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## Legislation

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## I

(Acts whose publication is obligatory)

**COUNCIL REGULATION (EC) No 481/2001  
of 6 March 2001**

**adopting autonomous and transitional measures concerning the importation of certain processed  
agricultural products originating in Poland**

THE COUNCIL OF THE EUROPEAN UNION,

in the chronological order of the dates of acceptance of  
the declarations for release for free circulation,

Having regard to the Treaty establishing the European  
Community, and in particular Article 133 thereof,

HAS ADOPTED THIS REGULATION:

Having regard to the proposal from the Commission,

Whereas:

- (1) Council Regulation (EC) No 377/2000 <sup>(1)</sup> was adopted pending the entry into force of the Adaptation Protocols, and in particular the part concerning the respective Protocol 3 of the Europe Agreements concluded with countries of central and eastern Europe.
- (2) The procedure for formal adoption of the Adaptation Protocol adjusting the trade aspects of the Europe Agreement with Poland may not be completed in time for it to enter into force on 1 January 2001. It is therefore necessary to provide for the extension of the concessions made to Poland on an autonomous basis until 31 December 2001.
- (3) The measures necessary for the implementation of this Regulation should be adopted in accordance with Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission <sup>(2)</sup>.
- (4) Commission Regulation (EEC) No 2454/93 of 2 July 1993 laying down provisions for the implementation of Council Regulation (EEC) No 2913/92 establishing the Community Customs Code <sup>(3)</sup> consolidated the arrangements for managing tariff quotas, which are to be used

<sup>(1)</sup> Council Regulation (EC) No 377/2000 of 14 February 2000 adopting autonomous and transitional measures concerning the importation of certain processed agricultural products originating in Poland and Bulgaria (OJ L 47, 19.2.2000, p. 4).

<sup>(2)</sup> OJ L 184, 17.7.1999, p. 23.

<sup>(3)</sup> OJ L 253, 11.10.1993, p. 1. Regulation as last amended by Regulation (EC) No 2787/2000 (OJ L 330, 27.12.2000, p. 1).

*Article 1*

From 1 January to 31 December 2001 the goods originating in Poland listed in the Annex to this Regulation shall be granted concessions under the conditions indicated in this Annex. The basic amounts to be taken into consideration in calculating the reduced agricultural components and additional duties applicable to imports into the Community from this country are shown in Table 3 of the Annex.

*Article 2*

If Poland discontinues the application of the reciprocal measures in favour of the Community, the Commission may, in accordance with the procedure laid down in Article 3(2) of this Regulation, suspend application of the measures provided for in Article 1.

*Article 3*

1. The Commission shall be assisted by the Committee referred to in Article 15 of Council Regulation (EC) No 3448/93 <sup>(4)</sup> (hereinafter referred to as 'the Committee').

2. Where reference is made to this paragraph, Articles 4 and 7 of Decision 1999/468/EC shall apply.

The period laid down in Article 4(3) of Decision 1999/468/EC shall be set at one month.

3. The Committee shall adopt its rules of procedure.

<sup>(4)</sup> OJ L 318, 20.12.1993, p. 18. Regulation as last amended by Regulation (EC) No 2580/2000 (OJ L 298, 25.11.2000, p. 5).

*Article 4*

1. The concessions applying to trade in processed agricultural products provided for in the Adaptation Protocol concluded with Poland shall replace the concessions provided for in the Annex to this Regulation:

- (a) as from 1 January 2001, if the Adaptation Protocol is in force on that date, or
- (b) as from the date of entry into force of the Adaptation Protocol, if the latter enters into force after 1 January 2001.

2. The detailed rules implementing the measures provided for in this Regulation shall also apply in respect of the corresponding measures provided for in the Adaptation Protocol of Poland.

*Article 5*

The quotas referred to in Table 1 in the Annex to this Regulation shall be managed by the Commission in accordance with the provisions of Articles 308a to 308c of Regulation (EEC) No 2454/93.

*Article 6*

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 1 January 2001.

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

Done at Brussels, 6 March 2001.

*For the Council*

*The President*

I. THALÉN

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## ANNEX

Table 1

**Quotas applicable to the import of goods originating in Poland opened for 2001**

| Order No | CN code  | Quota for 2001<br>(in tonnes) | Rate of duty<br>applicable (*) |
|----------|--|-------------------------------|--------------------------------|
| 09.5401  | 0403 10 51<br>0403 10 53<br>0403 10 59<br>0403 10 91<br>0403 10 93<br>0403 10 99<br>0403 90 71<br>0403 90 73<br>0403 90 79<br>0403 90 91<br>0403 90 93<br>0403 90 99   | 23                            | EAR                            |
| 09.5403  | 1704 10<br>1704 90 30<br>1704 90 55<br>1704 90 71<br>1704 90 75<br>ex 1704 90 99 (TARIC code 10)   | 7 180                         | EAR                            |
| 09.5404  | 1806 10 20<br>1806 20 10<br>1806 20 30<br>1806 20 50<br>1806 20 70<br>1806 20 80<br>1806 20 95<br>1806 31 00<br>1806 32 10<br>1806 32 90<br>1806 90 11<br>1806 90 19<br>1806 90 31<br>1806 90 39<br>1806 90 50<br>1806 90 60<br>1806 90 70<br>1806 90 90 | 5 016                         | EAR                            |
| 09.5405  | 1902 11 00<br>1902 19 10<br>1902 19 90<br>1902 20 91<br>1902 20 99<br>1902 30 10<br>1902 30 90<br>1902 40 10<br>1902 40 90   | 525                           | EAR                            |
| 09.5407  | 1903 00 00   | 59                            | EAR                            |

| Order No | CN code  | Quota for 2001<br>(in tonnes) | Rate of duty<br>applicable (*) |
|----------|--|-------------------------------|--------------------------------|
| 09.5408  | 1905 10 00<br>1905 20<br>1905 30 11<br>1905 30 19<br>1905 30 30<br>1905 30 51<br>1905 30 59<br>1905 30 91<br>1905 30 99<br>1905 40<br>1905 90 10<br>1905 90 20<br>1905 90 30<br>1905 90 40<br>1905 90 45<br>1905 90 55<br>1905 90 60<br>1905 90 90 | 2 295                         | EAR                            |
| 09.5409  | 2001 90 40<br>2004 10 91<br>2005 20 10<br>2008 99 91   | 36                            | EAR                            |
| 09.5411  | 2101 12 98<br>2101 20 98   | 23                            | EAR                            |
| 09.5413  | 2101 30 19<br>2101 30 99   | 450                           | EAR                            |
| 09.5415  | 2106 90 10   | 675                           | EAR                            |

(\*) EAR = Reduced agricultural components applicable within the quota quantity limits. Imports exceeding these quantities are subject to the agricultural components (AC) shown in the Common Customs Tariff.

Table 2

**Duties applicable to the import of goods originating in Poland for 2001**

| CN code                       | Duty  |
|-------------------------------|-------|
| 1704 90 10                    | 5,8 % |
| 1806 10 15                    | 0 %   |
| 1901 90 91                    | 0 %   |
| ex 2005 90 80 (TARIC code 60) | 0 %   |
| 2008 11 10                    | 5,2 % |
| 2008 91 00                    | 3,5 % |
| 2101 20 20                    | 2,2 % |
| 2101 20 92                    | 0 %   |
| 2101 30 11                    | 4,9 % |
| 2101 30 91                    | 5,5 % |
| 2102 10 10                    | 4,7 % |
| 2102 10 90                    | 5,6 % |
| 2102 20 11                    | 1,9 % |
| 2102 20 19                    | 5,1 % |
| 2102 20 90                    | 0 %   |
| 2102 30 00                    | 1,9 % |
| 2103 10 00                    | 2,8 % |
| 2103 20 00                    | 3,8 % |
| 2103 30 90                    | 4,2 % |
| 2103 90 90                    | 3,2 % |
| 2106 10 20                    | 5,2 % |
| 2106 90 92                    | 2,8 % |
| 2203 00                       | 1,8 % |
| 3302 10 21                    | 2,8 % |
| 3823 11 00                    | 5,1 % |
| 3823 12 00                    | 0 %   |
| 3823 13 00                    | 2,9 % |
| 3823 19                       | 0 %   |
| 3823 70 00                    | 3,8 % |

Table 3

**Basic amounts to be taken into consideration in calculating reduced agricultural components and additional duties applicable to the import into the Community of the goods listed in Table 1**

|   | (EUR/100 kg) |
|---|--------------|
| Trigo blando — Blød hvede — Weichweizen — Μαλακό σιτάρι — Common wheat — Blé tendre — Grano tenero — Zachte tarwe — Trigo mole — Tavallinen vehnä — Vete  | 6,653        |
| Trigo duro — Hård hvede — Hartweizen — Σκληρό σιτάρι — Durum wheat — Blé dur — Grano duro — Durum tarwe — Trigo duro — Durumvehnä — Durumvete   | 10,326       |
| Centeno — Rug — Roggen — Σικαλη — Rye — Seigle — Segala — Rogge — Centeio — Ruis — Råg  | 6,483        |
| Cebada — Byg — Gerste — Κριθάρι — Barley — Orge — Orzo — Gerst — Cevada — Ohra — Korn   | 6,483        |
| Maíz — Majs — Mais — Καλαμπόκι — Maize — Maïs — Granturco — Maïs — Milho — Maissi — Majs  | 6,577        |
| Arroz descascarillado de grano largo — Ris, afskallet, langkornet — Reis, langkörnig, geschält — Αποφλοιωμένο ρύζι μακρόσπερμο — Long-grain husked rice — Riz décor-tiqué à grains longs — Riso semigreggio a grani lunghi — Langkorrelige gedopte rijst — Arroz em películas de grãos longos — Pitkäjyväinen esikuorittu riisi — Ris, skalat långkornigt | 18,502       |
| Leche desnatada en polvo — Skummetmælkspulver — Magermilchpulver — Αποβου-<br>τυρωμένο γάλα σε σκόνη — Skimmed-milk powder — Lait écrémé en poudre — Latte<br>scremato in polvere — Mageremelkpoeder — Leite desnatado em pó — Rasvaton<br>maitojauhe — Skummjölkspulver  | 23,760       |
| Leche entera en polvo — Sødmælkspulver — Vollmilchpulver — Πλήρες γάλα σε<br>σκόνη — Whole-milk powder — Lait entier en poudre — Latte intero in polvere —<br>Vollemelkpoeder — Leite inteiro em pó — Rasvainen maitojauhe — Mjölkpulver  | 26,086       |
| Mantequilla — Smør — Butter — Βούτυρο — Butter — Beurre — Burro — Boter —<br>Manteiga — Voi — Smör  | 37,912       |
| Azúcar blanco — Hvidt sukker — Weißzucker — Λευκή ζάχαρη — White sugar —<br>Sucre blanc — Zucchero bianco — Witte suiker — Açúcar branco — Valkoinen<br>sokeri — Vitt socker  | 29,350       |



**COMMISSION REGULATION (EC) No 482/2001**  
**of 9 March 2001**  
**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 <sup>(1)</sup>, as last amended by Regulation (EC) No 1498/98 <sup>(2)</sup>, and in particular Article 4(1) thereof,

Whereas:

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

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

HAS ADOPTED THIS REGULATION:

*Article 1*

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

*Article 2*

This Regulation shall enter into force on 10 March 2001.

