery products not respecting the Community rules on control and enforcement.
 - Stocking, processing, placing for sale and transporting fishery products not meeting the marketing standards in force and, in particular, those concerning minimum sizes.
-

**COUNCIL REGULATION (EC) No 1448/1999
of 24 June 1999**

**introducing transitional measures for the management of certain Mediterranean
fisheries and amending Regulation (EC) No 1626/94**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1626/94 of 27 June 1994 laying down certain technical measures for the conservation of fishery resources in the Mediterranean⁽¹⁾, and in particular Article 3(1) and Article 6(1) thereof,

Having regard to the proposal from the Commission,

- (1) Whereas Article 3(1) and Article 6(1) of Regulation (EC) No 1626/94 set out certain technical conservation measures which were subject to derogating conditions until 31 December 1998;
- (2) Whereas the abovementioned Articles provide that the Council can modify the date of expiration of the derogations, on a proposal by the Commission, in the light of scientific data proving that their use does not have a negative impact on the resources;
- (3) Whereas, according to submissions by certain Member States, termination of the derogation period is causing disturbance to the fishing activities of numerous Mediterranean fishermen whose living depends to a great extent on the possibility of undertaking fisheries under the derogating conditions;
- (4) Whereas preliminary scientific data presented by the said Member States suggest that continuation of the derogation will have a low effect on resources; whereas it is however desirable to have available the most updated and complete information, analysed by the Scientific, Technical and Economic Committee for Fisheries, before a definitive decision is taken;
- (5) Whereas it is therefore appropriate to allow temporarily a continuation of these fishing activities until the Council is in a position to adopt a definitive solution to the problem, founded on a solid scientific basis;

- (6) Whereas, in order to set such a solid scientific basis, detailed information should be gathered on the likely impact on the resources of the fishing activities concerned,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 1626/94 is hereby amended as follows:

1. in Article 3(1), the date of 31 December 1998 shall be replaced by 31 May 2000;
2. in Article 6(1), the date of 31 December 1998 shall be replaced by 31 May 2000.

Article 2

1. Member States shall produce and make available to the Commission, before 1 February 2000, all possible scientific information on the impact on the resources subject to the fisheries carried out under the conditions set out in Article 3(1) and Article 6(1) of Regulation (EC) No 1626/94. This information should include fleet characteristics, technical details of the gear used and population dynamics of the biota likely to be affected by the fisheries.

2. On the basis of all relevant scientific information, the Commission shall present to the Council, before 16 April 2000, a proposal establishing whether the fisheries referred to in paragraph 1 may be continued and the technical conditions that should govern them. The Council, acting by qualified majority, shall decide on this proposal by 31 May 2000 at the latest.

Article 3

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

It shall apply with effect from 1 January 1999.

⁽¹⁾ OJ L 171, 6.7.1994, p. 1. Regulation as amended by Regulation (EC) No 782/98 (OJ L 113, 15.4.1998, p. 6).

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

Done at Luxembourg, 24 June 1999.

For the Council

The President

J. TRITTIN

COMMISSION REGULATION (EC) No 1449/1999
of 1 July 1999
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 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;

Whereas, 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 2 July 1999.

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

Done at Brussels, 1 July 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 337, 24.12.1994, p. 66.

⁽²⁾ OJ L 198, 15.7.1998, p. 4.

ANNEX

to the Commission Regulation of 1 July 1999 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
0702 00 00	052	42,3
	064	60,7
	999	51,5
0707 00 05	052	67,8
	628	133,7
	999	100,8
0709 90 70	052	53,3
	999	53,3
0805 30 10	382	56,3
	388	76,4
	528	57,7
0808 10 20, 0808 10 50, 0808 10 90	999	63,5
	388	65,8
	400	63,9
	508	73,9
	512	76,5
	524	54,7
	528	50,1
	804	100,4
	999	69,3
	052	127,4
	999	127,4
0809 10 00	052	236,3
	064	171,0
	066	117,8
	400	207,6
	616	130,6
	999	172,7

⁽¹⁾ Country nomenclature as fixed by Commission Regulation (EC) No 2317/97 (OJ L 321, 22.11.1997, p. 19). Code '999' stands for 'of other origin'.

COMMISSION REGULATION (EC) No 1450/1999
of 1 July 1999
amending Regulation (EC) No 1151/1999 on the sale, at prices fixed in advance, of
beef held by certain intervention agencies, with a view to its processing in the
Community

THE COMMISSION OF THE EUROPEAN COMMUNITIES,
Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organisation of the market in beef and veal ⁽¹⁾, as last amended by Regulation (EC) No 1633/98 ⁽²⁾, and in particular Article 7(3) thereof,

- (1) Whereas Commission Regulation (EC) No 1151/1999 ⁽³⁾ provides for a sale of intervention stocks held by certain intervention agencies; whereas the quantities stated in that Regulation should be amended to take account of the stocks already sold;
- (2) Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee of Beef and Veal,

1. in Article 1:

- (a) the second indent is replaced by the following:
‘— 3 500 tonnes of bone-in beef held by the German intervention agency’
- (b) the sixth indent is replaced by the following:
‘— 2 500 tonnes of bone in beef held by the Italian intervention agency,’
- (c) the 10th indent is replaced by the following:
‘— 10 000 tonnes of deboned beef held by the United Kingdom Intervention agency,’

2. Annex I is replaced by the Annex to this Regulation.

HAS ADOPTED THIS REGULATION:

Article 2

Article 1

Regulation (EC) No 1151/1999 is hereby amended as follows:

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

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

Done at Brussels, 1 July 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 148, 28.6.1968, p. 24.

⁽²⁾ OJ L 210, 28.7.1998, p. 17.

⁽³⁾ OJ L 139, 2.6.1999, p. 5.

ANEXO — BILAG — ANHANG — ΠΑΡΑΡΤΗΜΑ — ANNEX — ANNEXE — ALLEGATO — BIJLAGE — ANEXO — LIITE — BILAGA

ANEXO I — BILAG I — ANHANG I — ΠΑΡΑΡΤΗΜΑ I — ANNEX I — ANNEXE I — ALLEGATO I — BIJLAGE I — ANEXO I — LIITE I — BILAGA I

Estado miembro	Productos ⁽¹⁾	Cantidad aproximada (toneladas)	Precio de venta expresado en euros por tonelada ⁽²⁾ ⁽³⁾
Medlemsstat	Produkter ⁽¹⁾	Tilnærmet mængde (tons)	Salgspriser i EUR/ton ⁽²⁾ ⁽³⁾
Mitgliedstaat	Erzeugnisse ⁽¹⁾	Ungefähre Mengen (Tonnen)	Verkaufspreise, ausgedrückt in EUR/Tonne ⁽²⁾ ⁽³⁾
Κράτος μέλος	Προϊόντα ⁽¹⁾	Κατά προσέγγιση ποσότητα (τόνοι)	Τιμές πώλησης εκφραζόμενες σε Ευρώ ανά τόνο ⁽²⁾ ⁽³⁾
Member State	Products ⁽¹⁾	Approximate quantity (tonnes)	Selling prices expressed in EUR per tonne ⁽²⁾ ⁽³⁾
État membre	Produits ⁽¹⁾	Quantité approximative (tonnes)	Prix de vente exprimés en euros par tonne ⁽²⁾ ⁽³⁾
Stato membro	Prodotti ⁽¹⁾	Quantità approssimativa (tonnellate)	Prezzi di vendita espressi in euro per tonnellata ⁽²⁾ ⁽³⁾
Lidstaat	Producten ⁽¹⁾	Hoeveelheid bij benadering (ton)	Verkoopprijzen uitgedrukt in euro per ton ⁽²⁾ ⁽³⁾
Estado-Membro	Produtos ⁽¹⁾	Quantidade aproximada (toneladas)	Preço de venda expresso em euros por tonelada ⁽²⁾ ⁽³⁾
Jäsenvaltio	Tuotteet ⁽¹⁾	Arvioitu määrä (tonneina)	Myyntihinta euroina tonnilta ⁽²⁾ ⁽³⁾
Medlemsstat	Produkter ⁽¹⁾	Ungefärlig kvantitet (ton)	Försäljningspris i euro per ton ⁽²⁾ ⁽³⁾

a) **Carne con hueso — Kød, ikke udbenet — Fleisch mit Knochen — Κρέατα με κόκαλα — Bone-in beef — Viande avec os — Carni non disossate — Vlees met been — Carne com osso — Luullinen naudanliha — Kött med ben**

FRANCE	— Quartiers avant	1 000	550	650
	— Quartiers arrière	1 000	700	800
DEUTSCHLAND	— Vorderviertel	1 500	550	650
	— Hinterviertel	2 000	750	850
DANMARK	— Forfjerdinger	880	550	650
	— Bagfjerdinger	500	700	800
ITALIA	— Quarti posteriori	2 500	750	850
NEDERLAND	— Achtervoeten	200	700	800
ESPAÑA	— Cuartos delanteros	500	550	650
	— Cuartos traseros	1 000	700	800

b) **Carne deshuesada — Udbenet kød — Fleisch ohne Knochen — Κρέατα χωρίς κόκαλα — Boneless beef — Viande désossée — Carni senza osso — Vlees zonder been — Carne desossada — Luuton naudanliha — Benfritt kött**

FRANCE	— Flanchet d'intervention (INT 18)	1 500	550	650
UNITED KINGDOM	— Intervention shank (INT 11)	1 000	650	750
	— Intervention topside (INT 13)	2 000	1 650	1 750
	— Intervention rump (INT 16)	500	1 450	1 550

Estado miembro	Productos ⁽¹⁾	Cantidad aproximada (toneladas)	Precio de venta expresado en euros por tonelada ⁽²⁾ ⁽³⁾
Medlemsstat	Produkter ⁽¹⁾	Tilnærmet mængde (tons)	Salgspriser i EUR/ton ⁽²⁾ ⁽³⁾
Mitgliedstaat	Erzeugnisse ⁽¹⁾	Ungefähre Mengen (Tonnen)	Verkaufspreise, ausgedrückt in EUR/Tonne ⁽²⁾ ⁽³⁾
Κράτος μέλος	Προϊόντα ⁽¹⁾	Κατά προσέγγιση ποσότητα (τόνοι)	Τιμές πώλησης εκφραζόμενες σε Ευρώ ανά τόνο ⁽²⁾ ⁽³⁾
Member State	Products ⁽¹⁾	Approximate quantity (tonnes)	Selling prices expressed in EUR per tonne ⁽²⁾ ⁽³⁾
État membre	Produits ⁽¹⁾	Quantité approximative (tonnes)	Prix de vente exprimés en euros par tonne ⁽²⁾ ⁽³⁾
Stato membro	Prodotti ⁽¹⁾	Quantità approssimativa (tonnellate)	Prezzi di vendita espressi in euro per tonnellata ⁽²⁾ ⁽³⁾
Lidstaat	Producten ⁽¹⁾	Hoeveelheid bij benadering (ton)	Verkoopprijzen uitgedrukt in euro per ton ⁽²⁾ ⁽³⁾
Estado-Membro	Produtos ⁽¹⁾	Quantidade aproximada (toneladas)	Preço de venda expresso em euros por tonelada ⁽²⁾ ⁽³⁾
Jäsenvaltio	Tuotteet ⁽¹⁾	Arvioitu määrä (tonneina)	Myyntihinta euroina tonnilla ⁽²⁾ ⁽³⁾
Medlemsstat	Produkter ⁽¹⁾	Ungefärlig kvantitet (ton)	Försäljningspris i euro per ton ⁽²⁾ ⁽³⁾
IRELAND	— Intervention flank (INT 18)	1 000	550 650
	— Intervention forerib (INT 19)	500	1 000 1 100
	— Intervention shin (INT 21)	500	650 750
	— Intervention shoulder (INT 22)	1 500	950 1 050
	— Intervention brisket (INT 23)	1 000	550 650
	— Intervention forequarter (INT 24)	2 000	1 050 1 150
	— Intervention flank (INT 18)	500	600 700
	— Intervention shoulder (INT 22)	1 500	1 000 1 100
	— Intervention brisket (INT 23)	500	600 700
	— Intervention forequarter (INT 24)	500	1 050 1 150

⁽¹⁾ Véanse los anexos V y VII del Reglamento (CEE) n° 2456/93 de la Comisión (DO L 225 de 4.9.1993, p. 4), cuya última modificación la constituye el Reglamento (CE) n° 2812/98 (DO L 349 de 24.12.1998, p. 47).

⁽²⁾ Se bilag V og VII til Kommissionens forordning (EØF) nr. 2456/93 (EFT L 225 af 4.9.1993, s. 4), senest ændret ved forordning (EF) nr. 2812/98 (EFT L 349 af 24.12.1998, s. 47).

