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94/458/EC: Commission Decision of 29 June 1994 on the administrative management of cooperation in the scientific examination of questions relating to food

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COMMISSION DECISION of 29 June 1994 on the administrative management of cooperation in the scientific examination of questions relating to food (94/458/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to 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 (1), and in particular Article 3 thereof,

Whereas the first indent of Article 3 (2) of Directive 93/5/EEC provides for the establishment of rules for the administrative management of cooperation;

Whereas those rules are designed to serve a variety of purposes;

Whereas more detailed rules must be laid down governing the procedures for the various stages of cooperation;

Whereas the detailed arrangements for cooperation between the bodies and authorities designated by the Member States must also be laid down;

Whereas it is necessary to ensure greater transparency in the recommendations made by the Scientific Committee for Food;

Whereas the measures provided for by this Decision are in accordance with the opinion of the Standing Committee on Food,

HAS ADOPTED THIS DECISION:

Article 1

This Decision lays down rules for the administrative management of cooperation between Member States and the Commission in the scientific examination of questions relating to food in accordance with Directive 93/5/EEC.

Article 2

1. In cooperation with the authorities or bodies designated by Member States in accordance with the first paragraph of Article 2 of Directive 93/5/EEC, the Commission shall prepare at least every six months the draft decision to establish and update the inventory of tasks and their associated priorities within the meaning of the second indent of Article 3 (2) of Directive 93/5/EEC.

2 The draft shall distinguish between matters falling within the scope of Article 1 (2) (a) of Directive 93/5/EEC and matters falling within the scope of Article 1 (2) (b).

Article 3

1. When designating the authority or body under Article 2 of Directive 93/5/EEC, each Member State shall provide the name of a single authority or body, together with the name and address of a contact point for the Commission and the other Member States.

2. The Member State shall notify the Commission forthwith of any change in the information referred to paragraph 1.

Article 4

When a designated national authority or body proposes to participate in the conduct of a specific task, it shall provide the list of institutes which may participate in the cooperation, together with:

- their names and addresses as well as the name of person responsible for carrying out the task,
- information on their resources and expertise in the respective field.

Article 5

1. The Commission shall ensure that the opinions of the Scientific Committee for Food, together with a summary of the reasons for those opinions, are made available as soon as possible to all interested parties, including the designated authorities and bodies.

2. Where a natural or legal person, a participating institute, a designated authority or body or the Commission indicates that information or documents to be exchanged within the framework of scientific cooperation are confidential, the Commission shall ensure that the information or documents concerned are clearly marked.

The confidentiality of such information or documents shall be respected by those receiving it.

At the request of a designated authority or body, the Commission shall review the confidential status of information or documents, in consultation with the parties which established them.

Article 6

The decision on the inventory of tasks and their associated priorities under the second indent of Article 3 (2) of Directive 93/5/EEC shall include precise details concerning the following aspects in particular:

- the subject of the work to be carried out,
- the nature and extent of work,
- the time limit for completion of the work.

Article 7

1. In cooperation with the authorities or bodies designated by Member States in accordance with the first paragraph of Article 2 of Directive 93/5/EEC, the Commission shall prepare at least every six months the draft decision for the distribution of tasks between the designated authorities and bodies.

Following the adoption of the decision, each designated authority or body shall inform the Commission of the name of the institute or institutes which will carry out the specific tasks. It shall forthwith inform the Commission of any changes.

2. Appropriate arrangements may be established to permit direct contacts between the Commission and the institutes on technical matters, subject to any conditions laid down by the designated authorities or bodies.

3. Where a single task is distributed to the designated authorities or bodies of two or more Member States, appropriate arrangements may be established to permit direct contacts on technical matters between the institutes which have been requested to carry out such tasks, subject to any conditions laid down by the designated authorities or bodies.

Article 8

1. At least every six months, each designated authority or body shall forward to the Commission a report on progress on the accomplishment of the tasks assigned to it. The Commission shall circulate the report to the other designated authorities or bodies.

2. The tasks shall be periodically reviewed by the Commission, in consultation with the designated authorities or body.

Article 9

1. The Commission shall work in close collaboration with the designated authorities or bodies on all aspects of the implementation of Directive 93/5/EEC.

2. The Commission shall facilitate communication and the exchange of information between the Scientific Committee for Food and the designated authorities or bodies on matters falling within the scope of Directive 93/5/EEC.

3. The Commission may also carry out whatever other additional consultations it considers necessary and shall inform the designated authorities or bodies accordingly.

Article 10

This Decision is addressed to the Member States.

Done at Brussels, 29 June 1994.

For the Commission

Martin BANGEMANN

Member of the Commission

(1) OJ No L 52, 4. 3. 1993, p. 18.

31993L0005

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

Official Journal L 052 , 04/03/1993 P. 0018 - 0021

Finnish special edition: Chapter 15 Volume 12 P. 0087

Swedish special edition: Chapter 15 Volume 12 P. 0087

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

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

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

In cooperation with the European Parliament (2),

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

Whereas the completion and smooth operation of the internal market for foodstuffs make it necessary to examine and evaluate scientific questions relating to food, particularly when these questions concern human health;

Whereas consumers are entitled to a Community food policy which promotes safe food particularly regarding nutritional, microbiological and toxicological issues;

Whereas in order to assist with this task the Commission set up a Scientific Committee for Food by Decision 74/234/EEC (4);

Whereas consultation of this Committee is currently required, in relation to questions of public health, by a number of Directives such as those on dietetic foodstuffs, materials and articles intended to come into contact with foodstuffs, additives, flavourings and extraction solvents;

Whereas the Scientific Committee for Food should be involved much more widely in Community policies that affect food, diet and public health;

Whereas the process of achieving a satisfactory scientific base for matters relating to food safety must, in the interests of consumers and industry be independent, transparent and effective and must reflect the situation existing in all Member States;

Whereas in order to ensure the smooth running of this Committee the Community needs scientific support from the Member States;

Whereas the Community also needs scientific support for other questions of public interest essential to the operation of the internal market, such as the handling of incidents involving food contamination and in general where it is necessary to lay down new rules concerning foodstuffs which may affect human health;

Whereas, in order to ensure that these tasks are carried out, the Commission must have access to the information and assistance available in the Member States, which must facilitate the accomplishment of its tasks;

Whereas in the Member States there are various bodies whose task is to provide their governments with scientific back-up on questions concerning foodstuffs; whereas it is necessary to use these resources effectively to support Community activities through cooperation;

Whereas Member States shall take all the necessary measures including financial measures, within the limits of their resources, to enable their competent authorities and bodies to cooperate with the Commission and lend it the assistance it needs in the scientific examination of questions of public interest relating to food;

Whereas there must therefore be an approximation of the provisions governing these bodies in order that they may cooperate with the Commission with the aim especially of drawing up future rules to ensure the free movement of foodstuffs, on the basis of all the scientific data available;

Whereas it is necessary to enhance and strengthen the powers and expertise of the Scientific Committee for Food, particularly with the aim of increasing the effectiveness of the Community in food issues;

Whereas it is necessary to make provision for third countries to participate in this cooperation;

Whereas the Commission must be responsible for the management of this cooperation and the Member States for their part must assist in this task, in the context of the Standing Committee for Food;

Whereas the completion of the internal market should give rise to increased participation of the Community in meetings and work on foodstuffs of international organizations and also in bilateral relations,

HAS ADOPTED THIS DIRECTIVE:

Article 1

1. Member States shall take the necessary measures to enable their competent authorities and bodies to cooperate with the Commission and lend it the assistance it needs in the scientific examination of questions of public interest relating to food, particularly in the field of public health, through disciplines such as those associated with medicine, nutrition, toxicology, biology, hygiene, food technology, biotechnology, novel foods and processes, risk assessment techniques, physics and chemistry.

2. (a) The cooperation procedure of this Directive shall apply when a Council act requires the opinion of the Scientific Committee for Food.

(b) Where appropriate, the application of the cooperation procedure of this Directive to other questions relating to the protection of the health and safety of persons arising from the consumption of food shall be decided in accordance with the procedure laid down in Article 5.

Article 2

Each Member State shall designate the authority or body which will be responsible for the cooperation with the Commission and for distribution of work to appropriate institutes within Member States as regards the tasks laid down in Article 3 and shall notify the Commission accordingly.

The Commission shall publish in the Official Journal of the European Communities and update the list of designated authorities referred to in the preceding paragraph.

