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II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DIRECTIVE

of 18 December 1975

on the approximation of the laws of the Member States relating to statutory plates and inscriptions for motor vehicles and their trailers, and their location and method of attachment

(76/114/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament ⁽¹⁾,

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

Whereas the technical requirements which motor vehicles must satisfy pursuant to national laws relate *inter alia* to statutory plates and inscriptions, and their location and methods of attachment;

Whereas those requirements differ from one Member State to another; whereas it is therefore necessary that all Member States adopt the same requirements either in addition to or in place of their existing rules, in order, in particular, to allow the EEC type-approval procedure, which was the subject of Council Directive 70/156/EEC of 6 February 1970 on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers ⁽³⁾, to be applied in respect of each type of vehicle;

Whereas the approximation of national laws relating to motor vehicles involves the mutual recognition by Member States of the inspections carried out by each of them on the basis of common provisions; whereas, for such a system to function successfully, these provisions must be applied by all Member States with effect from the same date,

HAS ADOPTED THIS DIRECTIVE:

Article 1

For the purposes of this Directive, 'vehicle' means any motor vehicle intended for use on the road, with or without bodywork, having at least four wheels and a maximum design speed exceeding 25 km/h, and its trailers, with the exception of vehicles which run on rails, agricultural or forestry tractors and machinery, and public works vehicles.

Article 2

No Member State may refuse to grant EEC type-approval or national type-approval of a vehicle on grounds relating to the statutory plates and inscriptions and their location and method of attachment, if these satisfy the requirements set out in the Annex hereto.

⁽¹⁾ OJ No C 5, 8. 1. 1975, p. 41.

⁽²⁾ OJ No C 47, 27. 2. 1975, p. 4.

⁽³⁾ OJ No L 42, 23. 2. 1970, p. 1.

Article 3

No Member State may refuse registration or prohibit the sale, entry into service or use of a vehicle on grounds relating to the statutory plates and inscriptions and their location and method of attachment, if these satisfy the requirements set out in the Annex to this Directive.

Article 4

The amendments necessary to adapt the requirements of the Annex to technical progress shall be adopted in accordance with the procedure laid down in Article 13 of Directive 70/156/EEC.

Article 5

1. By 1 January 1977, Member States shall adopt and publish the provisions necessary to comply with this Directive and shall forthwith inform the Commission thereof.

They shall implement these provisions with effect from 1 October 1978.

2. After notification of this Directive, Member States shall take steps to inform the Commission, in sufficient time for it to submit its comments, of any draft laws, regulations or administrative provisions which they intend to adopt in the field covered by the Directive.

Article 6

This Directive is addressed to the Member States.

Done at Brussels, 18 December 1975.

For the Council

The President

M. TOROS

ANNEX

1. GENERAL

- 1.1. All vehicles must be provided with the plate and inscriptions described in the following sections. The plate and inscriptions shall be attached either by the manufacturer or by his authorized representative.

2. MANUFACTURER'S PLATE

- 2.1. A manufacturer's plate, modelled on that shown in the appendix hereto, must be firmly attached in a conspicuous and readily accessible position on a part not subject to replacement in use. It must show clearly and indelibly the following information in the order listed:

- 2.1.1. Name of the manufacturer.

- 2.1.2. EEC type-approval number ⁽¹⁾.

This number is composed of a small letter 'e' followed, in the order given, by the distinguishing number or letters of the country which granted the EEC type-approval (1 for Germany, 2 for France, 3 for Italy, 4 for the Netherlands, 6 for Belgium, 11 for the United Kingdom, 12 for Luxembourg, DK for Denmark, IRL for Ireland) and by the type-approval number corresponding to the number on the type-approval certificate for the type of vehicle. An asterisk shall be placed between the letter 'e' and the distinguishing number or letters of the country which granted the EEC type-approval, and between the distinguishing number or letters and the type-approval number.

- 2.1.3. Vehicle identification number.

- 2.1.4. Maximum permitted laden weight of the vehicle.

- 2.1.5. Maximum permitted laden weight for the combination, where the vehicle is used for towing.

- 2.1.6. Maximum permitted road weight for each axle, listed in order from front to rear.

- 2.1.7. In the case of a semi-trailer, the maximum permitted weight on the fifth wheel king pin.

- 2.1.8. The requirements of 2.1.4 to 2.1.7 shall not enter into force until 12 months have elapsed from the date of adoption of the Council Directive on weights and dimensions of motor vehicles and their trailers. In the meantime, however, a Member State may require that the maximum permitted weights prescribed in its national legislation be shown on the plate of any vehicle which has entered into service in its territory.

If the technically permissible weight is higher than the maximum permitted weight, the Member State in question may request that the technically permissible weight also be stated. The weight would be set out in two columns: the maximum permitted weight on the left and the technically permissible weight on the right.

- 2.2. The manufacturer may give additional information below or to the side of the prescribed inscriptions, outside a clearly marked rectangle which shall enclose only the information prescribed in 2.1.1 to 2.1.8 (see the Appendix to this Annex).

⁽¹⁾ Until such time as EEC type-approval is granted, the national type-approval number may be used instead.

VEHICLE IDENTIFICATION NUMBER

The vehicle identification number is a fixed combination of characters assigned to each vehicle by the manufacturer. Its purpose is to ensure that every vehicle can be clearly identified over a period of 30 years through the intermediary of the manufacturer, without there being a need for reference to further data. The vehicle identification number must conform to the following requirements:

- 3.1. It must be marked on the manufacturer's plate, and also on the chassis, frame, or other similar structure.
- 3.1.1. It must consist of two sections: the first, composed of not more than six characters (letters or figures), identifying the general characteristics of the vehicle, in particular the type and model; the second, composed of eight characters of which the first four may be letters or figures and the other four figures only, providing, in conjunction with the first section, clear identification of a particular vehicle.
- 3.1.2. It must wherever possible be marked on a single line. As an exception, for technical reasons, it may also be marked on two lines. However, in this case there must be no gaps within either of the two sections.

There must be no spaces between the characters.

In the second section, any unused position must be filled by a zero in order to obtain the required total of eight characters.

The beginning and end of each line must be marked by a symbol which is neither an arabic numeral nor a roman capital letter and which cannot be confused with either. It is also permissible to place such a symbol between the two sections on one line (3.1.1).

- 3.2. The identification number must, moreover:
 - 3.2.1. be marked on the chassis, frame or other similar structure, on the right-hand side of the vehicle;
 - 3.2.2. be placed in a clearly visible and accessible position by a method such as hammering or stamping, in such a way that it cannot be obliterated or deteriorate.

4. CHARACTERS

- 4.1. Roman letters and arabic numerals must be used for all the markings provided for in sections 2 and 3. However, the roman letters used in the markings provided for in 2.1.1 and 2.1.3 and 3 must be capital letters.
- 4.2. For the vehicle identification number:
 - 4.2.1. use of the letters I, O and Q and dashes, asterisks and other special signs, other than the symbols referred to in the final paragraph of 3.1.2, is not permitted;
 - 4.2.2. the minimum height of the letters and figures shall be as follows:
 - 4.2.2.1. 7 mm for characters marked directly on the chassis, frame or other similar structure of the vehicle;
 - 4.2.2.2. 4 mm for characters marked on the manufacturer's plate.

APPENDIX

MODEL OF THE MANUFACTURER'S PLATE

(see 2.1 and 2.2)

	STELLA MOTOR COMPANY e*3*1485 — EBA46G00A47269 — 22 000 kg 38 000 kg 1 to 7 000 kg 2 to 8 000 kg 3 to 8 000 kg	

Example as for a Class N 3 vehicle.

Additional information (see 2.2) may be given below or to the side of the prescribed information within the rectangles shown with broken lines in the above model.

COUNCIL DIRECTIVE

of 18 December 1975

on the approximation of the laws of the Member States relating to anchorages for motor-vehicle safety belts

(76/115/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament ⁽¹⁾,

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

Whereas the technical requirements with which motor vehicles must comply pursuant to national laws relate *inter alia* to safety belt anchorages;

Whereas those requirements differ from one Member State to another; whereas it is therefore necessary that all Member States adopt the same requirements, either in addition to or in place of their existing rules, in order, in particular, to allow the EEC type-approval procedure, which was the subject of Council Directive 70/156/EEC of 6 February 1970 on the approximation of the laws of the Member States relating to the type approval of motor vehicles and their trailers ⁽³⁾, to be introduced in respect of each type of vehicle;

Whereas common requirements for the interior fittings of the passenger compartment, the layout of the controls, the roof, the backrest and rear part of the seats were laid down by Directive 74/60/EEC ⁽⁴⁾; whereas common requirements on interior fittings relating to the behaviour of the steering mechanism in the event of impact were laid down by Directive 74/297/EEC ⁽⁵⁾; whereas common requirements concerning the strength of seats and their anchorages were laid down by Directive 74/408/EEC ⁽⁶⁾;

whereas other requirements will be adopted subsequently concerning interior fittings, and in particular safety belts, head restraints and the identification of controls;

Whereas approximation of the national laws relating to motor vehicles entails recognition by the Member States of the checks carried out by each of them on the basis of the common requirements; whereas, for it to operate effectively, such a system calls for the implementation of these requirements by all of the Member States with effect from the same date,

HAS ADOPTED THIS DIRECTIVE:

Article 1

This Directive applies to anchorages for motor vehicle safety belts intended for adult occupants of forward-facing seats.

Article 2

For the purposes of this Directive, 'vehicle' means any motor vehicle in category M 1 (defined in Annex I to Directive 70/156/EEC) designed for use on the road, having at least four wheels and a maximum design speed exceeding 25 km/h.

Article 3

No Member State may refuse to grant EEC type-approval or national type-approval of a motor vehicle on grounds relating to the anchorages for safety belts if these anchorages comply with the requirements laid down in Annexes I, III and IV.

Article 4

No Member State may refuse or prohibit the sale, registration, entry into service or use of any motor vehicle on grounds relating to the anchorages for

⁽¹⁾ OJ No C 5, 8. 1. 1975, p. 41.

⁽²⁾ OJ No C 47, 27. 2. 1975, p. 45.

⁽³⁾ OJ No L 42, 23. 2. 1970, p. 1.

⁽⁴⁾ OJ No L 38, 11. 2. 1974, p. 2.

⁽⁵⁾ OJ No L 165, 20. 6. 1974, p. 16.

⁽⁶⁾ OJ No L 221, 12. 8. 1974, p. 1.

safety belts if these anchorages comply with the requirements laid down in Annexes I, III and IV.

Article 5

A Member State which has granted type-approval shall take the necessary measures to ensure that it is informed of any modification to any of the parts or characteristics referred to in Annex I, point 1.1. The competent authorities of that Member State shall determine whether fresh tests should be carried out on the modified vehicle type and a fresh report drawn up. Where such tests reveal failure to comply with the requirements of this Directive, the modification shall not be approved.

Article 6

Any amendments necessary to adjust the requirements of the Annexes to take account of technical progress shall be adopted in accordance with the procedure laid down in Article 13 of Directive 70/156/EEC.

Article 7

1. Member States shall, before 1 October 1976, adopt and publish the provisions necessary to comply

with this Directive and shall immediately inform the Commission thereof.

They shall apply these provisions with effect from 1 January 1977.

2. Once this Directive has been notified, the Member States shall also ensure that the Commission is informed of all draft laws, regulations or administrative provisions which they propose to adopt in the field covered by this Directive in sufficient time to enable it to submit its comments.

Article 8

This Directive is addressed to the Member States.

Done at Brussels, 18 December 1975.

For the Council

The President

M. TOROS

ANNEX I

DEFINITIONS, APPLICATION FOR EEC TYPE-APPROVAL, EEC TYPE-APPROVAL, SPECIFICATIONS, TESTS, CONFORMITY OF PRODUCTION, INSTRUCTIONS

1. DEFINITIONS

For the purpose of this Directive:

- 1.1. *'vehicle type'* as regards safety belt anchorages means a category of vehicles which do not differ in such essential respects as:

the dimensions, lines and constituent materials of the components of the vehicle structure or seat structure or any other part of the vehicle to which the belt anchorages are attached;
- 1.2. *'belt anchorages'* means the parts of the vehicle structure or seat structure or any other part of the vehicle to which the safety belt assemblies are to be secured;
- 1.3. *'safety belt'* (or *'seat belt'* or *'belt'*) means an arrangement of straps with a securing buckle, adjusting devices and attachments which is capable of being anchored to a vehicle and is designed to diminish the risk of injury to its wearer, in the event of collision or abrupt vehicle deceleration, by limiting the mobility of the wearer's body. Such an arrangement is generally referred to as a *'belt assembly'*, a term also embracing any device for energy absorption or belt retraction;
- 1.4. *'strap guide'* means a device which alters the lie of the strap in relation to the wearer of the belt assembly.
- 1.5. *'effective belt anchorage'* means the point used to determine, as specified in point 4.4, the angle of each part of the safety belt in relation to the wearer, that is, the point to which a strap would need to be attached to provide the same lie as the intended lie of the belt when worn, and which may or may not be the actual belt anchorage depending on the configuration of the safety belt hardware at its attachment to the belt anchorage, for example, in the case:
 - 1.5.1. where a safety belt incorporates a rigid part which is attached to a lower belt anchorage and which is either fixed or free to swivel, the effective belt anchorage for all positions of seat adjustment is the point at which the strap is attached to that rigid part,
 - 1.5.2. where a strap guide is used on the vehicle structure or on the seat structure, the middle point of the guide at the place where the strap leaves the guide on the belt wearer's side shall be regarded as the effective belt anchorage; the strap shall lie in a straight line between the effective belt anchorage and the wearer,
 - 1.5.3. where the belt runs directly from the wearer to a retractor attached to the vehicle structure or the seat structure without an intervening strap guide, the effective belt anchorage shall be considered as being the intersection of the axis of the reel for storing the strap with the plane passing through the centre line of the strap on the reel;
- 1.6. *'seat'* means a structure which may or may not be integral with the vehicle structure complete with trim, intended to seat one adult person. The term covers both an individual seat or part of a bench seat intended to seat one person;
- 1.7. *'bench seat'* means a structure complete with trim, intended to seat at least two adults;

- 1.8. *'group of seats'* means either a bench-type seat, or seats which are separate but side by side (i.e. fixed so that the front seat anchorages of one of these seats are in line with the front or rear anchorages of the other or between the anchorages of the other seat) and seat one or more adults;
- 1.9. *'folding (tip-up) seat'* means an auxiliary seat intended for occasional use and which is normally folded out of the way;
- 1.10. *'seat type'* means a category of seats which do not differ in such essential respects as:
 - 1.10.1. the shape, dimensions and materials of the seat structure,
 - 1.10.2. the types and dimensions of the adjustment systems and all locking systems,
 - 1.10.3. the type and dimensions of the belt anchorages on the seat, of the seat anchorage and of the affected parts of the vehicle structure;
- 1.11. *'seat anchorage'* means the system by which the seat assembly is secured to the vehicle structure, including the affected parts of the vehicle structure;
- 1.12. *'adjustment system'* means the device by which the seat or its parts can be adjusted to a position suited to the morphology of the seated occupant; this device may, in particular, allow:
 - 1.12.1. longitudinal displacement,
 - 1.12.2. vertical displacement,
 - 1.12.3. angular displacement,
- 1.13. *'displacement system'* means a device enabling the seat or one of its parts to be displaced angularly or longitudinally, without a fixed intermediate position, to facilitate passenger access;
- 1.14. *'locking system'* means any device ensuring that the seat and its parts are maintained in any position of use and includes both devices to lock the seat back relative to the seat and the seat relative to the vehicle.

