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2003/644/EC:

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2003/645/EC:

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⁽¹⁾ Text with EEA relevance

I

(Acts whose publication is obligatory)

**COMMISSION REGULATION (EC) No 1587/2003
of 11 September 2003
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 1947/2002 ⁽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 12 September 2003.

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

Done at Brussels, 11 September 2003.

For the Commission
J. M. SILVA RODRÍGUEZ
Agriculture Director-General

⁽¹⁾ OJ L 337, 24.12.1994, p. 66.

⁽²⁾ OJ L 299, 1.11.2002, p. 17.

ANNEX

to the Commission Regulation of 11 September 2003 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	119,4
	060	121,0
	064	67,1
	094	81,8
	999	97,3
0707 00 05	052	120,2
	999	120,2
0709 90 70	052	85,7
	999	85,7
0805 50 10	388	58,5
	524	52,0
	528	45,4
	999	52,0
0806 10 10	052	76,6
	064	62,1
	999	69,3
0808 10 20, 0808 10 50, 0808 10 90	388	74,0
	400	73,6
	508	71,7
	512	90,7
	528	44,5
	720	50,7
	800	163,0
	804	97,8
	999	83,3
0808 20 50	052	95,8
	388	84,6
	720	56,8
	999	79,1
0809 30 10, 0809 30 90	052	93,2
	999	93,2
0809 40 05	060	70,9
	064	64,3
	066	65,8
	068	54,5
	093	70,3
	094	58,5
	512	67,0
	624	126,2
	999	70,2

⁽¹⁾ Country nomenclature as fixed by Commission Regulation (EC) No 2020/2001 (OJ L 273, 16.10.2001, p. 6). Code '999' stands for 'of other origin'.

COMMISSION REGULATION (EC) No 1588/2003
of 11 September 2003
fixing production refunds on cereals and rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992, on the common organisation of the market in cereals ⁽¹⁾, as last amended by Regulation (EC) No 1104/2003 ⁽²⁾, and in particular Article 7(3) thereof,

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organisation of the market in rice ⁽³⁾, as last amended by Commission Regulation (EC) No 411/2002 ⁽⁴⁾, and in particular Article 7(2) thereof,

Having regard to Commission Regulation (EEC) No 1722/93 of 30 June 1993 laying down detailed rules for the arrangements concerning production refunds in the cereals and rice sectors ⁽⁵⁾, as last amended by Regulation (EC) No 1786/2001 ⁽⁶⁾, and in particular Article 3 thereof,

Whereas:

- (1) Regulation (EEC) No 1722/93 establishes the conditions for granting the production refund. The basis for the calculation is established in Article 3 of the said Regula-

tion. The refund thus calculated must be fixed once a month and may be altered if the price of maize and/or wheat changes significantly.

- (2) The production refunds to be fixed in this Regulation should be adjusted by the coefficients listed in the Annex II to Regulation (EEC) No 1722/93 to establish the exact amount payable.
- (3) The Management Committee for Cereals has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

The refund referred to in Article 3(2) of Regulation (EEC) No 1722/93, expressed per tonne of starch extracted from maize, wheat, barley, oats, potatoes, rice or broken rice, shall be EUR 0,00/t.

Article 2

This Regulation shall enter into force on 12 September 2003.

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

Done at Brussels, 11 September 2003.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 158, 27.6.2003, p. 1.

⁽³⁾ OJ L 329, 30.12.1995, p. 18.

⁽⁴⁾ OJ L 62, 5.3.2002, p. 27.

⁽⁵⁾ OJ L 159, 1.7.1993, p. 112.

⁽⁶⁾ OJ L 242, 12.9.2001, p. 3.

COMMISSION REGULATION (EC) No 1589/2003**of 11 September 2003****fixing the representative prices and the additional import duties for molasses in the sugar sector**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1260/2001 of 19 June 2001 on the common organisation of the market in sugar ⁽¹⁾, as amended by Commission Regulation (EC) No 680/2002 ⁽²⁾,

Having regard to Commission Regulation (EC) No 1422/95 of 23 June 1995 laying down detailed rules of application for imports of molasses in the sugar sector and amending Regulation (EEC) No 785/68 ⁽³⁾, as amended by Regulation (EC) No 79/2003 ⁽⁴⁾, and in particular Article 1(2) and Article 3(1) thereof,

Whereas:

- (1) Regulation (EC) No 1422/95 stipulates that the cif import price for molasses, hereinafter referred to as the 'representative price', should be set in accordance with Commission Regulation (EEC) No 785/68 ⁽⁵⁾. That price should be fixed for the standard quality defined in Article 1 of the above Regulation.
- (2) The representative price for molasses is calculated at the frontier crossing point into the Community, in this case Amsterdam; that price must be based on the most favourable purchasing opportunities on the world market established on the basis of the quotations or prices on that market adjusted for any deviations from the standard quality. The standard quality for molasses is defined in Regulation (EEC) No 785/68.
- (3) When the most favourable purchasing opportunities on the world market are being established, account must be taken of all available information on offers on the world market, on the prices recorded on important third-country markets and on sales concluded in international trade of which the Commission is aware, either directly or through the Member States. Under Article 7 of Regulation (EEC) No 785/68, the Commission may for this purpose take an average of several prices as a basis, provided that this average is representative of actual market trends.
- (4) The information must be disregarded if the goods concerned are not of sound and fair marketable quality or if the price quoted in the offer relates only to a small

quantity that is not representative of the market. Offer prices which can be regarded as not representative of actual market trends must also be disregarded.

- (5) If information on molasses of the standard quality is to be comparable, prices must, depending on the quality of the molasses offered, be increased or reduced in the light of the results achieved by applying Article 6 of Regulation (EEC) No 785/68.
- (6) A representative price may be left unchanged by way of exception for a limited period if the offer price which served as a basis for the previous calculation of the representative price is not available to the Commission and if the offer prices which are available and which appear not to be sufficiently representative of actual market trends would entail sudden and considerable changes in the representative price.
- (7) Where there is a difference between the trigger price for the product in question and the representative price, additional import duties should be fixed under the conditions set out in Article 3 of Regulation (EC) No 1422/95. Should the import duties be suspended pursuant to Article 5 of Regulation (EC) No 1422/95, specific amounts for these duties should be fixed.
- (8) Application of these provisions will have the effect of fixing the representative prices and the additional import duties for the products in question as set out in the Annex to this Regulation.
- (9) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Sugar,

HAS ADOPTED THIS REGULATION:

Article 1

The representative prices and the additional duties applying to imports of the products referred to in Article 1 of Regulation (EC) No 1422/95 are fixed in the Annex hereto.

Article 2

This Regulation shall enter into force on 12 September 2003.

⁽¹⁾ OJ L 178, 30.6.2001, p. 1.

⁽²⁾ OJ L 104, 20.4.2002, p. 26.

⁽³⁾ OJ L 141, 24.6.1995, p. 12.

⁽⁴⁾ OJ L 13, 18.1.2003, p. 4.

⁽⁵⁾ OJ L 145, 27.6.1968, p. 12.

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

Done at Brussels, 11 September 2003.

For the Commission

J. M. SILVA RODRÍGUEZ

Agriculture Director-General

ANNEX

to the Commission Regulation of 11 September 2003 fixing the representative prices and additional import duties to imports of molasses in the sugar sector

(in EUR)

CN code	Amount of the representative price in 100 kg net of the product in question	Amount of the additional duty in 100 kg net of the product in question	Amount of the duty to be applied to imports in 100 kg net of the product in question because of suspension as referred to in Article 5 of Regulation (EC) No 1422/95 ⁽²⁾
1703 10 00 ⁽¹⁾	6,71	0,12	—
1703 90 00 ⁽¹⁾	9,13	—	0

⁽¹⁾ For the standard quality as defined in Article 1 of amended Regulation (EEC) No 785/68.

⁽²⁾ This amount replaces, in accordance with Article 5 of Regulation (EC) No 1422/95, the rate of the Common Customs Tariff duty fixed for these products.

COMMISSION REGULATION (EC) No 1590/2003**of 11 September 2003****fixing the export refunds on white sugar and raw sugar exported in its unaltered state**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1260/2001 of 19 June 2001 on the common organisation of the markets in the sugar sector ⁽¹⁾, amended by Commission Regulation (EC) No 680/2002 ⁽²⁾, and in particular the second subparagraph of Article 27(5) thereof,

Whereas:

- (1) Article 27 of Regulation (EC) No 1260/2001 provides that the difference between quotations or prices on the world market for the products listed in Article 1(1)(a) of that Regulation and prices for those products within the Community may be covered by an export refund.
- (2) Regulation (EC) No 1260/2001 provides that when refunds on white and raw sugar, undenatured and exported in its unaltered state, are being fixed account must be taken of the situation on the Community and world markets in sugar and in particular of the price and cost factors set out in Article 28 of that Regulation. The same Article provides that the economic aspect of the proposed exports should also be taken into account.
- (3) The refund on raw sugar must be fixed in respect of the standard quality. The latter is defined in Annex I, point II, to Regulation (EC) No 1260/2001. Furthermore, this refund should be fixed in accordance with Article 28(4) of Regulation (EC) No 1260/2001. Candy sugar is defined in Commission Regulation (EC) No 2135/95 of 7 September 1995 laying down detailed rules of application for the grant of export refunds in the sugar sector ⁽³⁾. The refund thus calculated for sugar containing added flavouring or colouring matter must apply to their sucrose content and, accordingly, be fixed per 1 % of the said content.

- (4) The world market situation or the specific requirements of certain markets may make it necessary to vary the refund for sugar according to destination.
- (5) In special cases, the amount of the refund may be fixed by other legal instruments.
- (6) The refund must be fixed every two weeks. It may be altered in the intervening period.
- (7) It follows from applying the rules set out above to the present situation on the market in sugar and in particular to quotations or prices for sugar within the Community and on the world market that the refund should be as set out in the Annex hereto.
- (8) Regulation (EC) No 1260/2001 does not make provision to continue the compensation system for storage costs from 1 July 2001. This should accordingly be taken into account when fixing the refunds granted when the export occurs after 30 September 2001.
- (9) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Sugar,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1(1)(a) of Regulation (EC) No 1260/2001, undenatured and exported in the natural state, are hereby fixed to the amounts shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 12 September 2003.

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

Done at Brussels, 11 September 2003.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 178, 30.6.2001, p. 1.

⁽²⁾ OJ L 104, 20.4.2002, p. 26.

⁽³⁾ OJ L 214, 8.9.1995, p. 16.

ANNEX

REFUNDS ON WHITE SUGAR AND RAW SUGAR EXPORTED WITHOUT FURTHER PROCESSING

Product code	Destination	Unit of measurement	Amount of refund
1701 11 90 9100	S00	EUR/100 kg	43,10 ⁽¹⁾
1701 11 90 9910	S00	EUR/100 kg	43,78 ⁽¹⁾
1701 12 90 9100	S00	EUR/100 kg	43,10 ⁽¹⁾
1701 12 90 9910	S00	EUR/100 kg	43,78 ⁽¹⁾
1701 91 00 9000	S00	EUR/1 % of sucrose × 100 kg product net	0,4685
1701 99 10 9100	S00	EUR/100 kg	46,85
1701 99 10 9910	S00	EUR/100 kg	47,60
1701 99 10 9950	S00	EUR/100 kg	47,60
1701 99 90 9100	S00	EUR/1 % of sucrose × 100 kg of net product	0,4685

NB: The product codes and the 'A' series destination codes are set out in Commission Regulation (EEC) No 3846/87 (OJ L 366, 24.12.1987, p. 1.).

The numeric destination codes are set out in Commission Regulation (EC) No 1779/2002 (OJ L 269, 5.10.2002, p. 6).

The other destinations are:

S00: all destinations (third countries, other territories, victualling and destinations treated as exports from the Community) with the exception of Albania, Croatia, Bosnia and Herzegovina, Serbia and Montenegro (including Kosovo, as defined in UN Security Council Resolution 1244 of 10 June 1999) and the former Yugoslav Republic of Macedonia, save for sugar incorporated in the products referred to in Article 1(2)(b) of Council Regulation (EC) No 2201/96 (OJ L 297, 21.11.1996, p. 29).

⁽¹⁾ This amount is applicable to raw sugar with a yield of 92 %. Where the yield for exported raw sugar differs from 92 %, the refund amount applicable shall be calculated in accordance with Article 28(4) of Regulation (EC) No 1260/2001.

