

## ANNEX

## 4. ENVIRONMENT

4.1. Council Directive 76/160/EEC of 8 December 1975 concerning the quality of bathing water<sup>(1)</sup>

As regards Directive 76/160/EEC, the Commission should be empowered to adapt to technical progress the G and I values for the parameters and the methods of analysis set out in the Annex thereto. Since those measures are of general scope and are designed to amend non-essential elements of Directive 76/160/EEC, they must be adopted in accordance with the regulatory procedure with scrutiny provided for in Article 5a of Decision 1999/468/EC.

Accordingly, Directive 76/160/EEC is hereby amended as follows:

## 1. Article 9 shall be replaced by the following:

*Article 9*

The Commission shall adopt such amendments as are necessary to adapt to technical progress the G and I values for the parameters and the methods of analysis set out in the Annex to this Directive.

Those measures, designed to amend non-essential elements of this Directive, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 11(2).;

## 2. Article 11 shall be amended as follows:

## (a) paragraph 2 shall be replaced by the following:

2. Where reference is made to this paragraph, Article 5a(1) to (4) and Article 7 of Decision 1999/468/EC shall apply, having regard to the provisions of Article 8 thereof.;

## (b) paragraph 3 shall be deleted.

4.2. Council Directive 91/271/EEC of 21 May 1991 concerning urban waste water treatment<sup>(2)</sup>

As regards Directive 91/271/EEC, the Commission should be empowered to amend the requirements laid down in sections A, B and C of Annex I thereto. Since those measures are of general scope and are designed to amend non-essential elements of Directive 91/271/EEC, they must be adopted in accordance with the regulatory procedure with scrutiny provided for in Article 5a of Decision 1999/468/EC.

Accordingly, Directive 91/271/EEC is hereby amended as follows:

## 1. Article 3(2) shall be replaced by the following:

2. Collecting systems described in paragraph 1 shall satisfy the requirements of section A of Annex I. The Commission may amend those requirements. Those measures, designed to amend non-essential elements of this Directive, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 18(3).;

## 2. Article 4(3) shall be replaced by the following:

3. Discharges from urban waste water treatment plants described in paragraphs 1 and 2 shall satisfy the relevant requirements of section B of Annex I. The

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Commission may amend those requirements. Those measures, designed to amend non-essential elements of this Directive, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 18(3).;

3. Article 5(3) shall be replaced by the following:

3. Discharges from urban waste water treatment plants described in paragraph 2 shall satisfy the relevant requirements of section B of Annex I. The Commission may amend those requirements. Those measures, designed to amend non-essential elements of this Directive, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 18(3).;

4. Article 8 shall be amended as follows:

(a) paragraph 4 shall be replaced by the following:

4. The Commission shall examine that request and take appropriate measures in accordance with the regulatory procedure referred to in Article 18(2).;

(b) the second subparagraph of paragraph 5 shall be replaced by the following:

In such circumstances, Member States shall submit beforehand the relevant documentation to the Commission. The Commission shall examine the case and take appropriate measures in accordance with the regulatory procedure referred to in Article 18(2).;

5. Article 11(2) shall be replaced by the following:

2. Regulations and/or specific authorisation shall satisfy the requirements of section C of Annex I. The Commission may amend those requirements. Those measures, designed to amend non-essential elements of this Directive, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 18(3).;

6. Article 12(3) shall be replaced by the following:

3. Prior regulations and/or specific authorisation of discharges from urban waste water treatment plants made pursuant to paragraph 2 within agglomerations of 2 000 to 10 000 p.e. in the case of discharges to fresh waters and estuaries, and within agglomerations of 10 000 p.e. or more in respect of all discharges, shall contain conditions to satisfy the relevant requirements of section B of Annex I. The Commission may amend those requirements. Those measures, designed to amend non-essential elements of this Directive, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 18(3).;

7. Article 15(5) shall be replaced by the following:

5. The Commission may formulate guidelines on the monitoring referred to in paragraphs 1, 2 and 3 in accordance with the regulatory procedure referred to in Article 18(2).;

8. Article 17(4) shall be replaced by the following:

4. The Commission shall determine, in accordance with the regulatory procedure referred to in Article 18(2), the methods and formats to be adopted for reporting on the national programmes. Any amendments to those methods and formats shall be adopted in accordance with that procedure.;

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9. Article 18(2) and (3) shall be replaced by the following:
  2. Where reference is made to this paragraph, Articles 5 and 7 of Decision 1999/468/EC shall apply, having regard to the provisions of Article 8 thereof.