2. APPLICATION FOR EEC TYPE-APPROVAL

- 2.1. The application for EEC type-approval of a vehicle type with regard to safety belt anchorages shall be submitted by the vehicle manufacturer or his representative.
- 2.2. It shall be accompanied by the undermentioned documents in triplicate and the following particulars:
 - 2.2.1. general arrangement drawings of the vehicle structure on an appropriate scale, showing the location of the belt anchorages, and detailed drawings of the belt anchorages and the structure to which they are attached;
 - 2.2.2. a specification of the materials used which may affect the strength of the belt anchorages;
 - 2.2.3. a technical description of the belt anchorages;
 - 2.2.4. in the case of belt anchorages affixed to the seat structure, a detailed description of the vehicle type with respect to the design of the seats, the seat anchorages and their adjustment and locking systems;

- 2.2.5. drawings, on an appropriate scale and in sufficient detail, of the seats, their anchorage to the vehicle and their adjustment and locking systems.
- 2.3. The manufacturer shall submit to the technical service either a vehicle representative of the vehicle type to be approved or the parts of the vehicle considered essential for the belt anchorage tests by the technical service responsible for conducting the approval tests.
3. EEC TYPE-APPROVAL
- 3.1. A form conforming to the model set out in Annex II shall be attached to the EEC type-approval certificate.
4. SPECIFICATIONS
- 4.1. Definitions (see Annex III)
- 4.1.1. Point H is a reference point determined by the procedure prescribed in Annex IV to Directive 74/60/EEC.
- 4.1.2. The reference line is a straight line passing through the joint of the leg with the pelvis and the joint of the neck with the thorax of the manikin illustrated in figure 2 of Annex IV to Directive 74/60/EEC and representing a 50th percentile adult male.
- 4.1.3. Points L₁ and L₂ are the lower effective belt anchorages.
- 4.1.4. Point C is a point situated 450 mm vertically above point H.
- 4.1.5. The angles α_1 and α_2 are respectively the angles between a horizontal plane and planes perpendicular to the median longitudinal plane of the vehicle and passing through point H and points L₁ and L₂.
- 4.1.6. S is the distance in millimetres of the effective upper belt anchorage from a reference plane P parallel to the longitudinal median plane of the vehicle defined as follows:
- 4.1.6.1. if the seating position is well defined by the shape of the seat, the plane P shall be the median plane of this seat;
- 4.1.6.2. in the absence of a well-defined position:
- 4.1.6.2.1. the plane P for the driver shall be a vertical plane parallel to the median longitudinal plane of the vehicle and passing through the centre of the steering wheel in its mean position, if adjustable;
- 4.1.6.2.2. the plane P for the front outboard passenger shall be symmetrical with that of the driver;
- 4.1.6.2.3. plane P for the rear outboard seating position shall be that specified by the manufacturer on condition that the following limits for distance A between the longitudinal median plane of the vehicle and plane P are respected:
- A $\geq$ 200 mm if the bench seat has been designed to accommodate two passengers only,
- A $\geq$ 300 mm if the bench seat has been designed to accommodate two or three passengers.

4.2. General specifications**4.2.1. Anchorages for a safety belt shall be so designed, made and situated as to:**

- 4.2.1.1. enable the installation of a suitable safety belt. The belt anchorages of the front outboard positions shall be suitable for safety belts incorporating a retractor and pulley, taking into consideration in particular the strength characteristics of the belt anchorages, unless the manufacturer supplies the vehicle equipped with other types of safety belts which incorporate retractors. If the anchorages are suitable only for particular types of safety belts, their types shall be stated on the form mentioned in point 3.1 above;
- 4.2.1.2. reduce to a minimum the risk of the belt slipping when worn correctly;
- 4.2.1.3. reduce to a minimum the risk of strap damage due to contact with sharp rigid parts of the vehicle or seat structures.
- 4.2.2. For belt anchorages which take up different positions to allow persons to enter the vehicle and for restraining the occupants, the specifications of this Directive shall apply to the belt anchorages in the effective restraint position.

4.3. Minimum number of belt anchorages to be provided

- 4.3.1. For front seats, two lower belt anchorages and one upper belt anchorage shall be provided.
 - 4.3.1.1. For front central seats, two lower belt anchorages shall be considered as sufficient where the windscreen is located outside the reference zone defined in Annex II to Directive 74/60/EEC. As regards the belt anchorages, the windscreen shall be considered part of the reference zone where it is capable of entering into static contact with the test apparatus according to the method described in Annex II.
 - 4.3.1.2. By way of derogation from points 4.3.1 and 4.3.1.1, and until 1 January 1979, each central seat may be equipped with only two lower anchorages.
- 4.3.2. For rear outboard seats, there shall be two lower belt anchorages and one upper belt anchorage but when no upper belt anchorages can be installed such as in some convertible cars or cars with a removable roof, two lower belt anchorages shall be acceptable.
- 4.3.3. For all other seats, except folding (tip-up) seats there shall be two lower belt anchorages.
- 4.3.4. For folding (tip-up) seats there is no requirement for belt anchorages. However, if the vehicle is fitted with belt anchorages for such seats, these anchorages shall satisfy the provisions of the present Directive.

4.4. Location for belt anchorages

- 4.4.1. The location of the belt anchorages as laid down in point 4.3 must comply with the following requirements.

4.4.2. General

- 4.4.2.1. The belt anchorages for any one belt may be located wholly in the vehicle structure, the seat structure or any other part of the vehicle or may be dispersed between these locations.

- 4.4.2.2. Any one belt anchorage may be used for attaching the ends of two adjacent safety belts provided that the test requirements are met.
- 4.4.2.3. In the case of a bench seat provided with belt anchorages for two or more seating positions the lower belt anchorages shall all be either integral with the seat or in the body structure. A similar requirement shall also apply to upper belt anchorages.
- 4.4.3. *Location of the effective lower belt anchorages*
- 4.4.3.1. The angles α_1 and α_2 shall be within the range of 30° to 80° in all normal travelling positions of the seat. Where, in the case of the front seats, there is no seat adjustment or where the belt anchorages are on the seat itself, the angles α_1 and α_2 shall be $60^\circ \pm 10^\circ$.
- 4.4.3.2. In the case of the rear seats, the angles α_1 and α_2 may be less than the minimum specified in point 4.4.3.1 provided they are not less than 20° .
- 4.4.3.3. The distance between the two vertical planes parallel to the median longitudinal plane of the seat and each passing through a different one of two effective lower anchorages L_1 and L_2 of the same seat belt shall not be less than 350 mm.
- The median longitudinal plane of the seat shall pass between points L_1 and L_2 and shall be at least 120 mm from those points.
- 4.4.4. *Location of the effective upper belt anchorage*
- 4.4.4.1. In the case where a strap guide or similar device is used which affects the location of the effective upper belt anchorage, this location will be determined in a conventional way by considering the position of the anchorage when the longitudinal centre line of the strap passes through a point J defined successively from point H by the following three segments:
- HZ, which is a segment of the reference line measured in an upward direction from point H and 530 mm long;
- ZX, which is a segment perpendicular to the median longitudinal plane of the vehicle, measured from point Z in the direction of the anchorage and 120 mm long;
- XJ, which is a segment perpendicular to the plane defined by segments HZ and ZX, measured in a forward direction from point X and 60 mm long.
- 4.4.4.2. If located to the rear of a plane perpendicular to the median longitudinal plane of the seat and passing through the reference line, the effective upper belt anchorage shall lie below the plane FN perpendicular to the median longitudinal plane of the seat and forming an angle of 65° to the reference line. In the case of rear seats this angle may be reduced to 60° . The plane FN is so positioned that it intersects the reference line at a point D such that DH equals $315 \text{ mm} + 1.6 S$.
- If located on or forward of a plane perpendicular to the median longitudinal plane of the seat and passing through the reference line, the effective upper belt anchorage shall be below the plane F_1N_1 perpendicular to the median longitudinal plane of the seat and forming an angle of 65° to the reference line. In the case of rear seats, this angle may be reduced to 60° . The plane F_1N_1 is so positioned that it intersects the reference line at a point D' such that $D'H$ equals $315 \text{ mm} + 1.8 S$.
- 4.4.4.3. If located to the rear of a plane perpendicular to the median longitudinal plane of the seat and passing through the reference line, the effective upper belt anchorage shall lie behind a plane FK, perpendicular to the median longitudinal plane of the seat, intersecting the reference line at an angle of 120° at a point B such that BH equals $260 \text{ mm} + 1.2 S$.
- If located on or forward of a plane perpendicular to the median longitudinal plane of the seat and passing through the reference line, the effective upper belt anchorage shall lie behind a plane F_1K_1 perpendicular to the median longitudinal plane of the seat, intersecting the reference line at an angle of 120° at a point B' such that $B'H$ equals $260 \text{ mm} + S$.

- 4.4.4.4. The value of S shall not be less than 140 mm.
- 4.4.4.5. The effective upper belt anchorage shall be situated to the rear of a vertical plane perpendicular to the median longitudinal plane of the vehicle and passing through the H point as shown in Annex III.
- 4.4.4.6. The effective upper belt anchorage shall be situated above the horizontal plane passing through point C.
- 4.4.4.7. By way of derogation from the requirement of point 4.4.4.6 and until 1 January 1979, the effective upper belt anchorage may be placed in the area included between horizontal plane CY and plane CM perpendicular to the median longitudinal plane of the vehicle and forming a 20 degree angle with plane CY where the configuration of the vehicle does not allow the location of this anchorage above the plane CY. The seat back may not be lower than the height of a horizontal plane through point C and a strap guide must be provided to prevent the strap from sliding off the shoulder. When tested in accordance with point 5, the point supporting the strap on the seat back shall remain above the plane CM.

4.5. Dimensions of threaded belt anchorage holes

- 4.5.1. A belt anchorage shall have a threaded hole of 11·11 mm (7/16) 20 UNF 2B.

5. TESTING

5.1. General

- 5.1.1. Subject to application of the provisions of point 5.2 and at the request of the manufacturer:

- 5.1.1.1. the tests may be carried out on either a vehicle structure or a completely finished vehicle;

- 5.1.1.2. windows and doors may or may not be fitted and/or closed;

- 5.1.1.3. any fitting provided in the vehicle type and likely to contribute to the rigidity of the vehicle structure may be fitted.

- 5.1.2. The seats shall be fitted and shall be placed in the position for driving or use chosen by the technical service conducting approval tests to give the most adverse conditions with respect to the strength of the system. The position of the seats shall be stated in the report. If the angle between the seat back and the cushion is adjustable, it shall be set as specified in Annex IV, point 2.2 of Directive 74/60/EEC.

5.2. Securing of the vehicle

- 5.2.1. The method used to secure the vehicle during the test shall not be such as to strengthen the belt anchorages or the belt anchorage areas or to lessen the normal deformation of the structure.

- 5.2.2. A securing device shall be regarded as satisfactory if it produces no effect on an area extending over the whole width of the structure and if the vehicle or the structure is blocked or fixed in front at a distance of not less than 500 mm from the belt anchorage to be tested and is held or fixed at the rear not less than 300 mm from that anchorage.

- 5.2.3. It is recommended that the structure should rest on supports arranged approximately in line with the axis of the wheels or, if that is not possible, in line with the points of attachment of the suspension.
- 5.3. General test specifications
- 5.3.1. All the belt anchorages of the same group of seats shall be tested simultaneously.
- 5.3.2. The tractive force shall be applied in a forward direction at an angle of $10^\circ \pm 5^\circ$ above the horizontal in a plane parallel to the median longitudinal plane of the vehicle.
- 5.3.3. Full application of the load shall be achieved as rapidly as possible. The belt anchorages must withstand the specified load for not less than 0.2 second.
- 5.3.4. Traction devices to be used in the tests described in point 5.4 below are shown in Annex IV.
- 5.3.5. The belt anchorages for seats for which upper belt anchorages are provided shall be tested under the following conditions:
- 5.3.5.1. Front outboard seats:
- The belt anchorages shall be submitted to the test prescribed in point 5.4.1 in which the loads are transmitted to them by means of a device reproducing the geometry of a three-point safety belt equipped with a retractor having a pulley or strap guide at the upper belt anchorage.
- 5.3.5.1.1. In the case where the retractor is not attached to the required outboard lower belt anchorage or in the case where the retractor is attached to the upper belt anchorage, the lower belt anchorages shall also be submitted to the test prescribed in point 5.4.3.
- 5.3.5.1.2. In the cases provided for in point 5.3.5.1.1, the tests prescribed in points 5.4.1 and 5.4.3 can be performed on two different structures if the manufacturer so requests.
- 5.3.5.2. Rear outboard seats and all centre seats:
- The belt anchorages shall be subjected to the test prescribed in point 5.4.2, in which the loads are transmitted to them by means of a device reproducing the geometry of a three-point safety belt without a retractor, and to the test prescribed in point 5.4.3, in which the loads are transmitted to the two lower belt anchorages by means of a device reproducing the geometry of a lap belt. The two tests can be performed on two different structures if the manufacturer so requests.
- 5.3.5.3. By way of derogation from points 5.3.5.1 and 5.3.5.2, when a manufacturer supplies his vehicle with safety belts incorporating retractors, the corresponding belt anchorages shall be submitted to a test in which the loads are transmitted to them by means of a device reproducing the geometry of safety belts for which these anchorages are to be approved.
- 5.3.6. If no upper belt anchorages are provided for the rear outboard seats and the centre seats, the lower belt anchorages shall be submitted to the test prescribed in point 5.4.3, in which the loads are transmitted to these anchorages by means of a device reproducing the geometry of a lap belt.
- 5.3.7. If the vehicle is designed to accept other devices which do not enable the straps to be directly attached to belt anchorages without intervening sheaves or other similar devices or which require belt anchorages supplementary to those mentioned in point 4.3, the safety belt or an arrangement of wires, sheaves or other similar devices representing the equipment of the safety belt, shall be attached by such a device to the belt anchorages in the vehicle and the belt anchorages shall be subjected to the tests prescribed in point 5.4, as appropriate.

- 5.3.8. A test method other than those prescribed in point 5.3 may be used but evidence must be furnished that it is equivalent.

5.4. Particular test specifications

- 5.4.1. *Test in configuration of a three-point belt incorporating a retractor having a pulley or strap guide at the upper belt anchorage*

- 5.4.1.1. A special pulley or guide for the wire or strap appropriate to transmit the load from the traction device, or the pulley or strap guide supplied by the manufacturer shall be fitted to the upper belt anchorage.

- 5.4.1.2. A test load of $1\,350\text{ daN} \pm 20\text{ daN}$ shall be applied to a traction device (see Annex IV, figure 2) attached to the belt anchorages of the same belt by means of a device reproducing the geometry of the upper torso strap of such a safety belt.

- 5.4.1.3. At the same time a tractive force of $1\,350\text{ daN} \pm 20\text{ daN}$ shall be applied to a traction device (see Annex IV, figure 1) attached to the two lower belt anchorages.

- 5.4.2. *Test in configuration of a three-point belt without retractor or with a retractor at the upper belt anchorage*

- 5.4.2.1. A test load of $1\,350\text{ daN} \pm 20\text{ daN}$ shall be applied to a traction device (see Annex IV, figure 2) attached to the upper belt anchorage and to the opposite lower belt anchorage of the same belt, using, if supplied by the manufacturer, a retractor fixed at the upper belt anchorage.

- 5.4.2.2. At the same time a tractive force of $1\,350\text{ daN} \pm 20\text{ daN}$ shall be applied to a traction device (see Annex IV, figure 1) attached to the lower belt anchorages.

- 5.4.3. *Test in configuration of a lap belt*

A test load of $2\,225\text{ daN} \pm 20\text{ daN}$ shall be applied to a traction device (see Annex IV, figure 1) attached to the two lower belt anchorages.

- 5.4.4. *Test for belt anchorages located wholly within the seat structure or dispersed between the vehicle structure and the seat structure*

- 5.4.4.1. The tests specified in points 5.4.1, 5.4.2 and 5.4.3 shall be performed, as appropriate, at the same time superimposing for each seat and for each group of seats a force as stated below.

- 5.4.4.2. The loads indicated in points 5.4.1, 5.4.2 and 5.4.3 shall be supplemented by a force equal to 20 times the weight of the complete seat applied horizontally and longitudinally through the centre of gravity of the seat.

5.5. Results of tests

- 5.5.1. All the anchorages shall be capable of withstanding the test prescribed in points 5.3 and 5.4. Permanent deformation, including partial rupture or breakage of any anchorage or surrounding area, shall not constitute failure if the required force is sustained for the specified time. During the test, the minimum spacings for the effective lower belt anchorages specified in point 4.4.3.3 and the requirements of points 4.4.4.6 and 4.4.4.7 for effective upper belt anchorages shall be respected.

- 5.5.2. In the case of a two-door vehicle, the displacement and locking system enabling the occupants of the rear seats to leave the vehicle must still be operable by hand after removal of the tractive force.
- 5.5.3. After testing, any damage to the belt anchorages and structures supporting load during tests shall be noted.