**COMMISSION REGULATION (EC) No 1591/2003
of 11 September 2003**

fixing the maximum export refund for white sugar to certain third countries for the fifth partial invitation to tender issued within the framework of the standing invitation to tender provided for in Regulation (EC) No 1290/2003

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1260/2001 of 19 June 2001 on the common organisation of the markets in the sugar sector ⁽¹⁾, as amended by Commission Regulation (EC) No 680/2002 ⁽²⁾, and in particular Article 27(5) thereof,

Whereas:

- (1) Commission Regulation (EC) No 1290/2003 of 18 July 2003 on a standing invitation to tender to determine levies and/or refunds on exports of white sugar ⁽³⁾, for the 2003/2004 marketing year, requires partial invitations to tender to be issued for the export of this sugar to certain third countries.
- (2) Pursuant to Article 9(1) of Regulation (EC) No 1290/2003 a maximum export refund shall be fixed, as the case may be, account being taken in particular of the state and foreseeable development of the Community and world markets in sugar, for the partial invitation to tender in question.

(3) Following an examination of the tenders submitted in response to the fifth partial invitation to tender, the provisions set out in Article 1 should be adopted.

(4) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Sugar,

HAS ADOPTED THIS REGULATION:

Article 1

For the fifth partial invitation to tender for white sugar issued pursuant to Regulation (EC) No 1290/2003 the maximum amount of the export refund to certain third countries is fixed at 51,455 EUR/100 kg.

Article 2

This Regulation shall enter into force on 12 September 2003.

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

Done at Brussels, 11 September 2003.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 178, 30.6.2001, p. 1.

⁽²⁾ OJ L 104, 20.4.2002, p. 26.

⁽³⁾ OJ L 181, 19.7.2003, p. 7.

COMMISSION REGULATION (EC) No 1592/2003
of 11 September 2003
prohibiting fishing for cod by vessels flying the flag of the Netherlands

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2847/93 of 12 October 1993 establishing a control system applicable to the common fisheries policy ⁽¹⁾, as last amended by Regulation (EC) No 806/2003 ⁽²⁾, and in particular Article 21(3) thereof,

Whereas:

- (1) Council Regulation (EC) No 2341/2002 of 20 December 2002 fixing for 2003 the fishing opportunities and associated fishing conditions for certain fish stocks and groups of fish stocks, applicable in Community waters and, for Community vessels, in waters where limitations in catch are required ⁽³⁾, as last amended by Commission Regulation (EC) No 1407/2003 ⁽⁴⁾, lays down quotas for cod for 2003.
- (2) In order to ensure compliance with the provisions relating to the quantity limits on catches of stocks subject to quotas, the Commission must fix the date by which catches made by vessels flying the flag of a Member State are deemed to have exhausted the quota allocated.
- (3) According to the information received by the Commission, catches of cod in the waters of ICES division IIIa Skagerrak by vessels flying the flag of the Netherlands or

registered in the Netherlands have exhausted the quota for 2003. The Netherlands have prohibited fishing for this stock from 30 July 2003. This date should be adopted in this Regulation also,

HAS ADOPTED THIS REGULATION:

Article 1

Catches of cod in the waters of ICES division IIIa Skagerrak by vessels flying the flag of the Netherlands or registered in the Netherlands are hereby deemed to have exhausted the quota allocated to the Netherlands for 2003.

Fishing for cod in the waters of ICES division IIIa Skagerrak by vessels flying the flag of the Netherlands or registered in the Netherlands is hereby prohibited, as are the retention on board, transshipment and landing of this stock caught by the above vessels after the date of application of this Regulation.

Article 2

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

It shall apply from 30 July 2003.

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

Done at Brussels, 11 September 2003.

For the Commission

Jörgen HOLMQUIST

Director-General for Fisheries

⁽¹⁾ OJ L 261, 20.10.1993, p. 1.

⁽²⁾ OJ L 122, 16.5.2003, p. 1.

⁽³⁾ OJ L 356, 31.12.2002, p. 12.

⁽⁴⁾ OJ L 201, 8.8.2003, p. 3.

COMMISSION REGULATION (EC) No 1593/2003
of 11 September 2003
prohibiting fishing for haddock by vessels flying the flag of the Netherlands

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2847/93 of 12 October 1993 establishing a control system applicable to the common fisheries policy ⁽¹⁾, as last amended by Regulation (EC) No 806/2003 ⁽²⁾, and in particular Article 21(3) thereof,

Whereas:

- (1) Council Regulation (EC) No 2341/2002 of 20 December 2002 fixing for 2003 the fishing opportunities and associated conditions for certain fish stocks and groups of fish stocks, applicable in Community waters and, for Community vessels, in waters where limitations in catch are required ⁽³⁾, as last amended by Commission Regulation (EC) No 1407/2003 ⁽⁴⁾, lays down quotas for haddock for 2003.
- (2) In order to ensure compliance with the provisions relating to the quantity limits on catches of stocks subject to quotas, the Commission must fix the date by which catches made by vessels flying the flag of a Member State are deemed to have exhausted the quota allocated.
- (3) According to the information received by the Commission, catches of haddock in the waters of ICES divisions Skagerrak and Kattegat, III b, c, d (EC waters), by vessels

flying the flag of the Netherlands or registered in the Netherlands have exhausted the quota allocated for 2003. The Netherlands has prohibited fishing for this stock from 30 July 2003. This date should be adopted in this Regulation also,

HAS ADOPTED THIS REGULATION:

Article 1

Catches of haddock in the waters of ICES divisions Skagerrak and Kattegat, III b, c, d (EC waters), by vessels flying the flag of the Netherlands or registered in the Netherlands are hereby deemed to have exhausted the quota allocated to the Netherlands for 2003.

Fishing for haddock in the waters of ICES divisions Skagerrak and Kattegat, III b, c, d (EC waters), by vessels flying the flag of the Netherlands or registered in the Netherlands is hereby prohibited, as are the retention on board, transshipment and landing of this stock caught by the above vessels after the date of application of this Regulation.

Article 2

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

It shall apply from 30 July 2003.

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

Done at Brussels, 11 September 2003.

For the Commission

Jörgen HOLMQUIST

Director-General for Fisheries

⁽¹⁾ OJ L 261, 20.10.1993, p. 1.

⁽²⁾ OJ L 122, 16.5.2003, p. 1.

⁽³⁾ OJ L 356, 31.12.2002, p. 12.

⁽⁴⁾ OJ L 201, 8.8.2003, p. 3.

COMMISSION DIRECTIVE 2003/82/EC
of 11 September 2003
amending Council Directive 91/414/EEC as regards standard phrases for special risks and safety
precautions for plant-protection products
(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 91/414/EEC of 15 July 1991 concerning the placing of plant-protection products on the market ⁽¹⁾, as last amended by Commission Directive 2003/81/EC ⁽²⁾, and in particular Article 16 and Article 18(2) thereof,

Whereas:

- (1) Council Directive 67/548/EEC of 27 June 1967 on the approximation of laws, regulations and administrative provisions relating to the classification, packaging and labelling of dangerous substances ⁽³⁾, as last amended by Commission Directive 2001/59/EC ⁽⁴⁾, requires that dangerous substances cannot be placed on the market unless their labelling shows standard phrases for special risks (R phrases) and standard phrases relating to the safe use of the substance (S phrases).
- (2) Directive 91/414/EEC provides for an authorisation for each plant-protection product on the basis of an assessment carried out in each Member State. That Directive also provides that Member States are to prescribe that active substances are not to be placed on the market unless they are classified, packaged and labelled in accordance with Directive 67/548/EEC.
- (3) Directive 1999/45/EC of the European Parliament and of the Council of 31 May 1999 concerning the approximation of laws, regulations and administrative provisions of the Member States relating to the classification, packaging and labelling of dangerous preparations ⁽⁵⁾, as amended by Commission Directive 2001/60/EC ⁽⁶⁾, applies to plant-protection products. Directive 1999/45/EC provides that the provisions of that Directive are to apply to preparations falling within the scope of Directive 91/414/EC from 30 July 2004.
- (4) Directive 91/414/EEC provides that all packaging of plant-protection products is to satisfy certain requirements as to labelling; *inter alia*, the packaging is to show the nature of any special risks for humans, animals or the environment, by means of standard phrases selected as appropriate from those set out in Annex IV of that

Directive. As that Annex has not yet been established, it is appropriate to include a list of such standard phrases in Annex IV to that Directive.

- (5) Directive 91/414/EEC provides that all packaging of plant-protection products is to show safety precautions for the protection of humans, animals or the environment, in the form of standard phrases selected as appropriate from those set out in Annex V of that Directive. As that Annex has not yet been established, it is appropriate to include a list of such standard phrases in Annex V to that Directive.
- (6) Directive 1999/45/EEC provides that the general principles of the classification and labelling of preparations of that Directive are to be applied in accordance with the criteria laid down in Annex VI to Directive 67/548/EEC. The criteria in Annex VI to Directive 67/548/EEC, which are based on the intrinsic properties of a substance, may not allow a sufficient description of the special risks which may arise during the use of plant-protection products in practice. Accordingly, the standard phrases for special risks and safety precautions to be set out in Annex IV and V to Directive 91/414/EEC should allow a sufficient description of the special risks which may arise during the use of plant-protection production and the safety precautions which should be taken.
- (7) The standard phrases for special risks and safety precautions to be set out in Annexes IV and V to Directive 91/414/EEC should be assigned in the light of the assessment by the Member States of the active substance(s) of those products in accordance with that Directive. It is, therefore, appropriate that Member States, after inclusion of an individual active substance in Annex I to Directive 91/414/EEC should be allowed a reasonable period to review existing authorisations and implement the provisions of Annexes IV and V to that Directive when granting authorisations.
- (8) The harmonised phrases in Annex IV and Annex V provide the basis for complementary and specific instructions for use according to Article 16(1)(k), (l), (m) and (n).
- (9) A harmonised scheme should be provided also for the classification and labelling of plant-protection products which contain microbial active substances.

⁽¹⁾ OJ L 230, 19.8.1991, p. 1.

⁽²⁾ OJ L 224, 6.9.2003, p. 29.

⁽³⁾ OJ 196, 16.8.1967, p. 1.

⁽⁴⁾ OJ L 225, 21.8.2001, p. 1.

⁽⁵⁾ OJ L 200, 30.7.1999, p. 1.

⁽⁶⁾ OJ L 226, 22.8.2001, p. 5.

- (10) The measures provided for in this Directive are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Annexes IV and V to Directive 91/414/EEC are inserted as set out in the text in Annexes I and II to this Directive.

Article 2

Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with Article 1 of this Directive by 30 July 2004 at the latest. They shall forthwith inform the Commission thereof.

When Member States adopt those provisions, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. Member States shall determine how such reference is to be made.

Article 3

Member States shall review the authorisation for each plant-protection product containing exclusively active substances listed in Annex III to this Directive.

Member States shall implement the provisions of Annex IV and V to Directive 91/414/EEC for each of the active substances listed in Annex III to this Directive by the relevant date for implementation set out in the time schedule in that Annex.

Where plant-protection products contain several active substances, for which different dates for implementation apply, the relevant date shall be the latest one.

Article 4

This Directive is addressed to the Member States.

Done at Brussels, 11 September 2003.

For the Commission

David BYRNE

Member of the Commission

ANNEX I

‘ANNEX IV

STANDARD PHRASES FOR SPECIAL RISKS FOR HUMANS OR THE ENVIRONMENT AS REFERRED TO IN ARTICLE 16

INTRODUCTION

The following additional standard phrases are defined to supplement the phrases provided for by Directive 1999/45/EC, which applies to plant-protection products. The provisions of that Directive shall also be used for plant-protection products containing micro-organisms or viruses as active substances. The labelling of products containing these active substances shall also reflect the provisions concerning dermal and respiratory sensitisation testing, which are laid down in Annex IIb and Annex IIIb to Directive 91/414/EEC.

The harmonised phrases provide the basis for complementary and specific instructions for use and are, therefore, without prejudice to other elements of Article 16, in particular Article 16(1)(k) to (n) and 16(4).

