

Official Journal

of the European Communities

ISSN 0378-6978

L 167

Volume 24

24 June 1981

English edition

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II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 31 March 1981

authorizing specialization and coordination agreements between the Belgian steel-producing undertakings Usines Gustave Boël SA, Forges de Clabecq SA and Fabrique de Fer de Charleroi SA (Pôle des Indépendants)

(Only the French text is authentic)

(81/431/ECSC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Coal and Steel Community, and in particular Article 65 thereof,

Having regard to the application made by the undertakings concerned on 3 November 1980,

Whereas:

I

On 3 November 1980 the following Belgian steel-producing undertakings within the meaning of Article 80 of the Treaty:

- Usines Gustave Boël, a limited liability company with a capital of Bfrs 1 440 million, with registered premises at rue Ducale 21 (Boël), Brussels,
- Forges de Clabecq, a limited liability company with a capital of Bfrs 1 800 million, with registered premises at Clabecq (Clabecq),
- Fabrique de Fer de Charleroi, a limited liability company with a capital of Bfrs 193 456 000, with registered premises at Marchienne-au-Pont (Charleroi),

applied to the Commission, pursuant to Article 65 (2) of the Treaty, for authorization of agreements concluded between them, the objects of which are

specialization and coordination in regard to investment production, sales of products of the iron and steel industry and purchases of raw materials.

In essence, the agreements for which authorization is requested stipulate the following:

The undertakings in question state that they have formed, between themselves, a *de facto* association named 'Pôle des Indépendants', having its registered office at rue Montoyer 47, Brussels.

The object of the association is to establish a common policy as between the members in regard to activities in the steel industry and to promote and defend that policy *vis-à-vis* trade organizations, government and Community authorities in the interests of the members. It will ensure more specifically the coordination and rationalization of the following: production, optimum use of plant, new investment policy, commercial policy and its implementation, procurement policy and social policy.

To this end, and in the context of the current restructuring of the European steel industry, the members have agreed to specialize as follows:

- Clabecq and Fabrique de Fer de Charleroi: plates and sheet,
- Usines Gustave Boël: hot-rolled coils and products derived therefrom, and wire rod.

The association may, subject to this specialization, promote the purchase of raw materials required to

manufacture the above or the joint-selling of the products concerned.

The association will also coordinate relations with trade organizations, government and Community authorities.

The association is directed by a coordinating committee comprising one representative, at the highest level, of each of the members. The said representatives will sit *ex officio*. Decisions of the association will be taken unanimously and members will undertake to secure acceptance of such decisions by their respective Boards of Directors.

The association is entered into for a term of five years. It may thereafter be automatically renewed for successive three year terms.

II

The agreements on the formation of 'Pôle des Indépendants' restrict normal competition between the undertakings in question, since the contracting parties have agreed as follows:

- Clabecq is to withdraw from the long products market (concrete reinforcement bars, wire rod, merchant bars) and undertakes not to invest in those products throughout the term of the agreement.
- Boël undertakes to refrain from using its wide strip mill for the production of sheet and plate which could be manufactured more cheaply at the Clabecq mill.
- Charleroi undertakes to refrain from using its four-high mill to manufacture sheet, which could be manufactured more cheaply at the Clabecq plant.
- The three members undertake to reach agreement with each other prior to any investment decision which is liable to bring them into competition with one another, in order to prevent any further overlapping of their respective production ranges.
- Whenever it appears that conditions for producing the semi-finished products required by one of the undertakings may be more favourable at one of the other contracting parties' plants, the undertakings concerned will exchange or transfer the products in question.
- As regards sales, the contracting parties undertake to propose reciprocal execution of orders

which, for technical or economic reasons, could be executed more economically in the plants of the other contracting parties.

- The members propose to coordinate their purchases of raw materials, although each of the parties will remain responsible for its own purchases.

In view of the foregoing, the agreements fall within the category of those which, in principle, are prohibited by Article 65 (1) of the Treaty.

III

However, under Article 65 (2) of the Treaty, specialization agreements, joint-buying and joint-selling agreements and agreements which are strictly analogous in nature and effect may be authorized if the Commission finds that they meet all the requirements laid down in that Article.

The agreements between the companies in question concerning the undertaking not to manufacture certain products, prior consultation on all investment decisions and the use of the most productive plants are specialization agreements or agreements strictly analogous thereto; the undertaking to propose reciprocal execution of orders is analogous to a joint-selling agreement and the coordination of raw materials purchases is analogous in effect to joint-buying.

Under Article 65 (2) of the Treaty the agreements may be authorized if they make for a substantial improvement in production or distribution and are essential in order to achieve those results without being more restrictive than is necessary for that purpose; such agreements must not be liable to give the undertakings concerned the power to determine the prices, or to control or restrict the production or marketing, of a substantial part of the products in question within the common market, or to shield them against effective competition from other undertakings within the common market.

The agreements submitted to the Commission enable the following conclusions to be reached as regards the substantial improvement in production or distribution:

The production schedules for flat products of Boël, Clabecq and Charleroi overlap to a certain extent. There are wide differences in the age, capacity and productivity of the various undertakings' plants.

A specialization of production as between these undertakings by the expedient of executing orders using the plants which are best equipped and have

the greatest potential for producing at the most economic cost will result in an increase in the rate of utilization of the technical installations and will improve productivity.

The agreement by the undertakings to renounce certain production potential and the joint utilization of some or all of their plant is intended, first, to maintain current specialization and, secondly, to prevent parallel investment which is undesirable from an economic standpoint.

The fact that the three members undertake to consult each other prior to all investment decisions relating to the product range in which they compete is largely unobjectionable in that this is subsidiary to the specialization agreements and because there is over-capacity in this sector.

In proposing to each other the reciprocal execution of orders which, for technical or economic reasons, can be executed more economically at other members' plants, the undertakings concerned wish to overcome together the difficulties arising from the current situation on the steel market, to offer mutual assistance in order better to withstand competition from major producers and to move towards better use of their production capacity.

Coordination of their raw material supplies by bulking orders enables the undertakings concerned to reduce their expenditure in respect of such purchases, particularly as regards purchase prices, transport and storage costs.

It is therefore justifiable to conclude that the agreements setting up 'Pôle des Indépendants' can make for a substantial improvement in the production and distribution of the products in question.

The results expected derive mainly from channelling manufacture of the products concerned towards the plants which are best equipped and have the greatest potential for producing at the lowest cost and from bulking orders for raw materials; these measures of coordination of production, sales and purchases do not restrict the individual liberty of each of the parties more than is necessary.

In these circumstances, the agreements are essential in order to achieve these results, namely an improvement in production and distribution, and they do not contain any provisions which are more restrictive than is necessary for that purpose.

These agreements therefore satisfy the conditions laid down in Article 65 (2) (a) and (b) of the Treaty.

IV

For the purposes of determining whether the agreements submitted for authorization satisfy the requirements of Article 65 (2) (c) of the Treaty, account must be taken of the following factors:

The undertakings which are party to the agreements are, directly or indirectly, associated with other steel-producing or trading undertakings through concentrations within the meaning of Article 66 (1) of the Treaty; those undertakings will not, however, be directly concerned by the specialization, joint-buying and joint-selling measures which are the subject of these agreements;

The undertakings directly concerned by the agreements are located in Belgium, but, on account of the limited size of that market, sell over 75 % of their products in other Community countries, where they face competition not only from local producers and producers from other Member States but also from non-Community producers;

In view of this and the close interpenetration of the domestic markets of the European Community, the Community market as a whole should be regarded as the market in question;

The 1979 figures for iron and steel produced by the undertakings directly concerned by the agreements are set out in the following table:

Product	Production (in 1000 tonnes)	Percentage of Community production			
		Total	Boël	Charleroi	Clabecq
Pig iron	1 888	1.92	1.08	—	0.84
Crude steel	2 587	1.83	0.91	0.19	0.73
Hot-rolled wide strip (total production)	871	1.77	1.77	—	—
Rolled finished products	1 832	1.77	0.83	0.22	0.72
<i>including:</i>					
— wire rod	200	1.70	1.70	—	—
— concrete reinforcement bars	16	0.17	0.17	—	—
— hoop and strip	10	0.14	—	—	—
— sheets over 3 mm	1 034	8.32	0.50	1.82	6.00
— sheets under 3 mm	202	0.69	0.69	—	—
— hot-rolled wide strip (finished products)	370	2.94	2.94	—	—

No special observations need be made on the relevant undertakings' shares of pig iron, crude steel, hot-rolled wide strip, wire rod, concrete reinforcement bars, hoop and strip or sheet production and of the total production of rolled finished products in general;

The undertakings concerned account, together, for approximately 8.3 % of total Community output of sheets and plate over 3 mm from wide strip or other mills; this makes them the fifth largest producer in the Community, behind four integrated groups of undertakings which produce 14.4, 12.7, 12.1 and 9.5 % of Community production respectively, that is, just under 50 % of the total, the rest being shared between over 30 undertakings, including the three in question.

