

**31980L0777****Council Directive 80/777/EEC of 15 July 1980 on the approximation of the laws of the Member States relating to the exploitation and marketing of natural mineral waters***Official Journal L 229 , 30/08/1980 P. 0001 - 0010**Finnish special edition: Chapter 13 Volume 10 P. 0226**Greek special edition: Chapter 13 Volume 9 P. 0132**Swedish special edition: Chapter 13 Volume 10 P. 0226**Spanish special edition: Chapter 13 Volume 11 P. 0047**Portuguese special edition Chapter 13 Volume 11 P. 0047*

COUNCIL DIRECTIVE of 15 July 1980 on the approximation of the laws of the Member States relating to the exploitation and marketing of natural mineral waters (80/777/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

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

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

Having regard to the opinion of the Economic and Social Committee (3),

Whereas the laws of the Member States define natural mineral waters ; whereas differing definitions are adopted in this connection within the Community ; whereas these laws lay down the terms on which natural mineral waters are recognized as such and govern the conditions for exploiting the springs ; whereas they furthermore stipulate specific rules for marketing the waters in question;

Whereas the differences between these laws hinder the free movement of the natural mineral waters, creating disparate competitive situations, and consequently directly affect the establishing and functioning of the common market;

Whereas, in this particular case, the elimination of these barriers may be achieved both by an obligation on each Member State to allow the marketing in its territory of the natural mineral waters recognized as such by each of the other member States and by laying down common rules concerning in particular the microbiological requirements to be fulfilled and the conditions in which specific names must be used for certain of the mineral waters;

Whereas, pending the conclusion of agreements on mutual recognition of natural mineral waters between the Community and third countries, the terms should be laid down on which, until implementation of the said agreements, similar products imported from third countries may be allowed to enter the Community as natural mineral waters,

Whereas care should be taken to ensure that natural mineral waters retain at the marketing stage those characteristics which enabled them to be recognized as such ; whereas, therefore, the containers used for packaging them should have suitable closures;

Whereas, in respect of labelling, natural mineral waters are subject to the general rules laid down by Council Directive 79/112/EEC of 18 December 1978 on the approximation of the laws of the Member States relating to the labelling, presentation and advertising of (1)OJ No C 69,

11.6.1970, p. 14. (2)OJ No C 45, 10.5.1971, p. 5. (3)OJ No C 36, 19.4.1971, p. 14. foodstuffs for sale to the ultimate consumer (1) ; whereas, accordingly, this Directive may be limited to laying down the additions and derogations which should be made to those general rules;

Whereas, in order to simplify and speed up the procedure, the Commission should be entrusted with the task of adopting technical implementing measures, and in particular defining the procedure for taking samples and the methods of analysis necessary to check the composition of natural mineral waters;

Whereas, in all cases in which the Council entrusts the Commission with responsibility for implementing rules laid down concerning foodstuffs intended for human consumption, provision should be made for a procedure establishing close cooperation between the Member States and the Commission within the Standing Committee for Foodstuffs, set up by Decision 69/414/EEC (2),

HAS ADOPTED THIS DIRECTIVE:

#### Article 1

1. This Directive concerns waters extracted from the ground of a Member State and recognized by the responsible authority of that Member State as natural mineral waters satisfying the provisions of Annex I, Section I.

2. This Directive also concerns waters extracted from the ground of a third country, imported into the Community and recognized as natural mineral waters by the responsible authority of a Member State.

The waters referred to in the first subparagraph may be so recognized only if the responsible authority in the country of extraction has certified that they satisfy Annex I, Section I, and that regular checks are made on the application of the provisions of Annex II, paragraph 2.

The validity of the certification referred to in the second subparagraph may not exceed a period of two years. It shall not be necessary to repeat the recognition procedure referred to in the first subparagraph if the certification is renewed before the end of the said period.

3. This Directive shall not apply: - to waters which are medicinal products within the meaning of Directive 65/65/EEC (3),

- to natural mineral waters used at source for curative purposes in thermal or hydromineral establishments.

4. The grounds for granting the recognition referred to in paragraphs 1 and 2, shall be stated in due form by the responsible authority of the Member State and shall be officially published.

5. Each Member State shall inform the Commission of the cases where the recognition referred to in paragraphs 1 and 2 has been granted or withdrawn. The list of natural mineral waters so recognized shall be published in the Official Journal of the European Communities.

#### Article 2

Member States shall take the measures necessary to ensure that only the waters referred to in Article 1 which comply with the provisions of this Directive may be marketed as natural mineral waters.

#### Article 3

Natural mineral water springs may be exploited and their waters bottled only in accordance with Annex II.

#### Article 4

1. Natural mineral water, in its state at source, may not be the subject of any treatment or addition other than: (a) the separation of its unstable elements, such as iron and sulphur compounds, by filtration or decanting, possibly preceded by oxygenation, in so far as this treatment does not alter the composition of the water as regards the essential constituents which give it its properties;

(b) the total or partial elimination of free carbon dioxide by exclusively physical methods;

(c) the introduction or the reintroduction of carbon dioxide under the conditions laid down in Annex I, Section III;

2. In particular any disinfection treatment by whatever means and, subject to paragraph 1 (c), the addition of bacteriostatic elements or any other treatment likely to change the viable colony count of the natural mineral water shall be prohibited.

3. Paragraph 1 shall not constitute a bar to the utilization of natural mineral water in the manufacture of soft drinks. (1)OJ No L 33, 8.2.1979, p. 1. (2)OJ No L 291, 19.11.1969, p. 9. (3)OJ No 22, 9.2.1965, p. 369/65.

#### Article 5

1. The revivable total colony count of a natural mineral water at source shall conform to its normal viable colony count and give satisfactory evidence of the protection of the source against all contamination. This total colony count shall be determined under the conditions laid down in Annex I, Section II, point 1.3.3.

After bottling, the total colony count at source may not exceed 100 per millilitre at 20 to 22 °C in 72 hours on agar-agar or an agar-gelatine mixture and 20 per millilitre at 37 °C in 24 hours on agar-agar. The total colony count shall be measured within the 12 hours following bottling, the water being maintained at 4 °C ± 1 °C during this 12-hour period.

At source, these values should not normally exceed 20 per millilitre at 20 to 22 °C in 72 hours and 5 per millilitre at 37 °C in 24 hours respectively, on the understanding that they are to be considered as guide figures and not as maximum permitted concentrations.

2. At source and during its marketing, a natural mineral water shall be free from: (a) parasites and pathogenic micro-organisms;

(b) *Escherichia coli* and other coliforms and faecal streptococci in any 250 ml sample examined;

(c) sporulated sulphite-reducing anaerobes in any 50 ml sample examined;

(d) *Pseudomonas aeruginosa* in any 250 ml sample examined.

3. Without prejudice to paragraphs 1 and 2 and the conditions of exploitation laid down in Annex II, at the marketing stage: - the revivable total colony count of a natural mineral water may only be that resulting from the normal increase in the bacteria content which it had at source,

- the natural mineral water may not contain any organoleptic defects.

#### Article 6

Any containers used for packaging natural mineral waters shall be fitted with closures designed to avoid any possibility of adulteration or contamination.

#### Article 7

1. The sales description of natural mineral waters shall be "natural mineral water" or, in the case of an effervescent natural mineral water as defined in Annex I, Section III, as appropriate,

"naturally carbonated natural mineral water", "natural mineral water fortified with gas from the spring" or "carbonated natural mineral water".

The sales description of natural mineral waters which have undergone any of the treatments referred to in Article 4 (1) (b) shall have added to it as appropriate the indication "fully de-carbonated" or "partially de-carbonated".

2. Labels on natural mineral waters shall also give the following mandatory information: (a) - either the words : "composition in accordance with the results of the officially recognized analysis of ... (date of analysis)",

- or a statement of the analytical composition giving its characteristic constituents;

(b) the place where the spring is exploited and the name of the spring.

3. Member States may also: (a) retain the provisions which require the country of origin to be indicated, although this information cannot be demanded in the case of natural mineral waters from a spring in the territory of the Community;

(b) introduce provisions which require information on any treatments referred to in Article 4 (1) (a).

#### Article 8

1. The name of a locality, hamlet or place may occur in the wording of a trade description provided that it refers to a natural mineral water the spring of which is exploited at the place indicated by that description and provided that it is not misleading as regards the place of exploitation of the spring.

2. It shall be forbidden to market natural mineral water from one and the same spring under more than one trade description.

3. When the labels or inscriptions on the containers in which the natural mineral waters are offered for sale include a trade description different from the name of the spring or the place of its exploitation, this place or the name of the spring shall be indicated in letters at least one and a half times the height and width of the largest of the letters used for that trade description.

The first subparagraph shall apply, *mutatis mutandis* and with the same intention as regards the importance attributed to the name of the spring or the place of its exploitation, with regard to the trade description used in advertising, in whatsoever form, relating to natural mineral waters.

#### Article 9

1. It shall be forbidden, both on packaging or labels and in advertising in whatsoever form, to use designations, proprietary names, trade marks, brand names, illustrations or other signs, whether emblematic or not, which: (a) in the case of a natural mineral water, suggest a characteristic which the water does not possess, in particular as regards its origin, the date of the authorization to exploit it, the results of analyses or any similar references to guarantees of authenticity;

(b) in the of drinking water packaged in containers which does not satisfy the provisions of Annex I, Section I, are liable to cause confusion with a natural mineral water, in particular the description "mineral water".

2. (a) All indications attributing to a natural mineral water properties relating to the prevention, treatment or cure of a human illness shall be prohibited.

(b) However, the indications listed in Annex III to this Directive shall be authorized if they meet the relevant criteria laid down in that Annex or, in the absence thereof, criteria laid down in national provisions and provided that they have been drawn up on the basis of physico-chemical analyses and, where necessary, pharmacological, physiological and clinical examinations carried out according to recognized scientific methods, in accordance with Section I, paragraph 2 of Annex I.

(c) Member States may authorize the indications "stimulates digestion", "may facilitate the hepato-biliary functions" or similar indications. They may also authorize the inclusion of other indications, provided that the latter do not conflict with the principles stated in (a) and are compatible with those stated in (b).

3. Member States may adopt special provisions regarding information - both on packaging or labels and in advertising - concerning the suitability of a natural mineral water for the feeding of infants. Such provisions may also concern the properties of the water which determine the use of the said information.

Member States which intend taking such measures shall inform the other Member States and the Commission of them beforehand.

4. Not later than three years after notification of this Directive, the Commission shall submit to the Council a report and, where appropriate, suitable proposals on the application of the provisions referred to in 1.2.12 of Annex I, Section II.

#### Article 10

1. Member States shall adopt the measures necessary to ensure that trade in natural mineral waters which comply with the definitions and rules laid down in this Directive cannot be impeded by the application of non-harmonized national provisions governing the properties, composition, conditions of exploitation, packaging or labelling of natural mineral waters or foodstuffs in general.

2. Paragraph 1 shall not be applicable to non-harmonized national provisions justified on grounds of: - protection of public health,

- prevention of fraud, unless such provisions are likely to impede the application of the definitions and rules laid down by this Directive,

- protection of industrial and commercial property, indications of source, designations of origin and the prevention of unfair competition.

#### Article 11

The sampling procedures and the methods of analysis necessary for checking the microbiological characteristics referred to in Article 5 and the compositional characteristics referred to in 1.2 of Annex I, Section II, shall be determined in accordance with the procedure laid down in Article 12.

#### Article 12

1. Where the procedure laid down in this Article is to be followed, the matter shall be referred to the Standing Committee on Foodstuffs, hereinafter called "the Committee", by its Chairman, either on his own initiative or at the request of the representative of a Member State.

2. The Commission representative shall submit a draft of the measures to be taken to the Committee. The Committee shall deliver its opinion on that draft within a time limit set by the chairman having regard to the urgency of the matter. Opinions shall be arrived at by a majority of 41 votes, the votes of the Member States being weighted in accordance with Article 148 (2) of the Treaty. The chairman shall not vote.

3. (a) Where the measures envisaged are in accordance with the opinion of the Committee the Commission shall adopt them;

(b) where the measures envisaged are not in accordance with the opinion of the Committee, or if no opinion is delivered, the Commission shall forthwith submit to the Council a proposal on the measures to be taken. The Council shall act by a qualified majority;

(c) if within three months of the matter being brought before it the Council has not acted, the measures proposed shall be adopted by the Commission.

#### Article 13

Article 12 shall apply for a period of 18 months from the date on which the matter was first referred to the Committee under Article 12 (1).

#### Article 14

This Directive shall not apply to natural mineral waters intended for export to third countries.

#### Article 15

Member States shall make such amendments to their laws as may be necessary to comply with this Directive and shall forthwith inform the Commission thereof ; the laws thus amended shall be applied in such a way as to: - permit trade in products complying with this Directive not later than two years after its notification,

- prohibit trade in products not complying with this Directive four years after its notification.

#### Article 16

This Directive shall also apply to the overseas departments of the French Republic.

#### Article 17

This Directive is addressed to the Member States.

Done at Brussels, 15 July 1980.

For the Council

The President

J. SANTER

#### ANNEX I

##### I. DEFINITION

1. "Natural mineral water" means microbiologically wholesome water, within the meaning of Article 5, originating in an underground water table or deposit and emerging from a spring tapped at one or more natural or bore exits.

Natural mineral water can be clearly distinguished from ordinary drinking water: (a) by its nature, which is characterized by its mineral content, trace elements or other constituents and, where appropriate, by certain effects;

(b) by its original state,

both characteristics having been preserved intact because of the underground origin of such water, which has been protected from all risk of pollution.

2. These characteristics, which may give natural mineral water properties favourable to health, must have been assessed:

(a) from the following points of view: 1. geological and hydrological,

2. physical, chemical and physico-chemical,

3. microbiological,

4. if necessary, pharmacological, physiological and clinical;

(b) according to the criteria listed in Section II;

(c) according to scientific methods approved by the responsible authority.

The analyses referred to in (a) (4) may be optional where the water presents the compositional characteristics on the strength of which it was considered a natural mineral water in the Member State of origin prior to the entry into force of this Directive. This is the case in particular when the water in question contains, per kg, both at source and after bottling, a minimum of 1 000 mg of total solids in solution or a minimum of 250 mg of free carbon dioxide.

3. The composition, temperature and other essential characteristics of natural mineral water must remain stable within the limits of natural fluctuation ; in particular, they must not be affected by possible variations in the rate of flow.

Within the meaning of Article 5 (1), the normal viable colony count of natural mineral water means the reasonably constant total colony count at source before any treatment, whose qualitative and quantitative composition taken into account in the recognition of that water is checked by periodic analysis.

## II. REQUIREMENTS AND CRITERIA FOR APPLYING THE DEFINITION

### 1.1. Requirements for geological and hydrological surveys

There must be a requirement to supply the following particulars: 1.1.1. the exact site of the catchment with indication of its altitude, on a map with a scale of not more than 1 : 1 000;

1.1.2. a detailed geological report on the origin and nature of the terrain;

1.1.3. the stratigraphy of the hydrogeological layer;

1.1.4. a description of the catchment operations;

1.1.5. the demarcation of the area or details of other measures protecting the spring against pollution.

### 1.2. Requirements for physical, chemical and physico-chemical surveys

These surveys shall establish: 1.2.1. the rate of flow of the spring;

1.2.2. the temperature of the water at source and the ambient temperature;

1.2.3. the relationship between the nature of the terrain and the nature and type of minerals in the water;

1.2.4. the dry residues at 180 °C and 260 °C;

1.2.5. the electrical conductivity or resistivity, with the measurement temperature having to be specified;

1.2.6. the hydrogen ion concentration (pH);

1.2.7. the anions and cations;

1.2.8. the non-ionized elements;

1.2.9. the trace elements;

1.2.10. the radio-actinological properties at source;

>PIC FILE= "T0013777"> 1.2.12. the toxicity of certain constituent elements of the water, taking account of the limits laid down for each of them.

### 1.3. Criteria for microbiological analyses at source

These analyses must include: 1.3.1. demonstration of the absence of parasites and pathogenic micro-organisms;

1.3.2. quantitative determination of the revivable colony count indicative of faecal contamination: (a) absence of *Escherichia coli* and other coliforms in 250 ml at 37 °C and 44 75 °C;

(b) absence of faecal streptococci in 250 ml;

(c) absence of sporulated sulphite-reducing anaerobes in 50 ml;

(d) absence of *Pseudomonas aeruginosa* in 250 ml.

1.3.3. determination of the revivable total colony count per ml of water: (i) at 20 to 22 °C in 72 hours on agar-agar or an agar-gelatine mixture,

(ii) at 37 °C in 24 hours on agar-agar.

1.4. Requirements for clinical and pharmacological analyses 1.4.1. The analyses, which must be carried out in accordance with scientifically recognized methods, should be suited to the particular characteristics of the natural mineral water and its effects on the human organism, such as diuresis, gastric and intestinal functions, compensation for mineral deficiencies.

1.4.2. The establishment of the consistency and concordance of a substantial number of clinical observations may, if appropriate, take the place of the analyses referred to in 1.4.1. Clinical analyses may, in appropriate cases, take the place of the analyses referred to in 1.4.1 provided that the consistency and concordance of a substantial number of observations enable the same results to be obtained.

### III. SUPPLEMENTARY QUALIFICATIONS RELATING TO EFFERVESCENT NATURAL MINERAL WATERS

At source or after bottling, effervescent natural mineral waters give off carbon dioxide spontaneously and in a clearly visible manner under normal conditions of temperature and pressure. They fall into three categories to which the following descriptions respectively shall apply: (a) "naturally carbonated natural mineral water" means water whose content of carbon dioxide from the spring after decanting, if any, and bottling is the same as at source, taking into account where appropriate the reintroduction of a quantity of carbon dioxide from the same water table or deposit equivalent to that released in the course of those operations and subject to the usual technical tolerances;

(b) "natural mineral water fortified with gas from the spring" means water whose content of carbon dioxide from the water table or deposit after decanting, if any, and bottling is greater than that established at source;



(c) "carbonated natural mineral water" means water to which has been added carbon dioxide of an origin other than the water table or deposit from which the water comes.

## ANNEX II CONDITIONS FOR THE EXPLOITATION AND MARKETING OF NATURAL MINERAL WATER

1. Exploitation of a natural mineral water spring shall be subject to permission from the responsible authority of the country where the water has been extracted, after it has been established that the water in question complies with the provisions laid down in point 1 of Annex I.
2. Equipment for exploiting the water must be so installed as to avoid any possibility of contamination and to preserve the properties, corresponding to those ascribed to it, which the water possesses at source.

To this end, in particular: (a) the spring or outlet must be protected against the risks of pollution;

(b) the catchment, pipes and reservoirs must be of materials suitable for water and so built as to prevent any chemical, physico-chemical or microbiological alteration of the water;

(c) the conditions of exploitation, particularly the washing and bottling plant, must meet hygiene requirements. In particular, the containers must be so treated or manufactured as to avoid adverse effects on the microbiological and chemical characteristics of the natural mineral water;

(d) the transport of natural mineral water in containers other than those authorized for distribution to the ultimate consumer is prohibited.

However, point (d) need not be applied to mineral waters exploited and marketed in the territory of a Member State if, in that Member State at the time of notification of this Directive, transport of the natural mineral water in tanks from the spring to the bottling plant was authorized.

3. Where it is found during exploitation that the natural mineral water is polluted and no longer presents the microbiological characteristics laid down in Article 5, the person exploiting the spring must forthwith suspend all operations, particularly the bottling process, until the cause of pollution is eradicated and the water complies with the provisions of Article 5.