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

Done at Brussels, 9 March 2001.

*For the Commission*  
Franz FISCHLER  
*Member of the Commission*

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<sup>(1)</sup> OJ L 337, 24.12.1994, p. 66.

<sup>(2)</sup> OJ L 198, 15.7.1998, p. 4.

## ANNEX

**to the Commission Regulation of 9 March 2001 establishing the standard import values for determining the entry price of certain fruit and vegetables**

(EUR/100 kg)

| CN code                            | Third country code <sup>(1)</sup> | Standard import value |
|------------------------------------|-----------------------------------|-----------------------|
| 0702 00 00                         | 052                               | 121,8                 |
|                                    | 204                               | 71,5                  |
|                                    | 212                               | 94,4                  |
|                                    | 624                               | 120,7                 |
|                                    | 999                               | 102,1                 |
| 0707 00 05                         | 052                               | 197,4                 |
|                                    | 628                               | 141,3                 |
|                                    | 999                               | 169,4                 |
| 0709 90 70                         | 052                               | 117,3                 |
|                                    | 204                               | 115,6                 |
|                                    | 624                               | 127,6                 |
|                                    | 999                               | 120,2                 |
| 0805 10 10, 0805 10 30, 0805 10 50 | 052                               | 77,6                  |
|                                    | 204                               | 45,9                  |
|                                    | 212                               | 51,5                  |
|                                    | 600                               | 48,1                  |
|                                    | 624                               | 53,2                  |
|                                    | 999                               | 55,3                  |
| 0805 30 10                         | 600                               | 66,3                  |
|                                    | 999                               | 66,3                  |
| 0808 10 20, 0808 10 50, 0808 10 90 | 039                               | 91,2                  |
|                                    | 388                               | 96,6                  |
|                                    | 400                               | 91,4                  |
|                                    | 404                               | 72,1                  |
|                                    | 508                               | 92,9                  |
|                                    | 512                               | 95,6                  |
|                                    | 528                               | 104,8                 |
|                                    | 720                               | 100,8                 |
|                                    | 728                               | 104,0                 |
|                                    | 999                               | 94,4                  |
|                                    | 388                               | 70,3                  |
| 0808 20 50                         | 400                               | 96,3                  |
|                                    | 512                               | 76,5                  |
|                                    | 528                               | 82,4                  |
|                                    | 720                               | 54,6                  |
|                                    | 999                               | 76,0                  |

<sup>(1)</sup> Country nomenclature as fixed by Commission Regulation (EC) No 2032/2000 (OJ L 243, 28.9.2000, p. 14). Code '999' stands for 'of other origin'.

**COMMISSION REGULATION (EC) No 483/2001****of 9 March 2001****fixing the maximum export refund on wholly milled round grain rice in connection with the invitation to tender issued in Regulation (EC) No 2281/2000**

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 organization of the market in rice <sup>(1)</sup>, as last amended by Regulation (EC) No 1667/2000 <sup>(2)</sup>, and in particular Article 13 (3) thereof,

Whereas:

- (1) An invitation to tender for the export refund on rice was issued pursuant to Commission Regulation (EC) No 2281/2000 <sup>(3)</sup>.
- (2) Article 5 of Commission Regulation (EEC) No 584/75 <sup>(4)</sup>, as last amended by Regulation (EC) No 299/95 <sup>(5)</sup>, allows the Commission to fix, in accordance with the procedure laid down in Article 22 of Regulation (EC) No 3072/95 and on the basis of the tenders submitted, a maximum export refund. In fixing this maximum, the criteria provided for in Article 13 of Regulation (EC) No 3072/95 must be taken into account. A contract is awarded to any tenderer whose tender is equal to or less than the maximum export refund.

(3) The application of the abovementioned criteria to the current market situation for the rice in question results in the maximum export refund being fixed at the amount specified in Article 1.

(4) 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 maximum export refund on wholly milled round grain rice to be exported to certain third countries pursuant to the invitation to tender issued in Regulation (EC) No 2281/2000 is hereby fixed on the basis of the tenders submitted from 2 to 8 March 2001 at 222,00 EUR/t.

*Article 2*

This Regulation shall enter into force on 10 March 2001.

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

Done at Brussels, 9 March 2001.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ L 329, 30.12.1995, p. 18.

<sup>(2)</sup> OJ L 193, 29.7.2000, p. 3.

<sup>(3)</sup> OJ L 260, 14.10.2000, p. 7.

<sup>(4)</sup> OJ L 61, 7.3.1975, p. 25.

<sup>(5)</sup> OJ L 35, 15.2.1995, p. 8.

**COMMISSION REGULATION (EC) No 484/2001  
of 9 March 2001**

**concerning tenders submitted in response to the invitation to tender for the export to certain third European countries of wholly milled round, medium and long grain A rice issued in Regulation (EC) No 2282/2000**

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 <sup>(1)</sup>, as last amended by Regulation (EC) No 1667/2000 <sup>(2)</sup>, and in particular Article 13(3) thereof,

Whereas:

- (1) An invitation to tender for the export refund on rice was issued under Commission Regulation (EC) No 2282/2000 <sup>(3)</sup>.
- (2) Article 5 of Commission Regulation (EEC) No 584/75 <sup>(4)</sup>, as last amended by Regulation (EC) No 299/95 <sup>(5)</sup>, allows the Commission to decide, in accordance with the procedure laid down in Article 22 of Regulation (EC) No 3072/95 and on the basis of the tenders submitted, to make no award.

(3) On the basis of the criteria laid down in Article 13 of Regulation (EC) No 3072/95 a maximum refund should not be fixed.

(4) 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*

No action shall be taken on the tenders submitted from 2 to 8 March 2001 in response to the invitation to tender for the export refund on wholly milled round, medium and long grain A rice to certain third European countries issued in Regulation (EC) No 2282/2000.

*Article 2*

This Regulation shall enter into force on 10 March 2001.

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

Done at Brussels, 9 March 2001.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

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<sup>(1)</sup> OJ L 329, 30.12.1995, p. 18.

<sup>(2)</sup> OJ L 193, 29.7.2000, p. 3.

<sup>(3)</sup> OJ L 260, 14.10.2000, p. 10.

<sup>(4)</sup> OJ L 61, 7.3.1975, p. 25.

<sup>(5)</sup> OJ L 35, 15.2.1995, p. 8.

**COMMISSION REGULATION (EC) No 485/2001  
of 9 March 2001**

**fixing the maximum export refund on wholly milled round grain, medium grain and long grain A  
rice in connection with the invitation to tender issued in Regulation (EC) No 2283/2000**

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 <sup>(1)</sup>, as last amended by Regulation (EC) No 1667/2000 <sup>(2)</sup>, and in particular Article 13(3) thereof,

Whereas:

- (1) An invitation to tender for the export refund on rice was issued pursuant to Commission Regulation (EC) No 2283/2000 <sup>(3)</sup>.
- (2) Article 5 of Commission Regulation (EEC) No 584/75 <sup>(4)</sup>, as last amended by Regulation (EC) No 299/95 <sup>(5)</sup>, allows the Commission to fix, in accordance with the procedure laid down in Article 22 of Regulation (EC) No 3072/95 and on the basis of the tenders submitted, a maximum export refund. In fixing this maximum, the criteria provided for in Article 13 of Regulation (EC) No 3072/95 must be taken into account. A contract is awarded to any tenderer whose tender is equal to or less than the maximum export refund.

(3) The application of the abovementioned criteria to the current market situation for the rice in question results in the maximum export refund being fixed at the amount specified in Article 1.

(4) 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 maximum export refund on wholly milled grain, medium grain and long grain A rice to be exported to certain third countries pursuant to the invitation to tender issued in Regulation (EC) No 2283/2000 is hereby fixed on the basis of the tenders submitted from 2 to 8 March 2001 at 241,00 EUR/t.

*Article 2*

This Regulation shall enter into force on 10 March 2001.

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

Done at Brussels, 9 March 2001.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ L 329, 30.12.1995, p. 18.

<sup>(2)</sup> OJ L 193, 29.7.2000, p. 3.

<sup>(3)</sup> OJ L 260, 14.10.2000, p. 13.

<sup>(4)</sup> OJ L 61, 7.3.1975, p. 25.

<sup>(5)</sup> OJ L 35, 15.2.1995, p. 8.