Under these circumstances, the said agreements are not liable to give the undertakings concerned the power to determine the prices, or to control or restrict the production or marketing, of a substantial part of the rolled finished products in question within the common market, or to shield them against effective competition from other undertakings within the common market.

The agreements therefore comply with the provisions of Article 65 (2) (c) of the Treaty.

V

It is necessary to ensure that the autonomy and independence of the undertakings concerned are not put at risk. Authorization should therefore be made subject to the following condition:

Persons exercising a function with the management or executive bodies of the steel-producing or marketing undertakings directly and indirectly concerned may not at the same time exercise a similar function within any similar undertaking which is not concerned; however, the Commission should be empowered to authorize exceptions to this prohibition upon receipt of a reasoned request, should special circumstances warrant such action;

The Commission must also ensure that all measures taken by the undertakings concerned under the agreements. In this connection, provision should be granted by this Decision and with the provisions of the Treaty.

To this end, the undertakings concerned are under an obligation to notify the Commission without delay of all additions and amendments made to the agreements. In this connection, provision should be made to ensure that amendments and additions to the agreements cannot enter into force until the Commission has declared them to be permissible or, where appropriate, until it has granted authorization under Article 65 (2) of the Treaty.

The agreements submitted for authorization have been concluded for an initial term of five years and may be renewed automatically beyond that period for successive three-year terms. It appears that having regard to the agreements implemented by the undertakings concerned, authorization may be granted for the entire initial term.

Subject to compliance with the conditions imposed, the agreements, authorization of which is sought,

comply with the provisions of Article 65 (2) of the Treaty,

HAS ADOPTED THIS DECISION:

Article 1

The agreements between the following steel undertakings:

- Usines Gustave Boël SA, Brussels,
- Forges de Clabecq SA, Clabecq,
- Fabrique de Fer de Charleroi SA, Marchienne-au-Pont,

concerning specialization and coordination of investment, production, sales of iron and steel products and purchases of raw materials are hereby authorized.

Article 2

1. Authorization shall be subject to the condition that members of the management or executive bodies of the steel-producing and trading undertakings directly or indirectly concerned shall not at the same time exercise analogous functions in undertakings and sales organizations of the same type which are not concerned.

2. Wherever special circumstances warrant such action, the Commission may, on receipt of a reasoned request, authorize derogations from paragraph 1.

Article 3

1. The undertakings concerned shall notify the Commission forthwith of any additions and amendments made to the agreements.

2. The additions and amendments referred to in paragraph 1 shall not apply until the Commission has declared that they comply with the authorization granted by this Decision or has authorized them under Article 65 (2) of the Treaty.

Article 4

This Decision shall enter into force upon its notification to the undertakings concerned and shall expire on 16 September 1985.

Article 5

This Decision is addressed to the undertakings specified in Article 1.

Done at Brussels, 31 March 1981.

For the Commission
F. H. J. J. ANDRIESSEN
Member of the Commission

COMMISSION DIRECTIVE**of 29 April 1981****laying down the Community method of analysis for the official control of vinyl chloride released by materials and articles into foodstuffs**

(81/432/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Having regard to the Treaty establishing the European Economic Community,

The analysis necessary for official control of vinyl chloride released by materials and articles into foodstuffs shall be performed according to the method described in the Annex hereto.

Article 2

Having regard to Council Directive 78/142/EEC of 30 January 1978 on the approximation of the laws of the Member States relating to materials and articles which contain vinyl chloride monomer and are intended to come into contact with foodstuffs ⁽¹⁾, and in particular Article 3 thereof,

The Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive not later than 1 October 1982. They shall forthwith inform the Commission thereof.

Article 3

Whereas Article 2 of Directive 78/142/EEC lays down that materials and articles must not pass on to the foodstuffs which are in, or have been brought into, contact with such materials and articles any vinyl chloride detectable by a method having a limit of detection of 0.01 mg/kg, and Article 3 that this limit must be controlled by a Community method of analysis;

This Directive is addressed to the Member States.

Whereas, on the basis of a series of inter-laboratory collaborative trials, the method described in the Annex has proved to be sufficiently accurate and reproducible to be adopted as a Community method;

Done at Brussels, 29 April 1981.

Whereas the measures provided for in this Directive are in accordance with the opinion of the Standing Committee on Foodstuffs,

For the Commission

Karl-Heinz NARJES

Member of the Commission

⁽¹⁾ OJ No L 44, 15. 2. 1978, p. 15.

ANNEX

DETERMINATION OF VINYL CHLORIDE RELEASED BY MATERIALS AND ARTICLES INTO FOODSTUFFS**1. SCOPE AND FIELD OF APPLICATION**

The method determines the level of vinyl chloride in foodstuffs.

2. PRINCIPLE

The level of vinyl chloride (VC) in foodstuffs is determined by means of gas-chromatography using the 'headspace' method.

3. REAGENTS

3.1. Vinyl chloride (VC), of purity greater than 99.5% (v/v).

3.2. *N, N*-dimethylacetamide (DMA), free from any impurity with the same retention time as VC or as the internal standard (3.3) under the conditions of the test.

3.3. Diethyl ether or *cis*-2-butene, in DMA (3.2) as the internal standard solution. These internal standards must not contain any impurity with the same retention time as VC, under the conditions of the test.

3.4. Distilled water or demineralized water of equivalent purity.

4. APPARATUS*NB:*

An instrument or piece of apparatus is mentioned only if it is special, or made to particular specifications. Usual laboratory apparatus is assumed to be available.

4.1. Gas-chromatograph fitted with automatic headspace sampler or with facilities for manual sample injection.

4.2. Flame ionization detector or other detectors mentioned in point 7.

4.3. Gas-chromatographic column

The column must permit the separation of the peaks of air, of VC and of the internal standard, if used.

Furthermore, the combined 4.2 and 4.3 system must allow the signal obtained with a solution containing 0.005 mg VC/litre DMA or 0.005 mg VC/kg DMA to be equal to at least five times the background noise.

4.4. Sample phials or flasks fitted with silicon or butyl rubber septa

When using manual sampling techniques, the taking of a sample from the headspace with a syringe may cause a partial vacuum to form inside the phial or flask. Hence, for manual techniques where the phials are not pressurized before the sample is taken, the use of large phials is recommended.

4.5. Micro-syringes.

4.6. Gas-tight syringes for manual headspace sampling.

4.7. Analytical balance accurate to 0.1 mg.

5. PROCEDURE

CAUTION: VC is a hazardous substance and a gas at ambient temperature therefore, the preparation of solutions should be carried out in a well-ventilated fume cupboard.

NB:

Take all the necessary precautions to ensure that no VC or DMA is lost.

When employing manual sampling techniques, an internal standard (3.3) should be used.

When using an internal standard, the same solution must be utilized throughout the procedure.

5.1. Preparation of standard VC solution (solution A)

5.1.1. Concentrated standard VC solution at approximately 2 000 mg/kg

Accurately weigh to the nearest 0.1 mg a suitable glass vessel and place in it a quantity (e.g. 50 ml) of DMA (3.2). Re-weigh. Add to the DMA a quantity (e.g. 0.1 g) of VC (3.1) in liquid or gas form, injecting it slowly onto the DMA. The VC may also be added by bubbling it into the DMA, provided that a device is used which will prevent loss of DMA. Reweigh to the nearest 0.1 mg. Wait two hours to allow equilibrium to be attained. If an internal standard is to be employed, add internal standard so that the concentration of the internal standard in the concentrated standard VC solution is the same as in the internal standard solution prepared under point 3.3. Keep the standard solution in a refrigerator.

5.1.2. Preparation of dilute standard VC solution

Take a weighed amount of concentrated standard solution of VC (5.1.1) and dilute, to a known volume or a known weight, with DMA (3.2) or with internal standard solution (3.3). The concentration of the resultant dilute standard solution (solution A) is expressed as mg/litre or mg/kg respectively.

5.1.3. Preparation of the response curve with solution A

NB:

The curve must comprise at least seven pairs of points.

The repeatability of the responses ⁽¹⁾ must be lower than 0.002 mg VC/litre or kg of DMA.