4. The responsible authority in the country of origin shall carry out periodic checks to see whether: (a) the natural mineral water in respect of which exploitation of the spring has been authorized complies with Section I of Annex I;

(b) the provisions of paragraphs 2 and 3 are being applied by the person exploiting the spring.

## ANNEX III INDICATIONS AND CRITERIA LAID DOWN IN ARTICLE 9 (2)

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**31985L0007**

**Council Directive 85/7/EEC of 19 December 1984 amending a first series of Directives on the approximation of the laws of the Member States in the foodstuffs sector, as regards the involvement of the Standing Committee for Foodstuffs**

*Official Journal L 002 , 03/01/1985 P. 0022 - 0023*

*Finnish special edition: Chapter 13 Volume 14 P. 0148*

*Spanish special edition: Chapter 13 Volume 18 P. 0156*

*Swedish special edition: Chapter 13 Volume 14 P. 0148*

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COUNCIL DIRECTIVE

of 19 December 1984

amending a first series of Directives on the approximation of the laws of the Member States in the foodstuffs sector, as regards the involvement of the Standing Committee for Foodstuffs

(85/7/EEC)

THE COUNCIL OF THE EUROPEAN

COMMUNITIES,

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

Having regard to the proposal from the Commission,

Whereas, in pursuance of the first paragraph of Article 2 of Council Decision 69/414/EEC of 13 November 1969 setting up a Standing Committee for Foodstuffs (1), the latter carries out the duties devolving upon it under provisions in the foodstuffs sector adopted by the Council, in the cases and under the conditions provided for therein;

Whereas, apart from its advisory role, the Committee has the task of ensuring close cooperation between the Member States and the Commission in cases where the Council confers powers on the latter for the purpose of implementing the rules which it establishes;

Whereas most of the provisions adopted by the Council have assigned to the Committee duties, in the sector to which they relate, to be carried out within a period of 18 months;

Whereas the purpose of setting this time limit was to check, in legislative practice, whether the procedure for involving the Committee gave satisfaction; whereas for the same purpose the said time limit should be extended by two years,

HAS ADOPTED THIS DIRECTIVE:

Article 1

In the following provisions:

1. Article 11b of the Council Directive of 23 October 1962 on the approximation of the rules of the Member States concerning the colouring matters authorized for use in foodstuffs intended for human consumption (2), as last amended by Directive 81/20/EEC (3);
2. Article 8b of Council Directive 64/54/EEC of 5 November 1963 on the approximation of the laws of the Member States concerning the preservatives authorized for use in foodstuffs intended for human consumption (4), as last amended by Directive 84/86/EEC (5);
3. Article 7 of Council Directive 70/357/EEC of 13 July 1970 on the approximation of the laws of the Member States concerning the antioxidants authorized for use in foodstuffs intended for human consumption (6), as last amended by Directive 81/962/EEC (7);
4. Article 13 of Council Directive 73/241/EEC of 24 July 1973 on the approximation of the laws of the Member States relating to cocoa and chocolate products intended for human consumption (8), as last amended by Directive 80/608/EEC (9);
5. Article 11 of Council Directive 74/329/EEC of 18 June 1974 on the approximation of the laws of the Member States relating to emulsifiers, stabilizers, thickeners and gelling agents for use in foodstuffs (10), as last amended by Directive 80/597/EEC (11);
6. Article 11 of Council Directive 76/893/EEC of 23 November 1976 on the approximation of the laws of the Member States relating to materials and articles intended to come into contact with foodstuffs (12), as last amended by Directive 80/1276/EEC (13);
7. Article 10 of Council Directive 77/94/EEC of 21 December 1976 on the approximation of the laws of the Member States relating to foodstuffs for particular nutritional uses (14), as amended by the 1979 Act of Accession;
8. Article 10 of Council Directive 77/436/EEC of 27 June 1977 on the approximation of the laws of the Member States relating to coffee extracts and chicory extracts (1), as amended by the 1979 Act of Accession;
9. Article 18 of Council Directive 79/112/EEC of 18 December 1978 on the approximation of the laws of the Member States relating to the labelling, presentation and advertising of foodstuffs for sale to the ultimate consumer (2), as amended by the 1979 Act of Accession;
10. Article 13 of Council Directive 80/777/EEC of 15 July 1980 on the approximation of the laws of the Member States relating to the exploitation and marketing of natural mineral waters (3), as amended by Directive 80/1276/EEC,

the expression 'for a period of 18 months from the date on which the matter was first referred to the Committee' is replaced by 'for a period of two years from the date on which the matter was first referred to the Committee after 1 January 1985'.

## Article 2

This Directive is addressed to the Member States.

Done at Brussels, 19 December 1984.

For the Council

The President

P. O'TOOLE

(1) OJ No L 291, 19. 11. 1969, p. 9.

(2) OJ No 115, 11. 11. 1962, p. 2645/62.

(3) OJ No L 43, 14. 2. 1981, p. 11.

- (4) OJ No 12, 27. 1. 1984, p. 161/64.
- (5) OJ No L 40, 11. 2. 1984, p. 29.
- (6) OJ No L 157, 18. 7. 1970, p. 31.
- (7) OJ No L 354, 9. 12. 1981, p. 22.
- (8) OJ No L 228, 16. 8. 1973, p. 23.
- (9) OJ No L 170, 3. 7. 1980, p. 33.
- (10) OJ No L 189, 12. 7. 1974, p. 1.
- (11) OJ No L 155, 23. 6. 1980, p. 23.
- (12) OJ No L 340, 9. 12. 1976, p. 19.
- (13) OJ No L 375, 31. 12. 1980, p. 77.
- (14) OJ No L 26, 31. 1. 1977, p. 55.
- (1) OJ No L 172, 12. 7. 1977, p. 20.
- (2) OJ No L 33, 8. 2. 1979, p. 1.
- (3) OJ No L 229, 30. 8. 1980, p. 1.

**31996L0070****Directive 96/70/EC of the European Parliament and of the Council of 28 October 1996 amending Council Directive 80/777/EEC on the approximation of the laws of the Member States relating to the exploitation and marketing of natural mineral waters***Official Journal L 299 , 23/11/1996 P. 0026 - 0028*

DIRECTIVE 96/70/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 28 October 1996 amending Council Directive 80/777/EEC on the approximation of the laws of the Member States relating to the exploitation and marketing of natural mineral waters

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

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

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

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

Acting in accordance with the procedure laid down in Article 189 b of the Treaty (3);

(1) Whereas Directive 80/777/EEC (4) harmonized the laws of the Member States relating to the exploitation and marketing of natural mineral waters;

(2) Whereas the primary purposes of any rules on natural mineral waters should be to protect the health of consumers, to prevent consumers from being misled and to ensure fair trading;

(3) Whereas it is desirable to amend Directive 80/777/EEC to take account of technical and scientific progress since 1980; whereas it is also desirable to rationalize the provisions of that Directive in line with other provisions of Community food law;

(4) Whereas it is necessary to extend the period of recognition for natural mineral waters originating from third countries in order to simplify the administrative procedures;

(5) Whereas it is necessary to clarify the circumstances under which the use of ozone-enriched air may be permitted in order to separate unstable elements from natural mineral waters under conditions which will ensure that the composition of the water as regards its essential constituents is not affected;

(6) Whereas the inclusion of the statement of the analytical composition of a natural mineral water should be made compulsory in order to ensure that consumers are informed;

(7) Whereas it is appropriate to lay down certain provisions on spring waters;

(8) Whereas it is advisable, in order to ensure smooth running of the internal market for natural mineral waters, to introduce a procedure to allow for coordinated action between the Member States in urgent situations which may present a risk to public health;

(9) Whereas a procedure to lay down certain detailed provisions concerning natural mineral waters, notably in respect of the limits for the levels of certain constituents of natural mineral waters, should be established; whereas provisions for the indication,

on labelling, of high levels of certain constituents should also be adopted; whereas methods of analysis, including limits of detection, to check the absence of pollution of natural mineral waters, and sampling procedures and methods of analysis for checking the microbiological characteristics of natural mineral waters, should be determined;

(10) Whereas any decision on natural mineral waters likely to have an effect on public health should be adopted following consultation of the Scientific Committee for Food,

HAVE ADOPTED THIS DIRECTIVE:

#### Article 1

Directive 80/777/EEC is hereby amended as follows:

1. The third subparagraph of Article 1 (2) shall be replaced by the following:

'The validity of the certification referred to in the second subparagraph may not exceed a period of five years. It shall not be necessary to repeat the recognition procedure referred to in the first subparagraph if the certification is renewed before the end of the said period.'

2. Article 4 shall be replaced by the following:

#### 'Article 4

1. Natural mineral water, in its state at source, may not be the subject of any treatment other than:

(a) the separation of its unstable elements, such as iron and sulphur compounds, by filtration or decanting, possibly preceded by oxygenation, in so far as this treatment does not alter the composition of the water as regards the essential constituents which give it its properties;

(b) the separation of iron, manganese and sulphur compounds and arsenic from certain natural mineral waters by treatment with ozone-enriched air in so far as such treatment does not alter the composition of the water as regards the essential constituents which give it its properties, and provided that:

- the treatment complies with the conditions for use to be laid down in accordance with the procedure laid down in Article 12 and following consultation of the Scientific Committee for Food established by Commission Decision 95/273/EC(\*),

- the treatment is notified to, and specifically controlled by, the competent authorities;

(c) the separation of undesirable constituents other than those specified in (a) or (b), in so far as this treatment does not alter the composition of the water as regards the essential constituents which give it its properties, and provided that:

- the treatment complies with the conditions for use to be laid down in accordance with the procedure laid down in Article 12 and following consultation of the Scientific Committee for Food,

- the treatment is notified to, and specifically controlled by, the competent authorities;

(d) the total or partial elimination of free carbon dioxide by exclusively physical methods.

2. Natural mineral water, in its state at source, may not be the subject of any addition other than the introduction or the reintroduction of carbon dioxide under the conditions laid down in Annex I, section III.

3. In particular, any disinfection treatment by whatever means and, subject to paragraph 2, the addition of bacteriostatic elements or any other treatment likely to change the viable colony count of the natural mineral water shall be prohibited.

4. Paragraph 1 shall not constitute a bar to the utilization of natural mineral waters and spring waters in the manufacture of soft drinks.

(\*) OJ No L 167, 18. 7. 1995, p. 22.`

3. Article 7 (2) shall be replaced by the following:

'2. Labels on natural mineral waters shall also give the following mandatory information:

- (a) a statement of the analytical composition, giving its characteristic constituents;
- (b) the place where the spring is exploited and the name of the spring;
- (c) information on any treatments referred to in Article 4 (1) (b) and (c).

2 a. In the absence of Community provisions on information on any treatments referred to in paragraph 2 (c), Member States may maintain the national provision.`

4. Article 7 (3) shall be deleted.

5. The following paragraphs shall be added to Article 9:

'4a. The term "spring water" shall be reserved for a water which is intended for human consumption in its natural state, and bottled at source, which:

- satisfies the conditions of exploitation laid down in Annex II, paragraphs 2 and 3, which shall be fully applicable to spring waters,
- satisfies the microbiological requirements laid down in Article 5,
- satisfies the labelling requirements of Article 7 (2) (b) and (c) and Article 8,
- has not undergone any treatment other than those referred to in Article 4. Other treatments may be authorized in accordance with the procedure laid down in Article 12.

In addition, spring waters shall comply with the provisions of Council Directive 80/778/EEC of 15 July 1980 relating to the quality of water intended for human consumption(\*).

4 b. In the absence of Community provisions on the treatment for spring waters referred to in the fourth indent of Article 9 (4a) Member States may maintain the national provisions on the treatments.

(\*) OJ No L 229, 30. 8. 1980, p. 11. Directive as last amended by the 1994 Act of Accession.`

6. Article 10 (2) shall be deleted.

7. The following Article shall be inserted:

'Article 10a

1. Where a Member State has detailed grounds for considering that a natural mineral water does not comply with the provisions laid down in this Directive, or endangers public health, albeit freely circulating in one or more Member States, that Member State may temporarily restrict or suspend trade in that product within its territory. It shall immediately inform the Commission and the other Member States thereof and give reasons for its decision.

2. At the request of any Member State or the Commission, the Member State which has recognized the water shall provide all relevant information concerning recognition of the water, together with the results of the regular checks.

3. The Commission shall examine as soon as possible the grounds adduced by the Member State referred to in paragraph 1 within the Standing Committee for Foodstuffs, and shall then deliver its opinion forthwith and take appropriate measures.

4. If the Commission considers that amendments to this Directive are necessary in order to ensure the protection of public health, it shall initiate the procedure laid down in Article 12, with a view to adopting those amendments. The Member State which has adopted safeguard measures may, in that event, retain them until the amendments have been adopted.'

8. Article 11 shall be replaced by the following:

'Article 11

1. The following shall be adopted in accordance with the procedure laid down in Article 12:

- limits for the levels of constituents of natural mineral waters,
- any necessary provisions for the indication on the labelling of high levels of certain constituents,
- the conditions of use of ozone-enriched air referred to in Article 4 (1) (b),
- the information on the treatments referred to in Article 7 (2) (c).

2. The following may be adopted in accordance with the procedure laid down in Article 12:

- methods of analysis, including limits of detection, to determine the absence of pollution of natural mineral waters,
- the sampling procedures and the methods of analysis necessary for checking the microbiological characteristics of natural mineral waters.'

9. The following Article shall be inserted:

'Article 11a

Any decision likely to have an effect on public health shall be adopted by the Commission following consultation of the Scientific Committee for Food.'

Article 2

Member States shall, where necessary, amend their laws, regulations or administrative provisions so as to:

- permit trade in products complying with this Directive by not later than 28 October 1997,
- prohibit trade in products not complying with this Directive with effect from 28 October 1998. However, trade in products placed on the market or labelled before that date and not conforming with this Directive may continue until stocks run out.

They shall immediately inform the Commission thereof.

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

Article 3

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



Article 4

This Directive is addressed to the Member States.

Done at Luxembourg, 28 October 1996.

For the European Parliament

The President

K. HÄNSCH

For the Council

The President

I. YATES

(1) OJ No C 314, 11. 11. 1994, p. 4, and OJ No C 33, 6. 2. 1996, p. 15.

(2) OJ No C 110, 2. 5. 1995, p. 55.

(3) Opinion of the European Parliament of 11 October 1995 (OJ No C 287, 30. 10. 1995, p. 101), common position of the Council of 22 December 1995 (OJ No C 59, 28. 2. 1996, p. 44) and Decision of the European Parliament of 22 May 1996 (OJ No C 166, 10. 6. 1996, p. 61). Council Decision of 26 July 1996.

(4) OJ No L 229, 30. 8. 1980, p. 1. Directive as last amended by the 1994 Act of Accession.

## COMMISSION DIRECTIVE 2003/40/EC

of 16 May 2003

**establishing the list, concentration limits and labelling requirements for the constituents of natural mineral waters and the conditions for using ozone-enriched air for the treatment of natural mineral waters and spring waters**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 80/777/EEC <sup>(1)</sup>, of 15 July 1980 on the approximation of the laws of the Member States relating to the exploitation and marketing of natural mineral waters, as last amended by Directive 96/70/EC of the European Parliament and of the Council <sup>(2)</sup>, and in particular Article 11(1) thereof,

Whereas:

- (1) Constituents may be present in the natural state in certain natural mineral waters because of their hydrogeological origin and may present a risk to public health above a certain concentration. It is therefore deemed necessary to establish concentration limits for these constituents in natural mineral waters.
- (2) Article 11 of Directive 80/777/EEC makes provision for adopting harmonised concentration limits for the constituents of natural mineral waters after consulting the Scientific Committee for Food, and for labelling requirements to indicate, where applicable, the presence of certain constituents at high concentrations.
- (3) The Scientific Committee for Food issued an opinion <sup>(3)</sup>, on arsenic, barium, fluoride, boron and manganese and, for other constituents of natural mineral waters, validated the limits recommended by the WHO for drinking water.
- (4) The revised Codex standard for 'natural mineral waters' <sup>(4)</sup>, gives, for health purposes, a list of constituents and maximum limits for these constituents. It was adopted on the basis of the most recent international scientific data and affords sufficient public health protection.
- (5) It is generally acknowledged that a low-level fluoride intake can have a beneficial effect on teeth. By contrast, excessive fluoride intake across the board can have harmful effects on public health. Thus, it is necessary to lay down a harmonised maximum limit for fluoride in natural mineral waters affording sufficient protection for the population as a whole.
- (6) The World Health Organisation recommended a guide value of 1,5 mg/l for fluoride for drinking water, which was validated for natural mineral waters by the Scientific Committee for Food in the abovementioned opinion. In order to protect infants and young children, who are the

most sensitive to the risk of fluorosis, where the fluoride content of a natural mineral water exceeds this guide value, a reference to this fact, which can be seen easily by the consumer, also needs to be made on the label.

- (7) The Scientific Committee for Food indicated a guide value for boron in natural mineral waters based on the WHO <sup>(5)</sup>, recommendations of 1996. However, the WHO and other internationally recognised scientific organisations have since then made new appraisals of boron's effect on public health and have recommended higher values. The European Food Safety Authority should therefore be consulted about boron in natural mineral waters so that the new scientific appraisals available can be taken into account and a maximum limit for boron should not be set at this stage.
- (8) The Scientific Committee for Food also indicated in the above opinion the acceptable level for barium, manganese and arsenic in natural mineral waters. For the other undesirable constituents of natural mineral waters which may have a harmful effect on public health, the revised Codex standard lays down maximum limits that afford sufficient protection for public health. However, the limit for nitrates is deemed to be too low in the light of the available data and should be brought into line with that for drinking water <sup>(6)</sup>.
- (9) The maximum limit for nitrates laid down in the Codex standard affords sufficient protection for public health and should serve as a reference for Community and international trade in natural mineral waters. However, during the procedure for official recognition of natural mineral water sources referred to in Article 1 of the aforementioned Directive, the Member States' competent authorities must be able to take a lower guide value for nitrates in natural mineral waters collected within their territory.
- (10) Natural mineral waters whose content in certain constituents exceeds the maximum limits for these constituents shall, for public health purposes, be subjected to the separation treatments for these constituents. In order to enable the operators concerned to make the necessary investment to comply with these new standards, sufficient periods should be allowed before the maximum concentration limits for such constituents come into force, in particular with regard to fluoride and nickel for which no separation treatment has yet been assessed or authorised at Community level.

<sup>(1)</sup> OJ L 229, 30.8.1980, p. 1.

<sup>(2)</sup> OJ L 299, 23.11.1996, p. 26.

<sup>(3)</sup> Opinion of 13 December 1996 on arsenic, barium, fluoride, boron and manganese in natural mineral waters.

<sup>(4)</sup> Codex standard 108-1981, Rev 1-1997, revised during the 7th session of the CCNMW (October 2000).

<sup>(5)</sup> WHO (1996): guidelines on the quality of drinking water, second edition, volume 2.

<sup>(6)</sup> Council Directive 98/83/EC (OJ L 330 of 5.12.1998, p. 32).