**COMMISSION REGULATION (EC) No 486/2001****of 9 March 2001****concerning tenders submitted in response to the invitation to tender for the export to certain third countries of wholly milled long grain rice issued in Regulation (EC) No 2284/2000**

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 <sup>(1)</sup>, as last amended by Regulation (EC) No 1667/2000 <sup>(2)</sup>, and in particular Article 13 (3) thereof,

Whereas:

- (1) An invitation to tender for the export refund on rice was issued under Commission Regulation (EC) No 2284/2000 <sup>(3)</sup>.
- (2) Article 5 of Commission Regulation (EEC) No 584/75 <sup>(4)</sup>, as last amended by Regulation (EC) No 299/95 <sup>(5)</sup>, allows the Commission to decide, in accordance with the procedure laid down in Article 22 of Regulation (EC) No 3072/95 and on the basis of the tenders submitted, to make no award.

(3) On the basis of the criteria laid down in Article 13 of Regulation (EC) No 3072/95 a maximum refund should not be fixed.

(4) 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*

No action shall be taken on the tenders submitted from 2 to 8 March 2001 in response to the invitation to tender for the export refund on wholly milled long grain rice to certain third countries issued in Regulation (EC) No 2284/2000.

*Article 2*

This Regulation shall enter into force on 10 March 2001.

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

Done at Brussels, 9 March 2001.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

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<sup>(1)</sup> OJ L 329, 30.12.1995, p. 18.

<sup>(2)</sup> OJ L 193, 29.7.2000, p. 3.

<sup>(3)</sup> OJ L 260, 14.10.2000, p. 16.

<sup>(4)</sup> OJ L 61, 7.3.1975, p. 25.

<sup>(5)</sup> OJ L 35, 15.2.1995, p. 8.

**COMMISSION REGULATION (EC) No 487/2001****of 9 March 2001****determining the world market price for unginned cotton and the rate for the aid**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to the Act of Accession of Greece, and in particular paragraphs 3 and 10 of Protocol 4 on cotton, as last amended by Council Regulation (EC) No 1553/95 <sup>(1)</sup>,

Having regard to Council Regulation (EC) No 1554/95 of 29 June 1995 <sup>(2)</sup> laying down general rules for the system of aid for cotton and repealing Regulation (EEC) No 2169/81, as last amended by Regulation (EC) No 1419/98 <sup>(3)</sup>, and in particular Articles 3, 4 and 5 thereof,

Whereas:

- (1) Article 3 of Regulation (EC) No 1554/95 requires a world market price for unginned cotton to be periodically determined from the world market price determined for ginned cotton, using the historical relationship between the two prices as specified in Article 1(2) of Commission Regulation (EEC) No 1201/89 of 3 May 1989 laying down rules for implementing the system of aid for cotton <sup>(4)</sup>, as last amended by Regulation (EC) No 1624/1999 <sup>(5)</sup>. If it cannot be determined in this way it is to be based on the last price determined.
- (2) Article 4 of Regulation (EC) No 1554/95 requires the world market price for ginned cotton to be determined for a product of specific characteristics using the most favourable offers and quotations on the world market of those considered representative of the real market trend. To this end an average is to be calculated of offers and quotations on one or more European exchanges for a cif product to a North European port from the supplier countries considered most representative as regards international trade. These rules for determination of the world market price for ginned cotton provide for adjust-

ments to reflect differences in product quality and the nature of offers and quotations. These adjustments are specified in Article 2 of Regulation (EEC) No 1201/89.

- (3) Application of the above rules gives the world market price for unginned cotton indicated hereunder.
- (4) The second subparagraph of Article 5(3a) of Regulation (EC) No 1554/95 stipulates that the advance payment rate for the aid is to be the guide price less the world market price and less a further amount calculated by the formula applicable when the guaranteed maximum quantity is based on the revised production estimate for unginned cotton plus at least 7,5 %. Commission Regulation (EC) No 2714/2000 <sup>(6)</sup> fixes the revised production estimate for the 2000/2001 marketing year, and the relevant percentage increase. The application of this method results in the fixing of the advance payment rate for each Member State at the levels set out below,

HAS ADOPTED THIS REGULATION:

*Article 1*

1. The world market price for unginned cotton as indicated in Article 3 of Regulation (EC) No 1554/95 is set at 32,869 EUR/100 kg.
2. The advance payment of the aid referred to in Article 5(3a), second subparagraph, of Regulation (EC) No 1554/95 is fixed at:
  - 58,868 EUR/100 kg in Spain,
  - 34,419 EUR/100 kg in Greece,
  - 73,431 EUR/100 kg in other Member States.

*Article 2*

This Regulation shall enter into force on 10 March 2001.

<sup>(1)</sup> OJ L 148, 30.6.1995, p. 45.

<sup>(2)</sup> OJ L 148, 30.6.1995, p. 48.

<sup>(3)</sup> OJ L 190, 4.7.1998, p. 4.

<sup>(4)</sup> OJ L 123, 4.5.1989, p. 23.

<sup>(5)</sup> OJ L 192, 24.7.1999, p. 39.

<sup>(6)</sup> OJ L 313, 13.12.2000, p. 7.

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

Done at Brussels, 9 March 2001.

*For the Commission*  
Franz FISCHLER  
*Member of the Commission*

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**COMMISSION REGULATION (EC) No 488/2001****of 9 March 2001****providing for reallocation of import rights under Regulation (EC) No 1174/2000 opening and providing for the administration of an import tariff quota for frozen beef intended for processing**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 1174/2000 of 31 May 2000 opening and providing for the administration of an import tariff quota for frozen beef intended for processing (1 July 2000 to 30 June 2001) and amending certain other regulations in the beef sector <sup>(1)</sup>, and in particular Article 6(2) thereof,

Whereas:

Regulation (EC) No 1174/2000 provides for the opening of a tariff quota for 50 700 tonnes of frozen beef intended for processing from 1 July 2000 to 30 June 2001. Article 6 of that Regulation provides for the reallocation of unused import rights on the basis of the actual utilisation of import rights for

A-products and B-products respectively by the end of February 2001,

HAS ADOPTED THIS REGULATION:

*Article 1*

1. The quantities referred to in Article 6(1) of Regulation (EC) No 1174/2000 amount to 32 947 tonnes.
2. The breakdown referred to in Article 6(2) of Regulation (EC) No 1174/2000 shall be as follows:
  - 30 000 tonnes intended for A-products,
  - 2 947 tonnes intended for B-products.

*Article 2*

This Regulation shall enter into force on 10 March 2001.

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

Done at Brussels, 9 March 2001.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

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<sup>(1)</sup> OJ L 131, 1.6.2000, p. 30.

**COMMISSION REGULATION (EC) No 489/2001**  
**of 9 March 2001**  
**providing for a further allocation of import rights under Regulation (EC) No 885/2000 for young**  
**male bovine animals for fattening**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 885/2000 of 28 April 2000 opening and providing for the administration of an import tariff quota for young male bovine animals for fattening (1 July 2000 to 30 June 2001) <sup>(1)</sup>, and in particular Article 8(3) thereof,

Whereas:

Article 1 of Regulation (EC) No 885/2000 provides for the opening for the period 1 July 2000 to 30 June 2001 of a tariff quota of 169 000 young male bovine animals of a weight not exceeding 300 kilograms and intended for fattening. Article 8

of that Regulation provides for a further allocation of quantities not covered by import licence applications by 28 February 2001,

HAS ADOPTED THIS REGULATION:

*Article 1*

The quantities referred to in Article 8(1) of Regulation (EC) No 885/2000 shall be 1 047 head.

*Article 2*

This Regulation shall enter into force on 10 March 2001.

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

Done at Brussels, 9 March 2001.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

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<sup>(1)</sup> OJ L 67, 15.3.2000, p. 39.

**COMMISSION DIRECTIVE 2001/21/EC****of 5 March 2001****amending Annex I to Council Directive 91/414/EEC concerning the placing of plant protection products on the market to include amitrole, diquat, pyridate and thiabendazole as active substances**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 91/414/EEC of 15 July 1991 concerning the placing of plant protection products on the market <sup>(1)</sup>, as last amended by Commission Directive 2000/80/EC <sup>(2)</sup>, and in particular Article 6(1) thereof,

Whereas:

- (1) Commission Regulation (EEC) No 3600/92 of 11 December 1992 laying down the detailed rules for the implementation of the first stage of the programme of work referred to in Article 8(2) of Directive 91/414/EEC concerning the placing of plant protection products on the market <sup>(3)</sup>, as last amended by Regulation (EC) No 2266/2000 <sup>(4)</sup>, laid down the detailed rules for the implementation of the first stage of the programme of work referred to in Article 8(2) of Directive 91/414/EEC (hereinafter referred to as 'the Directive'). Pursuant to that Regulation, Commission Regulation (EC) No 933/94 of 27 April 1994 laying down the active substances of plant protection products and designating the rapporteur Member State for the implementation of Regulation (EEC) No 3600/92 <sup>(5)</sup>, as last amended by Regulation (EC) No 2230/95 <sup>(6)</sup>, laid down the list of active substances of plant protection products to be assessed, with a view to their possible inclusion in Annex I to the Directive.
- (2) In accordance with Article 5(1) of the Directive, an active substance should be included in Annex I for a period not exceeding 10 years if it may be expected that neither the use of, nor residues from, plant protection products containing the active substance will have any harmful effects on human or animal health or on groundwater or any unacceptable influence on the environment.
- (3) For amitrole, diquat, pyridate and thiabendazole the effects on human health and the environment have been assessed in accordance with the provisions laid down in Regulation (EEC) No 3600/92 for a range of uses proposed by the respective notifiers. Under Regulation (EC) No 933/94, France was designated as rapporteur Member State for amitrole, the United Kingdom for diquat, and Spain for thiabendazole. Austria was designated as rapporteur Member State for pyridate under Regulation (EC) No 491/95 <sup>(7)</sup> amending Regulation

(EEC) No 3600/92 and Regulation (EC) No 933/94, in particular with regard to the integration of the designated public authorities and the producers in Austria, Finland and Sweden in the implementation of the first stage of the programme of work referred to in Article 8(2) of the Directive. The rapporteur Member States submitted the relevant assessment report and recommendation to the Commission on 30 April 1996 (amitrole), on 2 April 1996 (diquat), on 18 November 1996 (pyridate) and 30 April 1996 (thiabendazole) in accordance with Article 7(1)(c) of Regulation (EEC) No 3600/92.

