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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 11.01.2008
COM(2007) 870 final

2008/0005 (COD)

Proposal for a

DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

on textile names

(Recast)

EXPLANATORY MEMORANDUM

1. On 1 April 1987 the Commission decided¹ to instruct its staff that all legislative acts should be codified after no more than ten amendments, stressing that this is a minimum requirement and that departments should endeavour to codify at even shorter intervals the texts for which they are responsible, to ensure that the Community rules are clear and readily understandable.
2. The codification of Directive 96/74/EC of the European Parliament and of the Council of 16 December 1996 on textile names² has been initiated by the Commission. The new Directive was to have superseded the various acts incorporated in it³.
3. In the meantime Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission⁴ has been amended by Decision 2006/512/EC, which introduced a regulatory procedure with scrutiny for measures of general scope designed to amend non-essential elements of a basic instrument adopted in accordance with the procedure referred to in Article 251 of the Treaty, including by deleting some of those elements or by supplementing the instrument by the addition of new non-essential elements.
4. In accordance with the joint statement of the European Parliament, the Council and the Commission⁵ on Decision 2006/512/EC, for this new procedure to be applicable to instruments adopted in accordance with the procedure laid down in Article 251 of the Treaty which are already in force, those instruments must be adjusted in accordance with the applicable procedures.
5. It is therefore appropriate to transform the codification of Directive 96/74/EC into a recast in order to incorporate the amendments necessary for the adjustment to the regulatory procedure with scrutiny.

¹ COM(87) 868 PV.

² Carried out pursuant to the Communication from the Commission to the European Parliament and the Council – Codification of the Acquis communautaire, COM(2001) 645 final.

³ See Annex VI, Part A of this proposal.

⁴ OJ L 184, 17.7.1999, p. 23. Decision as amended by Decision 2006/512/EC (OJ L 200, 22.7.2006, p. 11).

⁵ OJ C 255, 21.10.2006, p. 1.

↓ 96/74/EC (adapted)

2008/0005 (COD)

Proposal for a

DIRECTIVE .../.../EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

of [...]

on textile names

(Text with EEA relevance)

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article ~~95~~ 95 thereof,

Having regard to the proposal from the Commission¹,

Having regard to the opinion of the European Economic and Social Committee²,

Acting in accordance with the procedure laid down in Article 251 of the Treaty³,

Whereas:

↓ new

(1) Directive 96/74/EC of the European Parliament and of the Council of 16 December 1996 on textile names⁴ has been substantially amended several times⁵. Since further amendments are to be made, it should be recast in the interests of clarity.

↓ 96/74/EC

(2) If the provisions of the Member States with regard to the names, composition and labelling of textile products were to vary from one Member State to another, this would create hindrances to the proper functioning of the internal market.

¹ OJ C [...], [...], p. [...].

² OJ C [...], [...], p. [...].

³ OJ C [...], [...], p. [...].

⁴ OJ L 32, 3.2.1997, p. 38. Directive as last amended by Commission Directive 2007/3/CE (OJ L 28, 3.2.2007, p. 12).

⁵ See Annex VI, Part A.

↓ 96/74/EC (adapted)

- (3) These hindrances can be eliminated if the placing of textile products on the market at Community level is subject to uniform rules. It is therefore necessary to harmonise the names of textile fibres and the particulars appearing on labels, markings and documents which accompany textile products at the various stages of their production, processing and distribution.
- (4) Provision should also be made in respect of certain products which are not made exclusively of textile materials but have a textile content which constitutes an essential part of the product or to which attention is specifically drawn by the producer, processor or trader.

↓ 96/74/EC

- (5) The tolerance in respect of ‘other fibres’, which has already been laid down for pure products, should also be applied to mixtures.
- (6) In order to attain the objective underlying national provisions in this field, labelling should be compulsory.
- (7) In cases where it is technically difficult to specify the composition of a product at the time of manufacture, any fibres known at that time may be stated on the label provided that they account for a certain percentage of the finished product.

↓ 96/74/EC (adapted)

- (8) It is expedient, in order to avoid differences of application in the Community, to specify the exact methods of labelling certain textile products consisting of two or more components, and also the components of textile products that need not be taken into account for purposes of labelling and analysis.

↓ 96/74/EC

- (9) Textile products subject only to the requirements of inclusive labelling, and those sold by the metre or in cut lengths, are to be offered for sale in such a way that the consumer can fully acquaint himself with the particulars affixed to the overall packaging or the roll. It is for the Member States to decide on the measures to be adopted for this purpose.
- (10) The use of descriptions or names which enjoy particular prestige among users and consumers should be made subject to certain conditions.

↓ 96/74/EC (adapted)

- (11) It is necessary to lay down methods for the sampling and analysis of textiles in order to exclude any possibility of objections to the methods used. However, the provisional retention of the national methods currently in force does not prevent the application of uniform rules.

↓ 96/74/EC

- (12) Annex V to this Directive which sets out the agreed allowances to be applied to the anhydrous mass of each fibre during the determination by analysis of the fibre content of textile products, gives, in items 1, 2 and 3, two different agreed allowances for calculating the composition of carded or combed fibres containing wool and/or animal hair. Laboratories cannot always tell whether a product is carded or combed, and consequently inconsistent results can arise from the application of this provision during checks on the conformity of textile products carried out in the Community. Laboratories should therefore be authorised to apply a single agreed allowance in doubtful cases.
- (13) It is not advisable in a separate Directive on textile products, to harmonise all the provisions applicable to such products.
- (14) Annexes III and IV, because of the exceptional nature of the items referred to therein, should also cover other products exempt from labelling, in particular ‘disposable’ products or products for which only inclusive labelling is required.

↓ 96/74/EC (adapted)

- (15) ☒ The measures necessary for the implementation of this Directive should be adopted in accordance with Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission⁶. ☒

↓ new

- (16) Power should be conferred on the Commission in particular to adapt Annexes I and V to technical progress and to adopt new methods of quantitative analysis for binary and ternary mixtures. Since those measures are of general scope and are designed to amend non-essential elements of this Directive, inter alia, by supplementing it, they should be adopted in accordance with the regulatory procedure with scrutiny provided for in Article 5a of Decision 1999/468/EC.
- (17) The new elements introduced into this Directive only concern the committee procedures. They therefore do not need to be transposed by the Member States.

