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Legislation

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2001/405/EC:

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I

(Acts whose publication is obligatory)

**COMMISSION REGULATION (EC) No 1025/2001
of 28 May 2001
establishing the standard import values for determining the entry price of certain fruit and
vegetables**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 3223/94 of 21 December 1994 on detailed rules for the application of the import arrangements for fruit and vegetables ⁽¹⁾, as last amended by Regulation (EC) No 1498/98 ⁽²⁾, and in particular Article 4(1) thereof,

Whereas:

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 29 May 2001.

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

Done at Brussels, 28 May 2001.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 337, 24.12.1994, p. 66.

⁽²⁾ OJ L 198, 15.7.1998, p. 4.

ANNEX

to the Commission Regulation of 28 May 2001 establishing the standard import values for determining the entry price of certain fruit and vegetables

(EUR/100 kg)

CN code	Third country code ⁽¹⁾	Standard import value
0702 00 00	052	71,6
	212	77,9
	999	74,8
0707 00 05	052	75,8
	068	71,8
	628	114,2
	999	87,3
0709 90 70	052	85,5
	999	85,5
0805 10 10, 0805 10 30, 0805 10 50	052	47,8
	204	58,0
	220	63,5
	600	60,0
	624	40,5
	999	54,0
0805 30 10	388	81,6
	999	81,6
0808 10 20, 0808 10 50, 0808 10 90	388	82,6
	400	98,6
	404	86,6
	508	71,9
	512	78,3
	524	85,5
	528	79,3
	804	111,0
	999	86,7
0809 20 95	052	372,4
	400	292,9
	608	391,3
	999	352,2

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

COMMISSION REGULATION (EC) No 1026/2001**of 28 May 2001****suspending the issuing of import licences for certain sugar sector products qualifying as EC/OCT originating products**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Decision 91/482/EEC of 25 July 1991 on the association of the overseas countries and territories with the European Community ⁽¹⁾, as last amended by Decision 2001/161/EC ⁽²⁾,

Having regard to Commission Regulation (EC) No 396/2001 of 27 February 2001 providing for the continued application of safeguard measures for imports from the overseas countries and territories of sugar sector products with EC/OCT cumulation of origin for the period 1 March to 30 June 2001 ⁽³⁾, and in particular Article 2(2) thereof, in conjunction with Commission Regulation (EC) No 2553/97 of 17 December 1997 on rules for issuing import licences for certain products covered by CN codes 1701, 1702, 1703 and 1704 and qualifying as ACP/OCT originating products ⁽⁴⁾, and in particular Article 5(3) thereof,

Whereas:

- (1) Article 1 of Regulation (EC) No 396/2001 allows EC/OCT cumulation of origin for products covered by CN codes 1701, 1806 10 30 and 1806 10 90 for up to

3 878 tonnes of sugar during the period of validity of that Regulation. An import licence was issued for 3 878 tonnes of sugar in March 2001.

- (2) Article 2 of Regulation (EC) No 396/2001, in conjunction with Article 5(3) of Regulation (EC) No 2553/97, provides that where licence applications cover quantities in excess of 3 878 tonnes of sugar, the Commission is to suspend the submission of further applications during the period of validity of that Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The submission of further applications during the period of validity of Regulation (EC) No 396/2001 is hereby suspended.

Article 2

This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Communities*.

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

Done at Brussels, 28 May 2001.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 263, 19.9.1991, p. 1.

⁽²⁾ OJ L 58, 28.2.2001, p. 21.

⁽³⁾ OJ L 58, 28.2.2001, p. 13.

⁽⁴⁾ OJ L 349, 19.12.1997, p. 26.

COMMISSION REGULATION (EC) No 1027/2001**of 28 May 2001****on the issue of system B export licences in the fruit and vegetables sector**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 2190/96 of 14 November 1996 on detailed rules for implementing Council Regulation (EC) No 2200/96 as regards export refunds on fruit and vegetables ⁽¹⁾, as last amended by Regulation (EC) No 911/2001 ⁽²⁾, and in particular Article 5(5) thereof,

Whereas:

- (1) Commission Regulation (EC) No 862/2001 ⁽³⁾ fixes the indicative quantities for system B export licences other than those sought in the context of food aid.
- (2) In the light of the information available to the Commission today, there is a risk that the indicative quantities laid down for the current export period for lemons will shortly be exceeded. This overrun will prejudice the

proper working of the export refund scheme in the fruit and vegetables sector.