6. CONFORMITY OF PRODUCTION

- 6.1. In order to verify conformity with the approved type, a sufficient number of random checks shall be performed on serially-produced vehicles.
- 6.2. As a general rule, these checks shall be confined to the taking of measurements. However, if necessary, the vehicles shall be subjected to tests conforming to the requirements of point 5.

7. INSTRUCTIONS

For every vehicle conforming to the approved type, the manufacturer shall state clearly in the instructions for operating the vehicle:

- where the belt anchorages are located,
 - the types of safety belt for which they are intended.
-

ANNEX II

MODEL

Name of administration

ANNEX TO THE EEC VEHICLE TYPE-APPROVAL CERTIFICATE: APPROVAL OF SAFETY BELT ANCHORAGES

(Article 4 (2) and Article 10 of the Council Directive of 6 February 1970 on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers)

- EEC type-approval number
1. Trade name or mark of the motor vehicle
2. Vehicle type
3. Name and address of manufacturer
4. Where applicable, name and address of manufacturer's representative
5. Designation of the types of belts authorized for fitting to the anchorage with which the vehicle is equipped:

				Anchorage ⁽¹⁾	
				Vehicle structure	Seat structure
FRONT	Right-hand seat	{ Lower anchorages Upper anchorage	{ outboard inboard		
	Middle seat	{ Lower anchorages Upper anchorage	{ right left		
	Left-hand seat	{ Lower anchorages Upper anchorage	{ outboard inboard		
REAR	Right-hand seat	{ Lower anchorages Upper anchorage	{ outboard inboard		
	Middle seat	{ Lower anchorages Upper anchorage	{ right left		
	Left-hand seat	{ Lower anchorages Upper anchorage	{ outboard inboard		

Remarks:

⁽¹⁾ Insert in the actual position the following letter or letters:

'A' for a three-point belt including the case where a retractor is attached directly to the anchorage without a pulley or strap guide at the upper anchorage.

'B' for a lap belt.

'S' for special-type belts; in this case the nature of the types under 'Remarks'.

'Ar', 'Br' or 'Sr' for a belt incorporating retractors using a pulley or strap guide.

'Ae', 'Be' or 'Se' for a belt with an energy absorption device.

'Are', 'Bre' or 'Sre' for a belt fitted with a retractor using a pulley or strap guide and an energy absorption device on at least one anchorage.

6. Description of seats ⁽¹⁾
7. Description of adjustment, displacement and locking system either of the seat or seat parts ⁽¹⁾
.....
8. Description of seat anchorage ⁽¹⁾
9. Description of particular type of safety belt required in the case of an anchorage located
in the seat back or incorporating an energy-dissipating device
10. Number of report issued by that service
11. Type-approval granted/refused ⁽²⁾
12. Place
13. Date
14. Signature
15. The following documents, bearing the type-approval number shown above, are annexed to
this certificate:
 - drawings, technical descriptions of the belt anchorages and of the vehicle structure
including photographs where necessary,
 - drawings, technical descriptions of the seats, their vehicle anchorages and adjustment,
displacement and locking systems including photographs where necessary.

⁽¹⁾ Only if the anchorage is affixed on the seat or if the seat supports the belt strap.

⁽²⁾ Delete as appropriate.

ANNEX III

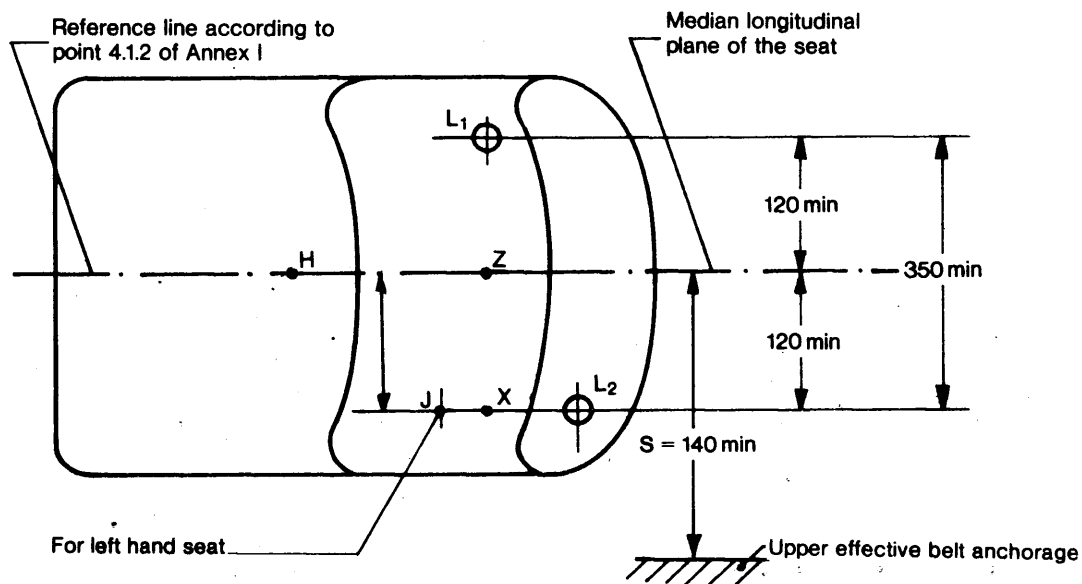
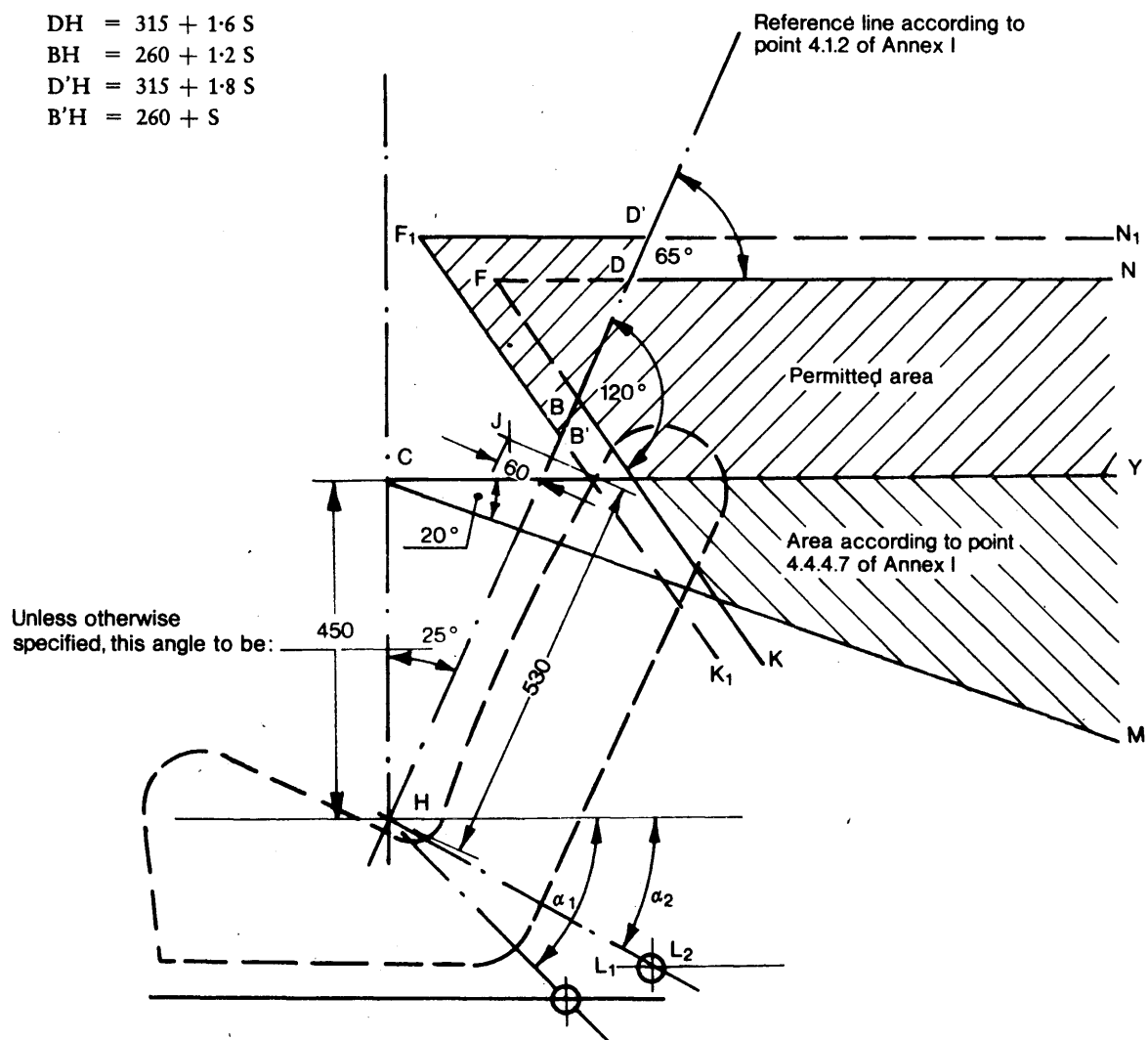
AREAS OF LOCATIONS OF EFFECTIVE BELT ANCHORAGES

$$DH = 315 + 1.6 S$$

$$BH = 260 + 1.2 S$$

$$D'H = 315 + 1.8 S$$

$$B'H = 260 + S$$



All dimensions are in millimetres

ANNEX IV
TRACTION DEVICE

Figure 1

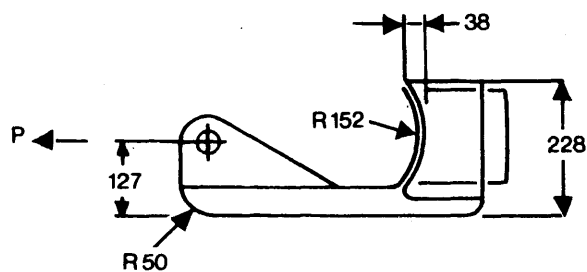
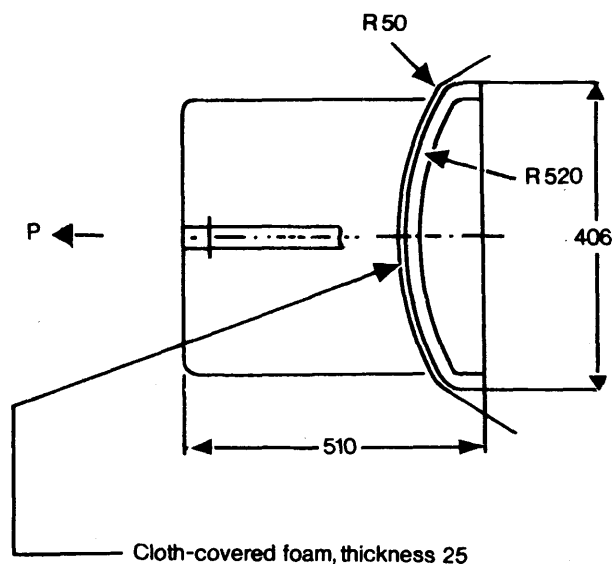
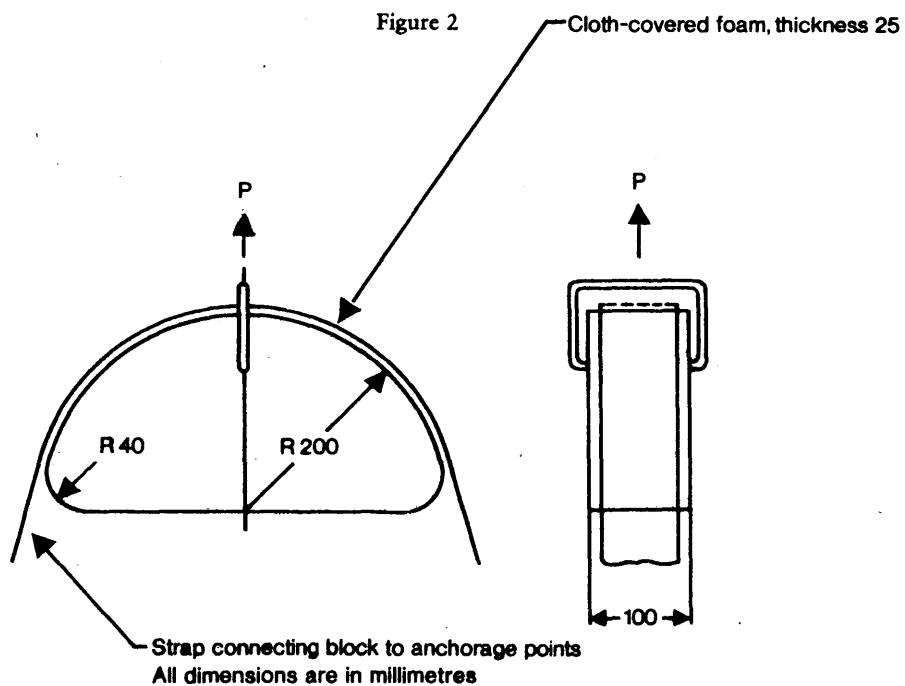


Figure 2



COUNCIL DIRECTIVE

of 18 December 1975

on the approximation of the laws of the Member States relating to fertilizers

(76/116/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament ⁽¹⁾,

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

Whereas in each Member State fertilizers must display certain technical characteristics laid down by mandatory provisions; whereas these provisions, concerning more particularly the composition and definition of fertilizer types, the designations of these types, their identification and their packaging, differ from one Member State to another; whereas by their disparity they hinder trade within the European Economic Community;

Whereas these obstacles to the establishment and functioning of the common market can be reduced or even removed if the same provisions are adopted by all the Member States, either in addition to or in place of their present laws;

Whereas it is necessary to this end to determine at Community level the designation, definition and composition of the principal straight and compound fertilizers in the Community; whereas it should likewise be provided that fertilizers satisfying the criteria laid down by this Directive be marked 'EEC fertilizer';

Whereas Community rules on the identification and labelling of these fertilizers, and on the closure of the containers, should also be laid down;

Whereas the production of fertilizers is subject to varying degrees of fluctuation due to manufacturing techniques or basic materials; whereas, sampling and analytical procedures may also contain variations; whereas, on these accounts, it is necessary to authorize tolerances on the declared nutrient contents; whereas it is advisable, in the interest of the agricultural user, to keep these tolerances within narrow limits;

Whereas this Directive concerns only straight and compound fertilizers; whereas subsequent Directives will lay down provisions relating, *inter alia*, to liquid fertilizers, secondary elements and trace elements;

Whereas the determination of the sampling techniques and the methods of analysis, as well as any changes or additions to be made thereto in consideration of technical progress, are implementing measures of a technical nature, and whereas it is appropriate to assign their adoption to the Commission in order to simplify and speed up the procedure;

Whereas technical progress necessitates the rapid adaptation of the technical requirements defined in the various Directives relating to fertilizers; whereas, in order to facilitate the implementation of the measures required for this purpose, it is advisable to provide for a procedure establishing close cooperation between the Member States and the Commission within the Committee on the adjustment to technical progress of Directives which concern the abolition of technical barriers to trade in fertilizers,

HAS ADOPTED THIS DIRECTIVE:

Article 1

This Directive shall apply to products which are marketed as fertilizers and designated 'EEC fertilizer'.

Article 2

Member States shall take all the necessary measures to ensure that the designation 'EEC fertilizer' may

⁽¹⁾ OJ No C 49, 28. 6. 1973, p. 42.

⁽²⁾ OJ No C 123, 27. 11. 1972, p. 34.

only be used for fertilizers belonging to one of the solid fertilizer types listed in Annex I and complying with the conditions laid down by the Directive and Annexes I to III thereto.

Article 3

Member States shall take all the necessary measures to ensure that the fertilizers referred to in Article 1 are provided with identification markings. These identification markings are listed under paragraph 1 of Annex II and the terms and conditions governing the application of these markings are set out under paragraph 2 of the same Annex.

If the fertilizers are packed, these markings must appear on the packages or labels. For containers with a quantity of fertilizer exceeding 100 kg, these markings need appear only on the accompanying documents. If the fertilizers are in bulk, these markings must appear on the accompanying documents.

In order to satisfy the requirements of Annex II, paragraph 1(b) and (c), Member States may prescribe that for fertilizers marketed in their territories, indication of the phosphorus, potassium and magnesium contents shall be expressed:

- solely in the oxide form (P_2O_5 , K_2O , MgO),
- or solely in the elemental form (P, K, Mg),
- or in both these forms simultaneously.