Each designated authority shall send to the Commission a list of the institutes participating in the cooperation procedure in its jurisdiction, and any modifications to that list. The Commission shall circulate this information to the above authorities and other interested parties.

Article 3

1. The principal tasks to be carried out by the institutes participating in the cooperation shall include those listed in the Annex.

2. The following measures shall be adopted in accordance with the procedure laid down in Article 5:

- establishment of rules for the administrative management of the cooperation, including:

- measures to ensure the transparency of recommendations made by the Scientific Committee for Food,
- procedures for the presentation and appraisal of dossiers;
- establishment, and updating at least every six months, of the inventory of tasks and their associated priorities.

3. The tasks to be carried out in accordance with the inventory adopted in accordance with paragraph 2, second indent, shall be distributed in accordance with the procedure laid down in Article 5 on the basis of scientific expertise and within the limits set by the resources available in the Member States.

Article 4

The Commission may, after consultation with the authorities or bodies mentioned in Article 2, invite institutes in third countries to participate, on a voluntary basis, in carrying out the tasks necessary for the achievement of the objectives of this Directive and, in particular, the tasks listed in the inventory mentioned in Article 3 (2) second indent. Where an institute in a third country has agreed to participate in the carrying out of tasks, the Commission shall take that participation into account when allocating tasks under Article 3 (3).

In no event may the participation referred to in the first paragraph involve charges for the Community budget.

Article 5

The Commission shall be assisted by the Standing Committee on Food set up by Decision 69/414/EEC (5), hereafter referred to as the 'Committee'.

The representative of the Commission shall submit to the committee a draft of the measures to be taken. The committee shall deliver its opinion on the draft within a time limit which the chairman may lay down according to the urgency of the matter. The opinion shall be delivered by the majority laid down in Article 148 (2) of the Treaty in the case of decisions which the Council is required to adopt on a proposal from the Commission. The votes of the representatives of the Member States within the committee shall be weighted in the manner set out in that Article. The chairman shall not vote.

The Commission shall adopt the measures envisaged if they are in accordance with the opinion of the committee.

If the measures envisaged are not in accordance with the opinion of the committee, or if no opinion is delivered, the Commission shall, without delay, submit to the Council a proposal relating to the measures to be taken. The Council shall act by a qualified majority.

If, on the expiry of a period of three months from the date of referral to the Council, the Council has not acted, the proposed measures shall be adopted by the Commission, save where the Council had decided against the said measures by a simple majority.

Article 6

The Commission shall report to the European Parliament and to the Council on the structures, works and efficiency of the Scientific Committee for Food within three years of the implementation of this Directive and every three years thereafter.

Article 7

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive before 1 June 1993. They shall forthwith inform the Commission thereof.

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

2. Member States shall communicate to the Commission the main provisions of domestic law which they adopt in the field governed by this Directive.

Article 8

This Directive is addressed to the Member States.

Done at Brussels, 25 February 1993.

For the Council

The President

J. TROEJBORG

(1) OJ No C 108, 23. 4. 1991, p. 7 and OJ No C 107, 28. 4. 1992, p. 13.

(2) OJ No C 94, 13. 2. 1992, p. 286 and Decision of 20 January 1993 (not yet published in the Official Journal).

(3) OJ No C 14, 20. 1. 1992, p. 6.

(4) OJ No L 136, 20. 5. 1974, p. 1.

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

ANNEX

The principal tasks to be carried out by the institutes participating in the cooperation shall include:

- drawing up protocols for the assessment of risks relating to food components and elaborating methods of nutritional evaluation;
- assessing the nutritional adequacy of the diet;
- examining test data submitted to the Community rule and the production of a monograph for assessment by the Scientific Committee for Food;
- carrying out food intake surveys, particularly those necessary for the determination or evaluation of the conditions of use of food additives or the laying down of limit values for other substances in food;
- conducting investigations relating to components of diets of the various Member States or of biological or chemical food contaminants;
- helping the Commission honour the Community's international commitments by providing expertise on food safety questions.

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(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 ⁽¹⁾,

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

After consulting the Committee of the Regions,

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

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 ⁽⁴⁾ replaced Decision 87/373/EEC ⁽⁵⁾.

(2) In accordance with the statement of the Council and of the Commission ⁽⁶⁾ 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.

⁽¹⁾ OJ C 75 E, 26.3.2002, p. 385.

⁽²⁾ OJ C 241, 7.10.2002, p. 128.

⁽³⁾ 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).

⁽⁴⁾ OJ L 184, 17.7.1999, p. 23.

⁽⁵⁾ OJ L 197, 18.7.1987, p. 33.

⁽⁶⁾ 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

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 ⁽¹⁾.

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.

(*) 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 ⁽²⁾.

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.

(*) 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 ⁽³⁾.

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.

⁽¹⁾ 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).

⁽²⁾ 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).

⁽³⁾ 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 ⁽¹⁾.

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 ⁽²⁾.

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 ⁽³⁾.

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.

⁽¹⁾ 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).

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

⁽³⁾ 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.

(*) 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 ⁽¹⁾.

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.

(*) 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 ⁽²⁾.

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.

(*) 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 ⁽³⁾.

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.

(*) 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).'

⁽¹⁾ OJ L 329, 30.12.1993, p. 63.

⁽²⁾ OJ L 100, 19.4.1994, p. 1.

⁽³⁾ 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 ⁽¹⁾.

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.

(*) 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 ⁽²⁾.

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 ⁽³⁾.

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.

(*) 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).’

⁽¹⁾ OJ L 213, 7.9.1995, p. 1.

⁽²⁾ OJ L 272, 25.10.1996, p. 36.

⁽³⁾ 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 ⁽¹⁾.

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.

(*) 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 ⁽²⁾.

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.

(*) 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 ⁽³⁾.

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.

(*) 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).’

⁽¹⁾ OJ L 181, 9.7.1997, p. 1.

⁽²⁾ OJ L 331, 7.12.1998, p. 1.

⁽³⁾ 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 ⁽¹⁾.

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 ⁽²⁾.

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' ⁽³⁾.

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).'

⁽¹⁾ OJ L 91, 7.4.1999, p. 10.

⁽²⁾ OJ L 85, 23.3.1999, p. 1.

⁽³⁾ 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 ⁽¹⁾.

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.

(*) 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).'

⁽¹⁾ 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 ⁽¹⁾.

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 ⁽²⁾.

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 ⁽³⁾.

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.

⁽¹⁾ 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).

⁽²⁾ OJ L 49, 21.2.1989, p. 26.

⁽³⁾ 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 ⁽¹⁾.

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 ⁽²⁾.

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 ⁽³⁾.

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.

⁽¹⁾ 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).

⁽²⁾ 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).

⁽³⁾ 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.

(*) 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 ⁽¹⁾.

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.

(*) 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 ⁽²⁾.

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.

⁽¹⁾ 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).

⁽²⁾ 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 ⁽¹⁾.

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 ⁽²⁾.

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.

⁽¹⁾ OJ L 377, 31.12.1991, p. 48.

⁽²⁾ 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.

(*) 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 ⁽¹⁾.

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.

(*) 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 ⁽²⁾.

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.

⁽¹⁾ 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).

⁽²⁾ 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 ⁽¹⁾.

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 ⁽²⁾.

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 ⁽³⁾.

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".

⁽¹⁾ OJ L 121, 15.5.1993, p. 20.

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

⁽³⁾ 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 ⁽¹⁾.

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 ⁽²⁾.

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 ⁽³⁾.

Article 31 is replaced by the following:

'Article 31

1. The Commission shall be assisted by a committee.

⁽¹⁾ 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).

⁽²⁾ 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).

⁽³⁾ 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.

(*) 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 ⁽¹⁾.

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.

(*) 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 ⁽²⁾.

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.

(*) 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 ⁽³⁾.

⁽¹⁾ OJ L 291, 6.12.1995, p. 32.

⁽²⁾ 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).

⁽³⁾ 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 ⁽¹⁾.

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 ⁽²⁾.

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 ⁽³⁾.

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.

⁽¹⁾ OJ L 108, 1.5.1996, p. 1.

⁽²⁾ OJ L 163, 2.7.1996, p. 1.

⁽³⁾ 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.

(*) 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 ⁽¹⁾.

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.

(*) 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 ⁽²⁾.

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.

(*) 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 ⁽³⁾.

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.

⁽¹⁾ OJ L 52, 22.2.1997, p. 1.