The curve must be calculated from these points by the least squares technique, i.e., the regression line must be calculated using the following equation:

$$y = a_1x + a_0$$

where:

$$a_1 = \frac{n\sum xy - (\sum x) \cdot (\sum y)}{n\sum x^2 - (\sum x)^2}$$

and:

$$a_0 = \frac{(\sum y) (\sum x^2) - (\sum x) (\sum xy)}{n\sum x^2 - (\sum x)^2}$$

where:

y = the height or area of peaks in any single determination;

x = the corresponding concentration on the regression line;

n = number of determinations carried out (n ≥ 14).

The curve must be linear, i.e., the standard deviation (s) of the differences between the measured responses (y_i) and the corresponding value of the responses calculated from the regression line (z_i) divided by the mean value (ȳ) of all the measured responses shall not exceed 0.07.

This shall be calculated from:

$$\frac{s}{\bar{y}} \leq 0.07$$

⁽¹⁾ See recommendation ISO DIS 5725: 1977.

where:

$$s = \sqrt{\frac{\sum_{i=1}^n (y_i - z_i)^2}{n-1}}$$

and:

$$\bar{y} = \frac{1}{n} \sum_{i=1}^n y_i$$

where:

y_i = each individual measured response;

z_i = the corresponding value of the response (y_i) on the calculated regression line;

$n \geq 14$.

Prepare two series of at least seven phials (4.4). Add to each phial volumes of dilute standard VC solution (5.1.2) and DMA (3.2) or internal standard solution in DMA (3.3) such that the final VC concentration of the duplicate solutions will be approximately equal to 0, 0.005, 0.010, 0.020, 0.030, 0.040, 0.050, etc., mg/litre or mg/kg of DMA and that each phial contains the same total volume of solution. The quantity of dilute standard VC solution (5.1.2) must be such that the ratio between the total volume (μ l) of added VC solution and quantity (g or ml) of DMA, or internal standard solution (3.3) does not exceed five. Seal the phials and proceed as described under points 5.4.2, 5.4.3 and 5.4.5. Construct a graph in which the ordinate values show the areas (or heights) of the VC peaks of the duplicate solutions, or the ratio of these areas (or heights) to those of the relevant internal standard peaks, and the abscissa values show the VC concentrations of the duplicate solutions.

5.2. Validation of preparation of standard solutions obtained in point 5.1

5.2.1. Preparation of a second standard VC solution (solution B)

Repeat the procedure described under points 5.1.1 and 5.1.2 to obtain a second dilute standard solution with, in this case, a concentration approximately equal to 0.02 mg VC: 1, or 0.02 mg VC/kg of DMA or internal standard solution. Add this solution to two phials (4.4). Seal the phials and proceed as described under points 5.4.2, 5.4.3 and 5.4.5.

5.2.2. Validation of solution A

If the average of two gas-chromatographic determinations relating to the solution B (5.2.1) does not differ by more than 5% from the corresponding point of the response curve obtained in point 5.1.3, the solution A is validated. If the difference is greater than 5%, reject all the solutions obtained in points 5.1 and 5.2 and repeat the procedure from the beginning.

5.3. Preparation of the 'addition' curve

NB:

The curve must comprise at least seven pairs of points.

The curve must be calculated from these points by the least squares technique (5.1.3, third indent).

The curve must be linear, i.e., the standard deviation(s) of the differences between the measured responses (y_i) and the corresponding value of the responses calculated from the regression line (z_i) divided by the mean value ($\bar{y}$) of all the measured responses shall not exceed 0.07 (5.1.3, fourth indent).

5.3.1. Preparation of sample

The sample of foodstuff to be analyzed must be representative of the foodstuff presented for analysis. The foodstuff must, therefore, be mixed or reduced to small pieces and mixed before the sample is taken.

5.3.2. Procedure

Prepare two series of at least seven phials (4.4). Add to each phial a quantity, not less than 5 g, of sample obtained from the foodstuff under investigation (5.3.1). Ensure that an equal quantity is added to each phial. Close the phial immediately. Add to each phial for each gram of sample 1 ml, preferably of distilled water, or demineralized water of at least equivalent purity, or an appropriate solvent if necessary. (Note: for homogeneous foodstuffs, addition of distilled or demineralized water is not necessary.) Add to each phial volumes of dilute standard VC solution (5.1.2), containing the internal standard (3.3), if considered useful, such that concentrations of VC added to the phials equal to 0, 0.005, 0.010, 0.020, 0.030, 0.040 and 0.050, etc., mg/kg of foodstuffs. Ensure that the total volume of DMA or DMA containing internal standard (3.3) in each phial is the same. The quantity of dilute standard VC solution (5.1.2) and additional DMA where used, must be such that the ratio between the total volume (μ l) of these solutions and the quantity (g) of foodstuff contained in the phial is as low as possible but not more than five and is the same in all phials. Seal the phials and proceed as described under point 5.4.

5.4. Gas-chromatographic determinations

- 5.4.1. Agitate the phials avoiding contact between the contained liquid and the septum (4.4) to obtain a solution or a suspension of the samples of foodstuff as homogeneous as possible.
- 5.4.2. Put all the sealed phials (5.2 and 5.3) in a waterbath for two hours at $60 \pm 1^\circ\text{C}$ to allow equilibrium to be attained. Agitate again, if necessary.
- 5.4.3. Take a sample from the headspace in the phial. When utilizing manual sampling techniques care must be exercised in obtaining a reproducible sample (4.4) in particular the syringe must be pre-warmed to the temperature of the sample. Measure the area (or height) of the peaks relating to the VC and internal standard, if used.
- 5.4.4. Construct a graph in which the ordinate value shows the areas (or heights) of the VC peaks or the ratio of the areas (or heights) of VC peaks to the areas (or heights) of the internal standard peaks and the abscissa values show the quantities of VC added (mg) relating to the quantities of the sample of foodstuff weighed in each phial (kg). Measure the abscissa intercept from the graph. The value so obtained is the concentration of VC in the sample of the foodstuff under investigation.
- 5.4.5. Remove from the column (4.3) excess DMA using an appropriate method as soon as peaks of DMA appear on the chromatogram.

6. RESULTS

The VC released by materials and articles into the foodstuff under investigation expressed in mg/kg shall be defined as the average of the two determinations (5.4) provided that the repeatability criterion in point 8 is satisfied.

7. CONFIRMATION OF THE VC

In cases where the VC released by materials and articles into the foodstuffs as calculated under point 6, exceeds the criterion in Article 2 (2) of Council Directive 78/142/EEC of 30 January 1978, the values obtained in each of the two determinations (5.4) must be confirmed in one of three ways:

- (i) by using at least one other column (4.3) having a stationary phase of different polarity. This procedure should continue until a chromatogram is obtained with no evidence of overlap of the VC and/or internal standard peaks with constituents of the sample of foodstuff,
- (ii) by using other detectors, e.g. the micro-electrolytic conductivity detector ⁽¹⁾,
- (iii) by using mass spectrometry; in this case, if molecular ions with parent masses (m/e) of 62 and 64 are found in the ratio of 3 : 1 it may be regarded with high probability as

⁽¹⁾ See Journal of Chromatographic Science (volume 12), March 1974, page 152.

confirming the presence of VC. In case of doubt the total mass spectrum must be checked.

8. REPEATABILITY

The difference between the results of two determinations (5.4) carried out simultaneously or in rapid succession on the same sample, by the same analyst, under the same conditions, must not exceed 0.003 mg VC/kg of foodstuff.

COMMISSION DECISION

of 7 May 1981

amending Decision 77/144/EEC laying down the standard code and rules governing the transcription into a machine-readable form of the data of the surveys of plantations of certain species of fruit trees, and laying down the boundaries of the production areas for these surveys

(81/433/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 76/625/EEC of 20 July 1976 concerning the statistical surveys to be carried out by the Member States in order to determine the production potential of plantations of certain species of fruit trees ⁽¹⁾, and in particular Article 4 (2) and (4) thereof,

Whereas, following the experience acquired during the previous surveys of fruit tree plantations, the standard codes appearing in the detailed provisions of Annexes I and II to Commission Decision 77/144/EEC ⁽²⁾ should be amended in order to facilitate the processing of the survey results;

Whereas these amendments also affect the description of the record format appearing in the general provisions of Annexes I and III to that Decision;

Whereas, following the accession of Greece, the list of production areas appearing in the detailed provisions of Annexes I and IV to Decision 77/144/EEC should be extended to include the production areas for Greece;

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

HAS ADOPTED THIS DECISION:

Article 1

Decision 77/144/EEC is hereby amended as follows:

1. The general provisions of Annex I are amended as follows:

(a) The Fortran format in paragraph 3 is replaced by the following format:
'12, 12, 11, 13, 11, 6F7.0.'