⁽³⁾ Vgl. Anhänge V und VII der Verordnung (EWG) Nr. 2456/93 der Kommission (ABl. L 225 vom 4.9.1993, S. 4), zuletzt geändert durch die Verordnung (EG) Nr. 2812/98 (ABl. L 349 vom 24.12.1998, S. 47).

⁽⁴⁾ Βλέπε παραρτήματα V και VII του κανονισμού (ΕΟΚ) αριθ. 2456/93 της Επιτροπής (ΕΕ L 225 της 4.9.1993, σ. 4), όπως τροποποιήθηκε τελευταία από τον κανονισμό (ΕΚ) αριθ. 2812/98 (ΕΕ L 349 της 24.12.1998, σ. 47).

⁽⁵⁾ See Annexes V and VII to Commission Regulation (EEC) No 2456/93 (OJ L 225, 4.9.1993, p. 4), as last amended by Regulation (EC) No 2812/98 (OJ L 349, 24.12.1998, p. 47).

⁽⁶⁾ Voir annexes V et VII du règlement (CEE) n° 2456/93 de la Commission (JO L 225 du 4.9.1993, p. 4). Règlement modifié en dernier lieu par le règlement (CE) n° 2812/98 (JO L 349 du 24.12.1998, p. 47).

⁽⁷⁾ Cfr. allegato V e VII del regolamento (CEE) n. 2456/93 della Commissione (GU L 225 del 4.9.1993, pag. 4), modificato da ultimo dal regolamento (CE) n. 2812/98 (GU L 349 del 24.12.1998, pag. 47).

⁽⁸⁾ Zie de bijlagen V en VII van Verordening (EEG) nr. 2456/93 van de Commissie (PB L 225 van 4.9.1993, blz. 4), laatstelijk gewijzigd bij Verordening (EG) nr. 2812/98 (PB L 349 van 24.12.1998, blz. 47).

⁽⁹⁾ Ver anexos V e VII do Regulamento (CEE) n.º 2456/93 da Comissão (JO L 225 de 4.9.1993, p. 4). Regulamento com a última redacção que lhe foi dada pelo Regulamento (CE) n.º 2812/98 (JO L 349 de 24.12.1998, p. 47).

⁽¹⁰⁾ Katso komission asetuksen (ETY) N:o 2456/93 (EYVL L 225, 4.9.1993, s. 4), sellaisena kuin se on viimeksi muutettuna asetuksella (EY) N:o 2812/98 (EYVL L 349, 24.12.1998, s. 47) liitteet V ja VII.

⁽¹¹⁾ Se bilagorna V och VII i kommissionens förordning (EEG) nr 2456/93 (EGT L 225, 4.9.1993, s. 4), senast ändrad genom förordning (EG) nr 2812/98 (EGT L 349, 24.12.1998, s. 47).

- (³) Precio aplicable a la transformación exclusivamente en los productos A contemplados en el apartado 2 del artículo 3.
- (³) Pris udelukkende for forarbejdning til A-produkter som omhandlet i artikel 3, stk. 2.
- (³) Geltender Preis nur für die Verarbeitung zu A-Erzeugnissen gemäß Artikel 3 Absatz 2.
- (³) Τιμή που εφαρμόζεται για τη μεταποίηση, μόνο σε προϊόντα Α που αναφέρονται στο άρθρο 3 παράγραφος 2.
- (³) Price applying for processing solely into A products as referred to in Article 3(2).
- (³) Prix applicable uniquement pour la transformation en produits A visés à l'article 3, paragraphe 2.
- (³) Prezzo applicabile unicamente per la trasformazione in prodotti A di cui all'articolo 3, paragrafo 2.
- (³) Prijs uitsluitend voor verwerking tot de in artikel 3, lid 2, bedoelde A-producten.
- (³) Preço aplicável para a transformação apenas em produtos A referidos no n.º 2 do artigo 3.º
- (³) Hintä, jota sovelletaan jalostettaessa ainoastaan 3 artiklan 2 kohdassa tarkoitetuiksi A-luokan tuotteiksi.
- (³) Pris för bearbetning endast till A-produkter i enlighet med artikel 3.2.
- (³) Precio aplicable a la transformación en los productos B contemplados en el apartado 3 del artículo 3, o en una mezcla de productos A y productos B.
- (³) Pris for forarbejdning til B-produkter som omhandlet i artikel 3, stk. 3, eller en blanding af A- og B-produkter.
- (³) Geltender Preis für die Verarbeitung zu B-Erzeugnissen gemäß Artikel 3 Absatz 3 oder eine Mischung aus A- und B-Erzeugnissen.
- (³) Τιμή που εφαρμόζεται για τη μεταποίηση σε προϊόντα Β που αναφέρονται στο άρθρο 3 παράγραφος 3, ή σε μείγμα προϊόντων Α και προϊόντων Β.
- (³) Price applying for processing into B products as referred to in Article 3(3) or a mix of A products and B products.
- (³) Prix applicable pour la transformation en produits B visés à l'article 3, paragraphe 3, ou pour un mélange de produits A et de produits B.
- (³) Prezzo applicabile per la trasformazione in prodotti B di cui all'articolo 3, paragrafo 3, o per un miscuglio di prodotti A e di prodotti B.
- (³) Prijs voor verwerking tot de in artikel 3, lid 3, bedoelde B-producten of tot een mengeling van A-producten en B-producten.
- (³) Preço aplicável para a transformação em produtos B referidos no n.º 3 do artigo 3.º, ou uma mistura de produtos A e produtos B.
- (³) Hintä, jota sovelletaan jalostettaessa 3 artiklan 3 kohdassa tarkoitetuiksi B-luokan tuotteiksi, tai A- ja B-luokan tuotteiden seokseksi.
- (³) Pris för bearbetning till B-produkter i enlighet med artikel 3.3 eller en blandning av A- och B-produkter.'
-

COMMISSION REGULATION (EC) No 1451/1999
of 1 July 1999
amending Regulation (EC) No 1209/98 on the sale, at prices fixed in advance, of
beef held by the United Kingdom to the armed forces

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organisation of the market in beef and veal ⁽¹⁾, as last amended by Regulation (EC) No 1633/98 ⁽²⁾, and in particular Article 7(3) thereof,

- (1) Whereas Commission Regulation (EC) No 1209/98 ⁽³⁾ as amended by Regulation (EC) No 2515/98 ⁽⁴⁾ provides for a sale of intervention stocks held by the United Kingdom; whereas the quantities and prices stated in that Regulation should be amended to take account of the stocks already sold;

- (2) Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Beef and Veal,

HAS ADOPTED THIS REGULATION:

Article 1

Annex I to Regulation (EC) No 1209/98 is replaced by the Annex to this Regulation.

Article 2

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

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

Done at Brussels, 1 July 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 148, 28.6.1968, p. 24.

⁽²⁾ OJ L 210, 28.7.1998, p. 17.

⁽³⁾ OJ L 166, 11.6.1998, p. 39.

⁽⁴⁾ OJ L 314, 24.11.1998, p. 3.

ANEXO — BILAG — ANHANG — ΠΑΡΑΡΤΗΜΑ — ANNEX — ANNEXE — ALLEGATO — BIJLAGE — ANEXO — LIITE — BILAGA
‘ANEXO I — BILAG I — ANHANG I — ΠΑΡΑΡΤΗΜΑ I — ANNEX I — ANNEXE I — ALLEGATO I — BIJLAGE I — ANEXO I —
LIITE I — BILAGA I

Estado miembro	Productos ⁽¹⁾	Cantidad aproximada (toneladas)	Precio de venta expresado en euros por tonelada
Medlemsstat	Produkter ⁽¹⁾	Tilnærmet mængde (tons)	Salgspriser i EUR/ton
Mitgliedstaat	Erzeugnisse ⁽¹⁾	Ungefähre Mengen (Tonnen)	Verkaufspreise, ausgedrückt in EUR/Tonne
Κράτος μέλος	Προϊόντα ⁽¹⁾	Κατά προσέγγιση ποσότητα (τόνοι)	Τιμές πώλησης εκφραζόμενες σε Ευρώ ανά τόνο
Member State	Products ⁽¹⁾	Approximate quantity (tonnes)	Selling prices expressed in EUR per tonne
État membre	Produits ⁽¹⁾	Quantité approximative (tonnes)	Prix de vente exprimés en euros par tonne
Stato membro	Prodotti ⁽¹⁾	Quantità approssimativa (tonnellate)	Prezzi di vendita espressi in euro per tonnellata
Lidstaat	Producten ⁽¹⁾	Hoeveelheid bij benadering (ton)	Verkoopprijzen uitgedrukt in euro per ton
Estado-membro	Produtos ⁽¹⁾	Quantidade aproximada (toneladas)	Preço de venda expresso em euros por tonelada
Jäsenvaltio	Tuotteet ⁽¹⁾	Arvioitu määrä (tonneina)	Myyntihinta euroina tonnilta
Medlemsstat	Produkter ⁽¹⁾	Ungefärlig kvantitet (ton)	Försäljningspris i euro per ton

Carne deshuesada — Udbenet kød — Fleisch ohne Knochen — Κρέατα χωρίς κόκαλα — Boneless beef — Viande désossée — Carni senza osso — Vlees zonder been — Carne desossada — Luuton naudanliha — Benfriitt kött

UNITED KINGDOM	— Interventiom thick flank (INT 12)	95	3 250
	— Intervention topside (INT 13)	500	3 450
	— Intervention silverside (INT 14)	90	3 200
	— Intervention fillet (INT 15)	40	7 000
	— Intervention rump (INT 16)	700	3 700
	— Intervention striploin (INT 17)	270	4 700

⁽¹⁾ Véanse los anexos V y VII del Reglamento (CEE) n° 2456/93 de la Comisión (DO L 225 de 4.9.1993, p. 4), cuya última modificación la constituye el Reglamento (CE) n° 2812/98 (DO L 349 de 24.12.1998, p. 47).

⁽¹⁾ Se bilag V og VII til Kommissionens forordning (EØF) nr. 2456/93 (EFT L 225 af 4.9.1993, s. 4), senest ændret ved forordning (EF) nr. 2812/98 (EFT L 349 af 24.12.1998, s. 47).

⁽¹⁾ Vgl. Anhänge V und VII der Verordnung (EWG) Nr. 2456/93 der Kommission (ABl. L 225 vom 4.9.1993, S. 4), zuletzt geändert durch die Verordnung (EG) Nr. 2812/98 (ABl. L 349 vom 24.12.1998, S. 47).

⁽¹⁾ Βλέπε παραρτήματα V και VII του κανονισμού (ΕΟΚ) αριθ. 2456/93 της Επιτροπής (ΕΕ L 225 της 4.9.1993, σ. 4), όπως τροποποιήθηκε τελευταία από τον κανονισμό (ΕΚ) αριθ. 2812/98 (ΕΕ L 349 της 24.12.1998, σ. 47).

⁽¹⁾ See Annexes V and VII to Commission Regulation (EEC) No 2456/93 (OJ L 225, 4.9.1993, p. 4), as last amended by Regulation (EC) No 2812/98 (OJ L 349, 24.12.1998, p. 47).

⁽¹⁾ Voir annexes V et VII du règlement (CEE) n° 2456/93 de la Commission (JO L 225 du 4.9.1993, p. 4). Règlement modifié en dernier lieu par le règlement (CE) n° 2812/98 (JO L 349 du 24.12.1998, p. 47).

⁽¹⁾ Cfr. allegato V e VII del regolamento (CEE) n. 2456/93 della Commissione (GU L 225 del 4.9.1993, pag. 4), modificato da ultimo dal regolamento (CE) n. 2812/98 (GU L 349 del 24.12.1998, pag. 47).

⁽¹⁾ Zie de bijlagen V en VII van Verordening (EEG) nr. 2456/93 van de Commissie (PB L 225 van 4.9.1993, blz. 4), laatstelijk gewijzigd bij Verordening (EG) nr. 2812/98 (PB L 349 van 24.12.1998, blz. 47).

⁽¹⁾ Ver anexos V e VII do Regulamento (CEE) n.º 2456/93 da Comissão (JO L 225 de 4.9.1993, p. 4). Regulamento com a última redacção que lhe foi dada pelo Regulamento (CE) n.º 2812/98 (JO L 349 de 24.12.1998, p. 47).

⁽¹⁾ Katso komission asetuksen (ETY) N:o 2456/93 (EYVL L 225, 4.9.1993, s. 4), sellaisena kuin se on viimeksi muutettuna asetuksella (EY) N:o 2812/98 (EYVL L 349, 24.12.1998, s. 47) liitteen V ja VII.

⁽¹⁾ Se bilagorna V och VII i kommissionens förordning (EEG) nr 2456/93 (EGT L 225, 4.9.1993, s. 4), senast ändrad genom förordning (EG) nr 2812/98 (EGT L 349, 24.12.1998, s. 47).