↓

- (18) This Directive should be without prejudice to the obligations of the Member States relating to the time-limits for transposition into national law of the Directives set out in Annex VI, Part B,

⁶ OJ L 184, 17.7.1999, p. 23. Decision as amended by Decision 2006/512/EC (OJ L 200, 22.7.2006, p. 11.)

↓ 96/74/EC

HAVE ADOPTED THIS DIRECTIVE:

Article 1

1. Textile products may be marketed within the Community, either before or during their industrial processing or at any of the distribution stages, only where such products comply with the provisions of this Directive.

↓ 96/74/EC Art. 15

2. The provisions of this Directive shall not apply to textile products which:

- (a) are intended for export to third countries;
 - (b) enter Member States, under customs control, for transit purposes;
 - (c) are imported from third countries for inward processing;
 - (d) are contracted out to persons working in their own homes, or to independent firms that make up work from materials supplied without the property therein being transferred for consideration.
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↓ 96/74/EC (adapted)

Article 2

1. For the purposes of this Directive, ☒ the following definitions shall apply: ☒

↓ 96/74/EC

- (a) 'textile products' means any raw, semi-worked, worked, semi-manufactured, manufactured, semi-made-up or made-up products which are exclusively composed of textile fibres, regardless of the mixing or assembly process employed;
 - (b) 'textile fibre' means:
 - (i) a unit of matter characterised by its flexibility, fineness and high ratio of length to maximum transverse dimension, which render it suitable for textile applications;
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↓ 96/74/EC (adapted)

- (ii) flexible strips or tubes, of which the apparent width does not exceed 5 mm, including strips cut from wider strips or films, produced from the substances used for the manufacture of the fibres listed under items 19 to ☒ 47 ☒ in Annex I and suitable for textile applications; the apparent width is the width of

the strip or tube when folded, flattened, compressed or twisted, or the average width where the width is not uniform.

↓ 96/74/EC

2. The following shall be treated in the same way as textile products and shall be subject to the provisions of this Directive:

- (a) products containing at least 80% by weight of textile fibres;
- (b) furniture, umbrella and sunshade coverings containing at least 80% by weight of textile components; similarly, the textile components of multi-layer floor coverings, of mattresses and of camping goods, and warm linings of footwear, gloves, mittens and mitts, provided such parts or linings constitute at least 80% by weight of the complete article;
- (c) textiles incorporated in other products and forming an integral part thereof, where their composition is specified.

Article 3

- 1. The names and descriptions of fibres referred to in Article 2 are listed in Annex I.
- 2. Use of the names appearing in the table in Annex I shall be reserved for fibres whose nature is specified under the same item of that table.
- 3. None of those names may be used for any other fibre, whether on their own or as a root or as an adjective, in any language whatsoever.
- 4. The word 'silk' may not be used to indicate the shape or particular presentation in continuous yarn of textile fibres.

Article 4

- 1. No textile product may be described as '100%', 'pure' or 'all' unless it is exclusively composed of the same fibre; no similar term may be used.
- 2. A textile product may contain up to 2% by weight of other fibres, provided this quantity is justified on technical grounds and is not added as a matter of routine. This tolerance shall be increased to 5% in the case of textile products which have undergone a carding process.

Article 5

↓ 96/74/EC (adapted)

- 1. A wool product may be described ☒ with one of the names referred to in Annex II ☒, ☒ provided that ☒ it is composed exclusively of a fibre which has not previously been incorporated in a finished product, which has not been subjected to any spinning and/or

felting processes other than those required in the manufacture of that product, and which has not been damaged by treatment or use.

2. By way of derogation from paragraph 1, the names referred to in Annex II may be used to describe wool contained in a fibre mixture when:

(a) all the wool contained in that mixture satisfies the requirements laid down in paragraph 1;

↓ 96/74/EC

(b) this wool accounts for not less than 25% of the total weight of the mixture;

(c) in the case of a scribbled mixture, the wool is mixed with only one other fibre.

In the case referred to in this paragraph, the full percentage composition must be given.

3. The tolerance justified on technical grounds connected with manufacture shall be limited to 0,3% of fibrous impurities in the case of the products referred to in paragraphs 1 and 2, including wool products which have undergone a carding process.

Article 6

1. A textile product composed of two or more fibres, one of which accounts for at least 85% of the total weight, shall be designated:

(a) by the name of the latter fibre followed by its percentage by weight; or

(b) by the name of the latter fibre followed by the words '85% minimum'; or

(c) by the full percentage composition of the product.

2. A textile product composed of two or more fibres, none of which accounts for as much as 85% of the total weight, shall be designated by the name and percentage by weight of at least the two main fibres, followed by the names of the other constituent fibres in descending order of weight, with or without an indication of their percentage by weight. However:

(a) fibres which separately account for less than 10% of the total weight of a product may be collectively designated by the term 'other fibres', followed by the total percentage by weight;

(b) where the name of a fibre which accounts for less than 10% of the total weight of a product is specified, the full percentage composition of that product shall be given.

3. Products having a pure cotton warp and a pure flax weft, in which the percentage of flax accounts for not less than 40% of the total weight of the unsized fabric may be given the name 'cotton linen union' which must be accompanied by the composition specification 'pure cotton warp — pure flax weft'.

4. The term 'mixed fibres' or the term 'unspecified textile composition' may be used for any product the composition of which cannot easily be stated at the time of manufacture.