- (11) For the purposes of official checks on these constituents, a fluctuation margin around the maximum concentration limits is required corresponding to measurement uncertainties.
- (12) Article 4(1)(b) of Directive 80/777/EEC (as amended) provides for the separation of iron, manganese, sulphur and arsenic from certain natural mineral waters, using ozone-enriched air treatment, subject to an assessment of this treatment by the Scientific Committee for Food and adoption of the conditions for use of this treatment by the Standing Committee on the Food Chain and Animal Health.
- (13) The Scientific Committee for Food issued an opinion<sup>(1)</sup>, on this treatment which provides for both given methods and results. However, it is deemed appropriate to stipulate only given results, in order to take account of developments in ozone-enriched air treatment techniques and treatment variability depending on the physico-chemical composition of the water to be treated.
- (14) Moreover, treatment with ozone-enriched air should not modify the composition in terms of characteristic constituents within the meaning of Article 7(2)(a) of Directive 80/777/EEC, or have a disinfectant action within the meaning of Article 4(3) or generate the formation of treatment residues which may have a harmful effect on public health.
- (15) Pursuant to Article 7(2)(c) of the above Directive, natural mineral waters treated with ozone-enriched air must bear a reference on the label giving customers sufficient information about the treatment carried out.
- (16) In accordance with the provisions of Article 9(4)(a) fourth indent of Directive 80/777/EEC, the provisions concerning the treatments provided for in Article 4 of the Directive, and in particular treatment with ozone-enriched air, are applicable to spring waters.
- (17) The measures laid down in this Directive are in accordance with the opinion of the Scientific Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS DIRECTIVE:

#### Article 1

This Directive establishes the list of constituents of natural mineral waters which may present a risk to public health, the limits for admissible levels of these constituents, the deadlines for application of these limits and the labelling requirements for certain constituents. These constituents must be present in the water naturally and may not result from contamination at source.

<sup>(1)</sup> Opinion of the Scientific Committee for Food of 7 June 1996 on the use of ozone for separating unstable elements such as iron, manganese and arsenic from natural mineral waters.

It also defines the conditions for using ozone-enriched air for separating compounds of iron, manganese, sulphur and arsenic from natural mineral waters or spring waters, and the labelling requirements for waters which have undergone such treatment.

#### Article 2

1. By 1 January 2006 at the latest, natural mineral waters shall, at the time of packaging, comply with the maximum concentration limits set out in Annex I for the constituents listed in that Annex.

2. However, in the case of fluorides and nickel, the deadline referred to above is extended until 1 January 2008.

3. By way of derogation from paragraph 1, during the procedure for official recognition of natural mineral waters collected within their territory, the competent authorities of the Member States may take a lower reference value for nitrates and nitrites, provided that the same reference value is applied to all applications made to them.

#### Article 3

For the purposes of official controls, the Member States shall comply with the specifications listed in Annex II for analysing the constituents listed in Annex I.

#### Article 4

1. Natural mineral waters with a fluoride concentration exceeding 1,5 mg/l shall bear on the label the words 'contains more than 1,5 mg/l of fluoride: not suitable for regular consumption by infants and children under 7 years of age'.

2. The label information laid down in paragraph 1 of this Article shall be placed in immediate proximity to the trade name and in clearly visible characters.

3. Natural mineral waters which, under the terms of paragraph 1 of this Article, bear label information, shall indicate the actual fluoride content in relation to the physico-chemical composition in terms of essential constituents, as laid down in Article 7(2)(a) of Directive 80/777/EEC.

#### Article 5

1. Without prejudice to the provisions of Article 4(1)(b) of Directive 80/777/EEC, application of the treatment of natural mineral waters with ozone-enriched air must be notified in advance to the competent authorities, who shall ensure that:

- (a) use of such treatment is justified by the composition of the water in terms of compounds of iron, manganese, sulphur and arsenic;

(b) the operator takes all measures necessary to guarantee that the treatment is effective and safe and to allow it to be checked by the competent authorities.

2. Ozone-enriched air treatment of natural mineral waters must comply with all the following conditions:

- (a) the physico-chemical composition of the natural mineral waters in terms of essential constituents shall not be modified by the treatment;
- (b) the natural mineral water before treatment must comply with the microbiological criteria laid down in Article 5(1) and (2) of Directive 80/777/EEC;
- (c) the treatment shall not lead to the formation of residues with a concentration exceeding the maximum limits laid down in Annex III or residues which could pose a risk to public health.

#### Article 6

Pursuant to Article 7(2)(c) of Directive 80/777/EEC, the labelling of natural mineral waters which have been treated with ozone-enriched air shall bear, in proximity to the analytical composition of characteristic constituents, the words 'water subjected to an authorised ozone-enriched air oxidation technique'.

#### Article 7

Without prejudice to the provisions of Article 9(4)(b) of Directive 80/777/EEC, the provisions of Articles 5 and 6 of this Directive shall apply to spring waters.

#### Article 8

1. The Member States shall take the necessary measures to permit the marketing of products complying with the present Directive by 1 January 2004 at the latest.

2. Without prejudice to the deadlines set out in Article 2(1) and (2), the Member States shall prohibit the marketing of products not complying with the present Directive from 1 July 2004. However, products packaged and labelled prior to 1 July 2004 may be sold until stocks are exhausted.

#### Article 9

The Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by 31 December 2003 at the latest. They shall forthwith inform the Commission thereof.

The provisions adopted pursuant to this paragraph shall contain a reference to this Directive or shall be accompanied by such reference at the time of their official publication. Member States shall determine how such reference is to be made.

#### Article 10

This Directive shall enter into force on the 20th day following that of its publication in the *Official Journal of the European Union*.

#### Article 11

This Directive is addressed to the Member States.

Done at Brussels, 16 May 2003.

*For the Commission*

David BYRNE

*Member of the Commission*

## ANNEX I

**Constituents naturally present in natural mineral waters and maximum limits which, if exceeded, may pose a risk to public health**

| Constituents | Maximum limits<br>(mg/l) |
|--------------|--------------------------|
| Antimony     | 0,0050                   |
| Arsenic      | 0,010 (as total)         |
| Barium       | 1,0                      |
| Boron        | For the record (*)       |
| Cadmium      | 0,003                    |
| Chromium     | 0,050                    |
| Copper       | 1,0                      |
| Cyanide      | 0,070                    |
| Fluorides    | 5,0                      |
| Lead         | 0,010                    |
| Manganese    | 0,50                     |
| Mercury      | 0,0010                   |
| Nickel       | 0,020                    |
| Nitrates     | 50                       |
| Nitrites     | 0,1                      |
| Selenium     | 0,010                    |

(\*) The maximum limit for boron will be fixed, where necessary, following an opinion of the European Food Safety Authority and on a proposal from the Commission by 1 January 2006.

## ANNEX II

**Performance characteristics (\*) for analysing the constituents in Annex I**

| Constituents | Accuracy of parametric value in %<br>(Note 1) | Precision of parametric value<br>(Note 2) | Detection limit in % of parametric value<br>(Note 3) | Notes       |
|--------------|---|---|--|-------------|
| Antimony     | 25  | 25  | 25   |             |
| Arsenic      | 10  | 10  | 10   |             |
| Barium       | 25  | 25  | 25   |             |
| Boron        |   |   |  | See Annex I |
| Cadmium      | 10  | 10  | 10   |             |
| Chromium     | 10  | 10  | 10   |             |
| Copper       | 10  | 10  | 10   |             |
| Cyanides     | 10  | 10  | 10   | Note 4      |
| Fluorides    | 10  | 10  | 10   |             |
| Lead         | 10  | 10  | 10   |             |
| Manganese    | 10  | 10  | 10   |             |
| Mercury      | 20  | 10  | 20   |             |
| Nickel       | 10  | 10  | 10   |             |
| Nitrates     | 10  | 10  | 10   |             |
| Nitrites     | 10  | 10  | 10   |             |
| Selenium     | 10  | 10  | 10   |             |

(\*) Analytical methods for measuring concentrations of the constituents listed in Annex I must be able to measure, as a minimum, concentrations equal to the parametric value with a specified accuracy, precision and detection limit. Whatever the sensitivity of the method of analysis used, the result will be expressed using at least the same number of decimal places as for the maximum limit laid down in Annex I.

Note 1: accuracy is the systematic error and is the difference between the average value of a large number of repeated measurements and the exact value.

Note 2: precision is the random error and is expressed in general as the standard deviation (within a batch and between batches) of a sample of results from the average. Acceptable precision is equal to twice the relative standard deviation.

Note 3: the detection limit is:

- either three times the relative standard deviation within a batch of a natural sample containing a low concentration of the parameter,
- or five times the relative standard deviation within a batch of a virgin sample.

Note 4: the method should make it possible to determine total cyanide in all its forms.

## ANNEX III

**Maximum limits for residues from treatment of natural mineral waters and spring waters by ozone-enriched air**

| Treatment residue | Maximum limit (*)<br>(µg/l) |
|-------------------|-----------------------------|
| Dissolved ozone   | 50                          |
| Bromates          | 3                           |
| Bromoforms        | 1                           |

(\*) Compliance with the maximum limits is monitored by the competent authorities in the Member States at the time of bottling or other form of packaging intended for the final consumer.

## COMMISSION DIRECTIVE 2003/40/EC

of 16 May 2003

**establishing the list, concentration limits and labelling requirements for the constituents of natural mineral waters and the conditions for using ozone-enriched air for the treatment of natural mineral waters and spring waters**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 80/777/EEC <sup>(1)</sup>, of 15 July 1980 on the approximation of the laws of the Member States relating to the exploitation and marketing of natural mineral waters, as last amended by Directive 96/70/EC of the European Parliament and of the Council <sup>(2)</sup>, and in particular Article 11(1) thereof,

Whereas:

- (1) Constituents may be present in the natural state in certain natural mineral waters because of their hydrogeological origin and may present a risk to public health above a certain concentration. It is therefore deemed necessary to establish concentration limits for these constituents in natural mineral waters.
- (2) Article 11 of Directive 80/777/EEC makes provision for adopting harmonised concentration limits for the constituents of natural mineral waters after consulting the Scientific Committee for Food, and for labelling requirements to indicate, where applicable, the presence of certain constituents at high concentrations.
- (3) The Scientific Committee for Food issued an opinion <sup>(3)</sup>, on arsenic, barium, fluoride, boron and manganese and, for other constituents of natural mineral waters, validated the limits recommended by the WHO for drinking water.
- (4) The revised Codex standard for 'natural mineral waters' <sup>(4)</sup>, gives, for health purposes, a list of constituents and maximum limits for these constituents. It was adopted on the basis of the most recent international scientific data and affords sufficient public health protection.
- (5) It is generally acknowledged that a low-level fluoride intake can have a beneficial effect on teeth. By contrast, excessive fluoride intake across the board can have harmful effects on public health. Thus, it is necessary to lay down a harmonised maximum limit for fluoride in natural mineral waters affording sufficient protection for the population as a whole.
- (6) The World Health Organisation recommended a guide value of 1,5 mg/l for fluoride for drinking water, which was validated for natural mineral waters by the Scientific Committee for Food in the abovementioned opinion. In order to protect infants and young children, who are the

most sensitive to the risk of fluorosis, where the fluoride content of a natural mineral water exceeds this guide value, a reference to this fact, which can be seen easily by the consumer, also needs to be made on the label.

- (7) The Scientific Committee for Food indicated a guide value for boron in natural mineral waters based on the WHO <sup>(5)</sup>, recommendations of 1996. However, the WHO and other internationally recognised scientific organisations have since then made new appraisals of boron's effect on public health and have recommended higher values. The European Food Safety Authority should therefore be consulted about boron in natural mineral waters so that the new scientific appraisals available can be taken into account and a maximum limit for boron should not be set at this stage.
- (8) The Scientific Committee for Food also indicated in the above opinion the acceptable level for barium, manganese and arsenic in natural mineral waters. For the other undesirable constituents of natural mineral waters which may have a harmful effect on public health, the revised Codex standard lays down maximum limits that afford sufficient protection for public health. However, the limit for nitrates is deemed to be too low in the light of the available data and should be brought into line with that for drinking water <sup>(6)</sup>.
- (9) The maximum limit for nitrates laid down in the Codex standard affords sufficient protection for public health and should serve as a reference for Community and international trade in natural mineral waters. However, during the procedure for official recognition of natural mineral water sources referred to in Article 1 of the aforementioned Directive, the Member States' competent authorities must be able to take a lower guide value for nitrates in natural mineral waters collected within their territory.
- (10) Natural mineral waters whose content in certain constituents exceeds the maximum limits for these constituents shall, for public health purposes, be subjected to the separation treatments for these constituents. In order to enable the operators concerned to make the necessary investment to comply with these new standards, sufficient periods should be allowed before the maximum concentration limits for such constituents come into force, in particular with regard to fluoride and nickel for which no separation treatment has yet been assessed or authorised at Community level.

<sup>(1)</sup> OJ L 229, 30.8.1980, p. 1.

<sup>(2)</sup> OJ L 299, 23.11.1996, p. 26.

<sup>(3)</sup> Opinion of 13 December 1996 on arsenic, barium, fluoride, boron and manganese in natural mineral waters.

<sup>(4)</sup> Codex standard 108-1981, Rev 1-1997, revised during the 7th session of the CCNMW (October 2000).

<sup>(5)</sup> WHO (1996): guidelines on the quality of drinking water, second edition, volume 2.

<sup>(6)</sup> Council Directive 98/83/EC (OJ L 330 of 5.12.1998, p. 32).



- (11) For the purposes of official checks on these constituents, a fluctuation margin around the maximum concentration limits is required corresponding to measurement uncertainties.
- (12) Article 4(1)(b) of Directive 80/777/EEC (as amended) provides for the separation of iron, manganese, sulphur and arsenic from certain natural mineral waters, using ozone-enriched air treatment, subject to an assessment of this treatment by the Scientific Committee for Food and adoption of the conditions for use of this treatment by the Standing Committee on the Food Chain and Animal Health.
- (13) The Scientific Committee for Food issued an opinion<sup>(1)</sup>, on this treatment which provides for both given methods and results. However, it is deemed appropriate to stipulate only given results, in order to take account of developments in ozone-enriched air treatment techniques and treatment variability depending on the physico-chemical composition of the water to be treated.
- (14) Moreover, treatment with ozone-enriched air should not modify the composition in terms of characteristic constituents within the meaning of Article 7(2)(a) of Directive 80/777/EEC, or have a disinfectant action within the meaning of Article 4(3) or generate the formation of treatment residues which may have a harmful effect on public health.
- (15) Pursuant to Article 7(2)(c) of the above Directive, natural mineral waters treated with ozone-enriched air must bear a reference on the label giving customers sufficient information about the treatment carried out.
- (16) In accordance with the provisions of Article 9(4)(a) fourth indent of Directive 80/777/EEC, the provisions concerning the treatments provided for in Article 4 of the Directive, and in particular treatment with ozone-enriched air, are applicable to spring waters.
- (17) The measures laid down in this Directive are in accordance with the opinion of the Scientific Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS DIRECTIVE:

#### Article 1

This Directive establishes the list of constituents of natural mineral waters which may present a risk to public health, the limits for admissible levels of these constituents, the deadlines for application of these limits and the labelling requirements for certain constituents. These constituents must be present in the water naturally and may not result from contamination at source.

<sup>(1)</sup> Opinion of the Scientific Committee for Food of 7 June 1996 on the use of ozone for separating unstable elements such as iron, manganese and arsenic from natural mineral waters.

It also defines the conditions for using ozone-enriched air for separating compounds of iron, manganese, sulphur and arsenic from natural mineral waters or spring waters, and the labelling requirements for waters which have undergone such treatment.

#### Article 2

1. By 1 January 2006 at the latest, natural mineral waters shall, at the time of packaging, comply with the maximum concentration limits set out in Annex I for the constituents listed in that Annex.

2. However, in the case of fluorides and nickel, the deadline referred to above is extended until 1 January 2008.

3. By way of derogation from paragraph 1, during the procedure for official recognition of natural mineral waters collected within their territory, the competent authorities of the Member States may take a lower reference value for nitrates and nitrites, provided that the same reference value is applied to all applications made to them.

#### Article 3

For the purposes of official controls, the Member States shall comply with the specifications listed in Annex II for analysing the constituents listed in Annex I.

#### Article 4

1. Natural mineral waters with a fluoride concentration exceeding 1,5 mg/l shall bear on the label the words 'contains more than 1,5 mg/l of fluoride: not suitable for regular consumption by infants and children under 7 years of age'.

2. The label information laid down in paragraph 1 of this Article shall be placed in immediate proximity to the trade name and in clearly visible characters.

3. Natural mineral waters which, under the terms of paragraph 1 of this Article, bear label information, shall indicate the actual fluoride content in relation to the physico-chemical composition in terms of essential constituents, as laid down in Article 7(2)(a) of Directive 80/777/EEC.

#### Article 5

1. Without prejudice to the provisions of Article 4(1)(b) of Directive 80/777/EEC, application of the treatment of natural mineral waters with ozone-enriched air must be notified in advance to the competent authorities, who shall ensure that:

- (a) use of such treatment is justified by the composition of the water in terms of compounds of iron, manganese, sulphur and arsenic;

(b) the operator takes all measures necessary to guarantee that the treatment is effective and safe and to allow it to be checked by the competent authorities.

2. Ozone-enriched air treatment of natural mineral waters must comply with all the following conditions:

- (a) the physico-chemical composition of the natural mineral waters in terms of essential constituents shall not be modified by the treatment;
- (b) the natural mineral water before treatment must comply with the microbiological criteria laid down in Article 5(1) and (2) of Directive 80/777/EEC;
- (c) the treatment shall not lead to the formation of residues with a concentration exceeding the maximum limits laid down in Annex III or residues which could pose a risk to public health.

#### Article 6

Pursuant to Article 7(2)(c) of Directive 80/777/EEC, the labelling of natural mineral waters which have been treated with ozone-enriched air shall bear, in proximity to the analytical composition of characteristic constituents, the words 'water subjected to an authorised ozone-enriched air oxidation technique'.

#### Article 7

Without prejudice to the provisions of Article 9(4)(b) of Directive 80/777/EEC, the provisions of Articles 5 and 6 of this Directive shall apply to spring waters.

#### Article 8

1. The Member States shall take the necessary measures to permit the marketing of products complying with the present Directive by 1 January 2004 at the latest.

2. Without prejudice to the deadlines set out in Article 2(1) and (2), the Member States shall prohibit the marketing of products not complying with the present Directive from 1 July 2004. However, products packaged and labelled prior to 1 July 2004 may be sold until stocks are exhausted.

#### Article 9

The Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by 31 December 2003 at the latest. They shall forthwith inform the Commission thereof.

The provisions adopted pursuant to this paragraph shall contain a reference to this Directive or shall be accompanied by such reference at the time of their official publication. Member States shall determine how such reference is to be made.

#### Article 10

This Directive shall enter into force on the 20th day following that of its publication in the *Official Journal of the European Union*.

#### Article 11

This Directive is addressed to the Member States.

Done at Brussels, 16 May 2003.

*For the Commission*

David BYRNE

*Member of the Commission*

## ANNEX I

**Constituents naturally present in natural mineral waters and maximum limits which, if exceeded, may pose a risk to public health**

| Constituents | Maximum limits<br>(mg/l) |
|--------------|--------------------------|
| Antimony     | 0,0050                   |
| Arsenic      | 0,010 (as total)         |
| Barium       | 1,0                      |
| Boron        | For the record (*)       |
| Cadmium      | 0,003                    |
| Chromium     | 0,050                    |
| Copper       | 1,0                      |
| Cyanide      | 0,070                    |
| Fluorides    | 5,0                      |
| Lead         | 0,010                    |
| Manganese    | 0,50                     |
| Mercury      | 0,0010                   |
| Nickel       | 0,020                    |
| Nitrates     | 50                       |
| Nitrites     | 0,1                      |
| Selenium     | 0,010                    |

(\*) The maximum limit for boron will be fixed, where necessary, following an opinion of the European Food Safety Authority and on a proposal from the Commission by 1 January 2006.