- (3) To avoid this situation, applications for system B licences for lemons exported after 28 May 2001 should be rejected until the end of the current export period,

HAS ADOPTED THIS REGULATION:

Article 1

Applications for system B export licences for lemons submitted pursuant to Article 1 of Regulation (EC) No 862/2001, export declarations for which are accepted after 28 May 2001 and before 14 June 2001 are hereby rejected.

Article 2

This Regulation shall enter into force on 29 May 2001.

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

Done at Brussels, 28 May 2001.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 292, 15.11.1996, p. 12.

⁽²⁾ OJ L 129, 11.5.2001, p. 3.

⁽³⁾ OJ L 122, 3.5.2001, p. 8.

**COMMISSION REGULATION (EC) No 1028/2001
of 28 May 2001**

fixing Community producer and import prices for carnations and roses with a view to the application of the arrangements governing imports of certain floricultural products originating in Cyprus, Israel, Jordan, Morocco and the West Bank and the Gaza Strip

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 4088/87 of 21 December 1987 fixing conditions for the application of preferential customs duties on imports of certain flowers originating in Cyprus, Israel, Jordan, Morocco and the West Bank and the Gaza Strip ⁽¹⁾, as last amended by Regulation (EC) No 1300/97 ⁽²⁾, and in particular Article 5(2) (a) thereof,

Whereas:

Pursuant to Article 2 (2) and Article 3 of abovementioned Regulation (EEC) No 4088/87, Community import and producer prices are fixed each fortnight for uniflorous (bloom) carnations, multiflorous (spray) carnations, large-flowered roses and small-flowered roses and apply for two-weekly periods. Pursuant to Article 1b of Commission Regulation (EEC) No 700/88 of 17 March 1988 laying down detailed rules for the application of the arrangements for the import into the Community of certain floricultural products originating in Cyprus, Israel, Jordan, Morocco and the West Bank and the

Gaza Strip ⁽³⁾, as last amended by Regulation (EC) No 2062/97 ⁽⁴⁾, those prices are determined for fortnightly periods on the basis of weighted prices provided by the Member States. Those prices should be fixed immediately so the customs duties applicable can be determined. To that end, provision should be made for this Regulation to enter into force immediately,

HAS ADOPTED THIS REGULATION:

Article 1

The Community producer and import prices for uniflorous (bloom) carnations, multiflorous (spray) carnations, large-flowered roses and small-flowered roses as referred to in Article 1b of Regulation (EEC) No 700/88 for a fortnightly period shall be as set out in the Annex.

Article 2

This Regulation shall enter into force on 29 May 2001.

It shall apply from 30 May until 12 June 2001.

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

Done at Brussels, 28 May 2001.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 382, 31.12.1987, p. 22.

⁽²⁾ OJ L 177, 5.7.1997, p. 1.

⁽³⁾ OJ L 72, 18.3.1988, p. 16.

⁽⁴⁾ OJ L 289, 22.10.1997, p. 1.

ANNEX

to the Commission Regulation of 28 May 2001 fixing Community producer and import prices for carnations and roses with a view to the application of the arrangements governing imports of certain floricultural products originating in Cyprus, Israel, Jordan, Morocco and the West Bank and the Gaza Strip

(EUR/100 pieces)

Period: from 30 May to 12 June 2001

Community producer price	Uniflorous (bloom) carnations	Multiflorous (spray) carnations	Large-flowered roses	Small-flowered roses
	15,58	11,47	31,19	19,00
Community import prices	Uniflorous (bloom) carnations	Multiflorous (spray) carnations	Large-flowered roses	Small-flowered roses
Israel	8,11	—	16,97	15,84
Morocco	17,50	15,04	—	—
Cyprus	—	—	—	—
Jordan	—	—	—	—
West Bank and Gaza Strip	—	—	—	—

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 28 May 2001

on the conclusion of an Agreement in the form of an Exchange of Letters between the European Community and the Argentine Republic pursuant to Article XXVIII of the General Agreement on Tariffs and Trade (GATT) 1994 for the modification of concessions with respect to garlic provided for in Schedule CXL annexed to the GATT

(2001/404/EC)

THE COUNCIL OF THE EUROPEAN UNION,

HAS DECIDED AS FOLLOWS:

Having regard to the Treaty establishing the European Community, and in particular Article 133 in conjunction with the first sentence of Article 300(2) thereof,

Having regard to the proposal from the Commission,

Whereas:

- (1) On 2 May 2000, the Council authorised the Commission to enter into negotiations and consultations with WTO Members under Article XXVIII of GATT 1994 with a view to modifying the bound tariff for garlic.
- (2) Negotiations have been conducted by the Commission in consultation with the Article 133 Committee and within the framework of the negotiating directives issued by the Council.
- (3) Negotiations with the Argentine Republic, the only WTO Member having a principal supplying interest, have been successfully concluded.
- (4) The Agreement in the form of an Exchange of Letters between the European Community and the Argentine Republic for the modification of concessions for garlic should therefore be approved.
- (5) The measures needed to implement this Decision should be adopted in accordance with the management procedure laid down in Article 46 of Regulation (EC) No 2200/96 ⁽¹⁾,

Article 1

The Agreement in the form of an Exchange of Letters between the European Community and the Argentine Republic pursuant to Article XXVIII of the General Agreement on Tariffs and Trade (GATT) 1994 for the modification of concessions with respect to garlic provided for in Schedule CXL annexed to the GATT, is hereby approved on behalf of the Community.

The text of the Agreement is attached to this Decision.

Article 2

The Commission, assisted by the Committee established by Article 45 of Regulation (EC) No 2200/96, shall adopt the necessary measures for managing the tariff quotas provided for in the Agreement in accordance with the procedure provided for in Article 46 of that Regulation.

Article 3

The President of the Council is hereby authorised to designate the person empowered to sign the Agreement in order to bind the Community ⁽²⁾.

Article 4

This Decision shall be published in the *Official Journal of the European Communities*.

Done at Brussels, 28 May 2001.

For the Council
The President
T. BODSTRÖM

⁽¹⁾ OJ L 297, 21.11.1996, p. 1. Regulation as last amended by Regulation (EC) No 2826/2000 (OJ L 328, 23.12.2000, p. 2).

⁽²⁾ The date of entry into force of the Agreement will be published in the *Official Journal of the European Communities*.

AGREEMENT

in the form of an Exchange of Letters between the European Community and the Argentine Republic pursuant to Article XXVIII of the General Agreement on Tariffs and Trade (GATT) 1994 for the modification of concessions with respect to garlic provided for in Schedule CXL annexed to the GATT

Letter No 1: Letter from the Community

Brussels, 28 May 2001.

Sir,

Following negotiations between the European Community (EC) and the Argentine Republic under Article XXVIII of GATT 1994 for the modification of concessions with respect to garlic provided for in Schedule CXL annexed to the GATT, the EC agrees to the conclusions as outlined below and in the Annex.

1. The EC establishes a tariff quota for garlic where the quota quantity is equal to 38 370 tonnes and the in-quota tariff rate is equal to 9,6 %.

The out-of-quota rate of duty is set at EUR 1 200/t + 9,6 % *ad valorem*.

2. The tariff quota is allocated among supplying countries as follows:

- Argentina: 19 147 t,
- China: 13 200 t,
- Other countries: 6 023 t.

3. The tariff quota opens on 1 June each year and is managed through subdivision in four quarterly sub-quotas as set out in the Annex.

4. The tariff quota is managed using the historical/newcomers system, the shares being 70 % for historical importers and 30 % for newcomers.

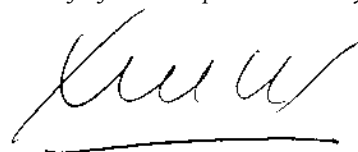
This Agreement shall be approved by the Parties in accordance with their own procedures.

The provisions of this Agreement shall be applicable from 1 June 2001.

I should be grateful if you could confirm the agreement of your Government to the above.

Please accept, Sir, the assurance of my highest consideration.

On behalf of the European Community


ANNEX

	Yearly tariff quota (t)	1st quarter (t)	2nd quarter (t)	3rd quarter (t)	4th quarter (t)
Argentina	19 147	0	0	13 700	5 447
China	13 200	3 600	3 600	3 000	3 000
Other countries	6 023	1 344	2 800	1 327	552
Total	38 370	4 944	6 400	18 027	8 999

Letter No 2: Letter from the Argentine Republic

Geneva, 28 May 2001.

Sir,

I have the honour to acknowledge receipt of your letter of today's date, worded as follows:

'Following negotiations between the European Community (EC) and the Argentine Republic under Article XXVIII of GATT 1994 for the modification of concessions with respect to garlic provided for in Schedule CXL annexed to the GATT, the EC agrees to the conclusions as outlined below and in the Annex.

1. The EC establishes a tariff quota for garlic where the quota quantity is equal to 38 370 tonnes and the in-quota tariff rate is equal to 9,6 %.

The out-of-quota rate of duty is set at EUR 1 200/t + 9,6 % *ad valorem*.