5. In the case of textile products intended for the end consumer, in the percentage compositions specified in paragraphs 1 to 4:

- (a) a quantity of extraneous fibres of up to 2% of the total weight of the textile product shall be tolerated, provided that this quantity is justified on technical grounds and is not added as a matter of routine; this tolerance shall be increased to 5% in the case of products which have undergone a carding process and shall be without prejudice to the tolerance referred to in Article 5(3);

↓ 96/74/EC (adapted)

- (b) a manufacturing tolerance of 3% shall be permitted between the stated fibre percentages and the percentages obtained from analysis, in relation to the total weight of fibres shown on the label; such tolerance shall also be applied to fibres which, in accordance with paragraph 2, are listed in descending order of weight with no indication of their percentage. This tolerance shall also apply for the purpose of Article 5(2)(b).

↓ 96/74/EC

On analysis, the tolerances shall be calculated separately. The total weight to be taken into account in calculating the tolerance referred to in point (b) shall be that of the fibres of the finished product less the weight of any extraneous fibres found when applying the tolerance referred to in point (a).

The addition of the tolerances referred to in points (a) and (b) shall be permitted only if any extraneous fibres found by analysis, when applying the tolerance referred to in point (a), prove to be of the same chemical type as one or more of the fibres shown on the label.

In the case of particular products for which the manufacturing process requires tolerances higher than those given in points (a) and (b), higher tolerances may be authorised when the conformity of the product is checked pursuant to Article 13(1) only in exceptional cases and where adequate justification is provided by the manufacturer. Member States shall immediately inform the Commission thereof.

Article 7

Without prejudice to the tolerances laid down in Article 4(2), Article 5(3) and Article 6(5), visible, isolable fibres which are purely decorative and do not exceed 7% of the weight of the finished product need not be mentioned in the fibre compositions provided for in Articles 4 and 6; the same shall apply to fibres, such as metallic fibres, which are incorporated in order to obtain an antistatic effect and which do not exceed 2% of the weight of the finished product. In the case of the products referred to in Article 6(3), such percentages shall be calculated not on the weight of the fabric but on the weight of the warp and that of the weft separately.

Article 8

1. Textile products within the meaning of this Directive shall be labelled or marked whenever they are put on the market for production or commercial purposes. This labelling or marking may be replaced or supplemented by accompanying commercial documents when the products are not being offered for sale to the end consumer, or when they are delivered in performance of an order placed by the State or by some other legal person governed by public law or, in those Member States where this concept is unknown, by an equivalent entity.

↓ 96/74/EC (adapted)

2. The names, descriptions and particulars as to textile fibre content referred to in Articles 3 to 6 and in ☒ Annexes I and II ☒ shall be clearly indicated in the commercial documents. This requirement shall, in particular, preclude the use of abbreviations in sales contracts, bills and invoices. However, a mechanised processing code may be used, provided that code is explained in the same document.

3. The names, descriptions and particulars as to textile fibres content referred to in Articles 3 to 6 and in ☒ Annexes I and II ☒ shall be indicated in clear, legible and uniform print when textile products are offered for sale or sold to the consumer, and in particular in catalogues and trade literature, on packagings, on labels and on markings.

Particulars and information other than those provided for by this Directive shall be quite separate. This provision shall not apply to trade marks or to the name of the undertaking which may be given immediately before or after particulars provided for by this Directive.

If, however, when a textile product is offered for sale or is sold to the consumer as referred to in the first subparagraph, a trade mark or a name of an undertaking is indicated which contains, on its own or as an adjective or as a root, one of the names listed in Annex I or a name liable to be confused therewith, the trade mark or the name of an undertaking must be immediately preceded or followed by the names, descriptions and particulars as to textile fibre content referred to in Articles 3 to 6 and in ☒ Annexes I and II ☒ in clear and legible print.

↓ 96/74/EC

4. Member States may require that, when textile products are offered for sale or are sold to the end consumer in their territory, their national languages should also be used for the labelling and marking required by this Article.

In the case of bobbins, reels, skeins, balls or any other small quantity of sewing, mending and embroidery yarns, the option provided for in the first subparagraph may be exercised by the Member States only in the case of inclusive labelling on packaging or displays. Without prejudice to the cases referred to in item 18 of Annex IV, individual items may be labelled in any one of the Community languages.

5. Member States may not prohibit the use of descriptions or particulars other than those referred to in Articles 3, 4 and 5 which relate to characteristics of products where such descriptions or particulars are consistent with their fair trade practices.

Article 9

1. Any textile product composed of two or more components which have different fibre contents shall bear a label stating the fibre content of each component. Such labelling shall not be compulsory for components representing less than 30% of the total weight of the product, excluding main linings.
2. Where two or more textile products have the same fibre content and normally form a single unit, they need bear only one label.
3. Without prejudice to the provisions of Article 12:
 - (a) the fibre composition of the following corsetry articles shall be indicated by stating the composition of the whole product or that of the components listed below either inclusively or separately:
 - (i) for brassières: the outside and inside fabric of the cups and back;
 - (ii) for corsets: the front, rear and side stiffening panels;
 - (iii) for corselets: the outside and inside fabric of the cups, the front and rear stiffening panels and the side panels.

The fibre composition of corsetry articles other than those listed in the first subparagraph shall be indicated by stating the composition of the whole product or, either inclusively or separately, the composition of the various components of the articles; such labelling shall not be compulsory for components representing less than 10% of the total weight of the product.

The separate labelling of the various parts of the said corsetry articles shall be carried out in such a way that the end consumer can easily understand to which part of the product the particulars on the label refer;

- (b) the fibre composition of etch-printed textiles shall be given for the product as a whole and may be indicated by stating, separately, the composition of the base fabric and that of the etched parts. These components must be mentioned by name;
- (c) the fibre composition of embroidered textiles shall be given for the product as a whole and may be indicated by stating, separately, the composition of the base fabric and that of the embroidery yarn; these components must be mentioned by name; if the embroidered parts amount to less than 10% of the surface area of the product, only the composition of the base fabric need be stated;
- (d) the fibre composition of yarns consisting of a core and a cover made up of different fibres, and offered for sale as such to the consumer, shall be given for the product as a whole and may be indicated by stating the composition of the core and the cover separately; these components must be mentioned by name;
- (e) the fibre composition of velvet and plush textiles, or of textiles resembling velvet or plush, shall be given for the whole product and, where the product comprises a distinct backing and a use-surface composed of different fibres, may be stated separately for these two parts, which must be mentioned by name;

- (f) the composition of floor coverings and carpets of which the backing and the use-surface are composed of different fibres may be stated for the use-surface alone, which must be mentioned by name.