1. Standard phrases for special risks**1.1. Special risks related to humans (RSh)****RSh 1**

ES: **Tóxico en contacto con los ojos.**

DA: **Giftig ved kontakt med øjnene.**

DE: **Giftig bei Kontakt mit den Augen.**

EL: **Τοξικό όταν έρθει σε επαφή με τα μάτια.**

EN: **Toxic by eye contact.**

FR: **Toxique par contact oculaire.**

IT: **Tossico per contatto oculare.**

NL: **Giftig bij oogcontact.**

PT: **Tóxico por contacto com os olhos.**

FI: **Myrkyllistä joutuessaan silmään.**

SV: **Giftigt vid kontakt med ögonen.**

RSh 2

ES: **Puede causar fotosensibilización.**

DA: **Kan give overfølsomhed over for sollys/UV-stråling.**

DE: **Sensibilisierung durch Licht möglich.**

EL: **Μπορεί να προκαλέσει φωτοευαισθητοποίηση.**

EN: **May cause photosensitisation.**

FR: **Peut entraîner une photosensibilisation.**

IT: **Può causare fotosensibilizzazione.**

NL: **Kan fotosensibilisatie veroorzaken.**

PT: **Pode causar fotossensibilização.**

FI: **Voi aiheuttaa herkistymistä valolle.**

SV: **Kan orsaka överkänslighet för solljus/UV-strålning.**

RSh 3

ES: **El contacto con los vapores provoca quemaduras de la piel y de los ojos; el contacto con el producto líquido provoca congelación.**

DA: **Kontakt med dampe giver ætsninger på hud og øjne, og kontakt med væske giver forfrysninger.**

DE: **Kontakt mit Dämpfen verursacht Verätzungen an Haut und Augen und Kontakt mit der Flüssigkeit verursacht Erfrierungen.**

- EL: Οι ατμοί μπορεί να προκαλέσουν εγκαύματα στο δέρμα και στα μάτια· η επαφή με το υγρό μπορεί να προκαλέσει κρυοπαγήματα.
- EN: **Contact with vapour causes burns to skin and eyes and contact with liquid causes freezing.**
- FR: **Le contact avec les vapeurs peut provoquer des brûlures de la peau et des yeux; le contact avec le gaz liquide peut causer des engelures.**
- IT: **Il contatto con il vapore può causare ustioni della pelle e bruciori agli occhi; il contatto con il liquido può causare congelamento.**
- NL: **Contact met de damp veroorzaakt brandwonden aan huid en ogen; contact met de vloeistof veroorzaakt bevriezing.**
- PT: **O contacto com vapores do produto provoca queimaduras na pele e nos olhos; o contacto com o produto líquido provoca congelação.**
- FI: **Kosketus höyryyn voi aiheuttaa palovammoja iholle ja silmiin ja kosketus nesteeseen paleltumavammoja.**
- SV: **Kontakt med ångor orsakar frätskador på hud och ögon, kontakt med vätska orsakar förfrysningsskador.**

1.2. *Special risks related to the environment (RSe)*

None.

2. **Attribution criteria for standard phrases for special risks**

2.1. *Attribution criteria for standard phrases related to humans*

RSh 1

Toxic by eye contact.

The phrase shall be assigned where an eye irritation test according to Annex IIIA point 7.1.5 has resulted in overt signs of systemic toxicity (e.g. related to cholinesterase inhibition) or mortality among the animals tested, which is likely to be attributable to absorption of the active substance through the mucous membranes of the eye. The risk phrase shall also be applied if there is evidence in humans for systemic toxicity after eye contact.

Eye protection should be specified in these cases, as outlined in the general provisions of Annex V.

RSh 2

May cause photosensitisation.

The phrase shall be assigned where there is clear evidence from experimental systems or documented human exposure that products show photosensitising effects. The phrase shall also be applied to products containing a given active substance or formulation ingredient, which shows photosensitising effects in humans if the product contains this photosensitising component at a concentration of 1 % (w/w) or higher.

Personal protective measures should be specified in these cases, as outlined in the general provisions of Annex V.

RSh 3

Contact with vapour causes burns to skin and eyes and contact with liquid causes freezing.

The phrase shall be assigned to plant-protection products being formulated as liquefied gas, where appropriate (e.g. preparations of methyl bromide).

Personal protective measures should be specified in these cases, as outlined in the general provisions of Annex V.

In cases where R34 or 35 are applied according to Directive 1999/45/EC, the phrase shall not be used.

2.2. *Attribution criteria for standard phrases related to the environment*

None.'

ANNEX II

‘ANNEX V

STANDARD PHRASES FOR SAFETY PRECAUTIONS FOR THE PROTECTION OF HUMANS OR THE ENVIRONMENT AS REFERRED TO IN ARTICLE 16

INTRODUCTION

The following additional standard phrases are defined to supplement the phrases provided for by Directive 1999/45/EC, which applies to plant-protection products. The provisions of that Directive shall also be used for plant-protection products containing micro-organisms or viruses as active substances. The labelling of products containing these active substances shall also reflect the provisions concerning dermal and respiratory sensitisation testing, which are laid down in Annex IIb and Annex IIb to Directive 91/414/EEC.

The harmonised phrases provide the basis for complementary and specific instructions for use and are, therefore, without prejudice to other elements of Article 16, in particular Article 16(1)(k) to (n) and 16(4).

1. General provisions

All plant-protection products should be labelled with the following phrase, which should be supplemented by the text in parentheses, as appropriate:

SP 1

- ES: **No contaminar el agua con el producto ni con su envase.** [No limpiar el equipo de aplicación del producto cerca de aguas superficiales/Evítese la contaminación a través de los sistemas de evacuación de aguas de las explotaciones o de los caminos.]
- DA: **Undgå forurening af vandmiljøet med produktet eller med beholdere, der har indeholdt produktet.** [Rens ikke sprøjteudstyr nær overfladevand/Undgå forurening via dræn fra gårdspladser og veje].
- DE: **Mittel und/oder dessen Behälter nicht in Gewässer gelangen lassen.** (Ausbringungsgeräte nicht in unmittelbarer Nähe von Oberflächengewässern reinigen/Indirekte Einträge über Hof- und Straßenabläufe verhindern.)
- EL: **Μην μολύνετε το νερό με το προϊόν ή τη συσκευασία του.** [Να μην πλένετε τον εξοπλισμό εφαρμογής κοντά σε επιφανειακά ύδατα/Να αποφευχθεί η μόλυνση μέσω των συστημάτων αποχέτευσης από τις λιθόστρωτες επιφάνειες και τους δρόμους.]
- EN: **Do not contaminate water with the product or its container** (Do not clean application equipment near surface water/Avoid contamination via drains from farmyards and roads).
- FR: **Ne pas polluer l'eau avec le produit ou son emballage.** [Ne pas nettoyer le matériel d'application près des eaux de surface./Éviter la contamination via les systèmes d'évacuation des eaux à partir des cours de ferme ou des routes.]
- IT: **Non contaminare l'acqua con il prodotto o il suo contenitore.** [Non pulire il materiale d'applicazione in prossimità delle acque di superficie./Evitare la contaminazione attraverso i sistemi di scolo delle acque dalle aziende agricole e dalle strade.]
- NL: **Zorg ervoor dat u met het product of zijn verpakking geen water verontreinigt.** [Reinig de apparatuur niet in de buurt van oppervlaktewater/Zorg ervoor dat het water niet via de afvoer van erven of wegen kan worden verontreinigd.]
- PT: **Não poluir a água com este produto ou com a sua embalagem.** [Não limpar o equipamento de aplicação perto de águas de superfície./Evitar contaminações pelos sistemas de evacuação de águas das explorações agrícolas e estradas.]
- FI: **Älä saastuta vettä tuotteella tai sen pakkauskella.** (Älä puhdista levityslaitteita pintaveden lähetyvillä. / Vältä saastumista piha- ja maantiejien kautta.)
- SV: **Förorena inte vatten med produkten eller dess behållare.** (Rengör inte sprututrustning i närheten av vattendrag/Undvik förorening via avrinning från gårdsplaner och vägar.)

2. Specific safety precautions

2.1. Safety precautions for operators (SPo)

General provisions

- Member States may identify suitable personal protective equipment for operators and prescribe specific elements of this equipment (e.g. coveralls, apron, gloves, sturdy shoes, rubber boots, face protection, face shield, tightly fitting glasses, hat, hood or respirator of a specified type). Such supplementary safety precautions are without prejudice to the standard phrases applicable according to Directive 1999/45/EC.

2. Member States may further identify the specific tasks which require particular protective equipment, such as mixing, loading or handling the undiluted product, applying or spraying the diluted product, handling recently treated materials like plants or soil or entering recently treated areas.
3. Member States may add specifications of engineering controls, such as:
 - a closed transfer system must be used when transferring the pesticide from the product container to the spray tank,
 - the operator must work within a closed cabin (with an air conditioning/air filtration system) during spraying,
 - engineering controls may replace personal protective equipment if they provide an equal or higher standard of protection.

Specific provisions

SPo 1

- ES: **En caso de contacto con la piel, elimínese primero el producto con un paño seco y después lávese la piel con agua abundante.**
- DA: **Efter kontakt med huden, fjern først produktet med en tør klud og vask derefter med rigeligt vand.**
- DE: **Nach Kontakt mit der Haut zuerst das Mittel mit einem trockenen Tuch entfernen und dann die Haut mit reichlich Wasser abspülen.**
- EL: **Υστερα από επαφή με το δέρμα, αφαιρέστε πρώτα το προϊόν με ένα στεγνό πανί και στη συνέχεια ξεπλύνετε το δέρμα με άφθονο νερό.**
- EN: **After contact with skin, first remove product with a dry cloth and then wash the skin with plenty of water.**
- FR: **Après contact avec la peau, éliminer d'abord le produit avec un chiffon sec, puis laver la peau abondamment à l'eau.**
- IT: **Dopo il contatto con la pelle, rimuovere il prodotto con un panno asciutto e quindi lavare abbondantemente con acqua.**
- NL: **Na contact met de huid moet u eerst het gewasbeschermingsmiddel met een droge doek verwijderen en daarna de huid met veel water wassen.**
- PT: **Em caso de contacto com a pele, remover primeiro o produto com um pano seco e, em seguida, lavar a pele com muita água.**
- FI: **Ihokosketuksen jälkeen tuote pyyhitään aluksi pois kuivalla kankaalla ja sitten iho pestään runsaalla vedellä.**
- SV: **Efter kontakt med huden, avlägsna först produkten med en torr trasa och tvätta sedan med mycket vatten.**

SPo 2

- ES: **Lávese toda la ropa de protección después de usarla.**
- DA: **Vask alle personlige værnemidler efter brug.**
- DE: **Die gesamte Schutzkleidung muss nach Gebrauch gewaschen werden.**
- EL: **Ξεπλύνετε όλες τις προστατευτικές ενδυμασίες μετά τη χρήση.**
- EN: **Wash all protective clothing after use.**
- FR: **Laver tous les équipements de protection après utilisation.**
- IT: **Lavare tutto l'equipaggiamento di protezione dopo l'impiego.**
- NL: **Was alle beschermende kleding na gebruik.**
- PT: **Depois da utilização do produto, lavar todo o vestuário de protecção.**
- FI: **Kaikki suojavaatteet pestävä käytön jälkeen.**
- SV: **Tvätta alla skyddskläder efter användning.**

SPo 3

- ES: **Tras el inicio de la combustión del producto, abandónese inmediatamente la zona tratada sin inhalar el humo.**
- DA: **Efter antænding af produktet, undgå at indånde røgen og forlad det behandlede område øjeblikkeligt.**
- DE: **Nach Anzünden des Mittels Rauch nicht einatmen und die behandelte Fläche sofort verlassen.**
- EL: **Μετά την ανάφλεξη του προϊόντος μην εισπνεύσετε τον καπνό και απομακρυνθείτε αμέσως από την περιοχή χρήσης.**
- EN: **After igniting the product, do not inhale smoke and leave the treated area immediately.**
- FR: **Après déclenchement de la fumigation, ne pas inhaler la fumée et quitter la zone traitée immédiatement.**

IT: Una volta iniziata la combustione, non inalare il fumo e abbandonare immediatamente la zona trattata.

NL: Nadat u het product hebt aangestoken, mag u de rook niet inademen en moet u de behandelde ruimte onmiddellijk verlaten.

PT: Depois de iniciada a fumigação do produto, não inalar os fumos e sair imediatamente da zona em tratamento.

FI: Tuotteen syttyessä vältettävä savun hengittämistä ja poistuttava käsitellyltä alueelta viipymättä.

SV: När produkten antänts, andas inte in röken och lämna det behandlade området genast.

SPo 4

ES: El recipiente debe abrirse al aire libre y en tiempo seco.

DA: Beholderen skal åbnes udendørs og under tørre forhold.

DE: Der Behälters muss im Freien und Trockenem geöffnet werden.

EL: Το δοχείο πρέπει να ανοιχθεί στο ύπαιθρο και σε συνθήκες ξηρασίας.

EN: The container must be opened outdoors and in dry conditions.

FR: L'emballage doit être ouvert à l'extérieur par temps sec.

IT: L'imballaggio deve essere aperto all'esterno e in condizioni di tempo secco.

NL: De verpakking moet buiten, in droge omstandigheden, worden geopend.