## ANNEX II

**Performance characteristics (\*) for analysing the constituents in Annex I**

| Constituents | Accuracy of parametric value in %<br>(Note 1) | Precision of parametric value<br>(Note 2) | Detection limit in % of parametric value<br>(Note 3) | Notes       |
|--------------|---|---|--|-------------|
| Antimony     | 25  | 25  | 25   |             |
| Arsenic      | 10  | 10  | 10   |             |
| Barium       | 25  | 25  | 25   |             |
| Boron        |   |   |  | See Annex I |
| Cadmium      | 10  | 10  | 10   |             |
| Chromium     | 10  | 10  | 10   |             |
| Copper       | 10  | 10  | 10   |             |
| Cyanides     | 10  | 10  | 10   | Note 4      |
| Fluorides    | 10  | 10  | 10   |             |
| Lead         | 10  | 10  | 10   |             |
| Manganese    | 10  | 10  | 10   |             |
| Mercury      | 20  | 10  | 20   |             |
| Nickel       | 10  | 10  | 10   |             |
| Nitrates     | 10  | 10  | 10   |             |
| Nitrites     | 10  | 10  | 10   |             |
| Selenium     | 10  | 10  | 10   |             |

(\*) Analytical methods for measuring concentrations of the constituents listed in Annex I must be able to measure, as a minimum, concentrations equal to the parametric value with a specified accuracy, precision and detection limit. Whatever the sensitivity of the method of analysis used, the result will be expressed using at least the same number of decimal places as for the maximum limit laid down in Annex I.

Note 1: accuracy is the systematic error and is the difference between the average value of a large number of repeated measurements and the exact value.

Note 2: precision is the random error and is expressed in general as the standard deviation (within a batch and between batches) of a sample of results from the average. Acceptable precision is equal to twice the relative standard deviation.

Note 3: the detection limit is:

- either three times the relative standard deviation within a batch of a natural sample containing a low concentration of the parameter,
- or five times the relative standard deviation within a batch of a virgin sample.

Note 4: the method should make it possible to determine total cyanide in all its forms.

## ANNEX III

**Maximum limits for residues from treatment of natural mineral waters and spring waters by ozone-enriched air**

| Treatment residue | Maximum limit (*)<br>(µg/l) |
|-------------------|-----------------------------|
| Dissolved ozone   | 50                          |
| Bromates          | 3                           |
| Bromoforms        | 1                           |

(\*) Compliance with the maximum limits is monitored by the competent authorities in the Member States at the time of bottling or other form of packaging intended for the final consumer.

## I

(Acts whose publication is obligatory)

**REGULATION (EC) No 1882/2003 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL  
of 29 September 2003**

**adapting to Council Decision 1999/468/EC the provisions relating to committees which assist the  
Commission in the exercise of its implementing powers laid down in instruments subject to the  
procedure referred to in Article 251 of the EC Treaty**

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE  
EUROPEAN UNION,

Having regard to the Treaty establishing the European  
Community, and in particular Articles 40, 47, 55, 71, 80,  
95, 137, 150, 152, 153, 155, 156, 175(1), 179, 285 and  
300(3) thereof,

Having regard to the proposal from the Commission <sup>(1)</sup>,

Having regard to the opinion of the European Economic and  
Social Committee <sup>(2)</sup>,

After consulting the Committee of the Regions,

Acting in accordance with the procedure laid down in Article  
251 of the Treaty <sup>(3)</sup>,

Whereas:

(1) Council Decision 1999/468/EC of 28 June 1999 laying  
down the procedures for the exercise of implementing  
powers conferred on the Commission <sup>(4)</sup> replaced Decision  
87/373/EEC <sup>(5)</sup>.

(2) In accordance with the statement of the Council and of the  
Commission <sup>(6)</sup> on Decision 1999/468/EC, the provisions  
relating to committees which assist the Commission in  
the exercise of its implementing powers, provided for in  
application of Decision 87/373/EEC, should be adapted in  
order to bring them into line with the provisions of Articles  
3, 4 and 5 of Decision 1999/468/EC.

(3) The aforesaid statement indicates the methods for adapting  
the committee procedures, a process which is automatic  
provided that this does not affect the nature of the  
committee provided for in the basic act.

(4) The time limits set in the provisions to be adapted should  
remain in force. Wherever there is no specific time limit  
laid down for adopting the implementing measures, the  
time limit should be set at three months.

(5) The provisions of the instruments providing for recourse to  
the type I committee procedure established by Decision  
87/373/EEC should therefore be replaced by provisions  
referring to the advisory procedure laid down in Article 3  
of Decision 1999/468/EC.

(6) The provisions of the instruments providing for recourse to  
type IIa and IIb committee procedures established by  
Decision 87/373/EEC should be replaced by provisions  
referring to the management procedure provided for in  
Article 4 of Decision 1999/468/EC.

(7) The provisions of the instruments providing for recourse to  
type IIIa and IIIb committee procedures established by  
Decision 87/373/EEC should be replaced by provisions  
referring to the regulatory procedure provided for in  
Article 5 of Decision 1999/468/EC.

(8) This Regulation concerns solely the alignment of committee  
procedures. The names of the committees connected with  
such procedures have, where appropriate, been amended,

HAVE ADOPTED THIS REGULATION:

*Article 1*

The instruments listed in Annex I and subject to the advisory  
procedure shall be adapted, in accordance with that Annex, to  
the corresponding provisions of Decision 1999/468/EC.

<sup>(1)</sup> OJ C 75 E, 26.3.2002, p. 385.

<sup>(2)</sup> OJ C 241, 7.10.2002, p. 128.

<sup>(3)</sup> Opinion of the European Parliament of 2 September 2003 and Council  
Decision of 14 April 2003 (OJ C 153 E, 1.7.2003, p. 1).

<sup>(4)</sup> OJ L 184, 17.7.1999, p. 23.

<sup>(5)</sup> OJ L 197, 18.7.1987, p. 33.

<sup>(6)</sup> OJ C 203, 17.7.1999, p. 1.

*Article 2*

The instruments listed in Annex II and subject to the management procedure shall be adapted, in accordance with that Annex, to the corresponding provisions of Decision 1999/468/EC.

*Article 3*

The instruments listed in Annex III and subject to the regulatory procedure shall be adapted, in accordance with that Annex, to the corresponding provisions of Decision 1999/468/EC.

*Article 4*

References to provisions of the instruments in Annexes I, II and III are understood to be references to those provisions as adapted by this Regulation.

References in this Regulation to the former names of committees are understood to be references to the new names.

*Article 5*

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

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

Done at Brussels, 29 September 2003.

*For the European Parliament*

*The President*

P. COX

*For the Council*

*The President*

G. ALEMANNO

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## ANNEX I

## ADVISORY PROCEDURE

List of instruments subject to the advisory procedure and adapted to the corresponding provisions of Decision 1999/468/EC in accordance with the amendments below:

- 1) Council Directive 89/686/EEC of 21 December 1989 on the approximation of the laws of the Member States relating to personal protective equipment <sup>(1)</sup>.

Article 6(2) is replaced by the following:

‘2. The Commission shall be assisted by the Standing Committee, set up by Article 6(2) of Directive 98/37/EC (\*), hereinafter referred to as “the Committee”.

It may be appraised, in accordance with the procedure referred to in this paragraph, of any matter to which the implementation and practical application of this Directive give rise.

Where reference is made to this paragraph, Articles 3 and 7 of Decision 1999/468/EC (\*\*) shall apply, having regard to the provisions of Article 8 thereof.

The Committee shall adopt its rules of procedure.

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(\*) OJ L 207, 23.7.1998, p. 1. Directive as amended by Directive 98/79/EC (OJ L 331, 7.12.1998, p. 1).

(\*\*) Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission (OJ L 184, 17.7.1999, p. 23).’

- 2) Council Directive 90/385/EEC of 20 June 1990 on the approximation of the laws of the Member States relating to active implantable medical devices <sup>(2)</sup>.

Article 6(2) is replaced by the following:

‘2. The Commission shall be assisted by a standing committee (hereinafter referred to as “the Committee”).

The Committee may be appraised, in accordance with the procedure referred to in this paragraph, of any matter to which the implementation and practical application of this Directive give rise.

Where reference is made to this paragraph, Articles 3 and 7 of Decision 1999/468/EC (\*) shall apply, having regard to the provisions of Article 8 thereof.

The Committee shall adopt its rules of procedure.

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(\*) Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission (OJ L 184, 17.7.1999, p. 23).’

- 3) Council Directive 90/377/EEC of 29 June 1990 concerning a Community procedure to improve the transparency of gas and electricity prices charged to industrial end-users <sup>(3)</sup>.

Article 7 is replaced by the following:

‘Article 7

1. For the adoption of the amendments referred to in Article 6, the Commission shall be assisted by a committee.

2. Where reference is made to this Article, Articles 3 and 7 of Decision 1999/468/EC (\*) shall apply, having regard to the provisions of Article 8 thereof.

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<sup>(1)</sup> OJ L 399, 30.12.1989, p. 18. Directive as last amended by European Parliament and Council Directive 96/58/EC (OJ L 236, 18.9.1996, p. 44).

<sup>(2)</sup> OJ L 189, 20.7.1990, p. 17. Directive as last amended by Directive 93/68/EEC (OJ L 220, 30.8.1993, p. 1).

<sup>(3)</sup> OJ L 185, 17.7.1990, p. 16. Directive as last amended by the 1994 Act of Accession.



3. The Committee shall adopt its rules of procedure.

(\*) Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission (OJ L 184, 17.7.1999, p. 23).'

- 4) Council Regulation (EEC) No 3880/91 of 17 December 1991 on the submission of nominal catch statistics by Member States fishing in the north-east Atlantic <sup>(1)</sup>.

Article 5 is replaced by the following:

*'Article 5*

1. The Commission shall be assisted by the Standing Committee on Agricultural Statistics, hereinafter referred to as "the Committee".

2. Where reference is made to this Article, Articles 3 and 7 of Decision 1999/468/EC (\*) shall apply, having regard to the provisions of Article 8 thereof.

3. The Committee shall adopt its rules of procedure.

(\*) Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission (OJ L 184, 17.7.1999, p. 23).'

- 5) Council Regulation (EEC) No 2408/92 of 23 July 1992 on access for Community air carriers to intra-Community air routes <sup>(2)</sup>.

Article 11 is replaced by the following:

*'Article 11*

1. The Commission shall be assisted by a committee.

2. The Committee shall advise the Commission on the application of Articles 9 and 10.

3. The Committee may furthermore be consulted by the Commission on any other matter concerning the application of this Regulation.

4. Where reference is made to this Article, Articles 3 and 7 of Decision 1999/468/EC (\*) shall apply, having regard to the provisions of Article 8 thereof.

5. The Committee shall adopt its rules of procedure.

(\*) Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission (OJ L 184, 17.7.1999, p. 23).'

- 6) Council Directive 93/42/EEC of 14 June 1993 on medical devices <sup>(3)</sup>.

Article 6 is replaced by the following:

*'Article 6*

#### **Committee on Standards and Technical Regulations**

1. The Commission shall be assisted by the Committee set up by Article 5 of Directive 83/189/EEC, hereinafter referred to as "the Committee".

2. Where reference is made to this Article, Articles 3 and 7 of Decision 1999/468/EC (\*) shall apply, having regard to the provisions of Article 8 thereof.

<sup>(1)</sup> OJ L 365, 31.12.1991, p. 1. Directive as amended by Commission Regulation (EC) No 1637/2001 (OJ L 222, 17.8.2001, p. 20).

<sup>(2)</sup> OJ L 240, 24.8.1992, p. 8. Regulation as last amended by the 1994 Act of Accession.

<sup>(3)</sup> OJ L 169, 12.7.1993, p. 1. Directive as last amended by European Parliament and Council Directive 2001/104/EC (OJ L 6, 10.1.2002, p. 50).

3. The Committee shall adopt its rules of procedure.

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(\*) Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission (OJ L 184, 17.7.1999, p. 23).'

7) Council Decision 93/704/EC of 30 November 1993 on the creation of a Community database on road accidents <sup>(1)</sup>.

Article 5 is replaced by the following:

*'Article 5*

1. The Commission shall be assisted by the Statistical Programme Committee, set up by Council Decision 89/382/EEC, Euratom, hereinafter referred to as "the Committee".

2. Where reference is made to this Article, Articles 3 and 7 of Decision 1999/468/EC (\*) shall apply, having regard to the provisions of Article 8 thereof.

3. The Committee shall adopt its rules of procedure.

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(\*) Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission (OJ L 184, 17.7.1999, p. 23).'

8) Directive 94/9/EC of the European Parliament and of the Council of 23 March 1994 on the approximation of the laws of the Member States concerning equipment and protective systems intended for use in potentially explosive atmospheres <sup>(2)</sup>.

Article 6(3) is replaced by the following:

*'3. The Commission shall be assisted by a standing committee (hereinafter referred to as "the Committee").*

Where reference is made to this paragraph, Articles 3 and 7 of Decision 1999/468/EC (\*) shall apply, having regard to the provisions of Article 8 thereof.

The Committee shall adopt its rules of procedure.

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(\*) Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission (OJ L 184, 17.7.1999, p. 23).'

9) Directive 94/25/EC of the European Parliament and of the Council of 16 June 1994 on the approximation of the laws, regulations and administrative provisions of the Member States relating to recreational craft <sup>(3)</sup>.

Article 6(3) is replaced by the following:

*'3. The Commission shall be assisted by a standing committee (hereinafter referred to as "the Committee").*

Where reference is made to this paragraph, Articles 3 and 7 of Decision 1999/468/EC (\*) shall apply, having regard to the provisions of Article 8 thereof.

The Committee shall adopt its rules of procedure.

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(\*) Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission (OJ L 184, 17.7.1999, p. 23).'

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<sup>(1)</sup> OJ L 329, 30.12.1993, p. 63.

<sup>(2)</sup> OJ L 100, 19.4.1994, p. 1.

<sup>(3)</sup> OJ L 164, 30.6.1994, p. 15.

- 10) Directive 95/16/EC of the European Parliament and of the Council of 29 June 1995 on the approximation of the laws of the Member States relating to lifts <sup>(1)</sup>.

Article 6(3) is replaced by the following:

‘3. The Commission shall be assisted by a standing committee (hereinafter referred to as “the Committee”).

Where reference is made to this paragraph, Articles 3 and 7 of Decision 1999/468/EC (\*) shall apply, having regard to the provisions of Article 8 thereof.

The Committee shall adopt its rules of procedure.

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(\*) Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission (OJ L 184, 17.7.1999, p. 23).’

- 11) Council Directive 96/67/EC of 15 October 1996 on access to the groundhandling market at Community airports <sup>(2)</sup>.

Article 10 is replaced by the following:

‘Article 10

**Advisory Committee**

1. The Commission shall be assisted by a committee.
2. The Committee shall advise the Commission on the application of Article 9.
3. The Committee may furthermore be consulted on any other matter concerning the application of this Directive.
4. Where reference is made to this Article, Articles 3 and 7 of Decision 1999/468/EC (\*) shall apply, having regard to the provisions of Article 8 thereof.
5. The Committee shall adopt its rules of procedure.

---

(\*) Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission (OJ L 184, 17.7.1999, p. 23).’

- 12) Council Directive 96/75/EC of 19 November 1996 on the systems of chartering and pricing in national and international inland waterway transport in the Community <sup>(3)</sup>.

Article 8 is replaced by the following:

‘Article 8

1. The Commission shall be assisted by the Committee established by Directive 91/672/EEC (hereinafter referred to as “the Committee”).
2. Where reference is made to this Article, Articles 3 and 7 of Decision 1999/468/EC (\*) shall apply, having regard to the provisions of Article 8 thereof.
3. The Committee shall adopt its rules of procedure.

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(\*) Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission (OJ L 184, 17.7.1999, p. 23).’

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<sup>(1)</sup> OJ L 213, 7.9.1995, p. 1.

<sup>(2)</sup> OJ L 272, 25.10.1996, p. 36.

<sup>(3)</sup> OJ L 304, 27.11.1996, p. 12.

- 13) Directive 97/23/EC of the European Parliament and of the Council of 29 May 1997 on the approximation of the laws of the Member States concerning pressure equipment <sup>(1)</sup>.

Article 7(2) and (3) are replaced by the following:

‘2. The Commission shall be assisted by a standing committee (hereinafter referred to as “the Committee”).

The Committee shall draw up its rules of procedure.

3. Where reference is made to this Article, Articles 3 and 7 of Decision 1999/468/EC (\*) shall apply, having regard to the provisions of Article 8 thereof.

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(\*) Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission (OJ L 184, 17.7.1999, p. 23).’

- 14) Directive 98/79/EC of the European Parliament and of the Council of 27 October 1998 on in vitro diagnostic medical devices <sup>(2)</sup>.

Article 6 is replaced by the following:

‘Article 6

**Committee on Standards and Technical Regulations**

1. The Commission shall be assisted by the Committee set up by Article 5 of Directive 98/34/EC (hereinafter referred to as “the Committee”).

2. Where reference is made to this Article, Articles 3 and 7 of Decision 1999/468/EC (\*) shall apply, having regard to the provisions of Article 8 thereof.

3. The Committee shall adopt its rules of procedure.

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(\*) Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission (OJ L 184, 17.7.1999, p. 23).’

- 15) Decision No 283/1999/EC of the European Parliament and of the Council of 25 January 1999 establishing a general framework for Community activities in favour of consumers <sup>(3)</sup>.

Article 9 is replaced by the following:

‘Article 9

1. In defining the criteria for the selection of activities and projects referred to in Article 2(b) and (c) and in selecting these activities and projects, the Commission shall be assisted by a committee.

2. Articles 3 and 7 of Decision 1999/468/EC (\*) shall apply, having regard to the provisions of Article 8 thereof.

3. In addition, at the beginning of each year, the Commission shall provide the Committee with information about the activities financed under Article 2(a).

4. The Committee shall adopt its rules of procedure.

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(\*) Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission (OJ L 184, 17.7.1999, p. 23).’

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<sup>(1)</sup> OJ L 181, 9.7.1997, p. 1.

<sup>(2)</sup> OJ L 331, 7.12.1998, p. 1.

<sup>(3)</sup> OJ L 34, 9.2.1999, p. 1. Decision as last amended by Commission Decision 2002/219/EC (OJ L 72, 14.3.2002, p. 27).

- 16) Directive 1999/5/EC of the European Parliament and of the Council of 9 March 1999 on radio equipment and telecommunications terminal equipment and the mutual recognition of their conformity <sup>(1)</sup>.

Articles 13 and 14 are replaced by the following:

*'Article 13*

**Constitution of the Committee**

1. The Commission shall be assisted by the Telecommunication Conformity Assessment and Market Surveillance Committee (TCAM), hereinafter referred to as "the Committee".
2. The Committee shall adopt its rules of procedure.

*Article 14*

**Advisory committee procedure**

1. The Committee shall be consulted on the matters covered by Articles 5, 6(2), 7(4), 9(4) and Annex VII(5).
2. The Commission shall consult the Committee periodically on the surveillance tasks relating to the application of this Directive, and, where appropriate, issue guidelines on this matter.
3. Articles 3 and 7 of Decision 1999/468/EC (\*) shall apply, having regard to the provisions of Article 8 thereof.
4. The Commission shall periodically consult the representatives of the telecommunications networks providers, the consumers and the manufacturers. It shall keep the Committee regularly informed of the outcome of such consultations.