Article 10

1. By way of derogation from the provisions of Articles 8 and 9:

- (a) in the case of textile products listed in Annex III which are at one of the stages referred to in Article 2(1)(a), Member States may not require any labelling or marking bearing the name or composition. However, the provisions of Articles 8 and 9 shall apply where such products bear a label or marking giving the name or composition, or a trade mark or name of an undertaking which incorporates, on its own or as an adjective or as a root, either one of the names listed in Annex I or a name liable to be confused therewith;
- (b) where textile products listed in Annex IV are of the same type and composition, they may be offered for sale together under an inclusive label giving the composition particulars laid down by this Directive;
- (c) the composition of textile products sold by the metre needs to be shown only on the length or roll offered for sale.

2. Member States shall take all necessary steps to ensure that the products referred to in points (b) and (c) of paragraph 1 are offered for sale in such a way that the end consumer can fully acquaint himself with the composition of those products.

Article 11

Member States shall take all necessary measures to ensure that any information supplied when textile products are placed on the market cannot be confused with the names and particulars laid down by this Directive.

Article 12

For the purposes of applying Article 8(1) and the other provisions of this Directive relating to the labelling of textile products, the fibre percentages referred to in Articles 4, 5 and 6 shall be determined without taking account of the following items:

- (a) for all textile products: non-textile parts, selvages, labels and badges, edgings and trimmings not forming an integral part of the product, buttons and buckles covered with textile materials, accessories, decorations, non-elastic ribbons, elastic threads and bands added at specific and limited points of the product and, subject to the conditions specified in Article 7, visible, isolable fibres which are purely decorative and antistatic fibres;
- (b) for floor coverings and carpets: all components other than the use-surface;

- (c) for upholstery fabrics: binding and filling warps and wefts which do not form part of the use-surface;
- (d) for hangings and curtains: binding and filling warps and wefts which do not form part of the right side of the fabric;
- (e) for other textile products: base or underlying fabrics, stiffenings and reinforcements, inter-linings and canvas backings, stitching and assembly threads unless they replace the warp and/or weft of the fabric, fillings not having an insulating function and, subject to Article 9(1), linings.

For the purposes of this provision:

- (i) the base or underlying material of textile products which serve as a backing for the use-surface, in particular in blankets and double fabrics, and the backings of velvet or plush fabrics and kindred products shall not be regarded as backings to be removed;
 - (ii) ‘stiffenings and reinforcements’ mean the yarns or materials added at specific and limited points of the textile products to strengthen them or to give them stiffness or thickness;
- (f) fatty substances, binders, weightings, sizings and dressings, impregnating products, additional dyeing and printing products and other textile processing products. In the absence of Community provisions, Member States shall take all necessary measures to ensure that these items are not present in quantities liable to mislead the consumer.

Article 13

1. Checks on whether the composition of textile products is in conformity with the information supplied in accordance with this Directive shall be carried out by the methods of analysis specified in the Directives referred to in paragraph 2.

For this purpose, the fibre percentages in Articles 4, 5 and 6 shall be determined by applying to the anhydrous mass of each fibre the appropriate agreed allowance laid down in Annex V, after having removed the items referred to in Article 12.

↓ 96/74/EC (adapted)

2. Separate directives shall specify the methods of sampling and analysis to be used in Member States to determine the fibre composition of products covered by this Directive.

↓ 96/74/EC

Article 14

1. No Member State may, for reasons connected with names or composition specifications, prohibit or impede the placing on the market of textile products which satisfy the provisions of this Directive.

2. The provisions of this Directive shall not preclude the application of the provisions in force in each Member State on the protection of industrial and commercial property, on indications of provenance, marks of origin and the prevention of unfair competition.

Article 15

↓ 96/74/EC (adapted)
⇒ new

1. ⇒ The Commission shall adopt ⇐ the additions to Annex I and the additions and amendments to Annex V which are necessary for adapting those Annexes to technical progress ~~shall be adopted in accordance with the procedure laid down in Article 6 of Directive 96/73/EC.~~

2. ⇒ The Commission shall determine ⇐ the new methods of quantitative analysis for binary and ternary mixtures other than those referred to in Directive 96/73/EC of the European Parliament and of the Council⁷ and Council Directive 73/44/EEC⁸ ~~shall also be determined by that procedure.~~

↓ new

3. The measures referred to in paragraphs 1 and 2, 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 16(2).

↓ 96/74/EC (adapted)
⇒ new

⊠ Article 16 ⊠

⊠ 1. The Commission shall be assisted by the Committee for Directives relating to Textile Names and Labelling set up pursuant Directive 96/73/EC, hereinafter referred to as ‘the 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.~~

⇒ 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. ⇐

~~3. The Committee shall adopt its rules of procedure.~~

⁷ OJ L 32, 3.2.1997, p. 1.

⁸ OJ L 83, 30.3.1973, p. 1.

↓ 96/74/EC

Article 17

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

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Article 18

Directive 96/74/EC, as amended by the Acts listed in Annex VI, Part A, is repealed, without prejudice to the obligations of the Member States relating to the time-limits for transposition into national law of the Directives set out in Annex VI, Part B.

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

↓ 96/74/EC Art. 19 second para.
(adapted)

Article 19

This Directive shall enter into force on ☒ 3 February 2008 ☒.

↓ 96/74/EC Art. 19 first para.

Article 20

This Directive is addressed to the Member States.

↓ 96/74/EC

Done at Brussels, [...]

For the European Parliament
The President
[...]

For the Council
The President
[...]

