

5905/97

LIMITE

PUBLIC 2

LEGISLATIVE TRANSPARENCY

STATEMENTS ACCESSIBLE TO THE PUBLIC
JANUARY 1997

The Annex to this document contains a summary of the definitive legislative acts adopted by the Council in January 1997, together with the statements in its minutes which the Council has decided to make public.

STATEMENTS IN THE MINUTES TO WHICH THE PUBLIC HAS BEEN GIVEN ACCESS - JANUARY 1997 -			
DEFINITIVE LEGISLATIVE ACTS	TEXTS ADOPTED	STATEMENTS	VOTES
1985th Council meeting (Agriculture), on 20 January 1997			
Council Directive amending Directive 91/629/EEC laying down minimum standards for the protection of calves	13003/96 + COR 1(nl)	1/97, 2/97, 3/97	Against I Abstention E
Council Regulations:			
– amending Regulation (EEC) No 1873/84 authorizing the offer or disposal for direct human consumption of certain imported wines which may have undergone oenological processes not provided for in Regulation (EEC) No 822/87	5198/97		
– amending Regulation (EEC) No 2390/89 laying down general rules for the import of wines, grape juice and grape must	5200/97		
Council Regulation amending Regulation (EC) No 259/93 on the supervision and control of shipments of waste within, into and out of the European Community	12799/96 + COR 1(fin) + COR 2(f)	4/97, 5/97, 6/97	
Council Regulation amending Regulation (EEC) No 619/71 laying down general rules for granting aid for flax and hemp	5206/97	7/97, 8/97, 9/97	
Council Directive amending Directive 77/93/EEC on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community	12823/96	10/97, 11/97	Against D

STATEMENTS IN THE MINUTES TO WHICH THE PUBLIC HAS BEEN GIVEN ACCESS - JANUARY 1997 -			
DEFINITIVE LEGISLATIVE ACTS	TEXTS ADOPTED	STATEMENTS	VOTES
Written procedure completed on 23 January 1997 Directive of the European Parliament and of the Council on the protection of consumers in respect of distance contracts	PE-CONS 3636/96 + COR 1(s) + COR 2(d) + COR 3(en) + REV 1(i) + REV 2(fin)	12/97, 13/97	Against D
1986th Council meeting (Economic and Financial Questions), on 27 January 1997 Council Decision authorizing the French Republic, in accordance with the procedure provided for in Article 8(4) of Directive 92/81/EEC, to introduce or continue to apply exemptions from, or reductions in, excise duties on certain mineral oils used for specific purposes Council Decision authorizing the Kingdom of Sweden, in accordance with the procedure provided for in Article 8(4) of Directive 92/81/EEC, to introduce or continue to apply exemptions from, or reductions in, excise duties on certain mineral oils used for specific purposes Council Decision authorizing certain Member States to apply reductions in, or exemptions from, excise duties on certain mineral oils used for specific purposes, in accordance with the procedure provided for in Article 8(4) of Directive 92/81/EEC Council Decision establishing a reciprocal exchange of information and data from networks and individual stations measuring ambient air pollution within the Member States	12756/96 12757/96 12758/96 + COR 1(d,s) 11782/96 + COR 1(s)		

STATEMENT 1/97

"The Council notes the Commission's intention to make a proposal for a Commission Decision to the Standing Veterinary Committee in relation to the diet of calves in which it will require that:

- (a) feedingstuffs must contain enough iron to ensure an average level of haemoglobin of at least 4,5 mmol/l of blood; and
- (b) a daily minimum of fibrous feedstuffs be provided for each calf over two weeks old, the amount to be increased from 50 to 250 grams of fibrous feedstuffs for each calf aged 8 to 20 weeks."

STATEMENT 2/97

"The Commission will examine the implications for conditions of competition of introducing early-marketing premiums for calves. Should this examination show that the arrangements introduced are not being used in the same way in all Member States or are resulting in distortions of competition, the Commission will review the weight limit values in conjunction with the level of the premium paid."

STATEMENT 3/97

"The Italian delegation agrees that animal welfare needs improving and has no difficulties in accepting the wording of the Directive on ethical or health grounds.

The Italian delegation considers however that, in pursuit of the objective of ensuring animal welfare, a realistic approach must be followed which also takes account of the economic difficulties faced by farmers.