Where Member States exercise the option to prescribe that the phosphorus, potassium and magnesium contents be expressed in the form of elements, all references in the Annexes to the oxide form shall be expressed in elemental form and the numerical values converted using the following factors:

phosphorus pentoxide (P_2O_5) $\times$ 0.436
= phosphorus (P);

potassium oxide (K_2O) $\times$ 0.83
= potassium (K);

magnesium oxide (MgO) $\times$ 0.6
= magnesium (Mg).

Member States who have exercised the said option shall make the necessary adaptations to the provisions contained in the Annexes to this Directive.

Article 4

1. Without prejudice to other Community rules, the only markings permitted on the packages, labels

and accompanying documents referred to in Article 3 shall be the following indications relating to fertilizers:

- (a) the compulsory identification markings specified in paragraph 1 of Annex II;
- (b) the optional data listed in Annex I;
- (c) the manufacturer's own mark, the trade mark of the product and the trade description of the product;
- (d) the specific directions for the use, storage and handling of the fertilizer.

The indications referred to in (c) and (d) may not conflict with those referred to in (a) and (b) and must be clearly separated from them.

2. All the markings referred to in paragraph 1 must be clearly separated from any other information on the packages, labels and accompanying documents.

Article 5

Member States may require that in their territory the label, the markings on the package and the accompanying documents should appear in at least their national language or languages.

Article 6

In the case of packaged fertilizers, the package must be closed in such a way or by such a device that, when it is opened, the fastening, fastening seal or the package itself is irreparably damaged.

Valve sacks may be used.

Article 7

Without prejudice to the provisions of other Community Directives, Member States may not on grounds of composition, identification, labelling or packaging, prohibit, restrict or hinder the marketing of fertilizers marked 'EEC fertilizer' which comply with the provisions of this Directive and the Annexes thereto.

Article 8

1. Member States shall take all the necessary measures to ensure that fertilizers marketed with the marking 'EEC fertilizer' are subjected to official

control measures for the purpose of verifying that they comply with this Directive and with Annexes I and II thereto.

2. Compliance with this Directive and with Annexes I and II in respect of conformity to types of fertilizer and compliance with the declared nutrient content and the declared content expressed as forms and/or solubilities of such nutrients may be verified at official inspections only by means of sampling and analysis methods established in accordance with this Directive and taking into account the tolerances specified in Annex III.

3. Member States may take all the necessary measures to ensure that systematic advantage is not taken of the tolerances defined in Annex III.

Article 9

1. Any amendments which are necessary in order to adjust columns 4, 5 and 6 of Part A and columns 8, 9 and 10 of Part B of Annexes I and III to technical progress shall be adopted in accordance with the procedure laid down in Article 11.

2. Sampling and analysis methods shall likewise be determined in accordance with the said procedure.

Article 10

1. A committee (hereinafter called 'the committee'), is hereby set up to adjust to technical progress those Directives which concern the abolition of technical barriers to trade in fertilizers. It shall consist of representatives of the Member States with a representative of the Commission as chairman.

2. The committee shall adopt its rules of procedure.

Article 11

1. Where the procedure laid down in this Article is to be followed, the matter shall be referred to the committee by the chairman, either on his own initiative or at the request of a representative of a Member State.

2. The representative of the Commission shall submit to the committee a draft of the measures to be adopted. The committee shall deliver its opinion on the draft within a period of two months. Opinions shall be adopted by a majority of 41 votes, the votes of the Member States being weighted as provided in Article 148 (2) of the Treaty. The chairman shall not vote.

3. (a) Where the proposed measures are in accordance with the opinion of the committee, the Commission shall adopt them.

(b) Where the proposed measures are not in accordance with the opinion of the committee, or if no opinion is delivered, the Commission shall without delay propose to the Council the measures to be adopted. The Council shall act by a qualified majority.

(c) If, within three months of the proposal being submitted to it, the Council has not acted, the proposed measures shall be adopted by the Commission.

Article 12

1. Member States shall bring into force the provisions necessary to comply with this Directive within 24 months of its notification and shall forthwith inform the Commission thereof.

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

Article 13

This Directive is addressed to the Member States.

Done at Brussels, 18 December 1975.

For the Council
The President
M. TOROS

ANNEX I

A. STRAIGHT FERTILIZERS

I. NITROGENOUS FERTILIZERS

No	Type designation	Data on method of production and essential ingredients	Minimum content of nutrients (percentage by weight); data on the expression of nutrients; other requirements	Other data on the type designation	Nutrient content to be declared; forms and solubilities of the nutrients; other criteria
1	2	3	4	5	6
1 (a)	Calcium nitrate (nitrate of lime)	Chemically obtained product containing calcium nitrate as its essential ingredient and possibly ammonium nitrate	15 % N Nitrogen expressed as total nitrogen or as nitric and ammoniacal nitrogen. Maximum content of ammoniacal nitrogen: 1.5 % N		Total nitrogen <i>Additional optional particulars:</i> Nitric nitrogen Ammoniacal nitrogen
1 (b)	Calcium magnesium nitrate (nitrate of lime and magnesium)	Chemically obtained product containing calcium nitrate and magnesium nitrate as essential ingredients	13 % N Nitrogen expressed as nitric nitrogen. Minimum content of magnesium in the form of water-soluble salts expressed as magnesium oxide: 5 % MgO		Nitric nitrogen Water-soluble magnesium oxide
2 (a)	Sodium nitrate (nitrate of soda)	Chemically obtained product containing sodium nitrate as its essential ingredient	15 % N Nitrogen expressed as nitric nitrogen		Nitric nitrogen
2 (b)	Chile nitrate	Product prepared from caliche, containing sodium nitrate as its essential ingredient	15 % N Nitrogen expressed as nitric nitrogen		Nitric nitrogen
3 (a)	Calcium cyanamide	Chemically obtained product containing calcium cyanamide as its essential ingredient, calcium oxide and possibly small quantities of ammonium salts and urea	18 % N Nitrogen expressed as total nitrogen, at least 75 % of the nitrogen declared being bound in the form of cyanamide		Total nitrogen

No	Type designation	Data on method of production and essential ingredients	Minimum content of nutrients (percentage by weight); data on the expression of nutrients; other requirements	Other data on the type designation	Nutrient content to be declared; forms and solubilities of the nutrients; other criteria
1	2	3	4	5	6
3 (b)	Nitrogenous calcium cyanamide	Chemically obtained product containing calcium cyanamide as its essential ingredient, and calcium oxide and possibly small quantities of ammonium salts and urea, plus added nitrate	18 % N Nitrogen expressed as total nitrogen, at least 75 % of the non-nitric nitrogen declared being bound in the form of cyanamide. Nitric nitrogen content: minimum: 1 % N maximum: 3 % N		Total nitrogen Nitric nitrogen
4	Sulphate of ammonia	Chemically obtained product containing ammonium sulphate as its essential ingredient	20 % N Nitrogen expressed as ammoniacal nitrogen		Ammoniacal nitrogen
5	Ammonium nitrate or calcium ammonium nitrate	Chemically obtained product containing ammonium nitrate as its essential ingredient, which may contain fillers such as ground limestone, calcium sulphate, ground dolomite, magnesium sulphate, kieserite	20 % N Nitrogen expressed as nitric nitrogen and ammoniacal nitrogen, each of these two forms of nitrogen accounting for about half the nitrogen present	The designation 'calcium ammonium nitrate' is exclusively reserved for a fertilizer containing only calcium carbonate (limestone) and/or magnesium carbonate and calcium carbonate (dolomite) in addition to ammonium nitrate. The minimum content of these carbonates must be 20 % and their purity level at least 90 %	Total nitrogen Nitric nitrogen Ammoniacal nitrogen
6	Ammonium sulphate-nitrate	Chemically obtained product containing as essential ingredients ammonium nitrate and ammonium sulphate	25 % N Nitrogen expressed as ammoniacal and nitric nitrogen. Minimum nitric nitrogen content: 5 %		Total nitrogen Ammoniacal nitrogen Nitric nitrogen

No	Type designation	Data on method of production and essential ingredients	Minimum content of nutrients (percentage by weight); data on the expression of nutrients; other requirements	Other data on the type designation	Nutrient content to be declared; forms and solubilities of the nutrients; other criteria
1	2	3	4	5	6
7	Magnesium sulphate	Chemically obtained product containing ammonium nitrate, ammonium sulphate and magnesium sulphate as essential ingredients	19 % N Nitrogen expressed as ammoniacal and nitric nitrogen. Minimum nitric nitrogen content: 6 % N 5 % MgO Magnesium in the form of water-soluble salts expressed as magnesium oxide		Total nitrogen Ammoniacal nitrogen Nitric nitrogen Water-soluble magnesium oxide
8	Magnesium ammonium nitrate	Chemically obtained product containing ammonium nitrates and magnesium compound salts (dolomite magnesium carbonate and/or magnesium sulphate) as essential ingredients	19 % N Nitrogen expressed as ammoniacal nitrogen and nitric nitrogen. Minimum nitric nitrogen content 6 % N 5 % MgO Magnesium expressed as total magnesium oxide		Total nitrogen Ammoniacal nitrogen Nitric nitrogen Total magnesium oxide and possibly, water-soluble magnesium oxide
9	Urea	Chemically obtained product containing carbonyl diamide (carbamide) as its essential ingredient	44 % N Total ureic nitrogen (including biuret). Maximum biuret content: 1.2 %		Total nitrogen, expressed as ureic nitrogen

II. PHOSPHATIC FERTILIZERS

Where a particle size criterion is prescribed for the basic constituent materials of fertilizers sold in granular form (fertilizers 1, 3, 4, 5, 6 and 7), it will be established by an appropriate analytical method.

No	Type designation	Data on method of production and essential ingredients	Minimum content of nutrients (percentage by weight); data on the expression of nutrients; other requirements	Other data on the type designation	Nutrient content to be declared; forms and solubilities of the nutrients; other criteria
1	2	3	4	5	6
1	Basic slag — Thomas phosphates — Thomas slag	Product obtained in iron-smelting by treatment of the phosphorus melts and containing calcium silicophosphates as its essential ingredients	12 % P_2O_5 Phosphorus expressed as phosphorus pentoxide soluble in mineral acids, at least 75 % of the declared content of phosphorus pentoxide being soluble in 2 % citric acid; or 10 % P_2O_5 Phosphorus expressed as phosphorus pentoxide soluble in 2 % citric acid Particle size: at least 75 % able to pass through a sieve with a mesh of 0.160 mm, at least 96 % able to pass through a sieve with a mesh of 0.630 mm		Total phosphorus pentoxide (soluble in mineral acids) 75 % of which (to be indicated as % by weight) is soluble in 2 % citric acid (for marketing in France and Italy) Total phosphorus pentoxide (soluble in mineral acids) and phosphorus pentoxide soluble in 2 % citric acid (for marketing in the United Kingdom) Phosphorus pentoxide soluble in 2 % citric acid (for marketing in Germany, Belgium, Denmark, Ireland, Luxembourg and the Netherlands)
2 (a)	Normal superphosphate	Product obtained by reaction of ground mineral phosphate with sulphuric acid and containing monocalcium phosphate as an essential ingredient as well as calcium sulphate	16 % P_2O_5 Phosphorus expressed as P_2O_5 soluble in neutral ammonium citrate, at least 93 % of the declared content of P_2O_5 being water-soluble Test sample: 1 g		Phosphorus pentoxide soluble in neutral ammonium citrate Water-soluble phosphorus pentoxide
2 (b)	Concentrated superphosphate	Product obtained by reaction of ground mineral phosphate with sulphuric acid and phosphoric acid and containing monocalcium phosphate as an essential ingredient as well as calcium sulphate	25 % P_2O_5 Phosphorus expressed as P_2O_5 soluble in neutral ammonium citrate, at least 93 % of the declared content of P_2O_5 being water-soluble Test sample: 1 g		Phosphorus pentoxide soluble in neutral ammonium citrate Water-soluble phosphorus pentoxide

No	Type designation	Data on method of production and essential ingredients	Minimum content of nutrients (percentage by weight); data on the expression of nutrients; other requirements	Other data on the type designation	Nutrient content to be declared; forms and solubilities of the nutrients; other criteria
1	2	3	4	5	6
2 (c)	Triple superphosphate	Product obtained by reaction of ground mineral phosphate with phosphoric acid and containing monocalcium phosphate as its essential ingredient	38 % P_2O_5 Phosphorus expressed as P_2O_5 soluble in neutral ammonium citrate, at least 93 % of the declared content of P_2O_5 being water-soluble Test sample: 3 g		Phosphorus pentoxide soluble in neutral ammonium citrate Water-soluble phosphorus pentoxide
3	Partially solubilized rock phosphate	Product obtained by partial solubilization of ground rock phosphate with sulphuric acid or phosphoric acid and containing as essential ingredients monocalcium phosphate, tricalcium phosphate and calcium sulphate	20 % P_2O_5 Phosphorus expressed as P_2O_5 soluble in mineral acids, at least 40 % of the declared content of P_2O_5 being water-soluble Particle size: — at least 90 % able to pass through a sieve with a mesh of 0-160 mm — at least 98 % able to pass through a sieve with a mesh of 0-630 mm		Total phosphorus pentoxide (soluble in mineral acids) Phosphorus pentoxide soluble in water
4	Dicalcium phosphate	Product obtained by precipitation of solubilized phosphoric acid from mineral phosphates or bones, and containing dicalcium phosphate dihydrate as its essential ingredient	38 % P_2O_5 Phosphorus expressed as P_2O_5 soluble in alkaline ammonium citrate (Petermann) Particle size: — at least 90 % able to pass through a sieve with a mesh of 0-160 mm — at least 98 % able to pass through a sieve with a mesh of 0-630 mm		Phosphorus pentoxide soluble in alkaline ammonium citrate

No	Type designation	Data on method of production and essential ingredients	Minimum content of nutrients (percentage by weight); data on the expression of nutrients; other requirements	Other data on the type designation	Nutrient content to be declared; forms and solubilities of the nutrients; other criteria
1	2	3	4	5	6
5	Calcined phosphate	Product obtained by heat treatment of ground rock phosphate with alkaline compounds and silicic acid, and containing alkaline calcium phosphate and calcium silicate as essential ingredients	25 % P_2O_5 Phosphorus expressed as P_2O_5 soluble in alkaline ammonium citrate (Petermann) Particle size: — at least 75 % able to pass through a sieve with a mesh of 0-160 mm — at least 96 % able to pass through a sieve with a mesh of 0-630 mm		Phosphorus pentoxide soluble in alkaline ammonium citrate
6	Aluminium-calcium phosphate	Product obtained in amorphous form by heat treatment and grinding, containing aluminium and calcium phosphates as essential ingredients	30 % P_2O_5 Phosphorus expressed as P_2O_5 soluble in mineral acids, at least 75 % of the declared content of P_2O_5 being soluble in alkaline ammonium citrate (Joulie) Particle size: — at least 90 % able to pass through a sieve with a mesh of 0-160 mm — at least 98 % able to pass through a sieve with a mesh of 0-630 mm		Total phosphorus pentoxide (soluble in mineral acids) Phosphorus pentoxide soluble in alkaline ammonium citrate
7	Soft ground rock phosphate	Product obtained by grinding soft mineral phosphates and containing tricalcium phosphate and calcium carbonate as essential ingredients	25 % P_2O_5 Phosphorus expressed as P_2O_5 soluble in mineral acids, at least 55 % of the declared content of P_2O_5 being soluble in 2 % formic acid Particle size: — at least 90 % able to pass through a sieve with a mesh of 0-063 mm — at least 99 % able to pass through a sieve with a mesh of 0-125 mm		Total phosphorus pentoxide (soluble in mineral acids) Phosphorus pentoxide soluble in 2 % formic acid Percentage by weight of material able to pass through a sieve with a mesh of 0-063 mm