↓ 96/74/EC (adapted)
 →₁ 97/37/EC Art. 1 pt. 1
 →₂ 97/37/EC Art. 1 pt. 7
 →₃ 97/37/EC Art. 1 pt. 2

ANNEX I

TABLE OF TEXTILE FIBRES

(Article 3)

Nos	Name	Fibre description
1	wool ⁽¹⁾	Fibre from sheep's or lambs' fleeces (<i>Ovis aries</i>)
2	alpaca, llama, camel, kashmir, mohair, angora, vicuña, yak, guanaco, → ₁ cashgora ←, beaver, otter, followed or not by the name 'wool' or 'hair' ⁽¹⁾	hair of the following animals: alpaca, llama, camel, kashmir goat, angora goat, angora rabbit, vicuna, yak, guanaco, → ₁ cashgora goat (a cross between the kashmir goat and the angora goat) ←, beaver, otter
3	animal or horsehair, with or without an indication of the kind of animal (e.g. cattle hair, common goat hair, horsehair)	hair of the various animals not mentioned under 1 or 2
4	silk	fibre obtained exclusively from silk-secreting insects
5	cotton	fibre obtained from the bolls of the cotton plant (<i>Gossypium</i>)
6	kapok	fibre obtained from the inside of the kapok fruit (<i>Ceiba pentandra</i>)
7	flax	fibre obtained from the bast of the flax plant (<i>Linum usitatissimum</i>)
8	true hemp	fibre obtained from the bast of hemp (<i>Cannabis sativa</i>)
9	jute	fibre obtained from the bast of <i>Corchorus olitorius</i> and <i>Corchorus capsularis</i> . For the purposes of this Directive, bast fibres obtained from the following species shall be treated in the same way as jute: <i>Hibiscus cannabinus</i> , <i>Hibiscus sabdariffa</i> , <i>Abutilon avicennae</i> , <i>Urena lobata</i> , <i>Urena sinuata</i>

10	abaca (Manila hemp)	fibre obtained from the sheathing leaf of <i>Musa textilis</i>
11	alfa	fibre obtained from the leaves of <i>Stipa tenacissima</i>
12	coir (coconut)	fibre obtained from the fruit of <i>Cocos nucifera</i>
13	broom	fibre obtained from the bast of <i>Cytisus scoparius</i> and/or <i>Spartium Junceum</i>
14	ramie	fibre obtained from the bast of <i>Boehmeria nivea</i> and <i>Boehmeria tenacissima</i>
15	sisal	fibre obtained from the leaves of <i>Agave sisalana</i>
16	Sunn	fibre from the bast of <i>Crotalaria juncea</i>
17	Henequen	fibre from the bast of <i>Agave Fourcroydes</i>
18	Maguey	fibre from the bast of <i>Agave Cantala</i>
19	acetate	cellulose acetate fibre wherein less than 92 % but at least 74% of the hydroxyl groups are acetylated
20	alginate	fibre obtained from metallic salts of alginic acid
21	cupro (cuprammonium rayon)	regenerated cellulose fibre obtained by the cuprammonium process
22	modal	<p>→₂ a regenerated cellulose fibre obtained by a modified viscose process having a high breaking force and high wet modulus. The breaking force (B_C) in the conditioned state and the force (B_M) required to produce an elongation of 5% in the wet state are:</p> $B_C (\text{CN}) \geq 1,3 \sqrt{T} + 2 T$ $B_M (\text{CN}) \geq 0,5 \sqrt{T}$ <p>where T is the mean linear density in decitex ←</p>
23	protein	fibre obtained from natural protein substances regenerated and stabilised through the action of chemical agents
24	triacetate	cellulose acetate fibre wherein at least 92% of the hydroxyl groups are acetylated
25	viscose	regenerated cellulose fibre obtained by the viscose process for filament and discontinuous fibre

26	acrylic	fibre formed of linear macromolecules comprising at least 85% (by mass) in the chain of the acrylonitrilic pattern
27	chlorofibre	fibre formed of linear macromolecules having in their chain more than 50% by mass of chlorinated vinyl or chlorinated vinylidene monomeric units
28	fluorofibre	fibre formed of linear macromolecules made from fluorocarbon aliphatic monomers
29	modacrylic	fibre formed of linear macromolecules having in the chain more than 50% and less than 85% (by mass) of the acrylonitrilic pattern
30	→ ₃ polyamide or nylon ←	→ ₃ fibre formed from synthetic linear macromolecules having in the chain recurring amide linkages of which at least 85% are joined to aliphatic or cycloaliphatic units ←

↓ 97/37/EC Art. 1 pt. 4

31	aramid	fibre formed from synthetic linear macromolecules made up of aromatic groups joined by amide or imide linkages, of which at least 85% are joined directly to two aromatic rings and with the number of imide linkages, if the latter are present, not exceeding the number of amide linkages
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↓ 97/37/EC Art. 1 pt. 5

32	polyimide	fibre formed from synthetic linear macromolecules having in the chain recurring imide units
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↓ 97/37/EC Art. 1 pt. 6

33	Lyocell ⁽²⁾	a regenerated cellulose fibre obtained by dissolution, and an organic solvent spinning process, without formation of derivatives
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↓ 2004/34/EC Art. 1 pt. 1

34	polylactide	fibre formed of linear macromolecules having in the chain at least 85% (by mass) of lactic acid ester units derived from naturally occurring sugars, and which has a melting temperature of at least 135 °C
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↓ 96/74/EC (adapted)
 →₁ 97/37/EC Art. 1 pt. 3