COMMISSION REGULATION (EC) No 1452/1999
of 1 July 1999
amending Regulation (EEC) No 1964/82 laying down the conditions for granting
special export refunds on certain cuts of boned meat of bovine animals

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Article 6

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organisation of the market in beef and veal ⁽¹⁾, as last amended by Regulation (EC) No 1633/98 ⁽²⁾, and in particular Article 13(12) thereof,

- (1) Whereas Commission Regulation (EEC) No 1964/82 ⁽³⁾, as amended by Regulation (EC) No 2469/97 ⁽⁴⁾, lays down the conditions for granting special export refunds on certain cuts of boned meat from hindquarters of adult male cattle;
- (2) Whereas the grant of the special refund is subject to the requirement that all the quantity of meat obtained by boning the quarters be exported except in cases of *force majeure* and without prejudice to the requirements of Article 6(2) of that Regulation;
- (3) Whereas the circumstances in which the requirement to export all the meat obtained is not fully met without losing entitlement to the refund should be extended; whereas, however, that possibility should be limited and made subject to restrictions to prevent misuse;
- (4) Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Beef and Veal,

1. The grant of the special refund shall be conditional, except in circumstances of *force majeure*, on exportation of the total quantity of cuts produced by boning covered by the supervision referred to in Article 2(3) and indicated in the certificate(s) referred to in Article 4(1).

The operator may, however, sell within the Community fillet, with or without chain muscle, bones, large tendons, cartilages, pieces of fat and other scraps left over from boning. Should the operator wish to market the fillet within the Community, he shall indicate this in the declaration referred to in Article 2(1). In addition, the words "without fillet" shall be entered in box 4 of the certificate(s) referred to in Article 4(1).

2. If the quantity exported is less than the weight given in box 6 of the certificate referred to in Article 4(1) without the difference exceeding 10 % of that weight, the special refund shall be reduced. The percentage reduction shall be five times the percentage difference in weight established.

3. Where the difference in weight exceeds 10 %, the special refund shall be the same as the refund on products falling within CN code 0201 30 00 9150 applicable on the date given in box 21 of the export licence on the basis of which the formalities under Article 3(1) or Article 26(1) of Regulation (EEC) No 3665/87 were completed.

4. The penalty laid down in Article 11(1)(a) of Regulation (EEC) No 3665/87 shall not apply in the cases referred to in paragraphs 2 and 3.

HAS ADOPTED THIS REGULATION:

Article 2

Article 1

Article 6 of Regulation (EEC) No 1964/82 is replaced by the following:

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

It shall apply to operations for which a final decision on payment or release of the security has not been taken on the date of entry into force of this Regulation.

⁽¹⁾ OJ L 148, 28.6.1968, p. 24.

⁽²⁾ OJ L 210, 28.7.1998, p. 17.

⁽³⁾ OJ L 212, 21.7.1982, p. 48.

⁽⁴⁾ OJ L 341, 12.12.1997, p. 8.

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

Done at Brussels, 1 July 1999.

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION REGULATION (EC) No 1453/1999
of 1 July 1999
amending Regulation (EEC) No 2692/89 laying down detailed rules for exports of
rice to Réunion as regards the validity of the subsidy document

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 Regulation (EC) No 2072/98 ⁽²⁾, and in particular Article 10(3) thereof,

- (1) whereas Article 13(8) of Commission Regulation (EEC) No 2692/89 ⁽³⁾ lays down that the subsidy document is valid from the date of its issue as defined in Article 21(1) of Commission Regulation (EEC) No 3719/88 ⁽⁴⁾, as last amended by Regulation (EC) No 1127/1999 ⁽⁵⁾, until the end of the second month following such date;
- (2) whereas Annex II to Regulation (EC) No 1162/95 ⁽⁶⁾ as last amended by Commission Regulation (EC) No 444/98 ⁽⁷⁾ lays down that export licences are valid from the date of their issue as defined in Article 21(1) of Regulation (EEC) No 3719/88 until the end of the fourth month following such date; whereas the period of validity of the two documents should be harmonised by extending the

period of validity of subsidy documents for exports to Réunion to four months;

- (3) whereas 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

Article 13(8) of Regulation (EEC) No 2692/89 is replaced by the following:

‘8. The subsidy document shall be valid from the date of its issue as defined in Article 21(1) of Regulation (EEC) No 3719/88 until the end of the fourth-month following such date.’.

Article 2

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

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

Done at Brussels, 1 July 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 329, 30.12.1995, p. 18.

⁽²⁾ OJ L 265, 30.9.1998, p. 4.

⁽³⁾ OJ L 261, 7.9.1989, p. 8.

⁽⁴⁾ OJ L 331, 2.12.1988, p. 1.

⁽⁵⁾ OJ L 135, 29.5.1999, p. 48.

⁽⁶⁾ OJ L 117, 24.5.1995, p. 2.

⁽⁷⁾ OJ L 56, 26.2.1998, p. 12.

**COMMISSION REGULATION (EC) No 1454/1999
of 1 July 1999**

**derogating from Regulation (EEC) No 3887/92 laying down detailed rules for
applying the integrated administration and control system for certain
Community aid schemes**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,
Having regard to the Treaty establishing the European
Community,

Having regard to Council Regulation (EEC) No 3508/92
of 27 November 1992 establishing an integrated adminis-
tration and control system for certain Community aid
schemes ⁽¹⁾, as last amended by Regulation (EC) No 1036/
1999 ⁽²⁾, and in particular Article 12 thereof,

- (1) Whereas some regions in Germany and Austria
were affected by exceptional floods in May 1999;
whereas because of these floods it was no longer
economically viable for a large number of produ-
cers in those regions to sow seeds; whereas such a
situation is likely to lead to the producers affected
suffering a major loss of income on their farms,
including compensatory payments;
- (2) Whereas, in order to relieve the situation of the
producers concerned, exceptional provision should
be made for the 1999/2000 marketing year
allowing amendments to be made to areas declared
as set aside;

- (3) Whereas the measures provided for in this Regula-
tion are in accordance with the opinion of the
Fund Committee,

HAS ADOPTED THIS REGULATION:

Article 1

Notwithstanding Article 4(2)(a) of Commission Regula-
tion (EEC) No 3887/92 ⁽³⁾, 'area' aid applications in
respect of the 1999/2000 marketing year submitted before
15 May 1999 in the regions listed in the Annex, may be
amended by withdrawing areas declared as being 'arable
crops' and adding them to the set-aside areas, provided
that the areas in question have effectively been out of
production, from 15 January 1999.

Amendment declarations shall be submitted no later than
15 July 1999.

Article 2

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

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

Done at Brussels, 1 July 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 355, 5.12.1992, p. 1.

⁽²⁾ OJ L 127, 21.5.1999, p. 4.

⁽³⁾ OJ L 391, 31.12.1992, p. 36.

ANNEX

1. GERMANY

Hessen

— Landkreise Groß Gerau, Bergstraße

Rheinland-Pfalz

— Landkreise: Alzey-Worms, Ludwigshafen, Germersheim

— Kreisfreie Städte: Worms, Frankenthal (Pfalz), Ludwigshafen a.R., Speyer

Baden-Württemberg*Regierungsbezirk Karlsruhe:*

— Landkreise: Karlsruhe, Rastatt; Rhein-Neckar-Kreis

Regierungsbezirk Freiburg:

— Ortenaukreis, Landkreise Emmendingen, Konstanz

Regierungsbezirk Tübingen:

— Landkreis Ravensburg, Bodensee-Kreis

Bayern*Regierungsbezirk Schwaben:*

— Landkreise: Donau-Ries, Dillingen a.d. Donau, Aichach-Friedberg, Günzburg, Augsburg, Neu-Ulm, Unterallgäu, Ostallgäu, Oberallgäu, Lindau/Bodensee

Regierungsbezirk Oberbayern:

— Landkreise: Eichstätt, Neuburg-Schrobenhausen, Pfaffenhofen, Freising, Dachau, Erding, Mühldorf a. Inn, Fürstenfeldbruck, Starnberg, München, Ebersberg, Rosenheim, Miesbach, Bad Tölz-Wolfratshausen, Landsberg a. Lech, Weilheim-Schongau, Garmisch-Partenkirchen

Regierungsbezirk Niederbayern:

— Landkreise: Straubing-Bogen, Deggendorf, Dingolfing-Landau, Landshut, Kehlheim, Passau, Rottal-Inn

Regierungsbezirk Oberpfalz:

— Landkreis Regensburg

2. AUSTRIA

Burgenland

— Oberwart, Güssing

Niederösterreich

— Amstetten, Melk, Krems Stadt, Krems Land, St Pölten Land, Tulln, Korneuburg, Wien-Umgebung, Gänserndorf, Bruck/Leitha

Oberösterreich

— Perg, Eferding

Steiermark

— Feldbach

Tirol

— Imst

Vorarlberg

— Gesamtes Bundesland

COMMISSION REGULATION (EC) No 1455/1999
of 1 July 1999
laying down the marketing standard for sweet peppers

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2200/96 of 28 October 1996 on the common organisation of the market in fruit and vegetables⁽¹⁾, as last amended by Regulation (EC) No 1257/1999⁽²⁾, and in particular Article 2(2) thereof,

- (1) Whereas sweet peppers are listed in Annex I to Regulation (EC) No 2200/96 as products for which standards are to be adopted; whereas Commission Regulation (EEC) No 79/88 of 13 January 1988 laying down quality standards for lettuces, curled-leaved endives, broad-leaved (Batavian) endives and sweet peppers⁽³⁾, as last amended by Regulation (EC) No 888/97⁽⁴⁾, has been amended many times and no longer ensures legal clarity;
- (2) Whereas, in the interests of clarity, the rules on sweet peppers should be separated from those on other products under Regulation (EEC) No 79/88; whereas the rules in question should therefore be recast and Annex II to Regulation (EEC) No 79/88 on sweet peppers deleted; whereas, to that end, for reasons of transparency on the world market, account should be taken of the standard recommended for sweet peppers by the Working Party on Standardisation of the Perishable Produce and Quality Development of the United Nations Economic Commission for Europe (UN/ECE);
- (3) Whereas the effect of these standards must be to remove products of unsatisfactory quality from the market, gear production to satisfying consumer requirements and facilitate trade relations on the basis of fair competition, thereby helping to make production more profitable;
- (4) Whereas the standards are applicable at all stages of marketing; whereas transport over a great distance, storage for a certain length of time and the various handling operations to which the products are subjected may bring about deterioration due to the biological development of the products or their perishability; whereas account should be taken of

such deterioration when applying the standards at the marketing stages following dispatch;

- (5) Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Fresh Fruit and Vegetables,

HAS ADOPTED THIS REGULATION:

Article 1

The marketing standard for sweet peppers covered by CN code 0709 60 10 shall be as set out in the Annex.

The standard shall apply at all stages of marketing under the conditions laid down in Regulation (EC) No 2200/96.

However, at stages following dispatch, the products may show, in relation to the provisions of the standards, a slight lack of freshness and turgidity, and slight deteriorations due to their development and their tendency to perish.

Article 2

Regulation (EEC) No 79/88 is amended as follows:

1. in the title, 'curled-leaved endives, broad-leaved (Batavian) endives and sweet peppers' is replaced by 'curled-leaved endives and broad-leaved (Batavian) endives';
2. the first paragraph of Article 1 is replaced by the following:

'The quality standards for lettuces, curled-leaved endives and broad-leaved (Batavian) endives falling within subheadings 0705 11, ex 0705 19 and 0705 29 00 of the Combined Nomenclature shall be as set out in the Annex.'
3. Annex II is deleted.

Article 3

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

It shall apply from the first day of the month following that of its entry into force.

⁽¹⁾ OJ L 297, 21.11.1996, p. 1.

⁽²⁾ OJ L 100, 26.6.1999, p. 80.

⁽³⁾ OJ L 10, 14.1.1988, p. 8.

⁽⁴⁾ OJ L 126, 17.5.1997, p. 11.

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

Done at Brussels, 1 July 1999.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

STANDARD FOR SWEET PEPPERS

I. DEFINITION OF PRODUCE

This standard applies to sweet peppers of varieties (cultivars) grown from *Capsicum annuum* L. to be supplied fresh to the consumer, sweet peppers for industrial processing being excluded.

According to their shape a distinction is made for four commercial types:

- elongated sweet peppers (pointed),
- square sweet peppers (blunt),
- square tapering sweet peppers (peg top),
- flat sweet peppers (tomato peppers).

II. PROVISIONS CONCERNING QUALITY

The purpose of the standard is to define the quality requirements for sweet peppers after preparation and packaging.