(\*) Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission (OJ L 184, 17.7.1999, p. 23).'

- 17) Council Directive 1999/13/EC of 11 March 1999 on the limitation of emissions of volatile organic compounds due to the use of organic solvents in certain activities and installations <sup>(2)</sup>.

Article 13 is replaced by the following:

*'Article 13*

1. The Commission shall be assisted by a committee.
2. Where reference is made to this Article, Articles 3 and 7 of Decision 1999/468/EC (\*) shall apply, having regard to the provisions of Article 8 thereof.
3. The Committee shall adopt its rules of procedure.

(\*) Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission (OJ L 184, 17.7.1999, p. 23).'

- 18) Council Decision 1999/382/EC of 26 April 1999 establishing the second phase of the Community vocational training action programme 'Leonardo da Vinci' <sup>(3)</sup>.

Article 7(5) and (6) are replaced by the following:

- '5. The representative of the Commission shall consult the Committee on all other appropriate matters concerning implementation of this programme. In such a case, Articles 3 and 7 of Decision 1999/468/EC (\*) shall apply, having regard to the provisions of Article 8 thereof.
6. The Committee shall adopt its rules of procedure.

(\*) Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission (OJ L 184, 17.7.1999, p. 23).'

<sup>(1)</sup> OJ L 91, 7.4.1999, p. 10.

<sup>(2)</sup> OJ L 85, 23.3.1999, p. 1.

<sup>(3)</sup> OJ L 146, 11.6.1999, p. 33.

- 19) Council Directive 1999/32/EC of 26 April 1999 relating to a reduction in the sulphur content of certain liquid fuels and amending Directive 93/12/EEC <sup>(1)</sup>.

Article 9 is replaced by the following:

*'Article 9*

**Advisory committee**

1. The Commission shall be assisted by a committee.
2. Where reference is made to this Article, Articles 3 and 7 of Decision 1999/468/EC (\*) shall apply, having regard to the provisions of Article 8 thereof.
3. The Committee shall adopt its rules of procedure.

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(\*) Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission (OJ L 184, 17.7.1999, p. 23).'

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<sup>(1)</sup> OJ L 121, 11.5.1999, p. 13.

## ANNEX II

**MANAGEMENT PROCEDURE**

List of instruments subject to the management procedure and adapted to the corresponding provisions of Decision 1999/468/EC in accordance with the amendments below:

- 1) Council Regulation (EEC) No 571/88 of 29 February 1988 on the organisation of Community surveys on the structure of agricultural holdings between 1988 and 1997 <sup>(1)</sup>.

Article 15 is replaced by the following:

*'Article 15*

1. The Commission shall be assisted by the Standing Committee on Agricultural Statistics, hereinafter referred to as "the Committee".
2. Where reference is made to this Article, Articles 4 and 7 of Decision 1999/468/EC (\*) shall apply, having regard to the provisions of Article 8 thereof.

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.

---

(\*) Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission (OJ L 184, 17.7.1999, p. 23).'

- 2) Council Directive 89/130/EEC, Euratom of 13 February 1989 on the harmonisation of the compilation of gross national product at market prices <sup>(2)</sup>.

Article 6 is replaced by the following:

*'Article 6*

1. The Commission shall be assisted by a committee.
2. Where reference is made to this Article, Articles 4 and 7 of Decision 1999/468/EC (\*) shall apply, having regard to the provisions of Article 8 thereof.

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

3. The Committee shall adopt its rules of procedure.

---

(\*) Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission (OJ L 184, 17.7.1999, p. 23).'

- 3) Council Regulation (EEC) No 1576/89 of 29 May 1989 laying down general rules on the definition, description and presentation of spirit drinks <sup>(3)</sup>.

Articles 13 and 14 are replaced by the following:

*'Article 13*

1. An Implementation Committee for Spirit Drinks, hereinafter referred to as "the Committee", is hereby set up.
2. The Committee shall adopt its rules of procedure.

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<sup>(1)</sup> OJ L 56, 2.3.1988, p. 1. Regulation as last amended by Commission Regulation (EC) No 143/2002 (OJ L 24, 26.1.2002, p. 16).

<sup>(2)</sup> OJ L 49, 21.2.1989, p. 26.

<sup>(3)</sup> OJ L 160, 12.6.1989, p. 1. Regulation as last amended by European Parliament and Council Regulation (EC) No 3378/94 (OJ L 366, 31.12.1994, p. 1).

*Article 14*

1. Where reference is made to this Article, Articles 4 and 7 of Decision 1999/468/EC (\*) shall apply, having regard to the provisions of Article 8 thereof.

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

(\*) Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission (OJ L 184, 17.7.1999, p. 23).'

- 4) Council Regulation (Euratom, EEC) No 1588/90 of 11 June 1990 on the transmission of data subject to statistical confidentiality to the Statistical Office of the European Communities <sup>(1)</sup>.

Article 7 is replaced by the following:

*'Article 7*

1. A Committee on Statistical Confidentiality, hereinafter referred to as "the Committee", is hereby set up.
2. Where reference is made to this Article, Articles 4 and 7 of Decision 1999/468/EC (\*) shall apply, having regard to the provisions of Article 8 thereof.

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

3. The Committee shall adopt its rules of procedure.

(\*) Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission (OJ L 184, 17.7.1999, p. 23).'

- 5) Council Regulation (EEC) No 3037/90 of 9 October 1990 on the statistical classification of economic activities in the European Community <sup>(2)</sup>.

Article 9 is replaced by the following:

*'Article 9*

1. Where reference is made to this Article, Articles 4 and 7 of Decision 1999/468/EC (\*) shall apply, having regard to the provisions of Article 8 thereof.

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

2. The Committee shall adopt its rules of procedure.

(\*) Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission (OJ L 184, 17.7.1999, p. 23).'

- 6) Council Regulation (EEC) No 1601/91 of 10 June 1991 laying down general rules on the definition, description and presentation of aromatised wines, aromatised wine-based drinks and aromatised wine-product cocktails <sup>(3)</sup>.

Articles 12 and 13 are replaced by the following:

*'Article 12*

1. An implementation committee for the drinks referred to in this Regulation (hereinafter referred to as "the Committee") is hereby set up.

<sup>(1)</sup> OJ L 151, 15.6.1990, p. 1. Regulation as amended by Regulation (EC) No 322/97 (OJ L 52, 22.2.1997, p. 1).

<sup>(2)</sup> OJ L 293, 24.10.1990, p. 1. Regulation as last amended by Commission Regulation (EC) No 29/2002 (OJ L 6, 10.1.2002, p. 3).

<sup>(3)</sup> OJ L 149, 14.6.1991, p. 1. Regulation as last amended by European Parliament and Council Regulation (EC) No 2061/96 (OJ L 277, 30.10.1996, p. 1).



2. The Committee shall adopt its rules of procedure.

#### *Article 13*

Where reference is made to this Article, Articles 4 and 7 of Decision 1999/468/EC (\*) shall apply, having regard to the provisions of Article 8 thereof.

The period provided for in Article 4(3) of Decision 1999/468/EC shall be one month.

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(\*) Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission (OJ L 184, 17.7.1999, p. 23).'

- 7) Council Regulation (EEC) No 3330/91 of 7 November 1991 on the statistics relating to the trading of goods between Member States <sup>(1)</sup>.

Article 30 is replaced by the following:

#### *'Article 30*

1. The Commission shall be assisted by the Committee on the statistics relating to the trading of goods between Member States, hereinafter referred to as "the Committee".
2. The provisions required for the implementation of this Regulation shall be adopted according to the procedure laid down in paragraph 3.
3. Where reference is made to this Article, Articles 4 and 7 of Decision 1999/468/EC (\*) shall apply, having regard to the provisions of Article 8 thereof.

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

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(\*) Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission (OJ L 184, 17.7.1999, p. 23).'

- 8) Council Regulation (EEC) No 3924/91 of 19 December 1991 on the establishment of a Community survey of industrial production <sup>(2)</sup>.

Articles 9 and 10 are replaced by the following:

#### *'Article 9*

##### **Committee**

1. The Commission shall be assisted by the Statistical Programme Committee set up by Decision 89/382/EEC, Euratom, hereinafter referred to as "the Committee".
2. The procedures for implementing this Regulation, including the measures for adjustment to technical progress concerning collection of data and the processing of the results, shall be laid down by the Commission in accordance with the procedure laid down in Article 10.
3. The Committee shall adopt its rules of procedure.

#### *Article 10*

##### **Procedure**

Where reference is made to this Article, Articles 4 and 7 of Decision 1999/468/EC (\*) shall apply, having regard to the provisions of Article 8 thereof.

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<sup>(1)</sup> OJ L 316, 16.11.1991, p. 1. Regulation as last amended by European Parliament and Council Regulation (EC) No 1624/2000 (OJ L 187, 26.7.2000, p. 1).

<sup>(2)</sup> OJ L 374, 31.12.1991, p. 1. Regulation as amended by the 1994 Act of Accession.

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

(\*) Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission (OJ L 184, 17.7.1999, p. 23).'

- 9) Council Directive 91/692/EEC of 23 December 1991 standardising and rationalising reports on the implementation of certain Directives relating to the environment <sup>(1)</sup>.

Article 6 is replaced by the following:

*'Article 6*

1. The Commission shall be assisted by a committee.
2. Where reference is made to this Article, Articles 4 and 7 of Decision 1999/468/EC (\*) shall apply, having regard to the provisions of Article 8 thereof.

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.

(\*) Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission (OJ L 184, 17.7.1999, p. 23).'

- 10) Council Directive 92/51/EEC of 18 June 1992 on a second general system for the recognition of professional education and training to supplement Directive 89/48/EEC <sup>(2)</sup>.

Article 15 is replaced by the following:

*'Article 15*

1. The lists of education and training courses set out in Annexes C and D may be amended on the basis of a reasoned request from any Member State concerned to the Commission. All appropriate information and in particular the text of the relevant provisions of national law shall accompany the request. The Member State making the request shall also inform the other Member States.

2. The Commission shall examine the education and training course in question and those required in the other Member States. It shall verify in particular whether the qualification resulting from the course in question confers on the holder:

— a level of professional education or training of a comparably high level to that of the post-secondary course referred to in point (i) of the second indent of the first subparagraph of Article 1(a), and

— a similar level of responsibility and activity.

3. The Commission shall be assisted by a committee.

The Committee shall adopt its rules of procedure.

4. Where reference is made to this Article, Articles 4 and 7 of Decision 1999/468/EC (\*) shall apply, having regard to the provisions of Article 8 thereof.

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

<sup>(1)</sup> OJ L 377, 31.12.1991, p. 48.

<sup>(2)</sup> OJ L 209, 24.7.1992, p. 25. Directive as last amended by European Parliament and Council Directive 2001/19/EC (OJ L 206, 31.7.2001, p. 1).

5. The Commission shall inform the Member State concerned of the decision and shall, where appropriate, publish the amended list in the *Official Journal of the European Union*.

6. The amendments made to the lists of education and training courses in Annexes C and D on the basis of the procedure laid down above shall be immediately applicable on the date set by the Commission.

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(\*) Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission (OJ L 184, 17.7.1999, p. 23).'

- 11) Council Directive 92/109/EEC of 14 December 1992 on the manufacture and the placing on the market of certain substances used in the illicit manufacture of narcotic drugs and psychotropic substances <sup>(1)</sup>.

Article 10 is replaced by the following:

'Article 10

1. The Commission shall be assisted by the Committee set up by Article 10 of Regulation (EEC) No 3677/90 (hereinafter referred to as "the Committee").

The Committee shall examine any matter concerning the application of this Directive.

The Committee shall adopt its rules of procedure.

2. Where reference is made to this paragraph, Articles 4 and 7 of Decision 1999/468/EC (\*) shall apply, having regard to the provisions of Article 8 thereof.

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

3. The procedure laid down in paragraph 2 shall be followed in particular for:

- (a) the determination, where appropriate, of the conditions relating to the documentation and labelling of mixtures and preparations of substances in category 2 of Annex I as provided for in Article 2;
- (b) the amendment of the Annexes to this Directive, in cases where the tables of the Annex to the United Nations Convention are amended;
- (c) the amendment of the thresholds specified in Annex II.

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(\*) Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission (OJ L 184, 17.7.1999, p. 23).'

- 12) Council Regulation (EEC) No 696/93 of 15 March 1993 on the statistical units for the observation and analysis of the production system in the Community <sup>(2)</sup>.

Article 7 is replaced by the following:

'Article 7

1. The Commission shall be assisted by the Statistical Programme Committee set up by Decision 89/382/EEC, Euratom, hereinafter referred to as "the Committee".

2. Where reference is made to this Article, Articles 4 and 7 of Decision 1999/468/EC (\*) shall apply, having regard to the provisions of Article 8 thereof.

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<sup>(1)</sup> OJ L 370, 19.12.1992, p. 76. Directive as last amended by Commission Directive 2001/8/EC (OJ L 39, 9.2.2001, p. 31).

<sup>(2)</sup> OJ L 76, 30.3.1993, p. 1. Regulation as last amended by the 1994 Act of Accession.

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

3. The Committee shall adopt its rules of procedure.

(\*) Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission (OJ L 184, 17.7.1999, p. 23).'

- 13) Council Directive 93/15/EEC of 5 April 1993 on the harmonisation of the provisions relating to the placing on the market and supervision of explosives for civil uses <sup>(1)</sup>.

Article 13 is replaced by the following:

*'Article 13*

1. The Commission shall be assisted by a committee.

The committee shall examine any matter concerning the application of this Directive.

2. Where reference is made to this Article, Articles 4 and 7 of Decision 1999/468/EC (\*) shall apply, having regard to the provisions of Article 8 thereof.

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

3. The Committee shall adopt its rules of procedure.

4. The procedure laid down in paragraph 2 shall be followed in particular to take account of any future amendments to the United Nations recommendations.

(\*) Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission (OJ L 184, 17.7.1999, p. 23).'

- 14) Council Directive 93/16/EEC of 5 April 1993 to facilitate the free movement of doctors and the mutual recognition of their diplomas, certificates and other evidence of formal qualifications <sup>(2)</sup>.

Article 44a(3) is replaced by the following:

*'3. Articles 4 and 7 of Decision 1999/468/EC (\*) shall apply, having regard to the provisions of Article 8 of that Decision.*

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

4. The Committee shall adopt its rules of procedure.

(\*) Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission (OJ L 184, 17.7.1999, p. 23).'

- 15) Council Regulation (EEC) No 2186/93 of 22 July 1993 on Community coordination in drawing up business registers for statistical purposes <sup>(3)</sup>.

Article 9 is replaced by the following:

*'Article 9*

#### **Procedure**

1. The Commission shall be assisted by the Statistical Programme Committee, set up by Council Decision 89/382/EEC, Euratom, hereinafter referred to as "the Committee".

<sup>(1)</sup> OJ L 121, 15.5.1993, p. 20.

<sup>(2)</sup> OJ L 165, 7.7.1993, p. 1. Directive as last amended by Directive 2001/19/EC.

<sup>(3)</sup> OJ L 196, 5.8.1993, p. 1. Regulation as amended by the 1994 Act of Accession.

2. Where reference is made to this Article, Articles 4 and 7 of Decision 1999/468/EC (\*) shall apply, having regard to the provisions of Article 8 thereof.

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

3. The Committee shall adopt its rules of procedure.

(\*) Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission (OJ L 184, 17.7.1999, p. 23).'

- 16) Council Regulation (EEC) No 3696/93 of 29 October 1993 on the statistical classification of products by activity (CPA) in the European Economic Community <sup>(1)</sup>.

Article 6 is replaced by the following:

*'Article 6*

1. Where reference is made to this Article, Articles 4 and 7 of Decision 1999/468/EC (\*) shall apply, having regard to the provisions of Article 8 thereof.

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

2. The Committee shall adopt its rules of procedure.

(\*) Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission (OJ L 184, 17.7.1999, p. 23).'

- 17) Council Regulation (EC) No 1172/95 of 22 May 1995 on the statistics relating to the trading of goods by the Community and its Member States with non-member countries <sup>(2)</sup>.

Article 21 is replaced by the following:

*'Article 21*

1. The measures necessary for the implementation of this Regulation shall be adopted in accordance with the procedure laid down in paragraph 2.

2. Where reference is made to this Article, Articles 4 and 7 of Decision 1999/468/EC (\*) shall apply, having regard to the provisions of Article 8 thereof.

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

(\*) Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission (OJ L 184, 17.7.1999, p. 23).'

- 18) Directive 95/46/EC of the European Parliament and of the Council of 24 October 1995 on the protection of individuals with regard to the processing of personal data and on the free movement of such data <sup>(3)</sup>.

Article 31 is replaced by the following:

*'Article 31*

1. The Commission shall be assisted by a committee.

<sup>(1)</sup> OJ L 342, 31.12.1993, p. 1. Regulation as last amended by Commission Regulation (EC) No 204/2002 (OJ L 36, 6.2.2002, p. 1).

<sup>(2)</sup> OJ L 118, 25.5.1995, p. 10. Regulation as last amended by Regulation (EC) No 374/98 (OJ L 48, 19.2.1999, p. 6).

<sup>(3)</sup> OJ L 281, 23.11.1995, p. 31.

2. Where reference is made to this Article, Articles 4 and 7 of Decision 1999/468/EC (\*) shall apply, having regard to the provisions of Article 8 thereof.

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

3. The Committee shall adopt its rules of procedure.

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(\*) Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission (OJ L 184, 17.7.1999, p. 23).'

- 19) Council Directive 95/57/EC of 23 November 1995 on the collection of statistical information in the field of tourism <sup>(1)</sup>.

Article 12 is replaced by the following:

*'Article 12*

1. Where reference is made to this Article, Articles 4 and 7 of Decision 1999/468/EC (\*) shall apply, having regard to the provisions of Article 8 thereof.

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

2. The Committee shall adopt its rules of procedure.

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(\*) Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission (OJ L 184, 17.7.1999, p. 23).'

- 20) Council Directive 95/64/EC of 8 December 1995 on statistical returns in respect of carriage of goods and passengers by sea <sup>(2)</sup>.

Article 13 is replaced by the following:

*'Article 13*

1. The Commission shall be assisted by the Statistical Programme Committee, set up by Council Decision 89/382/EEC, Euratom, hereinafter referred to as "the Committee".

2. Where reference is made to this Article, Articles 4 and 7 of Decision 1999/468/EC (\*) shall apply, having regard to the provisions of Article 8 thereof.

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

3. The Committee shall adopt its rules of procedure.

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(\*) Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission (OJ L 184, 17.7.1999, p. 23).'

- 21) Council Directive 96/50/EC of 23 July 1996 on the harmonisation of the conditions for obtaining national boatmasters' certificates for the carriage of goods and passengers by inland waterway in the Community <sup>(3)</sup>.

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<sup>(1)</sup> OJ L 291, 6.12.1995, p. 32.

<sup>(2)</sup> OJ L 320, 30.12.1995, p. 25. Directive as last amended by Commission Decision 2000/363/EC (OJ L 132, 5.6.2000, p. 1).

<sup>(3)</sup> OJ L 235, 17.9.1996, p. 31.