→ ₁ 35 ←	polyester	fibre formed of linear macromolecules comprising at least 85% (by mass) in the chain of an ester of a diol and terephthalic acid
→ ₁ 36 ←	polyethylene	fibre formed of un-substituted aliphatic saturated hydrocarbon linear macromolecules
→ ₁ 37 ←	polypropylene	fibre formed of an aliphatic saturated hydrocarbon linear macromolecule where one carbon atom in two carries a methyl side chain in an isotactic disposition and without further substitution
→ ₁ 38 ←	polycarbamide	fibre formed of linear macromolecules having in the chain the recurring ureylene (NH—CO—NH) functional group
→ ₁ 39 ←	polyurethane	fibre formed of linear macromolecules composed of chains with the recurring urethane functional group
→ ₁ 40 ←	vinylal	fibre formed of linear macromolecules whose chain is constituted by poly(vinyl alcohol) with differing levels of acetalisation
→ ₁ 41 ←	trivinyll	fibre formed of acrylonitrile terpolymer, a chlorinated vinyl monomer and a third vinyl monomer, none of which represents as much as 50% of the total mass
→ ₁ 42 ←	elastodiene	elastofibre composed of natural or synthetic polyisoprene, or composed of one or more dienes polymerised with or without one or more vinyl monomers, and which, when stretched to three times its original length and released, recovers rapidly and substantially to its initial length
→ ₁ 43 ←	elastane	elastofibre composed of at least 85% (by mass) of a segmented polyurethane, and which, when stretched to three times its original length and released, recovers rapidly and substantially to its initial length
→ ₁ 44 ←	glass fibre	fibre made of glass

→ ₁ 45 ←	name corresponding to the material of which the fibres are composed, e.g. metal (metallic, metallised), asbestos, paper, followed or not by the word 'yarn' or 'fibre'	fibres obtained from miscellaneous or new materials not listed above
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↓ 2006/3/EC Art. 1 pt. 1

46	elastomultiester	fibre formed by interaction of two or more chemically distinct linear macromolecules in two or more distinct phases (of which none exceeds 85% by mass) which contains ester groups as dominant functional unit (at least 85%) and which, after suitable treatment when stretched to one and half times its original length and released, recovers rapidly and substantially to its initial length
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↓ 2007/3/EC Art. 1 pt. 1

47	elastolefin	fibre composed of at least 95% (by mass) of macromolecules partially cross-linked, made up from ethylene and at least one other olefin and which, when stretched to one and a half times its original length and released, recovers rapidly and substantially to its initial length
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↓ 96/74/EC (adapted)

→₁ 97/37/EC Art. 1 pt. 6

⁽¹⁾ The name 'wool' in item 1 of this Annex may also be used to indicate a mixture of fibres from sheep's or lambs' fleeces and the hairs listed in the third column of item 2.
This provision is applicable to the textile products listed in Articles 4 and 5 and to those referred to in Article 6 provided that the latter are partly composed of the fibres listed in items 1 and 2.

→₁ ⁽²⁾ It is understood that an 'organic solvent' means essentially a mixture of organic chemicals and water. ←

↓ 96/74/EC Art. 5(1) (adapted)

⊗ ANNEX II ⊗

⊗ NAMES REFERRED TO IN ARTICLE 5(1) ⊗

↓ 2006/96/EC Art 1 and Annex
Point D 2 (adapted)

– ⊗ in Bulgarian: ⊗ ‘необработена вълна’,

↓ 96/74/EC Art. 5(1) (adapted)

– ⊗ in Spanish: ⊗ ‘lana virgen’ or ‘lana de esquilado’,

↓ 2003 Act of Accession Art. 20
p. 39 and Annex II p. 66-67
(adapted)

– ⊗ in Czech: ⊗ ‘střížní vlna’,

↓ 96/74/EC Art. 5(1) (adapted)

– ⊗ in Danish: ⊗ ‘ren, ny uld’,

– ⊗ in German: ⊗ ‘Schurwolle’,

↓ 2003 Act of Accession Art. 20
p. 39 and Annex II p. 66-67
(adapted)

– ⊗ in Estonian: ⊗ ‘uus vill’,

↓ 96/74/EC Art. 5(1) (adapted)

– ⊗ in Greek: ⊗ ‘παρθένο μαλλί’,

– ⊗ in English: ⊗ ‘fleece wool’ or ‘virgin wool’,

– ⊗ in French: ⊗ ‘laine vierge’ or ‘laine de tonte’,

– ⊗ in Italian: ⊗ ‘lana vergine’ or ‘lana di tosa’,

↓ 2003 Act of Accession Art. 20
p. 39 and Annex II p. 66-67
(adapted)

– ⊗ in Latvian: ⊗ ‘pirmlietojuma vilna’ or ‘cirptā vilna’,

- ☒ in Lithuanian: ☒ ‘natūralioji vilna’,
 - ☒ in Hungarian: ☒ ‘élőgyapjú’,
 - ☒ in Maltese: ☒ ‘suf vergni’,
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↓ 96/74/EC Art. 5(1) (adapted)

- ☒ in Dutch: ☒ ‘scheerwol’,
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↓ 2003 Act of Accession Art. 20
p. 39 and Annex II p. 66-67
(adapted)

- ☒ in Polish: ☒ ‘żywa wełna’,
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↓ 96/74/EC Art. 5(1) (adapted)

- ☒ in Portuguese: ☒ ‘lã virgem’,
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↓ 2006/96/EC Art 1 and Annex
Point D 2 (adapted)

- ☒ in Romanian: ☒ ‘lână virgină’,
-

↓ 2003 Act of Accession Art. 20
p. 39 and Annex II p. 66-67
(adapted)

- ☒ in Slovak: ☒ ‘strižná vlna’,

- ☒ in Slovene: ☒ ‘runska volna’,
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↓ 96/74/EC Art. 5(1) (adapted)

- ☒ in Finnish: ☒ ‘uusi villa’,

- ☒ in Swedish: ☒ ‘ren ull’.
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ANNEX III

**PRODUCTS WHICH CANNOT BE MADE SUBJECT TO MANDATORY
LABELLING OR MARKING**

(Article 10(1)(a))

1. Sleeve-supporting armbands
2. Watch straps of textile materials
3. Labels and badges
4. Stuffed pan-holders of textile materials
5. Coffee cosy covers
6. Tea cosy covers
7. Sleeve protectors
8. Muffs other than in pile fabric
9. Artificial flowers
10. Pin cushions
11. Painted canvas
12. Textile products for base and underlying fabrics and stiffenings
13. Felts
14. Old made-up textile products, where explicitly stated to be such
15. Gaiters
16. Packagings, not new and sold as such
17. Felt hats
18. Containers which are soft and without foundation, saddlery, of textile materials
19. Travel goods of textile materials
20. Hand-embroidered tapestries, finished or unfinished, and materials for their production, including embroidery yarns, sold separately from the canvas and specially presented for use in such tapestries
21. Slide fasteners