PT: Abrir a embalagem ao ar livre e com tempo seco.

FI: Pakkaus avattava ulkona kuivissa olosuhteissa.

SV: Behållaren måste öppnas utomhus och under torra förhållanden.

SPo 5

ES: Ventilar las zonas/los invernaderos tratados [bien/durante un tiempo especificado/hasta que se haya secado la pulverización] antes de volver a entrar.

DA: De behandlede områder/drivhuse ventileres [grundigt/eller angivelse af tid/indtil sprøjtemidlet er tørret], før man igen går ind i dem.

DE: Vor dem Wiederbetreten ist die behandelte Fläche/das Gewächshaus (gründlich/oder Zeit angeben/bis zur Abtrocknung des Spritzbelages) zu lüften.

EL: Να αερίσετε τους χώρους/τα θερμοκήπια όπου χρησιμοποιήθηκαν φυτοφάρμακα [πλήρως/ή να προσδιοριστεί η χρονική περίοδος/μέχρι να στεγνώσει το προϊόν] πριν ξαναμπειτε.

EN: Ventilate treated areas/greenhouses thoroughly/time to be specified/until spray has dried before re-entry.

FR: Ventiler [à fond/ou durée à préciser/jusqu'au séchage de la pulvérisation] les zones/serres traitées avant d'y accéder.

IT: Ventilare [a fondo/per una durata da specificare/fino all'essiccazione dello spray] le zone serre trattate prima di accedervi.

NL: Voordat u opnieuw in behandelde ruimten/kassen binnengaat, moet u die [grondig ventileren/gedurende (geef de periode aan) ventileren/ventileren tot de sproeistof is opgedroogd].

PT: Arejar [bem] os locais/estufas tratados [durante (neste caso, precisar o período)/até à secagem do pulverizado] antes de neles voltar a entrar.

FI: Käsitellyt alueet / kasvihuoneet / käsiteltyjä alueita / kasvihuoneita tuuletettava (perusteellisesti / tai täsmennetään tuuletusaika / kunnes tuote on kuivunut) ennen sinne palaamista.

SV: Vädra (omsorgsfullt/eller ange tidsperiod/tills produkten torkat) före vistelse i behandlade utrymmen/växthus.

2.2. Safety precautions related to the environment (SPe)

SPe 1

ES: Para proteger [las aguas subterráneas/los organismos del suelo], no aplicar este producto ni ningún otro que contenga (precíse la sustancia o la familia de sustancias, según corresponda) más de (indíquese el tiempo o la frecuencia).

DA: For at beskytte [grundvandet/jordorganismer] må dette produkt eller andre produkter, der indeholder (angiv navnet på aktivstoffet eller gruppe af aktivstoffer), kun anvendes/ikke anvendes mere end (angiv tidsperiode eller antal behandlinger).

DE: Zum Schutz von (Grundwasser/Bodenorganismen) das Mittel ‚...‘ oder andere ...haltige Mittel (Identifizierung des Wirkstoffes oder einer Wirkstoffgruppe) nicht mehr als ... (Angabe der Anwendungshäufigkeit in einem bestimmten Zeitraum) anwenden.

EL: Για να προστατέψετε [τα υπόγεια νερά/τους οργανισμούς στο έδαφος] μην χρησιμοποιείτε αυτό ή οποιοδήποτε άλλο προϊόν που περιέχει (προσδιορίστε τη δραστική ουσία ή την κατηγορία των ουσιών αναλόγως) περισσότερο από (να προσδιοριστεί η χρονική περίοδος ή η συχνότητα).

- EN: **To protect groundwater/soil organisms do not apply this or any other product containing** (*identify active substance or class of substances, as appropriate*) **more than** (*time period or frequency to be specified*).
- FR: **Pour protéger [les eaux souterraines/les organismes du sol], ne pas appliquer ce produit ou tout autre produit contenant** (*préciser la substance ou la famille de substances selon le cas*) **plus de** (*fréquence à préciser*).
- IT: **Per proteggere [le acque sotterranee/gli organismi del suolo] non applicare questo o altri prodotti contenenti** (*specificare la sostanza attiva o la classe di sostanze, secondo il caso*) **più di** (*indicare la durata o la frequenza*).
- NL: **Om [het grondwater/de bodemorganismen] te beschermen mag u dit product of andere producten die** (*geef naar gelang van het geval de naam van de werkzame stof of van de categorie werkzame stoffen*) **bevatten, niet langer dan gedurende** (*geef de tijdsduur aan*) **gebruiken/ten hoogste** (*geef de frequentie*) **gebruiken.**
- PT: **Para protecção [das águas subterrâneas/dos organismos do solo], não aplicar este produto ou qualquer outro que contenha** (*indicar, consoante o caso, a substância activa ou a família de substâncias activas*) **durante mais de** (*período a precisar*) **ou mais do que** (*frequência a precisar*).
- FI: **(Pohjaveden / maaperän eliöiden) suojelemiseksi vältettävä tämän tai minkä tahansa muun tuotteen, joka sisältää** (*tapauksen mukaan tehoaine tai aineluokka*), **käyttää useammin** (*ajanjakso tai käyttötiheys*).
- SV: **För att skydda (grundvatten/marklevande organismer), använd inte denna produkt eller andra produkter innehållande** (*ange verksamt ämne eller grupp av ämnen*) **mer än** (*ange tidsperiod eller antal behandlingsförfaranden*).

SPe 2

- ES: **Para proteger [las aguas subterráneas/los organismos acuáticos], no aplicar en suelos** (*precítese la situación o el tipo de suelos*).
- DA: **For at beskytte [grundvandet/organismer, der lever i vand] må dette produkt ikke anvendes** (*på beskrevet jordtype eller under beskrevet forhold*).
- DE: **Zum Schutz von (Grundwasser/Gewässerorganismen) nicht auf** (*genaue Angabe der Bodenart oder Situation*) **Böden ausbringen.**
- EL: **Για να προστατέψετε [τα υπόγεια νερά/τους υδρόβιους οργανισμούς] μην χρησιμοποιείτε το προϊόν αυτό σε εδάφη** (*προσδιορίστε τον τύπο του εδάφους ή τις ιδιαίτερες συνθήκες*).
- EN: **To protect groundwater/aquatic organisms do not apply to** (*soil type or situation to be specified*) **soils.**
- FR: **Pour protéger [les eaux souterraines/les organismes aquatiques], ne pas appliquer ce produit sur** (*type de sol ou situation à préciser*).
- IT: **Per proteggere [le acque sotterranee/gli organismi acquatici] non applicare sul suolo** (*indicare il tipo di suolo o la situazione*).
- NL: **Om [het grondwater/in het water levende organismen] te beschermen mag dit product niet worden gebruikt op** (*benoem het soort bodem of geef een beschrijving ervan*) **bodems.**
- PT: **Para protecção [das águas subterráneas/dos organismos aquáticos], não aplicar este produto em solos** (*precisar a situação ou o tipo de solo*).
- FI: **(Pohjaveden/vesieliöiden) suojelemiseksi ei saa käyttää** (*täsmennetään maaperätyyppi tai tilanne*) **maaperään.**
- SV: **För att skydda (grundvatten/vattenlevande organismer), använd inte denna produkt på** (*ange jordtyp eller markförhållande*).

SPe 3

- ES: **Para proteger [los organismos acuáticos/las plantas no objetivo/los artrópodos no objetivo/los insectos], respétese sin tratar una banda de seguridad de** (*indíquese la distancia*) **hasta [la zona no cultivada/las masas de agua superficial].**
- DA: **Må ikke anvendes nærmere end** (*angiv afstand*) **fra [vandmiljøet, vandløb, søer m.v./ikke dyrket område] for at beskytte [organismer, der lever i vand/landlevende ikke-målorganismer, vilde planter, insekter og leddyr].**
- DE: **Zum Schutz von (Gewässerorganismen/Nichtzielpflanzen/Nichtzielarthropoden/Insekten) eine unbehandelte Pufferzone von** (*genaue Angabe des Abstandes*) **zu (Nichtkulturland/Oberflächengewässer) einhalten.**
- EL: **Για να προστατέψετε [τους υδρόβιους οργανισμούς/μη στοχευόμενα φυτά/μη στοχευόμενα αρθρόποδα/έντομα] να αφήσετε μian απέκαστη ζώνη προστασίας** (*προσδιορίστε την απόσταση*) **μέχρι [μη γεωργική γη/σώματα επιφανειακών υδάτων].**
- EN: **To protect aquatic organisms/non-target plants/non-target arthropods/insects respect an unsprayed buffer zone of** (*distance to be specified*) **to non-agricultural land/surface water bodies.**
- FR: **Pour protéger [les organismes aquatiques/les plantes non cibles/les arthropodes non cibles/les insectes], respecter une zone non traitée de** (*distance à préciser*) **par rapport à [la zone non cultivée adjacente/aux points d'eau].**
- IT: **Per proteggere [gli organismi acquatici/gli insetti/le piante non bersaglio/gli artropodi non bersaglio] rispettare una fascia di sicurezza non trattata di** (*precisare la distanza*) **da [zona non coltivata/corpi idrici superficiali].**

- NL: Om [in het water levende organismen/niet tot de doelsoorten behorende planten/niet tot de doelsoorten behorende geleedpotigen/de insecten] te beschermen mag u in een bufferzone van (*geef de afstand aan*) rond [niet-landbouwgrond/oppervlaktewater] niet sproeien.
- PT: Para protecção [dos organismos aquáticos/das plantas não-visadas/dos insectos/artrópodes não-visados], respeitar uma zona não-pulverizada de (*distância a precisar*) em relação [às zonas não-cultivadas/às águas de superfície].
- FI: (Veseliöiden / muiden kuin torjuttavien kasvien / muiden kuin torjuttavien niveljalkaisten / hyönteisten) suojelemiseksi (muun kuin maatalousmaan / pintavesialueiden) väliin on jätettävä (*täsmennetään etäisyys*) ruiskuttamaton suojavyöhyke.
- SV: För att skydda (vattenlevande organismer/andra växter än de man avser att bekämpa/andra leddjur än de man avser att bekämpa/insekter), lämna en sprutfri zon på (*ange avstånd*) till (icke-jordbruksmark/vattendrag).
- SPe 4
- ES: Para proteger [los organismos acuáticos/las plantas no objetivo], no aplicar sobre superficies impermeables como el asfalto, el cemento, los adoquines, [las vías del ferrocarril] ni en otras situaciones con elevado riesgo de escorrentía.
- DA: Må ikke anvendes på befæstede arealer såsom asfalterede, beton-, sten- eller grusbelagte områder og veje [jernbanespor] eller på andre områder, hvorfra der er en stor risiko for run-off til omgivelserne. [For at beskytte organismer, der lever i vand/planter, man ikke ønsker at bekæmpe].
- DE: Zum Schutz von (Gewässerorganismen/Nichtzielpflanzen) nicht auf versiegelten Oberflächen wie Asphalt, Beton, Kopfsteinpflaster (Gleisanlagen) bzw. in anderen Fällen, die ein hohes Abschwemmungsrisiko bergen, ausbringen.
- EL: Για να προστατέψετε [υδροβίους οργανισμούς/μη στοχευόμενα φυτά] να μην χρησιμοποιείται σε αδιαπέραστες επιφάνειες όπως ασφαλτο, σκυρόδεμα, λιθόστρωτα [σιδηροτροχιές] και άλλες επιφάνειες με υψηλό κίνδυνο απορροής.
- EN: To protect aquatic organisms/non-target plants do not apply on impermeable surfaces such as asphalt, concrete, cobblestones, railway tracks and other situations with a high risk of run-off.
- FR: Pour protéger [les organismes aquatiques/les plantes non cibles], ne pas appliquer sur des surfaces imperméables telles que le bitume, le béton, les pavés, [les voies ferrées] et dans toute autre situation où le risque de ruissellement est important.
- IT: Per proteggere [gli organismi acquatici/le piante non bersaglio] non applicare su superfici impermeabili quali bitume, cemento, acciottolato, [binari ferroviari] e negli altri casi ad alto rischio di deflusso superficiale.
- NL: Om [in het water levende organismen/niet tot de doelsoorten behorende planten] te beschermen mag u dit product niet gebruiken op ondoordringbare oppervlakken, zoals asfalt, beton [,/en] kasseien [en spoorlijnen,] of op andere plaatsen waar het product gemakkelijk kan wegstromen.
- PT: Para protecção [dos organismos aquáticos/das plantas não-visadas], não aplicar este produto em superfícies impermeáveis, como asfalto, betão, empedrados [ou linhas de caminho de ferro], nem em qualquer outra situação em que o risco de escorridos seja elevado.
- FI: (Veseliöiden / muiden kuin torjuttavien kasvien) suojelemiseksi ei saa käyttää läpäisemättömillä pinnoilla, kuten asvaltilla, betonilla, katukivillä, (rautatiekiskoilla) ja muissa tilanteissa, joissa on suuri huuhtoutumisen vaara.
- SV: För att skydda (vattenlevande organismer/andra växter än de man avser att bekämpa), använd inte denna produkt på hårdgjorda ytor såsom asfalt, betong, kullersten, (järnvägsspår) och andra ytor med hög risk för avrinning.