2. The tariff quota is allocated among supplying countries as follows:

- Argentina: 19 147 t,
- China: 13 200 t,
- Other countries: 6 023 t.

3. The tariff quota opens on 1 June each year and is managed through subdivision in four quarterly sub-quotas as set out in the Annex.

4. The tariff quota is managed using the historical/newcomers system, the shares being 70 % for historical importers and 30 % for newcomers.

This Agreement shall be approved by the Parties in accordance with their own procedures.

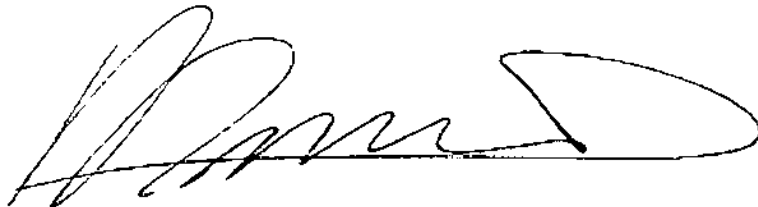
The provisions of this Agreement shall be applicable from 1 June 2001.

I should be grateful if you could confirm the agreement of your Government to the above.'

I am able to confirm that my Government is in agreement with the contents of your letter.

Please accept, Sir, the assurance of my highest consideration.

For the Government of the Argentine Republic



COMMISSION

COMMISSION DECISION

of 4 May 2001

establishing the ecological criteria for the award of the Community eco-label to tissue-paper products

(notified under document number C(2001) 1175)

(2001/405/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Regulation (EC) No 1980/2000 of the European Parliament and of the Council of 17 July 2000 ⁽¹⁾ on a revised Community eco-label award scheme, and in particular Articles 3, 4 and 6 thereof,

Whereas:

- (1) Article 3 of Regulation (EC) No 1980/2000 provides that the eco-label may be awarded to a product possessing characteristics which enable it to contribute significantly to improvements in relation to key environmental aspects.
- (2) Article 4 of Regulation (EC) No 1980/2000 provides that specific eco-label criteria shall be established according to product groups.
- (3) Article 4 of Regulation (EC) No 1980/2000 provides that the review of the eco-label criteria as well as of the assessment and verification requirements related to the criteria shall take place in due time before the end of the period of validity of the criteria specified for each product group and shall result in a proposal for prolongation, withdrawal or revision.
- (4) By Decision 98/94/EC ⁽²⁾, the Commission established ecological criteria for the award of the Community eco-label to tissue-paper products, which, according to Article 3 thereof, as modified by Decision 2000/413/EC ⁽³⁾, expire 31 December 2001.
- (5) It is appropriate to revise the definition of the product group and the ecological criteria that were established by

Decision 98/94/EC in order to reflect the developments in the market.

- (6) It is appropriate to adopt a new Commission Decision establishing the specific ecological criteria for this product group, which will be valid for a period of five years.
- (7) It is appropriate that, for a limited period of not more than 12 months, both the new criteria established by this Decision and the criteria previously established by Decision 98/94/EC are valid concurrently in order to allow sufficient time for companies that have been awarded the eco-label for their products prior to the adoption of this new Decision to adapt these products to comply with the new criteria.
- (8) The measures set out in this Decision have been developed and adopted under the procedures for the setting of eco-label criteria as laid down in Article 6 of Regulation (EC) No 1980/2000.
- (9) The measures set out in this Decision are in accordance with the opinion of the committee set up under Article 17 of Regulation (EC) No 1980/2000,

HAS ADOPTED THIS DECISION:

Article 1

The product group 'tissue-paper products' (hereinafter referred to as 'the product group') shall mean:

Sheets or rolls of tissue paper fit for use for personal hygiene, absorption of liquids and/or cleaning of soiled surfaces. The tissue product normally consists of creped or embossed paper in one or several plies. The fibre content of the product shall be at least 90 %. Laminated tissue products and wet wipes are excluded from the product group.

⁽¹⁾ OJ L 237, 21.9.2000, p. 1.

⁽²⁾ OJ L 19, 24.1.1998, p. 77.

⁽³⁾ OJ L 155, 28.6.2000, p. 63.

Article 2

The environmental performance of the product group as defined in Article 1 shall be assessed by reference to the specific ecological criteria set out in the Annex.

Article 3

The product group definition and the criteria for the product group shall be valid for five years from the date on which this Decision takes effect.

The period of validity of the product group definition and the criteria established by Decision 98/94/EC, as modified by Decision 2000/413/EC, shall be extended to expire 12 months after the date on which this Decision takes effect.