- (4) These assessment reports have been reviewed by the Member States and the Commission within the Standing Committee on Plant Health. The reviews were finalised on 12 December 2000 in the format of the respective Commission review reports for amitrole, diquat, pyridate and thiabendazole. If the review reports have to be updated to take account of technical and scientific developments, the conditions for the inclusion of the substances concerned in Annex I to the Directive will also need to be amended in accordance with the Directive.
- (5) The dossier and the information from the review of amitrole were submitted to the Scientific Committee for Plants for consultation. In its opinion of 6 June 2000 <sup>(8)</sup>, the Committee confirmed the acceptable operator exposure level selected and offered advice on the interpretation of the long-term studies in rodents. The recommendations were taken into consideration in this Directive and in the relevant review report.
- (6) The dossier and the information from the review of diquat were also submitted to the Scientific Committee for Plants for consultation. In its opinion of 5 April 2000 <sup>(9)</sup>, the Committee offered advice on the interpretation of the available studies on bird reproduction, on potential long-term effects of residues bound to soil particles, on the potential environmental impact of aquatic weed control, and on certain aspects of operator and consumer exposure. The Committee offered its interpretation of the bird reproduction studies available. It concluded that there are no indications that residues in soil will have unacceptable effects. Further, the Committee noted that aquatic weed control uses of diquat may pose a high risk to non-target aquatic organisms and insufficient data is available to demonstrate that efficient risk mitigation measures can be applied.

<sup>(1)</sup> OJ L 230, 19.8.1991, p. 1.

<sup>(2)</sup> OJ L 309, 9.12.2000, p. 14.

<sup>(3)</sup> OJ L 366, 15.12.1992, p. 10.

<sup>(4)</sup> OJ L 259, 13.10.2000, p. 27.

<sup>(5)</sup> OJ L 107, 28.4.1994, p. 8.

<sup>(6)</sup> OJ L 225, 22.9.1995, p. 1.

<sup>(7)</sup> OJ L 49, 4.3.1995, p. 50.

<sup>(8)</sup> Scientific Committee on Plants SCP/AMITR/002 final.

<sup>(9)</sup> Scientific Committee on Plants SCP/DIQUAT/002 final.

With regard to operator exposure, the Committee advised that measures should be considered to limit exposure of non-professional users. Finally, the Committee noted that insufficient information is available to fully assess the dietary exposure of consumers related to uses as desiccant in small grain cereals. Those opinions were taken into consideration in this Directive and in the relevant review report.

- (7) For pyridate also, the dossier and the information from the review were submitted to the Scientific Committee for Plants for consultation. In its opinion of 6 June 2000 <sup>(1)</sup>, the Committee confirmed the validity of the acceptable operator exposure level selected within the Standing Committee on Plant Health.
- (8) For thiabendazole as well, the dossier and the information from the review were submitted to the Scientific Committee for Plants for consultation. In its opinion of 22 September 2000 <sup>(2)</sup>, the Committee confirmed that the intended post-harvest uses of thiabendazole for fruit and potatoes will not pose an unacceptable risk to aquatic organisms, provided that adequate risk mitigation measures are applied. This recommendation was taken into consideration in this Directive and in the relevant review report.
- (9) It has appeared from the various examinations made that plant protection products containing the active substances concerned may be expected to satisfy, in general, the requirements laid down in Article 5(1)(a) and (b) of the Directive, in particular with regard to the uses which were examined and detailed in the Commission review report. It is therefore appropriate to include the active substances concerned in Annex I, in order to ensure that in all Member States the authorisations of plant protection products containing the active substances concerned can be granted in accordance with the provisions of the said Directive.
- (10) Article 5(5) of the Directive provides that the inclusion of an active substance in Annex I can be reviewed at any time if there are indications that the criteria for inclusion are no longer satisfied. Therefore, the Commission will reconsider the inclusion in Annex I of amitrole if the requested additional information as outlined in point 7 of the review report were not submitted.
- (11) The Directive provides that after inclusion of an active substance in Annex I, Member States must, within a prescribed period, grant, vary or withdraw, as appropriate, the authorisations of the plant protection products containing the active substance. In particular, plant protection products should not be authorised unless account is taken of the conditions associated with the inclusion of the active substance in Annex I and the uniform principles laid down in the Directive on the

basis of a dossier satisfying the prescribed data requirements.

- (12) A reasonable period must be provided for before an active substance is included in Annex I in order to permit Member States and the interested parties to prepare themselves to meet the new requirements which will result from the inclusion. Moreover, after inclusion, a reasonable period is necessary to permit Member States to implement the provisions of the Directive on plant protection products containing amitrole, diquat, pyridate or thiabendazole. In particular, Member States must, within that period, review existing authorisations and, where appropriate, grant new authorisations in accordance with the provisions of the Directive. A longer period should be provided for the submission and assessment of the complete dossier of each plant protection product in accordance with the uniform principles laid down in the Directive. For plant protection products containing several active substances, the complete evaluation on the basis of the uniform principles can only be carried out when all the active substances concerned have been included in Annex I to the Directive.
- (13) It is appropriate to provide that the finalised review reports (except for confidential information) are kept available or made available by the Member States for consultation by any interested parties.
- (14) The review reports are required for the proper implementation by the Member States, of several sections of the uniform principles laid down in the Directive, where those principles refer to the evaluation of the data which were submitted for the purpose of the inclusion of the active substances in Annex I to the Directive.
- (15) The measures provided for in this Directive are in accordance with the opinion of the Standing Committee on Plant Health delivered on 12 December 2000,

HAS ADOPTED THIS DIRECTIVE:

#### *Article 1*

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

#### *Article 2*

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive, by 1 July 2002 at the latest. They shall forthwith inform the Commission thereof.

In particular they shall, in accordance with Directive 91/414/EEC, where necessary, amend or withdraw existing authorisations for plant protection products containing amitrole, diquat, pyridate or thiabendazole as active substances by that date.

<sup>(1)</sup> Scientific Committee on Plants SCP/PYRID/002 final.

<sup>(2)</sup> Scientific Committee on Plants SCP/THIABEN/002-final.

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

2. With regard to evaluation and decision-making pursuant to the uniform principles provided for in Annex VI to Directive 91/414/EEC, on the basis of a dossier satisfying the requirements of Annex III thereto, the deadline for amending or withdrawing authorisations for plant protection products containing amitrole, diquat, pyridate or thiabendazole as the only active substance shall be 1 January 2006.

3. For plant protection products containing amitrole, diquat, pyridate or thiabendazole together with another active substance which is in Annex I to Directive 91/414/EEC, the period for amending or withdrawing authorisations shall expire four years after the entry into force of the Directive which amended Annex I so as to add the last of those substances to it.

4. Member States shall keep available the review reports for amitrole, diquat, pyridate and thiabendazole (except for confidential information within the meaning of Article 14 of

Directive 91/414/EEC) for consultation by any interested parties or shall make it available to them on specific request.

5. Member States shall inform the Commission if the requested additional information outlined in point 7 of the Review Report for amitrole is not submitted by 1 January 2002. In such case the Commission will reconsider the inclusion of amitrole in Annex I to Directive 91/414/EEC.

#### *Article 3*

This Directive shall enter into force on 1 January, 2002.

#### *Article 4*

This Directive is addressed to the Member States.

Done at Brussels, 5 March 2001.

*For the Commission*

David BYRNE

*Member of the Commission*

## ANNEX

The following entries (numbered 14 to 17) shall be added at the end of the table in Annex I to Directive 91/414/EC:

| No | Common name,<br>identification numbers                                  | IUPAC name  | Purity (1) | Entry into<br>force | Expiration<br>of inclusion | Specific provisions   |
|----|---|---|------------|---------------------|----------------------------|---|
| 14 | Amitrole<br>CAS No 61-82-5<br>CIPAC No 90                               | H-[1,2,4]-triazole-3-ylamine                              | 900 g/kg   | 1.1.2002            | 31.12.2011                 | <p>Only uses as herbicide may be authorised</p> <p>For the implementation of the uniform principles of Annex VI, the conclusions of the review report on amitrole, and in particular Appendices I and II thereof, as finalised in the Standing Committee on Plant Health on 12 December 2000 shall be taken into account. In this overall assessment Member States:</p> <ul style="list-style-type: none"> <li>— must pay particular attention to the protection of operators</li> <li>— must pay particular attention to the protection of the groundwater in vulnerable areas, in particular with respect to non-crop uses</li> <li>— must pay particular attention to the protection of beneficial arthropods</li> <li>— must pay particular attention to the protection of birds and wild mammals. Use of amitrole during the breeding season may only be authorised when an appropriate risk assessment has demonstrated that there is no unacceptable impact and when the conditions of authorisation include, where appropriate, risk mitigation measures</li> </ul> |
| 15 | Diquat<br>CAS No 2764-72-9 (ion),<br>85-00-7 (dibromide)<br>CIPAC No 55 | 9,10-Dihydro-8a,10a-diazonia-phenanthrene ion (dibromide) | 950 g/kg   | 1.1.2002            | 31.12.2011                 | <p>On the basis of currently available information, only uses as terrestrial herbicide and desiccant may be authorised. Uses in aquatic weed control shall not be authorised</p> <p>For the implementation of the uniform principles of Annex VI, the conclusions of the review report on diquat, and in particular Appendices I and II thereof, as finalised in the Standing Committee on Plant Health on 12 December 2000 shall be taken into account. In this overall assessment Member States:</p> <ul style="list-style-type: none"> <li>— must pay particular attention to the potential impact on aquatic organisms and must ensure that the conditions of authorisation include, where appropriate, risk mitigation measures</li> <li>— must pay particular attention to operator safety as related to non-professional use and must ensure that the conditions of authorisation include, where appropriate, risk mitigation measures</li> </ul>  |
| 16 | Pyridate<br>CAS No 55512-33.9<br>CIPAC No 447                           | 6-Chloro-3-phenylpyridazin-4-yl S-octyl thiocarbonate     | 900 g/kg   | 1.1.2002            | 31.12.2011                 | <p>Only uses as herbicide may be authorised</p> <p>For the implementation of the uniform principles of Annex VI, the conclusions of the review report on pyridate, and in particular Appendices I and II thereof, as finalised in the Standing Committee on Plant Health on 12 December 2000 shall be taken into account. In this overall assessment Member States:</p> <ul style="list-style-type: none"> <li>— must pay particular attention to the protection of groundwater</li> <li>— must pay particular attention to the potential impact on aquatic organisms and must ensure that the conditions of authorisation include, where appropriate, risk mitigation measures</li> </ul>  |