Article 12 is replaced by the following:

*'Article 12*

1. The Commission shall be assisted in the application of Article 11 by the Committee set up by Article 7 of Directive 91/672/EEC (hereinafter referred to as "the Committee").

2. Where reference is made to this Article, Articles 4 and 7 of Decision 1999/468/EC (\*) shall apply, having regard to the provisions of Article 8 thereof.

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.

(\*) Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission (OJ L 184, 17.7.1999, p. 23).'

- 22) Council Regulation (EC) No 788/96 of 22 April 1996 on the submission by Member States of statistics on aquaculture production <sup>(1)</sup>.

Article 7 is replaced by the following:

*'Article 7*

1. The Commission shall be assisted by the Standing Committee on Agricultural Statistics, hereinafter referred to as "the Committee".

2. Where reference is made to this Article, Articles 4 and 7 of Decision 1999/468/EC (\*) shall apply, having regard to the provisions of Article 8 thereof.

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

3. The Committee shall adopt its rules of procedure.

(\*) Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission (OJ L 184, 17.7.1999, p. 23).'

- 23) Council Regulation (EC) No 1257/96 of 20 June 1996 concerning humanitarian aid <sup>(2)</sup>.

Article 17(3) is replaced by the following:

'3. Where reference is made to this paragraph, Articles 4 and 7 of Decision 1999/468/EC (\*) shall apply, having regard to the provisions of Article 8 thereof.

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

(\*) Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission (OJ L 184, 17.7.1999, p. 23).'

- 24) Council Regulation (EC) No 1292/96 of 27 June 1996 on food-aid policy and food-aid management and special operations in support of food security <sup>(3)</sup>.

Article 27 is replaced by the following:

*'Article 27*

Where reference is made to this Article, Articles 4 and 7 of Decision 1999/468/EC (\*) shall apply, having regard to the provisions of Article 8 thereof.

<sup>(1)</sup> OJ L 108, 1.5.1996, p. 1.

<sup>(2)</sup> OJ L 163, 2.7.1996, p. 1.

<sup>(3)</sup> OJ L 166, 5.7.1996, p. 1. Regulation as last amended by European Parliament and Council Regulation (EC) No 1726/2001 (OJ L 234, 1.9.2001, p. 10).

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

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(\*) Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission (OJ L 184, 17.7.1999, p. 23).'

- 25) Council Regulation (EC) No 322/97 of 17 February 1997 on Community Statistics <sup>(1)</sup>.

Article 20(2) and (3) are replaced by the following:

‘2. Articles 4 and 7 of Decision 1999/468/EC (\*) shall apply, having regard to the provisions of Article 8 thereof.

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

3. The Committee shall adopt its rules of procedure.

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(\*) Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission (OJ L 184, 17.7.1999, p. 23).'

- 26) Directive 98/8/EC of the European Parliament and of the Council of 16 February 1998 concerning the placing of biocidal products on the market <sup>(2)</sup>.

Article 28(1) and (2) are replaced by the following:

‘1. The Commission shall be assisted by a Standing Committee on Biocidal Products (hereinafter referred to as “the Committee”).

The Standing Committee shall adopt its rules of procedure.

2. For matters referred to the Standing Committee by virtue of Articles 4, 11(3), 15, 17, 18, 19, 27(1)(b), 29 and 33 and for the compilation of specific data by product type referred to in Annex V, to be drawn from Annexes III A and III B and, as appropriate, from Annexes IV A and IV B, Articles 4 and 7 of Decision 1999/468/EC (\*) shall apply, having regard to the provisions of Article 8 thereof.

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

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(\*) Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission (OJ L 184, 17.7.1999, p. 23).'

- 27) Council Regulation (EC) No 1172/98 of 25 May 1998 on statistical returns in respect of the carriage of goods by road <sup>(3)</sup>.

Article 10 is replaced by the following:

‘Article 10

1. The Commission shall be assisted by the Statistical Programme Committee (hereinafter referred to as “the Committee”).

2. Where reference is made to this Article, Articles 4 and 7 of Decision 1999/468/EC (\*) shall apply, having regard to the provisions of Article 8 thereof.

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<sup>(1)</sup> OJ L 52, 22.2.1997, p. 1.

<sup>(2)</sup> OJ L 123, 24.4.1998, p. 1.

<sup>(3)</sup> OJ L 163, 6.6.1998, p. 1. Regulation as amended by Commission Regulation (EC) No 2691/1999 (OJ L 326, 18.12.1999, p. 39).



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

3. The Committee shall adopt its rules of procedure.

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(\*) Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission (OJ L 184, 17.7.1999, p. 23).'

28) Council Regulation (EC) No 1658/98 of 17 July 1998 on co-financing operations with European non-governmental development organisations (NGOs) in fields of interest to the developing countries <sup>(1)</sup>.

(a) Article 8 is replaced by the following:

*'Article 8*

1. The Commission shall be assisted by a committee.

2. Where reference is made to this Article, Articles 4 and 7 of Decision 1999/468/EC (\*) shall apply, having regard to the provisions of Article 8 thereof.

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.

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(\*) Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission (OJ L 184, 17.7.1999, p. 23).'

(b) Articles 9 and 10 are deleted and references to those Articles should be read as references to Article 8.

29) Council Directive 98/83/EC of 3 November 1998 on the quality of water intended for human consumption <sup>(2)</sup>.

Article 12 is replaced by the following:

*'Article 12*

1. The Commission shall be assisted by a committee.

2. Where reference is made to this Article, Articles 4 and 7 of Decision 1999/468/EC (\*) shall apply, having regard to the provisions of Article 8 thereof.

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

3. The Committee shall adopt its rules of procedure.

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(\*) Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission (OJ L 184, 17.7.1999, p. 23).'

30) Council Regulation (EC) No 2836/98 of 22 December 1998 on integrating of gender issues in development cooperation <sup>(3)</sup>.

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<sup>(1)</sup> OJ L 213, 30.7.1998, p. 1.

<sup>(2)</sup> OJ L 330, 5.12.1998, p. 32.

<sup>(3)</sup> OJ L 354, 30.12.1998, p. 5.

Article 8 is replaced by the following:

*'Article 8*

1. The Commission shall be assisted by the geographically-determined committee competent for development (hereinafter referred to as "the Committee").
2. Where reference is made to this Article, Articles 4 and 7 of Decision 1999/468/EC (\*) shall apply, having regard to the provisions of Article 8 thereof.

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.

(\*) Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission (OJ L 184, 17.7.1999, p. 23).'

- 31) Council Decision 1999/382/EC of 26 April 1999 establishing the second phase of the Community vocational training action programme 'Leonardo da Vinci' <sup>(1)</sup>.

Article 7(1) and (3) are replaced by the following:

1. The Commission shall be assisted by a committee.
3. As regards the points referred to in paragraph 2, Articles 4 and 7 of Decision 1999/468/EC shall apply, having regard to the provisions of Article 8 thereof.

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

- 32) Council Decision 1999/297/EC of 26 April 1999 establishing a Community statistical information infrastructure relating to the industry and markets of the audiovisual and related sectors <sup>(2)</sup>.

Article 4 is replaced by the following:

*'Article 4*

1. The Commission shall be assisted by the Statistical Programme Committee (hereinafter referred to as "the Committee").
2. Where reference is made to this Article, Articles 4 and 7 of Decision 1999/468/EC (\*) shall apply, having regard to the provisions of Article 8 thereof.

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

3. The Committee shall adopt its rules of procedure.

(\*) Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission (OJ L 184, 17.7.1999, p. 23).'

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<sup>(1)</sup> OJ L 146, 11.6.1999, p. 33.

<sup>(2)</sup> OJ L 117, 5.5.1999, p. 39.

## ANNEX III

## REGULATORY PROCEDURE

List of instruments subject to the regulatory procedure and adapted to the corresponding provisions of Decision 1999/468/EC in accordance with the amendments below:

- 1) Council Directive 75/442/EEC of 15 July 1975 on waste <sup>(1)</sup>.

Article 18 is replaced by the following:

*'Article 18*

1. The Commission shall be assisted by a committee.
2. Where reference is made to this Article, Articles 5 and 7 of Decision 1999/468/EC (\*) shall apply, having regard to the provisions of Article 8 thereof.

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

3. The Committee shall adopt its rules of procedure.

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(\*) Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission (OJ L 184, 17.7.1999, p. 23).'

- 2) First Council Directive 79/267/EEC of 5 March 1979 on the coordination of laws, regulations and administrative provisions relating to the taking up and pursuit of the business of direct life assurance <sup>(2)</sup>.

Article 32b(6) is replaced by the following:

*'6. The Commission shall be assisted by a committee.*

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

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

The Committee shall adopt its rules of procedure.

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(\*) Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission (OJ L 184, 17.7.1999, p. 23).'

- 3) Council Regulation (EEC) No 357/79 of 5 February 1979 on statistical surveys of areas under vines <sup>(3)</sup>.

Article 8 is replaced by the following:

*'Article 8*

1. The Commission shall be assisted by the Standing Committee for Agricultural Statistics, hereinafter referred to as "the Committee".
2. Where reference is made to this Article, Articles 5 and 7 of Decision 1999/468/EC (\*) shall apply, having regard to the provisions of Article 8 thereof.

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

3. The Committee shall adopt its rules of procedure.

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(\*) Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission (OJ L 184, 17.7.1999, p. 23).'

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<sup>(1)</sup> OJ L 194, 25.7.1975, p. 39. Directive as last amended by Commission Decision 96/350/EC (OJ L 135, 6.6.1996, p. 32).

<sup>(2)</sup> OJ L 63, 13.3.1979, p. 1. Directive as last amended by European Parliament and Council Directive 2002/12/EC (OJ L 77, 20.3.2002, p. 11).

<sup>(3)</sup> OJ L 54, 5.3.1979, p. 124. Regulation as last amended by Regulation (EC) No 2329/98 (OJ L 291, 30.10.1998, p. 2).

- 4) Council Directive 80/777/EEC of 15 July 1980 on the approximation of the laws of the Member States relating to the exploitation and marketing of natural mineral waters <sup>(1)</sup>.

Article 12 is replaced by the following:

*'Article 12*

1. The Commission shall be assisted by the Standing Committee on the Food Chain and Animal Health, set up by Article 58 of Regulation (EC) No 178/2002 <sup>(\*)</sup>, hereinafter referred to as "the Committee".
2. Where reference is made to this Article, Articles 5 and 7 of Decision 1999/468/EC <sup>(\*\*)</sup> shall apply, having regard to the provisions of Article 8 thereof.

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

3. The Committee shall adopt its rules of procedure.

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<sup>(\*)</sup> OJ L 31, 1.2.2002, p. 1.

<sup>(\*\*)</sup> Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission (OJ L 184, 17.7.1999, p. 23).'

- 5) Council Directive 82/471/EEC of 30 June 1982 concerning certain products used in animal nutrition <sup>(2)</sup>.

Articles 13 and 14 are replaced by the following:

*'Article 13*

1. The Commission shall be assisted by the Standing Committee on the Food Chain and Animal Health, set up by Article 58 of Regulation (EC) No 178/2002 <sup>(\*)</sup>, hereinafter referred to as "the Committee".
2. Where reference is made to this Article, Articles 5 and 7 of Decision 1999/468/EC <sup>(\*\*)</sup> shall apply, having regard to the provisions of Article 8 thereof.

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

3. The Committee shall adopt its rules of procedure.

*Article 14*

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

The period laid down in Article 5(6) of Decision 1999/468/EC shall be set at 15 days.

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<sup>(\*)</sup> OJ L 31, 1.2.2002, p. 1.

<sup>(\*\*)</sup> Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission (OJ L 184, 17.7.1999, p. 23).'

- 6) Council Directive 85/591/EEC of 20 December 1985 concerning the introduction of Community methods of sampling and analysis for the monitoring of foodstuffs intended for human consumption <sup>(3)</sup>.

Article 4 is replaced by the following:

*'Article 4*

1. The Commission shall be assisted by the Standing Committee on the Food Chain and Animal Health, set up by Article 58 of Regulation (EC) No 178/2002 <sup>(\*)</sup>, hereinafter referred to as "the Committee".

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<sup>(1)</sup> OJ L 229, 30.8.1980, p. 1. Directive as last amended by European Parliament and Council Directive 96/70/EC (OJ L 299, 23.11.1996, p. 26).

<sup>(2)</sup> OJ L 213, 21.7.1982, p. 8. Directive as last amended by Directive 1999/20/EC (OJ L 80, 25.3.1999, p. 20).

<sup>(3)</sup> OJ L 372, 31.12.1985, p. 50.

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

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

3. The Committee shall adopt its rules of procedure.

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(\*) OJ L 31, 1.2.2002, p. 1.

(\*\*) Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission (OJ L 184, 17.7.1999, p. 23).'

7) Council Regulation (EEC) No 3821/85 of 20 December 1985 on recording equipment in road transport <sup>(1)</sup>.

Article 18 is replaced by the following:

*'Article 18*

1. The Commission shall be assisted by a committee.

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

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

3. The Committee shall adopt its rules of procedure.

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(\*) Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission (OJ L 184, 17.7.1999, p. 23).'

8) Council Directive 88/320/EEC of 9 June 1988 on the inspection and verification of Good Laboratory Practice (GLP) <sup>(2)</sup>.

Article 8 is replaced by the following:

*'Article 8*

1. Where reference is made to this Article, Articles 5 and 7 of Decision 1999/468/EC (\*) shall apply, having regard to the provisions of Article 8 thereof.

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

2. The Committee shall adopt its rules of procedure.

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(\*) Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission (OJ L 184, 17.7.1999, p. 23).'

9) Council Directive 88/344/EEC of 13 June 1988 on the approximation of the laws of the Member States on extraction solvents used in the production of foodstuffs and food ingredients <sup>(3)</sup>.

Article 6 is replaced by the following:

*'Article 6*

1. The Commission shall be assisted by the Standing Committee on the Food Chain and Animal Health, set up by Article 58 of Regulation (EC) No 178/2002 (\*), hereinafter referred to as "the Committee".

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<sup>(1)</sup> OJ L 370, 31.12.1985, p. 8. Regulation as last amended by Commission Regulation (EC) No 1360/2002 (OJ L 207, 5.8.2002, p. 1).

<sup>(2)</sup> OJ L 145, 11.6.1988, p. 35. Directive as last amended by Commission Directive 1999/12/EC (OJ L 77, 23.3.1999, p. 22).

<sup>(3)</sup> OJ L 157, 24.6.1988, p. 28. Directive as last amended by European Parliament and Council Directive 97/60/EC (OJ L 331, 3.12.1997, p. 7).

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

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

3. The Committee shall adopt its rules of procedure.

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(\*) OJ L 31, 1.2.2002, p. 1.

(\*\*) Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission (OJ L 184, 17.7.1999, p. 23).'

- 10) Council Directive 88/388/EEC of 22 June 1988 on the approximation of the laws of the Member States relating to flavourings for use in foodstuffs and to source materials for their production <sup>(1)</sup>.

Article 10 is replaced by the following:

*'Article 10*

1. The Commission shall be assisted by the Standing Committee on the Food Chain and Animal Health, set up by Article 58 of Regulation (EC) No 178/2002 (\*), hereinafter referred to as "the Committee".

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

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

3. The Committee shall adopt its rules of procedure.

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(\*) OJ L 31, 1.2.2002, p. 1.

(\*\*) Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission (OJ L 184, 17.7.1999, p. 23).'

- 11) Council Directive 89/106/EEC of 21 December 1988 on the approximation of laws, regulations and administrative provisions of the Member States relating to construction products <sup>(2)</sup>.

Article 20(3) and (4) are replaced by the following:

'3. Where reference is made to this Article, Articles 5 and 7 of Decision 1999/468/EC (\*) shall apply, having regard to the provisions of Article 8 thereof.

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

4. The Committee shall adopt its rules of procedure.

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(\*) Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission (OJ L 184, 17.7.1999, p. 23).'

- 12) Council Directive 89/107/EEC of 21 December 1988 on the approximation of the laws of the Member States concerning food additives authorised for use in foodstuffs intended for human consumption <sup>(3)</sup>.

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<sup>(1)</sup> OJ L 184, 15.7.1988, p. 61. Directive as last amended by Commission Directive 91/71/EEC (OJ L 42, 15.2.1991, p. 25).

<sup>(2)</sup> OJ L 40, 11.2.1989, p. 12. Directive as amended by Directive 93/68/EEC (OJ L 220, 30.8.1993, p. 1).

<sup>(3)</sup> OJ L 40, 11.2.1989, p. 27. Directive as amended by European Parliament and Council Directive 94/34/EC (OJ L 237, 10.9.1994, p. 1).

Article 11 is replaced by the following:

*'Article 11*

1. The Commission shall be assisted by the Standing Committee on the Food Chain and Animal Health, set up by Article 58 of Regulation (EC) No 178/2002 (\*), hereinafter referred to as "the Committee".
2. Where reference is made to this Article, Articles 5 and 7 of Decision 1999/468/EC (\*\*) shall apply, having regard to the provisions of Article 8 thereof.

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

3. The Committee shall adopt its rules of procedure.

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(\*) OJ L 31, 1.2.2002, p. 1.

(\*\*) Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission (OJ L 184, 17.7.1999, p. 23).'

- 13) Council Directive 89/108/EEC of 21 December 1988 on the approximation of the laws of the Member States relating to quick-frozen foodstuffs for human consumption <sup>(1)</sup>.

Article 12 is replaced by the following:

*'Article 12*

1. The Commission shall be assisted by the Standing Committee on the Food Chain and Animal Health, set up by Article 58 of Regulation (EC) No 178/2002 (\*), hereinafter referred to as "the Committee".
2. Where reference is made to this Article, Articles 5 and 7 of Decision 1999/468/EC (\*\*) shall apply, having regard to the provisions of Article 8 thereof.

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

3. The Committee shall adopt its rules of procedure.

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(\*) OJ L 31, 1.2.2002, p. 1.

(\*\*) Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission (OJ L 184, 17.7.1999, p. 23).'

- 14) Council Directive 89/109/EEC of 21 December 1988 on the approximation of the laws of the Member States relating to materials and articles intended to come into contact with foodstuffs <sup>(2)</sup>.

Article 9 is replaced by the following:

*'Article 9*

1. The Commission shall be assisted by the Standing Committee on the Food Chain and Animal Health, set up by Article 58 of Regulation (EC) No 178/2002 (\*), hereinafter referred to as "the Committee".
2. Where reference is made to this Article, Articles 5 and 7 of Decision 1999/468/EC (\*\*) shall apply, having regard to the provisions of Article 8 thereof.

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

3. The Committee shall adopt its rules of procedure.

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(\*) OJ L 31, 1.2.2002, p. 1.

(\*\*) Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission (OJ L 184, 17.7.1999, p. 23).'

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<sup>(1)</sup> OJ L 40, 11.2.1989, p. 34. Directive as amended by the 1994 Act of Accession.

<sup>(2)</sup> OJ L 40, 11.2.1989, p. 38.

- 15) Council Directive 89/398/EEC of 3 May 1989 on the approximation of the laws of the Member States relating to foodstuffs intended for particular nutritional uses <sup>(1)</sup>.

Article 13 is replaced by the following:

*'Article 13*

1. The Commission shall be assisted by the Standing Committee on the Food Chain and Animal Health, set up by Article 58 of Regulation (EC) No 178/2002 (\*), hereinafter referred to as "the Committee".

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

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

3. The Committee shall adopt its rules of procedure.

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(\*) OJ L 31, 1.2.2002, p. 1.