A. Minimum requirements

In all classes, subject to the special provisions for each class and the tolerances allowed, the sweet peppers must be:

- intact,
- sound; produce affected by rotting or deterioration such as to make it unfit for consumption is excluded,
- clean, practically free of any visible foreign matter,
- fresh in appearance,
- practically free from pests,
- practically free from damage caused by pests,
- well-developed,
- free of damage caused by frost,
- free of unhealed injuries,
- free of sunburn [except for the specifications in Chapter B: Classification, point (ii)],
- with peduncles attached,
- free of abnormal external moisture,
- free of any foreign smell and/or taste.

The development and condition of the sweet peppers must be such as to enable them to:

- withstand transport and handling, and
- arrive in satisfactory condition at the place of destination.

B. Classification

Sweet peppers are classified in two classes, defined below:

(i) *Class I*

Sweet peppers in this class must be of good quality. They must be characteristic of the variety and/or commercial type as regards development, shape and colour with due regard to the degree of ripeness.

They must be:

- firm,
- practically free of blemishes.

The peduncle may be slightly damaged or cut with the calyx intact.

(ii) *Class II*

This class includes sweet peppers which do not qualify for inclusion in Class I but satisfy the minimum requirements specified above.

The following defects may be allowed provided the peppers retain their essential characteristics as regards the quality, keeping quality and presentation:

- defects in shape and development,
- sunburn or slight healed injuries, with a limit of 2 cm in length for defects of elongated shape, and 1 cm² of the total area for other defects,
- slight dry superficial cracks not exceeding an overall cumulative length of 3 cm.

They may be less firm without being withered.

The peduncle may be damaged or cut.

III. PROVISIONS CONCERNING SIZING

Size is determined by the shoulder diameter (width) of the sweet peppers. In the case of flat sweet peppers (tomato peppers) the term 'width' means the maximum equatorial diameter.

For sized sweet peppers, the difference in diameter between the largest and smallest sweet pepper in the same package may not exceed 20 mm.

The width of sweet peppers may not be less than:

- elongated sweet peppers (pointed): 30 mm
- square sweet peppers (blunt) and square tapering sweet peppers (peg-top): 40 mm
- flat sweet peppers (tomato peppers): 55 mm

Sizing is not compulsory for Class II, subject to the minimum sizes.

The above provisions do not apply to sweet peppers with slim pods of medium length ('peperoncini type') grown from particular varieties of *Capsicum annuum* L. var. *longum*. These must exceed 5 cm in length.

IV. PROVISIONS CONCERNING TOLERANCES

Tolerances in respect of quality and size shall be allowed in each package for produce not satisfying the requirements of the class indicated.

A. Quality tolerances

(i) *Class I*

10 % by number or weight of sweet peppers not satisfying the requirements of the class, but meeting those of Class II or, exceptionally, coming within the tolerances of that class.

(ii) *Class II*

10 % by number or weight of sweet peppers satisfying neither the requirements of the class nor the minimum requirements, with the exception of produce affected by rotting or any other deterioration rendering it unfit for consumption.

B. Size tolerances

(i) *Class I*

10 % by number or weight of sweet peppers not conforming to the sizes identified within a margin of ± 5 mm including no more than 5 % of sweet peppers below the minimum size laid down.

(ii) *Class II*— *Sized sweet peppers*

10 % by number or weight of sweet peppers not conforming to the sizes identified within a margin of ± 5 mm including no more than 5 % of sweet peppers below the minimum size laid down.

— *Unsize d sweet peppers*

5 % by number or weight of sweet peppers up to 5 mm smaller than the minimum size laid down.

V. PROVISIONS CONCERNING PRESENTATION

A. **Uniformity**

The contents of each package must be uniform and contain only sweet peppers of the same origin, variety or commercial type, quality, size (if sized) and, in the case of Class I, of appreciably the same degree of ripeness and colouring.

However, a mixture of sweet peppers of different colours is allowed as long as origin, commercial type, quality and size (if sized) are uniform and there is the same number of sweet peppers of each colour.

For packages of sweet peppers with a maximum weight of 1 kg, uniformity is only required with respect to origin and quality. Where sweet peppers of different colours are marketed, uniformity of origin is not required.

In the case of sized produce, elongated sweet peppers should be sufficiently uniform in length.

The visible part of the contents of the package must be representative of the entire contents.

B. **Packaging**

The sweet peppers must be packed in such a way as to protect the produce properly.

The materials used inside the package must be new, clean and of a quality such as to avoid causing any external or internal damage to the produce. The use of materials, particularly paper or stamps bearing trade specifications is allowed, provided the printing or labelling has been done with non-toxic ink or glue.

packages must be free of all foreign matter.

VI. PROVISIONS CONCERNING MARKING

Each package must bear the following particulars, in letters grouped on the same side, legibly and indelibly marked, and visible from the outside:

A. **Identification**

Packer and/or dispatcher: Name and address or officially issued or accepted symbol. However, where a code (symbol) is used, the mention 'packer and/or dispatcher' (or an equivalent abbreviation) must be placed close to this code (symbol).

B. **Nature of produce**

— 'Sweet peppers' and the colour or colours if the contents are not visible from the outside.

— Commercial type ('elongated', 'square blunt', 'square tapering', 'flat') or name of the variety if the contents are not visible from the outside.

— 'Peperoncini' or equivalent denomination where appropriate.

C. **Origin of produce**

— Country of origin and, optionally, district where grown or national, regional or local place name.

D. **Commercial specifications**

— Class

— Size (if sized) expressed as minimum and maximum diameters or the mark 'unsized' where appropriate

— Net weight or number of units (optional).

E. **Official control mark (optional)**

COMMISSION REGULATION (EC) No 1456/1999

of 1 July 1999

fixing the export refunds on cereals and on wheat or rye flour, groats and meal

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organisation of the market in cereals⁽¹⁾, as last amended by Commission Regulation (EC) No 923/96⁽²⁾, and in particular Article 13 (2) thereof,

Whereas Article 13 of Regulation (EEC) No 1766/92 provides that the difference between quotations or prices on the world market for the products listed in Article 1 of that Regulation and prices for those products in the Community may be covered by an export refund;

Whereas the refunds must be fixed taking into account the factors referred to in Article 1 of Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules under Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market for cereals⁽³⁾, as last amended by Regulation (EC) No 2513/98⁽⁴⁾;

Whereas, as far as wheat and rye flour, groats and meal are concerned, when the refund on these products is being calculated, account must be taken of the quantities of cereals required for their manufacture; whereas these quantities were fixed in Regulation (EC) No 1501/95;

Whereas the world market situation or the specific requirements of certain markets may make it necessary to vary the refund for certain products according to destination;

Whereas the refund must be fixed once a month; whereas it may be altered in the intervening period;

Whereas it follows from applying the detailed rules set out above to the present situation on the market in cereals, and in particular to quotations or prices for these products within the Community and on the world market, that the refunds should be as set out in the Annex hereto;

Whereas 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

The export refunds on the products listed in Article 1 (a), (b) and (c) of Regulation (EEC) No 1766/92, excluding malt, exported in the natural state, shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 2 July 1999.

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

Done at Brussels, 1 July 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 126, 24.5.1996, p. 37.

⁽³⁾ OJ L 147, 30.6.1995, p. 7.

⁽⁴⁾ OJ L 313, 21.11.1998, p. 16.

ANNEX

to the Commission Regulation of 1 July 1999 fixing the export refunds on cereals and on wheat or rye flour, groats and meal

(EUR/t)			(EUR/t)		
Product code	Destination ⁽¹⁾	Amount of refund	Product code	Destination ⁽¹⁾	Amount of refund
1001 10 00 9200	—	—	1101 00 11 9000	—	—
1001 10 00 9400	01	0	1101 00 15 9100	01	34,00
1001 90 91 9000	—	—	1101 00 15 9130	01	32,00
1001 90 99 9000	01	—	1101 00 15 9150	01	29,50
1002 00 00 9000	01	—	1101 00 15 9170	01	27,25
1003 00 10 9000	—	—	1101 00 15 9180	01	25,50
1003 00 90 9000	01	—	1101 00 15 9190	—	—
1004 00 00 9200	—	—	1101 00 90 9000	—	—
1004 00 00 9400	—	—	1102 10 00 9500	01	0
1005 10 90 9000	—	—	1102 10 00 9700	—	—
1005 90 00 9000	01	—	1102 10 00 9900	—	—
1007 00 90 9000	—	—	1103 11 10 9200	01	0 ⁽²⁾
1008 20 00 9000	—	—	1103 11 10 9400	01	0 ⁽²⁾
			1103 11 10 9900	—	—
			1103 11 90 9200	01	0 ⁽²⁾
			1103 11 90 9800	—	—

⁽¹⁾ The destinations are identified as follows:

01 All third countries.

⁽²⁾ No refund is granted when this product contains compressed meal.

NB: The zones are those defined in amended Commission Regulation (EEC) No 2145/92 (OJ L 214, 30.7.1992, p. 20).

COMMISSION REGULATION (EC) No 1457/1999
of 1 July 1999
fixing the corrective amount applicable to the refund on cereals

THE COMMISSION OF THE EUROPEAN COMMUNITIES,
Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals⁽¹⁾, as last amended by Commission Regulation (EC) No 923/96⁽²⁾, and in particular Article 13 (8) thereof,

Whereas Article 13 (8) of Regulation (EEC) No 1766/92 provides that the export refund applicable to cereals on the day on which application for an export licence is made must be applied on request to exports to be effected during the period of validity of the export licence; whereas, in this case, a corrective amount may be applied to the refund;

Whereas Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules under Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the cereals and the measures to be taken in the event of disturbance on the market for cereals⁽³⁾, as last amended by Regulation (EC) No 2513/98⁽⁴⁾, allows for the fixing of a corrective amount for the products listed in Article 1(1)(c) of Regulation (EEC) No 1766/92; whereas that corrective amount must be calculated taking account of the factors referred to in Article 1 of Regulation (EC) No 1501/95;

Whereas the world market situation or the specific requirements of certain markets may make it necessary to vary the corrective amount according to destination;

Whereas the corrective amount must be fixed at the same time as the refund and according to the same procedure; whereas it may be altered in the period between fixings;

Whereas it follows from applying the provisions set out above that the corrective amount must be as set out in the Annex hereto;

Whereas 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

The corrective amount referred to in Article 1(1) (a), (b) and (c) of Regulation (EEC) No 1766/92 which is applicable to export refunds fixed in advance in respect of malt shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 2 July 1999.

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

Done at Brussels, 1 July 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 126, 24.5.1996, p. 37.

⁽³⁾ OJ L 147, 30.6.1995, p. 7.

⁽⁴⁾ OJ L 313, 21.11.1998, p. 16.

ANNEX

to the Commission Regulation of 1 July 1999 fixing the corrective amount applicable to the
refund on cereals

(EUR/t)

Product code	Destination ⁽¹⁾	Current 7	1st period 8	2nd period 9	3rd period 10	4th period 11	5th period 12	6th period 1
1001 10 00 9200	—	—	—	—	—	—	—	—
1001 10 00 9400	01	0	-1,00	-2,00	-3,00	-4,00	—	—
1001 90 91 9000	—	—	—	—	—	—	—	—
1001 90 99 9000	01	—	—	—	—	—	—	—
1002 00 00 9000	01	—	—	—	—	—	—	—
1003 00 10 9000	—	—	—	—	—	—	—	—
1003 00 90 9000	01	—	—	—	—	—	—	—
1004 00 00 9200	—	—	—	—	—	—	—	—
1004 00 00 9400	01	—	—	—	—	—	—	—
1005 10 90 9000	—	—	—	—	—	—	—	—
1005 90 00 9000	01	—	—	—	—	—	—	—
1007 00 90 9000	—	—	—	—	—	—	—	—
1008 20 00 9000	—	—	—	—	—	—	—	—
1101 00 11 9000	—	—	—	—	—	—	—	—
1101 00 15 9100	01	0	0	0	0	0	—	—
1101 00 15 9130	01	0	0	0	0	0	—	—
1101 00 15 9150	01	0	0	0	0	0	—	—
1101 00 15 9170	01	0	0	0	0	0	—	—
1101 00 15 9180	01	0	0	0	0	0	—	—
1101 00 15 9190	—	—	—	—	—	—	—	—
1101 00 90 9000	—	—	—	—	—	—	—	—
1102 10 00 9500	01	0	0	0	0	0	—	—
1102 10 00 9700	—	—	—	—	—	—	—	—
1102 10 00 9900	—	—	—	—	—	—	—	—
1103 11 10 9200	01	0	-1,50	-3,00	-4,50	-6,00	—	—
1103 11 10 9400	01	0	-1,34	-2,68	-4,02	-5,36	—	—
1103 11 10 9900	—	—	—	—	—	—	—	—
1103 11 90 9200	01	0	0	0	0	0	—	—
1103 11 90 9800	—	—	—	—	—	—	—	—

⁽¹⁾ The destinations are identified as follows:

01 all third countries.