| No | Common name,<br>identification numbers           | IUPAC name                      | Purity <sup>(1)</sup> | Entry into<br>force | Expiration<br>of inclusion | Specific provisions   |
|----|--|---------------------------------|-----------------------|---------------------|----------------------------|---|
| 17 | Thiabendazole<br>CAS No 148-79-8<br>CIPAC No 323 | 2-Thiazol-4-yl-1H-benzimidazole | 985 g/kg              | 1.1.2002            | 31.12.2011                 | <p>Only uses as fungicide may be authorised. Foliar spray applications shall not be authorised</p> <p>For the implementation of the uniform principles of Annex VI, the conclusions of the review report on thiabendazole, and in particular Appendices I and II thereof, as finalised in the Standing Committee on Plant Health on 12 December 2000 shall be taken into account. In this overall assessment Member States:</p> <ul style="list-style-type: none"> <li>— must pay particular attention to the protection of aquatic and sediment-dwelling organisms and must ensure that the conditions of authorisation include, where appropriate, risk mitigation measures</li> </ul> <p>Suitable risk mitigation measures (e.g. depuration with diatom earth or activated carbon) have to be implemented to protect surface waters from unacceptable levels of contamination via wastewater</p> |

<sup>(1)</sup> Further details on identity and specification of active substance are provided in the review report.'

## II

*(Acts whose publication is not obligatory)*

## COUNCIL

## COUNCIL RECOMMENDATION

**of 12 February 2001**

**with a view to ending the inconsistency with the broad guidelines of the economic policies in Ireland**

(2001/191/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 99(4) thereof,

Having regard to the recommendation of the Commission,

Whereas:

- (1) On 19 June 2000, the Council recommended the Irish authorities, in its recommendation on the broad guidelines of the economic policies of the Member States and the Community <sup>(1)</sup>, to be ready, already in 2000, to use budgetary policy to ensure economic stability given the extent of overheating in the economy and to gear the budget for 2001 to this objective.
- (2) On 6 December 2000 Ireland submitted the 2000 update of the Stability Programme which contains objectives in the budgetary area for the period up to 2003 and which should be read in conjunction with the budget for 2001 released on the same day.
- (3) The Council, in its opinion of 12 February 2001 on the 2000 update of the Irish Stability Programme in accordance with Article 5(3) of Council Regulation (EC) No 1466/97 of 7 July 1997 on the strengthening of the surveillance of budgetary positions and the surveillance and coordination of economic policies <sup>(2)</sup>, considers that Irish budgetary plans for 2001 are not consistent with the broad guidelines of the economic policies as regards budgetary policy.
- (4) Proper functioning of the coordination of economic policies in the euro area requires a timely use of instruments available under Article 99(4).
- (5) The European Council of Helsinki on 10 and 11 December 1999 emphasised that existing processes and arrangements for economic policy coordination by the Council should be effectively applied and that policy implementation should be closely monitored.

In recognition of the following:

- (a) The Irish economy has shown a bright performance and continued to grow very rapidly in 2000, with real GDP growth just over 10 % expected for 2000. As a result, the budgetary projections in the 1999 update of the Stability Programme have been exceeded by a large margin. The debt ratio is projected to decline to 24 % of GDP by 2003. With a positive output gap, inflationary pressures in Ireland intensified in the course of 2000. HICP inflation was 5,3 % on average in 2000. While the rapid rise in the rate of inflation in the course of 2000 is partly due to external and temporary factors which are expected gradually to fall out of the consumer price index, there has also been an increased contribution from domestically-generated inflation, which remains a cause of concern.

<sup>(1)</sup> OJ L 210, 21.8.2000, p. 1.

<sup>(2)</sup> OJ L 209, 2.8.1997, p. 1.



- (b) On 6 December 2000, the Irish budget for 2001 was presented. The main measures are: a direct tax package (consisting of cuts in tax rates and increases in allowances) with a full-year cost of around 1,5 % of GDP; indirect tax cuts with a full-year cost of 0,4 % of GDP; an 18 % increase in voted current spending over the projected 2000 out-turn (about 40 % of which is for pay expenditure) and a 29 % increase in voted capital expenditure. The 2000 update of Ireland's Stability Programme projects a reduction of the general government surplus in 2001 of 0,4 % of GDP from 4,7 % of GDP, implying a deterioration in the underlying budgetary position.
- (c) The budget for 2001 will give a further substantial boost to demand in Ireland and its possible supply effects are likely to be small in the short term. It will therefore aggravate overheating and inflationary pressures and widen the positive output gap, which, according to the 2000 update, will peak at 5,4 % of trend GDP in 2001.
- (d) The strategy of inducing labour force increases through an alleviation of the direct tax burden, which was recommended in the 2000 BEPG with respect to labour market, may have become less effective than in the past because it took place in the context of an expansionary budgetary policy, and the tightness of the labour market could well hamper further attempts at encouraging wage moderation with direct tax cuts. Further, while indirect tax cuts have a once-and-for-all effect on the price level, they probably have no lasting effects on the rate of inflation but clearly further stimulate demand. Given the current stance of the single monetary policy set for the euro area, the planned contribution of fiscal policy to the macroeconomic policy mix is inappropriate.
- (e) The Irish budget for 2001 is expansionary and pro-cyclical and therefore inconsistent with the Council's 2000 broad guidelines of the economic policies, which state that the Irish authorities should 'be ready, already in 2000, to use budgetary policy to ensure economic stability given the extent of overheating in the economy; gear the budget for 2001 to this objective'. The Commission estimates that restrictive measures equivalent to at least 0,5 % of GDP would offset the expansionary nature of the budgetary plans for 2001,

HEREBY RECOMMENDS:

1. To remove the inconsistency with the broad guidelines of the economic policies, engendered by the budget plans for 2001, the Irish Government should take countervailing budgetary measures during the current fiscal year. Under the macroeconomic assumptions of the 2000 update in the Stability Programme, this should ensure that no reduction in the underlying budgetary surplus from 2000 takes place.
2. The Commission is invited to report during 2001 on economic and budgetary developments in Ireland. The Council will closely monitor these developments and in particular assess consistency with the broad guidelines of the economic policies.

This recommendation is addressed to Ireland.

Done at Brussels, 12 February 2001.

*For the Council*

*The President*

B. RINGHOLM

**COUNCIL DECISION**  
**of 12 February 2001**  
**making public the recommendation with a view to ending the inconsistency with the broad**  
**guidelines of the economic policies in Ireland**

(2001/192/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 99(4) thereof,

Having regard to the proposal of the Commission,

Whereas:

- (1) On 12 February 2001, the Council adopted its recommendation with a view to ending the inconsistency with the broad guidelines of the economic policies in Ireland <sup>(1)</sup>, addressed to the Irish Government, to end the inconsistency of budgetary plans for 2001 with the 2000 broad guidelines of the economic policies.
- (2) The Council considers that making public the recommendation will facilitate the coordination of economic policies of Member States and the Community and will contribute to a better understanding among economic agents, facilitating the implementation of the recommended measures,

HAS DECIDED AS FOLLOWS:

*Article 1*

The Council recommendation of 12 February 2001 with a view to ending the inconsistency with the broad guidelines of the economic policies in Ireland shall be published in the *Official Journal of the European Communities*.

*Article 2*

This Decision shall take effect on 12 February 2001.

Done at Brussels, 12 February 2001.

*For the Council*  
*The President*  
B. RINGHOLM

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<sup>(1)</sup> See page 22 of this Official Journal.

# COMMISSION

## COMMISSION RECOMMENDATION

of 1 March 2001

**on pre-contractual information to be given to consumers by lenders offering home loans**

(notified under document number C(2001) 477)

(Text with EEA relevance)

(2001/193/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community, and in particular the second indent of Article 211 thereof,

Whereas:

- (1) Achieving a single market for financial services offering consumers a high level of protection is a priority for the Community. Signing a home loan contract is often the most important financial commitment that a consumer enters into. Home lending is an area of financial services where consumers could gain substantial benefit from increased cross-border activity provided that adequate protective measures are in place.
- (2) It is essential in that context that the pre-contractual information as to the terms and conditions on which home loans are offered throughout the Community are transparent and comparable. To that end, lenders should be invited to provide consumers with two sets of harmonised information, namely one containing general information and the other containing personalised information. The personalised information should be provided in a standard written format, known as a European Standardised Information Sheet.
- (3) The elements of information — both general and personalised — to be given to consumers by lenders, have been negotiated under the auspices of the Commission by the associations and federations representing lenders, on the one hand, and consumers, on the other. These negotiations have resulted in a Voluntary Code of

Conduct on pre-contractual information for home loans (the 'Code'), a copy of which can be obtained from the adhering lenders. Adherence to the Code is open to all home loan lenders, regardless of whether they are members of one of the negotiating associations and federations.