Article 4

For administrative purposes the code number assigned to the product group shall be '004'.

Article 5

This Decision is addressed to the Member States.

Done at Brussels, 4 May 2001.

For the Commission

Margot WALLSTRÖM

Member of the Commission

ANNEX

FRAMEWORK

In order to qualify for an eco-label, the product as defined in Article 1 must comply with the criteria of this Annex, with tests carried out on application as indicated in the criteria and the technical appendix. Where appropriate, other test methods may be used if their equivalence is accepted by the Competent Body assessing the application (for example if the equivalence is established by a calibration curve at 95 % significance). Where no tests are mentioned, or are mentioned as being for use in verification or monitoring, Competent Bodies should rely as appropriate on declarations and documentation provided by the applicant and/or independent verifications.

The Competent Bodies are recommended to take into account the implementation of recognised environmental management schemes, such as EMAS or ISO 14001, when assessing applications and monitoring compliance with the criteria in this Annex (*Note: it is not required to implement such management schemes.*)

These criteria aim in particular at promoting:

- the reduction of discharges of toxic or otherwise polluting substances into waters,
- the reduction of environmental damage or risks related to the conversion and use of energy (global warming, acidification, depletion of non-renewable resources) by reducing energy consumption and related air emissions,
- the commitment to the need to apply good management principles in order to safeguard forests,
- the reduction of risks for human health, environmental damage or risks related to the use of hazardous chemicals,
- the minimisation and efficient use of waste.

The criteria are set at levels that promote the labelling of tissue paper produced with a low environmental impact.

ECOLOGICAL CRITERIA

1. EMISSIONS TO WATER AND AIR

- (i) The performance concerning the parameters COD, AOX, CO₂,^{fossil} and SO₂ shall be expressed in terms of load points, in relation to a reference value (referred to as a 'coefficient' for each parameter).

The total emissions to water and air relating to the paper product shall be calculated as the sum of the emissions from the pulp and the tissue paper production stages.

Table 1

Coefficients and hurdles for the emission parameters

	Coefficients, (C), kg/ADT ⁽¹⁾ tissue	Hurdles, (H), kg/ADT ⁽¹⁾ tissue
1. Organics to water, COD	C1 = 15	H1 = 40
2. Chlorinated organics, AOX	C2 = 0,2	H2 = 0,5
3. Carbon dioxide, CO ₂ , ^{fossil}	C3 = 1 500	H3 = 3 750
4. Sulphur oxides, as S	C4 = 1,0	H4 = 2,5

⁽¹⁾ ADT = air dried tonne.

- (ii) The load points, L, are calculated as shown in equation 1. The actual emission for each parameter should be divided by the corresponding coefficient for this parameter.

$$L_i = (\text{emission of parameter } i) / C_i \text{ (equation 1)}$$

- (iii) The 'total load point sum', P, is calculated from equation 2 by adding the load points for each parameter.

$$P = L_1 + L_2 + L_3 + L_4 \text{ (equation 2)}$$

(iv) If any of the emissions of the parameters COD, AOX, CO₂,^{fossil} and SO₂ for a product exceeds the values described as 'hurdles' in table 1, the product shall not qualify for the eco-label.

(v) To obtain the eco-label, the total load point sum (P) for the product must not exceed four points.

The amount of AOX (as Cl) discharged from each pulp manufacturing site shall not exceed 0,50 kg per air dry tonne of pulp.

Where trimmings are incorporated in the final product, the emissions related to their production, whether on-site or off-site, shall be included in the calculation of the load points.

Data on the use of water per tonne of pulp and paper produced in the production process of pulp and tissue paper shall be reported (*Note*: the data is necessary to evaluate the calculations of effluent flows and concentrations).

Sulphur compounds: The emissions related to the production of electricity need not be accounted for.

Carbon dioxide: from fossil sources per tonne of paper produced, including emissions from the production of electricity (whether on-site or off-site).

2. ENERGY USE

The total consumption of electricity relating to the tissue-paper product shall be calculated as the sum of the electricity used in the pulp and the tissue paper production stages and shall not exceed:

— 11 G joule (3 000 kWh) electricity per tonne of paper produced.

The applicant shall calculate all inputs of electricity used during the production of pulp and tissue paper, including the electricity used in the de-inking of waste papers for the production of recycled paper.

Electricity means net imported electricity coming from the grid and internally generated electricity measured as electric power. Electricity used for waste-water treatment and air cleaning need not be included.