NB: The zones are those defined in amended Commission Regulation (EEC) No 2145/92 (OJ L 214, 30.7.1992, p. 20).

COMMISSION REGULATION (EC) No 1458/1999
of 1 July 1999
fixing the export refunds on malt

THE COMMISSION OF THE EUROPEAN COMMUNITIES,
Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals⁽¹⁾, as last amended by Commission Regulation (EC) No 923/96⁽²⁾, and in particular the third subparagraph of Article 13(2) thereof,

Whereas Article 13 of Regulation (EEC) No 1766/92 provides that the difference between quotations or prices on the world market for the products listed in Article 1 of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas the refunds must be fixed taking into account the factors referred to in Article 1 of Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules under Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market for cereals⁽³⁾, as last amended by Regulation (EC) No 2513/98⁽⁴⁾;

Whereas the refund applicable in the case of malts must be calculated with amount taken of the quantity of cereals required to manufacture the products in question; whereas the said quantities are laid down in Regulation (EC) No 1501/95;

Whereas the world market situation or the specific requirements of certain markets may make it necessary to vary the refund for certain products according to destination;

Whereas the refund must be fixed once a month; whereas it may be altered in the intervening period;

Whereas it follows from applying these rules to the present situation on markets in cereals, and in particular to quotations or prices for these products within the Community and on the world market, that the refunds should be as set out in the Annex hereto;

Whereas 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

The export refunds on malt listed in Article 1(c) of Regulation (EEC) No 1766/92 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 2 July 1999.

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

Done at Brussels, 1 July 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 126, 24.5.1996, p. 37.

⁽³⁾ OJ L 147, 30.6.1995, p. 7.

⁽⁴⁾ OJ L 313, 21.11.1998, p. 16.

ANNEX

to the Commission Regulation of 1 July 1999 fixing the export refunds on malt

(EUR/t)

Product code	Refund
1107 10 19 9000	0,00
1107 10 99 9000	0,00
1107 20 00 9000	0,00

COUNCIL DIRECTIVE 1999/63/EC**of 21 June 1999****concerning the Agreement on the organisation of working time of seafarers concluded by the European Community Shipowners' Association (ECSA) and the Federation of Transport Workers' Unions in the European Union (FST)**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and, in particular Article 139(2) thereof,

Having regard to the proposal from the Commission,

Whereas:

- (1) following the entry into force of the Treaty of Amsterdam, the provisions of the Agreement on social policy annexed to the Protocol 14 on social policy, annexed to the Treaty establishing the European Community, as amended by the Treaty of Maastricht, have been incorporated into Articles 136 to 139 of the Treaty establishing the European Community;
- (2) management and labour ('the social partners'), may in accordance with Article 139(2) of the Treaty, request jointly that agreements at Community level be implemented by a Council decision on a proposal from the Commission;
- (3) the Council adopted Directive 93/104/EC of 23 November 1993 concerning certain aspects of the organisation of working time⁽¹⁾; whereas sea transport was one of the sectors of activity excluded from the scope of that Directive;
- (4) account should be taken of the relevant Conventions of the International Labour Organisation with regard to the organisation of working time, including in particular those relating to the hours of work of seafarers;
- (5) the Commission, in accordance with Article 3(2) of the Agreement on social policy, has consulted management and labour on the possible direction of Community action with regard to the sectors and activities excluded from Directive 93/104/EC;
- (6) after that consultation the Commission considered that Community action was desirable in that area, and once again consulted management and labour at Community level on the substance of the envisaged proposal in accordance with Article 3(3) of the said Agreement;
- (7) the European Community Shipowners' Association (ECSA) and the Federation of Transport Workers' Unions in the European Union (FST) informed the

Commission of their desire to enter into negotiations in accordance with Article 4 of the Agreement on social policy;

- (8) the said organisations concluded, on 30 September 1998, an Agreement on the working time of seafarers; this Agreement contains a joint request to the Commission to implement the Agreement by a Council decision on a proposal from the Commission, in accordance with Article 4(2) of the Agreement on social policy;
- (9) the Council, in its resolution of 6 December 1994 on certain aspects for a European Union social policy: a contribution to economic and social convergence in the Union⁽²⁾ asked management and labour to make use of the opportunities for concluding agreements, since they are close to social reality and to social problems;
- (10) the Agreement applies to seafarers on board every seagoing ship, whether publicly or privately owned, which is registered in the territory of any Member State and is ordinarily engaged in commercial maritime operations;
- (11) the proper instrument for implementing the Agreement is a Directive within the meaning of Article 249 of the Treaty; it therefore binds the Member States as to the result to be achieved, whilst leaving national authorities the choice of form and methods;
- (12) in accordance with the principles of subsidiarity and proportionality as set out in Article 5 of the Treaty, the objectives of this Directive cannot be sufficiently achieved by the Member States and can therefore be better achieved by the Community; this Directive does not go beyond what is necessary for the attainment of those objectives;
- (13) with regard to terms used in the Agreement which are not specifically defined therein, this Directive leaves Member States free to define those terms in accordance with national law and practice, as is the case for other social policy Directives using similar terms, providing that those definitions respect the content of the Agreement;

⁽¹⁾ OJ L 307, 13.12.1993, p. 18.

⁽²⁾ OJ C 368, 23.12.1994, p. 6.

- (14) the Commission has drafted its proposal for a Directive, in accordance with its communication of 20 May 1998 on adapting and promoting the social dialogue at Community level, taking into account the representative status of the signatory parties and the legality of each clause of the Agreement;
- (15) the Commission informed the European Parliament and the Economic and Social Committee, in accordance with its communication of 14 December 1993 concerning the application of the Agreement on social policy, by sending them the text of its proposal for a Directive containing the Agreement;
- (16) the implementation of the Agreement contributes to achieving the objectives under Article 136 of the Treaty,

HAS ADOPTED THIS DIRECTIVE:

Article 1

The purpose of this Directive is to put into effect the Agreement on the organisation of working time of seafarers concluded on 30 September 1998 between the organisations representing management and labour in the maritime sector (ECSA and FST) as set out in the Annex hereto.

Article 2

Minimum requirements

1. Member States may maintain or introduce more favourable provisions than those laid down in this Directive.
2. The implementation of this Directive shall under no circumstances constitute sufficient grounds for justifying a reduction in the general level of protection of workers in the fields covered by this Directive. This shall be without

prejudice to the rights of Member States and/or management and labour to lay down, in the light of changing circumstances, different legislative, regulatory or contractual arrangements to those prevailing at the time of the adoption of this Directive, provided always that the minimum requirements laid down in this Directive are adhered to.

Article 3

Transposition

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by 30 June 2002, or shall ensure that, by that date at the latest, management and labour have introduced the necessary measures by agreement, the Member States being required to take any necessary measure to enable them at any time to be in a position to guarantee the results imposed by this Directive. They shall forthwith inform the Commission thereof.

2. When Member States adopt the provisions referred to in the first paragraph, these shall contain a reference to this Directive or shall be accompanied by such reference at the time of their official publication. The methods of making such reference shall be laid down by the Member States.

Article 4

Addressees

This Directive is addressed to the Member States.

Done at Luxembourg, 21 June 1999.

For the Council

The President

L. SCHOMERUS

ANNEX

EUROPEAN AGREEMENT

on the organisation of working time of seafarers

Having regard to the Agreement on social policy annexed to the Protocol on social policy attached to the Treaty establishing the European Community and in particular Articles 3(4) and 4(2) thereof;

Whereas Article 4(2) of the Agreement on social policy provides that agreements concluded at European level may be implemented at the joint request of the signatory parties by a Council Decision on a proposal from the Commission;

Whereas the signatory parties hereby make such a request,

THE SIGNATORY PARTIES HAVE AGREED THE FOLLOWING:

Clause 1

1. The Agreement applies to seafarers on board every seagoing ship, whether publicly or privately owned, which is registered in the territory of any Member State and is ordinarily engaged in commercial maritime operations. For the purpose of this Agreement a ship that is on the register of two States is deemed to be registered in the territory of the State whose flag it flies.
2. In the event of doubt as to whether or not any ships are to be regarded as seagoing ships or engaged in commercial maritime operations for the purpose of the Agreement, the question shall be determined by the competent authority of the Member State. The organisations of shipowners and seafarers concerned should be consulted.

Clause 2

For the purpose of the Agreement:

- (a) the term 'hours of work' means time during which a seafarer is required to work on account of the ship;
- (b) the term 'hours of rest' means time outside hours of work; this term does not include short breaks;
- (c) the term 'seafarer' means any person who is employed or engaged in any capacity on board a seagoing ship to which the Agreement applies;
- (d) the term 'shipowner' means the owner of the ship or any other organisation or person, such as the manager or bareboat charterer, who has assumed the responsibility for the operation of the ship from the shipowner and who on assuming such responsibility has agreed to take over all the attendant duties and responsibilities.

Clause 3

Within the limits set out in Clause 5, there shall be fixed either a maximum number of hours of work which shall not be exceeded in a given period of time, or a minimum

number or hours of rest which shall be provided in a given period of time.

Clause 4

Without prejudice to Clause 5, the normal working hours' standard of seafarer is, in principle, based on an eight-hour day with one day of rest per week and rest on public holidays. Member States may have procedures to authorise or register a collective agreement which determines seafarers' normal working hours on a basis on less favourable than this standard.

Clause 5

1. The limits on hours of work or rest shall be either:
 - (a) maximum hours of work which shall not exceed
 - (i) fourteen hours in any 24 hour period; and
 - (ii) 72 hours in any seven-day period;
 - or
 - (b) minimum hours of rest which shall not be less than:
 - (i) ten hours in any 24 hour period; and
 - (ii) 72 hours in any seven-day period.
2. Hours of rest may be divided into no more than two periods, one of which shall be at least six hours in length and the interval between consecutive periods of rest shall not exceed 14 hours.
3. Musters, fire-fighting and lifeboat drills, and prescribed by national laws and regulations and by international instruments shall be conducted in a manner that minimises the disturbance of rest periods and does not induce fatigue.
4. In respect of situations when a seafarer is on call, such as when a machinery space is unattended, the seafarer shall have an adequate compensatory rest period if the normal period of rest is disturbed by call-outs to work.

5. With regard to paragraphs 3 and 4, where no collective agreement or arbitration award exists or if the competent authority determines that the provisions in the agreement or award are inadequate, it would be for the competent authority to determine such provisions to ensure that the seafarers concerned have sufficient rest.
6. With due regard for the general principles of the protection of the health and safety of workers, Member States may have national laws, regulations or a procedure for the competent authority to authorise or register collective agreements permitting exceptions to the limits set out in paragraphs 1 and 2. Such exceptions shall, as far as possible, follow the standards set out but may take account of more frequent or longer leave periods, or the granting of compensatory leave for watchkeeping seafarers or seafarers working on board ship on short voyages.
7. A table shall be posted, in an easily accessible place, with the shipboard working arrangements, which shall contain for every position at least:
 - (a) the schedule of service at sea and service in port; and
 - (b) the maximum hours of work or the minimum hours of rest required by the laws, regulations or collective agreements in force in the Member States.
8. The table referred to in paragraph 7 shall be established in a standardised format in the working language or languages of the ship and in English.

Clause 6

No seafarer under 18 years of age shall work at night. For the purpose of this Clause, 'night' means a period of at least nine consecutive hours, including the interval from midnight to five a.m. This provision need not be applied when the effective training of young seafarers between the ages of 16 and 18 in accordance with established programmes and schedules would be impaired.

Clause 7

1. The master of a ship shall have the right to require a seafarer to perform any hours of work necessary for the immediate safety of the ship, persons on board or cargo, or for the purpose of giving assistance to other ships or persons in distress at sea.
2. In accordance with paragraph 1, the master may suspend the schedule of hours of work or hours of rest

and require a seafarer to perform any hours of work necessary until the normal situation has been restored.

3. As soon as practicable after the normal situation has been restored, the master shall ensure that any seafarer who have performed work in a scheduled rest period are provided with an adequate period of rest.

Clause 8

1. Records of seafarers' daily hours of work or of their daily hours of rest shall be maintained to allow monitoring of compliance with the provisions set out in Clause 5. The seafarer shall receive a copy of the records pertaining to him or her which shall be endorsed by the master, or a person authorised by the master, and by the seafarer.
2. Procedures shall be determined for keeping such records on board, including the intervals at which the information shall be recorded. The format of the records of the seafarers' hours of work or of their hours of rest shall be established taking into account any available international guidelines. The format shall be established in the language provided by Clause 5, paragraph 8.
3. A copy of the relevant provisions of the national legislation pertaining to this Agreement and the relevant collective agreements shall be kept on board and be easily accessible to the crew.