22. Buttons and buckles covered with textile materials
23. Book covers of textile materials
24. Toys
25. Textile parts of footwear, excepting warm linings
26. Table mats having several components and a surface area of not more than 500 cm²
27. Oven gloves and cloths
28. Egg cosies
29. Make-up cases
30. Tobacco pouches of textile fabric
31. Spectacle, cigarette and cigar, lighter and comb cases of textile fabric
32. Protective requisites for sports with the exception of gloves
33. Toilet cases
34. Shoe-cleaning cases
35. Funeral items
36. Disposable articles, with the exception of wadding

For the purposes of this Directive, textile articles designed to be used once only or for a limited time, and the normal use of which precludes any restoring for subsequent use for the same or a similar purpose, are to be regarded as disposable

37. Textile articles subject to the rules of the *European Pharmacopoeia* and covered by a reference to those rules, non-disposable bandages for medical and orthopaedic use and orthopaedic textile articles in general
38. Textile articles including cordage, ropes and string, subject to item 12 of Annex IV, normally intended:
 - (a) for use as equipment components in the manufacture and processing of goods;
 - (b) for incorporation in machines, installations (e.g. for heating, air conditioning or lighting), domestic and other appliances, vehicles and other means of transport, or for their operation, maintenance or equipment, other than tarpaulin covers and textile motor vehicle accessories sold separately from the vehicle
39. Textile articles for protection and safety purposes such as safety belts, parachutes, life-jackets, emergency chutes, fire-fighting devices, bulletproof waistcoats and special protective garments (e.g. protection against fire, chemical substances or other safety hazards)

40. Air-supported structures (e.g. sports halls, exhibition stands or storage facilities), provided that particulars of the performances and technical specifications of these articles are supplied
 41. Sails
 42. Animal clothing
 43. Flags and banners
-

ANNEX IV

PRODUCTS FOR WHICH ONLY INCLUSIVE LABELLING OR MARKING IS OBLIGATORY

(Article 10(1)(b))

1. Floorcloths
2. Cleaning cloths
3. Edgings and trimmings
4. Passementerie
5. Belts
6. Braces
7. Suspenders and garters
8. Shoe and boot laces
9. Ribbons
10. Elastic
11. New packaging sold as such
12. Packing string and agricultural twine; string, cordage and ropes other than those falling within item 38 of Annex III¹
13. Table mats
14. Handkerchiefs
15. Bun nets and hair nets
16. Ties and bow ties for children
17. Bibs; washgloves and face flannels

¹ For the products falling within this item and sold in cut lengths, the inclusive labelling shall be that of the reel. The cordage and ropes falling within this item include those used in mountaineering and water sports.

18. Sewing, mending and embroidery yarns presented for retail sale in small quantities with a net weight of 1 gram or less
 19. Tape for curtains and blinds and shutters
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ANNEX V

**AGREED ALLOWANCES USED TO CALCULATE THE MASS OF FIBRES
CONTAINED IN A TEXTILE PRODUCT**

(Article 13)

Fibre No	Fibres	Percentages
1—2	Wool and animal hair:	
	combed fibres	18,25
	carded fibres	17,00 ⁽¹⁾
3	Animal hair:	
	combed fibres	18,25
	carded fibres	17,00 ⁽¹⁾
	Horsehair:	
	combed fibres	16,00
	carded fibres	15,00
4	Silk	11,00
5	Cotton:	
	normal fibres	8,50
	mercerised fibres	10,50
6	Kapok	10,90
7	Flax	12,00
8	True hemp	12,00
9	Jute	17,00
10	Abaca	14,00
11	Alfa	14,00
12	Coir	13,00
13	Broom	14,00

14	Ramie (bleached fibre)	8,50
15	Sisal	14,00
16	Sunn	12,00
17	Henequen	14,00
18	Maguey	14,00

↓ Corrigendum 96/74/EC
(OJ L 32, 3.2.1997, p. 38)

19	Acetate	9,00
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↓ 96/74/EC

20	Alginate	20,00
21	Cupro	13,00
22	Modal	13,00
23	Protein	17,00
24	Triacetate	7,00
25	Viscose	13,00
26	Acrylic	2,00
27	Chlorofibre	2,00
28	Fluorofibre	0,00
29	Modacrylic	2,00
30	Polyamide or nylon:	
	discontinuous fibre	6,25
	filament	5,75

↓ 97/37/EC Art. 2 pt. 2

31	Aramid	8,00
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↓ 97/37/EC Art. 2 pt. 3

32	Polyimide	3,50
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		↓ 97/37/EC Art. 2 pt. 4
33	Lyocell	13,00
		↓ 2004/34/EC Art. 1 pt. 2
34	Poly lactide	1,50
		↓ 96/74/EC → ₁ 97/37/EC Art. 2 pt. 1
→ ₁ 35 ←	Polyester:	
	discontinuous fibre	1,50
	filament	1,50
→ ₁ 36 ←	Polyethylene	1,50
→ ₁ 37 ←	Polypropylene	2,00
→ ₁ 38 ←	Polycarbamide	2,00
→ ₁ 39 ←	Polyurethane	
	discontinuous fibre	3,50
	filament	3,00
→ ₁ 40 ←	Vinylal	5,00
→ ₁ 41 ←	Trivinyl	3,00
→ ₁ 42 ←	Elastodiene	1,00
→ ₁ 43 ←	Elastane	1,50
→ ₁ 44 ←	Glass fibre:	
	with an average diameter of over 5 µm	2,00
	with an average diameter of 5 µm or less	3,00
→ ₁ 45 ←	Metal fibre	2,00
	Metallised fibre	2,00
	Asbestos	2,00

	Paper yarn		13,75
		↓ 2006/3/EC Art. 1 pt. 2	
46	Elastomultiester		1,50
		↓ 2007/3/EC Art. 1 pt. 2	
47	Elastolefin		1,50
		↓ 96/74/EC	

⁽¹⁾ The agreed allowances of 17,00% shall also be applied where it is impossible to ascertain whether the textile product containing wool and/or animal hair is combed or carded.