III. POTASSIC FERTILIZERS

No	Type designation	Data on method of production and essential ingredients	Minimum content of nutrients (percentage by weight); data on the expression of nutrients; other requirements	Other data on the type designation	Nutrient content to be declared; forms and solubilities of the nutrients; other criteria
1	2	3	4	5	6
1	Kainit	Product obtained - from crude potassium salts	10 % K_2O Potassium expressed as water-soluble K_2O 5 % MgO Magnesium in the form of water-soluble salts, expressed as magnesium oxide	Usual trade names may be added	Water-soluble potassium oxide Water-soluble magnesium oxide
2	Enriched kainit salt	Product obtained from crude potassium salts enriched by blending with potassium chloride	18 % K_2O Potassium expressed as water-soluble K_2O	Usual trade names may be added	Water-soluble potassium oxide Optional mention of the water-soluble magnesium oxide content where higher than 5 % MgO
3	Muriate of potash	Product obtained from crude potassium salts and containing potassium chloride as its essential ingredient	37 % K_2O Potassium expressed as water-soluble K_2O	Usual trade names may be added	Water-soluble potassium oxide
4	Potassium chloride containing magnesium salt	Product obtained from crude potassium salts with added magnesium salts and containing potassium chloride and magnesium salts as essential ingredients	37 % K_2O Potassium expressed as water-soluble K_2O 5 % MgO Magnesium in the form of water-soluble salts, expressed as magnesium oxide		Water-soluble potassium oxide Water-soluble magnesium oxide

No	Type designation	Data on method of production and essential ingredients	Minimum content of nutrients (percentage by weight); data on the expression of nutrients; other requirements	Other data on the type designation	Nutrient content to be declared; forms and solubilities of the nutrients; other criteria
1	2	3	4	5	6
5	Sulphate of potash	Product obtained chemically from potassium salts and containing potassium sulphate as its essential ingredient	47 % K_2O Potassium expressed as water-soluble K_2O . Maximum chlorine content: 3 % Cl		Water-soluble potassium oxide Optional mention of the chlorine content where lower than 3 % Cl
6	Sulphate of potash containing magnesium salt	Product obtained chemically from potassium salts, possibly with addition of magnesium salts, and containing potassium sulphate and magnesium sulphate as essential ingredients	22 % K_2O Potassium expressed as water-soluble K_2O 8 % MgO Magnesium in the form of water-soluble salts, expressed as magnesium oxide. Maximum chlorine content: 3 % Cl	Usual trade names may be added	Water-soluble potassium oxide Water-soluble magnesium oxide Optional mention of the chlorine content where lower than 3 % Cl

B. LIST OF COMPOUND FERTILIZER TYPES

1. NPK FERTILIZERS

Type designation	Data on method of production	Minimum content of nutrients (percentage by weight)		Forms, solubilities and nutrient content to be declared as specified in columns 8, 9 and 10; particle size			Data for identification of the fertilizers; other requirements		
		Total	For each of the nutrients	N	P ₂ O ₅	K ₂ O	N	P ₂ O ₅	K ₂ O
1	2	3	4	5	6	7	8	9	10
NPK Fertilizer	Product obtained chemically or by blending, without addition of organic nutrients of animal or vegetable origin	20 % (N + P ₂ O ₅ + K ₂ O)	3 % N 5 % P ₂ O ₅ 5 % K ₂ O	(1) Total nitrogen (2) Nitric nitrogen (3) Ammoniacal nitrogen (4) Uric nitrogen (5) Cyanamide nitrogen	(1) Water-soluble P ₂ O ₅ (2) P ₂ O ₅ soluble in neutral ammonium citrate (3) P ₂ O ₅ soluble in neutral ammonium citrate and in water (4) P ₂ O ₅ soluble in mineral acids only (5) P ₂ O ₅ soluble in alkaline ammonium citrate (Petermann) (6a) P ₂ O ₅ soluble in mineral acids, of which at least 75 % of the declared P ₂ O ₅ content is soluble in 2 % citric acid (6b) P ₂ O ₅ soluble in 2 % citric acid	Water-soluble K ₂ O	(1) Total nitrogen (2) If any of the forms of nitrogen (2) to (5) amounts to at least 1 % by weight, it must be declared	1. An NPK fertilizer free from Thomas slag, calcined phosphate, aluminium-calcium phosphate, partially solubilized rock phosphate and soft ground rock phosphate must be declared in accordance with solubilities (1), (2) or (3): — when the water-soluble P ₂ O ₅ does not amount to 2 %, solubility (2) only shall be declared; — when the water-soluble P ₂ O ₅ is at least 2 %, solubility (3) shall be declared, and the water-soluble P ₂ O ₅ content must be indicated (solubility (1)). The P ₂ O ₅ content soluble in mineral acids only must not exceed 2 %. For this type 1, the test sample for determining solubilities (2) and (3) shall be 1 g. 2(a). An NPK fertilizer containing soft ground rock phosphate or partially solubilized rock phosphate must be free from Thomas slag, calcined phosphate and aluminium-calcium phosphate. It shall be declared in accordance with solubilities (1), (3) and (4).	(1) Water-soluble potassium oxide (2) The indication 'low in chlorine' is linked to a maximum content of 2 % Cl (3) Chlorine content may be declared

Type designation	Data on method of production	Minimum content of nutrients (percentage by weight)		Forms, solubilities and nutrient content to be declared as specified in columns 8, 9 and 10; particle size			Data for identification of the fertilizers; other requirements		
		Total	For each of the nutrients	N	P ₂ O ₅	K ₂ O	N	P ₂ O ₅	K ₂ O
1	2	3	4	5	6	7	8	9	10
					(7) P₂O₅ soluble in mineral acids, of which at least 75 % of the declared P₂O₅ content is soluble in alkaline ammonium citrate (Joulie) (8) P₂O₅ soluble in mineral acids, of which at least 55 % of the declared P₂O₅ content is soluble in 2 % formic acid			This type of fertilizer must contain: — at least 2 % P₂O₅ soluble in mineral acids only (solubility (4)); — at least 5 % P₂O₅ soluble in water and neutral ammonium citrate (solubility (3)); — at least 2.5 % water-soluble P₂O₅ (solubility (1)). This type of fertilizer must be marketed under the designation 'NPK fertilizer containing soft ground rock phosphate' or 'NPK fertilizer containing partially solubilized rock phosphate'. For this type 2 (a), the test sample for determining solubility (3) shall be 3 g.	
				<i>Particle size of the basic phosphatic ingredients:</i> Thomas slag: at least 75 % able to pass through a sieve with a mesh of 0.160 mm Aluminium-calcium phosphate: at least 90 % able to pass through a sieve with a mesh of 0.160 mm Calcined phosphate: at least 75 % able to pass through a sieve with a mesh of 0.160 mm Soft ground rock phosphate: at least 90 % able to pass through a sieve with a mesh of 0.063 mm Partially solubilized rock phosphate: at least 90 % able to pass through a sieve with a mesh of 0.160 mm				2. (b) An NPK fertilizer containing aluminium-calcium phosphate must be free from Thomas slag, calcined phosphate, soft ground rock phosphate and partially solubilized rock phosphate. It shall be declared in accordance with solubilities (1) and (7), the latter applying after deduction of the solubility in water.	

Type designation	Data on method of production	Minimum content of nutrients (percentage by weight)		Forms, solubilities and nutrient contents, to be declared as specified in columns 8, 9 and 10; particle size			Data for identification of the fertilizers; other requirements		
		Total	For each of the nutrients	N	P ₂ O ₅	K ₂ O	N	P ₂ O ₅	K ₂ O
1	2	3	4	5	6	7	8	9	10
								This type of fertilizer must contain: — at least 2 % of water-soluble P₂O₅ (solubility (1)); — at least 5 % of P₂O₅ according to solubility (7). This type of fertilizer must be marketed under the designation 'NPK fertilizer containing aluminium-calcium phosphate'. 3. In the case of NPK fertilizers containing only one of the following types of phosphatic fertilizer: Thomas slag, calcined phosphate, aluminium-calcium phosphate, soft ground rock phosphate, the type designation must be followed by an indication of the phosphate ingredient. The declaration of the solubility of the P₂O₅ must be given in accordance with the following solubilities: — for fertilizers based on Thomas slag: solubility (6a) (France, Italy), (6b) (Germany, Belgium, Denmark, Ireland, Luxembourg, Netherlands, United Kingdom); — for fertilizers based on calcined phosphate: solubility (5); — for fertilizers based on aluminium-calcium phosphate: solubility (7); — for fertilizers based on soft ground rock phosphate: solubility (8).	

2. NP FERTILIZERS

Type designation	Data on method of production	Minimum content of nutrients (percentage by weight)		Forms, solubilities and nutrient content to be declared as specified in columns 8, 9 and 10; particle size			Data for identification of the fertilizers; other requirements		
		Total	For each of the nutrients	N	P ₂ O ₅	K ₂ O	N	P ₂ O ₅	K ₂ O
1	2	3	4	5	6	7	8	9	10
NP fertilizer	Product obtained chemically or by blending without addition of organic nutrients of animal or vegetable origin	18 % (N + P ₂ O ₅)	3 % N 5 % P ₂ O ₅	(1) Total nitrogen (2) Nitric nitrogen (3) Ammoniacal nitrogen (4) Ureic nitrogen (5) Cyanamide nitrogen	(1) Water-soluble P ₂ O ₅ (2) P ₂ O ₅ soluble in neutral ammonium citrate (3) P ₂ O ₅ soluble in neutral ammonium citrate and in water (4) P ₂ O ₅ soluble in mineral acids only (5) P ₂ O ₅ soluble in alkaline ammonium citrate (Petermann) (6a) P ₂ O ₅ soluble in mineral acids of which at least 75 % of the declared P ₂ O ₅ content is soluble in 2 % citric acid (6b) P ₂ O ₅ soluble in 2 % citric acid		(1) Total nitrogen (2) If any of the forms of nitrogen (2) to (5) amounts to at least 1 % by weight, it must be declared	1. An NP fertilizer free from Thomas slag, calcined phosphate, aluminium-calcium phosphate, partially solubilized rock phosphate and soft ground rock phosphate must be declared in accordance with solubilities (1), (2) or (3): — when the water-soluble P ₂ O ₅ does not amount to 2 %, solubility (2) only shall be declared; — when the water-soluble P ₂ O ₅ is at least 2 %, solubility (3) shall be declared, and the water-soluble P ₂ O ₅ content must be indicated (solubility (1)). The P ₂ O ₅ content soluble in mineral acids only must not exceed 2 %. For this type 1, the test sample for determining solubilities (2) and (3) shall be 1 g. 2(a). An NP fertilizer containing soft ground rock phosphate or partially solubilized rock phosphate must be free from Thomas slag, calcined phosphate and aluminium-calcium phosphate. It shall be declared in accordance with solubilities (1), (3) and (4).	

Type designation	Data on method of production	Minimum content of nutrients (percentage by weight)		Forms, solubilities and nutrient contents, to be declared as specified in columns 8, 9 and 10; particle size			Data for identification of the fertilizers; other requirements			
		Total	For each of the nutrients	N	P ₂ O ₅	K ₂ O	N	P ₂ O ₅	K ₂ O	
1	2	3	4	5	6	7	8	9	10	
					(7) P₂O₅ soluble in mineral acids of which at least 75 % of the declared P₂O₅ content is soluble in alkaline ammonium citrate (Joulie) (8) P₂O₅ soluble in mineral acids of which at least 55 % of the declared P₂O₅ content is soluble in 2 % formic acid					This type of fertilizer must contain: — at least 2 % P₂O₅ soluble in mineral acids only (solubility (4)); — at least 5 % P₂O₅ soluble in water and neutral ammonium citrate (solubility (3)); — at least 2.5 % water-soluble P₂O₅ (solubility (1)). This type of fertilizer must be marketed under the designation 'NP fertilizer containing soft ground rock phosphate' or 'NP fertilizer containing partially solubilized rock phosphate'. For this type 2 (a), the test sample for determining solubility (3) shall be 3 g.
					<i>Particle size of the basic phosphatic ingredients:</i> Thomas slag: at least 75 % able to pass through a sieve with a mesh of 0-160 mm Aluminium-calcium phosphate: at least 90 % able to pass through a sieve with a mesh of 0-160 mm Calcined phosphate: at least 75 % able to pass through a sieve with a mesh of 0-160 mm Soft ground rock phosphate: At least 90 % able to pass through a sieve with a mesh of 0-063 mm Partially solubilized rock phosphate: at least 90 % able to pass through a sieve with a mesh of 0-160 mm					2(b). An NP fertilizer containing aluminium-calcium phosphate, must be free from Thomas slag, calcined phosphate, soft ground rock phosphate and partially solubilized rock phosphate. It shall be declared in accordance with solubilities (1) and (7), the latter applying after deduction of the solubility in water. This type of fertilizer must contain: — at least 2 % water-soluble P₂O₅ (solubility (1)); — at least 5 % P₂O₅ according to solubility (7).

Type designation	Data on method of production	Minimum content of nutrients (percentage by weight)		Forms, solubilities and nutrient contents, to be declared as specified in columns 8, 9 and 10; particle size				Data for identification of the fertilizers; other requirements		
		Total	For each of the nutrients	N	P ₂ O ₅	K ₂ O	N	P ₂ O ₅	K ₂ O	
1	2	3	4	5	6	7	8	9	10	
									This type of fertilizer must be marketed under the designation 'NP fertilizer containing aluminium-calcium phosphate'.	
									3. In the case of NP fertilizers containing only one of the following types of phosphatic fertilizer: Thomas slag, calcined phosphate, aluminium-calcium phosphate, soft ground rock phosphate, the type designation must be followed by an indication of the phosphate ingredient. The declaration of the solubility of the P ₂ O ₅ must be given in accordance with the following solubilities: — for fertilizers based on Thomas slag: solubility (6a) (France, Italy), (6b) (Germany, Belgium, Denmark, Ireland, Luxembourg, Netherlands, United Kingdom); — for fertilizers based on calcined phosphate: solubility (5); — for fertilizers based on aluminium-calcium phosphate: solubility (7); — for fertilizers based on soft ground rock phosphate: solubility (8).	

3. NK FERTILIZERS

Type designation	Data on method of production	Minimum content of nutrients (percentage by weight)		Forms, solubilities and nutrient contents, to be declared as specified in columns 8, 9 and 10; particle size			Data for identification of the fertilizers; other requirements		
		Total	For each of the nutrients	N	P ₂ O ₅	K ₂ O	N	P ₂ O ₅	K ₂ O
1	2	3	4	5	6	7	8	9	10
NK fertilizer	Product obtained chemically or by blending, without addition of organic nutrients of animal or vegetable origin	18 % (N + K ₂ O)	3 % N 5 % K ₂ O	(1) Total nitrogen (2) Nitric nitrogen (3) Ammoniacal nitrogen (4) Ureic nitrogen (5) Cyanamide nitrogen		Water-soluble K ₂ O	(1) Total nitrogen (2) If any of the forms of nitrogen (2) to (5) amounts to at least 1 % by weight, it must be declared		(1) Water-soluble potassium oxide (2) The indication 'low in chlorine' is linked to a maximum content of 2 % Cl (3) Chlorine content may be declared

4. PK FERTILIZERS

Type designation	Data on method of production	Minimum content of nutrients (percentage by weight)		Forms, solubilities and nutrient contents, to be declared as specified in columns 8, 9 and 10; particle size			Data for identification of the fertilizers; other requirements		
		Total	For each of the nutrients	N	P ₂ O ₅	K ₂ O	N	P ₂ O ₅	K ₂ O
1	2	3	4	5	6	7	8	9	10
PK fertilizer	Product obtained chemically or by blending, without addition of organic nutrients of animal or vegetable origin	18 % (P ₂ O ₅ + K ₂ O)	5 % P ₂ O ₅ 5 % K ₂ O		(1) Water-soluble P ₂ O ₅ (2) P ₂ O ₅ soluble in neutral ammonium citrate (3) P ₂ O ₅ soluble in neutral ammonium citrate and in water (4) P ₂ O ₅ soluble in mineral acids only (5) P ₂ O ₅ soluble in alkaline ammonium citrate (Petermann) (6a) P ₂ O ₅ soluble in mineral acids of which at least 75 % of the declared P ₂ O ₅ content is soluble in 2 % citric acid (6b) P ₂ O ₅ soluble in 2 % citric acid	Water-soluble K ₂ O			
								1. A PK fertilizer free from Thomas slag, calcined phosphate, aluminium-calcium phosphate, partially solubilized rock phosphate and soft ground rock phosphate must be declared in accordance with solubilities (1), (2) or (3): — when the water-soluble P ₂ O ₅ does not amount to 2 % solubility (2) only shall be declared; — when the water-soluble P ₂ O ₅ is at least 2 % solubility (3) shall be declared and the water-soluble P ₂ O ₅ content must be indicated (solubility (1)). The P ₂ O ₅ content soluble in mineral acids only must not exceed 2 %. For this type 1, the test sample for determining solubilities (2) and (3) shall be 1 g. 2(a). A PK fertilizer containing soft ground rock phosphate or partially solubilized rock phosphate must be free from Thomas slag, calcined phosphate and aluminium-calcium phosphate. It shall be declared in accordance with solubilities (1) (3) and (4).	(1) Water-soluble potassium oxide (2) The indication 'low in chlorine' is linked to a maximum content of 2 % Cl (3) Chlorine content may be declared