(b) The third sentence of paragraph 4 is amended to read as follows:

'The six following fields, each of seven digits, shall contain the information about the area in ares within each of the six age classes of the record.'

2. The detailed provisions of Annex I are replaced by Annex I to this Decision.

3. Annexes II, III and IV are replaced by Annexes II, III and IV to this Decision.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 7 May 1981.

For the Commission

Michael O'KENNEDY

Member of the Commission

⁽¹⁾ OJ No L 218, 11. 8. 1976, p. 10.

⁽²⁾ OJ No L 47, 18. 2. 1977, p. 52.

ANNEX I

DETAILED PROVISIONS

	Code	Number of digits	Byte number on tape or column number on card from . . . to . . .
1. Country		2	1, 2
Germany	01		
France	02		
Italy	03		
Netherlands	04		
Belgium	05		
Luxembourg	06		
United Kingdom	07		
Ireland	08		
Denmark	09		
Greece	10		
2. Production area		2	3, 4
Germany			
Norden	01		
Mitte	02		
Süden	03		
France			
Sud-ouest	01		
Sud-est	02		
Loire	03		
Reste	04		
Italy			
<i>(Apples, pears)</i>			
Val Padana	11		
Trentino-Alto Adige	21		
Piemonte e Valle d'Aosta	02		
Centrale	03		
Meridionale	04		
<i>(Peaches)</i>			
Val Padana e Trentino-Alto Adige	01		
Piemonte e Valle d'Aosta	02		
Centrale	03		
Meridionale	04		
<i>(Oranges)</i>			
Sicilia	14		
Calabria	24		
Puglia e Basilicata	34		
Altre zone	05		
Netherlands	00		
Belgium	00		
Luxembourg	00		
United Kingdom	00		
Ireland	00		
Denmark	00		

	Code	Number of digits	Byte number on tape or column number on card from ... to ...
Greece			
(Apples)			
Peloponnesus	01		
Macedonia	02		
Thessaly	03		
Other areas	96		
(Pears)			
Peloponnesus	01		
Macedonia	02		
Thessaly	03		
Crete	04		
Other areas	97		
(Peaches)			
Macedonia	02		
Other areas	98		
(Oranges)			
Peloponnesus	01		
Crete	04		
Epirus	05		
Other areas	99		
3. Species		1	5
Apples	1		
Pears	2		
Peaches:			
White flesh	3		
Yellow flesh	4		
All peaches	7		
Oranges:			
Blood oranges	5		
Other sweet oranges	6		
4. Variety		3	6 — 8
Codes for specified varieties of each species are given in Annex II			
5. Density of plantation		1	9
(Trees per hectare)			
Apples and pears:			
Under 400	1		
400 — 799	2		
800 — 1599	3		
1600 and over	4		
Total	9		
Peaches:			
Under 300	1		
300 — 399	2		
400 — 599	3		
600 — 799	4		
800 and over	5		
Total	9		

	Code	Number of digits	Byte number on tape or column number on card from ... to ...
Oranges:			
Under 250	1		
250 — 374	2		
375 — 499	3		
500 — 624	4		
625 — 749	5		
750 and over	6		
Total	9		
6. Age of trees ⁽¹⁾			
Age class 1		7	10 — 16
2		7	17 — 23
3		7	24 — 30
4		7	31 — 37
5		7	38 — 44
6		7	45 — 51

⁽¹⁾ The area for each age class is given in ares.

Age classes are defined as follows:

	<i>Apples, pears</i>	<i>Peaches</i>	<i>Oranges</i>
1	0 — 4 years	0 — 4 years	0 — 4 years
2	5 — 9	5 — 9	5 — 9
3	10 — 14	10 — 14	10 — 14
4	15 — 24	15 — 19	15 — 24
5	25 and over	20 and over	25 — 39
6 ⁽¹⁾	—	—	40 and over

⁽¹⁾ In the case of apples, pears and peaches, the information of class 6 is seven zeros.

ANNEX II

Codes for specified varieties of each species for delivery to the SOEC of the results of the statistical surveys of plantations of certain species of fruit trees to be carried out in Member States

(Directive 76/625/EEC)

1. APPLES

Variety	Code
Cardinal	001
Discovery	002
Gravenstein/Gråsten	003
Tydemans Early Worcester	004
James Grieve	005
Worcester Pearmain	006
Reine des Reinettes/Goldparmäne	007
Ingrid Marie	008
McIntosh	009
Jonathan	010
Red Delicious etc.	011
Golden Delicious + Golden Spur	012
Spartan	013
Reinette du Canada	014
Cox's Orange Pippin	015
Boskoop	016
Morgenduft + Rome Beauty	017
Rambour d'hiver	018
Granny Smith	019
Reinette du Mans	020
Annurca	021
Stayman	022
Glockenapfel	023
Laxton's Superb	024
Winston	025
Abbondanza	026
Holsteiner Cox	027
Reinette Clochard	028
Horneburger Pfannkuchen	029
Lombartscalville	030
Gloster	031
Wellington	032
Crispin/Mutzu	033
Melrose	034
Egremont Russet	035
Lobo	036
Cortland	037
Luxembourg Triumpf	038
Luxembourg Renette	039
Lord Lambourne	040
George Cave	041
Other varieties	900 — 999