The period laid down in Article 5(6) of Decision 1999/468/EC shall be set at three months.
  3. Where reference is made to this paragraph, Article 5a(1) to (4) and Article 7 of Decision 1999/468/EC shall apply, having regard to the provisions of Article 8 thereof.
- 4.3. Council Directive 91/676/EEC of 12 December 1991 concerning the protection of waters against pollution caused by nitrates from agricultural sources<sup>(3)</sup>

As regards Directive 91/676/EEC, the Commission should be empowered to adapt or supplement the Annexes thereto to technical and scientific progress. Since those measures are of general scope and are designed to amend non-essential elements of Directive 91/676/EEC, *inter alia*, by supplementing it with new non-essential elements, they must be adopted in accordance with the regulatory procedure with scrutiny provided for in Article 5a of Decision 1999/468/EC.

Accordingly, Directive 91/676/EEC is hereby amended as follows:

1. Articles 7 and 8 shall be replaced by the following:

*Article 7*

The Commission may draw up guidelines for the monitoring referred to in Articles 5 and 6 in accordance with the regulatory procedure referred to in Article 9(2).

*Article 8*

The Commission may adapt the Annexes to this Directive to scientific and technical progress.

Those measures, designed to amend non-essential elements of this Directive, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 9(3).;
2. Article 9(3) shall be replaced by the following:
3. Where reference is made to this paragraph, Article 5a(1) to (4) and Article 7 of Decision 1999/468/EC shall apply, having regard to the provisions of Article 8 thereof.;
3. the third subparagraph of point 2 of Annex III shall be replaced by the following:

If a Member State allows a different amount under point (b) of the second subparagraph, it shall inform the Commission, which shall examine the justification in accordance with the regulatory procedure referred to in Article 9(2).
- 4.4. Directive 94/63/EC of the European Parliament and of the Council of 20 December 1994 on the control of volatile organic compound (VOC) emissions resulting from the storage of petrol and its distribution from terminals to service stations<sup>(4)</sup>

As regards Directive 94/63/EC, the Commission should be empowered to revise the specifications for bottom loading equipment laid down in Annex IV thereto, and to adapt, with the exception of limit values laid down in point 2 of Annex II, the Annexes to technical progress. Since those measures are of general scope and are designed to amend non-essential elements

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of Directive 94/63/EC, they must be adopted in accordance with the regulatory procedure with scrutiny provided for in Article 5a of Decision 1999/468/EC.

Accordingly, Directive 94/63/EC is hereby amended as follows:

1. in Article 4(1), the sixth subparagraph shall be replaced by the following:

All terminals with loading facilities for road tankers shall be equipped with at least one gantry which meets the specifications for bottom loading equipment laid down in Annex IV. The Commission shall re-examine those specifications at regular intervals and, if appropriate, revise them. Those measures, designed to amend non-essential elements of this Directive, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 8(2).;

2. Article 7 shall be replaced by the following:

#### *Article 7*

#### **Adaptation to technical progress**

Except for the limit values laid down in point 2 of Annex II, the Commission may adapt the Annexes to this Directive to technical progress. Those measures, designed to amend non-essential elements of this Directive, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 8(2).;

3. Article 8 shall be amended as follows:

- (a) paragraph 2 shall be replaced by the following:

2. Where reference is made to this paragraph, Article 5a(1) to (4) and Article 7 of Decision 1999/468/EC shall apply, having regard to the provisions of Article 8 thereof.;

- (b) paragraph 3 shall be deleted.