3. FIBRES — SUSTAINABLE FOREST MANAGEMENT

Fibres may be wood fibres, recycled fibres⁽¹⁾ or non-wood fibres.

In the case of virgin wood fibres from forests, the operators in charge of managing the sources from which the fibres originate shall implement principles and measures aimed at ensuring sustainable forest management. A declaration, charter, code of conduct, certificate or statement to this effect from these operators and/or from the pulp mills shall be presented.

In Europe, the principles and measures referred to above shall correspond to those of the Pan-European Operational Level Guidelines for Sustainable Forest Management, as endorsed by the Lisbon Ministerial Conference on the Protection of Forests in Europe (2 to 4 June 1998). Outside Europe they shall correspond to the UNCED Forest Principles (Rio de Janeiro, June 1992) and, where applicable, to the criteria or guidelines for sustainable forest management as adopted under the respective international and regional initiatives (ITTO, Montreal Process, Tarapoto Process, UNEP/FAO Dry-Zone Africa Initiative).

4. HAZARDOUS CHEMICAL SUBSTANCES

Bleaching: Chlorine gas shall not be used as a bleaching agent. This requirement does not apply to chlorine gas related to the production and use of chlorine dioxide. (*Note*: while this requirement also applies to the bleaching of recycled fibres, it is accepted that the fibres in their previous lifecycle may have been bleached with chlorine gas.)

De-inking: Alkylphenolethoxylates (APEOs) or other derivatives from alkylphenol shall not be added in de-inking chemicals. Derivates from alkylphenol are defined as substances that are degraded to alkylphenols.

Wet strength aids: Wet strength aids must not contain more than 1,0 chloro-organic substances, related to the dry content, that are assigned or may be assigned any of the risk phrases R45 (may cause cancer), R46 (may cause heritable genetic damage), R50/53 (very toxic to aquatic organisms, may cause long-term adverse effects in the aquatic environment), R60 (may impair fertility) or R61 (may cause harm to the unborn child) as defined in the Council Directive 67/548/EEC⁽²⁾, as last amended by Commission Directive 2000/33/EC⁽³⁾. Examples of such chloro-organic substances are epichlorohydrin (ECH), 1,3-dichloro-2-propanol (DCP) and 3-monochloro-1,2-propanediol (MCPD).

⁽¹⁾ Recycled fibres are defined as fibres collected from paper products after consumption or paper waste from the conversion stages according to the grades defined in *European list of standard grades of recovered paper and board*, (CEPI, February 1999). Broke from paper mills is not defined as recycled fibres.

⁽²⁾ OJ L 196, 16.8.1967, p. 1.

⁽³⁾ OJ L 136, 8.6.2000, p. 90.

5. WASTE MANAGEMENT

All producers of pulp, paper and converted tissue products shall have a system for the handling of waste ⁽¹⁾ and residual products arising from the production plants. The system shall be documented or explained in the application and shall include at least the following points:

- procedures for separating and using recyclable materials from the waste stream,
- procedures for recovering materials for other uses, such as incineration for raising process steam, or agricultural use,
- procedures for the handling of hazardous waste ⁽¹⁾.

6. PRODUCT SAFETY

Products made from recycled fibres or mixtures of recycled and virgin fibres shall fulfil requirements on hygiene as follows:

The tissue paper shall not contain more than:

Formaldehyde:	1 mg/dm ² according to test method EPA 8315A
Glyoxal:	1,5 mg/dm ² according to test method EPA 8315A
PCB:	2 mg/kg according to test method EPA 8270

All tissue products shall fulfil the following requirements:

Slimicides and antimicrobial substances:	No growth retardance of micro-organisms according to test method EN 1104
Dyes and optical brighteners:	No bleeding according to test method EN 646/648 (level 4 is required)
Dyes and inks:	Dyes and inks used in the production of tissue paper shall not contain azo-substances that may cleave to any of the amines listed in the technical appendix, table 3

FITNESS FOR USE

The product shall be fit for use.

CONSUMER INFORMATION

Box 2 of the eco-label shall include the following text:

- low water pollution
- low air pollution
- low greenhouse gas emissions and electricity use.

In addition, next to the eco-label the manufacturer may also provide a statement indicating the minimum percentage of recycled fibres.

Technical appendix: definitions, testing requirements and documentation

All emission parameters

The period for the measurements or mass balances shall be based on the production during 12 months. In case of a new or a rebuilt production plant, the measurements shall be based on at least 45 subsequent days of stable running of the plant. The measurement shall be representative for the respective campaign.