ANNEX VI

Part A

Repealed Directive with list of its successive amendments (referred to in Article 18)

Directive 96/74/EC of the European Parliament and of the Council
(OJ L 32, 3.2.1997, p. 38)

Commission Directive 97/37/EC
(OJ L 169, 27.6.1997, p. 74)

Point 1.F.2 of Annex II to the 2003 Act of Accession
(OJ L 236, 23.9.2003, p. 66)

Commission Directive 2004/34/EC
(OJ L 89, 26.3.2004, p. 35)

Commission Directive 2006/3/EC
(OJ L 5, 10.1.2006, p. 14)

Council Directive 2006/96/EC
(OJ L 363, 20.12.2006, p. 81)

Annex, point D 2 only

Commission Directive 2007/3/EC
(OJ L 28, 3.2.2007, p. 12)

Part B

List of time-limits for transposition into national law (referred to in Article 18)

Directive	Time-limit for transposition
96/74/EC	-
97/37/EC	1 June 1998
2004/34/EC	1 March 2005
2006/3/EC	9 January 2007
2006/96/EC	1 January 2007
2007/3/EC	2 February 2008

ANNEX VII

CORRELATION TABLE

Directive 96/74/EC	This Directive
Article 1	Article 1(1)
Article 2(1)	Article 2(1)(a)
Article 2(2) introductory wording	Article 2(1)(b) introductory wording
Article 2(2) first indent	Article 2(1)(b)(i)
Article 2(2) second indent	Article 2(1)(b)(ii)
Article 2(3) introductory wording	Article 2(2) introductory wording
Article 2(3) first indent	Article 2(2)(a)
Article 2(3) second indent	Article 2(2)(b)
Article 2(3) third indent	Article 2(2)(c)
Article 3	Article 3
Article 4	Article 4
Article 5(1) wording other than the indents	Article 5(1)
Article 5(1) indents	Annex II
Article 5(2)	Article 5(2)
Article 5(3)	Article 5(3)
Article 6(1) introductory wording	Article 6(1) introductory wording
Article 6(1) first indent	Article 6(1)(a)
Article 6(1) second indent	Article 6(1)(b)
Article 6(1) third indent	Article 6(1)(c)
Article 6(2)	Article 6(2)
Article 6(3)	Article 6(3)
Article 6(4)	Article 6(5)
Article 6(5)	Article 6(4)

Article 7	Article 7
Article 8(1)	Article 8(1)
Article 8(2)(a)	Article 8(2)
Article 8(2)(b)	Article 8(3)
Article 8(2)(c)	Article 8(4)
Article 8(2)(d)	Article 8(5)
Article 9(1)	Article 9(1)
Article 9(2)	Article 9(2)
Article 9(3) introductory words	Article 9(3) introductory words
Article 9(3)(a) first subparagraph, introductory wording	Article 9(3)(a) first subparagraph, introductory wording
Article 9(3)(a) first subparagraph, first indent	Article 9(3)(a) first subparagraph, point (i)
Article 9(3)(a) first subparagraph, second indent	Article 9(3)(a) first subparagraph, point (ii)
Article 9(3)(a) first subparagraph, third indent	Article 9(3)(a) first subparagraph, point (iii)
Article 9(3)(a) second subparagraph	Article 9(3)(a) second subparagraph
Article 9(3)(a) third subparagraph	Article 9(3)(a) third subparagraph
Article 9(3)(b) to (f)	Article 9(3)(b) to (f)
Article 10	Article 10
Article 11	Article 11
Article 12 introductory wording	Article 12 introductory wording
Article 12 point 1	Article 12(a)
Article 12 point 2(a)	Article 12(b)
Article 12 point 2(b) first subparagraph	Article 12(c)
Article 12 point 2(b) second subparagraph	Article 12(d)
Article 12 point 2(c) first subparagraph	Article 12(e) first subparagraph
Article 12, point 2(c) second subparagraph, introductory words	Article 12(e) second subparagraph, introductory words

Article 12, point 2(c) second subparagraph, first indent	Article 12(e) second subparagraph, point (i)
Article 12, point 2(c) second subparagraph, second indent	Article 12(e) second subparagraph, point (ii)
Article 12, point 3	Article 12(f)
Article 13	Article 13
Article 14	Article 14
Article 15, introductory wording	Article 1(2), introductory wording
Article 15, point 1	Article 1(2)(a)
Article 15, point 2	Article 1(2)(b)
Article 15, point 3	Article 1(2)(c)
Article 15, point 4	Article 1(2)(d)
Article 16	Articles 15 and 16
Article 17	Article 17
Article 18	_____
_____	Article 18
Article 19 first paragraph	Article 20
Article 19 second paragraph	Article 19
Annex I No 1 to 33	Annex I No 1 to 33
Annex I No 33a	Annex I No 34
Annex I No 34	Annex I No 35
Annex I No 35	Annex I No 36
Annex I No 36	Annex I No 37
Annex I No 37	Annex I No 38
Annex I No 38	Annex I No 39
Annex I No 39	Annex I No 40
Annex I No 40	Annex I No 41
Annex I No 41	Annex I No 42

Annex I No 42
Annex I No 43
Annex I No 44
Annex I No 45
Annex I No 46
Annex II No 1 to 33
Annex II No 33a
Annex II No 34
Annex II No 35
Annex II No 36
Annex II No 37
Annex II No 38
Annex II No 39
Annex II No 40
Annex II No 41
Annex II No 42
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Annex I No 43
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Annex V No 1 to 33
Annex V No 34
Annex V No 35
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Annex V No 37
Annex V No 38
Annex V No 39
Annex V No 40
Annex V No 41
Annex V No 42
Annex V No 43
Annex V No 44
Annex V No 45
Annex V No 46
Annex V No 47
Annex III
Annex IV

Annex VI
Annex VII