⁽²⁾ OJ L 123, 24.4.1998, p. 1.

⁽³⁾ 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.

(*) 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 ⁽¹⁾.

(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.

(*) 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 ⁽²⁾.

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.

(*) 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 ⁽³⁾.

⁽¹⁾ OJ L 213, 30.7.1998, p. 1.

⁽²⁾ OJ L 330, 5.12.1998, p. 32.

⁽³⁾ 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' ⁽¹⁾.

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 ⁽²⁾.

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).'

⁽¹⁾ OJ L 146, 11.6.1999, p. 33.

⁽²⁾ 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 ⁽¹⁾.

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.

(*) 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 ⁽²⁾.

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.

(*) 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 ⁽³⁾.

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.

(*) 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).’

⁽¹⁾ 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).

⁽²⁾ 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).

⁽³⁾ 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 ⁽¹⁾.

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

3. The Committee shall adopt its rules of procedure.

^(*) 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).'

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

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 ^(*), 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.

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.

^(*) 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).'

- 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 ⁽³⁾.

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 ^(*), hereinafter referred to as "the Committee".

⁽¹⁾ 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).

⁽²⁾ 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).

⁽³⁾ 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.

(*) 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 ⁽¹⁾.

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.

(*) 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) ⁽²⁾.

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.

(*) 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 ⁽³⁾.

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".

⁽¹⁾ 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).

⁽²⁾ 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).

⁽³⁾ 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.

(*) 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 ⁽¹⁾.

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.

(*) 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 ⁽²⁾.

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.

(*) 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 ⁽³⁾.

⁽¹⁾ 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).

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

⁽³⁾ 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.

(*) 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 ⁽¹⁾.

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.

(*) 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 ⁽²⁾.

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.

(*) 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).'

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

⁽²⁾ 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 ⁽¹⁾.

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.

(*) 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 ⁽²⁾.

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 ⁽³⁾.

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.

(*) 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).'

⁽¹⁾ 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).

⁽²⁾ 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).

⁽³⁾ 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 ⁽¹⁾.

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.

(*) 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 ⁽²⁾.

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.

(*) 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 ⁽³⁾.

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.

(*) 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).'

⁽¹⁾ 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).

⁽²⁾ 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).

⁽³⁾ OJ L 276, 6.10.1990, p. 40.

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

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.

(*) 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 ⁽²⁾.

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.

(*) 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 ⁽³⁾.

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.

(*) 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).'

⁽¹⁾ 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).

⁽²⁾ 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).

⁽³⁾ 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 ⁽¹⁾.

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.

(*) 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 ⁽²⁾.

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.

(*) 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 ⁽³⁾.

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.

(*) 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).'

⁽¹⁾ 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).

⁽²⁾ OJ L 375, 31.12.1991, p. 1.

⁽³⁾ 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 ⁽¹⁾.

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.

(*) 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 ⁽²⁾.

(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.

(*) 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 ⁽³⁾.

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.

⁽¹⁾ OJ L 374, 31.12.1991, p. 32.

⁽²⁾ OJ L 374, 31.12.1991, p. 4.

⁽³⁾ 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.

(*) 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 ⁽¹⁾.

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.

(*) 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 ⁽²⁾.

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.

(*) 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).'

⁽¹⁾ 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).

⁽²⁾ 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 ⁽¹⁾.

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).'

- 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 ⁽²⁾.

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.

(*) 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 ⁽³⁾.

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.

(*) 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).'

⁽¹⁾ OJ L 297, 13.10.1992, p. 16.

⁽²⁾ OJ L 373, 21.12.1992, p. 26.

⁽³⁾ 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 ⁽¹⁾.

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.

(*) 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 ⁽²⁾.

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.

(*) 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 ⁽³⁾.

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.

(*) 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).'

⁽¹⁾ OJ L 52, 4.3.1993, p. 18.

⁽²⁾ OJ L 84, 5.4.1993, p. 1.

⁽³⁾ 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 ⁽¹⁾.

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.

(*) 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 ⁽²⁾.

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.

(*) 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 ⁽³⁾.

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.

(*) 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).'

⁽¹⁾ 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).

⁽²⁾ OJ L 149, 21.6.1993, p. 5. Directive as last amended by Directive 97/77/EC.

⁽³⁾ 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 ⁽¹⁾.

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.

(*) 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 ⁽²⁾.

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.

(*) 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 CO₂ and other greenhouse gas emissions ⁽³⁾.

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.

(*) 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).'

⁽¹⁾ 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).

⁽²⁾ OJ L 175, 19.7.1993, p. 1.

⁽³⁾ 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 ⁽¹⁾.

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.

(*) 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 ⁽²⁾.

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.

(*) 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 ⁽³⁾.

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.

(*) 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).'

⁽¹⁾ 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).

⁽²⁾ 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).

⁽³⁾ 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 ⁽¹⁾.

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.

(*) 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 ⁽²⁾.

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.

(*) 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 ⁽³⁾.

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.

⁽¹⁾ OJ L 290, 24.11.1993, p. 14.

⁽²⁾ 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).

⁽³⁾ 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.

(*) 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 ⁽¹⁾.

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.

(*) 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 ⁽²⁾.

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.

(*) 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 ⁽³⁾.

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.

⁽¹⁾ 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).

⁽²⁾ OJ L 319, 12.12.1994, p. 1.

⁽³⁾ 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 ⁽¹⁾.

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 ⁽²⁾.

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 ⁽³⁾.

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".

⁽¹⁾ OJ L 365, 31.12.1994, p. 10.

⁽²⁾ OJ L 365, 31.12.1994, p. 24.

⁽³⁾ 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.

(*) 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 ⁽¹⁾.

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.

(*) 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 ⁽²⁾.

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.

(*) 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 ⁽³⁾.

⁽¹⁾ OJ L 257, 27.10.1995, p. 1.

⁽²⁾ 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).

⁽³⁾ 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 ⁽¹⁾.

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 ⁽²⁾.

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).'

⁽¹⁾ OJ L 163, 2.7.1996, p. 1.

⁽²⁾ OJ L 235, 17.9.1996, p. 6.

- 61) Council Directive 96/61/EC of 24 September 1996 concerning integrated pollution prevention and control ⁽¹⁾.

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.

(*) 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 ⁽²⁾.

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.

(*) 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 ⁽³⁾.

(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.

⁽¹⁾ OJ L 257, 10.10.1996, p. 26.

⁽²⁾ OJ L 296, 21.11.1996, p. 55.

⁽³⁾ 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.

(*) 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 ⁽¹⁾.

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.

(*) 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 ⁽²⁾.

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.

(*) 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 ⁽³⁾.

⁽¹⁾ OJ L 306, 28.11.1996, p. 1.

⁽²⁾ OJ L 10, 14.1.1997, p. 13.

⁽³⁾ 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).

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. As regards the Committee's tasks referred to in points 1 and 2 of Article 19, if, on the expiry of a period of three months from the date of referral to the Council, the Council has not acted, the proposed measures shall be adopted by the Commission.

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).'

- 67) Directive 96/73/EC of the European Parliament and of the Council of 16 December 1996 on certain methods for the quantitative analysis of binary textile fibre mixtures ⁽¹⁾.

Articles 5 and 6 are replaced by the following:

'Article 5

1. The Commission shall be assisted by a Committee for Directives relating to Textile Names and Labelling, hereinafter called "the Committee".
2. Adaptations to technical progress in the methods of quantitative analysis provided for in Annex II shall be made in accordance with the procedure laid down in Article 6.

Article 6

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.

(*) 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).'

- 68) Council Directive 96/96/EC of 20 December 1996 on the approximation of the laws of the Member States relating to roadworthiness tests for motor vehicles and their trailers ⁽²⁾.

Article 8 is replaced by the following:

'Article 8

1. The Commission shall be assisted by a committee on the adaptation to technical progress of the Directive on roadworthiness tests for motor vehicles and their trailers, 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).'

⁽¹⁾ OJ L 32, 3.2.1997, p. 1.

⁽²⁾ OJ L 46, 17.2.1997, p. 1. Directive as last amended by Commission Directive 2001/11/EC (OJ L 48, 17.2.2001, p. 20).

- 69) Council Regulation (EC, Euratom) No 58/97 of 20 December 1996 concerning structural business statistics ⁽¹⁾.

Article 13 is replaced by the following:

'Article 13

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 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).'