If a product is made out of different pulp qualities, the emission values from the pulp production shall be calculated as weighted averages of all pulps used. The total emissions shall be calculated by adding the emissions from the pulp production to the emissions from the production of the tissue paper.

Accredited laboratories or independent test institutes following the standard EN 45001 shall carry out measurements.

The laboratory of the pulp or paper manufacturer may, however, be approved for the analyses of discharges if any of the following conditions are fulfilled:

- the relevant regulatory authorities accept the relevant sampling and measurements made in that laboratory, or
- the manufacturer has a quality system which includes sampling and analysis supervision and is certified according to ISO 9001 or ISO 9002, or
- is an official GLP (good laboratory practice) approved laboratory.

⁽¹⁾ As defined by the relevant regulatory authorities of the pulp and paper production sites in question.

Measurements of water emissions shall be taken on unfiltered and unsettled samples either after treatment at the mill or on discharge to public sewers before treatment in a public treatment plant. In the latter case the value measured before the public treatment plant shall be reduced by a factor corresponding to the average reduction by the treatment plant. The levels measured in incoming water to the mill may be subtracted from the emissions generated in the process and leaving the mill.

COD shall be measured in accordance with ISO 6060 second edition 1989.

AOX shall be measured in accordance with ISO 9562.

Other test methods can be accepted if their equivalence is accepted by the Competent Body assessing the application (for example if the equivalence is established by a calibration curve at 95 % significance).

AOX shall be measured in processes where chlorine compounds are used for the bleaching of the pulp. This means that AOX need not be measured:

- in the effluent from non-integrated paper production, or
- in the effluents from pulp production without bleaching, or
- when the bleaching is performed with chlorine-free substances.

Sulphur oxides

The applicant shall provide a balance on the air emissions of sulphur compounds. This balance shall include all such emissions, which occur during the production of pulp, and paper, except those related to the production of electricity. Measurements shall include recovery boilers, lime kilns, steam boilers and furnaces for incineration of strong smelling gases, if available. Diffuse emissions shall be accounted for.

Carbon dioxide

The applicant shall provide a balance on the air emissions of carbon dioxide. This balance shall include all sources of non-renewable fuels during the production of pulp and paper, including the emissions from the production of grid electricity. The emission factors from table 2 shall be used in the calculation of the CO₂, fossil emissions from fuels.

Table 2

Equivalents of CO_{2, fossil} from non renewable fuels

Fuel	CO _{2, fossil} emission	Unit
Coal	95	g CO _{2, fossil} /MJ
Crude oil	73	g CO _{2, fossil} /MJ
Fuel oil 1	74	g CO _{2, fossil} /MJ
Fuel oil 2-5	77	g CO _{2, fossil} /MJ
Gasoline	69	g CO _{2, fossil} /MJ
Natural gas	56	g CO _{2, fossil} /MJ
Grid electricity ⁽¹⁾	400	g CO _{2, fossil} /MJ

⁽¹⁾ European average.

For grid electricity, the value quoted in the table shall be used for all sites within the European Union. For sites outside the European Union, the applicant may present documentation establishing the average value for their supplier(s) of electricity, and use this average value instead of the value quoted in the table.

Forest management See criterion 3.

Hazardous chemical compounds

The applicant shall present a declaration from each pulp supplier that chlorine gas has not been used for the bleaching of the pulps.

The applicant shall present a declaration from each pulp supplier that alkylphenol ethoxylates or other derivatives from alkylphenol have not been used for the de-inking process.

The applicant shall present a list of the products used in the paper production for the purpose of wet strength in the final product. The list shall include the brand name of the product, the area of use and the name, address and telephone number of the supplier. In addition to this list, the applicant shall present a declaration of the content of chloro-organic substances, such as epichlorohydrin (ECH), 1,3-dichloro-2-propanol (DCP) and 3-monochloro-1,2-propanediol (MCPD), which are classified as dangerous to the environment or to health according to Council Directive 67/548/EEC.

Waste management See criterion 5

Product safety

The tissue-paper producer shall provide a document of the test results of finished tissue paper concerning: formaldehyde, glyoxal, PCB, slimicides, antimicrobial substances, dyes and optical brighteners.