- (4) In certain Member States national requirements on additional pre-contractual consumer information for home loans already exist. It is desirable that these additional information elements be merged with those in the European Standardised Information Sheet and that this be done in a manner that ensures comparability across borders for the consumer at European level. Where a Member State imposes on lenders from other Member States an obligation to give additional pre-contractual information to consumers above and beyond what is set out in the Annexes, it is invited to ensure that this information is in conformity with Community law.
- (5) Both domestic and cross-border home loans should be subject to this recommendation, excluding credit agreements which are covered by Council Directive 87/102/EEC of 22 December 1986 on the approximation of laws, regulations and administrative provisions of the Member States concerning consumer credit<sup>(1)</sup>, as last amended by Directive 98/7/EC of the European Parliament and of the Council<sup>(2)</sup>.
- (6) The Commission will establish a central register of lenders offering home loans, indicating whether or not those lenders adhere to the Code, as well as the date on which those lenders notified their adherence to the Commission. The Commission will, by all appropriate means, ensure that the public at large can consult this central register.
- (7) The Commission will monitor compliance with this recommendation and assess its effectiveness. The Commission will consider presenting binding legislation, should the terms of this recommendation not be fully complied with,

<sup>(1)</sup> OJ L 42, 12.2.1987, p. 48.

<sup>(2)</sup> OJ L 101, 1.4.1998, p. 17.

HEREBY RECOMMENDS:

#### *Article 1*

##### **Scope**

This recommendation covers pre-contractual consumer information for domestic and cross-border home loans.

Credit agreements covered by Directive 87/102/EEC are excluded from the scope of this recommendation.

#### *Article 2*

##### **Definition**

For the purposes of this recommendation, a home loan means a credit to a consumer for the purchase or transformation of the private immovable property he owns or aims to acquire, secured either by a mortgage on immovable property or by a surety commonly used in a Member State for that purpose.

#### *Article 3*

##### **Principles**

The lender should supply to the consumer in the course of the pre-contractual phase:

- (a) general information as set out in Annex I;
- (b) personalised information to be presented in a European Standardised Information Sheet as set out in Annex II.

In addition, the lender should supply to the consumer information on the identification, address and telephone number of the competent body to which the consumer can refer in the event of difficulties in relation to the application of the Code on pre-contractual information for home loans.

The final decision to accept a credit offer from a lender lies with the consumer.

#### *Article 4*

##### **National requirements on additional pre-contractual consumer information**

Should pre-existing national requirements provide that additional pre-contractual consumer information is to be given to the consumer, Member States are invited to take all necessary steps in order that this additional information may be merged with the information included in the European Standardised Information Sheet in a manner that does not impair comparability across borders.

Each Member State is moreover invited to ensure that those additional nation requirements are imposed on lenders from other Member States offering home loans in the territory of that Member State only if those additional requirements are in conformity with Community law.

In this case, the host Member State is invited to notify the requirements to the Commission so that the latter can consider them in the framework of its monitoring activity set out in Article 6.

#### *Article 5*

##### **Establishment of a register by the Commission**

The Commission will establish a central register of lenders offering home loans, indicating whether or not those lenders adhere to the Code.

#### *Article 6*

##### **Monitoring by the Commission**

The Commission will monitor compliance with this recommendation.

Two years after adoption of this recommendation, the Commission will assess its effectiveness: the assessment will be based on its own monitoring, on annual progress reports to be drawn up by the European Credit Sector Associations, and on any other information available.

#### *Article 7*

##### **Final provision**

Member States and lenders offering home loans in the Community, regardless of whether they are members of the associations and federations who negotiated the Code, are invited to comply with this recommendation by no later than 30 September 2002.

#### *Article 8*

##### **Addressees**

This recommendation is addressed to the Member States.

Done at Brussels, 1 March 2001.

*For the Commission*

Frederik BOLKESTEIN

*Member of the Commission*

## ANNEX I

Initial information about home loans should include or be accompanied by the following information in the same format as that initial information is itself provided:

**A. Lender**

1. Identification and address of the lender.
2. Where appropriate, identification and address of the intermediary.

**B. Home loan**

1. Purposes for which the home loan may be used.
  2. Form of surety.
  3. Description of the types of home loans available with short description of the differences between fixed and variable rate products, including related implications for the consumer.
  4. Types of interest rate — fixed, variable, and combination thereof.
  5. An indication of the cost of a typical home loan for the consumer.
  6. A list of related cost elements, such as, administrative costs, insurance costs, legal costs, intermediaries costs.
  7. The different options available for reimbursing the credit to the lender (including the number, frequency, amount of repayment instalments if any).
  8. Whether there is a possibility of early repayment (if so, its conditions).
  9. Whether a valuation of the property is necessary and, if so, by whom it has to be carried out.
  10. General information on tax relief on home loan interest or other public subsidies prevailing, or information on where one can obtain further advice.
  11. The duration of the reflection period, where relevant.
  12. Confirmation that the institution subscribes to the Code, and indication that a copy of the Code is available in the institution.
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## ANNEX II

## EUROPEAN STANDARDISED INFORMATION SHEET

**This standardised information is an integral part of the Voluntary Code of Conduct on pre-contractual information for home loans, a copy of which can be obtained from your lender.**

| Item  | Description   |
|---|---|
| <b>Up front text</b>  | <p>'This document does not constitute a legally binding offer.</p> <p>The figures are provided in good faith and are an accurate representation of the offer that the lender would make under current market conditions based on the information that has been provided. It should be noted, however, that the figures could fluctuate with market conditions.</p> <p>The provision of this information does not oblige the lender to grant a credit.'</p>  |
| 1. Lender   |   |
| 2. Description of product   | <p>This section should provide a brief but clear description of the product.</p> <p>It should be made clear whether it is a mortgage on a property or another commonly used surety.</p> <p>It should be made clear whether the product on offer is an interest only home loan (i.e. that it involves servicing the debt with a lump sum payment at the end) or a repayment home loan (i.e. that it involves paying interest and capital over the lifetime of the home loan).</p> <p>It should be made clear whether the home loan terms are dependent on the consumer supplying a certain amount of capital (perhaps expressed as a percentage of house value).</p> <p>Where the home loan terms are dependent on a third party guarantee, this should be clearly stated.</p>   |
| 3. Nominal rate (indicate type of rate and duration of fixed period)                                      | <p>This section should provide information on the key conditions of the home loan — the interest rate. Where relevant, the description should include details of how the interest rate will vary including, for example, review periods, lock in periods and related penalty clauses, collars and caps, etc.</p> <p>The description should include:</p> <ul style="list-style-type: none"> <li>— whether or not a variable rate is indexed, and</li> <li>— provide details of indexation, where appropriate.</li> </ul>   |
| 4. Annual percentage rate of charge (APRC) based on national regulation or effective rate, where relevant | Where a national figure for APRC is not set in legislation, the equivalent effective rate should be used.   |
| 5. Amount of credit advanced and currency   |   |
| 6. Duration of home loan agreement  |   |
| 7. Number and frequency of payments (may vary)  |   |
| 8. For repayment home loan, amount of each instalment (may vary)  |   |
| 9. For interest only home loan:   | <p>The lender should provide an indication, real or illustrative, of:</p> <ul style="list-style-type: none"> <li>— amount of each regular interest payment,</li> <li>— amount of each regular payment to the repayment vehicle.</li> </ul> <p>(a) the amount of each regular interest repayment in accordance with the frequency of the payments (see point 7);</p> <p>(b) the amount of each regular payment towards the repayment vehicle, in accordance with the frequency of the payments (see point 7).</p> <p>Where appropriate, a warning should be given that the repayment vehicle may not cover the amount borrowed.</p> <p>If the lender provides the repayment vehicle and has included this in part of the offer then it should be clear whether or not the offer is tied to the consumer's agreement on that repayment vehicle.</p> |

| Item   | Description   |
|--|---|
| 10. Additional non-recurring costs, where applicable           | <p>A list of initial non-recurring costs which the consumer is expected to pay upon taking out the home loan must be provided.</p> <p>Where these costs are under the direct or indirect control of the lender, an estimate of the costs should be provided.</p> <p>Where relevant, it should be made clear if the cost is to be paid regardless of the outcome of the home loan application.</p> <p>Such costs might include, for example:</p> <ul style="list-style-type: none"> <li>— administrative costs,</li> <li>— legal fees,</li> <li>— property valuation.</li> </ul> <p>Where an offer would be dependent on the consumer's receiving these services through the lender (provided this is permitted in national legislation), it should be clearly stated.</p> |
| 11. Additional recurrent costs (not included in point 8)       | <p>This list should include, for example:</p> <ul style="list-style-type: none"> <li>— insurance against default on payments (unemployment/death),</li> <li>— fire insurance,</li> <li>— building and contents insurance.</li> </ul> <p>Where an offer would be dependent on the consumer's receiving these services through the lender (provided this is permitted in national legislation), it should be clearly stated.</p>  |
| 12. Early repayment  | <p>The lender should provide an indication of:</p> <ul style="list-style-type: none"> <li>— the possibility and terms of early repayment,</li> <li>— including indication of any charges applicable.</li> </ul> <p>Where it is not possible to stipulate the charge at this stage, an indication should be provided that a sum sufficient to recoup the lender's costs in unwinding the transaction would be payable.</p>   |
| 13. Internal complaint schemes                                 | Name, address and telephone number of contact point.  |
| 14. Illustrative amortisation table                            | <p>The lender should provide an illustrative and summarised amortisation table which includes, at least:</p> <ul style="list-style-type: none"> <li>— monthly or quarterly payments (if it be the case) for the first year,</li> <li>— to be followed by yearly figures over the total duration of the loan.</li> </ul> <p>The table should contain figures on</p> <ul style="list-style-type: none"> <li>— amount of capital reimbursed,</li> <li>— amount of interest,</li> <li>— outstanding capital,</li> <li>— amount of each instalment,</li> <li>— sum of capital and interest.</li> </ul> <p>It should be clearly indicated that the table is illustrative only and contain a warning if the home loan proposed has a variable interest rate.</p>                 |
| 15. Obligation to domicile bank account and salary with lender |   |

## COMMISSION RECOMMENDATION

of 5 March 2001

**on the results of the risk evaluation and the risk reduction strategies for the substances:  
diphenylether/pentabromo derivative and cumene**

*(notified under document number C(2001) 439)***(Text with EEA relevance)**

(2001/194/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 793/93 of 23 March 1993 on the evaluation and control of the risks of existing substances <sup>(1)</sup>, and in particular Article 11(2) thereof,

Whereas:

(1) Article 10 of Regulation (EEC) No 793/93 establishes the procedure to be followed for the risk evaluation of the substances on the priority lists at the level of the Member State designated as rapporteur.