SPe 5

- ES: Para proteger [las aves/los mamíferos silvestres], el producto debe incorporarse completamente al suelo; asegurarse de que se incorpora al suelo totalmente al final de los surcos.
- DA: For at beskytte [fugle/vilde pattedyr] skal produktet omhyggeligt tildækkes med jord. Pas på, at alt produkt også tildækkes ved enden af rækkerne.
- DE: Zum Schutz von (Vögeln/wild lebenden Säugetieren) muss das Mittel vollständig in den Boden eingearbeitet werden; es ist sicherzustellen, dass das Mittel auch am Ende der Pflanz- bzw. Saatzeilen vollständig in den Boden eingearbeitet wird.
- EL: Για να προστατέψετε [πουλιά/άγρια θηλαστικά] το προϊόν πρέπει να καλυφθεί πλήρως από το έδαφος. Βεβαιωθείτε πως το προϊόν έχει καλυφθεί πλήρως στις άκρες των αυλακιών.
- EN: To protect birds/wild mammals the product must be entirely incorporated in the soil; ensure that the product is also fully incorporated at the end of rows.
- FR: Pour protéger [les oiseaux/mammifères sauvages], le produit doit être entièrement incorporé dans le sol; s'assurer que le produit est également incorporé en bout de sillons.
- IT: Per proteggere [gli uccelli/i mammiferi selvatici] il prodotto deve essere interamente incorporato nel terreno; assicurarsi che il prodotto sia completamente incorporato in fondo al solco.
- NL: Om [de vogels/de wilde zoogdieren] te beschermen moet het product volledig in de bodem worden ondergewerkt; zorg ervoor dat het product ook aan het voorend is ondergewerkt.

- PT: Para protecção [das aves/dos mamíferos selvagens], incorporar totalmente o produto no solo, incluindo no final dos sulcos.
- FI: (Lintujen / luonnonvaraisten nisäkkäiden) suojelemiseksi tuote on sekoitettava maaperään; varmistettava, että tuote sekoittuu maaperään täysin myös vakojen päässä.
- SV: För att skydda (fåglar/vilda däggdjur) måste produkten nedmyllas helt och hållet i jorden; se till att produkten även nedmyllas helt i slutet av raderna.

SPe 6

- ES: Para proteger [las aves/los mamíferos silvestres], recójase todo derrame accidental.
- DA: For at beskytte [fugle/vilde pattedyr] skal alt spildt produkt fjernes.
- DE: Zum Schutz von (Vögeln/wild lebenden Säugetieren) muss das verschüttete Mittel beseitigt werden.
- EL: Για να προστατέψετε [πουλιά/άγρια ζώα] μαζέψτε όσο προϊόν έχει χυθεί κατά λάθος.
- EN: To protect birds/wild mammals remove spillages.
- FR: Pour protéger [les oiseaux/les mammifères sauvages], récupérer tout produit accidentellement répandu.
- IT: Per proteggere [gli uccelli/i mammiferi selvatici] recuperare il prodotto fuoriuscito accidentalmente.
- NL: Om [de vogels/de wilde zoogdieren] te beschermen moet u gemorst product verwijderen.
- PT: Para protecção [das aves/dos mamíferos selvagens], recolher todo o produto derramado.
- FI: (Lintujen / luonnonvaraisten nisäkkäiden) suojelemiseksi ympäristöön vahingossa levinnyt tuote poistettava.
- SV: För att skydda (fåglar/vilda däggdjur), avlägsna spill.

SPe 7

- ES: No aplicar durante el período de reproducción de las aves.
- DA: Må ikke anvendes i fuglenes yngletid.
- DE: Nicht während der Vogelbrutzeit anwenden.
- EL: Να μην χρησιμοποιείται κατά την περίοδο αναπαραγωγής των πουλιών.
- EN: Do not apply during the bird breeding period.
- FR: Ne pas appliquer durant la période de reproduction des oiseaux.
- IT: Non applicare durante il periodo di riproduzione degli uccelli.
- NL: Niet gebruiken tijdens de vogelbroedperiode.
- PT: Não aplicar este produto durante o período de reprodução das aves.
- FI: Ei saa käyttää lintujen lisääntymisaikaan.
- SV: Använd inte denna produkt under fåglarnas häckningsperiod.

SPe 8

- ES: Peligroso para las abejas./Para proteger las abejas y otros insectos polinizadores, no aplicar durante la floración de los cultivos./No utilizar donde haya abejas en pecoreo activo./Retírense o cúbranse las colmenas durante el tratamiento y durante (*indíquese el tiempo*) después del mismo./No aplicar cuando las malas hierbas estén en floración./Elimínense las malas hierbas antes de su floración./No aplicar antes de (*indíquese el tiempo*).
- DA: Farligt for bier./For at beskytte bier og andre bestøvende insekter må dette produkt ikke anvendes i blomstrende afgrøder./Må ikke anvendes i biernes flyvetid./Tildæk eller flyt bikuber i behandlingsperioden og i (*nævn antal timer/dage*) efter behandlingen./Må ikke anvendes i nærheden af blomstrende ukrudt./Fjern ukrudt inden blomstring./Må ikke anvendes inden (*tidspunkt*).
- DE: Bienengefährlich./Zum Schutz von Bienen und anderen bestäubenden Insekten nicht auf blühende Kulturen aufbringen./Nicht an Stellen anwenden, an denen Bienen aktiv auf Futtersuche sind./Bienenstöcke müssen während der Anwendung und für (*Angabe der Zeit*) nach der Behandlung entfernt oder abgedeckt werden./Nicht in Anwesenheit von blühenden Unkräutern anwenden./Unkräuter müssen vor dem Blühen entfernt werden./Nicht vor (*Angabe der Zeit*) anwenden.
- EL: Επικίνδυνο για τις μέλισσες. Για να προστατέψετε τις μέλισσες και άλλα έντομα επικονίασης μην χρησιμοποιείτε το προϊόν σε καλλιέργειες κατά την ανθοφορία./Μην χρησιμοποιείτε το προϊόν κατά την περίοδο που οι μέλισσες συλλέγουν γύρη./Απομακρύνετε ή καλύψτε τις κυψέλες κατά τη χρήση του προϊόντος και επί (*αναφέρατε το χρόνο*) μετά τη χρήση./Μην χρησιμοποιείτε το προϊόν κατά την περίοδο ανθοφορίας ζιζανίων./Απομακρύνετε τα ζιζάνια πριν από την ανθοφορία./Μην το χρησιμοποιείτε πριν (*αναφέρατε το χρόνο*).
- EN: Dangerous to bees/To protect bees and other pollinating insects do not apply to crop plants when in flower/Do not use where bees are actively foraging/Remove or cover beehives during application and for (*state time*) after treatment/Do not apply when flowering weeds are present/Remove weeds before flowering/Do not apply before (*state time*).

- FR: Dangereux pour les abeilles./Pour protéger les abeilles et autres insectes pollinisateurs, ne pas appliquer durant la floraison./Ne pas utiliser en présence d'abeilles./Retirer ou couvrir les ruches pendant l'application et (indiquer la période) après traitement./Ne pas appliquer lorsque des adventices en fleur sont présentes./Enlever les adventices avant leur floraison./Ne pas appliquer avant (indiquer la date).
- IT: Pericoloso per le api./Per proteggere le api e altri insetti impollinatori non applicare alle colture al momento della fioritura./Non utilizzare quando le api sono in attività./Rimuovere o coprire gli alveari durante l'applicazione e per (indicare il periodo) dopo il trattamento./Non applicare in presenza di piante infestanti in fiore./Eliminare le piante infestanti prima della fioritura./Non applicare prima di (indicare il periodo).
- NL: Gevaarlijk voor bijen./Om de bijen en andere bestuivende insecten te beschermen mag u dit product niet gebruiken op in bloei staande gewassen./Gebruik dit product niet op plaatsen waar bijen actief naar voedsel zoeken./Verwijder of bedek bijenkorven tijdens het gebruik van het product en gedurende (geef de tijdsduur aan) na de behandeling./Gebruik dit product niet in de buurt van in bloei staand onkruid./Verwijder onkruid voordat het bloeit./Gebruik dit product niet vóór (geef de datum of de periode aan).
- PT: Perigoso para as abelhas./Para protecção das abelhas e de outros insectos polinizadores, não aplicar este produto durante a floração das culturas./Não utilizar este produto durante o período de presença das abelhas nos campos./Remover ou cobrir as colmeias durante a aplicação do produto e durante (indicar o período) após o tratamento./Não aplicar este produto na presença de infestantes em floração./Remover as infestantes antes da floração./Não aplicar antes de (critério temporal a precisar).
- FI: Vaarallista mehiläisille. / Mehiläisten ja muiden pölyttävien hyönteisten suojelemiseksi ei saa käyttää viljelykasvien kukinta-aikaan. / Ei saa käyttää aikana, jolloin mehiläiset lentävät aktiivisesti. / Mehiläis-pesät poistettava tai suojattava levittämisen ajaksi ja (aika) ajaksi käsittelyn jälkeen. / Ei saa käyttää, jos alueella on kukkivia rikkakasveja. / Poista rikkakasvit ennen kukinnan alkua. / Ei saa käyttää ennen (aika).
- SV: Farligt för bin./För att skydda bin och andra pollinerande insekter, använd inte denna produkt på blommande gröda./Får inte användas där bin aktivt söker efter föda./Avlägsna eller täck över bikupor under behandling och under (ange tidsperiod) efter behandling./Använd inte denna produkt då det finns blommande ogräs./Avlägsna ogräs före blomning./Använd inte denna produkt före (ange tidsperiod).

2.3. Safety precautions related to good agricultural practice

SPa 1

- ES: Para evitar la aparición de resistencias, no aplicar este producto ni ningún otro que contenga (indíquese la sustancia activa o la clase de sustancias, según corresponda) más de (indíquese el número de aplicaciones o el plazo).
- DA: For at undgå udviklingen af resistens må dette produkt eller andre produkter, der indeholder (angiv aktivstof eller gruppe af aktivstoffer), kun anvendes/ikke anvendes mere end (i tidsperioden eller antal gange).
- DE: Zur Vermeidung einer Resistenzbildung darf dieses oder irgendein anderes Mittel, welches (entsprechende Benennung des Wirkstoffes oder der Wirkstoffgruppe) enthält, nicht mehr als (Angabe der Häufigkeit oder der Zeitspanne) ausgebracht werden.
- EL: Προκειμένου να μην αναπτυχθεί αντίσταση μην χρησιμοποιείτε αυτό ή οποιοδήποτε άλλο προϊόν που περιέχει (προσδιορίστε τη δραστική ουσία ή την κατηγορία των ουσιών αναλόγως) περισσότερο από (να προσδιορίσετε η συχνότητα) φορές.
- EN: To avoid the build-up of resistance do not apply this or any other product containing (identify active substance or class of substances, as appropriate) more than (number of applications or time period to be specified).
- FR: Pour éviter le développement de résistances, ne pas appliquer ce produit ou tout autre contenant (préciser la substance ou la famille de substances selon le cas) plus de (nombre d'applications ou durée à préciser).
- IT: Per evitare l'insorgenza di resistenza non applicare questo o altri prodotti contenenti (indicare la sostanza attiva o la classe di sostanze, a seconda del caso) più di (numero di applicazioni o durata da precisare).
- NL: Om resistentieopbouw te voorkomen mag u dit product of andere producten die (geef naar gelang van het geval de naam van de werkzame stof of van de categorie werkzame stoffen) bevatten, niet vaker gebruiken dan (geef het aantal toepassingen aan)/niet langer gebruiken dan (geef de tijdsduur aan).
- PT: Para evitar o desenvolvimento de resistências, não aplicar este produto ou qualquer outro que contenha (indicar, consoante o caso, a substância activa ou a família de substâncias activas) mais de (número ou período de aplicações a precisar).
- FI: Resistenssin kehittymisen estämiseksi ei saa käyttää tätä tai mitä tahansa muuta tuotetta, joka sisältää (tapauksen mukaan tehoaine tai aineluokka), käyttöä useammin (käyttötiheys).
- SV: För att undvika utveckling av resistens använd inte denna produkt eller andra produkter innehållande (ange verksamt ämne eller grupp av ämnen) mer än (ange antal behandlingar eller tidsperiod).