- 70) Regulation (EC) No 258/97 of the European Parliament and of the Council of 27 January 1997 concerning novel foods and novel food ingredients ⁽²⁾.

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.

(*) 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).'

- 71) Council Regulation (EC) No 322/97 of 17 February 1997 on Community Statistics ⁽³⁾.

Article 19 is replaced by the following:

'Article 19

1. In the case referred to in Article 3(2)(b), the Commission shall be assisted by the Statistical Programme Committee, hereinafter referred to as "the Committee".
2. In this instance, 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).'

⁽¹⁾ OJ L 14, 17.1.1997, p. 7. Regulation as last amended by Commission Regulation (EC) No 1614/2002 (OJ L 244, 12.9.2002, p. 7).

⁽²⁾ OJ L 43, 14.2.1997, p. 1.

⁽³⁾ OJ L 52, 22.2.1997, p. 1.

- 72) Council Regulation (EC) No 550/97 of 24 March 1997 on HIV/AIDS-related operations in developing countries ⁽¹⁾.

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 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).'

- 73) Council Regulation (EC) No 1484/97 of 22 July 1997 on aid for population policies and programmes in the developing countries ⁽²⁾.

Article 11 is replaced by the following:

'Article 11

1. The Commission shall be assisted by the committee competent for development, 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. An exchange of views shall take place once a year on the basis of a presentation by the representative of the Commission of the general guidelines for the operations to be carried out in the year ahead, in the framework of a joint meeting of the committees pursuant to paragraph 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).'

- 74) Council Regulation (EC) No 2046/97 of 13 October 1997 on north-south cooperation in the campaign against drugs and drug addiction ⁽³⁾.

Article 10 is replaced by the following:

'Article 10

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.

⁽¹⁾ OJ L 85, 27.3.1997, p. 1.

⁽²⁾ OJ L 202, 30.7.1997, p. 1.

⁽³⁾ OJ L 287, 21.10.1997, p. 1.

4. An exchange of views shall take place once a year on the basis of a presentation by the representative of the Commission of the general guidelines for the operations to be carried out in the year ahead, in the framework of a joint meeting of the committees pursuant to paragraph 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).'

- 75) Directive 97/67/EC of the European Parliament and of the Council of 15 December 1997 on common rules for the development of the internal market of Community postal services and the improvement of quality of service ⁽¹⁾.

Article 21 is replaced by the following:

'Article 21

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).'

- 76) 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 ⁽²⁾.

Article 28(3) is replaced by the following:

'3. For matters referred to the Standing Committee by virtue of Articles 10, 11(4), 16, 27(1)(a) and (2), and 32, 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.'

- 77) Council Regulation (EC) No 448/98 of 16 February 1998 completing and amending Regulation (EC) No 2223/96 with respect to the allocation of financial intermediation services indirectly measured (FISIM) within the European system of national and regional accounts (ESA) ⁽³⁾.

Article 7 is replaced by the following:

'Article 7

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.

(*) 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).'

⁽¹⁾ OJ L 15, 21.1.1998, p. 14. Directive as amended by Directive 2002/39/EC (OJ L 176, 5.7.2002, p. 21).

⁽²⁾ OJ L 123, 24.4.1998, p. 1.

⁽³⁾ OJ L 58, 27.2.1998, p. 1.

78) Council Regulation (EC) No 1165/98 of 19 May 1998 concerning short-term statistics ⁽¹⁾.

Article 18 is replaced by the following:

'Article 18

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.

(*) 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).'

79) Decision No 2119/98/EC of the European Parliament and of the Council of 24 September 1998 setting up a network for the epidemiological surveillance and control of communicable diseases in the Community ⁽²⁾.

Article 7 is replaced by the following:

'Article 7

1. For the purposes of implementing this Decision, 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.

(*) 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).'

80) Directive 98/70/EC of the European Parliament and of the Council of 13 October 1998 relating to the quality of petrol and diesel fuels and amending Council Directive 93/12/EEC ⁽³⁾.

Article 11 is replaced by the following:

'Article 11

Committee procedure

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.

(*) 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).'

81) Directive 98/79/EC of the European Parliament and of the Council of 27 October 1998 on in vitro diagnostic medical devices ⁽⁴⁾.

⁽¹⁾ OJ L 162, 5.6.1998, p. 1.

⁽²⁾ OJ L 268, 3.10.1998, p. 1.

⁽³⁾ OJ L 350, 28.12.1998, p. 58. Directive as amended by Commission Directive 2000/71/EC (OJ L 287, 14.11.2000, p. 46).

⁽⁴⁾ OJ L 331, 7.12.1998, p. 1.

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.
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 referred to in paragraph 1 may examine any question connected with the implementation of this Directive.

(*) 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).'

- 82) Decision No 276/1999/EC of the European Parliament and of the Council of 25 January 1999 adopting a multi-annual Community action plan on promoting safer use of the Internet by combating illegal and harmful content on global networks ⁽¹⁾.

Article 5 is replaced by the following:

'Article 5

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).'

- 83) Directive 1999/2/EC of the European Parliament and of the Council of 22 February 1999 on the approximation of the laws of the Member States concerning foods and food ingredients treated with ionising radiation ⁽²⁾.

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

3. The Committee shall adopt its rules of procedure.

(*) 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).'

⁽¹⁾ OJ L 33, 6.2.1999, p. 1.

⁽²⁾ OJ L 66, 13.3.1999, p. 16.

- 84) Directive 1999/4/EC of the European Parliament and of the Council of 22 February 1999 relating to coffee extracts and chicory extracts ⁽¹⁾.

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.

(*) 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).'

- 85) 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 ⁽²⁾.

Article 15 is replaced by the following:

'Article 15

Regulatory committee procedure

1. The procedure laid down in paragraph 2 shall apply in respect of the matters covered by Articles 3(3) and 4(1).
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).'

- 86) Council Regulation (EC) No 530/1999 of 9 March 1999 concerning structural statistics on earnings and on labour costs ⁽³⁾.

Article 12 is replaced by the following:

'Article 12

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.

(*) 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).'

⁽¹⁾ OJ L 66, 13.3.1999, p. 26.

⁽²⁾ OJ L 91, 7.4.1999, p. 10.

⁽³⁾ OJ L 63, 12.3.1999, p. 6.

- 87) Council Regulation (EC) No 856/1999 of 22 April 1999 establishing a special framework of assistance for traditional ACP suppliers of bananas ⁽¹⁾.

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.

(*) 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 ⁽²⁾.

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.

(*) 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 ⁽³⁾.

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.

⁽¹⁾ OJ L 108, 27.4.1999, p. 2.

⁽²⁾ OJ L 182, 16.7.1999, p. 1.

⁽³⁾ 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 ⁽¹⁾.

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 CO₂ emissions in respect of the marketing of new passenger cars ⁽²⁾.

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).'

⁽¹⁾ 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).

⁽²⁾ OJ L 12, 18.1.2000, p. 16.

94/652/EC: Commission Decision of 20 September 1994 establishing the inventory and distribution of tasks to be undertaken within the framework of cooperation by Member States in the scientific examination of questions relating to food

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Swedish special edition: Chapter 15 Volume 13 P. 0215

COMMISSION DECISION of 20 September 1994 establishing the inventory and distribution of tasks to be undertaken within the framework of cooperation by Member States in the scientific examination of questions relating to food (94/652/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to 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 (1), and in particular Article 3 thereof,

Whereas Directive 93/5/EEC provides for assistance to the Commission and cooperation by the Member States in the scientific examination of questions relating to food; whereas Commission Decision 94/458/EC (2) has laid down rules on the administrative management of cooperation in the scientific examination of questions relating to food;

Whereas Article 3 of Directive 93/5/EEC provides for the establishment and updating at least every six months of the inventory of tasks to be undertaken within the framework of scientific cooperation and their associated priorities, and for the distribution of these tasks between the Member States;

Whereas the inventory of tasks should be established and updated having regard to the needs for the protection of public health within the Community and the requirements of Community legislation in the foodstuffs sector;

Whereas the tasks should be distributed having regard to the scientific expertise and resources available within the Member States and in particular, within the institutes which will be participating in the scientific cooperation;

Whereas the measures provided for by this Decision are in accordance with the opinion of the Standing Committee for Food,

HAS ADOPTED THIS DECISION:

Article 1

The inventory of tasks to be undertaken within the framework of cooperation by the Member States in the scientific examination of questions relating to food together with the distribution of these tasks between the Member States is set out in the Annex to this Decision.