Type designation	Data on method of production	Minimum content of nutrients (percentage by weight)		Forms, solubilities and nutrient contents, to be declared as specified in columns 8, 9 and 10; particle size			Data for identification of the fertilizers; other requirements		
		Total	For each of the nutrients	N	P ₂ O ₅	K ₂ O	N	P ₂ O ₅	K ₂ O
1	2	3	4	5	6	7	8	9	10
					(7) P₂O₅ soluble in mineral acids of which at least 75% of the declared P₂O₅ content is soluble in alkaline ammonium citrate (Joulie) (8) P₂O₅ soluble in mineral acids, of which at least 55% of the declared P₂O₅ content is soluble in 2% formic acid		This type of fertilizer must contain: — at least 2% P₂O₅ soluble in mineral acids only (solubility (4)); — at least 5% P₂O₅ soluble in water and neutral ammonium citrate (solubility (3)); — at least 2.5% water-soluble P₂O₅ (solubility (1)). This type of fertilizer must be marketed under the designation 'PK fertilizer containing soft ground rock phosphate' or 'PK fertilizer containing partially solubilized rock phosphate'. For this type 2(a), the test sample for determining solubility (3) shall be 3 g.		2(b). A PK fertilizer containing aluminium-calcium phosphate must be free from Thomas slag, calcined phosphate and partially solubilized rock phosphate. It shall be declared in accordance with solubilities (1) and (7), the latter applying after deduction of the solubility in water. This type of fertilizer must contain: — at least 2% water-soluble P₂O₅ (solubility (1)); — at least 5% P₂O₅ according to solubility (7).
				<i>Particle size of the basic phosphatic ingredients:</i> Thomas slag: at least 75% able to pass through a sieve with a mesh of 0.160 mm Aluminium-calcium phosphate: at least 90% able to pass through a sieve with a mesh of 0.160 mm Calcined phosphate: at least 75% able to pass through a sieve with a mesh of 0.160 mm Soft ground rock phosphate: at least 90% able to pass through a sieve with a mesh of 0.063 mm Partially solubilized rock phosphate: at least 90% able to pass through a sieve with a mesh of 0.160 mm					

[illegible]

ANNEX II

PROVISIONS CONCERNING IDENTIFICATION AND LABELLING

1. Compulsory identification markings

- (a) The words 'EEC FERTILIZER' in capital letters.
- (b) The designation of the type of fertilizer, in accordance with Annex I, and the numbers indicating the nutrient content which, for compound fertilizers, should be in the order laid down by the said designation.
- (c) The declared content in respect of each nutrient; and the declared content expressed as forms and/or solubilities where those are specified in Annex I.

The nutrient content for straight and compound fertilizers must be given as a percentage by weight, as whole numbers or, where necessary, to one decimal place and for compound fertilizers in the following order: N, P_2O_5 and/or P, K_2O and/or K.

The forms and solubilities of the nutrients must also be expressed as a percentage by weight of fertilizer, except where Annex I explicitly provides that this content shall be otherwise expressed.

Nutrients must be indicated both in words and by the appropriate chemical symbols (e.g. nitrogen (N), phosphorus (P), phosphorus pentoxide (P_2O_5), potassium (K), potassium oxide (K_2O), magnesium (Mg), magnesium oxide (MgO)).
- (d) Guaranteed net or gross weight.

If the gross weight is given, the tare weight must be indicated beside it.
- (e) The name or trade name or trademark and the address of the person responsible for marketing the fertilizer, established within the Community.

2. Labelling requirements

- (a) The labels or markings printed on the package and giving the particulars mentioned under 1 must be placed in a conspicuous position. Attached labels must be held in place by whatever system is used for closing the package. If this system consists of a lead or other type of seal, the seal must bear the name or mark of the person responsible referred to under 1 (e).
 - (b) The markings referred to in paragraph 1 must be and must remain indelible and clearly legible.
 - (c) In the cases referred to in Article 3, a copy of the documents containing the identification markings must accompany the goods and be accessible for inspection purposes.
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ANNEX III

TOLERANCES

- (a) The tolerances given in this Annex are the permitted deviation of the measured value of a nutrient from its declared value.
- (b) They are intended to accommodate variations in manufacturing, sampling and analysis.
- (c) No tolerances are allowed in respect of the minimum and maximum contents specified in Annex I.
- (d) Where no maximum is given there are no restrictions on an excess of nutrient above the declared amount.
- (e) The tolerance allowed in respect of the declared nutrient contents in the various types of fertilizer are as follows:

A. STRAIGHT FERTILIZERS

absolute value in percentage by weight
expressed as N, P₂O₅, K₂O, MgO, Cl

I. Nitrogenous fertilizers

calcium nitrate	0.4
calcium — magnesium nitrate	0.4
sodium nitrate	0.4
chile nitrate	0.4
calcium cyanamide	1.0
nitrogenous calcium cyanamide	1.0
ammonium sulphate	0.3
Ammonium nitrate or calcium ammonium nitrate:	
— up to and including 32 %	0.8
— more than 32 %	0.6
ammonium sulphate-nitrate	0.8
magnesium sulphonitrate	0.8
magnesium ammonium nitrate	0.8
urea	0.4

II. Phosphatic fertilizers

Thomas slag:		
— declaration expressed as a range of 2 % by weight		0
— declaration expressed as a single number		1.0
Other phosphatic fertilizers		
P ₂ O ₅ solubility in:	(number of fertilizer in Annex I)	
— mineral acid	(3, 6, 7)	0.8
— formic acid	(7)	0.8
— neutral ammonium citrate	(2a, 2b, 2c,)	0.8
— alkaline ammonium citrate	(4, 5, 6)	0.8
— water	(2a, 2b, 3)	0.9
	(2c)	1.3

III. Potassic fertilizers

kainit	1.5
enriched kainit salt	1.0

muriate of potash:	
— up to and including 55 %	1.0
— more than 55 %	0.5
potassium chloride containing magnesium salt	1.5
sulphate of potash	0.5
sulphate of potash containing magnesium salt	1.5
Other components	
magnesium oxide	0.9
chlorine	0.2

B. COMPOUND FERTILIZERS**1. Nutrient elements**

— N	1.1
— P_2O_5	1.1
— K_2O	1.1

2. Total negative deviations from the declared value

— binary fertilizers	1.5
— ternary fertilizers	1.9

- (f) The tolerance allowed in respect of the declared content for the various forms of nitrogen or the declared solubilities of phosphorus pentoxide is one-tenth of the overall content of the nutrient concerned with a maximum of 2 % by weight, provided that the overall content of that nutrient remains within the limits specified in Annex I and the tolerances specified in paragraph (e) above.
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COUNCIL DIRECTIVE

of 18 December 1975

on the approximation of the laws of the Member States concerning electrical equipment
for use in potentially explosive atmospheres

(76/117/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament ⁽¹⁾,

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

Whereas national legislation in force to ensure the safety of electrical equipment for use in potentially explosive atmospheres differs from one Member State to another, thus constituting a barrier to trade;

Whereas such differences may be eliminated if electrical equipment for use in potentially explosive atmospheres is required to comply with harmonized technical standards;

Whereas, however, the possibility should be borne in mind that certain types of equipment may offer an equivalent degree of safety to that of the harmonized standards although not complying with these standards;

Whereas provision should be made for an approved body to check that such equipment complies with the harmonized standards or offers a degree of safety which is at least equivalent; whereas inspections must cover not only the documentation but also the construction and assembly of the equipment;

Whereas certificates and marks recognized in all Member States must be used to certify that the equipment has passed these inspections;

Whereas the technical specifications prescribed in the Directives concerning 'electrical equipment for use in potentially explosive atmospheres need to be promptly adapted in line with technical progress; whereas, to facilitate the implementation of the appropriate necessary measures, a procedure should be laid down for close cooperation between the Member States and the Commission within a Committee on the adaptation to technical progress of the Directives on the removal of technical barriers to trade in electrical equipment for use in potentially explosive atmospheres;

Whereas it is possible that equipment for use in potentially explosive atmospheres, even though it has been certified and marked for free movement, may represent a safety risk; whereas a procedure should therefore be laid down to obviate this risk,

HAS ADOPTED THIS DIRECTIVE:

Article 1

This Directive shall apply to electrical equipment capable of use in a potentially explosive atmosphere with the exception of equipment designed for work underground in mines susceptible to fire damp and of medical equipment.

Article 2

For the purposes of this Directive 'electrical equipment' means any constituent part of an electrical installation or any other electrical device.

Article 3

A 'potentially explosive atmosphere' exists in spaces in which dangerous quantities of flammable substances may occur in the form of gas, vapour, haze or dust capable of combining with air to form potentially explosive mixtures.

⁽¹⁾ OJ No C 87, 2. 9. 1971, p. 4.

⁽²⁾ OJ No C 41, 29. 4. 1971, p. 6.

Article 4

1. Member States may not, on grounds of safety requirements for the design and manufacture of electrical equipment for use in a potentially explosive atmosphere, prohibit the sale or free movement or the use, for its proper purpose, of the electrical equipment referred to in Articles 1 and 2:

— if its conformity with the harmonized standards is attested by the certificate of conformity referred to in Article 8 validated by the affixing of the distinctive mark provided for in Article 10;

— if it differs from harmonized standards but a special inspection of its fabrication has established that it offers a degree of safety at least equivalent to that of the standards in question, and this is attested by an inspection certificate issued under the conditions laid down in Article 9, and validated by the affixing of the distinctive mark provided for in Article 10.

2. For the purposes of this Article, use for its proper purpose means the use of equipment in conjunction with gases, vapours, hazes or dusts capable of combining with air to form potentially explosive mixtures, as provided for in the harmonized standards of fabrication and as recorded in the certificates of conformity or inspection.

National laws, regulations and administrative provisions governing installation conditions may not result in discrimination in the use of electrical equipment covered by this Directive, manufactured in other Member States.

3. Where they are not subject to other Community provisions, installation conditions shall remain subject to the laws, regulations and administrative provisions of the country of destination.

4. For the purposes of this Directive harmonized standards are those to which reference will subsequently be made in specific Council Directives.

5. The specific Directives referred to in paragraph 4 may, in the case of certain equipment with simplified protection designed for use solely in spaces where the danger is limited, stipulate that conformity with the relevant harmonized standards may be attested by means of a less complex procedure, which may simply consist of the issue by the manufacturer of a declaration of conformity.

Article 5

1. Any amendments required to adapt to technical progress the provisions of the specific Directives, which provisions will be expressly indicated in each of those Directives, shall be adopted in accordance with the procedure in Article 7.

2. Any question relating to the inspection certificates referred to in the second indent of Article 4 (1) and issued under the conditions in Article 9 may also be examined under this procedure.

Article 6

1. A committee on the adaptation to technical progress of the Directives on the removal of technical barriers to trade in electrical equipment for use in potentially explosive atmospheres, hereinafter called 'the committee', is hereby set up; it shall be composed of representatives of the Member States under the chairmanship of a representative of the Commission.

2. The committee shall establish its own rules of procedure.

Article 7

1. If recourse is had to the procedure defined in this Article, the matter shall be placed before the committee by its chairman, on his own initiative or at the request of the representative of a Member State.

2. The Commission representative shall submit to the committee a draft of the measures to be taken. The committee shall deliver its opinion on the draft within a period which may be fixed by the chairman according to the urgency of the matter. At least 41 votes in favour shall be required before it can deliver its opinion, the votes of the Member States being weighted as provided in Article 148 (2) of the Treaty. The chairman shall not vote.

3. (a) The Commission shall adopt the proposed measures if they are in accordance with the opinion of the committee.

(b) Where the proposed measures are not in accordance with the opinion of the committee or if no opinion is delivered, the Commission shall without delay propose to the Council the measures to be adopted. The Council shall act by a qualified majority.

(c) If the Council has not acted within three months of the date on which the proposal was submitted, the Commission shall adopt the proposed measures.

Article 8

1. The certificate of conformity referred to in the first indent of Article 4 (1) shall be issued by one of the approved bodies referred to in Article 14. It shall attest that the type of equipment complies with the harmonized standards.

A copy of the main points in the certificate of conformity shall be forwarded to the Member States within one month of the issue of the certificate.

The approved body which has examined the equipment shall draw up a report which shall be at the disposal of the Member States.

2. The approved body which issues the certificate of conformity may withdraw this certificate if it finds that it should not have been issued or that the conditions stipulated by the approved body have not been met within a reasonable specified period. Furthermore, it may withdraw the certificate of conformity if the manufacturer distributes electrical equipment which is not in conformity with the approved prototype.

Article 9

1. The inspection certificate referred to in the second indent of Article 4 (1) shall be issued by one of the approved bodies referred to in Article 14. It shall attest that the type of equipment offers a degree of safety at least equivalent to that of the harmonized standards.

2. Before issuing the inspection certificate the approved body which has inspected the equipment, shall send the specifications of the equipment, the inspection records and the draft inspection certificates to the other Member States and/or to their approved supervisory bodies, which, within four months of receiving this information, may submit comments, ask for additional inspections and where appropriate refer the matter to the committee in accordance with Article 7. This correspondence shall be confidential.

3. If no Member State requests that the matter be referred to the committee by the end of the stipulated period, after considering the comments submitted in accordance with the procedure in paragraph 2, the approved body shall issue the inspection certificate if the result of any additional inspections is satisfactory.

4. If the matter is referred to the committee in accordance with the procedure provided for in Article 7, and if the committee's opinion is favourable, the approved body shall issue the inspection certificate.

5. A copy of the main points in the inspection certificate shall be forwarded to the Member States within one month of the issue of the certificate.

6. The approved body which issues the inspection certificate may withdraw the certificate if it finds that it should not have been issued or that conditions stipulated by the approved body have not been met within a reasonable specified period. Furthermore, it may withdraw the inspection certificate if the manufacturer distributes electrical equipment which is not in conformity with the approved prototype.

Article 10

1. The distinctive mark affixed to the equipment by the manufacturer shall be taken to mean that such equipment corresponds to the type which has received a certificate of conformity or an inspection certificate, that it has undergone any individual tests prescribed by the harmonized standards and meets the conditions mentioned in Articles 8 (2) and 9 (6).

The Member States shall take adequate measures to ensure that the aforesaid markings are affixed by the manufacturer only if he possesses a certificate of conformity or an inspection certificate.

2. Where required by the certificate of conformity or the inspection certificate, the equipment must be accompanied by instructions defining the special conditions governing its use.

Article 11

Member States shall make all necessary arrangements to ensure adequate surveillance of the manufacture of equipment covered by this Directive.

Article 12

1. If a Member State determines, on the basis of a substantive justification, that equipment, although

complying with the requirements of the relevant Directives, represents a hazard to safety, it may provisionally prohibit the sale of the equipment in its territory or subject it to special conditions. It shall immediately inform the other Member States and the Commission thereof, stating the grounds for its decision.

2. The Commission shall, within six weeks, consult the Member States concerned, following which it shall deliver its opinion without delay and take the appropriate steps.

3. If the Commission is of the opinion that technical adaptations to the Directive are necessary, such adaptations shall be adopted by either the Commission or the Council in accordance with the procedure laid down in Article 7. In that case, the Member State having adopted safeguard measures may maintain them until the entry into force of the adaptations.

Article 13

The standard form of the marks and certificates used by the Member States shall be published for information in the *Official Journal of the European Communities*.

Article 14

Each Member State shall forward to the other Member States and the Commission a list of the bodies

approved by it to inspect the equipment and/or issue the certificates of conformity and the inspection certificates, and the addresses for the correspondence referred to in Articles 8 (1) and 9 (2) and (5). It shall also report any change in these lists.

The above notification shall commence not later than three months after notification of this Directive.

Article 15

Member States shall take all necessary preparatory measures for the entry into force of this Directive within 18 months of notification of the first specific Directive.

Article 16

This Directive is addressed to the Member States.

Done at Brussels, 18 December 1975.