- 4.5. Council Directive 96/82/EC of 9 December 1996 on the control of major-accident hazards involving dangerous substances<sup>(5)</sup>

As regards Directive 96/82/EC, the Commission should be empowered to adapt Annexes II to VI thereto to technical progress, and to establish harmonised criteria for decisions taken by the competent authorities of the Member States to the effect that an establishment is in a state incapable of creating a major accident hazard. Since those measures are of general scope and are designed to amend non-essential elements of Directive 96/82/EC, *inter alia*, by supplementing it with new non-essential elements, they must be adopted in accordance with the regulatory procedure with scrutiny provided for in Article 5a of Decision 1999/468/EC.

Accordingly, Directive 96/82/EC is hereby amended as follows:

1. Article 9(6)(b) shall be replaced by the following:

- (b) The Commission shall establish harmonised criteria for decisions of the competent authority that an establishment is in a state incapable of creating a major accident hazard within the meaning of subparagraph (a). Those measures, designed to amend non-essential elements of this Directive by supplementing it, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 22(3).;

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2. Article 15(2) shall be replaced by the following:

2. Member States shall, as soon as the information provided for in Article 14 is collected, inform the Commission of the result of their analysis and recommendations using a report form established and kept under review by means of the regulatory procedure referred to in Article 22(2).

Reporting of this information by Member States may be delayed only to allow for the completion of legal proceedings where such reporting is liable to affect those proceedings.;

3. Article 21 shall be replaced by the following:

#### *Article 21*

#### **Terms of reference of the Committee**

1 The Commission shall adapt the criteria referred to in Article 9(6)(b) and Annexes II to VI to technical progress.

Those measures, designed to amend non-essential elements of this Directive, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 22(3).

2 The measure to draw up the report form referred to in Article 15(2) shall be adopted in accordance with the regulatory procedure referred to in Article 22(2).;

4. Article 22 shall be replaced by the following:

#### *Article 22*

#### **Committee procedure**

1 The Commission shall be assisted by a Committee.

2 Where reference is made to this paragraph, Articles 5 and 7 of Decision 1999/468/EC shall apply, having regard to the provisions of Article 8 thereof.

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

3 Where reference is made to this paragraph, Article 5a(1) to (4) and Article 7 of Decision 1999/468/EC shall apply, having regard to the provisions of Article 8 thereof.

4.6. Council Directive 1999/31/EC of 26 April 1999 on the landfill of waste<sup>(6)</sup>

As regards Directive 1999/31/EC, the Commission should be empowered to adapt the Annexes thereto to scientific and technical progress and to adopt measures for the standardisation of control, sampling and analysis methods. Since those measures are of general scope and are designed to amend non-essential elements of Directive 1999/31/EC, *inter alia*, by supplementing it with new non-essential elements, they must be adopted in accordance with the regulatory procedure with scrutiny provided for in Article 5a of Decision 1999/468/EC.

Accordingly, Directive 1999/31/EC is hereby amended as follows:

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*Changes to legislation: There are currently no known outstanding effects for the Regulation (EC) No 1137/2008 of the European Parliament and of the Council, Division 4.. (See end of Document for details)*

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1. Article 16 shall be replaced by the following:

*Article 16*

**Committee procedure**

Measures necessary to adapt the Annexes to this Directive to scientific and technical progress and to establish the standardisation of control, sampling and analysis methods in relation to the landfill of waste shall be adopted by the Commission, assisted by the Committee established by Article 18 of Directive 2006/12/EC. Those measures, designed to amend non-essential elements of this Directive, *inter alia*, by supplementing it, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 17(3). To this end, as regards Annex II, the Committee shall take into account the general principles and general procedures for testing and acceptance criteria set out in Annex II and shall set specific criteria and/or test methods and associated limit values for each class of landfill, including if necessary specific types of landfill within each class, including underground storage.