Article 2

Each authority or body which has been designated by the Member States in accordance with Article 2 of Directive 93/5/EEC shall forthwith inform the Commission of the names of the institute or institutes which will carry out the tasks referred to in the Annex which have been distributed to it. It shall forthwith inform the Commission of any changes.

Article 3

Not later than 1 January 1995, and every six months thereafter, each authority or body which has been designated by the Member States in accordance with Article 2 of Directive 93/5/EEC shall forward to the Commission a progress report on the accomplishment of the tasks which have been distributed to it.

Article 4

This Decision is addressed to the Member States.

Done at Brussels, 20 September 1994.

For the Commission

Martin BANGEMANN

Member of the Commission

(1) OJ No L 52, 4. 3. 1993, p. 18.

(2) OJ No L 189, 23. 7. 1994, p. 84.

ANNEX

Inventory of tasks to be undertaken by Member States within the framework of cooperation by the Member States in the scientific examination of questions relating to food "" ID="1">1. Flavouring Substances"> ID="1">1.1. Chemically defined flavouring substances> ID="2">Denmark (Coordinator)> ID="3">30 June 1997"> ID="1">To prepare reports for the safety evaluation of chemically defined flavouring substances.> ID="2">Germany, Spain, France, Italy, Netherlands, United Kingdom"> ID="1">To establish and maintain a physical and electronic archive of the available toxicological and exposure data for the substances concerned."> ID="1">2. Microbiology"> ID="1">2.1. Microbiological criteria> ID="2">France (Coordinator)> ID="3">30 September 1995"> ID="1">Collation of scientific and methodological information with a view to the assessment of microbiological risks for certain foodstuffs.> ID="2">Belgium, Denmark, Germany, Greece, Spain, Ireland, Italy, Netherlands, Portugal, United Kingdom"> ID="1">2.2. Studies related to temperature control> ID="2">United Kingdom (Coordinator)> ID="3">30 June 1995"> ID="1">Study of the behaviour of pathogenic micro-organisms over time and at various temperatures for a variety of foods likely to support the growth of such organisms> ID="2">Denmark, Germany, Greece, Spain, France, Ireland, Netherlands"> ID="1">3. Contaminants"> ID="1">3.1. General questions> ID="2">Italy, United Kingdom (Overall coordinators)> ID="3">30 June 1997"> ID="1">3.1.1. Unscheduled and urgent questions> ID="2">Belgium, Denmark, Germany, Greece, Spain, France, Ireland, Luxembourg, Netherlands, Portugal"> ID="1">To coordinate the collection of data in the Member States required for risk assessment by the Scientific Committee for Food in response to unscheduled and urgent questions related to food contaminations."> ID="1">3.2. Specific questions"> ID="1">To prepare reports for SCF risk evaluation of specific contaminants with particular reference to dietary exposure in each Member State."> ID="1">3.2.1. Aflatoxins> ID="2">United Kingdom (Coordinator) Belgium, Denmark, Germany, Spain, France, Ireland, Italy, Netherlands, Portugal> ID="3">31 December 1995"> ID="1">3.2.2. Ochratoxin A> ID="2">Denmark (Coordinator) Belgium, Germany, Spain, France, Ireland, Italy, Netherlands, United Kingdom> ID="3">31 December 1995"> ID="1">3.2.3. Nitrate> ID="2">Spain (Coordinator) Belgium, Denmark, Germany, France, Ireland, Italy, Netherlands, Portugal, United Kingdom> ID="3">31 July 1995"> ID="1">3.2.4. Cadmium> ID="2">Italy (Coordinator) Belgium, Denmark, Germany, Greece, Spain, France, Ireland, Netherlands, United Kingdom,> ID="3">31 July 1995"> ID="1">4. Intake and Exposure Assessments"> ID="1">4.1. Study of food consumption databases in the European Union> ID="2">Ireland (Coordinator)> ID="3">31 July 1996"> ID="1">Improvement in the knowledge of food consumption with a view to the protection of public health, by means of exchanges and collaboration between database managers.> ID="2">Belgium, Denmark, Spain, France, Italy, Netherlands, United Kingdom">

COMMISSION DECISION**of 26 October 2001****amending Commission Decision 94/652/EC establishing the inventory and distribution of tasks to be undertaken within the framework of cooperation by Member States in the scientific examination of questions relating to food**

(notified under document number C(2001) 3213)

(Text with EEA relevance)

(2001/773/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to 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 ⁽¹⁾, and in particular Article 3 thereof,

Whereas:

- (1) Commission Decision 94/458/EC ⁽²⁾ has laid down rules on the administrative management of cooperation in the scientific examination of questions relating to food.
- (2) Commission Decision 94/652/EC ⁽³⁾ has established the inventory and distribution of tasks to be undertaken within the framework of cooperation by Member States in the scientific examination of questions relating to food. Article 3 of Directive 93/5/EEC provides for the updating at least every six months of the inventory and distribution of tasks.
- (3) The inventory of tasks should be established and updated having regard to the need for the protection of public health within the Community and the requirements of Community legislation in the foodstuffs sector.
- (4) The tasks should be distributed having regard to the scientific expertise and resources available within the

Member States and in particular, within the institutes which will be participating in the scientific cooperation.

- (5) The measures provided for by this Decision are in accordance with the opinion of the Standing Committee for Food,

HAS ADOPTED THIS DECISION:

Article 1

The Annex to Decision 94/652/EC establishing the inventory and distribution of tasks to be undertaken within the framework of cooperation by Member States in the scientific examination of questions relating to food is hereby replaced by the Annex to this Decision.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 26 October 2001.

For the Commission

David BYRNE

Member of the Commission

⁽¹⁾ OJ L 52, 4.3.1993, p. 18.

⁽²⁾ OJ L 189, 23.7.1994, p. 84.

⁽³⁾ OJ L 253, 29.9.1994, p. 29.

ANNEX

Inventory of tasks to be undertaken by Member States within the framework of cooperation by the Member States in the scientific examination of questions relating to food

Subject, nature and extent of the task	Member States to which the task is distributed	Time limit for completion
1. Flavouring substances 1.1. Chemically defined flavouring substances as listed in the register in the Annex to Commission Decision 1999/217/EC <p>To prepare reports for the safety evaluation of chemically defined flavouring substances according to the evaluation programme referred to in Article 4 of Regulation (EC) No 2232/96</p> <p>To establish and maintain a physical and electronic archive of the available toxicological and exposure data for the substances concerned</p>	Denmark (coordinator) Germany, Spain, France, Ireland, Italy, Netherlands, Austria, Finland, Sweden, United Kingdom	31 May 2005
3. Contaminants 3.1. General questions 3.1.1. Unscheduled and urgent questions <p>To coordinate the collection of data in the Member States required for risk assessment by the Scientific Committee for Food in response to unscheduled and urgent questions related to food contaminants</p> 3.2. Specific questions 3.2.8. Assessment of dietary intake of patulin by the population of EU Member States 3.2.9. Collection and collation of data on levels of 3-monochloropropanediol (3-MCPD) and related substances in foodstuffs 3.2.10. Collection of occurrence data of fusarium toxins in food and assessment of dietary intake by the population of EU Member States 3.2.11. Assessment of the dietary exposure to lead, cadmium, mercury and arsenic of the population of the EU Member States 3.2.12. Collection of occurrence data on polynuclear aromatic hydrocarbons in food 3.2.13. Assessment of the dietary exposure to organotin compounds of the population of the EU Member States	 Italy, United Kingdom (joint coordinators) All the Member States (*) Germany (coordinator) Belgium, Denmark, Spain, France, Ireland, Italy, Netherlands, Austria, Portugal, Sweden, United Kingdom (*) Sweden, United Kingdom (joint coordinators) Denmark, Germany, Spain, France, Ireland, Netherlands, Austria, Finland (*) Germany (coordinator) Belgium, Denmark, France, Ireland, Italy, Netherlands, Austria, Portugal, Finland, Sweden, United Kingdom (*) Italy, Sweden (joint coordinators) Belgium, Denmark, Germany, Greece, Spain, France, Ireland, Netherlands, Austria, Portugal, Finland, United Kingdom (*) France (coordinator) Denmark, Germany, Greece, Spain, Ireland, Italy, Netherlands, Austria, Portugal, Finland, United Kingdom (*) Italy (coordinator) Belgium, Denmark, Germany, Greece, France, Netherlands, United Kingdom (*)	 30 April 2002 31 January 2002 31 July 2002 31 December 2002 31 October 2002 30 April 2003 31 October 2002

Subject, nature and extent of the task		Member States to which the task is distributed	Time limit for completion
7.	Nutrition, allergies and health		
7.3.	Collection of data on products intended for use in very low calorie diets	Netherlands (coordinator) Belgium, Denmark, Germany, France, Ireland, Italy, Portugal, Finland, Sweden, United Kingdom (*)	15 October 2001
8.	Packaging materials		
8.1.	Preparation of summary data sheets or reports for the risk assessment of the substances used for or present in food contact materials	Netherlands (coordinator) Denmark, Germany, France, Italy, Finland, Sweden, United Kingdom (*)	31 December 2002
9.	Official food control		
9.1.	Preparation of a working document in support of the uniform interpretation of legislative standards and the laboratory quality standards prescribed under Directive 93/99/EEC	United Kingdom (coordinator) Belgium, Denmark, Germany, Greece, Spain, France, Ireland, Italy, Netherlands, Austria, Portugal, Finland, Sweden (*)	15 October 2001

(*) Norway participates in this task.