From that point of view, it stresses that this latest amendment to Community legislation on the welfare of calves will compel farmers, at their own expense and for the second time in the space of a few years, to make alterations to their farm buildings, and to their rearing systems, without being granted economic aid by the Community.

For this reason, Italy, which is a major producer of veal calves, would have been prepared to support a text of the Directive comprising a financial provision to guarantee EAGGF participation in the costs for farmers of restructuring their farms and coming into line with the new requirements on the welfare of calves."

STATEMENT 4/97

Re the Regulation in general

"The Council and the Commission would point out that waste referred to in Annex II to Regulation (EEC) No 259/93, contained in the green list of the OECD Decision of 30 March 1992 on the control of transboundary movements of waste destined for recovery, is, in most cases, not subject to the control procedures of this Regulation. They note that the Commission's report on the implementation of Regulation (EEC) No 259/93, drawn up pursuant to its Article 41(2), will also address the role and functioning of the Annexes, including their further development in the light of the above OECD Decision and the work done in the framework of the Basel Convention of 22 March 1989 on the control of transboundary movements of hazardous wastes and their disposal according to the result of the third Conference of the Parties to that Convention.

Member States and the Commission will strive towards a coherent framework of lists and categories of waste in international fora."

STATEMENT 5/97

"The Belgian, Danish, Italian, Finnish and Swedish delegations are of the opinion that the Commission should study the need for proposals regarding an extension of the control procedures for shipments within the Community in Regulation 259/93 to apply also to wastes which are included in the new Annex V but not in Annex III or IV."

STATEMENT 6/97

"The German delegation is of the opinion that, as soon as the Conference of the Parties to the Basel Convention has adopted the list of wastes which were characterized as hazardous within the meaning of the Convention ("List A"), Annexes III and IV in Annex V should be replaced by that List A. In any review of Annex V, full account should also be taken of the list of wastes which were classified as non-hazardous within the meaning of the Basel Convention ("List B")."

STATEMENT 7/97

Re hemp

"The Commission undertakes to propose appropriate measures for hemp as soon as possible."

STATEMENT 8/97

Re hemp

"The Council welcomes the Commission's statement concerning hemp and takes the view that the measures to be proposed should, as in the case of fibre flax, result in greater use of contractual arrangements for hemp."

STATEMENT 9/97

Re Article 1(6)

"The Commission states that, in laying down criteria regarding normal cultivation work, it will bear in mind the need to graduate the minimum yield according to production conditions and to stipulate that, should it not be possible to meet the prescribed minimum yield on account of officially recognized natural disasters, the areas concerned would not cease to be eligible for aid."

STATEMENT 10/97

"It is the intention of the Commission to ensure that the implementing regulation referred to in this paragraph and the implementing provisions pursuant to the fourth subparagraph of paragraph 6 are adopted before any project for a Community financial contribution relating to inspection infrastructure is submitted to the Standing Committee on Plant Health."

STATEMENT 11/97

"This Directive aims at strengthening Member States' efforts towards effective implementation of the Community plant health regime. To that end, a sound balance between the rules on Community financial solidarity and those relating to liability is essential. The Commission believes that such balance is safeguarded in the present Directive, and is confident that this will be confirmed through its implementation and through the jurisprudence of the Court of Justice of the European Communities. Should this not be the case, the Commission will not hesitate to make the proposals which are necessary to establish that balance."

STATEMENT 12/97

Statement by the Council and the Parliament re Article 6(1)

"The Council and the Parliament note that the Commission will examine the possibility and desirability of harmonizing the method of calculating the cooling-off period under existing consumer-protection legislation, notably Directive 85/577/EEC of 20 December 1985 on the protection of consumers in respect of contracts negotiated away from commercial establishments ("door-to-door sales")". ⁽¹⁾

STATEMENT 13/97

Statement by the Commission re Article 3(1), first indent

"The Commission recognizes the importance of protecting consumers in respect of distance contracts concerning financial services and has published a Green Paper entitled "Financial services: meeting consumers' expectations". In the light of reactions to the Green Paper the Commission will examine ways of incorporating consumer protection into the policy on financial services and the possible legislative implications and, if need be, will submit appropriate proposals."

⁽¹⁾ OJ No L 372, 31.12.1985, p. 31.