(2) Commission Regulation (EC) No 1488/94 <sup>(2)</sup> outlines the principles for the assessment of risks to man and the environment of existing substances in accordance with Regulation (EEC) No 793/93.

(3) The Member State rapporteur, after evaluating the risk of a given priority substance to man and the environment, should suggest, where appropriate, a strategy for limiting the risk, including control measures and/or surveillance programmes.

(4) Article 11 of Regulation (EEC) No 793/93 provides that the results of the risk evaluation and the recommended strategy for limiting risks in respect to substances on the priority lists should be adopted at Community level in accordance with the procedure laid down in Article 15 and be published by the Commission.

(5) Article 1 of Regulation (EEC) No 793/93 provides that that Regulation should apply without prejudice to Community legislation on the protection of consumers and on safety and protection of health of workers at

work, in particular Council Directive 89/391/EEC of 12 June 1989 on the introduction of measures to encourage improvements in the safety and health of workers at work <sup>(3)</sup>.

(6) A first priority list identifying substances requiring attention has been adopted by Commission Regulation (EC) No 1179/94 <sup>(4)</sup>. This priority list provides, among other substances, for the evaluation of the following:

— cumene.

(7) A second priority list identifying substances requiring attention has been adopted by Commission Regulation (EC) No 2268/95 <sup>(5)</sup>. This second priority list provides, among other substances, for the evaluation of the following:

— diphenylether, pentabromo derivative.

(8) The rapporteur Member States have completed all the risk evaluation activities with regard to man and the environment for the above two substances <sup>(6)</sup> and where appropriate, have suggested strategies for limiting the risks.

(9) The results of the risk evaluation of the two substances and the recommended risk reduction strategies for one of the two substances concerned should be adopted at the Community level.

(10) In accordance with Article 11(3) of Regulation (EEC) No 793/93, the Commission will consider the results of the risk evaluation and the recommended strategy for limiting the risks, when proposing Community measures in the framework of Council Directive 76/769/EEC of 27 July 1976 on the approximation of the laws, Regulations and administrative provisions of the Member States relating to restrictions on the marketing and use of certain dangerous substances and preparations <sup>(7)</sup> and in the framework of Directive 89/391/EEC, as well as in the framework of other relevant existing Community instruments.

(11) The Scientific Committee on Toxicity, Ecotoxicity and the Environment (CSTEE) has been consulted and has issued an opinion with respect to the risk assessment reports referred to in this recommendation.

<sup>(3)</sup> OJ L 183, 29.6.1989, p. 1.

<sup>(4)</sup> OJ L 131, 26.5.1994, p. 3.

<sup>(5)</sup> OJ L 231, 28.9.1995, p. 18.

<sup>(6)</sup> The comprehensive risk assessment reports as forwarded to the Commission by the rapporteur Member States are publicly available. Short summaries are also available. Both can be found on the Internet site of the European Chemicals Bureau, Institute for Health and Consumer protection of the Joint Research Centre in Ispra, Italy (<http://ecb.ei.jrc.it/existing-chemicals/>).

<sup>(7)</sup> OJ L 262, 27.9.1976, p. 201.

<sup>(1)</sup> OJ L 84, 5.4.1993, p. 1.

<sup>(2)</sup> OJ L 161, 29.6.1994, p. 3.



- (12) The measures provided for in this recommendation are in accordance with the opinion of the Committee set up pursuant to Article 15 of Regulation (EEC) No 793/93,

HEREBY RECOMMENDS:

1. All sectors importing, producing, transporting, storing, formulating into a preparation or other processing, using disposing or recovering the following substance:

— diphenylether, pentabromo derivative  
CAS No 32534-81-9  
Einecs No 251-084-2

should take into account the results of the risk evaluation as summarised in Section I (human health/environment) of Annex I. These results were formulated in the light of the opinions delivered by the Scientific Committee on Toxicity, Ecotoxicity and the Environment (CSTEE) <sup>(1)</sup>.

2. The risk reduction strategies described in Section II (strategy for limiting risks) of Annex I should be implemented.

3. All sectors importing, producing, transporting, storing, formulating into a preparation or other processing, using, disposing or recovering the following substance:

— Cumene  
CAS No 98-82-8  
Einecs No 202-704-5

should take into account the results of the risk evaluation as summarised in Section I (human health/environment) of Annex II. These results were formulated in the light of the opinion delivered by the Scientific Committee on Toxicity, Ecotoxicity and the Environment (CSTEE) <sup>(2)</sup>.

Done at Brussels, 5 March 2001.

*For the Commission*

Margot WALLSTRÖM

*Member of the Commission*

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<sup>(1)</sup> The environment risk assessment report was peer-reviewed by the CSTEE and its opinion was expressed at the 13th plenary meeting held in Brussels on 4 February 2000 and the human health risk assessment report was peer-reviewed by the CSTEE and its opinion was expressed at the 16th plenary meeting held in Brussels on 19 June 2000. The CSTEE opinions can be found on the Internet site: ([http://europa.eu.int/comm/food/fs/sc/sct/outcome\\_en.html](http://europa.eu.int/comm/food/fs/sc/sct/outcome_en.html)).

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<sup>(2)</sup> The risk assessment report was peer-reviewed by the CSTEE and its opinion was expressed at the 15th plenary meeting held in Brussels on 5 May 2000. The CSTEE opinions can be found on the Internet site: ([http://europa.eu.int/comm/food/fs/sc/sct/outcome\\_en.html](http://europa.eu.int/comm/food/fs/sc/sct/outcome_en.html)).

## ANNEX I

CAS-No 32534-81-9

EINECS-No 251-084-2

 $C_{12}H_5Br_5O$ 

Einecs name: diphenylether, pentabromo derivative

IUPAC name: pentabromodiphenyl ether

Rapporteur: United Kingdom

Classification (\*):  
Xn; R48/21/22  
R64  
N; R50-53

(\*) The classification of the substance is established by Commission Directive 2000/32/EC of 19 May 2000 adapting to technical progress for the 26th time Council Directive 67/548/EEC on the approximation of the laws, regulations and administrative provisions relating to the classification, packaging and labelling of dangerous substances (OJ L 136, 8.6.2000, p. 1).

The risk assessment is based on current practices related to the life-cycle of the substance produced in or imported into the European Community as described in the risk assessment forwarded to the Commission by the Member State rapporteur.

The risk assessment has, based on the available information, determined that in the European Community the substance is used as a flame retardant additive in the manufacture of polyurethane foam in applications such as furniture and upholstery. Use as a flame retardant additive in epoxy resins, phenolic resins, unsaturated polyesters and textiles has been quoted in other reviews but has not been known of by industry supplying to the EU for more than 20 years. It was not possible to obtain information on the use of the total volume of substance produced in or imported into the European Community, therefore, some uses may exist which are not covered by this risk assessment.

**I. RISK ASSESSMENT****A. HUMAN HEALTH**

The conclusion of the assessment of the risks to

**WORKERS**

is that there is a need for further information and/or testing. This conclusion is reached because:

- there is a need for better information to adequately characterise the risks regarding the lifetime exposure to the substance.

The information requirements are:

- dermal exposure data on workers,
- the extent of dermal absorption (quantitative data) should be clarified by the conduct of an appropriate dermal absorption study; depending upon the outcome of this study (i.e. an indication of significant skin absorption) then it may be necessary to undertake an oral toxicokinetic study in order to provide adequate comparative information for interpretation of the oral dosing toxicity studies available,
- health surveillance data are required to investigate signs of chloracne in workers,
- risk characterisation methodology for bioaccumulative substance (lifetime exposure); this may involve the conduct of a lifetime study in rodents depending upon the way in which the methodology for assessing lifetime exposure is developed and any data requirements that may be indicated for such a methodology.

The conclusion of the assessment of the risks to

**CONSUMERS**

is that there is at present no need for further information and/or testing or for risk reduction measures beyond those which are being applied. This conclusion is reached because:

- the risk assessment shows that risks are not expected. Risk reduction measures already being applied are considered sufficient.

The conclusions of the assessment of the risks to

**MAN EXPOSED VIA THE ENVIRONMENT**

are that there is a need for further information and/or testing. This conclusion is reached because:

- there is a need for better information to adequately characterise the risks regarding the lifetime exposure to the substance.

The information requirements are:

- risk characterisation methodology for bioaccumulative substance (lifetime exposure); this may involve the conduct of a lifetime study in rodents depending upon the way in which the methodology for assessing lifetime exposure is developed and any data requirements that may be indicated for such a methodology,
- actual measured exposure data from local sources.

The conclusion of the assessment of the risks to

#### INFANTS EXPOSED VIA MILK

is that there is a need for further information and/or testing. This conclusion is reached because:

- there is a need for better information to adequately characterise the risks regarding the exposure of infants to the substance via breast milk and cows' milk.

The information requirements are:

- information on the toxicokinetics of the substance with respect to breast milk including uptake from breast milk into the infant, the time course of the excretion via breast milk during lactation in humans and the future trends in levels in human breast milk,
- information on the relative toxicity to the liver of the substance in young (neonatal) and adult animals,
- further studies on potential effects on behaviour following neonatal dosing in order to determine the reproducibility of effects, the effects of repeated dosing and the significance of the effects to human development,
- a multi-generation reproduction study in order to investigate whether or not other effects might be observed through exposure to breast milk. Designed correctly, such a study could address the issue of whether or not the young animal is more sensitive to liver effects and whether or not differences in behaviour are produced,
- exposure estimates from local and regional sources on the concentration of the substance in cows' milk.

However, the strategy for limiting risks for the environment in Part II of Annex I will eliminate the need for further information requirements.

The conclusion of the assessment of the risks to

#### HUMAN HEALTH (physico-chemical properties)

is that there is at present no need for further information and/or testing or for risk reduction measures beyond those which are being applied. This conclusion is reached because:

- the risk assessment shows that risks are not expected. Risk reduction measures already being applied are considered sufficient.