COMMISSION DECISION

of 21 November 2002

amending Decision 94/652/EC as regards updating the inventory of tasks to be undertaken within the framework of cooperation by Member States in the scientific examination of questions relating to food

*(notified under document number C(2002) 4447)***(Text with EEA relevance)**

(2002/916/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to 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 ⁽¹⁾, and in particular the fourth indent of Article 3(2) thereof,

Whereas:

- (1) Commission Decision 94/458/EC of 29 June 1994 ⁽²⁾ lays down rules on the administrative management of cooperation in the scientific examination of questions relating to food.
- (2) Commission Decision 94/652/EC ⁽³⁾, as last amended by Decision 2001/773/EC ⁽⁴⁾, establishes the inventory and distribution of tasks to be undertaken within the framework of cooperation by Member States in the scientific examination of questions relating to food.
- (3) The updating of the inventory of tasks should take account of the need for the protection of public health within the Community and the requirements of Community legislation in the foodstuffs sector.

(4) The tasks should be distributed having regard to the scientific expertise and resources available within the Member States, and in particular the institutes which will be participating in the scientific cooperation.

(5) Decision 94/652/EC should be amended accordingly.

(6) The measures provided for by this Decision are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS DECISION:

Article 1

The Annex to Decision 94/652/EC is replaced by the text in the Annex to this Decision.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 21 November 2002.

For the Commission

David BYRNE

Member of the Commission

⁽¹⁾ OJ L 52, 4.3.1993, p. 18.

⁽²⁾ OJ L 189, 23.7.1994, p. 84.

⁽³⁾ OJ L 253, 29.9.1994, p. 29.

⁽⁴⁾ OJ L 290, 7.11.2001, p. 9.

ANNEX

‘ANNEX

Inventory of tasks to be undertaken by Member States within the framework of cooperation by the Member States in the scientific examination of questions relating to food

Subject, nature and extent of the task	Member States to which the task is distributed	Time limit for completion
1. Flavouring substances 1.1. Chemically defined flavouring substances as listed in the register in the Annex to Commission Decision 1999/217/EC of 23 February 1999: — to prepare reports for the safety evaluation of chemically defined flavouring substances according to the evaluation programme referred to in Article 4 of Regulation (EC) No 2232/96, — to establish and maintain a physical and electronic archive of the available toxicological and exposure data for the substances concerned.	Denmark (coordinator) Germany, Spain, France, Italy, Netherlands, Austria, Portugal, Finland, Sweden, United Kingdom	31 May 2005
3. Contaminants 3.1. <i>General questions</i> 3.1.1. Unscheduled and urgent questions: — to coordinate the collection of data in the Member States required for risk assessment by the Scientific Committee for Food in response to unscheduled and urgent questions related to food contaminants 3.2. <i>Specific questions</i> 3.2.9. Collection and collation of data on levels of 3-monochloropropanediol (3-MCPD) and related substances in foodstuffs. 3.2.10. Collection of occurrence data of fusarium toxins in food and assessment of dietary intake by the population of EU Member States. 3.2.11. Assessment of the dietary exposure to lead, cadmium, mercury and arsenic of the population of the EU Member States. 3.2.12. Collection of occurrence data on polynuclear aromatic hydrocarbons in food. 3.2.13. Assessment of the dietary exposure to organotin compounds of the population of the EU Member States.	Italy, United Kingdom (joint coordinators) All the Member States (*) Sweden, United Kingdom (joint coordinators) Denmark, Germany, France, Ireland, Netherlands, Austria, Finland (*) Germany (coordinator) Belgium, Denmark, France, Ireland, Italy, Netherlands, Austria, Portugal, Finland, Sweden, United Kingdom (*) Italy, Sweden (joint coordinators) Belgium, Denmark, Germany, Greece, Spain, France, Ireland, Netherlands, Austria, Portugal, Finland, United Kingdom (*) France (coordinator) Belgium, Denmark, Germany, Greece, Spain, Ireland, Italy, Netherlands, Austria, Portugal, Finland, United Kingdom (*) Italy (coordinator) Belgium, Denmark, Germany, Greece, France, Netherlands (*)	31 December 2002 31 October 2002 28 February 2003 31 December 2002 30 April 2003 31 December 2002
8. Packaging materials 8.1. Preparation of summary data sheets or reports for the risk assessment of the substances used for or present in food contact materials.	Netherlands (coordinator) Denmark, Germany, France, Italy, Finland, Sweden, United Kingdom (*)	31 December 2002

(*) Norway participates in this task.

COMMISSION REGULATION (EC) No 1304/2003**of 11 July 2003****on the procedure applied by the European Food Safety Authority to requests for scientific opinions referred to it****(Text with EEA relevance)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety⁽¹⁾, and in particular Article 29(6)(a) thereof,

Having consulted the European Food Safety Authority,

Whereas:

- (1) It is necessary to lay down the conditions for the implementation of Article 29 of Regulation (EC) No 178/2002 with regard to requests for scientific opinions submitted to the European Food Safety Authority (hereinafter referred to as the Authority) and with regard to own-initiative opinions.
- (2) The Community legislation governing the scientific evaluation of substances, products or procedures subject to a system of prior authorisation or entry in a positive list stipulates specific procedures for referring authorisation dossiers to the Authority for its opinion. It is important to make it clear that the provisions of the present Regulation do not prejudice these specific procedures.
- (3) To ensure sound management, a register of requested and own-initiative opinions should be established, which is accessible to the public and allows the progress of requests for opinions and own-initiative opinions to be followed.
- (4) It is essential for the Authority to bear in mind the fact that, where Community legislation provides for the Authority to be consulted by the Commission, the efficiency of the Community legislative process depends on the Commission receiving a scientific opinion from the Authority in all cases, unless the Authority has already delivered a scientific opinion on the matter and considers that there are no new scientific elements.
- (5) The procedures relating to requests for scientific opinions must generally ensure that the process is objective, transparent and functional. The Authority must be

able to propose amendments to requests in the cases referred to in Article 29(4) of Regulation (EC) No 178/2002, explaining the reasons.

- (6) With regard to all requests for scientific opinions, it is essential for the applicant to remain responsible for the substance of the question posed and to agree to any amended request before it is forwarded to the scientific committee or a permanent scientific panel of the Authority.
- (7) In the event of different requests on the same subject, in order to avoid the procedure for the amending of requests leading to repeated changes to the mandate given to the scientific committee or permanent scientific panel, it is important to ensure that only requests received during the same period are taken into account when preparing an amended joint request.
- (8) It is also important to ensure that new scientific elements which might be introduced by subsequent requests on the same subject as a request already forwarded to the scientific committee or a permanent scientific panel can be taken into account by the scientific committee or permanent scientific panel.
- (9) In the event of complete or partial overlapping of requests, if the applicants cannot agree on the content of a joint request, it is important both to maintain the principle of the applicants' responsibility for the substance of their questions and to avoid blocking up the system.
- (10) The Authority's right to issue own-initiative opinions is an essential aspect of its independence; in the context of its internal organisation, the Authority must ensure that this right is exercised in line with the provisions of Article 29 of Regulation (EC) No 178/2002 and of the present Regulation.
- (11) Opinions requested from the Authority must be delivered within a time limit, so as to ensure that the procedure is reliable and that there is an effective order of priority consistent with the Community interest. It is therefore necessary to lay down provisions relating to time limits and the procedures to be followed in an emergency.
- (12) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

⁽¹⁾ OJ L 31, 1.2.2002, p. 1.