Table 3

Amines referred to in criterion 6

Amine	CAS-No
4-aminoazobenzene	60-09-3
o-anisidine	90-04-0
4-aminodiphenyl	92-67-1
benzidine	92-87-5
4-chloro-o-toluidine	95-69-2
2-naphthylamine	91-59-8
o-amino-azotoluene	97-56-3
2-amino-4-nitrotoluene	99-55-8
p-chloroaniline	106-47-8
2,4-diaminoanisole	615-05-4
4,4'-diaminodiphenylmethane	101-77-9
3,3'-dichlorobenzidine	91-94-1
3,3'-dimethoxybenzidine	119-90-4
3,3'-dimethylbenzidine	119-93-7
3,3'-dimethyl-4,4'-diaminodiphenylmethane	838-88-0
p-cresidine	120-71-8
4,4'-methylene-bis-(2-chloraniline)	101-14-4

Amine	CAS-No
4,4'-oxydianiline	101-80-4
4,4'-thiodianiline	139-65-1
o-toluidine	95-53-4
2,4-diaminotoluene	95-80-7
2,4,5-trimethylaniline	137-17-7
2,4-xylydine	95-68-1
4,6-xylydine	87-62-7

Fitness for use

The applicant shall provide evidence to demonstrate that the product is fit for use. This evidence may include data from appropriate ISO or CEN test methods, but may include national or in-house test procedures as well. Details of the test procedures shall be provided with the application.

CORRIGENDA

Corrigendum to Commission Regulation (EC) No 997/2001 of 22 May 2001 amending Regulation (EC) No 805/1999 laying down certain measures for implementing Council Regulation (EC) No 718/1999 on a Community-fleet capacity policy to promote inland waterway transport

This text cancels and replaces the text published in Official Journal L 139 of 23 May 2001, page 11.

**COMMISSION REGULATION (EC) No 997/2001
of 22 May 2001**

amending Regulation (EC) No 805/1999 laying down certain measures for implementing Council Regulation (EC) No 718/1999 on a Community-fleet capacity policy to promote inland waterway transport

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

market make it expedient to reduce the 'old-for-new' ratios again.

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 718/1999 of 29 March 1999 on a Community-fleet capacity policy to promote inland waterway transport ⁽¹⁾, and in particular Article 9(3) thereof,

Whereas:

(1) Article 7 of Regulation (EC) No 718/1999 requires the Commission to lay down detailed rules for implementing the Community-fleet capacity policy as defined by that Regulation.

(6) It is therefore necessary to reduce the various 'old-for-new' ratios mentioned in Article 4 of Regulation (EC) No 718/1999 and set by Article 4 of Regulation (EC) No 805/1999, as amended by Article 1 of Regulation (EC) No 1532/2000, though without undoing the achievements of the structural improvement carried out since 1990. The ratio for dry cargo carriers should be reduced to 0,60:1, as the sector is continuing to grow; the ratio for tanker vessels requires a smaller adjustment, to 0,90:1, as the situation in this sector remains worrying and the market is not growing; a larger adjustment is required for the pusher craft ratio, to 0,25:1, as over-capacity is not great in this sector.

(2) Article 4 of Commission Regulation (EC) No 805/1999 ⁽²⁾, as amended by Regulation (EC) No 1532/2000 ⁽³⁾, laying down certain measures for implementing Regulation (EC) No 718/1999 set ratios for the 'old-for-new' rule to apply from 29 April 1999

(7) The measures laid down in this Regulation have been the subject of an opinion from the Group of Experts on Community Fleets Capacity and Promotion Policy set up by Article 6 of Regulation (EC) No 805/1999,

HAS ADOPTED THIS REGULATION:

(3) Article 4(2) of Regulation (EC) No 718/1999 requires the 'old-for-new' ratio to be constantly reduced to bring it as quickly as possible and in regular stages to zero no later than 29 April 2003.

Article 1

Regulation (EC) No 805/1999 is amended as follows:

(4) Article 1 of Regulation (EC) No 1532/2000 amending Regulation (EC) No 805/1999 reduced the 'old-for-new' ratios as from the 20th day following their publication, i.e. as from 3 August 2000.

1. In Article 4(1), the ratio '0,80:1' is replaced by '0,60:1'.
2. In Article 4(2), the ratio '1,15:1' is replaced by '0,90:1'.
3. In Article 4(3), the ratio '0,50:1' is replaced by '0,25:1'.

(5) The legal obligation to reduce the ratios to zero no later than 29 April 2003 and the economic development in the various sectors of the inland waterways transport

Article 2

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

⁽¹⁾ OJ L 90, 2.4.1999, p. 1.

⁽²⁾ OJ L 102, 17.4.1999, p. 64.

⁽³⁾ OJ L 175, 14.7.2000, p. 74.

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

Done at Brussels, 22 May 2001.

For the Commission

Loyola DE PALACIO

Vice-President