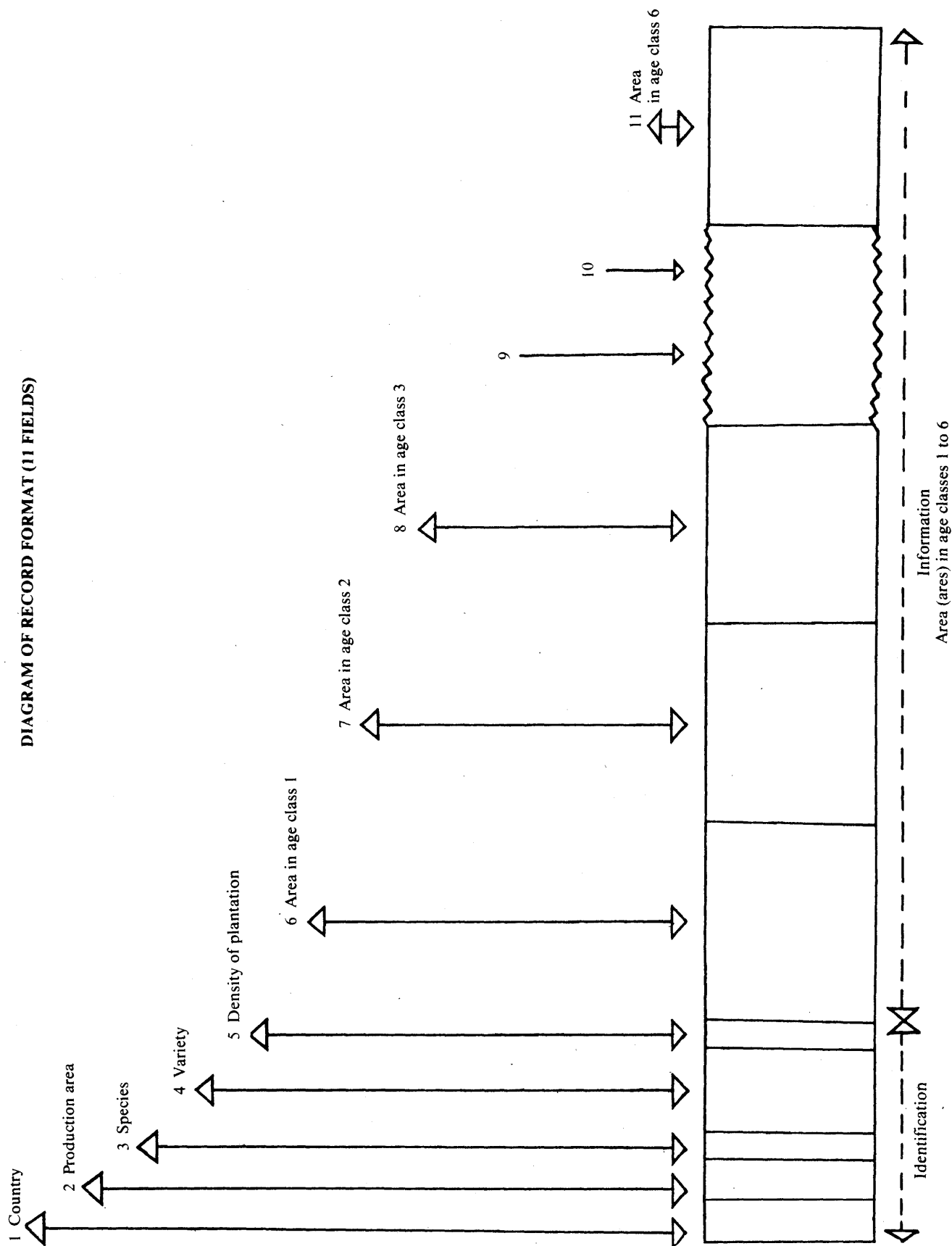
2. PEARS

Variety	Code
Gentile Bianca	001
Coscia	002
Butirra Precoce Morettini	003
Spadoncina	004
Jules Guyot	005
Santa Maria Morettini	006
Spadona d'Estate	007
William's	008
Clara Frijs	009
Clapp's Favourite	010
Grev Moltke	011
Triomphe de Vienne	012
Alexandrine Douillard	013
Beurré Hardy	014
Durondeau	015
Légipont/Charneu	016
Louise Bonne d'Avranches	017
Abate Fétel	018
Conférence	019
Clairgeau	020
Kaiser Alexander	021
Doyenné du Comice	022
Passe Crassane	023
Alexandre Lucas	024
Decana d'Inverno	025
Packam's Triumph	026
Epine du Mas	027
Madernassa	028
Butirra d'Estate	029
Curé	030
William's rouge	031
Precoce de Trévoux	032
Pierre Corneille	033
Other varieties	900 — 999
3. PEACHES	
White flesh	
Springtime type: Springtime	011
Mayflower	012
Others	013
Morettini 1 + 5/14	020
Amsden type	030
Redwing type	040
Bella di Cesena + Sant'Anna Balducci	050
Pieri 81	060
Michellini + Impero	070
Other white flesh varieties	999

Variety	Code
Yellow flesh	
Armgold	010
Blazing Gold + Collins	020
Dixired type: Dixired	031
Cardinal	032
Others	033
Redhaven type	040
Percoche type: Di Francia	051
Vesuvio	052
Others	053
Fairhaven type: Fairhaven	061
Southland	062
Others	063
Merril Franciscan type: Merrill Franciscan	071
Loring	072
Suncrest	073
Others	074
J. H. Hale type: J. H. Hale	081
Elberta	082
Others	083
Other yellow flesh varieties	999
4. ORANGES	
Blood oranges	
Moro	002
Tarocco	004
Sanguinello	001
Sanguinello 'Cuscuna'	011
Other blood oranges	999
Other sweet oranges	
Navels (group)	005
Belladonna	006
Valencia Late	015
Ovale/Calabrese	003
Other sweet oranges	999

ANNEX III

DIAGRAM OF RECORD FORMAT (11 FIELDS)



ANNEX IV

Boundaries of the production areas, where appropriate by species, referred to in Article 3

BELGIUM:	Forms a single production area								
DENMARK:	Forms a single production area								
GERMANY:	1. Nord: Schleswig-Holstein, Niedersachsen, Hamburg, Bremen, Berlin 2. Mitte: Nordrhein-Westfalen, Hessen, Rheinland-Pfalz, Saarland 3. Süd: Baden-Württemberg, Bayern								
GREECE:	<table border="0"> <tr> <td>(Apples)</td><td> 1. Peloponnesus 2. Macedonia 3. Thessaly 4. Other areas </td></tr> <tr> <td>(Pears)</td><td> 1. Peloponnesus 2. Macedonia 3. Thessaly 4. Crete 5. Other areas </td></tr> <tr> <td>(Peaches)</td><td> 1. Macedonia 2. Other areas </td></tr> <tr> <td>(Oranges)</td><td> 1. Peloponnesus 2. Crete 3. Epirus 4. Other areas </td></tr> </table>	(Apples)	1. Peloponnesus 2. Macedonia 3. Thessaly 4. Other areas	(Pears)	1. Peloponnesus 2. Macedonia 3. Thessaly 4. Crete 5. Other areas	(Peaches)	1. Macedonia 2. Other areas	(Oranges)	1. Peloponnesus 2. Crete 3. Epirus 4. Other areas
(Apples)	1. Peloponnesus 2. Macedonia 3. Thessaly 4. Other areas								
(Pears)	1. Peloponnesus 2. Macedonia 3. Thessaly 4. Crete 5. Other areas								
(Peaches)	1. Macedonia 2. Other areas								
(Oranges)	1. Peloponnesus 2. Crete 3. Epirus 4. Other areas								
FRANCE:	1. Sud-ouest: Limousin, Auvergne, Aquitaine, Midi-Pyrénées 2. Sud-est: Rhône-Alpes, Languedoc, Provence-Côte d'Azur 3. Loire: Pays de la Loire, Poitou-Charentes, Centre, Région parisienne 4. Remainder of France								
IRELAND:	Forms a single production area								
ITALY:	<table border="0"> <tr> <td>(Apples, pears)</td><td> 1. Val Padana: Lombardia, Veneto, Friuli-Venezia Giulia, Emilia-Romagna 2. Trentino-Alto Adige 3. Piemonte, Valle d'Aosta 4. Centrale: Liguria, Toscana, Umbria, Marche, Lazio, Abruzzo 5. Meridionale: Campania, Calabria, Molise, Puglia, Basilicata, Sicilia, Sardegna </td></tr> </table>	(Apples, pears)	1. Val Padana: Lombardia, Veneto, Friuli-Venezia Giulia, Emilia-Romagna 2. Trentino-Alto Adige 3. Piemonte, Valle d'Aosta 4. Centrale: Liguria, Toscana, Umbria, Marche, Lazio, Abruzzo 5. Meridionale: Campania, Calabria, Molise, Puglia, Basilicata, Sicilia, Sardegna						
(Apples, pears)	1. Val Padana: Lombardia, Veneto, Friuli-Venezia Giulia, Emilia-Romagna 2. Trentino-Alto Adige 3. Piemonte, Valle d'Aosta 4. Centrale: Liguria, Toscana, Umbria, Marche, Lazio, Abruzzo 5. Meridionale: Campania, Calabria, Molise, Puglia, Basilicata, Sicilia, Sardegna								

- (Peaches)
1. Val Padana e Trentino-Alto Adige: Lombardia, Veneto, Friuli-Venezia Giulia, Emilia-Romagna, Trentino-Alto Adige
 2. Piemonte, Valle d'Aosta
 3. Centrale: Liguria, Toscana, Umbria, Marche, Lazio, Abruzzo
 4. Meridionale: Campania, Calabria, Molise, Puglia, Basilicata, Sicilia, Sardegna
- (Oranges)
1. Sicilia
 2. Calabria
 3. Puglia, Basilicata
 4. Remainder of Italy

LUXEMBOURG: Forms a single production area

NETHERLANDS: Forms a single production area

UNITED KINGDOM: Forms a single production area

COMMISSION DECISION

of 7 May 1981

amending Decision 76/806/EEC laying down additional provisions concerning surveys to determine the production potential of plantations of certain species of fruit trees to be made by Member States

(81/434/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS DECISION:

Article 1

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 76/625/EEC of 20 July 1976 concerning the statistical surveys to be carried out by the Member States in order to determine the production potential of plantations of certain species of fruit trees ⁽¹⁾, and in particular Article 2 (1) (B) thereof,

Whereas, following the experience acquired during the previous surveys of fruit tree plantations, a number of statistical classes relating to the age of trees which appear in the Annex to Commission Decision 76/806/EEC ⁽²⁾, should be amalgamated in order to maintain the statistical validity of the results and reduce the costs of the surveys;

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

The statistical classes relating to the age of trees appearing in the Annex to Decision 76/806/EEC are hereby replaced by the classes appearing in the Annex to this Decision.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 7 May 1981.

For the Commission

Michael O'KENNEDY

Member of the Commission

⁽¹⁾ OJ No L 218, 11. 8. 1976, p. 10.

⁽²⁾ OJ No L 285, 16. 10. 1976, p. 34.