2.4. Specific safety precautions for rodenticides (SPr)

SPr 1

- ES: Los cebos deben colocarse de forma que se evite el riesgo de ingestión por otros animales. Asegurar los cebos de manera que los roedores no puedan llevárselos.

- DA: Produktet skal anbringes på en sådan måde, at risikoen for, at andre dyr kan indtage produktet, formindskes mest muligt. F.eks. ved at produktet anbringes inde i en kasse med små indgangshuller til gnaverne eller inde i gnavernes eget gangsystem. Pas på, at produkt i blokform ikke kan flyttes væk af de gnavere, der skal bekæmpes.
- DE: Die Köder verdeckt und unzugänglich für andere Tiere ausbringen. Köder sichern, so dass ein Verschleppen durch Nagetiere nicht möglich ist.
- EL: Τα δολώματα θα πρέπει να τοποθετηθούν με τρόπο τέτοιο που να ελαχιστοποιηθεί η πιθανότητα να καταναλωθούν από άλλα ζώα. Ασφαλίστε τα δολώματα έτσι ώστε να μην μπορούν να τα παρασύρουν τα τρωκτικά.
- EN: The baits must be securely deposited in a way so as to minimise the risk of consumption by other animals. Secure bait blocks so that they cannot be dragged away by rodents.
- FR: Les appâts doivent être disposés de manière à minimiser le risque d'ingestion par d'autres animaux. Sécuriser les appâts afin qu'ils ne puissent pas être emmenés par les rongeurs.
- IT: Le esche devono essere disposte in modo da minimizzare il rischio di ingerimento da parte di altri animali. Fissare le esche in modo che non possano essere trascinate via dai roditori.
- NL: De lokmiddelen moeten zo worden geplaatst dat het risico dat andere dieren ervan eten zoveel mogelijk wordt beperkt. Maak de blokjes stevig vast, zodat ze niet door de knaagdieren kunnen worden weggesleept.
- PT: Colocar os iscos de modo a minimizar o risco de ingestão por outros animais. Fixar os iscos, para que não possam ser arrastados pelos roedores.
- FI: Syötit on sijoitettava siten, että ne eivät aiheuta riskiä muille eläimille. Syötit on kiinnitettävä siten, että jyrsijät eivät saa vietyä niitä mukanaan.
- SV: Betena måste placeras så att andra djur inte kan förtära dem. Förankra betena så att de inte kan släpas iväg av gnagare.

SPR 2

- ES: La zona tratada debe señalizarse durante el tratamiento. Debe advertirse del riesgo de intoxicación (primaria o secundaria) por el anticoagulante así como del antídoto correspondiente.
- DA: Det behandlede område skal afmærkes i behandlingsperioden. Faren for forgiftning (primær eller sekundær) ved indtagelse af antikoaguleringsmidler, samt modgiften herfor, skal nævnes på opslag.
- DE: Die zu behandelnde Fläche muss während der Behandlungszeit markiert sein. Die Gefahr der (primären oder sekundären) Vergiftung durch das Antikoagulans und dessen Gegenmittel sollte erwähnt werden.
- EL: Η περιοχή στην οποία έχει χρησιμοποιηθεί το προϊόν πρέπει να έχει σηματοδοτεί κατά την περίοδο χρήσης. Θα πρέπει να αναφέρεται ο κίνδυνος (πρωτογενούς ή δευτερογενούς) δηλητηρίασης από το αντιπηκτικό καθώς και το αντίδοτο σε περίπτωση δηλητηρίασης.
- EN: Treatment area must be marked during the treatment period. The danger from being poisoned (primary or secondary) by the anticoagulant and the antidote against it should be mentioned.
- FR: La zone de traitement doit faire l'objet d'un marquage pendant la période de traitement. Le risque d'empoisonnement (primaire ou secondaire) par l'anticoagulant, ainsi que son antidote doivent être mentionnés.
- IT: Durante il trattamento la zona interessata deve essere chiaramente segnalata. Il pericolo di avvelenamento (primario o secondario) dovuto all'anticoagulante deve essere evidenziato assieme al relativo antidoto.
- NL: De behandelde zone moet tijdens de verdelgingsperiode worden gemarkeerd. Het risico van een (primaire of secundaire) vergiftiging door het antistollingsmiddel moet worden vermeld, alsmede het tegengif.
- PT: Durante o período de tratamento, marcar a zona, com menção ao perigo de envenenamento (primário ou secundário) pelo anticoagulante e indicação do antídoto deste último.
- FI: Käsiteltävä alue on merkittävä käsittelyaikana. Antikoagulantin aiheuttama myrkytysvaara (primaarinen tai sekundaarinen) ja vasta-aine mainittava.
- SV: Det behandlade området skall markeras under behandlingsperioden. Faran för förgiftning (primär eller sekundär) av antikoagulanten samt motgift skall anges.

SPR 3

- ES: Durante el tratamiento, los roedores muertos deben retirarse diariamente de la zona tratada. No tirarlos en cubos de basura ni en vertederos.
- DA: Døde gnavere skal fjernes fra behandlingsområdet hver dag. Anbring ikke de døde gnavere i åbne affaldsbeholdere.
- DE: Tote Nager während der Einsatzperiode täglich entfernen. Nicht in Müllbehältern oder auf Müllkippen entsorgen.
- EL: Τα νεκρά τρωκτικά πρέπει να απομακρύνονται καθημερινά από την περιοχή χρήσης σε όλη τη διάρκεια χρησιμοποίησης του προϊόντος. Να μην τοποθετούνται σε κάδους απορριμμάτων ούτε σε σακούλες σκουπιδιών.

- EN: **Dead rodents must be removed from the treatment area each day during treatment. Do not place in refuse bins or on rubbish tips.**
- FR: **Les rongeurs morts doivent être retirés quotidiennement de la zone de traitement pendant toute la période du traitement. Ne pas les jeter dans les poubelles ni les décharges.**
- IT: **I roditori morti devono essere rimossi quotidianamente dalla zona del trattamento per tutta la durata dello stesso e non devono essere gettati nei rifiuti o nelle discariche.**
- NL: **Tijdens de verdelgingsperiode moeten de knaagdieren elke dag uit de behandelde zone worden verwijderd. Gooi ze niet in vuilnisbakken of op storten.**
- PT: **Durante o período de tratamento, remover diariamente os roedores mortos da zona de tratamento, mas sem os deitar ao lixo ou depositar em lixeiras.**
- FI: **Kuolleet jyrsijät on kerättävä käsittelyaikana alueelta päivittäin. Niitä ei saa heittää jätesäiliöihin tai kaatopaikoille.**
- SV: **Döda gnagare skall tas bort från behandlingsområdet varje dag under behandlingen. Får inte läggas i soptunnor eller på soptipp.**

3. Attribution criteria for standard phrases for specific safety precautions

3.1. INTRODUCTION

In general, plant-protection products are only authorised for those specified uses, which are acceptable on the basis of an assessment according to the uniform principles laid down in Annex VI of this Directive.

As far as applicable, the specific safety precautions should reflect the results of such assessments according to the uniform principles and should be applied in particular in those cases where risk-mitigation measures are necessary to prevent unacceptable effects.

3.2. Attribution criteria for standard phrases for safety precautions for operators

SPo 1

After contact with skin, first remove product with a dry cloth and then wash the skin with plenty of water.

The phrase shall be assigned for plant-protection products containing ingredients which may react violently with water, such as cyanide salts or aluminium phosphide.

SPo 2

Wash all protective clothing after use.

The phrase is recommended when protective clothing is required to protect operators. It is obligatory for all plant-protection products classified as T or T+.

SPo 3

After igniting the product, do not inhale smoke and leave the treated area immediately.

The phrase may be assigned to plant-protection products used for fumigation in cases where the use of a respiratory mask is not warranted.

SPo 4

The container must be opened outdoors and in dry conditions.

The phrase should be assigned to plant-protection products containing active substances which may react violently with water or damp air, such as aluminium phosphide, or which may cause spontaneous combustion, such as (alkylenebis-) dithiocarbamates. This phrase may also be assigned to volatile products classified with R20, 23 or 26. Expert judgement must be applied in individual cases, to assess whether the properties of the preparation and the packaging are such as to cause harm to the operator.

SPo 5

Ventilate treated areas/greenhouses thoroughly/time to be specified/until spray has dried before re-entry.

The phrase may be assigned to plant-protection products used in greenhouses or other confined spaces, such as stores.

3.3. Attribution criteria for standard phrases for safety precautions for the environment

SPe 1

To protect groundwater/soil organisms do not apply this or any other product containing (*identify active substance or class of substances, as appropriate*) more than (*time period or frequency to be specified*).

The phrase shall be assigned to plant-protection products for which an evaluation according to the uniform principles shows for one or more of the labelled uses that risk-mitigation measures are necessary to avoid accumulation in soil, effects on earthworms or other soil-dwelling organisms or soil microflora and/or contamination of groundwater.

SPe 2

To protect groundwater/effects on aquatic organisms do not apply to (*soil type or situation to be specified*) soils.

The phrase may be assigned as a risk-mitigation measure to avoid any potential contamination of groundwater or surface water under vulnerable conditions (e.g. associated to soil type, topography or for drained soils), if an evaluation according to the uniform principles shows for one or more of the labelled uses that risk-mitigation measures are necessary to avoid unacceptable effects.

SPe 3

To protect aquatic organisms/non-target plants/non-target arthropods/insects respect an unsprayed buffer zone of (*distance to be specified*) to non-agricultural land/surface water bodies.

The phrase shall be assigned to protect non-target plants, non-target arthropods and/or aquatic organisms, if an evaluation according to the uniform principles shows for one or more of the labelled uses that risk-mitigation measures are necessary to avoid unacceptable effects.

SPe 4

To protect aquatic organisms/non-target plants do not apply on impermeable surfaces such as asphalt, concrete, cobblestones, railway tracks and other situations with a high risk of run-off.

Depending on the use pattern of the plant-protection product, Member States may assign the phrase to mitigate the risk of run-off in order to protect aquatic organisms or non-target plants.

SPe 5

To protect birds/wild mammals the product must be entirely incorporated in the soil; ensure that the product is also fully incorporated at the end of rows.

The phrase shall be assigned to plant-protection products, such as granules or pellets, which must be incorporated to protect birds or wild mammals.

SPe 6

To protect birds/wild mammals remove spillages.

The phrase shall be assigned to plant-protection products, such as granules or pellets, to avoid uptake by birds or wild mammals. It is recommended for all solid formulations, which are used undiluted.

SPe 7

Do not apply during bird breeding period.

The phrase shall be assigned when an evaluation according to the uniform principles shows that for one or more of the labelled uses such a mitigation measure is necessary.

SPe 8

Dangerous to bees/To protect bees and pollinating insects do not apply to crop plants when in flower/Do not use where bees are actively foraging/Remove or cover beehives during application and for *(state time)* after treatment/Do not apply when flowering weeds are present/Remove weeds before flowering/Do not apply before *(state time)*

The phrase shall be assigned to plant-protection products for which an evaluation according to the uniform principles shows for one or more of the labelled uses that risk-mitigation measures must be applied to protect bees or other pollinating insects. Depending on the use pattern of the plant-protection product, and other relevant national regulatory provisions, Member States may select the appropriate phrasing to mitigate the risk to bees and other pollinating insects and their brood.

3.4. Attribution criteria for standard phrases for safety precautions for good agricultural practice

SPa 1

To avoid the build-up of resistance do not apply this or any other product containing *(identify active substance or class of substances, as appropriate)* more than *(number of applications or time period to be specified)*.

The phrase shall be assigned when such a restriction appears necessary to limit the risk of development of resistance.

3.5. Attribution criteria for standard phrases for specific safety precautions for rodenticides

SPr 1

The baits must be securely deposited in a way so as to minimise the risk of consumption by other animals. Secure bait blocks so that they cannot be dragged away by rodents.

To ensure compliance of operators the phrase should appear prominently on the label, so that misuse is excluded as far as possible.

SPr 2

Treatment area must be marked during the treatment period. The danger from being poisoned (primary or secondary) by the anticoagulant and the antidote against it should be mentioned.

The phrase should appear prominently on the label, so that accidental poisoning is excluded as far as possible.

SPr 3

Dead rodents must be removed from the treatment area each day during treatment. Do not place in refuse bins or on rubbish tips.

To avoid secondary poisoning of animals the phrase shall be assigned to all rodenticides containing anticoagulants as active substances.'