HAS ADOPTED THIS REGULATION:

Article 1

Aim

1. This Regulation establishes the procedure applied by the European Food Safety Authority (hereinafter referred to as the Authority) to the types of requests for scientific opinions referred to in Article 29 of Regulation (EC) No 178/2002, which are as follows:

- (a) requests referred to the Authority under Community legislation making provision for the Authority to be consulted by the Commission;
- (b) other requests from the Commission on any matter within the Authority's mission;
- (c) requests where the Authority is asked by the European Parliament to issue a scientific opinion on any matter falling within its mission;
- (d) requests where the Authority is asked by a Member State to issue a scientific opinion on any matter falling within its mission.

2. The provisions of this Regulation shall also apply where the Authority acts on its own initiative to issue a scientific opinion on any matter falling within its mission.

3. The provisions of this Regulation shall apply without prejudice to specific procedures applicable to requests for opinions referred to the Authority which are laid down in Community legislation governing the scientific evaluation of substances, products or procedures subject to a system of prior authorisation or entry in a positive list.

Article 2

Register of requested opinions and own-initiative opinions

The Authority shall establish a register of requested opinions and own-initiative opinions which is accessible to the public. This register shall allow the progress of requests for opinions to be followed with effect from the date on which they are received.

Article 3

Refusal of requests for opinions

1. The Authority shall not issue a scientific opinion in the event of requests from applicants not authorised to ask the Authority for a scientific opinion under Community legislation or requests for opinions on matters which are not part of the Authority's mission. The Authority shall inform the applicant accordingly, explaining the reasons, within 30 days of receipt of the request.

2. The Authority may refuse a request in the cases described in Article 29(4) and (5) of Regulation (EC) No 178/2002.

3. However, requests from the Commission for opinions under Community legislation providing for consultation of the Authority shall not be refused except in the circumstances

referred to in Article 29(5) of Regulation (EC) No 178/2002. In the cases referred to in Article 29(4) of the said Regulation, the Authority may ask the Commission for additional information or propose an amendment to the request in consultation with the Commission, applying the procedure laid down in Article 5 of the present Regulation.

4. In cases of refusal provided for in paragraph 2 of the present article, the Authority shall inform the applicant of the reasons for its refusal within a reasonable period of time.

5. Where an applicant other than the Commission requests an opinion on a matter on which Community legislation makes provision for the Authority to be consulted by the Commission, the Authority shall consult the Commission so that the latter is in a position to submit its own request in accordance with the relevant Community legislation. If the Commission submits such a request, the provisions of Article 6 of the present Regulation shall apply.

Article 4

Acceptance of requests for opinions

1. Where the Authority accepts a request, it shall forward it to the scientific committee or a permanent scientific panel of the Authority for preparation of an opinion.

2. The Authority may ask the applicant for additional information where this is necessary in order to deal with the request.

Article 5

Amendments to requests for opinions

1. In the cases referred to in Article 29(4) of Regulation (EC) No 178/2002, the Authority may propose amendments to a request for an opinion, explaining the reasons.

2. The finalised request, as agreed to by the applicant, shall be forwarded to the scientific committee or a permanent scientific panel of the Authority for preparation of an opinion.

Article 6

Combining of requests

1. If several requests for opinions which partly or completely overlap are submitted to the Authority, the Authority may propose to the applicants that their requests be amended in accordance with Article 29(4) of Regulation (EC) No 178/2002.

2. If several requests for opinions which partly or completely overlap are received during a specific period of time, which shall be set by the Authority taking account of the circumstances but shall not exceed 45 days, the Authority shall propose amendments with a view to reaching agreement with the applicants on a joint amended request. The Authority's assessment of the period of time for application of this Article shall not prejudice the priority to be given to urgent situations as referred to in Article 8, and in particular the absolute priority of requests from the Commission in urgent situations.

3. Where consultation leads to agreement among the applicants on a joint amended request, the Authority shall forward this to the scientific committee or a permanent scientific panel of the Authority for preparation of an opinion. Otherwise, the different requests, accompanied by any amendments agreed to by the applicant concerned, shall be forwarded to the scientific committee or a permanent scientific panel for preparation of an opinion. An overall opinion taking account of the contents of the various requests shall be delivered.

4. If a request which partly or completely overlaps with a request already forwarded to the scientific committee or a permanent scientific group is submitted to the Authority, the Authority shall ensure that new scientific elements which might be introduced by this new request are considered in connection with the request for an opinion already forwarded.

Article 7

Time limits

1. In as far as Community legislation does not specify a time limit for the delivery of scientific opinions, the applicant may stipulate a deadline by when the opinion is required, giving the reasons.

2. If the applicant does not stipulate a deadline pursuant to paragraph 1, the Authority shall inform the applicant of the anticipated time needed to deliver the opinion.

3. Where the Authority cannot meet the deadline stipulated by the applicant pursuant to paragraph 1, it shall inform the applicant, explain the reasons and propose a new deadline. The final deadline shall be set by the Authority, taking account of the applicant's comments. The Authority shall inform the applicant of the final deadline.

Article 8

Emergencies

1. The Authority shall take the necessary measures to ensure that a requested or own-initiative opinion is delivered as soon as possible where the information accompanying the request or self-referral testifies to an urgent need for a scientific opinion.

2. An urgent need shall be deemed to exist in the following cases:

- an emerging risk likely to constitute a serious risk to human or animal health or the environment and likely to have a Community dimension,
- an urgent need on the part of the Commission for a more detailed scientific basis for managing a serious risk to human or animal health or the environment.

3. If a request which partly or completely overlaps with an urgent request for an opinion already received is submitted to the Authority, the Authority shall ensure that any new scientific elements which might be introduced by this new request are considered when dealing with the urgent request already received.

Article 9

Notification by Member States

Member States shall inform the Authority of the government authority or authorities authorised to request scientific opinions from the Authority.

Article 10

Review

The Commission shall consult the Authority no later than 30 June 2005 on the need to amend the present Regulation on the basis of the experience acquired.

Article 11

Entry into force

This Regulation shall enter into force on the 20th day following 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, 11 July 2003.

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION REGULATION (EC) No 2230/2004**of 23 December 2004****laying down detailed rules for the implementation of European Parliament and Council Regulation (EC) No 178/2002 with regard to the network of organisations operating in the fields within the European Food Safety Authority's mission****(Text with EEA relevance)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety⁽¹⁾, and in particular Article 36(3) thereof,

Having consulted the European Food Safety Authority,

Whereas:

- (1) Networking between the European Food Safety Authority (hereinafter referred to as 'the Authority') and the Member States' organisations operating in the fields within the Authority's mission is one of the basic principles of the Authority's operation. It is therefore necessary to stipulate how this principle should be implemented, in accordance with Article 36(1) and (2) of Regulation (EC) No 178/2002, in order to ensure efficiency.
- (2) Certain bodies in the Member States carry out tasks at national level which are similar to those of the Authority. Networking must make it possible to foster a framework for scientific cooperation allowing information and knowledge to be shared, common tasks to be identified, and optimum use to be made of resources and expertise. It is also important to facilitate the compilation of a Community-level summary of the data on food and feed safety collected by these bodies.
- (3) As these bodies are to be entrusted with certain tasks with a view to assisting the Authority with its general mission as defined by Regulation (EC) No 178/2002, it is essential for them to be designated by the Member States on the basis of criteria covering scientific and technical competence, efficiency and independence.
- (4) Member States need to provide the Authority with evidence of compliance with the necessary criteria for the inclusion of competent bodies on the list drawn up by the Authority's Management Board.