ANNEX

	Apples, pears	Peaches	Oranges
Age of trees (years)	0 — 4 5 — 9 10 — 14 15 — 24 25 and over	0 — 4 5 — 9 10 — 14 15 — 19 20 and over	0 — 4 5 — 9 10 — 14 15 — 24 25 — 39 40 and over

COMMISSION DECISION**of 8 May 1981****authorizing Member States to permit temporarily the marketing of forest reproductive material satisfying less stringent requirements****(81/435/EEC)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 66/404/EEC of 14 June 1966 on the marketing of forest reproductive material ⁽¹⁾, as last amended by the Act of Accession of Greece, and in particular Article 15 (1) thereof,

Having regard to the requests submitted by certain Member States,

Whereas production of reproductive material of the species set out in the Annex hereto is at present insufficient in all Member States, with the result that their requirements for reproductive material conforming to the provisions of Directive 66/404/EEC cannot be met;

Whereas non-member countries are not in a position to supply sufficient reproductive material of the relevant species which can afford the same guarantees as Community reproductive material and which conforms to the provisions of the above Directive;

Whereas the Member States should therefore be authorized to allow, for a limited period, the marketing of reproductive material of the relevant species which satisfies less stringent requirements;

Whereas, for genetic reasons, the reproductive material must be collected at places of origin within the natural range of the relevant species and the strictest possible guarantees should be given to ensure the identity of the material;

Whereas each of the Member States should furthermore be authorized to approve for marketing in its own territory seed which satisfies less stringent requirements, together with plants produced therefrom, which have been approved for marketing under this Decision in another Member State;

whereas such a measure is likely to permit intra-Community trade in the relevant reproductive material and to satisfy better the needs of the Member States involved;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Seeds and Propagating Material for Agriculture, Horticulture and Forestry,

HAS ADOPTED THIS DECISION:

Article 1

1. Member States are hereby authorized, on the terms set out in the Annex hereto and on condition that the proof specified in Article 2 is furnished with regard to the place of provenance of the seed and the altitude at which it was collected, to approve for marketing within their own territory seed satisfying less stringent requirements.
2. Member States are further authorized to approve for marketing in their own territory seed approved for marketing under this Decision in another Member State.
3. Member States are further authorized to approve for marketing in their own territory plants produced from the abovementioned seed.

Article 2

1. The proof referred to in Article 1 (1) shall be deemed to be furnished where the seed is of the category 'source-identified reproductive material' as defined in the OECD scheme for the control of forest reproductive material moving in international trade.
2. Where the OECD scheme referred to in paragraph 1 is not used at the place of provenance of the seed, other official evidence shall be admissible.

⁽¹⁾ OJ No 125, 11. 7. 1966, p. 2326/66.

3. Where official evidence cannot be provided in the case of the species *Pinus strobus*, Member States may accept other non-official evidence.

Article 3

Authorizations provided for under Article 1 (1), in so far as they concern the first marketing in the territory of different Member States, shall expire on 28 February 1982. Authorizations granted under Article 1 (1), in so far as they do not concern the first marketing, and authorizations granted under Article 1 (2), shall expire on 31 December 1984.

Article 4

Member States shall, before 1 April 1982, notify the Commission of the quantities of seed satisfying less

stringent requirements which are approved for first marketing in their territory under this Decision. The Commission shall inform the other Member States thereof.

Article 5

This Decision is addressed to the Member States.

Done at Brussels, 8 May 1981.

For the Commission

Poul DALSGER

Member of the Commission

BILAG — ANLAGE — ΠΑΡΑΡΤΗΜΑ — ANNEX — ANNEXE — ALLEGATO — BIJLAGE

Medlemsstat Mitgliedstaat Κράτος μέλος Member State État membre Stato membro Lid-Staat	Abies alba Mill.		Fagus sylvatica L.		Larix decidua Mill.	
	kg	Oprindelse Herkunft Προέλευση Provenance Provenienza Herkomst	kg	Oprindelse Herkunft Προέλευση Provenance Provenienza Herkomst	kg	Oprindelse Herkunft Προέλευση Provenance Provenienza Herkomst
B			15 000	R (alt. 900 m max)	80	CS (Sudètes) PL (alt. 900 m max)
D	900	DDR, CS, R, CH	20 000	DDR, CS, R, CH	120	CS
DK	300 1 350	I (Carag Leone) R (Lapos-alt. 700-850 max)	10 200 5 000 3 500	CS R BG		
F	1 000	F	3 000	F	150	PL, CS (Sudètes) CH (alt. 800 m max)
GB			9 500	R	200	CS, PL
GR						
I			1 000	I		
IRL			500	R		
L			—		—	
NL	75	R	75 000	BG, R, CS	50	PL, CS

Medlemsstat Mitgliedstaat Κράτος μέλος Member State État membre Stato membro Lid-Staat	Larix leptolepis (Sieb. & Zucc. Gord)		Picea abies Karst.		Picea stichensis Trautv. et Mey.	
	kg	Oprindelse Herkunft Προέλευση Provenance Provenienza Herkomst	kg	Oprindelse Herkunft Προέλευση Provenance Provenienza Herkomst	kg	Oprindelse Herkunft Προέλευση Provenance Provenienza Herkomst
B	80	J (Hokkaido)	200	PL (Carpathians) R, CS (alt. 900 m max)	80	USA (Washington)
D	—		250	PL, CS, R, SU, H, DDR	350	USA (Washington) CDN (British Columbia)
DK			100 250	R (Moldovita, Brosteni) CS (alt. 600-800 m)	75 25	USA (Wash., Zone 012) CDN (Queen Charlotte Island)
F	120	J	1 000	PL	100	USA (Washington)
GB	500	J, EEC	400	R, PL, CS	300	CDN (British Columbia)
GR						
I	50	J (Hokkaido)				
IRL	15	J (Hokkaido)			50	CDN (Queen Charlotte Island)
L	—		—		—	
NL	80	J	200	PL, CS	25	USA (Washington) CDN (British Columbia)

Medlemsstat Mitgliedstaat Κράτος μέλος Member State État membre Stato membro Lid-Staat	Pinus nigra Arn.		Pinus silvestris L.		Pinus strobus L.	
	kg	Oprindelse Herkunft Προέλευση Provenance Provenienza Herkomst	kg	Oprindelse Herkunft Προέλευση Provenance Provenienza Herkomst	kg	Oprindelse Herkunft Προέλευση Provenance Provenienza Herkomst
B	40	YU			40	YU
D	400	YU	200	PL, SU	200	USA (Appalachians), DDR, CS
DK	250	YU (Slovenie, 300–500 m)	125 25	N (Zone 1–0, 150 m) SU (Lituania)	10	USA (Minnesota 1 400 feet)
F	450	YU (Slovenie), F	300	SU (Riga), PL	150	USA (Appalachians), CH
GB						
GR						
I					50	USA (Appalachians)
IRL						
L	—		—		—	
NL	200	A, YU	—		75	CDN (Ontario), USA (Appalachians)

Medlemsstat Mitgliedstaat Κράτος μέλος Member State État membre Stato membro Lid-Staat	Pseudotsuga taxifolia (Poir.) Britt.		Quercus borealis Michx.		Quercus pendunculata Ehrh.	
	kg	Oprindelse Herkunft Προέλευση Provenance Provenienza Herkomst	kg	Oprindelse Herkunft Προέλευση Provenance Provenienza Herkomst	kg	Oprindelse Herkunft Προέλευση Provenance Provenienza Herkomst
B	500	USA (Washington, West Cascades) (alt. 700 m max)				
D	6 000	CDN (British Columbia) USA (Oregon, Washington)	3 000	CS, DDR, USA (Appalachians)	20 000	DDR, YU
DK	100	USA (Washington, Zones 211 and 403)				
F	3 000	USA (Washington), F	1 500	F	40 000	F
GB	300	CDN (British Columbia) USA (Oregon, Washington), EEC	6 000	USA (Oregon, Washington) R, CS, EEC	16 000	R, PL, EEC
GR						
I	500	USA (Washington, Oregon, California)			2 000	I
IRL	50	USA (Washington, Zone 412, 300–500 m)				
L	—		—		—	
NL	400	USA (Washington) CDN (British Columbia)	25 000	YU, DDR, PL, CS	100 000	YU, PL, R

Medlemsstat Mitgliedstaat Κράτος μέλος Member State État membre Stato membro Lid-Staat	Quercus sessiliflora Sal.	
	kg	Oprindelse Herkunft Προέλευση Provenance Provenienza Herkomst
B		
D	—	
DK	13 000	N
F	10 000	F
GB	13 100	R, PL, EEC
GR		
I	3 000	I
IRL		
L	—	
NL	50 000	PL, R

LEGEND

The Member States and the States of provenance are indicated in the order of the abbreviations of the international code used for motor vehicles.