ANNEX III

**TIME SCHEDULE FOR IMPLEMENTATION MEASURES IN MEMBER STATES FOR ACTIVE SUBSTANCES
AUTHORISED FOR USE IN PLANT-PROTECTION PRODUCTS**

No	Common name	Inclusion Directive	Date for implementation (*)
1	Imazalil	Commission Directive 97/73/EC (OJ L 353, 24.12.1997, p. 26)	30 July 2004
2	Azoxystrobin	Commission Directive 98/47/EC (OJ L 191, 7.7.1998, p. 50)	30 July 2004
3	Kresoxim-Methyl	Commission Directive 1999/1/EC (OJ L 21, 28.1.1999, p. 21)	30 July 2004
4	Spiroxamine	Commission Directive 1999/73/EC (OJ L 206, 5.8.1999, p. 16)	30 July 2004
5	Azimsulfuron	Commission Directive 1999/80/EC (OJ L 210, 10.8.1999, p. 13)	30 July 2004
6	Fluroxypyr	Commission Directive 2000/10/EC (OJ L 57, 2.3.2000, p. 28)	1 December 2004
7	Metsulfuron methyl	Commission Directive 2000/49/EC (OJ L 197, 8.8.2000, p. 32)	1 July 2005
8	Prohexadione Calcium	Commission Directive 2000/50/EC (OJ L 198, 4.8.2000, p. 39)	30 July 2004
9	Triasulfuron	Commission Directive 2000/66/EC (OJ L 276, 28.10.2000, p. 35)	1 August 2005
10	Esfenvalerate	Commission Directive 2000/67/EC (OJ L 276, 28.10.2000, p. 38)	1 August 2005
11	Bentazone	Commission Directive 2000/68/EC (OJ L 276, 28.10.2000, p. 41)	1 August 2005
12	Lambda-cyhalothrin	Commission Directive 2000/80/EC (OJ L 309, 9.12.2000, p. 14)	1 January 2006
13	KBR 2738 (fenhexamid)	Commission Directive 2001/28/EC (OJ L 113, 24.4.2001, p. 5)	30 July 2004
14	Amitrole	Commission Directive 2001/21/EC (OJ L 69, 10.3.2001, p. 17)	1 January 2006
15	Diquat	Directive 2001/21/EC	1 January 2006
16	Pyridate	Directive 2001/21/EC	1 January 2006
17	Thiabendazole	Directive 2001/21/EC	1 January 2006
18	<i>Paecilomyces fumosoroseus</i>	Commission Directive 2001/47/EC (OJ L 175, 28.6.2001, p. 21)	30 July 2004
19	DPX KE 459 (flupyrsulfuron-methyl)	Commission Directive 2001/49/EC (OJ L 176, 29.6.2001, p. 61)	30 July 2004
20	Acibenzolar-s-methyl	Commission Directive 2001/87/EC (OJ L 276, 19.10.2001, p. 17)	30 July 2004
21	Cyclanilide	Directive 2001/87/EC	30 July 2004

No	Common name	Inclusion Directive	Date for implementation (*)
22	Ferric phosphate	Directive 2001/87/EC	30 July 2004
23	Pymetrozine	Directive 2001/87/EC	30 July 2004
24	Pyraflufen-ethyl	Directive 2001/87/EC	30 July 2004
25	Glyphosate	Commission Directive 2001/99/EC (OJ L 304, 21.11.2001, p. 14)	1 July 2006
26	Thifensulfuron-methyl	Directive 2001/99/EC	1 July 2006
27	2,4-dichlorophenoxy acetic acid (2,4-D)	Commission Directive 2001/103/EC (OJ L 313, 30.11.2001, p. 37)	1 October 2006
28	Isoproturon	Commission Directive 2002/18/EC (OJ L 55, 26.2.2002, p. 29)	1 January 2007
29	Ethofumesate	Commission Directive 2002/37/EC (OJ L 117, 4.5.2002, p. 10)	28 February 2007
30	Iprovalicarb	Commission Directive 2002/48/EC (OJ L 148, 6.6.2002, p. 19)	30 July 2004
31	Prosulfuron	Directive 2002/48/EC	30 July 2004
32	Sulfosulfuron	Directive 2002/48/EC	30 July 2004
33	Cinidon-ethyl	Commission Directive 2002/64/EC (OJ L 189, 18.7.2002, p. 27)	30 July 2004
34	Cyhalofop butyl	Directive 2002/64/EC	30 July 2004
35	Famoxadone	Directive 2002/64/EC	30 July 2004
36	Florasulam	Directive 2002/64/EC	30 July 2004
37	Metalaxyl-M	Directive 2002/64/EC	30 July 2004
38	Picolinafen	Directive 2002/64/EC	30 July 2004
39	Flumioxazine	Commission Directive 2002/81/EC (OJ L 276, 12.10.2002, p. 28)	30 July 2004
40	Deltamethrin	Commission Directive 2003/5/EC (OJ L 8, 14.1.2003, p. 7)	31 October 2007
41	Imazamox	Commission Directive 2003/23/EC (OJ L 81, 28.3.2003, p. 39)	31 December 2004
42	Oxasulfuron	Directive 2003/23/EC	31 December 2004
43	Ethoxysulfuron	Directive 2003/23/EC	31 December 2004

No	Common name	Inclusion Directive	Date for implementation (*)
44	Foramsulfuron	Directive 2003/23/EC	31 December 2004
45	Oxadiargyl	Directive 2003/23/EC	31 December 2004
46	Cyazofamid	Directive 2003/23/EC	31 December 2004
47	2,4-DB	Commission Directive 2003/31/EC (OJ L 101, 23.4.2003, p. 3)	31 December 2007
48	Beta-cyfluthrin	Directive 2003/31/EC	31 December 2007
49	Cyfluthrin	Directive 2003/31/EC	31 December 2007
50	Iprodione	Directive 2003/31/EC	31 December 2007
51	Linuron	Directive 2003/31/EC	31 December 2007
52	Maleic hydrazide	Directive 2003/31/EC	31 December 2007
53	Pendimethalin	Directive 2003/31/EC	31 December 2007
54	Propineb	Commission Directive 2003/39/EC (OJ L 124, 20.5.2003, p. 30)	31 March 2008
55	Propyzamide	Directive 2003/39/EC	31 March 2008
56	Mecoprop	Commission Directive 2003/70/EC (OJ L 184, 23.7.2003, p. 9)	31 May 2008
57	Mecoprop-P	Directive 2003/70/EC	31 May 2008
58	Propiconazole	Directive 2003/70/EC	31 May 2008
59	Trifloxystrobin	Commission Directive 2003/68/EC (OJ L 177, 16.7.2003, p. 12)	31 March 2005
60	Carfentrazone ethyl	Directive 2003/68/EC	31 March 2005
61	Mesotrione	Directive 2003/68/EC	31 March 2005
62	Fenamidone	Directive 2003/68/EC	31 March 2005
63	Isoxaflutole	Directive 2003/68/EC	31 March 2005

(*) Where plant-protection products contain several active substances, for which different dates apply, the relevant date shall be the latest one.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 8 September 2003

establishing additional guarantees regarding salmonella for consignments to Finland and Sweden of breeding poultry and day-old chicks for introduction into flocks of breeding poultry or flocks of productive poultry

(notified under document number C(2003) 3190)

(Text with EEA relevance)

(2003/644/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 90/539/EEC of 15 October 1990 on animal health conditions governing intra-Community trade in, and imports from third countries of, poultry and hatching eggs ⁽¹⁾, as last amended by Regulation (EC) No 806/2003 ⁽²⁾, and in particular Article 9a(2) thereof,

Whereas:

(1) Commission Decision 95/160/EC of 21 April 1995 establishing additional guarantees regarding salmonella for consignments to Finland and Sweden of breeding poultry and day-old chicks for introduction into flocks of breeding poultry or flocks of productive poultry ⁽³⁾, has been substantially amended ⁽⁴⁾. In the interests of clarity and rationality the said Decision should be codified.

(2) The Commission has approved the operational programmes submitted by Finland and Sweden regarding salmonella controls. Those programmes include specific measures for breeding poultry and for day-old chicks for introduction into flocks of breeding poultry or flocks of productive poultry.

(3) Guarantees should be established equivalent to those implemented by Finland and Sweden under their operational programmes.

(4) The detailed guarantees are to be based in particular on a microbiological examination of the poultry to be sent to Finland and Sweden.

(5) In this context different rules should be laid down for breeding poultry and day-old chicks.

(6) Rules should be established for this microbiological examination of samples by laying down the sampling method, the number of samples to be taken and the microbiological methods for examining the samples.

(7) Those guarantees should not be applicable to any flock that is subject to a programme recognised as equivalent to that implemented by Finland and Sweden.

(8) With regard to consignments originating from third countries, Finland and Sweden should apply import requirements at least as stringent as those laid down in this Decision.

(9) The methods described in this Decision take into account the opinion of the European Food Safety Authority.

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

⁽¹⁾ OJ L 303, 31.10.1990, p. 6.

⁽²⁾ OJ L 122, 16.5.2003, p. 1.

⁽³⁾ OJ L 105, 9.5.1995, p. 40.

⁽⁴⁾ See Annex IV.

HAS ADOPTED THIS DECISION:

Article 1

Breeding poultry to be sent to Finland and Sweden shall be subject to a microbiological test, effected by sampling in the flock of origin.

Article 2

The microbiological test referred to in Article 1 shall be carried out as laid down in Annex I.

Article 3

1. Breeding poultry to be sent to Finland and Sweden shall be accompanied by the certificate shown in Annex II.
2. The certificate provided for in paragraph 1 may:
 - either be accompanied by the model 3 certificate of Annex IV to Directive 90/539/EEC,
 - or be incorporated in the certificate referred to in the first indent.

Article 4

Day-old chicks to be sent to Finland or Sweden for introduction into flocks of breeding poultry or flocks of productive poultry must come from hatching eggs from breeding poultry that have been subjected to the test provided for in Article 2.

Article 5

1. Day-old chicks to be sent to Finland or Sweden for introduction into flocks of breeding poultry or flocks of productive poultry must be accompanied by a certificate as shown in Annex III.

2. The certificate provided for in paragraph 1 may:

- either be accompanied by the model 2 certificate shown in Annex IV to Directive 90/539/EEC,
- or be incorporated in the certificate referred to in the first subparagraph.

Article 6

The additional guarantees provided for in this Decision shall not be applicable to flocks subject to a programme recognised, according to the procedure laid down in Article 32 of Directive 90/539/EEC, as equivalent to that implemented by Finland and Sweden.

Article 7

Decision 95/160/EC is repealed.

References to the repealed Decision shall be construed as references to this Decision and shall be read in accordance with the correlation table in Annex V.

Article 8

This Decision is addressed to the Member States.

Done at Brussels, 8 September 2003.

For the Commission

David BYRNE

Member of the Commission

ANNEX I

1. General rules

The flock of origin must be isolated for 15 days.

The microbiological test must cover all the salmonella serotypes.

2. Sampling method and number of samples to be taken

The sampling method and the number of samples to be taken must be as laid down in Annex III, Section I, point II A(2)(b) and (c) and point II B of Council Directive 92/117/EEC ⁽¹⁾.

3. Microbiological methods for examination of the samples

- Microbiological testing of the samples for salmonella should be carried out to the standard of the International Organisation for Standardisation ISO 6579:1993 or revised editions, or by the method described by the Nordic Committee on Food Analysis (NMKL method No 71, fourth edition, 1991) or revised editions.
- Where the results of analysis are contested between Member States the standard of the International Organisation for Standardisation ISO 6579:1993 or revised editions should be regarded as the reference method.

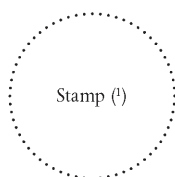
⁽¹⁾ OJ L 62, 15.3.1993, p. 38.

ANNEX II

CERTIFICATION

I, the undersigned, official veterinarian, certify that the breeding poultry has been tested with negative results according to the rules laid down in Commission Decision 2003/644/EC of 8 September 2003 establishing additional guarantees regarding salmonella for consignments to Finland and Sweden of breeding poultry and day-old chicks for introduction into flocks of breeding poultry or flocks of productive poultry.

Done at, (date)



.....
(Signature of official veterinarian) ⁽¹⁾

.....
(Name in capital letters, qualifications, title)

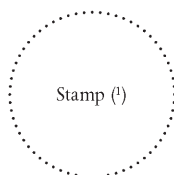
⁽¹⁾ Stamp and signature in a colour different to that of the printing.