For the Council

The President

M. TOROS

COUNCIL DIRECTIVE

of 18 December 1975

on the approximation of the laws of the Member States relating to certain partly or wholly dehydrated preserved milk for human consumption

(76/118/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 43 and 100 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament ⁽¹⁾,

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

Whereas in order to contribute towards the establishment of a single market for preserved milk, to lay down conditions of production which take account of consumer requirements and to facilitate trade relations on the basis of fair competition, common rules must be adopted governing composition, use of reserved descriptions, manufacturing specification and labelling of the products concerned;

Whereas existing differences between national provisions governing these products constitute barriers to free movement and create unfair conditions of competition;

Whereas the determination of methods of analysis for checking the purity criteria of the additives and processing aids used in the manufacture of preserved milk, and the determination of the sampling procedure and the methods of analysis required for checking the composition and the manufacturing specifications of this milk, are implementing measures of a technical nature, the adoption of which should be left to the Commission so as to simplify and expedite the procedure;

Whereas, it is desirable that for all cases where the Council empowers the Commission to implement rules relating to foodstuffs, provision should be made for a procedure establishing close cooperation between the Member States and the Commission within the Standing Committee on Foodstuffs set up by the Council Decision of 13 November 1969 ⁽³⁾;

Whereas certain labelling rules laid down in this Directive cannot be implemented at present on account of the problems of understanding which this would create for the buyer;

Whereas in some cases it is sufficient to provide for a supplementary period after which the Directive would be applicable in its entirety;

Whereas in other cases national provisions must be maintained and a review clause applied;

Whereas pending the adoption of Community rules on indication of quality applicable to preserved milk, national provisions on this subject shall not be affected, but this situation must be reviewed if a Community system cannot be established within three years,

HAS ADOPTED THIS DIRECTIVE:

Article 1

1. This Directive concerns partly or wholly dehydrated preserved milk as defined in the Annex.
2. For the purposes of this Directive:
 - (a) 'partly dehydrated milk' means the liquid product obtained directly by the partial removal of water from milk, from wholly or partly skimmed milk, or from a mixture of these products, which may have an admixture of cream or of wholly

⁽¹⁾ OJ No C 65, 5. 6. 1970, p. 47.

⁽²⁾ OJ No C 146, 11. 12. 1970, p. 26.

⁽³⁾ OJ No L 291, 29. 11. 1969, p. 9.

dehydrated milk or of both, the addition of wholly dehydrated milk not to exceed, in the finished product, 25 % of total milk solids; however, Member States may maintain in their territory any ban on the use of wholly dehydrated milk in the production and marketing of partly dehydrated milk, if the ban existed prior to 1 October 1974.

When adopting the quality criteria referred to in Article 11 (1) (d) and in any case not later than two years after notification of this Directive, the Council shall decide whether or not to continue to permit these prohibitions;

- (b) 'wholly dehydrated milk' means the solid product whose moisture content is not more than 5 % by weight in the finished product obtained directly by the removal of water from milk, wholly or partly skimmed milk, cream or from a mixture of these products.

3. The preservation of the products defined in the Annex shall be achieved as follows:

- (i) products in point 1 (a) to (d) by sterilization through heat treatment;
- (ii) products in point 1 (e) to (g) by the addition of sucrose (semi-white sugar, sugar or white sugar or extra white sugar);
- (iii) products in point 2 by dehydration.

Article 2

Member States shall take all measures necessary to ensure that the products defined in the Annex may be marketed only if they conform to the definitions and rules laid down in this Directive and the Annex thereto.

Article 3

1. The designations referred to in the Annex shall apply only to the products defined therein and must be used in trade to denote such products.

2. The use of the following designations may also be reserved, in their territory, by the Member States concerned:

- (a) 'evaporated milk' in Ireland and the United Kingdom to denote unsweetened condensed milk containing, by weight, at least 9 % fat and 31 % total milk solids;
- (b) 'kondenseret kaffebløde' in Denmark, 'kondensierte Kaffeesahne' in Germany and 'panna da caffè' in Italy to denote the product defined in point 1 (d) of the Annex;
- (c) 'flødepulver' in Denmark, and 'Rahmpulver' and 'Sahnepulver' in Germany, to denote the product defined in point 2 (d) of the Annex.

3. Five years after the date of notification of this Directive, the Council, acting on a proposal from the Commission, may decide to modify or revoke paragraph 2.

Article 4

Without prejudice to provisions concerning health and hygiene to be adopted by the Community in relation to the basic materials referred to in Article 1 (2), such materials must be subjected to heat treatment at least equivalent to pasteurization where the process of manufacture of the products defined in Article 1 (1) does not include such treatment.

Article 5

1. In the manufacture of the products defined in point 1 (a) to (d) of the Annex, only the use of the following shall be authorized:

- sodium and potassium bicarbonates,
- E 331 sodium citrates (sodium salts of citric acid),
- E 332 potassium citrates (potassium salts of citric acid),
- E 339 sodium orthophosphates (sodium salts of orthophosphoric acid),
- E 340 potassium orthophosphates (potassium salts of orthophosphoric acid),
- calcium chloride,
- E 450 sodium and potassium polyphosphates:
 - (a) diphosphates,
 - (b) triphosphates in the case of ultra heat treated (UHT) unsweetened partly dehydrated milk,

- (c) linear polyphosphates (containing not more than 8 % cyclic compounds) in the case of ultra heat treated (UHT) unsweetened partly dehydrated milk;
 - provided that the total quantity by weight of these added substances in the finished product is not greater than:
 - 0.2 % for products with a total dry matter content not exceeding 28 %;
 - 0.3 % for products with a total dry matter content exceeding 28 %;
 - provided that the total triphosphate and linear polyphosphate content by weight expressed as P_2O_5 , in ultra heat treated (UHT) unsweetened partly dehydrated milk, is not greater than 0.1 %;
 - provided that the total added phosphate content expressed as P_2O_5 is not greater than 0.1 % for products whose total dry matter content does not exceed 28 %, and is not greater than 0.15 % for products whose total dry matter content exceeds 28 %.
2. In the manufacture of the products defined in point 1 (e) to (g) of the Annex, only the use of the following shall be authorized:
- (a) the substances listed in paragraph 1, provided that their total quantity by weight in the finished product is not greater than 0.2 % and that the total added phosphate content expressed as P_2O_5 does not exceed 0.1 %;
 - (b) a quantity of lactose that is not greater than 0.02 % by weight of the finished product with the addition, where appropriate, of tricalcium phosphate, the quantity of which must not exceed 10 % of the lactose added.

3. In the manufacture of the products defined in point 2 of the Annex, only the use of the following shall be authorized:

- (a) the substances listed in paragraph 1:
 - provided that their total quantity, by weight, in the finished product is not greater than 0.5 % of which the maximum content of sodium and potassium bicarbonate is 0.2 %. The latter quantity may be a maximum of 0.3 % in the case of wholly dehydrated milk of the 'Hatmaker' or 'Roller' types other than that intended for retail sale and for the manufacture of which none of the other substances listed in paragraph 1 is used;

however, the United Kingdom may authorize the retail sale of this milk in its territory;

- provided that the total added phosphate content expressed as P_2O_5 does not exceed 0.25 %;
- (b) L-ascorbic acid (E 300), sodium L-ascorbate (E 301) and ascorbyl palmitate (E 304), singly or mixed at a maximum level, by weight, of the finished product, of 0.05 % expressed as ascorbic acid.

4. Where the designation of the products defined in point 2 (a), (c) and (d) of the Annex refers to instant solubility, the use of lecithins (E 322) shall also be authorized for their manufacture at a maximum level, by weight, of 0.5 %.

5. Where this Article refers to the percentage of an additive, the anhydrous substance is meant.

6. Member States may authorize in their territory the use of additional additives for wholly dehydrated milk used in vending machines and clearly labelled as such.

7. Notwithstanding paragraphs 1 to 3, Member States may authorize in their territory the addition of vitamins to the products defined in the Annex.

Article 6

Without prejudice to the provisions adopted under Article 11 (1), the lactate content of the products defined in the Annex shall not be greater than 300 mg per 100 g of milk solids not fat.

Article 7

1. The only information which is compulsory on the packages, containers or labels of the products defined in the Annex, and which must be conspicuous, clearly legible and indelible, shall be the following:

- (a) one of the designations reserved for such products in accordance with Article 3;
- (b) the word 'instant' and a reference to the use of lecithin immediately following the designation where the authorization referred to in Article 5 (4) has been used;
- (c) the percentage of milk fat expressed as a proportion of the finished product by weight,

except for those products defined in point 1 (b) and (f) and point 2 (b) of the Annex, and the percentage of milk solids not fat derived from milk for products defined in point 1 of the Annex;

- (d) further particulars indicating the dehydration process for the products defined in point 2 of the Annex;
- (e) for products defined in point 1 of the Annex, intended for retail sale, a statement as to the method of use; this statement may be replaced by meaningful information on the use of the product if the product is intended for consumption unaltered; until the expiry of the transitional period referred to in (h), Member States may stipulate that if such statements relate to quantities expressed by weight or by volume, they must also be expressed in equivalent imperial units of measurement;
- (f) for products defined in point 2 of the Annex, intended for retail sale, recommendations on the method of dilution or reconstitution, including a statement of the fat content of the products obtained after dilution or reconstitution except for those products defined under point 2 (b) of the Annex; until the expiry of the transitional period referred to in (h), Member States may stipulate that if such recommendations relate to quantities expressed by weight or by volume, they must also be expressed in equivalent imperial units of measurement;
- (g) the words 'UHT' or 'ultra heat treated' for the products defined in point 1 (a) to (d) of the Annex, where these products are obtained as a result of such treatment and aseptically packed;
- (h) the nominal weight, expressed in grammes or kilogrammes and, for liquid and semi-liquid products contained in bottles, the nominal volume expressed in litres, centilitres or millilitres; pending the entry into force of Community provisions in the matter, national provisions on the measuring and marking of nominal volume and of nominal weight shall apply.

Until the expiry of the transitional period during which the use of the imperial units of measurement appearing in Annex II to Council Directive 71/354/EEC ⁽¹⁾, as last amended by the Act of Accession ⁽²⁾, is authorized in the

Community, the indication of the nominal weight or nominal volume of the contents expressed in SI units of measurement shall, if the United Kingdom or Ireland so desire for products put up for sale on their national territories, be accompanied by an indication of the nominal weight or nominal volume of the contents expressed in equivalent imperial units of measurement calculated on the basis of the following conversion factors:

1 ml = 0.0352 fluid ounces,

1 l = 1.760 pints or
0.220 gallons,

1 g = 0.0353 ounces (avoirdupois),

1 kg = 2.205 pounds;

- (i) the name or trade name and address or registered office of the manufacturer or packer, or of a seller established within the Community.
2. The details referred to in paragraph 1 (a) to (d) and (h) shall appear on one of the main surfaces of the packaging or container and in the same field of vision.
 3. By way of derogation from paragraph 1, the Member States may:
 - (a) retain national provisions which require the indication of
 - a list of ingredients,
 - a list of additives,
 - the date,
 - the factory or packaging plant; this information may, however, appear in code only,
 - the country of origin, although this information may not be required for products manufactured within the Community,
 - subject to paragraph 8, a specific recommendation on the use of partly or wholly skimmed-milk products for infants where such products are sold retail;
 - (b) retain or lay down national provisions requiring the indication of the date of the products under point 1 (a) to (d) of the Annex where these products are obtained as a result of ultra heat treatment (UHT) and aseptically packed.

4. By way of derogation from paragraph 1, and without prejudice to the provisions to be adopted by the Community with regard to dietetic foodstuffs, the Member States may retain or lay down national

⁽¹⁾ OJ No L 243, 29. 10. 1971, p. 29.

⁽²⁾ OJ No L 73, 27. 3. 1972, p. 14.

provisions which require indication of the quantity of added vitamins.

5. Where the products defined in the Annex are made up in packages or containers of a nominal weight of more than 20 kg and are not sold retail, the information required under paragraph 1 (b) to (h) need appear only on the accompanying documents.

6. Where products weighing less than 20 g per unit are packed in an outer package, the information required under paragraph 1 (b) to (h) need appear only on that outer package.

7. For a period of four years from the notification of this Directive and by way of derogation from paragraph 1 (a), Member States may allow the designation herein adopted to be accompanied on the packages, containers or labels by the designation previously used according to the national practices or provisions current at the time of notification of this Directive.

8. Within three years of the notification of this Directive the Council shall re-examine the derogation provided for in paragraph 3 (a), last indent, on the basis of a report from the Commission, accompanied by suitable proposals, where appropriate.

As regards partly skimmed-milk products, this derogation shall in any case cease to apply five years after the notification of this Directive.

9. Member States shall refrain from stating, apart from what is laid down in paragraph 1, how the information referred to in that paragraph is to be given.

However, Member States may forbid trade in their territory in the products defined in the Annex if the details referred to in paragraph 1 (a) to (g) are not shown in their national language or languages on one of the main surfaces of the package, container or label, or as provided for in paragraph 5, on the accompanying documents.

10. Paragraphs 1 to 9 shall apply without prejudice to the provisions to be adopted by the Community on labelling.

Article 8

The products referred to in Article 1 and destined for retail sale shall be packaged by the manufacturer or

packer in sealed containers which protect the product from harmful influence and which must be delivered intact to the consumer.

Article 9

1. Member States shall adopt all the measures necessary to ensure that trade in products referred to in Article 1 which comply with the definitions and rules laid down in this Directive and the Annex cannot be impeded by the application of non-harmonized national provisions governing the composition, manufacturing specifications, packaging or labelling of these products or foodstuffs in general.

2. Paragraph 1 shall not be applicable to non-harmonized provisions justified on grounds of:

- protection of public health,
- prevention of frauds unless such provisions are liable to impede the application of the definitions and rules laid down by this Directive,
- protection of industrial and commercial property, indications of source, registered designation and prevention of unfair competition.

Article 10

1. Where a Member State, as a result of new information or of a re-assessment of existing information made since the Directive was adopted, has detailed grounds for establishing that the use, in the products referred to in the Annex, of one of the substances listed in Article 5, or where the maximum level which may be employed endangers human health although it complies with the provisions of this Directive, that Member State may temporarily suspend or restrict application of the provisions in question in its territory. It shall immediately inform the other Member States and the Commission thereof and give reasons for its decision.

2. The Commission shall examine as soon as possible the grounds given by the Member State concerned and consult the Member States within the Standing Committee for Foodstuffs, and shall then deliver its opinion forthwith and take the appropriate measures.

3. If the Commission considers that amendments to the Directive are necessary in order to resolve the difficulties mentioned in paragraph 1 and to ensure

the protection of human health, it shall initiate the procedure laid down in Article 12, with a view to adopting these amendments; the Member State which has adopted safeguard measures may in that event retain them until the amendments enter into force.

Article 11

1. The Council, acting on a proposal from the Commission, shall lay down:

- (a) as far as is necessary, the purity criteria for the additives or products used as additives referred to in Article 5;
 - (b) the hygienic, chemical and physical criteria for the products defined in the Annex;
 - (c) the microbiological criteria for the products defined in the Annex;
 - (d) the quality criteria for wholly dehydrated milk which may be used in the production of partly dehydrated milk in accordance with Article 1 (2) (a).
2. The following shall be determined in accordance with the procedure laid down in Article 12:
- (a) the methods of analysis necessary for checking the above purity criteria;
 - (b) the sampling procedures and methods of analysis necessary for checking the composition and manufacturing specifications of the products defined in the Annex.

Article 12

1. Where the procedure laid down in this Article is to be followed, the matter shall be referred to the Standing Committee on Foodstuffs set up by the Council Decision of 13 November 1969 (hereinafter called 'the committee') by its chairman, either on his own initiative or at the request of a representative of a Member State.

2. The Commission representative shall submit to the committee a draft of the measures to be taken. The committee shall give its opinion on this draft within a time limit set by the chairman having regard to the urgency of the matter. Opinions shall be delivered by a majority of 41 votes, the votes of the

Member States being weighted in accordance with Article 148 (2) of the Treaty. The chairman shall not vote.

3. (a) Where the measures envisaged are in accordance with the opinion of the committee, the Commission shall adopt them.
- (b) Where the measures envisaged are not in accordance with the opinion of the committee, or if no opinion is delivered, the Commission shall without delay submit to the Council a proposal on the measures to be taken. The Council shall act by a qualified majority.
- (c) If, within three months of the proposals having been submitted to it, the Council has not acted, the proposed measures shall be adopted by the Commission.