The Commission shall, in accordance with the regulatory procedure referred to in Article 17(2), adopt, and when necessary amend, provisions for the harmonisation and regular transmission of the statistical data referred to in Articles 5, 7 and 11.;

2. Article 17(3) shall be replaced by the following:
3. Where reference is made to this paragraph, Article 5a(1) to (4) and Article 7 of Decision 1999/468/EC shall apply, having regard to the provisions of Article 8 thereof.
- 4.7. Directive 1999/94/EC of the European Parliament and of the Council of 13 December 1999 relating to the availability of consumer information on fuel economy and CO<sub>2</sub> emissions in respect of the marketing of new passenger cars<sup>(7)</sup>

As regards Directive 1999/94/EC, the Commission should be empowered to adapt its Annexes. Since those measures are of general scope and are designed to amend non-essential elements of that Directive, they must be adopted in accordance with the regulatory procedure with scrutiny provided for in Article 5a of Decision 1999/468/EC.

Accordingly, Directive 1999/94/EC is hereby amended as follows:

1. Article 9 shall be replaced by the following:

*Article 9*

- 1 Measures necessary to adapt the Annexes to this Directive and designed to amend non-essential elements of it shall be adopted by the Commission in accordance with the regulatory procedure with scrutiny referred to in Article 10(3) following consultation with consumer organisations and other interested parties.

In order to assist this process, each Member State shall transmit to the Commission, by 31 December 2003, a report on the effectiveness of the provisions of this Directive, covering the period from 18 January 2001 to 31 December 2002. The format of this report shall be established in accordance with the regulatory procedure referred to in Article 10(2) not later than 18 January 2001.

- 2 In addition to the measures referred to in paragraph 1, the Commission shall take measures aimed at:

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- a further specifying the format of the label referred to in Article 3 by adapting Annex I;
- b further specifying the requirements concerning the guide referred to in Article 4 with a view to classifying new car models, thus enabling a listing of the models according to CO<sub>2</sub> emissions and fuel consumption in specified classes, including a class listing of the most fuel efficient new car models;
- c establishing recommendations in order to enable the application of the principles of the provisions on promotional literature referred to in the first paragraph of Article 6 to other media and material.

The measures referred to in point (a) of the first subparagraph, designed to amend non-essential elements of this Directive, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 10(3).

The measures referred to in points (b) and (c) of the first subparagraph shall be adopted in accordance with the regulatory procedure referred to in Article 10(2).;

2. Article 10(3) shall be replaced by the following:
3. Where reference is made to this paragraph, Article 5a(1) to (4) and Article 7 of Decision 1999/468/EC shall apply, having regard to the provisions of Article 8 thereof.
- 4.8. Directive 2000/76/EC of the European Parliament and of the Council of 4 December 2000 on the incineration of waste<sup>(8)</sup>

As regards Directive 2000/76/EC, the Commission should be empowered to establish criteria for requirements relating to the reduction of the frequency of certain periodic measurements, to determine the date from which continuous measurements of certain air emission limit values shall be carried out, to adapt Articles 10, 11 and 13 and Annexes I and III to technical progress or new findings concerning the health benefits of emission reductions, and to adapt the tables in Annex II, point 2.1. Since those measures are of general scope and are designed to amend non-essential elements of Directive 2000/76/EC, *inter alia*, by supplementing it with new non-essential elements, they must be adopted in accordance with the regulatory procedure with scrutiny provided for in Article 5a of Decision 1999/468/EC.

Accordingly, Directive 2000/76/EC is hereby amended as follows:

1. Article 11 shall be amended as follows:
  - (a) the first subparagraph of paragraph 7 shall be replaced by the following:
    7. The reduction of the frequency of the periodic measurements for heavy metals from twice a year to once every two years and for dioxins and furans from twice a year to once a year may be authorised in the permit by the competent authority provided that the emissions resulting from co-incineration or incineration are below 50 % of the emission limit values determined in accordance with Annex II or Annex V respectively and that criteria for the requirements to be met are available. The Commission shall adopt measures establishing these criteria, based at least on the provisions of points (a) and (d) of the second subparagraph. Those measures, designed to amend non-essential elements of this Directive by supplementing it, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 17(2).;
  - (b) paragraph 13 shall be replaced by the following:

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**Changes to legislation:** There are currently no known outstanding effects for the Regulation (EC) No 1137/2008 of the European Parliament and of the Council, Division 4.. (See end of Document for details)

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13. The Commission shall determine, as soon as appropriate measurement techniques are available within the Community, the date from which continuous measurements of the air emission limit values for heavy metals, dioxins and furans shall be carried out in accordance with Annex III. That measure, designed to amend non-essential elements of this Directive by supplementing it, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 17(2).;

2. Article 16 shall be replaced by the following:

*Article 16*

**Adaptation to technical progress or new findings**

The Commission shall adopt measures designed to amend non-essential elements of this Directive and adapting Articles 10, 11 and 13 and Annexes I and III to technical progress or new findings concerning the health benefits of emission reductions in accordance with the regulatory procedure with scrutiny referred to in Article 17(2).;

3. Article 17 shall be replaced by the following:

*Article 17*

**Committee procedure**

- 1 The Commission shall be assisted by a committee.

- 2 Where reference is made to this paragraph, Article 5a(1) to (4) and Article 7 of Decision 1999/468/EC shall apply, having regard to the provisions of Article 8 thereof.;

4. the first paragraph of point II.2.1 of Annex II shall be replaced by the following:

Where, for large combustion plants, more stringent emission limit values are set under Directive 2001/80/EC or will be set under other Community legislation, those emission limit values shall replace, for the plants and pollutants concerned, the emission limit values laid down in the following tables (Cproc). In that case, the Commission shall adapt those tables to the more stringent emission limit values. Those measures, designed to amend non-essential elements of this Directive, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 17(2), without delay.

- 4.9. Directive 2002/49/EC of the European Parliament and of the Council of 25 June 2002 relating to the assessment and management of environmental noise<sup>(9)</sup>

As regards Directive 2002/49/EC, the Commission should be empowered to adapt point 3 of Annex I and Annexes II and III thereto to technical and scientific progress and to establish common assessment methods. Since those measures are of general scope and are designed to amend non-essential elements of Directive 2002/49/EC, *inter alia*, by supplementing it with new non-essential elements, they must be adopted in accordance with the regulatory procedure with scrutiny provided for in Article 5a of Decision 1999/468/EC.

Accordingly, Directive 2002/49/EC is hereby amended as follows:



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**Changes to legislation:** There are currently no known outstanding effects for the Regulation (EC) No 1137/2008 of the European Parliament and of the Council, Division 4.. (See end of Document for details)

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1. Article 6(2) shall be replaced by the following:
2. The Commission shall, through a revision of Annex II, establish common assessment methods for the determination of  $L_{den}$  and  $L_{night}$ . Those measures, designed to amend non-essential elements of this Directive, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 13(3). Until those methods are adopted, Member States may use assessment methods adapted in accordance with Annex II and based upon the methods laid down in their own legislation. In such case, the Member States must demonstrate that those methods give equivalent results to the results obtained with the methods set out in paragraph 2(2) of Annex II.;
2. Article 12 shall be replaced by the following:

#### *Article 12*

#### **Adaptation to technical and scientific progress**

The Commission shall adapt point 3 of Annex I and Annexes II and III to this Directive to technical and scientific progress. Those measures, designed to amend non-essential elements of this Directive, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 13(3).;

3. Article 13(3) shall be replaced by the following:
3. Where reference is made to this paragraph, Article 5a(1) to (4) and Article 7 of Decision 1999/468/EC shall apply, having regard to the provisions of Article 8 thereof.;
4. in Annex III, the second sentence of the introductory wording shall be replaced by the following:

The dose-effect relations introduced by future revisions of this Annex carried out in accordance with the regulatory procedure with scrutiny referred to in Article 13(3) will concern in particular.:
- 4.10. Regulation (EC) No 1830/2003 of the European Parliament and of the Council of 22 September 2003 on the traceability and labelling of genetically modified organisms and the traceability of food and feed products produced from genetically modified organisms<sup>(10)</sup>

As regards Regulation (EC) No 1830/2003, the Commission should be empowered to establish and adapt a system for the development and assignment of unique identifiers to GMOs. Since those measures are of general scope and are designed to amend non-essential elements of that Regulation by supplementing it with new non-essential elements, they must be adopted in accordance with the regulatory procedure with scrutiny provided for in Article 5a of Decision 1999/468/EC.