(\*\*) Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission (OJ L 184, 17.7.1999, p. 23).'

- 16) Council Regulation (EEC) No 1576/89 of 29 May 1989 laying down general rules on the definition, description and presentation of spirit drinks <sup>(2)</sup>.

Article 15 is replaced by the following:

*'Article 15*

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

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

- 17) 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>.

Article 17 is replaced by the following:

*'Article 17*

1. For the purely technical adjustments to the individual Directives provided for in Article 16(1) to take account of:

— the adoption of Directives in the field of technical harmonisation and standardisation, and/or

— technical progress, changes in international regulations or specifications, and new findings,

the Commission shall be assisted by a committee.

2. Articles 5 and 7 of Decision 1999/468/EC (\*) shall apply, having regard to the provisions of Article 8 thereof.

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

3. The Committee shall adopt its rules of procedure.

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(\*) Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission (OJ L 184, 17.7.1999, p. 23).'

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<sup>(1)</sup> OJ L 186, 30.6.1989, p. 27. Directive as last amended by European Parliament and Council Directive 1999/41/EC (OJ L 172, 8.7.1999, p. 38).

<sup>(2)</sup> OJ L 160, 12.6.1989, p. 1. Directive as last amended by European Parliament and Council Regulation (EC) No 3378/94 (OJ L 366, 31.12.1994, p. 1).

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



- 18) Council Regulation (EEC) No 837/90 of 26 March 1990 concerning statistical information to be supplied by the Member States on cereals production <sup>(1)</sup>.

Article 11 is replaced by the following:

*'Article 11*

1. The Commission shall be assisted by the Standing Committee on Agricultural Statistics, hereinafter referred to as "the Committee".
2. Where reference is made to this Article, Articles 5 and 7 of Decision 1999/468/EC (\*) shall apply, having regard to the provisions of Article 8 thereof.

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

3. The Committee shall adopt its rules of procedure.

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(\*) Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission (OJ L 184, 17.7.1999, p. 23).'

- 19) Council Directive 90/219/EEC of 23 April 1990 on the contained use of genetically modified micro-organisms <sup>(2)</sup>.

Article 21 is replaced by the following:

*'Article 21*

1. The Commission shall be assisted by a committee.
2. Where reference is made to this Article, Articles 5 and 7 of Decision 1999/468/EC (\*) shall apply, having regard to the provisions of Article 8 thereof.

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

3. The Committee shall adopt its rules of procedure.

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(\*) Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission (OJ L 184, 17.7.1999, p. 23).'

- 20) Council Directive 90/496/EEC of 24 September 1990 on nutrition labelling for foodstuffs <sup>(3)</sup>.

Article 10 is replaced by the following:

*'Article 10*

1. The Commission shall be assisted by the Standing Committee on the Food Chain and Animal Health, set up by Article 58 of Regulation (EC) No 178/2002 (\*), hereinafter referred to as "the Committee".
2. Where reference is made to this Article, Articles 5 and 7 of Decision 1999/468/EC (\*\*) shall apply, having regard to the provisions of Article 8 thereof.

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

3. The Committee shall adopt its rules of procedure.

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(\*) OJ L 31, 1.2.2002, p. 1.

(\*\*) Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission (OJ L 184, 17.7.1999, p. 23).'

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<sup>(1)</sup> OJ L 88, 3.4.1990, p. 1. Regulation as last amended by Commission Regulation (EC) No 2197/95 (OJ L 221, 19.9.1995, p. 2).

<sup>(2)</sup> OJ L 117, 8.5.1990, p. 1. Directive as last amended by Decision 2001/204/EC (OJ L 73, 15.3.2001, p. 32).

<sup>(3)</sup> OJ L 276, 6.10.1990, p. 40.

- 21) Council Directive 91/271/EEC of 21 May 1991 concerning urban waste-water treatment <sup>(1)</sup>.

Article 18 is replaced by the following:

*'Article 18*

1. The Commission shall be assisted by a committee.
2. Where reference is made to this Article, Articles 5 and 7 of Decision 1999/468/EC (\*) shall apply, having regard to the provisions of Article 8 thereof.

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

3. The Committee shall adopt its rules of procedure.

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(\*) Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission (OJ L 184, 17.7.1999, p. 23).'

- 22) Council Regulation (EEC) No 1382/91 of 21 May 1991 on the submission of data on the landings of fishery products in Member States <sup>(2)</sup>.

Article 6 is replaced by the following:

*'Article 6*

1. The Commission shall be assisted by the Standing Committee on Agricultural Statistics, hereinafter referred to as "the Committee".
2. Where reference is made to this Article, Articles 5 and 7 of Decision 1999/468/EC (\*) shall apply, having regard to the provisions of Article 8 thereof.

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

3. The Committee shall adopt its rules of procedure.

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(\*) Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission (OJ L 184, 17.7.1999, p. 23).'

- 23) Council Regulation (EEC) No 1601/91 of 10 June 1991 laying down general rules on the definition, description and presentation of aromatized wines, aromatized wine-based drinks and aromatized wine-product cocktails <sup>(3)</sup>.

Article 14 is replaced by the following:

*'Article 14*

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

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

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(\*) Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission (OJ L 184, 17.7.1999, p. 23).'

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<sup>(1)</sup> OJ L 135, 30.5.1991, p. 40. Directive as amended by Commission Directive 98/15/EC (OJ L 67, 7.3.1998, p. 29).

<sup>(2)</sup> OJ L 133, 28.5.1991, p. 1. Regulation as amended by Regulation (EEC) No 2104/93 (OJ L 191, 31.7.1993, p. 1).

<sup>(3)</sup> OJ L 149, 14.6.1991, p. 1. Regulation as last amended by European Parliament and Council Regulation (EC) No 2061/96 (OJ L 277, 30.10.1996, p. 1).

- 24) Council Directive 91/439/EEC of 29 July 1991 on driving licences <sup>(1)</sup>.

Article 7b is replaced by the following:

*'Article 7b*

1. The Commission shall be assisted by a committee on driving licences, hereinafter referred to as "the Committee".
2. Where reference is made to this Article, Articles 5 and 7 of Decision 1999/468/EC (\*) shall apply, having regard to the provisions of Article 8 thereof.

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

3. The Committee shall adopt its rules of procedure.

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(\*) Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission (OJ L 184, 17.7.1999, p. 23).'

- 25) Council Directive 91/676/EEC of 12 December 1991 concerning the protection of waters against pollution caused by nitrates from agricultural sources <sup>(2)</sup>.

Article 9 is replaced by the following:

*'Article 9*

1. The Commission shall be assisted by a committee.
2. Where reference is made to this Article, Articles 5 and 7 of Decision 1999/468/EC (\*) shall apply, having regard to the provisions of Article 8 thereof.

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

3. The Committee shall adopt its rules of procedure.

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(\*) Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission (OJ L 184, 17.7.1999, p. 23).'

- 26) Council Directive 91/672/EEC of 16 December 1991 on the reciprocal recognition of national boatmasters' certificates for the carriage of goods and passengers by inland waterway <sup>(3)</sup>.

Article 7 is replaced by the following:

*'Article 7*

1. The Commission shall be assisted by a committee.
2. Where reference is made to this Article, Articles 5 and 7 of Decision 1999/468/EC (\*) shall apply, having regard to the provisions of Article 8 thereof.

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

3. The Committee shall adopt its rules of procedure.

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(\*) Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission (OJ L 184, 17.7.1999, p. 23).'

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<sup>(1)</sup> OJ L 237, 24.8.1991, p. 1. Directive as last amended by Commission Directive 2000/56/EC (OJ L 237, 21.9.2000, p. 45).

<sup>(2)</sup> OJ L 375, 31.12.1991, p. 1.

<sup>(3)</sup> OJ L 373, 31.12.1991, p. 29. Directive as amended by the 1994 Act of Accession.

- 27) Council Directive 91/675/EEC of 19 December 1991 setting up an insurance committee <sup>(1)</sup>.

Articles 1 and 2 are replaced by the following:

*'Article 1*

The Commission shall be assisted by the Insurance Committee, hereinafter referred to as "the Committee".

*Article 2*

1. Where the Council, in the acts which it adopts in the field of direct non-life insurance and direct life assurance, confers on the Commission powers for the implementation of the rules which it lays down, the procedure set out in paragraph 2 shall apply.

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

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

3. The Committee shall adopt its rules of procedure.

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(\*) Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission (OJ L 184, 17.7.1999, p. 23).'

- 28) Council Regulation (EEC) No 3925/91 of 19 December 1991 concerning the elimination of controls and formalities applicable to the cabin and hold baggage of persons taking an intra-Community flight and the baggage of persons making an intra-Community sea crossing <sup>(2)</sup>.

(a) Article 6(2) is deleted.

(b) Article 8 is replaced by the following:

*'Article 8*

1. The provisions necessary for the application of this Regulation shall be adopted in accordance with the procedure laid down in paragraph 2.

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

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

3. The Committee shall adopt its rules of procedure.

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(\*) Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission (OJ L 184, 17.7.1999, p. 23).'

- 29) Council Directive 92/29/EEC of 31 March 1992 on the minimum safety and health requirements for improved medical treatment on board vessels <sup>(3)</sup>.

Article 8 is replaced by the following:

*'Article 8*

**Committee**

1. The Commission shall be assisted by a committee with a view to the strictly technical adaptation of the Annexes to this Directive in the light of technical progress or changes in international regulations or specifications and new findings in this field.

2. Articles 5 and 7 of Decision 1999/468/EC (\*) shall apply, having regard to the provisions of Article 8 thereof.

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<sup>(1)</sup> OJ L 374, 31.12.1991, p. 32.

<sup>(2)</sup> OJ L 374, 31.12.1991, p. 4.

<sup>(3)</sup> OJ L 113, 30.4.1992, p. 19.

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

3. The Committee shall adopt its rules of procedure.

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(\*) Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission (OJ L 184, 17.7.1999, p. 23).'

30) Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora <sup>(1)</sup>.

Articles 20 and 21 are replaced by the following:

*'Article 20*

The Commission shall be assisted by a committee.

*Article 21*

1. Where reference is made to this Article, Articles 5 and 7 of Decision 1999/468/EC (\*) shall apply, having regard to the provisions of Article 8 thereof.

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

2. The Committee shall adopt its rules of procedure.

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(\*) Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission (OJ L 184, 17.7.1999, p. 23).'

31) Council Directive 92/59/EEC of 29 June 1992 on general product safety <sup>(2)</sup>.

Article 11 is replaced by the following:

*'Article 11*

1. Where reference is made to this Article, Articles 5 and 7 of Decision 1999/468/EC (\*) shall apply, having regard to the provisions of Article 8 thereof.

The period laid down in Article 5(6) of Decision 1999/468/EC shall be set at 15 days.

2. The Committee shall adopt its rules of procedure.

3. Any measure adopted under this procedure shall be valid for no longer than three months. That period may be prolonged under the same procedure.

4. Member States shall take all necessary measures to implement the decisions adopted under this procedure within less than 10 days.

5. The competent authorities of the Member States responsible for carrying out measures adopted under the procedure referred to in paragraph 1 shall, within one month, give the parties concerned an opportunity to submit their views and shall inform the Commission accordingly.

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(\*) Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission (OJ L 184, 17.7.1999, p. 23).'

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<sup>(1)</sup> OJ L 206, 22.7.1992, p. 7. Directive as last amended by Directive 97/62/EC (OJ L 305, 8.11.1997, p. 42).

<sup>(2)</sup> OJ L 228, 11.8.1992, p. 24.

- 32) Council Directive 92/75/EEC of 22 September 1992 on the indication by labelling and standard product information of the consumption of energy and other resources by household appliances <sup>(1)</sup>.

Article 10 is replaced by the following:

*'Article 10*

1. The Commission shall be assisted by a committee.
2. Where reference is made to this Article, Articles 5 and 7 of Decision 1999/468/EC (\*) shall apply, having regard to the provisions of Article 8 thereof.

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

3. The Committee shall adopt its rules of procedure.

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(\*) Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission (OJ L 184, 17.7.1999, p. 23).'

- 33) Council Decision 92/578/EEC of 30 November 1992 concerning the conclusion of the Agreement between the European Economic Community and the Swiss Confederation on the carriage of goods by road and rail <sup>(2)</sup>.

Article 4 is replaced by the following:

*'Article 4*

1. The Commission shall be assisted by a committee.
2. Where reference is made to this Article, Articles 5 and 7 of Decision 1999/468/EC (\*) shall apply, having regard to the provisions of Article 8 thereof.

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

3. The Committee shall adopt its rules of procedure.

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(\*) Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission (OJ L 184, 17.7.1999, p. 23).'

- 34) Council Regulation (EEC) No 315/93 of 8 February 1993 laying down Community procedures for contaminants in food <sup>(3)</sup>.

Article 8 is replaced by the following:

*'Article 8*

1. The Commission shall be assisted by the Standing Committee on the Food Chain and Animal Health, set up by Article 58 of Regulation (EC) No 178/2002 (\*), hereinafter referred to as "the Committee".
2. Where reference is made to this Article, Articles 5 and 7 of Decision 1999/468/EC (\*\*) shall apply, having regard to the provisions of Article 8 thereof.

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

3. The Committee shall adopt its rules of procedure.

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(\*) OJ L 31, 1.2.2002, p. 1.

(\*\*) Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission (OJ L 184, 17.7.1999, p. 23).'

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<sup>(1)</sup> OJ L 297, 13.10.1992, p. 16.

<sup>(2)</sup> OJ L 373, 21.12.1992, p. 26.

<sup>(3)</sup> OJ L 37, 13.2.1993, p. 1.

- 35) Council Directive 93/5/EEC of 25 February 1993 on assistance to the Commission and cooperation by the Member States in the scientific examination of questions relating to food <sup>(1)</sup>.

Article 5 is replaced by the following:

*'Article 5*

1. The Commission shall be assisted by the Standing Committee on the Food Chain and Animal Health, set up by Article 58 of Regulation (EC) No 178/2002 (\*), hereinafter referred to as "the Committee".

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

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

3. The Committee shall adopt its rules of procedure.

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(\*) OJ L 31, 1.2.2002, p. 1.

(\*\*) Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission (OJ L 184, 17.7.1999, p. 23).'

- 36) Council Regulation (EEC) No 793/93 of 23 March 1993 on the evaluation and control of the risks of existing substances <sup>(2)</sup>.

Article 15 is replaced by the following:

*'Article 15*

1. The Commission shall be assisted by a committee.

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

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

3. The Committee shall adopt its rules of procedure.

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(\*) Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission (OJ L 184, 17.7.1999, p. 23).'

- 37) Council Regulation (EEC) No 959/93 of 5 April 1993 concerning statistical information to be supplied by Member States on crop products other than cereals <sup>(3)</sup>.

Article 12 is replaced by the following:

*'Article 12*

1. The Commission shall be assisted by the Standing Committee on Agricultural Statistics, hereinafter referred to as "the Committee".

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

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

3. The Committee shall adopt its rules of procedure.

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(\*) Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission (OJ L 184, 17.7.1999, p. 23).'

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<sup>(1)</sup> OJ L 52, 4.3.1993, p. 18.

<sup>(2)</sup> OJ L 84, 5.4.1993, p. 1.

<sup>(3)</sup> OJ L 98, 24.4.1993, p. 1. Regulation as last amended by Commission Regulation (EC) No 2197/95 (OJ L 221, 19.9.1995, p. 2).

- 38) Council Directive 93/23/EEC of 1 June 1993 on the statistical surveys to be carried out on pig production <sup>(1)</sup>.

Article 17 is replaced by the following:

*'Article 17*

1. The Commission shall be assisted by the Standing Committee on Agricultural Statistics, hereinafter referred to as "the Committee".
2. Where reference is made to this Article, Articles 5 and 7 of Decision 1999/468/EC (\*) shall apply, having regard to the provisions of Article 8 thereof.

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

3. The Committee shall adopt its rules of procedure.

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(\*) Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission (OJ L 184, 17.7.1999, p. 23).'

- 39) Council Directive 93/24/EEC of 1 June 1993 on the statistical surveys to be carried out on bovine animal production <sup>(2)</sup>.

Article 17 is replaced by the following:

*'Article 17*

1. The Commission shall be assisted by the Standing Committee on Agricultural Statistics, hereinafter referred to as "the Committee".
2. Where reference is made to this Article, Articles 5 and 7 of Decision 1999/468/EC (\*) shall apply, having regard to the provisions of Article 8 thereof.

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

3. The Committee shall adopt its rules of procedure.

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(\*) Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission (OJ L 184, 17.7.1999, p. 23).'

- 40) Council Directive 93/25/EEC of 1 June 1993 on the statistical surveys to be carried out on sheep and goat stocks <sup>(3)</sup>.

Article 20 is replaced by the following:

*'Article 20*

1. The Commission shall be assisted by the Standing Committee on Agricultural Statistics, hereinafter referred to as "the Committee".
2. Where reference is made to this Article, Articles 5 and 7 of Decision 1999/468/EC (\*) shall apply, having regard to the provisions of Article 8 thereof.

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

3. The Committee shall adopt its rules of procedure.

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(\*) Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission (OJ L 184, 17.7.1999, p. 23).'

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<sup>(1)</sup> OJ L 149, 21.6.1993, p. 1. Directive as last amended by Directive 97/77/EC (OJ L 10, 16.1.1998, p. 28).

<sup>(2)</sup> OJ L 149, 21.6.1993, p. 5. Directive as last amended by Directive 97/77/EC.

<sup>(3)</sup> OJ L 149, 21.6.1993, p. 10. Directive as last amended by Directive 97/77/EC.



- 41) Council Directive 93/42/EEC of 14 June 1993 concerning medical devices <sup>(1)</sup>.

Article 7 is replaced by the following:

*'Article 7*

1. The Commission shall be assisted by the Committee set up by Article 6(2) of Directive 90/385/EEC, hereinafter referred to as "the Committee".

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

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

3. The Committee shall adopt its rules of procedure.

4. The Committee may examine any question connected with implementation of this Directive.

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(\*) Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission (OJ L 184, 17.7.1999, p. 23).'

- 42) Council Directive 93/43/EEC of 14 June 1993 on the hygiene of foodstuffs <sup>(2)</sup>.

Article 14 is replaced by the following:

*'Article 14*

1. The Commission shall be assisted by the Standing Committee on the Food Chain and Animal Health, set up by Article 58 of Regulation (EC) No 178/2002 (\*), hereinafter referred to as "the Committee".

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

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

3. The Committee shall adopt its rules of procedure.

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(\*) OJ L 31, 1.2.2002, p. 1.

(\*\*) Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission (OJ L 184, 17.7.1999, p. 23).'

- 43) Council Decision 93/389/EEC of 24 June 1993 for a monitoring mechanism of Community CO<sub>2</sub> and other greenhouse gas emissions <sup>(3)</sup>.

Article 8 is replaced by the following:

*'Article 8*

1. The Commission shall be assisted by a committee.

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

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

3. The Committee shall adopt its rules of procedure.

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(\*) Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission (OJ L 184, 17.7.1999, p. 23).'

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<sup>(1)</sup> OJ L 169, 12.7.1993, p. 1. Directive as last amended by European Parliament and Council Directive 2001/104/EC (OJ L 6, 10.1.2002, p. 50).

<sup>(2)</sup> OJ L 175, 19.7.1993, p. 1.

<sup>(3)</sup> OJ L 167, 9.7.1993, p. 31. Decision as amended by Decision 1999/296/EC (OJ L 117, 5.5.1999, p. 35).