Article 13

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

Article 14

This Directive shall not affect the laws of the Member States concerning indications of quality applicable to products referred to in the Annex and manufactured in their territory.

In the absence of relevant Community provisions within a period of three years from notification of this Directive, the Council shall re-examine the provisions of this Article on the basis of a report from the Commission with any appropriate proposals.

Article 15

This Directive shall not apply:

- without prejudice to any provisions to be adopted by the Community, to dietetic products or products specifically prepared for babies and young children;
- to products intended for export outside the Community.

Article 16

Within a period of one year from notification of this Directive, the Member States shall, where necessary, amend their laws to comply with the provisions of this Directive. They shall immediately inform the Commission of these amendments and of those exceptions laid down by this Directive of which they avail themselves. Not later than two years after notification of this Directive the laws thus amended shall apply to the products put on the market for the first time in the Member States.

Article 17

This Directive is addressed to the Member States.

Done at Brussels, 18 December 1975.

For the Council

The President

M. TOROS

ANNEX

DESIGNATIONS AND DEFINITIONS OF PRODUCTS

1. Partly dehydrated milk to which this Directive is applicable

(a) *Unsweetened condensed milk*

Partly dehydrated milk containing, by weight, not less than 7.5 % fat and 25 % total milk solids.

(b) *Unsweetened condensed skimmed milk*

Partly dehydrated milk containing, by weight, not more than 1 % fat and not less than 20 % total milk solids.

(c) *Unsweetened condensed partly skimmed milk*

Partly dehydrated milk containing, by weight, not less than 1 % and not more than 7.5 % fat, and not less than 20 % total milk solids. Partly dehydrated milk containing, by weight, between 4 and 4.5 % fat and not less than 24 % total milk solids is the only milk which may be sold retail with this designation.

(d) *Unsweetened condensed high-fat milk*

Partly dehydrated milk containing, by weight, not less than 15 % fat and not less than 26.5 % total milk solids.

(e) *Sweetened condensed milk*

Partly dehydrated milk with an admixture of sucrose (semi-white sugar, sugar or white sugar or extra white sugar) and containing, by weight, not less than 8 % fat and 28 % total milk solids. Partly dehydrated milk with an admixture of sucrose (semi-white sugar, sugar or white sugar or extra white sugar) and containing, by weight, not less than 9 % fat and 31 % total milk solids is the only milk which may be sold retail with this designation.

(f) *Sweetened condensed skimmed milk*

Partly dehydrated milk with an admixture of sucrose (semi-white sugar, sugar or white sugar or extra white sugar) and containing, by weight, not more than 1 % fat and not less than 24 % total milk solids.

(g) *Sweetened condensed partly skimmed milk*

Partly dehydrated milk with an admixture of sucrose (semi-white sugar, sugar or white sugar or extra white sugar) and containing by weight not less than 1 % and not more than 8 % fat and not less than 24 % total milk solids. Partly dehydrated milk with an admixture of sucrose (semi-white sugar, sugar or white sugar or extra white sugar) and containing, by weight, between 4 and 4.5 % fat and not less than 28 % total milk solids is the only milk which may be sold retail with this designation.

2. Wholly dehydrated milk to which this Directive is applicable

(a) *Dried whole milk or whole milk powder*

Dehydrated milk containing, by weight, not less than 26 % fat.

(b) *Dried skimmed milk or skimmed-milk powder*

Dehydrated milk containing, by weight, not more than 1.5 % fat.

(c) *Dried partly skimmed milk or partly skimmed-milk powder*

Dehydrated milk with a fat content not less than 1.5 % and not more than 26 % by weight.

(d) *Dried high-fat milk or high-fat milk powder*

Dehydrated milk containing, by weight, not less than 42 % fat.

COUNCIL DIRECTIVE

of 18 December 1975

on the harmonization of provisions laid down by law, regulation or administrative action in respect of outward processing

(76/119/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament ⁽¹⁾,

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

Whereas the international division of labour requires recourse to outward processing arrangements, that is the exportation of goods and products with a view to their subsequent re-importation after processing, working or repair;

Whereas a certain number of Community undertakings use foreign industries which have the appropriate technical facilities or the exclusive use of a patent for carrying out processing operations;

Whereas the setting up of the customs union is essentially governed by the provisions of Title I, Chapter 1 of the second part of the Treaty;

Whereas the Commission, by its recommendation of 29 November 1961 ⁽³⁾ addressed to Member States, has laid down the principles to be applied, regarding tariff treatment, to products re-imported after temporary exportation;

Whereas the original Member States, pursuant to the above recommendation, have laid down laws, regulations and administrative provisions to permit persons established therein to export temporarily outside the national customs territory, with a view to their subsequent re-importation after processing, working or repair, goods of all kinds and of all

origins fulfilling the conditions of Articles 9 (2) and 10 (1) of the Treaty, and of products which are subject to the inward processing arrangements and which, after that processing, must undergo further processing outside the customs territory of the Community; whereas, however, recourse to the said arrangements is had according to national procedures which are significantly different from one Member State to another;

Whereas this Directive may not prevent application of provisions adopted, particularly in the field of commercial policy, to limit the quantities of imports or exports;

Whereas the customs union set up by the Treaty necessitates the laying down of common rules for temporary exportation for outward processing;

Whereas it is necessary to set up a system of reliefs from import duties applicable to processed products in order to avoid, at the time of their re-importation, the taxation of goods exported from the Community for processing;

Whereas, notwithstanding the tariff protection afforded by the system of taxation envisaged, the implementation of the outward processing arrangements may be refused by the Member States from which the goods are temporarily exported where the essential interests of Community processors are likely to be seriously affected;

Whereas Council Directive 69/73/EEC of 4 March 1969 on the harmonization of provisions laid down by law, regulation or administrative action in respect of inward processing ⁽⁴⁾, in Articles 22 and 23 thereof, envisaged the possibility that all or part of the compensating products, intermediate products or goods in the unaltered state may be temporarily exported with a view to further processing in a third country; whereas it is desirable to provide for the possibility of laying down, within the framework of this Directive, the specific provisions required for the coordination of the inward and outward processing arrangements;

⁽¹⁾ OJ No C 19, 12. 4. 1973, p. 51.

⁽²⁾ OJ No C 36, 1. 6. 1973, p. 38.

⁽³⁾ OJ No 3, 17. 1. 1962, p. 79/62.

⁽⁴⁾ OJ No L 58, 8. 3. 1969, p. 1.

Whereas it is essential to guarantee the uniform application of these common rules and for that purpose, to provide for a Community procedure which would enable the rules for such application to be laid down within appropriate time limits;

Whereas, during the period of progressive introduction of the Common Customs Tariff by the new Member States, Irish industry will not be able to cope with the reduction of tariff protection resulting from the total or partial exemption provided for in this Directive in respect of trade with third countries and trade within the Community;

Whereas, therefore, provision should be made for Ireland to bring into force the measures required to comply with this Directive not later than 1 July 1977;

Whereas, pursuant to Article 46 of the Act of Accession ⁽¹⁾, the provisions of this Directive relating to trade with third countries shall apply under the same conditions to trade within the Community for such time as customs duties are levied in that trade; whereas, accordingly, these provisions shall apply to trade between, on the one hand, the original Member States of the Community and, on the other hand, Denmark, the United Kingdom and — as from 1 July 1977 at the latest — Ireland, and also between Denmark and the United Kingdom and — as from 1 July 1977 at the latest — between each of these countries and Ireland,

HAS ADOPTED THIS DIRECTIVE:

Article 1

This Directive determines the rules which must be incorporated in the provisions laid down by law, regulation or administrative action in Member States in respect of outward processing arrangements.

Article 2

1. Without prejudice to Article 46 of the Act of Accession, outward processing arrangements means the customs arrangements whereby goods of whatever kind or origin may be temporarily exported outside the customs territory of the Community with a view to their being re-imported in the form of compensating products, as defined in Article 3, wholly or partly free of import duties, after they have undergone one or more processing operations, as defined in Article 3, outside the customs territory of the Community.

⁽¹⁾ OJ No L 73, 27. 3. 1972, p. 14.

Import duties means customs duties and charges having equivalent effect as well as agricultural levies and other import charges laid down within the framework of the specific arrangements applicable, pursuant to Article 235 of the Treaty, to certain goods resulting from the processing of agricultural products.

By way of derogation from the first subparagraph, the Directive shall not apply in the new Member States to customs duties of a fiscal nature or the fiscal element of such duties which are retained in those States, in accordance with the provisions of Article 38 (3) and (4) of the Act of Accession.

2. At the time of their temporary exportation the goods referred to in paragraph 1 must meet the conditions of Articles 9 (2) and 10 (1) of the Treaty, without this temporary exportation having given or giving rise to any remission or repayment of import duties or any Community export refund.

3. Outward processing arrangements shall also apply to goods held in the Community under inward processing arrangements in accordance with Articles 22 and 23 of Directive 69/73/EEC.

4. The measures necessary for the application of paragraph 3 shall be adopted in accordance with the procedure referred to in Article 14.

Article 3

Compensating products means products produced by one or more of the following processes:

- (a) working of goods, including fitting or assembling them or adjusting them to other goods;
- (b) processing of goods;
- (c) repair of goods, including restoring them to their original condition and putting them in order.

Article 4

1. The benefit of outward processing arrangements shall be granted only to natural or legal persons established within the Community who have the processes referred to in Article 3 carried out.

2. The competent authorities of the Member State from which the goods are to be temporarily exported shall grant, under the conditions referred to in Article 5, the benefit of these arrangements upon application, before the temporary exportation of the goods, by general or special authorization.

3. The benefit of the outward processing arrangements shall be granted only where it is possible for the competent authorities to identify the exported goods as having been incorporated in the compensating products.

4. The competent authorities may withhold the arrangements from persons not providing the guarantee they consider necessary.

Article 5

The authorization shall specify the circumstances and conditions under which outward processing shall take place, and shall specify:

- the rates of yield taking into account the technical data of the operation or operations to be performed, if these have been established or, if not, the data available in the Community for operations of the same kind;
- the arrangements for identifying the exported goods in the compensating products to be re-imported;
- the time limit for reimportation depending upon the time necessary to perform the outward processing operations.

Article 6

1. The benefit of outward processing arrangements shall not be granted by the competent authorities of the Member State from which the goods are to be temporarily exported if this would be likely to cause serious damage to the essential interests of Community processors.

2. The facts which, pursuant to paragraph 1, led the competent authorities to refuse to authorize the arrangements in the course of any month shall be communicated by the Member States to the Commission before the 10th of the following month.

The Commission shall inform the other Member States. Such information shall be regarded as confidential.

Article 7

1. When the compensating products are re-imported into a Member State other than the one from which the corresponding goods were temporarily exported, the authorization granted by the competent authorities of the Member State from which the goods were temporarily exported shall be recognized by the competent authorities of the

Member State into which such compensating products are re-imported.

2. The competent authorities of the re-importing Member State shall be empowered to modify, exceptionally and if the circumstances so warrant, the conditions laid down by the authorities of the exporting Member State when such a modification is necessary to allow the reimportation of compensating products under the outward processing arrangements.

3. The details of the administrative cooperation between the administrations of Member States required for the implementation of paragraph 1 shall be decided upon in accordance with the procedure laid down in Article 14.

Article 8

The competent authorities of both the exporting and the re-importing Member States shall be empowered, in particular:

- to grant an extension of the time limit originally specified;
- to allow the compensating products to be re-imported in several consignments;
- where circumstances so warrant and by way of derogation from Article 2 (1), to authorize the total or partial re-importation of goods still in the same condition as when they were temporarily exported (hereinafter called 'goods in the unaltered state'), or not having been processed to the extent provided for in the authorization (hereinafter called 'intermediate products').

Article 9

1. When the ownership of goods temporarily exported under the outward processing arrangements is transferred, the competent authorities shall allow these arrangements to continue provided that the compensating products, or, where Article 8, third indent is applied, either the goods in the unaltered state or the intermediate products are reimported by the holder of the authorization.

Where appropriate, these products or goods may be re-imported by another person provided that he has the consent of the holder of the first authorization and produces evidence of that consent and provided also that such person fulfils the conditions of that authorization.

2. The details of the administrative cooperation between the administrations of Member States

required for the implementation of paragraph 1 shall be decided upon in accordance with the procedure laid down in Article 14.

Article 10

1. Total or partial relief from import duties provided for in Article 2 shall be granted by deducting from the amount of import duties applicable to the re-imported products, according to the rate or amount applicable on the date of acceptance by the competent authorities of the entry for home use, the amount of import duties that would be applicable to the temporarily exported goods if they were imported into the Community from the country in which they underwent the last processing operation.

However, where the temporarily exported goods could, if imported into the Community, have been classified under a tariff subheading stipulating a special rate by virtue of a particular end use which they could have received, then the above rate shall apply to these goods in so far as they were so used in the country where the processing operation took place.

2. Where compensating products or intermediate products qualify for preferential tariff treatment allowed by the Member State of re-importation in relation to the country in which the products have been obtained, the rate of import duties on the basis of which the amount to be deducted under paragraph 1 is to be calculated shall be that applicable if the temporarily exported goods had fulfilled the conditions under which this preferential tariff treatment may be granted.

3. Where a conventional duty exists and its rate is lower than that of the autonomous duty, the rate to be taken into consideration in calculating the customs duties applicable to the temporarily exported goods shall be that of the conventional duty.

4. Where Article 7 (1) applies and as long as import duties are to be charged in the context of trade between the Member State into which the compensating products are re-imported and the Member State from which the goods are temporarily exported, the amount which may be deductible pursuant to paragraphs 1, 2 and 3 shall be reduced by the amount of the import duties which would have been applicable to the temporarily exported goods, had the latter been imported direct from the Member State from which the goods were temporarily exported for processing.

5. Where products are put into inward processing or are put back into inward processing, the date of acceptance of the relevant entry for processing shall be used for the same purpose as the date of acceptance of the entry for home use as used in paragraph 1.

Article 11

For the implementation of Article 10, the amount of import duties applicable to the temporarily exported goods shall be calculated according to the quantity and nature of those goods at the time of exportation, but on the basis of the value and at the rate applicable to them on the date of acceptance, by the competent authorities, of the customs document relating to their re-importation in the form of compensating products.

Article 12

When it has been duly shown that certain goods have been repaired free of charge, either for contractual or legal reasons arising from the guarantee, or because of the existence of a manufacturing fault, the reimportation of the compensating products shall be admitted free of duty.

This rule shall not apply, however, if, at the time when the aforesaid goods were first taken into home use, this defective state was taken into account in determining their value for customs purposes or in applying the Common Customs Tariff.

Article 13

The Inward Processing Committee, set up by Article 26 of Directive 69/73/EEC, and hereinafter called 'the Committee for Customs Processing Arrangements', may examine any matter relating to the application of this Directive which is brought up by its chairman either on his own initiative or at the request of the representative of a Member State.

Article 14

The necessary provisions for implementing Articles 2 (3), 3 to 5 and 7 to 12 shall be adopted according to the procedure laid down in Article 28 (2) and (3) of Directive 69/73/EEC.

Article 15

1. Member States shall communicate to the Commission statistical information relating to all temporary exports and reimports carried out from

and into their territory under the outward processing arrangements as from the first of the month following the implementation of the Directive. The Commission shall pass this information to Member States.

2. The information provided pursuant to paragraph 1, shall be comprehensive. It shall comprise two statements. The first statement, using Common Customs Tariff heading numbers or statistical headings, shall specify the quantity and value of goods temporarily exported under outward processing arrangements.

The second statement, using Common Customs Tariff heading numbers or statistical headings, shall specify the countries where the processing operations took place and the quantity and value for customs purposes of the compensating products re-imported, and shall show whether the goods are being re-imported into the Member State from which they were temporarily exported or re-imported into a Member State other than that from which they were temporarily exported.

3. Information whose disclosure might prejudice industrial or commercial secrets may be given in a separate confidential statement.

Article 16

1. Member States shall bring into force the laws, regulations and administrative provisions needed in order to comply with this Directive within six months of its notification.

Ireland, however, shall bring these provisions into force not later than 1 July 1977.

2. Member States shall communicate to the Commission the provisions which they adopt in order to implement this Directive. The Commission shall inform the other Member States thereof.

Article 17

This Directive is addressed to the Member States.

Done at Brussels, 18 December 1975.

For the Council

The President

M. TOROS