Accordingly, Regulation (EC) No 1830/2003 is hereby amended as follows:

1. Article 8 shall be replaced by the following:

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## *Article 8*

### **Unique identifiers**

The Commission shall:

- (a) prior to the application of Articles 1 to 7, establish a system for the development and assignment of unique identifiers to GMOs;
- (b) adapt the system provided for in point (a) as appropriate.

The measures provided for in the first paragraph, designed to amend non-essential elements of this Regulation by supplementing it, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 10(2). In so doing, account shall be taken of developments in international fora.;

2. Article 10 shall be amended as follows:

- (a) paragraph 2 shall be replaced by the following:

2. Where reference is made to this paragraph, Article 5a(1) to (4) and Article 7 of Decision 1999/468/EC shall apply, having regard to the provisions of Article 8 thereof.;

- (b) paragraph 4 shall be deleted.

4.11. Directive 2004/42/EC of the European Parliament and of the Council of 21 April 2004 on the limitation of emissions of volatile organic compounds due to the use of organic solvents in certain paints and varnishes and vehicle refinishing products<sup>(11)</sup>

As regards Directive 2004/42/EC, the Commission should be empowered to adapt Annex III thereto to technical progress. Since those measures are of general scope and are designed to amend non-essential elements of Directive 2004/42/EC, they must be adopted in accordance with the regulatory procedure with scrutiny provided for in Article 5a of Decision 1999/468/EC.

Accordingly, Directive 2004/42/EC is hereby amended as follows:

- 1. Article 11 shall be replaced by the following:

## *Article 11*

### **Adaptation to technical progress**

The Commission shall adapt Annex III to take account of technical progress. Those measures, designed to amend non-essential elements of this Directive, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 12(3).;

2. Article 12(3) shall be replaced by the following:

- 3. Where reference is made to this paragraph, Article 5a(1) to (4) and Article 7 of Decision 1999/468/EC shall apply, having regard to the provisions of Article 8 thereof.

4.12. Regulation (EC) No 842/2006 of the European Parliament and of the Council of 17 May 2006 on certain fluorinated greenhouse gases<sup>(12)</sup>

As regards Regulation (EC) No 842/2006, the Commission should be empowered to establish standard leakage checking requirements, to establish the minimum requirements and the conditions for mutual recognition in respect of training programmes and certification, and to adopt additional labelling requirements. Since those measures are of general scope and are designed to amend non-essential elements of Regulation (EC) No 842/2006 by supplementing it with new non-essential elements, they must be adopted in accordance with the regulatory procedure with scrutiny provided for in Article 5a of Decision 1999/468/EC.

Accordingly, Regulation (EC) No 842/2006 is hereby amended as follows:

1. Article 3(7) shall be replaced by the following:
  7. The Commission shall establish the standard leakage checking requirements for each of the applications referred to in paragraph 1. Those measures, designed to amend non-essential elements of this Regulation by supplementing it, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 12(3).;
2. Article 5(1) shall be replaced by the following:
  1. The Commission shall establish, on the basis of information received from Member States and in consultation with the relevant sectors, the minimum requirements and the conditions for mutual recognition in respect of training programmes and certification for both the companies and the relevant personnel involved in the installation, maintenance or servicing of the equipment and systems covered by Article 3(1), and for the personnel involved in the activities provided for by Articles 3 and 4. Those measures, designed to amend non-essential elements of this Regulation by supplementing it, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 12(3).;
3. Article 7(3) shall be replaced by the following:
  3. The form of the label to be used shall be determined in accordance with the regulatory procedure referred to in Article 12(2).

Labelling requirements additional to those set out in paragraph 1 shall, if appropriate, be adopted. Those measures, designed to amend non-essential elements of this Regulation by supplementing it, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 12(3).