1. *Member States*

B	=	Kingdom of Belgium
D	=	Federal Republic of Germany
DK	=	Kingdom of Denmark
F	=	French Republic
GB	=	United Kingdom
GR	=	Greece
I	=	Italian Republic
IRL	=	Ireland
L	=	Grand Duchy of Luxembourg
NL	=	Kingdom of the Netherlands

2. *States of provenance*

BG	=	Bulgaria
CDN	=	Canada
CH	=	Switzerland
CS	=	Czechoslovakia
DDR	=	German Democratic Republic
H	=	Hungary
J	=	Japan
N	=	Norway
PL	=	Poland
PL(Ca)	=	Poland (Carpathians)
R	=	Romania
SU(Li)	=	Union of Soviet Socialist Republics (Lithuania)
SU	=	Union of Soviet Socialist Republics
USA	=	United States of America
YU	=	Yugoslavia

COMMISSION DECISION

of 8 May 1981

authorizing the United Kingdom to extend the time limit for acceptances of certain varieties of species of agricultural plants and vegetables

(Only the English text is authentic)

(81/436/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 70/457/EEC of 29 September 1970 on the common catalogue of varieties of agricultural plant species ⁽¹⁾, as last amended by Directive 80/1141/EEC ⁽²⁾, and in particular Article 3 (4) thereof,

Having regard to Council Directive 70/458/EEC of 29 September 1970 on the marketing of vegetable seed ⁽³⁾, as last amended by Directive 80/1141/EEC, and in particular Article 9 (2a) thereof,

Having regard to the request submitted by the United Kingdom,

Whereas official acceptances of varieties of agricultural plant species and of vegetable species granted by Member States before 1 July 1972 in accordance with principles other than those laid down in Directives 70/457/EEC and 70/458/EEC respectively expire in principle not later than 30 June 1980 if by that date the varieties in question have not been accepted in accordance with the provisions of those Directives;

Whereas, however, Member States may be authorized in respect of individual varieties to extend until 31 December 1982 at the latest the abovementioned time limit in so far as on 1 July 1980 the examination procedure initiated for these varieties prior to this date with a view to their acceptance under the provisions of Directives 70/457/EEC and 70/458/EEC respectively has not yet been completed;

Whereas in the United Kingdom it has not been possible to complete the acceptance procedure under the provisions of the abovementioned Directives for certain varieties;

Whereas the United Kingdom should therefore be authorized to extend until 31 December 1982 the time limit for acceptances of certain varieties of species of agricultural plants and vegetables;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Seeds and Propagating Material for Agriculture, Horticulture and Forestry,

HAS ADOPTED THIS DECISION:

Article 1

1. The United Kingdom is hereby authorized to extend until 31 December 1982 at the latest, in respect of the following varieties, the time limit laid down in Article 3 (3) of Directive 70/457/EEC:

1. *Festuca rubra* L.
Cascade,
Durlawn.
2. *Poa pratensis* L.
Adelphy.

2. The United Kingdom is hereby authorized to extend until 31 December 1982 at the latest, in respect of the following varieties, the time limit laid down in Article 9 (2) of Directive 70/458/EEC:

⁽¹⁾ OJ No L 225, 22. 10. 1970, p. 1.

⁽²⁾ OJ No L 341, 16. 12. 1980, p. 27.

⁽³⁾ OJ No L 225, 12. 10. 1970, p. 7.

1. *Allium cepa* L.
Queen Improved.

Article 3

This Decision is addressed to the United Kingdom.

2. *Allium porrum*
Mammouth Pot Leek.

3. *Cucumbita pepo*
Green Gem.

Done at Brussels, 8 May 1981.

Article 2

The authorizations given under Article 1 will be withdrawn if the conditions under which they were granted are no longer satisfied.

For the Commission

Poul DALSAER

Member of the Commission

COMMISSION DECISION

of 11 May 1981

laying down the criteria in accordance with which information relating to the inventory of chemical substances is supplied by the Member States to the Commission

(81/437/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 67/548/EEC of 27 June 1967 on the approximation of laws, regulations and administrative provisions relating to the classification, packaging and labelling of dangerous substances ⁽¹⁾, as last amended by Directive 79/831/EEC ⁽²⁾, and in particular Article 13 (3) thereof,

Whereas Article 13 (1) of Directive 67/548/EEC provides for the drawing up of an inventory of substances existing on the Community market by 18 September 1981; whereas the Commission, in drawing up this inventory, must take account of Articles 1 (4) and 8 of the said Directive;

Whereas, for reasons of time and expense it is necessary, in order to draw up the inventory, to use a composite technique based on a core inventory supplemented by declarations by manufacturers or importers demonstrating the existence on the Community market of substances not included in the core inventory;

Whereas the core inventory drawn up by the Commission taking into account the opinion of the Committee on Adaptation to Technical Progress must be drawn up in accordance with data from which it may be reasonably and objectively assumed that the substances shown therein exist on the Community market;

Whereas it is necessary to make provisions enabling the introduction of the procedure for declaring substances for inclusion in the inventory to the competent authorities of the Member States, such declaration being valid for the Community market;

Whereas it is also advisable to lay down that the provisions relating to the declaration procedure and the time table to be respected be adopted at Community level;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Committee on the Adaptation to Technical Progress of the Directives on the Removal of Technical Barriers to Trade in the Sector of Dangerous Substances and Preparations,

HAS ADOPTED THIS DECISION:

Article 1

In order to enable the Commission to draw up the inventory provided for in Article 13 of Directive 67/548/EEC, the Member States shall take all the measures necessary to ensure that the phases and procedures set out in Articles 2 and 3 and in the Annex are correctly observed.

Article 2

1. The inventory of chemical substances existing on the Community market by 18 September 1981, hereinafter referred to as 'Einecs' (European Inventory of Existing Commercial Chemical Substances), shall be drawn up in accordance with the provisions set out in Section I of the Annex.

2. The Einecs inventory shall be composed of a core inventory, hereinafter referred to as 'Ecoin' (European Core Inventory), drawn up by the Commission from the data at its disposal, and of a list of substances which are the subject of subsequent declarations communicated to the Commission by the Member States in accordance with the provisions set out in Section II of the Annex.

Article 3

Member States shall take all the necessary measures in order to implement and coordinate the work associated with drawing up the Einecs inventory. For this purpose the Commission shall nominate a contact point.

⁽¹⁾ OJ No L 196, 16. 8. 1967, p. 1.

⁽²⁾ OJ No L 259, 15. 9. 1979, p. 10.

For the same purpose Member States may indicate national contact points. The Member States shall send to the Commission before 30 June 1981 the addresses to which declaration forms must be sent.

The Commission shall publish the addresses in the *Official Journal of the European Communities*.

Article 4

For the purposes of this Decision, the definitions of 'substances', 'preparation', 'placing on the market', shall be as set out in Article 2 of Directive 67/548/EEC.

Article 5

This Decision is addressed to the Member States.

Done at Brussels, 11 May 1981.

For the Commission

Karl-Heinz NARJES

Member of the Commission

ANNEX

I. PROCEDURE FOR THE PREPARATION OF THE EINECS INVENTORY

The procedure shall comprise the following phases:

First phase

- The Ecoin core inventory shall be prepared by the Commission on the basis of existing lists of chemical substances.
- To facilitate comprehension of the Ecoin core inventory, the Commission shall prepare an explanatory document comprising:
 - an index containing the nomenclature of the substances identified by the CAS registry numbers,
 - an alphabetical index of the nomenclature of the substances identified by the CAS registry numbers,
 - an index of the molecular formulae of the substances contained in the Ecoin core inventory.
- To assist the persons making the declarations during the second phase, the Commission shall prepare a working document entitled 'Compendium of known substances'.

To facilitate its use, it shall contain three indexes:

 - an index containing the nomenclature of the substances identified by the CAS registry numbers — Eines code,
 - an alphabetical index of the nomenclature of the substances identified by the CAS registry numbers — Eines code,
 - an index of the molecular formulae of the substances listed in the working document. Substances mentioned in the working document but not listed in the Ecoin core inventory shall not be included in the Eines inventory unless they are declared.
- The Commission shall also prepare in collaboration with all Member States and in all the official languages of the Community an explanatory document entitled 'Reporting for the Eines inventory'.
- After the transmission of all the aforementioned documents to Member States, the Commission shall publish Ecoin in the *Official Journal of the European Communities* in the form of an Ecoin number/CAS registry number list.

Second phase

- Declarations of substances existing as such or as ingredients in a preparation on the Community market by 18 September 1981 but which are not listed in the Ecoin core inventory can be made by the manufacturer or any other person resident in the Community who has placed this/these substance(s) on the market and who is hereinafter referred to as 'the person making the declaration'.
- These declarations must be forwarded to the respective national address(es) mentioned in Article 3.
- Declarations of substances can only be made by means of the appropriate forms available from the same address(es).

These declarations must be forwarded by the persons making them to the same addresses at the latest nine months after the publication of the Ecoin core inventory in the *Official Journal of the European Communities*.

- The rules to be followed in preparing declarations and the facsimiles of the forms are presented in Section II of this Annex.