Clause 9

The records referred to in Clause 8 shall be examined and endorsed at appropriate intervals, to monitor compliance with the provisions governing hours of work or hours of rest that give effect to this Agreement.

Clause 10

1. When determining, approving or revising manning levels, it is necessary to take into account the need to avoid or minimise, as far as practicable, excessive hours of work, to ensure sufficient rest and to limit fatigue.
2. If the records or other evidence indicate infringement of provisions governing hours of work or hours of rest, measures, including if necessary the revision of the manning of the ship, shall be taken so as to avoid future infringements.
3. All ships to which this Agreement applies shall be sufficiently, safely and efficiently manned, in accordance with the minimum safe manning document or an equivalent issued by the competent authority.

Clause 11

No person under 16 years of age shall work on a ship.

Clause 12

The shipowner shall provide the master with the necessary resources for the purpose of compliance with obligations under this Agreement, including those relating to the appropriate manning of the ship. The master shall take all necessary steps to ensure that the requirements on seafarers' hours of work and rest arising from this Agreement are complied with.

Clause 13

1. All seafarers shall possess a certificate attesting to their fitness for the work or which they are to be employed at sea.

The nature of the health assessment to be made and the particulars to be included in the medical certificate shall be established after consultation with the shipowners and seafarers organisations concerned.

All seafarers shall have regular health assessments. Watchkeepers suffering from health problems certified by a medical practitioner as being due to the fact that they perform night work shall be transferred, wherever possible, to day work to which they are suited.

2. The health assessment referred to in paragraph 1 shall be free and comply with medical confidentiality. Such health assessments may be conducted within the national health system.

Clause 14

Shipowners shall provide information on watchkeepers and other night workers to the national competent authority if they so request.

Clause 15

Seafarers shall have safety and health protection appropriate to the nature of their work. Equivalent protection and prevention services or facilities with regard to the safety and health of seafarers working by day or by night shall be available.

Clause 16

Every seafarer shall be entitled to paid annual leave of at least four weeks, or a proportion thereof for periods of employment of less than one year, in accordance with the conditions for entitlement to, and granting of, such leave laid down by national legislation and or/practice.

The minimum period of paid annual leave may not be replaced by an allowance in lieu, except where the employment relationship is terminated.

Brussels, 30 Septembre 1998.

*Federation of Transport Workers' Unions
in the European Union (FST)*

*European Community Shipowners'
Association (ECSA)*

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 28 May 1999

establishing the ecological criteria for the award of the Community eco-label to
detergents for dishwashers

(notified under document number C(1999) 1377)

(Text with EEA relevance)

(1999/427/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 880/92 of 23 March 1992 on a Community eco-label award scheme ⁽¹⁾, and in particular the second subparagraph of Article 5(1) thereof,

(1) Whereas the first subparagraph of Article 5(1) of Regulation (EEC) No 880/92 provides that the conditions for the award of the Community eco-label shall be defined by product group;

(2) Whereas Article 10(2) of Regulation (EEC) No 880/92 states that environmental performance of a product shall be assessed by reference to the specific criteria for product groups;

(3) Whereas Article 4(2)(a) of Regulation (EEC) No 880/92 states that an eco-label shall not be awarded to products which are substances or preparations classified as dangerous in accordance with Council Directive 67/548/EEC ⁽²⁾ as last amended by Commission Directive 98/73/EC ⁽³⁾ and Council Directive 88/379/EEC ⁽⁴⁾, as last amended by Commission Directive 96/65/EC ⁽⁵⁾, but it may be

awarded to products containing such substances or preparations in so far as they meet the objectives of the Community eco-label award scheme;

(4) Whereas detergents for dishwashers contain substances or preparations classified as dangerous in accordance with the abovementioned Directives;

(5) Whereas the ecological criteria established by this Decision include, in particular, hurdles and scores limiting to a minimum the content of substances and preparations classified as dangerous in the detergents which may be awarded an eco-label;

(6) Whereas detergents complying with these criteria have therefore a reduced environmental impact and meet the objectives of the Community eco-label award scheme;

(7) Whereas in accordance with Article 6 of Regulation (EEC) No 880/92 the Commission has consulted the principal interest groups within a consultation forum;

(8) Whereas the committee set up by Article 7(1) of Regulation (EEC) No 880/92 has not delivered an opinion on the measures laid down in a draft Commission Decision;

⁽¹⁾ OJ L 99, 11.4.1992, p. 1.

⁽²⁾ OJ 196, 16.8.1967, p.1.

⁽³⁾ OJ L 305, 16.11.1998, p. 1.

⁽⁴⁾ OJ L 187, 16.7.1988, p. 14.

⁽⁵⁾ OJ L 265, 18.10.1996, p. 15.

- (9) Whereas the Commission has therefore proposed these measures to the Council on 27 January 1999 in accordance with Article 7(4) of Regulation (EEC) No 880/92;
- (10) Whereas the Council has not acted within three months from the date of referral to it;
- (11) Whereas in accordance with Article 7(5) of Regulation (EEC) No 880/92 the measures should now be adopted by the Commission,

HAS ADOPTED THIS DECISION:

Article 1

The product group 'detergents for dishwashers' means all detergents which are intended to be used exclusively in automatic domestic dishwashers.

Article 2

The environmental performance and the fitness for use of the product group, as defined in Article 1, shall be assessed by reference to the specific ecological and

performance criteria set out in the Annex and Appendix IA, IB, II, III and IV.

Article 3

The definition of the product group and the specific ecological criteria for the product group shall be valid for a period of three years from the first day of the month following the adoption of the criteria.

Article 4

For administrative purposes the product group code number assigned to this product group shall be '15'.

Article 5

This Decision is addressed to the Member States.

Done at Brussels, 28 May 1999.

For the Commission

Ritt BJERREGAARD

Member of the Commission

ANNEX

FRAMEWORK

The general requirements established by Regulation (EEC) No 880/92 on a Community eco-label award scheme and the specific criteria of this Annex shall apply for the awarding of an eco-label to detergents for dishwashers.

These criteria aim at promoting:

- the reduction of water pollution both by reducing the quantity of detergent used and by limiting the quantity of harmful ingredients,
- the minimisation of waste production by reducing the amount of primary packaging and promoting its re-usability and/or recyclability,
- the reduction of energy use by promoting low temperature detergents.

Additionally, the criteria enhance the consumers' environmental awareness.

1. FUNCTIONAL UNIT AND REFERENCE DOSAGE

1.1. Functional unit

The functional unit shall be the quantity of product required to wash 12 place settings with a standard soil (as defined by DIN or ISO standards).

1.2. Reference dosage

The dosage recommended by the manufacturer to consumers for normally soiled dishes and 12 place settings is taken as a reference dosage under standard conditions.

2. KEY CRITERIA

2.1. Ecological criteria on ingredients

Key parameters

The following parameters are considered:

- total chemicals,
- critical dilution volume, toxicity (CDVtox),
- phosphates (as STPP) ⁽¹⁾,
- non-biodegradable organics (aerobic) (NBDO aerobic),
- non-biodegradable organics (anaerobic) (NBDO anaerobic),

Appendix II presents the definition of the parameters used in the calculations. These parameters are calculated and expressed as g/wash, or l/wash, where appropriate. They are aggregates and assessed as a whole, according to the approach presented in this document.

Scoring/weighting factors

The following table summarises the selected criteria, their exclusion hurdles, their weighting factors and the maximum achievable scoring result. The scoring system formulae to be used to calculate the score in respect of each criterion are presented in point 2.3.

⁽¹⁾ Inclusion of this provisional criterion is aimed at taking into account the potential of certain detergents to contribute to eutrophication. Consideration will be given to replacing this criterion with an impact-based criterion when revising this Decision, in the light of future developments in scientific knowledge, availability of relevant data and the factual situation.

Detergents for dishwashers' scoring/weighting calculation system

Criterion	Score				Exclusion hurdle	Weighting factor	Sum
	4	3	2	1			
Total chemicals	16,5	18	19,5	21	22,5	3	12
Critical dilution volume, tox.	60	120	180	240	250	8	32
Phosphates (as STPP)	0	3	6	9	10	2	8
Non-biodegradable organic (aerobic)	0	0,05	0,10	0,15	1	1	4
Non-biodegradable organic (anaerobic)	0	0,05	0,10	0,15	0,2	1,5	6
Total							62
Minimum score required	26						

Notes:

All values are expressed in g/wash, except the CDV_{tox} value which is expressed in l/wash.

W_{factor} = weighting factor H_{EXCL} = hurdle.

2.2. Pass/fail level for awarding an eco-label

The sum of the scores related to the five criteria concerning the ingredients shall be equal to or greater than 26.

The exclusion hurdle value should not be exceeded on any criterion. The product shall also be in compliance with the criteria set out in other parts of this Annex.

2.3. Calculations related to ecological criteria on ingredients*Detergent Ingredient database (DID-list)*

Appendix IA presents the detergent ingredients database (DID-list) which shall be used for calculations concerning the ingredient criteria. Data on loading factor, toxicity, non-biodegradability (aerobic) non-biodegradability (anaerobic) are listed for the major ingredients in Appendix IA and these data must be used for the calculation concerning these ingredients.

The criteria:

- total chemicals
- non biodegradable (aerobic/anaerobic)
- phosphates (as STPP)

are calculated for each ingredient by considering the dosage per wash, water content and mass percentage in the formulation and they are added up for each product formulation.

The criterion on critical dilution volume toxicity is calculated for each ingredient by the equation:

kfv_{tox} :

$$kfv_{TOX} = \frac{\text{dosage} \times \text{loading factor}}{\text{long term effect}} \times 1000$$

Procedure for the calculation of criteria and scores

For the calculation of scores, the following equations are used:

Total chemicals (TC):

If $tc > 22,5$ g/wash	then	EXCLUSION
If $tc \leq 21$ g/wash	then	Score = $15 - tc/1,5$
If $22,5 \geq tc > 21$ g/wash	then	Score = 0
If $tc \leq 16,5$ g/wash	then	Score = 4
Maximum score = 4		

Critical dilution volume toxicity (CDV_{tox}):

If $cdv_{tox} > 250$ l/wash	then	EXCLUSION
If $cdv_{tox} \leq 240$ l/wash	then	Score = $5 - cdv_{tox}/60$
If $250 \geq cdv_{tox} > 240$ l/wash	then	Score = 0
If $cdv_{tox} \leq 60$ l/wash	then	Score = 4
Maximum score = 4		

Phosphates (P):

If $p > 10$ g/wash	then	EXCLUSION
If $p \leq 9$ g/wash	then	Score = $4 - p/3$
If $10 \geq p > 9$ g/wash	then	Score = 0
Maximum score = 4		

Aerobic non-biodegradable organics (anBDO):

If $anbdo > 1$ g/wash	then	EXCLUSION
If $anbdo \leq 0,15$ g/wash	then	Score = $4 - anbdo/0,05$
If $1 \geq anbdo > 0,15$ g/wash	then	Score = 0
Maximum score = 4		

Anaerobic non-biodegradable organics (anNBDO):

If $annbdo > 0,2$ g/wash	then	EXCLUSION
If $annbdo \leq 0,15$ g/wash	then	Score = $4 - annbdo/0,05$
If $0,2 \geq annbdo > 0,15$ g/wash	then	Score = 0
Maximum score = 4		

New chemical additional ingredients

- (a) In the case of new chemicals or additional ingredients which are not listed in the detergent ingredient database the approach described here in Appendix I.B shall be followed.

Experimental data have to be submitted by the applicant to the competent body.

The data on anaerobic biodegradability (ECETOC test No 28, June 1988) have to be provided.

All the available documentation has to be provided concerning the data which are presented on biodegradation, removal, long-term effects (NOEC data) on fish, *daphnia magna*, algae.

The reference for the relevant tests shall be the appropriate Annexes to Council Directive 67/518/EEC⁽¹⁾

The provisions of Appendix I.B. shall apply, as appropriate.

In particular, if complete data concerning long-term effects (NOEC) are not available, the relevant simplified procedures described in Appendix I.B may be applied.

- (b) A different approach may be followed if it is recognised by the Commission to be equivalent to the one referred to above, for the specific objectives of assessing compliance with the relevant criteria, at the request of a competent body or an interest group represented in the eco-label Consultation Forum (Article 6 of Regulation (EEC) No 880/92).

2.4. Other ecological criteria related to ingredients

Certain specific ingredients shall not exceed a maximum content in the detergent formulation or are excluded as specified below:

- (a) the surfactant alkylphenothoxylate (APEO), the perfumes containing the aromatic nitro compounds referred to in Appendix II, the complex formation agent EDTA and ingredients⁽²⁾ classified as carcinogenic, mutagenic or teratogenic as defined in Directives 67/548/EEC and 88/379/EEC are excluded;

⁽¹⁾ OJ 196, 16.8.1967, p. 1.