ANNEX III

CERTIFICATION

I, the undersigned, official veterinarian, certify that the one-day chicks for introduction into flocks of breeding poultry or flocks of productive poultry come from flocks which have been tested with negative results according to the rules laid down in Commission Decision 2003/644/EC of 8 September 2003 establishing additional guarantees regarding salmonella for consignments to Finland and Sweden of breeding poultry and day-old chicks for introduction into flocks of breeding poultry or flocks of productive poultry.

Done at, (date)



.....
(Signature of official veterinarian) ⁽¹⁾

.....
(Name in capital letters, qualifications, title)

⁽¹⁾ Stamp and signature in a colour different to that of the printing.

ANNEX IV

Repealed Decision with its amendment

Commission Decision 95/160/EC (OJ L 105, 9.5.1995, p. 40)	only Article 1
Commission Decision 97/278/EC (OJ L 110, 26.4.1997, p. 77)	

ANNEX V

CORRELATION TABLE

Decision 95/160/EC	This Decision
Articles 1 to 6	Articles 1 to 6
Article 7	—
—	Article 7
Article 8	Article 8
Annex I	Annex I
Annex II	Annex II
Annex III	Annex III
—	Annex IV
—	Annex V

COMMISSION DECISION

of 11 September 2003

terminating the anti-dumping proceedings concerning imports of disposable gas-fuelled pocket lighters originating in the People's Republic of China, Indonesia, Malaysia and Vietnam and terminating the interim review of the anti-dumping duty on imports of gas-fuelled, non-refillable pocket flint lighters originating in the People's Republic of China or consigned from or originating in Taiwan and on imports of certain refillable pocket flint lighters originating in the People's Republic of China or consigned from or originating in Taiwan

(2003/645/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 384/96 of 22 December 1995 on protection against dumped imports from countries not members of the European Community ⁽¹⁾, as last amended by Regulation (EC) No 1972/2002 ⁽²⁾, and in particular Article 9 and Article 11(3) thereof,

After consulting the Advisory Committee,

Whereas:

A. PROCEDURE

- (1) In 1991, the Council, by Regulation (EEC) No 3433/91 ⁽³⁾, imposed a definitive anti-dumping duty on imports of gas-fuelled, non-refillable pocket flint lighters originating in, *inter alia*, the People's Republic of China.
- (2) By Regulation (EC) No 192/1999 ⁽⁴⁾ the Council, further to an investigation in accordance with Article 13 of Council Regulation (EC) No 384/96 (the basic Regulation), extended the above anti-dumping measure to: (a) imports of gas-fuelled non-refillable pocket flint lighters consigned from or originating in Taiwan; and (b) imports of certain refillable lighters originating in the People's Republic of China or consigned from or originating in Taiwan.
- (3) In 2001, Council Regulation (EC) No 1824/2001 ⁽⁵⁾, imposed a definitive duty on gas fuelled non-refillable pocket flint lighters falling within CN code 9613 10 00 (TARIC code 9613 10 00*19) originating in the People's Republic of China and maintained the anti-dumping duties extended by Regulation (EC) No 192/1999 to imports of certain refillable pocket flint lighters originating in the People's Republic of China or consigned from or originating in Taiwan falling within CN code ex 9613 20 90 (TARIC codes 9613 20 90*21 and 9613 20 90*29) and to imports of non-refillable lighters consigned from Taiwan and falling within CN code 9613 10 00 (TARIC code 9613 10 00*19) or originating in Taiwan and falling within CN code 9613 10 00 (TARIC code 9613 10 00*19). These duties were imposed further to an expiry review concerning the definitive anti-dumping measures imposed by Regulation

(EEC) No 3433/91 and extended by Regulation (EC) No 192/1999, in accordance with Article 11(2) of the basic Regulation.

- (4) In 14 May 2002, the Commission received a complaint concerning the alleged injurious dumping by imports of disposable gas-fuelled pocket lighters, whether flint or piezo, with or without a refill valve originating in the People's Republic of China, Indonesia, Malaysia and Vietnam (disposable lighters).
- (5) The complaint was lodged by the European Federation of Lighter Manufacturers (EFLM) acting on behalf of Community producers representing 90 % of total Community production of disposable lighters pursuant to Articles 4(1) and 5(4) of the basic Regulation.
- (6) The complaint contained *prima facie* evidence of the existence of dumping and of material injury resulting therefrom, which was considered sufficient to justify the initiation of an anti-dumping proceeding in accordance with Article 5 of the basic Regulation.
- (7) Regarding the definitive anti-dumping measures in force against non-refillable flint lighters and certain refillable lighters originating in the People's Republic of China or consigned from or originating in Taiwan, the Commission considered that should it be determined that, on the basis of the findings of the investigation initiated in accordance with Article 5 of the basic Regulation, measures are to be imposed on disposable lighters originating in the People's Republic of China, the continued imposition of the measures imposed by Regulation (EC) No 1824/2001 would no longer be appropriate, and Regulation (EC) No 1824/2001 would have to be amended or repealed accordingly. Indeed, should the investigation have been formally concluded, one of the consequences could have been the imposition of measures on all disposable gas-fuelled pocket lighters, i.e. refillable or non-refillable, piezo or flint originating in the countries subject to the present investigation. On the other hand, measures on refillable or non-refillable flint lighters originating in the People's Republic of China were already in place, which could have led to conflict with the new measures. Such conflict would have been avoided by amending or repealing the existing measures. Therefore, it was considered that a review in accordance with Article 11(3) of the basic Regulation

⁽¹⁾ OJ L 56, 6.3.1996, p. 1.

⁽²⁾ OJ L 305, 7.11.2002, p. 1.

⁽³⁾ OJ L 326, 28.11.1991, p. 1.

⁽⁴⁾ OJ L 22, 29.1.1999, p. 1.

⁽⁵⁾ OJ L 248, 18.9.2001, p. 1.

(interim review) should be opened as regards Regulation (EC) No 1824/2001 in order to allow any amendment or repeal necessary in the light of the investigation under Article 5 of the basic Regulation concerning all disposable lighters originating in the People's Republic of China, Indonesia, Malaysia and Vietnam.

- (8) Accordingly, the Commission, after consultation of the Advisory Committee, by a notice published in the *Official Journal of the European Communities* ⁽¹⁾, simultaneously initiated an anti-dumping proceeding concerning imports into the Community of disposable gas-fuelled pocket lighters originating in the People's Republic of China, Indonesia, Malaysia and Vietnam and an interim review with regard to Regulation (EC) No 1824/2001. Considering the above, the initiation of this interim review was entirely of an ancillary nature.
- (9) The Commission officially advised the exporting producers and importers known to be concerned, the representatives of the exporting country, the representative users and the complainant Community producers. Interested parties were given the opportunity to make their views known in writing and to request a hearing within the time limit set out in the notice of initiation.

B. WITHDRAWAL OF THE COMPLAINT AND TERMINATION OF THE PROCEEDING

- (10) By a letter of 14 July 2003 to the Commission, EFLM formally withdrew its complaint.
- (11) In accordance with Article 9(1) of the basic Regulation, the proceeding may be terminated where the complaint is withdrawn, unless such termination would not be in the Community interest.
- (12) The Commission considered that the present proceeding should be terminated since the investigation had not brought to light any considerations showing that such termination would not be in the Community interest. Interested parties were informed accordingly and were given the opportunity to comment.
- (13) One exporting producer from China claimed that the Commission should continue its investigation despite the withdrawal of the complaint and publish the relevant findings, in particular as regards dumping. In this context, the exporting producer concerned argued that he would have an interest in the continuation of the investigation due to his cooperation throughout the proceeding and his efforts to show the absence of dumping as far as his own exports are concerned.
- (14) The same exporting producer further claimed that it should be avoided in future to initiate anti-dumping proceedings. He alleged that the withdrawal of the complaint would show that the complaint leading to this investigation was unfounded. Therefore, this exporting producer concluded that should there be a finding of
- absence of dumping, this should be published accordingly. This would prevent the Community industry to lodge a new complaint in the near future.
- (15) These claims had to be rejected. In accordance with Article 5(1) of the basic Regulation, an anti-dumping investigation shall be initiated in each case the Commission has received a complaint containing merely sufficient prima facie evidence of the existence of injurious dumping. In the present case, it was found that the complaint lodged by the Community industry was sufficiently supported by prima facie evidence, consequently the initiation of the present proceeding was fully justified. In accordance with Article 9(1) of the basic Regulation an anti-dumping proceeding may be terminated in case the complaint is withdrawn unless such termination would not be in the Community interest. As mentioned above in recital 12, however, there was no evidence or information available that a termination of the proceeding would not be in the Community interest. When examining the Community interest, and in accordance with Article 21 of the basic Regulation, the interests of the exporting producers cannot be taken in consideration. In this context it should be noted that no comments were received from parties mentioned in Article 21 of the basic Regulation, such as users, importers or consumers indicating that such termination would not be in the Community interest. Therefore, it was concluded that there was no reason to continue the investigation, and accordingly, the proceeding should be terminated without formal determinations concerning the existence or absence of dumping and injury nor any other aspect of the investigation.
- (16) The same exporting producer claimed that the definitive anti-dumping measures in force against non-refillable flint lighters and certain refillable lighters originating in the People's Republic of China or consigned from or originating in Taiwan should be repealed in case of the termination of the proceeding. In this context, the exporting producer concerned argued that the current investigation covers the same like product and that therefore the continuation of the definitive measures on non-refillable flint lighters and certain refillable lighters originating in the People's Republic of China or consigned from or originating in Taiwan would be in breach of Article 1(4) and 9(5) of the basic Regulation.
- (17) It should be noted that no formal conclusions have been reached on any of the aspects investigated during the current proceeding, including the investigation regarding the product under consideration and the like product. The evidence which had been submitted within the complaint leading to the initiation of the present proceeding, including the information concerning the product under consideration and the like product was prima facie evidence, which was considered satisfying for the initiation stage, but cannot suffice for, nor predict, any final determination.

⁽¹⁾ OJ C 153, 27.6.2002, p. 3.

(18) Furthermore, as mentioned above in recitals 7 and 8, the interim review was merely ancillary to the investigation initiated pursuant to Article 5 of the basic Regulation and should allow to amend or repeal the anti-dumping duty in force on imports of non-refillable flint lighters and certain refillable lighters originating in the People's Republic of China or consigned from or originating in Taiwan, if appropriate, on the basis of the findings of the investigation initiated pursuant to Article 5 of the basic Regulation. As mentioned above in recitals 15 and 17, the current investigation did not lead to any formal conclusions which would justify the amendment or repeal of Regulation (EC) No 1824/2001 by which it was found that dumped imports of flint lighters from the People's Republic of China caused injury to the Community industry. In accordance with Article 9(4) of the basic Regulation, an anti-dumping duty shall be imposed when it was finally established that there is dumping and injury caused thereby, and that the Community interest calls for intervention. In accordance with Article 11(3) of the basic Regulation, definitive anti-dumping measures can only be amended or repealed where circumstances with regard to dumping and injury have changed significantly, which could not be confirmed in the present proceeding. Consequently, the interim review should be terminated without amending or repealing the measures in force on imports of non-refillable flint lighters and certain refillable lighters originating in the People's Republic of China or consigned from or originating in Taiwan.

(19) Given the above, the Commission concludes that the anti-dumping proceeding concerning imports into the Community of disposable lighters originating in the People's Republic of China, Indonesia, Malaysia and Vietnam should be terminated without the imposition of anti-dumping measures.

(20) The interim review should be terminated without amending or repealing the measures in force on imports of non-refillable flint lighters and certain refillable lighters originating in the People's Republic of China or consigned from or originating in Taiwan given its ancillary nature described in recitals 7 and 8 to the investigation initiated pursuant to Article 5 of the basic Regulation,

HAS DECIDED AS FOLLOWS:

Sole Article

1. The anti-dumping proceeding initiated pursuant to Article 5 of Council Regulation (EC) No 384/96 concerning imports of disposable gas-fuelled pocket lighters originating in the People's Republic of China, Indonesia, Malaysia and Vietnam is hereby terminated.
2. The interim review of the anti-dumping duty on imports of gas-fuelled, non-refillable pocket flint lighters originating in the People's Republic of China or consigned from or originating in Taiwan and on imports of certain refillable pocket flint lighters originating in the People's Republic of China or consigned from or originating in Taiwan initiated pursuant to Article 11(3) of Council Regulation (EC) No 384/96 is hereby terminated without amending the anti-dumping duty in force.
3. The definitive anti-dumping duties imposed by Regulation (EC) No 1824/2001 remain in force.

Done at Brussels, 11 September 2003.

For the Commission

Pascal LAMY

Member of the Commission