- The Member States shall forward to the contact point of the Commission the appropriate part of the declaration forms completed by the person making the declaration as rapidly as possible and no later than 30 days after receiving them.
- The Commission contact point cannot accept any declaration form after a date 12 months from the publication of the Ecoin core inventory in the *Official Journal of the European Communities*.

Third phase

- The Commission shall draw up the Einecs inventory from the Ecoin core inventory, adding to it the substances declared to the Member States who will have ensured the transmission of the appropriate part of the corresponding declarations.
- During the examination and processing of the various substance declaration forms by the Commission, clarification of certain points (e.g. error in CAS numbering, error in nomenclature, etc.) may become necessary. In this event, the Commission shall forward a written request for information to the Member State who shall pass it on to the person making the declaration within a period of 15 days.
- The person making the declaration must reply in writing within a period of 45 days to the request sent by the Member State. This reply shall be forwarded to the Commission contact within 15 days.
- If no reply is made within a period of 90 days from the date of the request for information, the Commission shall be empowered to take a decision on the basis of the information it possesses after consulting the Member State. If one or more contact point(s) has/have been designated it/they perform for the Member State the aforementioned tasks.

Fourth phase

The Einecs inventory shall be published in the *Official Journal of the European Communities*.

II. RULES FOR PREPARING THE DECLARATIONS

1. Any substance as defined in Article 4 of this Decision which meets one of the criteria listed below can be declared:
 - (a) the substance must have been placed on the market for genuine commercial purposes between 1 January 1971 and 18 September 1981, inclusive;
 - (b) the substance is a monomer form which polymerizes, polycondensates and polyadducts existing on the market between 1 January 1971 and 18 September 1981, inclusive, were manufactured.
2. Any substance that meets one of the criteria listed below must not be declared:
 - (a) any substance placed on the market between 1 January 1971 and 18 September 1981, inclusive, exclusively for research, development and/or analytical purposes;
 - (b) any intentional mixture;
 - (c) any impurity without commercial value as such;
 - (d) any polymerize, polycondensate or polyadduct.
3. How to make a declaration:
 - (a) To declare a substance that is not included in the Ecoin core inventory but which is listed in the working document 'Compendium of known substances', the person making the declaration must use Form A (a facsimile of which is presented below) and forward it to the national address(es) duly completed and signed.

- (b) To declare a substance that is included in neither the Ecoin core inventory nor the working document 'Compendium of known substances' but for which a Chemical Abstract Service (CAS) registry number is known, the person making the declaration must use Form B (a facsimile of which is presented below) and forward it to the national address(es) duly completed and signed.
- (c) To declare a substance that is included in neither the Ecoin core inventory nor the working document 'Compendium of known substances' and for which a Chemical Abstract Service (CAS) registry number is not known, the person making the declaration must use Form C (a facsimile of which is presented below) and forward it to the national address(es) duly completed and signed. When completing Form C, the person making the declaration must describe the chemical substance in as much detail as possible, while complying with the instructions contained in the document 'Reporting for the Eines inventory'.

Further guidance for making declarations is given in the document 'Reporting for the Eines inventory'.

IMPORTANT: Before completing this form, carefully read the publication 'Reporting for the Einacs inventory'. CAS registry numbers and Einacs codes can be found in the publication 'Compendium of known substances'.

EUROPEAN INVENTORY OF EXISTING COMMERCIAL CHEMICAL SUBSTANCES (EINECS)

Supplementary reporting of substances not included in the
ECOIN core inventory

Reporting form

A

(for substances
included in the
compendium)

Form number

(Do not remove label)

- 1. CERTIFICATION STATEMENT:** In accordance with the Commission Decision of 11 May 1981 (OJ No L 167, 24. 6. 1981, p. 31), I hereby certify that, to the best of my knowledge and belief: 1. the chemical substances identified below were placed on the market by me/my company for genuine commercial purposes between 1 January 1971 and 18 September 1981 inclusive; 2. all information entered in this form is complete and accurate.

Date	Signature	Name	Title
2. ADDRESS OF COMPANY		3. PERSON TO BE CONTACTED IN CASE OF QUERY	
Corporation _____		Name _____	
Street _____		Street _____	
Postcode _____ City _____		Postcode _____ City _____	
Tel. () _____ Telex _____		Tel. () _____ Telex _____	

4. REPORTED SUBSTANCES:

5. Replacing form (do not complete)

No. _____

Form number _____

I No	II CAS registry number	III EINECS code	IV No	I No	II CAS registry number	III EINECS code	IV No
1	- -	-	1	16	- -	-	16
2	- -	-	2	17	- -	-	17
3	- -	-	3	18	- -	-	18
4	- -	-	4	19	- -	-	19
5	- -	-	5	20	- -	-	20
6	- -	-	6	21	- -	-	21
7	- -	-	7	22	- -	-	22
8	- -	-	8	23	- -	-	23
9	- -	-	9	24	- -	-	24
10	- -	-	10	25	- -	-	25
11	- -	-	11	26	- -	-	26
12	- -	-	12	27	- -	-	27
13	- -	-	13	28	- -	-	28
14	- -	-	14	29	- -	-	29
15	- -	-	15	30	- -	-	30

(RESERVED FOR MEMBER STATE)

Received: Signature:

Transmitted: Name:

(RESERVED FOR COMMISSION CONTACT POINT)

Received: Signature:

Transmitted: Name:

IMPORTANT: Before completing this form, carefully read the publication 'Reporting for the EINECS inventory'.

EUROPEAN INVENTORY OF EXISTING COMMERCIAL CHEMICAL SUBSTANCES (EINECS)	Reporting form B (for substances with CAS registry numbers not included in the compendium)	Form number (Do not remove label)
Supplementary reporting of substances not included in the ECOIN core inventory		

- 1. CERTIFICATION STATEMENT:** In accordance with the Commission Decision of 11 May 1981 (OJ No L 167, 24. 6. 1981, p. 31), I hereby certify that, to the best of my knowledge and belief: 1. the chemical substances identified below were placed on the market by me/my company for genuine commercial purposes between 1 January 1971 and 18 September 1981 inclusive; 2. all information entered in this form is complete and accurate.

Date	Signature	Name	Title
2. ADDRESS OF COMPANY		3. PERSON TO BE CONTACTED IN CASE OF QUERY	
Corporation		Name	
Street		Street	
Postcode	City	Postcode	City
Tel. ()		Tel. ()	
Telex		Telex	

4. REPORTED SUBSTANCES:		5. Replacing form (do not complete) No	Form number
I No	II CAS registry number	III Specific chemical name(s)	IV No
1	- -		1
2	- -		2
3	- -		3
4	- -		4
5	- -		5
6	- -		6
7	- -		7
8	- -		8
9	- -		9
10	- -		10
11	- -		11
12	- -		12
13	- -		13
14	- -		14
15	- -		15

(RESERVED FOR MEMBER STATE)

Received: Signature:

Transmitted: Name:

(RESERVED FOR COMMISSION CONTACT POINT)

Received: Signature:

Transmitted: Name:

IMPORTANT: Before completing this form, carefully read the publication 'Reporting for the Einacs inventory'.

EUROPEAN INVENTORY OF EXISTING COMMERCIAL CHEMICAL SUBSTANCES (EINECS) Supplementary reporting of substances not included in the ECOIN core inventory	Reporting form C (for substances whose CAS registry number is not known)	Form number (Do not remove label)
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- 1. CERTIFICATION STATEMENT:** In accordance with the Commission Decision of 11 May 1981 (OJ No L 167, 24. 6. 1981, p. 31), I hereby certify that, to the best of my knowledge and belief: 1. the chemical substances identified below were placed on the market by me/my company for genuine commercial purposes between 1 January 1971 and 18 September 1981 inclusive; 2. all information entered in this form is complete and accurate.

Date	Signature	Name	Title
2. ADDRESS OF COMPANY		3. PERSON TO BE CONTACTED IN CASE OF QUERY	
Corporation		Corporation	
Street		Street	
Postcode	City	Postcode	City
Tel. ()		Tel. ()	
Telex		Telex	

4. REPORTED SUBSTANCE:	5. Replacing form (do not complete) No	Form number
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I

Specific chemical name(s):

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.....

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II Molecular formula:	IV No of attached sheets ☐
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III

Chemical structure diagram (if known) or description of reaction scheme or other supplemental information to aid the identification of the substance:

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(RESERVED FOR MEMBER STATE) Received: Signature: Transmitted: Name:	(RESERVED FOR COMMISSION CONTACT POINT) Received: Signature: Transmitted: Name:	
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