- (5) Member States must also stipulate the specific areas of competence of the competent bodies designated, so as to facilitate the operation of the network. Thus, in accordance with European Parliament and Council Regulation (EC) No 1829/2003⁽²⁾, when preparing an opinion on a request for authorisation of a genetically modified food or feed, the Authority may ask a Member State's competent body for assessing foods and feeds to carry out a safety assessment of the relevant food or feed in accordance with Article 36 of Regulation (EC) No 178/2002.
- (6) In accordance with the provisions of Article 27(4)(c) of Regulation (EC) No 178/2002, it is important for the Advisory Forum to be able to ensure close cooperation with the Authority and the competent bodies of the Member States by promoting the European networking of organisations operating within the fields of the Authority's mission.
- (7) The tasks entrusted to the competent bodies on the list must involve providing the Authority with assistance with its mission to provide scientific and technical support in relation to Community policy and legislation, without prejudice to the Authority's responsibility for performing its tasks pursuant to Regulation (EC) No 178/2002.
- (8) Financial support must be granted on the basis of criteria which ensure that such support contributes efficiently and effectively to the performance of the Authority's tasks and to the Community priorities as regards scientific and technical support in the fields concerned.
- (9) It is important to ensure on a general basis that the tasks entrusted by the Authority to the network's member organisations are performed to high scientific and technical standards, efficiently (also with regard to deadlines) and independently. However, the Authority must remain responsible for allocating tasks to the competent bodies and for monitoring performance.
- (10) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

⁽¹⁾ OJ L 31, 1.2.2002, p. 1. Regulation amended by Regulation (EC) No 1642/2003 (OJ L 245, 29.9.2003, p. 4).

⁽²⁾ OJ L 268, 18.10.2003, p. 1.

HAS ADOPTED THIS REGULATION:

Article 1

Competent organisations designated by the Member States

1. The competent organisations designated by the Member States in accordance with Article 36(2) of Regulation (EC) No 178/2002 shall meet the following criteria:

- (a) they must carry out scientific and technical support tasks in the fields within the mission of the European Food Safety Authority (hereinafter referred to as 'the Authority'), especially those with a direct or indirect impact on food or feed safety; in particular, these tasks must include the collection and analysis of data connected with risk identification, exposure to risks, risk assessment, food or feed safety assessment, scientific or technical studies, or scientific or technical assistance for risk managers;
- (b) they must be legal entities pursuing public interest objectives, and their organisational arrangements must include specific procedures and rules ensuring that any tasks entrusted to them by the Authority will be performed with independence and integrity;
- (c) they must possess a high level of scientific or technical expertise in one or several fields within the Authority's mission, especially those with a direct or indirect impact on food or feed safety;
- (d) they must have the capacity to operate in a network on scientific actions as referred to in Article 3 of this Regulation and/or the capacity to perform efficiently the types of task referred to in Article 4 of this Regulation which may be entrusted to them by the Authority.

2. Member States shall forward to the Authority, with a copy to the Commission, the names and details of the designated organisations, evidence that they comply with the criteria set out in paragraph 1, and details of their specific fields of competence. In particular, for the purposes of application of Articles 6(3)(b) and 18(3)(b) of Regulation (EC) No 1829/2003, Member States shall forward the names and details of the competent organisations in the field of safety assessment of genetically modified foods and feeds.

Where a designated organisation operates as part of a network, this shall be mentioned, and the network operating conditions shall be described.

In cases where it is a specific part of the designated organisation which has the ability and the capacity to operate in a network on scientific actions and/or perform the tasks which may be entrusted to them by the Authority, this shall be stipulated by the Member States.

3. Where designated organisations no longer meet the criteria set out in paragraph 1, Member States shall withdraw their designation and immediately inform the authority, with a copy to the Commission, accompanied by the relevant evidence.

Member States shall review the list of organisations they have designated regularly, and at least every three (3) years.

Article 2

Establishing of the list of competent organisations

1. The Authority shall ensure that the organisations designated by the Member States comply with the criteria set out in Article 1(1). Where necessary, the Member States shall be asked, by reasoned request, to add to the evidence referred to in Article 1(2).

2. The Authority's Management Board, acting on a proposal from the Executive Director, shall draw up the list of competent organisations, stating their specific fields of competence, especially in the field of safety assessment of genetically modified foods and feeds, on the basis of the procedure set out in paragraph 1.

3. The list provided for in paragraph 2 (hereinafter referred to as 'the list') shall be published in the *Official Journal of the European Union* ('C' series).

4. The list shall be updated regularly, on the basis of proposals from the Authority's Executive Director, taking account of reviews or new designation proposals from the Member States.

Article 3

Networking between the Authority and the organisations on the list

1. The Authority shall foster networking with the organisations on the list so as to promote active scientific cooperation in the fields within its mission, especially those with a direct or indirect impact on food or feed safety.

To this end the Authority, on the basis of work carried out within its Advisory Forum, shall identify scientific actions of common interest which could be undertaken within the network. The work carried out within the Advisory Forum shall take account of proposals from the organisations on the list.

In accordance with Article 27(4)(c) of Regulation (EC) No 178/2002, the Advisory Forum shall contribute to networking.

2. The Commission and the Authority shall cooperate in order to avoid overlaps with existing scientific and technical work at Community level.

*Article 4***Tasks to be entrusted to organisations on the list**

1. Without prejudice to the fulfilment of its mission and performance of its tasks pursuant to Regulation (EC) No 178/2002, the Authority may, with their agreement, entrust to one or more of the organisations on the list tasks which involve them providing it with scientific and technical support.

2. The Advisory Forum shall ensure that there is a good general match between the requests for contributions which the Authority puts to the organisations on the list and the scope of those organisations to respond favourably. To this end the Executive Director shall make all the necessary information available to the Advisory Forum.

3. The tasks which may be entrusted to the organisations on the list, either to one organisation or to several working together, are those which consist in:

- disseminating best practices and improving methods of collecting and analysing scientific and technical data, particularly for the purposes of facilitating comparability and producing a Community-level summary;
- collecting and analysing specific data in response to a common priority, in particular the Community priorities contained in the Authority's work programmes, and in cases where the Authority's scientific assistance is urgently needed by the Commission, especially in the context of the general plan for crisis management referred to in Article 55 of Regulation (EC) No 178/2002;
- collecting and analysing data with a view to facilitating risk assessment by the Authority, including assessment tasks in the field of human nutrition in relation to Community legislation, especially the compiling and/or processing of scientific data on any substance, treatment, food or feed, preparation, organism or contaminant which may be linked with a health risk, and the collection and/or analysis of data on the exposure of Member States' populations to a health risk associated with food or feed;
- producing scientific data or works contributing to the risk assessment tasks, including assessment tasks in the field of human nutrition in relation to Community legislation, for which the Authority is responsible; this type of task must correspond to precise problems identified in the course of the work of the Authority, and in particular that of its Committee and permanent Scientific Panels, and must not duplicate Community research projects or data or contributions which it is the industry's duty to provide, especially in the context of authorisation procedures;
- preparing the Authority's scientific opinions, including preparatory work relating to the assessment of authorisation dossiers;
- preparing the harmonisation of risk assessment methods;
- sharing data of common interest, e.g. the establishing of databases;
- the tasks referred to in Articles 6 and 18(3)(b) of Regulation (EC) No 1829/2003.

*Article 5***Financial support**

1. The Authority may decide to allocate financial support for tasks entrusted to the organisations on the list where they are of particular interest as regards contributing to the performance of the Authority's tasks or addressing the priorities laid down in its work programmes, or where the Authority's assistance is urgently needed by the Commission, particularly in order to deal with crisis situations.

2. Financial support shall take the form of subsidies awarded in accordance with the Authority's financial regulation and implementing rules.

*Article 6***Harmonised quality criteria and implementing conditions**

1. After consulting the Commission, the Authority shall lay down harmonised quality criteria for the performance of tasks which it entrusts to the organisations on the list, in particular:

- (a) criteria to ensure that tasks are performed to high scientific and technical standards, especially with regard to the scientific and/or technical qualifications of staff assigned to them;
- (b) criteria relating to the resources which may be allocated to the performance of tasks, especially with a view to ensuring that they are completed by pre-established deadlines;
- (c) criteria relating to the existence of rules and procedures for ensuring that specific categories of tasks are carried out with independence, integrity and respect for confidentiality.

2. The precise conditions for the performance of tasks entrusted to organisations on the list shall be laid down in specific agreements between the Authority and each organisation concerned.

*Article 7***Monitoring the performance of tasks**

The Authority shall ensure that the tasks it entrusts to the organisations on the list are properly carried out. It shall take all the necessary steps to ensure that the criteria and conditions laid down in Article 6 are complied with. In the event of failure to comply with those criteria and the conditions, the Authority shall take remedial action. Where necessary, it may replace the organisation.

In the case of tasks for which subsidies are awarded, the penalties provided for by the Authority's financial regulation and implementing rules shall apply.

*Article 8***Entry into force**

This Regulation shall enter into force on the 20th day following 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, 23 December 2004.

For the Commission

Markos KYPRIANOU

Member of the Commission