- 44) Council Regulation (EEC) No 2018/93 of 30 June 1993 on the submission of catch and activity statistics by Member States fishing in the Northwest Atlantic <sup>(1)</sup>.

Article 6 is replaced by the following:

*'Article 6*

1. The Commission shall be assisted by the Standing Committee on Agricultural Statistics, hereinafter referred to as "the Committee".
2. Where reference is made to this Article, Articles 5 and 7 of Decision 1999/468/EC (\*) shall apply, having regard to the provisions of Article 8 thereof.

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

3. The Committee shall adopt its rules of procedure.

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(\*) Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission (OJ L 184, 17.7.1999, p. 23).'

- 45) Council Directive 93/65/EEC of 19 July 1993 on the definition and use of compatible technical specifications for the procurement of air traffic management equipment and systems <sup>(2)</sup>.

Article 6 is replaced by the following:

*'Article 6*

1. The Commission shall be assisted by a committee.
2. Where reference is made to this Article, Articles 5 and 7 of Decision 1999/468/EC (\*) shall apply, having regard to the provisions of Article 8 thereof.

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

3. The Committee shall adopt its rules of procedure.

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(\*) Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission (OJ L 184, 17.7.1999, p. 23).'

- 46) Council Directive 93/77/EEC of 21 September 1993 on fruit juices and certain similar products <sup>(3)</sup>.

Article 15 is replaced by the following:

*'Article 15*

1. The Commission shall be assisted by the Standing Committee on the Food Chain and Animal Health, set up by Article 58 of Regulation (EC) No 178/2002 (\*), hereinafter referred to as "the Committee".
2. Where reference is made to this Article, Articles 5 and 7 of Decision 1999/468/EC (\*\*) shall apply, having regard to the provisions of Article 8 thereof.

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

3. The Committee shall adopt its rules of procedure.

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(\*) OJ L 31, 1.2.2002, p. 1.

(\*\*) Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission (OJ L 184, 17.7.1999, p. 23).'

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<sup>(1)</sup> OJ L 186, 28.7.1993, p. 1. Regulation as last amended by Commission Regulation (EC) No 1636/2001 (OJ L 222, 17.8.2001, p. 1).

<sup>(2)</sup> OJ L 187, 29.7.1993, p. 52. Directive as last amended by Commission Directive 97/15/EC (OJ L 95, 10.4.1997, p. 16).

<sup>(3)</sup> OJ L 244, 30.9.1993, p. 23. Directive as amended by the 1994 Act of Accession.

- 47) Council Directive 93/99/EEC of 29 October 1993 on the subject of additional measures concerning the official control of foodstuffs <sup>(1)</sup>.

Article 8 is replaced by the following:

*'Article 8*

1. The Commission shall be assisted by the Standing Committee on the Food Chain and Animal Health, set up by Article 58 of Regulation (EC) No 178/2002 (\*), hereinafter referred to as "the Committee".
2. Where reference is made to this Article, Articles 5 and 7 of Decision 1999/468/EC (\*\*) shall apply, having regard to the provisions of Article 8 thereof.

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

3. The Committee shall adopt its rules of procedure.

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(\*) OJ L 31, 1.2.2002, p. 1.

(\*\*) Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission (OJ L 184, 17.7.1999, p. 23).'

- 48) Directive 94/35/EC of the European Parliament and of the Council of 30 June 1994 on sweeteners for use in foodstuffs <sup>(2)</sup>.

Article 7 is replaced by the following:

*'Article 7*

1. The Commission shall be assisted by the Standing Committee on the Food Chain and Animal Health, set up by Article 58 of Regulation (EC) No 178/2002 (\*), hereinafter referred to as "the Committee".
2. Where reference is made to this Article, Articles 5 and 7 of Decision 1999/468/EC (\*\*) shall apply, having regard to the provisions of Article 8 thereof.

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

3. The Committee shall adopt its rules of procedure.

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(\*) OJ L 31, 1.2.2002, p. 1.

(\*\*) Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission (OJ L 184, 17.7.1999, p. 23).'

- 49) Directive 94/36/EC of the European Parliament and of the Council of 30 June 1994 on colours for use in foodstuffs <sup>(3)</sup>.

Article 5 is replaced by the following:

*'Article 5*

1. The Commission shall be assisted by the Standing Committee on the Food Chain and Animal Health, set up by Article 58 of Regulation (EC) No 178/2002 (\*), hereinafter referred to as "the Committee".
2. Where reference is made to this Article, Articles 5 and 7 of Decision 1999/468/EC (\*\*) shall apply, having regard to the provisions of Article 8 thereof.

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<sup>(1)</sup> OJ L 290, 24.11.1993, p. 14.

<sup>(2)</sup> OJ L 237, 10.9.1994, p. 3. Directive as amended by European Parliament and Council Directive 96/83/EC (OJ L 48, 19.2.1997, p. 16).

<sup>(3)</sup> OJ L 237, 10.9.1994, p. 13.

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

3. The Committee shall adopt its rules of procedure.

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(\*) OJ L 31, 1.2.2002, p. 1.

(\*\*) Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission (OJ L 184, 17.7.1999, p. 23).'

- 50) Council Regulation (EC) No 1734/94 of 11 July 1994 on financial and technical cooperation with the West Bank and Gaza Strip <sup>(1)</sup>.

Article 5 is replaced by the following:

*'Article 5*

1. The Commission shall be assisted by the MED Committee set up pursuant to Article 11 of Regulation (EEC) No 1488/96 (\*).

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

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

3. The Committee shall adopt its rules of procedure.

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(\*) OJ L 189, 30.7.1996, p. 1.

(\*\*) Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission (OJ L 184, 17.7.1999, p. 23).'

- 51) Council Regulation (EC) No 2978/94 of 21 November 1994 on the implementation of IMO Resolution A.747(18) on the application of tonnage measurement of ballast spaces in segregated ballast oil tankers <sup>(2)</sup>.

Article 7 is replaced by the following:

*'Article 7*

1. The Commission shall be assisted by a committee. The committee shall meet at the invitation of the Commission whenever deemed necessary for the application of this Regulation.

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

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

3. The Committee shall adopt its rules of procedure.

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(\*) Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission (OJ L 184, 17.7.1999, p. 23).'

- 52) Council Directive 94/67/EEC of 16 December 1994 on the incineration of hazardous waste <sup>(3)</sup>.

Article 16 is replaced by the following:

*'Article 16*

1. The Commission shall be assisted by a committee.

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

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<sup>(1)</sup> OJ L 182, 16.7.1994, p. 4. Regulation as last amended by Regulation (EC) No 2840/98 (OJ L 354, 30.12.1998, p. 14).

<sup>(2)</sup> OJ L 319, 12.12.1994, p. 1.

<sup>(3)</sup> OJ L 365, 31.12.1994, p. 34.

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

3. The Committee shall adopt its rules of procedure.

(\*) Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission (OJ L 184, 17.7.1999, p. 23).'

- 53) Directive 94/62/EC of the European Parliament and of the Council of 20 December 1994 on packaging and packaging waste <sup>(1)</sup>.

Article 21 is replaced by the following:

*'Article 21*

**Committee procedure**

1. The Commission shall be assisted by a committee.

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

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

3. The Committee shall adopt its rules of procedure.

(\*) Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission (OJ L 184, 17.7.1999, p. 23).'

- 54) Directive 94/63/EC of the European Parliament and of the Council of 20 December 1994 on the control of volatile organic compound (VOC) emissions resulting from the storage of petrol and its distribution from terminals to service stations <sup>(2)</sup>.

Article 8 is replaced by the following:

*'Article 8*

**The committee**

1. The Commission shall be assisted by a committee.

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

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

3. The Committee shall adopt its rules of procedure.

(\*) Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission (OJ L 184, 17.7.1999, p. 23).'

- 55) Directive 95/2/EC of the European Parliament and of the Council of 20 February 1995 on food additives other than colours and sweeteners <sup>(3)</sup>.

Article 6 is replaced by the following:

*'Article 6*

1. The Commission shall be assisted by the Standing Committee on the Food Chain and Animal Health, set up by Article 58 of Regulation (EC) No 178/2002 (\*), hereinafter referred to as "the Committee".

<sup>(1)</sup> OJ L 365, 31.12.1994, p. 10.

<sup>(2)</sup> OJ L 365, 31.12.1994, p. 24.

<sup>(3)</sup> OJ L 61, 18.3.1995, p. 1. Directive as last amended by European Parliament and Council Directive 2001/5/EC (OJ L 55, 24.2.2001, p. 59).

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

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

3. The Committee shall adopt its rules of procedure.

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(\*) OJ L 31, 1.2.2002, p. 1.

(\*\*) Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission (OJ L 184, 17.7.1999, p. 23).'

56) Council Regulation (EC) No 2494/95 of 23 October 1995 concerning harmonised indices of consumer prices <sup>(1)</sup>.

Article 14 is replaced by the following:

*'Article 14*

**Procedure**

1. The Commission shall be assisted by the Statistical Programme Committee, hereinafter referred to as "the Committee".

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

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

3. The Committee shall adopt its rules of procedure.

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(\*) Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission (OJ L 184, 17.7.1999, p. 23).'

57) Council Regulation (EC) No 2597/95 of 23 October 1995 on the submission of nominal catch statistics by Member States fishing in certain areas other than those of the North Atlantic <sup>(2)</sup>.

Article 5 is replaced by the following:

*'Article 5*

1. The Commission shall be assisted by the Standing Committee on Agricultural Statistics, hereinafter referred to as "the Committee".

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

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

3. The Committee shall adopt its rules of procedure.

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(\*) Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission (OJ L 184, 17.7.1999, p. 23).'

58) Council Directive 96/16/EC of 19 March 1996 on statistical surveys of milk and milk products <sup>(3)</sup>.

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<sup>(1)</sup> OJ L 257, 27.10.1995, p. 1.

<sup>(2)</sup> OJ L 270, 13.11.1995, p. 1. Regulation as amended by Commission Regulation (EC) No 1638/2001 (OJ L 222, 17.8.2001, p. 29).

<sup>(3)</sup> OJ L 78, 28.3.1996, p. 27.

Article 7 is replaced by the following:

*'Article 7*

1. The Commission shall be assisted by the Standing Committee on Agricultural Statistics, hereinafter referred to as "the Committee".
2. Where reference is made to this Article, Articles 5 and 7 of Decision 1999/468/EC (\*) shall apply, having regard to the provisions of Article 8 thereof.

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

3. The Committee shall adopt its rules of procedure.

(\*) Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission (OJ L 184, 17.7.1999, p. 23).'

59) Council Regulation (EC) No 1257/96 of 20 June 1996 concerning humanitarian aid <sup>(1)</sup>.

Article 17(1) and (2) are replaced by the following:

- '1. The Commission shall be assisted by a committee.*

*The Committee shall adopt its rules of procedure.*

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

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

60) Council Directive 96/48/EC of 23 July 1996 on the interoperability of the trans-European high-speed rail system <sup>(2)</sup>.

Article 21 is replaced by the following:

*'Article 21*

1. The Commission shall be assisted by a committee.
2. Where reference is made to this Article, Articles 5 and 7 of Decision 1999/468/EC (\*) shall apply, having regard to the provisions of Article 8 thereof.

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

3. The Committee shall adopt its rules of procedure.
4. The Committee may discuss any matter concerning the interoperability of the trans-European high-speed rail system.
5. Should it prove necessary, the Committee may set up working parties to aid it in carrying out its tasks, in particular with a view to coordinating the notified bodies.
6. The Committee shall be set up as soon as this Directive enters into force.

(\*) Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission (OJ L 184, 17.7.1999, p. 23).'

<sup>(1)</sup> OJ L 163, 2.7.1996, p. 1.

<sup>(2)</sup> OJ L 235, 17.9.1996, p. 6.

- 61) Council Directive 96/61/EC of 24 September 1996 concerning integrated pollution prevention and control <sup>(1)</sup>.

Article 19 is replaced by the following:

*'Article 19*

**Committee procedure**

1. The Commission shall be assisted by a committee.
2. Where reference is made to this Article, Articles 5 and 7 of Decision 1999/468/EC (\*) shall apply, having regard to the provisions of Article 8 thereof.

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

3. The Committee shall adopt its rules of procedure.

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(\*) Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission (OJ L 184, 17.7.1999, p. 23).'

- 62) Council Directive 96/62/EC of 27 September 1996 on ambient air quality assessment and management <sup>(2)</sup>.

Article 12 is replaced by the following:

*'Article 12*

**Committee and its functions**

1. The amendments necessary to adapt the criteria and techniques referred to in Article 4(2) to scientific and technical progress, and the detailed arrangements for forwarding the information to be provided under Article 11, and other tasks specified in the provisions referred to in Article 4(3), shall be adopted in accordance with the procedure laid down in paragraph 2 of this Article. Such adaptation must not have the effect of modifying the limit values or the alert thresholds either directly or indirectly.
2. The Commission shall be assisted by a committee.
3. Where reference is made to this Article, Articles 5 and 7 of Decision 1999/468/EC (\*) shall apply, having regard to the provisions of Article 8 thereof.

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

4. The Committee shall adopt its rules of procedure.

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(\*) Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission (OJ L 184, 17.7.1999, p. 23).'

- 63) Regulation (EC) No 2232/96 of the European Parliament and of the Council of 28 October 1996 laying down a Community procedure for flavouring substances used or intended for use in or on foodstuffs <sup>(3)</sup>.

(a) Article 7 is replaced by the following:

*'Article 7*

1. The Commission shall be assisted by the Standing Committee on the Food Chain and Animal Health, set up by Article 58 of Regulation (EC) No 178/2002 (\*), hereinafter referred to as "the Committee".
2. Where reference is made to this Article, Articles 5 and 7 of Decision 1999/468/EC (\*\*) shall apply, having regard to the provisions of Article 8 thereof.

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<sup>(1)</sup> OJ L 257, 10.10.1996, p. 26.

<sup>(2)</sup> OJ L 296, 21.11.1996, p. 55.

<sup>(3)</sup> OJ L 299, 23.11.1996, p. 1.



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

3. The Committee shall adopt its rules of procedure.

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(\*) OJ L 31, 1.2.2002, p. 1.

(\*\*) Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission (OJ L 184, 17.7.1999, p. 23).'

(b) Article 8 is repealed.

64) Council Regulation (EC) No 2258/96 of 22 November 1996 on rehabilitation and reconstruction operations in developing countries <sup>(1)</sup>.

Article 7 is replaced by the following:

*'Article 7*

1. The Commission shall be assisted by the relevant geographical committee, hereinafter referred to as "the Committee".

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

The period laid down in Article 5(6) of Decision 1999/468/EC shall be one month.

3. The Committee shall adopt its rules of procedure.

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(\*) Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission (OJ L 184, 17.7.1999, p. 23).'

65) Council Directive 96/82/EC of 9 December 1996 on the control of major-accident hazards involving dangerous substances <sup>(2)</sup>.

Article 22 is replaced by the following:

*'Article 22*

**Committee**

1. The Commission shall be assisted by a committee.

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

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

3. The Committee shall adopt its rules of procedure.

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(\*) Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission (OJ L 184, 17.7.1999, p. 23).'

66) Council Regulation (EC) No 338/97 of 9 December 1996 on the protection of species of wild fauna and flora by regulating trade therein <sup>(3)</sup>.

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<sup>(1)</sup> OJ L 306, 28.11.1996, p. 1.

<sup>(2)</sup> OJ L 10, 14.1.1997, p. 13.

<sup>(3)</sup> OJ L 61, 3.3.1997, p. 1. Regulation as last amended by Commission Regulation (EC) No 2476/2001 (OJ L 334, 18.12.2001, p. 3).

















- 87) Council Regulation (EC) No 856/1999 of 22 April 1999 establishing a special framework of assistance for traditional ACP suppliers of bananas <sup>(1)</sup>.

Articles 6 and 8 are replaced by the following:

*‘Article 6*

1. The Commission shall be assisted by the geographically-determined committee competent for development.
2. Where reference is made to this Article, Articles 5 and 7 of Decision 1999/468/EC (\*) shall apply, having regard to the provisions of Article 8 thereof.

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

3. The Committee shall adopt its rules of procedure.

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(\*) Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission (OJ L 184, 17.7.1999, p. 23).

*Article 8*

1. The Commission shall be assisted by the geographically-determined committee competent for development.
2. Where reference is made to this Article, Articles 5 and 7 of Decision 1999/468/EC (\*) shall apply, having regard to the provisions of Article 8 thereof.

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

3. The Committee shall adopt its rules of procedure.’

- 88) Council Directive 1999/31/EC of 26 April 1999 on the landfill of waste <sup>(2)</sup>.

Article 17 is replaced by the following:

*‘Article 17*

1. The Commission shall be assisted by a committee.
2. Where reference is made to this Article, Articles 5 and 7 of Decision 1999/468/EC (\*) shall apply, having regard to the provisions of Article 8 thereof.

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

3. The Committee shall adopt its rules of procedure.

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(\*) Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission (OJ L 184, 17.7.1999, p. 23).’

- 89) Council Regulation (EC) No 975/1999 of 29 April 1999 laying down the requirements for the implementation of development cooperation operations which contribute to the general objective of developing and consolidating democracy and the rule of law and to that of respecting human rights and fundamental freedoms <sup>(3)</sup>.

Article 13 is replaced by the following:

*‘Article 13*

1. The Commission shall be assisted by a Human Rights and Democracy Committee, hereinafter referred to as “the Committee”.
2. Where reference is made to this Article, Articles 5 and 7 of Decision 1999/468/EC (\*) shall apply, having regard to the provisions of Article 8 thereof.

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<sup>(1)</sup> OJ L 108, 27.4.1999, p. 2.

<sup>(2)</sup> OJ L 182, 16.7.1999, p. 1.

<sup>(3)</sup> OJ L 120, 8.5.1999, p. 1.

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

3. The Committee shall adopt its rules of procedure.

(\*) Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission (OJ L 184, 17.7.1999, p. 23).'

90) Directive 1999/45/EC of the European Parliament and of the Council of 31 May 1999 concerning the approximation of the laws, regulations and administrative provisions of the Member States relating to the classification, packaging and labelling of dangerous preparations <sup>(1)</sup>.

Article 20 is replaced by the following:

*'Article 20*

1. Amendments required to adapt the Annexes to this Directive to technical progress shall be adopted in accordance with the procedure laid down in Article 29(4)(a) of Directive 67/548/EEC.

2. The Commission shall be assisted by a committee.

3. Where reference is made to this Article, Articles 5 and 7 of Decision 1999/468/EC (\*) shall apply, having regard to the provisions of Article 8 thereof.

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

4. The Committee shall adopt its rules of procedure.

(\*) Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission (OJ L 184, 17.7.1999, p. 23).'

91) Directive 1999/94/EC of the European Parliament and of the Council of 13 December 1999 relating to the availability of consumer information on fuel economy and CO<sub>2</sub> emissions in respect of the marketing of new passenger cars <sup>(2)</sup>.

Article 10 is replaced by the following:

*'Article 10*

1. The Commission shall be assisted by a committee.

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

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

3. The Committee shall adopt its rules of procedure.

(\*) Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission (OJ L 184, 17.7.1999, p. 23).'

<sup>(1)</sup> OJ L 200, 30.7.1999, p. 1. Directive as amended by Commission Directive 2001/60/EC (OJ L 226, 22.8.2001, p. 5).

<sup>(2)</sup> OJ L 12, 18.1.2000, p. 16.