### B. ENVIRONMENT

The conclusion of the assessment of the risks to the environment for

#### ATMOSPHERE

is that there is at present no need for further information and/or testing or for risk reduction measures beyond those which are being applied. This conclusion is reached because:

- the risk assessment shows that risks are not expected. Risk reduction measures already being applied are considered sufficient.

The conclusion of the assessment of the risks to the environment for

#### AQUATIC ECOSYSTEM AND TERRESTRIAL ECOSYSTEM

is that there is a need for specific measures to limit the risks. This conclusion is reached because of:

- concerns for effects on the local aquatic (sediment) and terrestrial environment as a consequence of exposure arising from polyurethane foam production,
- concerns for secondary poisoning to the environmental spheres mentioned above both locally and regionally as a consequence of exposure arising from production and/or use of polyurethane foams.

The conclusion of the assessment of the risks to the environment for

#### MICRO-ORGANISMS IN THE SEWAGE TREATMENT PLANT

is that there is a need for better information to adequately characterise the risk to micro-organisms in the sewage treatment plant;

— a test on sewage treatment plant micro-organisms would be required if this data gap is to be filled.

However, the strategy for limiting risks for the environment in Part II of Annex I will eliminate the need for further information requirements.

## II. STRATEGY FOR LIMITING RISKS

### For HUMAN HEALTH

While the formal outcome of the human health risk assessment of the substance is that further information/testing is required, Member States noted the uncertainties regarding the risk characterisation for infants exposed to the substance from milk. In particular, there was concern about whether the concentration in human breast milk might increase during the time it would take to obtain the information needed to refine the risk characterisation and to remove some of the uncertainties. Any risk reduction measures proposed for the substance must take account of the concerns about infants exposed via milk.

### For THE ENVIRONMENT

Marketing and use restrictions should be considered at Community level for the substance, and articles containing the substance, for controlling secondary poisoning risks arising from the production and use of polyurethane foams <sup>(1)</sup>.

The measures identified to protect the environment will also reduce human exposure to the substance.

Any future use of the substance should be monitored.

Consideration should be given to the monitoring of imports of articles from outside the EU.

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<sup>(1)</sup> Whereas the risk assessment and risk reduction strategy only identified the production and use of the substance in polyurethane foams, all other uses resulting in emissions, discharges and losses to the environment would be unacceptable.

## ANNEX II

CAS-No. 98-82-8

EINECS-No. 202-704-5

 $C_9H_{12}$ 

Einecs name: cumene

Rapporteur: Spain

Classification (\*)  
R10  
Xn; R65  
Xi; R37  
N; R51-53

(\*) The classification of the substance is established by Commission Directive 2000/32/EC of 19 May 2000 adapting to technical progress for the 26th time Council Directive 67/548/EEC on the approximation of the laws, regulations and administrative provisions relating to the classification, packaging and labelling of dangerous substances (OJ L 136, 8.6.2000, p. 1).

The risk assessment is based on current practices related to the life-cycle of the substance produced in or imported into the European Community as described in the risk assessment forwarded to the Commission by the Member State rapporteur.

The risk assessment has, based on the available information, determined that in the European Community the substance is mainly used as an intermediate in chemical industry for the production of phenol and acetone. Other uses are as a starting material for detergent production, in the synthesis of  $\alpha$ -methylstyrene, acetophenone and di-isopropylbenzene and as a catalyst for acrylic polyester-type resins. It was not possible to obtain information on the use of the total volume of substance produced in or imported into the European Community, therefore, some uses may exist which are not covered by this risk assessment.

The risk assessment has identified other sources of exposure of the substance to man and the environment, in particular, in petroleum products, which does not result from the life-cycle of the substance produced in or imported into the European Community. The assessment of the risks arising from these exposures are not part of this risk assessment. The comprehensive Risk Assessment Reports as forwarded to the Commission by the Member State rapporteur does however provide information which could be used to assess these risks.

**I. RISK ASSESSMENT****A. HUMAN HEALTH**

The conclusion of the evaluation of the risks to

WORKERS, CONSUMERS and MAN EXPOSED VIA THE ENVIRONMENT

is that there is at present no need for further information and/or testing or for risk reduction measures beyond those which are being applied. This conclusion is reached because:

- the risk assessment shows that risks are not expected. Risk reduction measures already being applied are considered sufficient <sup>(1)</sup>.

**B. ENVIRONMENT**

The conclusion of the evaluation of the risks to the environment for

ATMOSPHERE, AQUATIC ECOSYSTEM and TERRESTRIAL ECOSYSTEM

is that there is at present no need for further information and/or testing or for risk reduction measures beyond those which are being applied. This conclusion is reached because:

- the risk assessment shows that risks related to the environmental spheres mentioned above are not expected. Risk reduction measures already being applied are considered sufficient.

<sup>(1)</sup> These measures include the use of occupational exposure limit values established at Community level for the protection of workers from chemical risks. Cumene is included in the Annex to Commission Directive 2000/39/EC of 8 June 2000 (OJ L 142, 16.6.2000, p. 47), establishing a first list of indicative occupational exposure limit values, pursuant to Council Directive 98/24/EC (OJ L 131, 5.5.1998, p. 11) on the protection of the health and safety of workers from the risks related to chemical agents at work.

The conclusion of the evaluation of the risks to the environment for

**MICRO-ORGANISMS IN THE SEWAGE TREATMENT PLANT**

is that there is at present no need for further information and/or testing or for risk reduction measures beyond those which are being applied. This conclusion is reached because:

- the risk assessment shows that risks related to the environmental spheres mentioned above are not expected. Risk reduction measures already being applied are considered sufficient.

**II. STRATEGY FOR LIMITING RISKS**

None

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## COMMISSION DECISION

of 5 March 2001

**prolonging for the fifth time the validity of Decision 1999/815/EC concerning measures prohibiting the placing on the market of toys and childcare articles intended to be placed in the mouth by children under three years of age made of soft PVC containing certain phthalates**

(notified under document number C(2001) 501)

(Text with EEA relevance)

(2001/195/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 92/59/EEC of 29 June 1992 on general product safety <sup>(1)</sup>, and in particular Article 9 thereof,

Whereas:

- (1) The Commission adopted, on 7 December 1999, Decision 1999/815/EC <sup>(2)</sup> based on Article 9 of Directive 92/59/EEC requiring the Member States to prohibit the placing on the market of toys and childcare articles, intended to be placed in the mouth by children under three years of age, made of soft PVC containing one or more of the substances di-iso-nonyl phthalate (DINP), di(2-ethylhexyl) phthalate (DEHP), dibutyl phthalate (DBP), di-iso-decyl phthalate (DIDP), di-n-octyl phthalate (DNOP), and butylbenzyl phthalate (BBP).
- (2) The validity of Decision 1999/815/EC was limited to three months, in accordance with the provision of Article 11(2) of Directive 92/59/EEC. Therefore, the validity of the Decision was to expire on 8 March 2000.
- (3) Article 11(2) of Directive 92/59/EEC states that the validity of the measures adopted on the basis of Article 9 of the said Directive is limited to three months, but may be prolonged under the same procedure foreseen for the adoption of these measures.
- (4) When adopting Decision 1999/815/EC it was foreseen to prolong its validity if necessary. The validity of the measures adopted under Decision 1999/815/EC on the basis of Article 9 of Directive 92/59/EEC was prolonged under Decisions 2000/217/EC, 2000/381/EC, 2000/535/EC and 2000/769/EC for an additional period of three months each time, in accordance with the provision of Article 11(2) of the said Directive. Therefore the validity of the Decision is to expire on 6 March 2001.
- (5) The reasons which motivated Decision 1999/815/EC and its prolongation under Decisions 2000/217/EC, 2000/381/EC, 2000/535/EC and 2000/769/EC are still valid and it is therefore necessary to maintain the prohi-

bition of the placing on the market of the products considered.

- (6) Certain Member States have implemented Decision 1999/815/EC as modified by Decisions 2000/217/EC, 2000/381/EC, 2000/535/EC and 2000/769/EC by measures applicable until 6 March 2001. Therefore it is necessary to ensure that the validity of these measures is prolonged.
- (7) It is therefore necessary to prolong the validity of Decision 1999/815/EC for a fifth time in order to ensure that all the Member States maintain the prohibition provided for by that Decision. According to Article 11(2) of Directive 92/59/EEC the validity may be prolonged for a period of three months.
- (8) The measures provided for in this Decision are in accordance with the opinion of the Emergencies Committee,

HAS ADOPTED THIS DECISION:

## Article 1

In Article 5 of Decision 1999/815/EC the words '6 March 2001' are replaced by the words '5 June 2001'.

## Article 2

Member States shall take the measures necessary to comply with this Decision within less than 10 days of its notification. They shall forthwith inform the Commission thereof.

## Article 3

This Decision is addressed to the Member States.

Done at Brussels, 5 March 2001.

For the Commission

David BYRNE

Member of the Commission

<sup>(1)</sup> OJ L 228, 11.8.1992, p. 24.

<sup>(2)</sup> OJ L 315, 9.12.1999, p. 46.

**CORRIGENDA****Corrigendum to Commission Regulation (EC) No 447/2001 of 5 March 2001 on the supply of cereals as food aid**

*(Official Journal of the European Communities L 64 of 6 March 2001)*

On page 9, in the Annex, Lot B, point 12:

*for:* 'Specified delivery stage <sup>(8)</sup>: free at port of shipment — fob stowed',

*read:* 'Specified delivery stage <sup>(8)</sup>: free at port of landing — landed',

and point 13:

*for:* 'Alternative delivery stage: —',

*read:* 'Alternative delivery stage: free at port of shipment — fob stowed'.

On page 11, Lot D, point 10:

*for:* 'Labelling or marking <sup>(6)</sup>: see OJ C 114, 29.4.1991, p. 1 (II.A(3))',

*read:* 'Labelling or marking <sup>(6)</sup>: see OJ C 114, 29.4.1991, p. 1 (II.B(3))'.

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