⁽²⁾ 'Ingredients' means either substances or preparations.

- (b) phosphonates shall not exceed 0,2 g/wash;
- (c) total chlorine compounds shall not exceed 0,1 %.⁽¹⁾

2.5. Ecological criteria on product packaging

Only primary packaging is considered. The packaging may not exceed 2,5 grams per functional unit. The packaging should be made of reusable and/or recyclable materials. The cardboard packaging shall be 80 % recycled material and the plastic packaging shall be labelled according to ISO 1043.

3. PERFORMANCE CRITERIA

The product shall have a satisfactory washing performance at the recommended dosage according to the standard test developed by IKW. It should work best at 55 °C or at a lower temperature. This has to be documented by the manufacturer.

4. TESTING

4.1. Test on purity of enzymes to verify the absence of production organisms

A test on the purity of enzymes has to be performed on enzymes that are produced by biotechnological processes and used in detergents for dishwashers applying for the eco-label. It is the aim of this test to ensure that production organisms are not contained in the final enzyme preparation.

The growth of micro-organisms is tested together with specific antibiotics. The test procedure on purity must ensure that no production organism is detected in a 20 ml standard test sample of the final enzyme product.

4.2. Testing laboratories

The testing shall be performed at the expense of the applicant by laboratories that meet the general requirements laid out in the EN 45001 standards or any equivalent systems.

5. CONSUMER INFORMATION

5.1. Information on the packaging

The following information shall appear on the product:

‘As a general rule:

- use detergents that work at temperatures lower than 65 °C,
- select low temperature washing cycles on the dishwasher,
- wash full loads,
- do not exceed the recommended dosage,
- this will minimise both energy and water consumption and reduce water pollution’.

‘This product has been awarded the European Union eco-label because it helps to reduce water pollution, waste production and energy consumption’.

For more information about the European Union eco-label, contact the European Commission:

Internet: <http://europa.eu.int/ecolabel>

By post: European Commission DG XI E4

Rue de la Loi 200, B-1049 Bruxelles/Westraat 200, B-1049 Brussel.

5.2. Dosage instructions.

Dosage instructions shall appear on the product packages. The recommended dosages must be specified for ‘normally’ and ‘heavily’ soiled dishes. The instructions shall specify how to make best use of the product according to the soil.

⁽¹⁾ On the occasion of the future revision of the criteria, particular attention will be given to the issue of chlorine compounds with a view to considering their ultimate inclusion.

5.3. Information and labelling of ingredients

Commission Recommendation 89/542/EEC of 13 September 1989 concerning the labelling of detergents and cleaning agents ⁽¹⁾ must be applied:

The following groups of ingredients shall be labelled:

- Enzymes: indication of the type of enzymes.
- Preservation agents: characterisation and labelling according to IUPAC nomenclature.
- If the product contains perfume, it shall be indicated on the packaging.

⁽¹⁾ OJ L 291, 10.10.1989, p. 55.

Appendix I

DETERGENT INGREDIENTS DATABASE AND APPROACH TO BE FOLLOWED FOR INGREDIENTS NOT LISTED IN THE DATABASE

A. The data given below on the most commonly used detergent ingredients are to be used for the calculation of the ecological criteria (see following table):

DETERGENT INGREDIENTS DATABASE

DID No	Ingredients	Toxicity		Loading factor	Anaerobic Non-biodegradable	Aerobic Non-biode- gradable	Soluble Inorganics	Insoluble Inorganics	THOD
		NOEC Measured	LTE						
Anionic surfactants									
1	C 10-13 LAS (NA Ø 11.5-11.8, C 14 < 1 %)	0,3	0,3	0,05	Y, CF = 0,75	0	0	0	2,3
2	Other LAS (C 14 > 1 %)	0,12	0,12	0,05	Y, CF = 1,5	0	0	0	2,3
3	C 14/17 Alkylsulfonate	0,27	0,27	0,03	Y, CF = 0,75	0	0	0	2,5
4	C 8/10 Alkylsulphate	EC50 = 2,9	0,15	0,02	0	0	0	0	1,9
5	C 12/15 AS	0,1	0,1	0,02	0	0	0	0	2,2
6	C 12/18 AS	LC50 = 3	0,15	0,02	0	0	0	0	2,3
7	C 16-18 FAS	0,55	0,55	0,02	0	0	0	0	2,5
8	C 12/15 A 1-3 EO sulphate	0,15	0,15	0,03	0	0	0	0	2,1
9	C 16/18 A 3-4 EO sulphate	No valid data	0,1	0,03	0	0	0	0	2,2
10	C 8-Dialkylsulfosuccinate	LC50 = 7,5	0,4	0,5	Y, CF = 1,5	0	0	0	2
11	C 12/14 sulpho-fat-acid methylester	EC50 = 5	0,25	0,05	Y, CF = 0,75	0	0	0	2,1
12	C 16/18 sulpho-fat-acid methylester	0,15	0,15	0,05	Y, CF = 0,75	0	0	0	2,3
13	C 14/16 alpha olefine sulphonate	LC50 = 2,5	0,13	0,05	Y, CF = 0,75	0	0	0	2,3
14	C 14-18 alpha olefien sulphonate	LC50 = 1,4	0,07	0,05	Y, CF = 2,0	0	0	0	2,4
15	C 12-22 SOAPS	ECO = 1,6	1,6	0,05	0	0	0	0	2,9
Non-ionic surfactants									
16	C 9/11 A > 3-6 EO lin. or mono br.	EC50 = 3,3	0,7	0,03	0	0	0	0	2,4
17	C 9/11 A > 6-9 EO lin. or mono br.	EC50 = 5,4	1,1	0,03	0	0	0	0	2,2
18	C 12-15 A 2-6 EO lin. or mono br.	0,18	0,18	0,03	0	0	0	0	2,5
19	C 12-15 (Avg. C < 14) A > 6-9 EO lin. or mono br.	0,24	0,24	0,03	0	0	0	0	2,3
20	C 12-15 (Avg. C > 14) A > 6-9 EO lin. or mono br.	0,17	0,17	0,03	0	0	0	0	2,3
21	C 12-15 A > 9-12 EO	LC50 = 0,8	0,3	0,03	0	0	0	0	2,2
22	C 12-15 A > 20-30 EO	EC50 = 13	0,65	0,05	0	0	0	0	2
23	C 12-15 A > 30 EO	LC50 = 130	6,5	0,75	0	0	Y	0	0* (!)

DID No	Ingredients	Toxicity		Loading factor	Anaerobic Non-biodegradable	Aerobic Non-biode- gradable	Soluble Inorganics	Insoluble Inorganics	THOD
		NOEC Measured	LTE						
24	C 12/18 A 0-3 EO	No data	0,01	0,03	0	0	0	0	2,9
25	C 12-18 A 9 EO	0,2	0,2	0,03	0	0	0	0	2,4
26	C 16/18 A 2-6 EO	0,03	0,03	0,03	0	0	0	0	2,6
27	C 16/18 A > 9-12 EO	LC50 = 0,5	0,05	0,03	0	0	0	0	2,3
28	C 16/18 A 20-30 EO	EC50 = 18	0,36	0,05	0	0	0	0	2,1
29	C 16/18 A > 30 EO	LC50 = 50	2,5	0,75	0	Y	0	0	0* (!)
30	C 12/14 Glucose Amide	4,3	4,3	0,03	0	0	0	0	2,2
31	C 16/18 Glucose Amide	0,116	0,116	0,03	0	0	0	0	2,5
32	C 12/14 Alkylpolyglucoside	1	1	0,03	0	0	0	0	2,3
33	Amphoteric surfactants								
34	C 12-15 Alkyldimethylbetaine Alkyl (C 12-18) amidopropylbetaine	0,03 0,03	0,03 0,03	0,05 0,05	Y, CF = 2,5 Y, CF = 2,5	0 0	0 0	0 0	2,9 2,8
35	Sud controllers								
36	Silicone Paraffin	EC50 = 241 No data	4,82 100	0,4 0,4	Y, CF = 0,75 0	Y Y	0 0	0 0	0,0 0* (!)
37	Fabric softening Glycerol	LC50 > 5-10 gl	1 000	0,13	0	0	0	0	1,2
38	Builders								
39	Phosphate, as STPP		1 000	0,6	0	0	Y	0	0,0
40	Zeolite A	120	120	0,05	0	0	0	Y	0,0
41	Citrate	EC50 = 85	85	0,07	0	0	0	0	0,6
42	Polycarboxylates and related derivatives	124	124	0,4	Y, CF = 0,1	Y	0	0	0* (!)
43	Clay		1 000	0,05	0	0	0	Y	0,0
44	Carbonate/bicarbonate	LC50 = 250	250	0,8	0	0	Y	0	0,0
45	Fatty acid (C > = 14)	EC0 = 1,6	1,6	0,05	0	0	0	0	2,9
46	Silicate/disilicate	EC50 > 1 000	1 000	0,8	0	0	Y	0	0,0
47	NTA	19	19	0,13	0	0	0	0	0,6
	Polyaspartic acid, Na salt	125	12,5	0,13	Y, CF = 0,1	0	0	0	1,2

DID No	Ingredients	Toxicity		Loading factor	Anaerobic Non-biodegradable	Aerobic Non-biode- gradable	Soluble Inorganics	Insoluble Inorganics	THOD
		NOEC Measured	LTE						
48	Bleaching Perborate mono (as borate)	1-10	6	1	0	0	Y	0	0,0
49	Perborate tetra (as borate)	1-10	6	1	0	0	Y	0	0,0
50	Percarbonate (see carbonate)	LC50 = 250	250	0,8	0	0	Y	0	0,0
51	TAED	EC0 = 500	EC0 = 500	0,13	0	0	0	0	2,0
52	Solvents C 1-C 4 alcohols	LC50 = 8 000	100	0,13	0	0	0	0	2,3
53	Monoethanolamine	0,78	0,78	0,13	0	0	0	0	2,7
54	Diethanolamine	0,78	0,78	0,13	0	0	0	0	2,3
55	Triethanolamine	0,78	0,78	0,13	0	0	0	0	2
56	Miscellaneous Polyvinylpyrrolidon (PVP/PVNO/PVPVT)	EC50 > 100	100	0,75	Y, CF = 0,1	Y	0	0	0* (!)
57	Phosphonates	7,4	7	0,4	Y, CF = 0,5	Y	0	0	0* (!)
58	EDTA	LOEC = 11	11	1	Y, CF = 0,1	Y	0	0	0* (!)
59	CMC	LC50 > 250	250	0,75	Y, CF = 0,1	Y	0	0	0* (!)
60	Na Sulphate	EC50 = 2 460	1 000	1	0	0	Y	0	0,0
61	Mg Sulphate	EC50 = 788	800	1	0	0	Y	0	0,0
62	Na Chloride	EC50 = 650	650	1	0	0	Y	0	0,0
63	Urea	LC50 > 10 000	100	0,13	0	0	0	0	2,1
64	Maleic acid	LC50 = 106	2,1	0,13	0	0	0	0	0,8
65	Malic acid	LC50 = 106	2,1	0,13	0	0	0	0	0,6
66	Ca formiate		100	0,13	0	0	0	0	2,0
67	Silica		100	0,05	0	0	0	Y	0,0
68	Higg MW polymers PEG > 4 000		100	0,4	0	Y	0	0	0* (!)
69	Low MW polymers PEG < 4 000		100	0,13	0	0	0	0	1,1
70	Cumene sulphonate	LC50 = 66	6,6	0,13	Y, CF = 0,25	0	0	0	1,7
71	Xylene sulphonate	LC50 = 66	6,6	0,13	Y, CF = 0,25	0	0	0	1,6

DID No	Ingredients	Toxicity		Loading factor	Anaerobic Non-biodegradable	Aerobic Non-biode- gradable	Soluble Inorganics	Insoluble Inorganics	THOD
		NOEC Measured	LTE						
72	Toluene sulphonate	LC50 = 66	6,6	0,13	Y, CF = 0,25	0	0	0	1,4
73	Na-/Mg-/KOH		100	1	0	0	Y	0	0,0
74	Enzymes	LC50 = 25	25	0,13	0	0	0	0	2,0
75	Perfume mixtures as used	LC50 = 2-10	0,02	0,1	Y, CF = 3,0	Y	0	0	0* (1)
76	Dyes	LC50 = 10	0,1	0,4	Y, CF = 3,0	Y	0	0	0* (1)
77	Starch	no data	250	0,1	0	0	0	0	0,97
78	Zn Phthalocyanine sulphonate	NOEC = 0,16	0,016	0,07 (2)	Y, CF = 2,5	Y	0	0	0* (1)
79	Anionic Polyester (Soil release polyester)	NOEC = 310	310	0,4	Y, CF = 0,1	Y	0	0	0* (1)
80	Iminodisuccinate	23	2,3	0,13	Y, CF = 0,25	0	0	0	1,1
81	Optical brighteners (FWA)								
FWA 1 (3)		LC0 = 10	1,0	0,4	Y, CF = 1,5	Y	0	0	0* (1)
FWA 5 (4)		3,13	3,13	0,4	Y, CF = 0,5	Y	0	0	0* (1)
83	Additional ingredients								
Alkyl Aminoxides (C 12-18)		EC0 = 0,08	0,08	0,05	Y, CF = 2,5	0	0	0	3,2
Glycereth (C 6-17) EO cocoate		EC50 = 32	1,6	0,05	0	0	0	0	2,1
Phosphate esters (C 12-18)		EC50 = 38	1,9	0,05	Y, CF = 0,25	0	0	0	2,3

(1) 0* = THOD for aerobic non-degradable organic substances is set to zero.