Before submitting a proposal to the Committee referred to in Article 12(1), the Commission shall review the desirability of including additional environmental information, including the global warming potential, on labels, taking due account of existing labelling schemes already applicable to the products and equipment referred to in paragraph 2.;

4. Article 12(3) shall be replaced by the following:
  3. Where reference is made to this paragraph, Article 5a(1) to (4) and Article 7 of Decision 1999/468/EC shall apply, having regard to the provisions of Article 8 thereof.

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**Changes to legislation:** There are currently no known outstanding effects for the Regulation (EC) No 1137/2008 of the European Parliament and of the Council, Division 4.. (See end of Document for details)

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- 4.13. Directive 2006/44/EC of the European Parliament and of the Council of 6 September 2006 on the quality of fresh waters needing protection or improvement in order to support fish life<sup>(13)</sup>

As regards Directive 2006/44/EC, the Commission should be empowered to adapt the G values for the parameters, and the methods of analysis, set out in Annex I thereto to technical and scientific progress. Since those measures are of general scope and are designed to amend non-essential elements of Directive 2006/44/EC, they must be adopted in accordance with the regulatory procedure with scrutiny provided for in Article 5a of Decision 1999/468/EC.

Accordingly, Directive 2006/44/EC is hereby amended as follows:

1. Article 12 shall be replaced by the following:

*Article 12*

The Commission shall adopt measures necessary to adapt to technical and scientific progress the G values for the parameters, and the methods of analysis, set out in Annex I to this Directive. Those measures, designed to amend non-essential elements of this Directive, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 13(2).;

2. Article 13 shall be amended as follows:

- (a) paragraph 2 shall be replaced by the following:

2. Where reference is made to this paragraph, Article 5a(1) to (4) and Article 7 of Decision 1999/468/EC shall apply, having regard to the provisions of Article 8 thereof.;

- (b) paragraph 3 shall be deleted.

- 4.14. Directive 2006/113/EC of the European Parliament and of the Council of 12 December 2006 on the quality required of shellfish waters<sup>(14)</sup>

As regards Directive 2006/113/EC, the Commission should be empowered to adapt to technical and scientific progress the G values for the parameters, and the methods of analysis, set out in Annex I thereto. Since those measures are of general scope and are designed to amend non-essential elements of Directive 2006/113/EC, they must be adopted in accordance with the regulatory procedure with scrutiny provided for in Article 5a of Decision 1999/468/EC.

Accordingly, Article 12 of Directive 2006/113/EC shall be replaced by the following:

*Article 12*

The Commission, assisted by the Committee set up by Article 13(1) of Directive 2006/44/EC, shall adopt measures necessary to adapt to technical and scientific progress the G values for the parameters, and the methods of analysis, set out in Annex I to this Directive. Those measures, designed to amend non-essential elements of this Directive, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 13(2) of Directive 2006/44/EC.

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**Changes to legislation:** There are currently no known outstanding effects for the Regulation (EC) No 1137/2008 of the European Parliament and of the Council, Division 4.. (See end of Document for details)

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- (1) OJ L 31, 5.2.1976, p. 1.
- (2) OJ L 135, 30.5.1991, p. 40.
- (3) OJ L 375, 31.12.1991, p. 1.
- (4) OJ L 365, 31.12.1994, p. 24.
- (5) OJ L 10, 14.1.1997, p. 13.
- (6) OJ L 182, 16.7.1999, p. 1.
- (7) OJ L 12, 18.1.2000, p. 16.
- (8) OJ L 332, 28.12.2000, p. 91.
- (9) OJ L 189, 18.7.2002, p. 12.
- (10) OJ L 268, 18.10.2003, p. 24.
- (11) OJ L 143, 30.4.2004, p. 87.
- (12) OJ L 161, 14.6.2006, p. 1.
- (13) OJ L 264, 25.9.2006, p. 20.
- (14) OJ L 376, 27.12.2006, p. 14.

**Changes to legislation:**

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