(2) Rapid photodegradation.

(3) FWA 1 = Disodium 4,4'-bis (4-anilino-5-morpholino-1,3,5-triazin-2-yl) amino stilbene-2,2'-disulfonate.

(4) FWA 5 = Disodium 4,4'-bis (2-sulfostryl) biphenyl.

Notes:

Y = Yes

CF = Correction factor, to be applied to the dosage Expressed in g/wash

0 = not to be used

NOEC = Non-observed measured concentration

LTE = On-term effect

THOD = Theoretical oxygen demand

B. The following approach applies, as appropriate in the case of ingredients that are not listed on the DID-list

Aquatic toxicity

The lowest validated long-term effect (LTE) data on fish, *daphnia magna* or algae should be considered for the calculation of the critical dilution volume criterion (toxicity).

In cases where data on homologues and/or QSARs (Quantitative Structure Activity Relationships) are used, a correction could be considered for the finally selected LTE data.

In the absence of LTE data the following procedure has to be applied in order to estimate the LTE data by using the specified uncertainty factor (UF) on the data of the most sensitive species:

Non-surfactants

DATA AVAILABLE	UF TO BE USED
At least two acute LC_{50} on fish or <i>daphnia</i> or algae	100
1 NOEC on fish, <i>daphnia</i> or algae	10
2 NOEC on fish, <i>daphnia</i> or algae	5
3 NOEC on fish, <i>daphnia</i> or algae	1
	Take lowest validated NOEC

Deviation from this rule may be admitted if evidence can be provided that lower factors or data can be scientifically justified.

Surfactants

DATA AVAILABLE	UF TO BE USED
At least two NOEC on fish or <i>daphnia</i> or algae	1 (lowest NOEC)
1 NOEC on fish <i>daphnia</i> or algae	1 (NOEC - if species is most sensitive in acute toxicity)
3 LC_{50} on fish <i>daphnia</i> or algae	20 (lowest LC_{50})
At least one LC_{50} on fish, <i>daphnia</i> or algae	50 (lowest LC_{50})
	or 20 in specific cases (see below)

In the last case referred to above, an uncertainty factor of 20 may be used instead of 50 only if 1-2 $L(E)C_{50}$ (LC_{50} in case of fish toxicity, EC_{50} in case of *daphnia* or algal toxicity) data are available and if it can be concluded from the information for other compounds that the most sensitive species have been tested. Such a rule can be applied only within a group of homologues. It should be emphasised that the LTEs (long-term effects) used must be consistent within a group of homologues with respect to the influence of length of alkyl chain for LAS (linear alkylbenzene sulphonate) or number of EO (ethoxy groups) for alcohol-ethoxylate if such QSARs can be established.

Any deviation from the above described scheme has to be well-reasoned for the specific chemical.

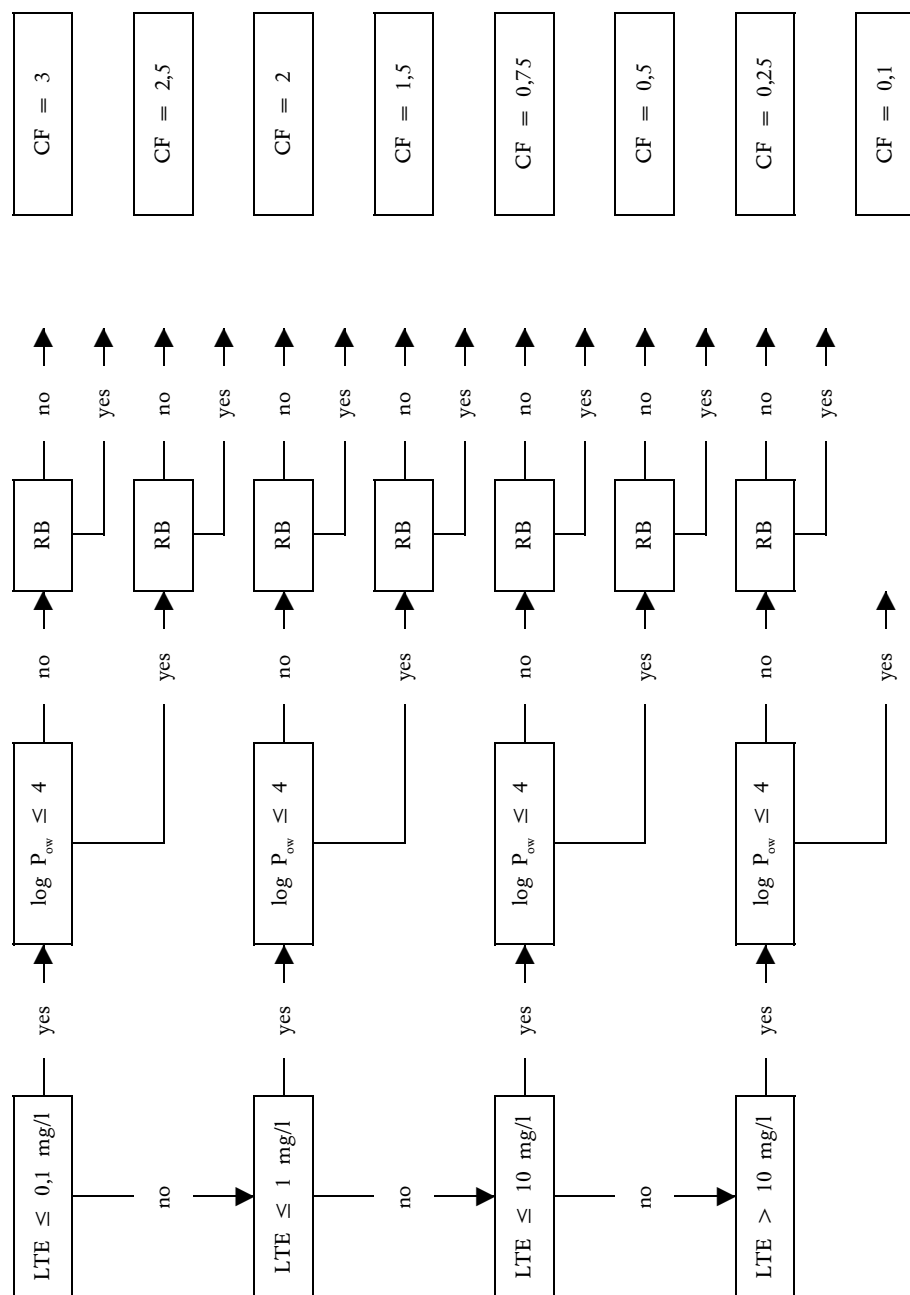
Loading factors

Loading factors shall be established according to Commission Directive 93/67/EEC of 20 July 1993 laying down the principles for assessment of risk to man and the environment of substances notified in accordance with Council Directive 67/548/EEC⁽¹⁾ and to Council Regulation (EEC) No 793/93⁽²⁾

⁽¹⁾ OJ L 227, 8.9.1993, p. 9.

⁽²⁾ OJ L 84, 5.4.1993, p. 1.

Non-biodegradable organics (anaerobically flow diagram to define correction factors (CF)(⁽¹⁾)



RB: Ready aerobic biodegradability

LTE: Long-term effect

CF: Correction factor

⁽¹⁾ The correction factors are to be established on the basis of the ingredient properties and applied to the dosage expressed in g/wash.

*Appendix II***DEFINITIONS RELATED TO THE ECOLOGICAL CRITERIA****1. Total chemicals**

Total chemicals are the dosage minus water content in g/wash.

2. Critical dilution volume toxicity (CDV_{tox})

The CDV_{tox} is calculated for each ingredient i in the formulation according to the respective data for loading factors (LF) and long-term effects (LTE) in the DID-list in l/wash:

$$\text{CDV}_{\text{tox}} (\text{ingredient } i) = \frac{\text{weight/wash}(i) \times \text{LF}(i) \times 1\,000}{\text{LTE}(i)}$$

The CDV_{tox} of the product is the sum of all ingredients CDV_{tox} in l/wash.

3. Phosphates (as STPP)

Weight per wash of all inorganic phosphates expressed as STPP, in g/wash.

4. Non-biodegradable organics (aerobic)

Weight per wash of all ingredients which are aerobically non-biodegradable organics (see DID-list) in g/wash.

5. Non-biodegradable organics (anaerobic)

Weight per wash of all ingredients which are non-biodegradable using respective correction factors (see DID-list) in g/wash.

6. Nitro musk

Musk xylene: 5-tert-butyl-2,4,6-trinitro-m-xylene

Musk ambrette: 4-tert-butyl-3-methoxy-2,6-dinitrotoluene

Moskene: 1,1,3,3,5-pentamethyl-4,6-dinitroindan

Musk tibetine: 1-tert-butyl-3,4,5-trimethyl-2,6-dinitrobenzene

Musk ketone: 4'-tert-butyl-2',6'-dimethyl-3',5'-dinitroacetaphenone

*Appendix III***DATA AND INFORMATION TO BE REQUIRED FROM THE APPLICANT BY THE COMPETENT BODY RECEIVING THE APPLICATION FOR AN ECO-LABEL****1.1. Declaration of product formulation and calculation of criteria**

The competent body shall require from the manufacturer applying for the eco-label submission of:

- the exact formulation of the product,
- the exact chemical description of ingredients (e.g. identification according to IUPAC, CAS No, sum and structural formulae, purity, type and percentage of impurities, additives; for mixtures, for example surfactants: DID number, composition and spectrum of distribution homologues, isomers, and trade names); analytical evidence of the composition of surfactants,
- the exact tonnage of product which is put on the market (reporting on 1 March, related to the year before),
- the detailed calculation of the criteria,
- a summary test report on the purity of enzymes according to point 4 of the Annex to this Decision and a certification on the non-content of production organisms has to be provided,
- a declaration that:
 - The product does not contain the surfactant alkylphenoxylate (APEO), the perfumes containing the aromatic nitro compounds referred to in Appendix II, the complex formation agent EDTA and ingredients classified as carcinogenic, mutagenic or teratogenic as defined in Directives 67/548/EEC and 88/379/EEC.
 - Phosphonates do not exceed 0,2 g/wash.

1.2. Washing performance test

The applicant shall submit the results of the washing performance test to the competent body.

1.3. Dosage equipment, packaging and consumer information

In order to prove compliance with the abovementioned requirements, the packages of the product and dosage device shall be required by the competent body from the applicant for the product considered.

In case of differences with respect to different national markets, and different packaging sizes, all these data will be required.

1.4. Application for the eco-label on detergents

The national competent body may audit the applying company on site and visit the production and packaging facilities.

The competent body itself shall ensure that applications are presented according to the relevant requirements of Regulation (EEC) No 880/92 and the procedural requirements.

*Appendix IV***TABLE OF ABBREVIATIONS**

APEO:	alkyl phenol ethoxylates
BCF:	bio-concentration factors in fish
CDV _{tox} :	critical dilution volume (toxicity)
CEN:	European Standards Organisation
CF:	correction factor
DIN:	Deutsches Institut für Normung
EOs:	ethoxy groups
EC ₅₀ :	effect concentration (concentration at which 50 % of the organisms show an effect in defined time)
ECETOC:	European Centre for Ecotoxicology and Toxicology of Chemicals
EDTA:	ethylene diamine tetra acetate
EN:	European Standard
H _{excl} :	exclusion hurdle
IUPAC:	International Union of Pure and Applied Chemistry
ISO:	International Standards Organisation
LF:	loading factor
LC ₅₀ :	lethal concentration (concentration at which 50 % of test organisms show lethal effect in defined time)
LTE:	long-term effect
NOEC:	no observed effect concentration (in a chronic test)
P _{ow} :	partition coefficient octanol/water
QSARs:	quantitative structure activity relationships
RB:	ready biodegradability
STPP:	sodium tripolyphosphate
THOD:	theoretical oxygen demand
UF:	uncertainty factor
WF:	weighting factor
